

## **Overview of the Family First Prevention Services Act of 2016 (H.R. 5456 and S. 3065)**

The Family First Prevention Services Act of 2016 (H.R. 5456) was introduced in the U.S. House of Representatives on June 13, 2016. Identical legislation (S. 3065) was introduced in the U.S. Senate on June 16, 2016. The U.S. House of Representatives Committee on Ways and Means held a mark up on this legislation on June 15, 2016 and passed the bill out of committee by unanimous consent. On June 21, 2016, the bill was passed unanimously by voice vote by the U.S. House of Representatives. It is now pending consideration by the U.S. Senate.

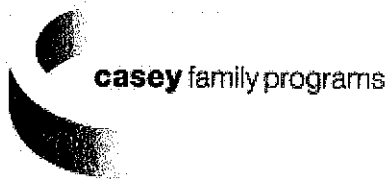
This document provides a high-level overview of the legislation as passed by the U.S. House of Representatives.<sup>1</sup> The U.S. Senate is not expected to return to conduct business until September 6, 2016 so no activity to consider this legislation is expected to occur before then.

### **Title I – Investing in Prevention and Family Services**

- Would allow states the option to use new open-ended Title IV-E funds to provide prevention services and programs for up to 12 months for children at imminent risk of entering foster care, any parenting or pregnant youth in foster care, and the parents – biological or adopted – as well as kin caregivers of these children.
  - The new Title IV-E prevention services, as well as training and administrative costs associated with developing these services, would have no income test (be “delinked” from the AFDC income eligibility requirement).
  - Eligible services would include evidence-based mental health and substance abuse prevention and treatment services, and in-home parent skill-based services.
  - The new option would take effect October 1, 2019 with the federal level of support set at 50%; effective October 1, 2025 the federal level of support would be the state’s FMAP rate.
  - Tribes who operate direct Title IV-E programs would also be eligible to choose to operate a prevention program.
- Would allow for Title IV-E foster care maintenance payments to be made for a child in foster care placed with a parent in a licensed residential family-based treatment facility for up to 12 months. No income eligibility test would apply for receipt of these services.
- Would reauthorize the Regional Partnership Grants for fiscal year (FY) 2017 through FY2021.
- Would permit Title IV-E support for evidence-based kinship navigator programs with the federal level of support at 50% of the state’s total cost.
- Would require the Secretary of the U.S. Department of Health and Human Services to identify model licensing standards for relative foster family homes by October 1, 2017.
- Would require that states use an electronic interstate case processing system to expedite the interstate placement of children in foster care, guardianship or adoption

---

<sup>1</sup> A detailed description of the legislation is also available from Casey Family Programs. See “Summary of the Family First Prevention Services Act of 2016.”



across state lines beginning no later than October 1, 2026. Would provide \$5 million in grants to states for the development of such systems.

**Title II – Ensuring the Necessity of a Placement that is not in a Foster Family Home**

- Would establish new procedures and protocols to promote placement in foster family home settings beginning October 1, 2019 by restricting the availability of Title IV-E foster care maintenance payments for children placed in settings other than family homes
- Would create new procedures and identify allowable placement settings to ensure that any placement in a setting other than a foster family home is appropriate and made to meet clinical or other treatment or service needs of the child.
- Would require as a condition of receipt of Court Improvement Program (CIP) funds that judges and lawyers, among others, are educated on these changes.

**Title III – Continuing Support for Children and Family Services**

- Would reauthorize Title IV-B programs and services, including the Stephanie Tubbs Jones Child Welfare Services Program, the Promoting Safe and Stable Families Program, the CIP Program and the John H. Chafee Foster Care Independence Program (Chafee) from FY2017 through FY2021.
- Would make modernizations to the Chafee program to emphasize more successful transitions to adulthood, including allowing States to provide services to youth who have aged out of foster care up to age 23, and allowing 5 years of eligibility for Education and Training Vouchers up to age 26.

**Title IV - Continuing Incentives to States to Promote Adoption and Legal Guardianship**

- Would reauthorize the Adoption and Legal Guardianship Incentive Programs and would require states to include in their Title IV-E and Title IV-B state plans steps to address the developmental needs of young children receiving services under Title IV-E or Title IV-B.

**Title V – Technical Corrections**

- Would make technical corrections related to data exchanges.

**Title VI – Ensuring States Reinvest Savings Resulting from the Increase in Adoption Assistance**

- Would delay an expansion of eligibility for Title IV-E adoption assistance that was enacted as part of the Fostering Connections to Success and Increasing Adoptions Act of 2008. The delay would affect children with special needs who are less than 4 years old when their adoption assistance agreement is finalized, to no longer require an income test as a condition of eligibility as of April 1, 2020.
- Would direct the U.S Government Accountability Office (GAO) to examine whether states are reinvesting all of the state savings under this provision, and whether not less than 30% of these savings are used for post-adoption and post-guardianship services, and services that support permanency and other outcomes for children who would otherwise enter foster care.