

**Summary of Key Provisions in the
Family First Prevention Services Act (FFPSA) P.L. 115-123**
(Enacted 2/9/18)

Purpose: To increase family stability by authorizing Title IV-E reimbursement for preventive services, and to reduce the use of congregate care by limiting Title IV-E reimbursement for non-foster family home settings.

Preventive Services

States have the option to use Title IV-E funding for preventive services for children who are candidates for foster care, are pregnant or parenting youth, and for the parents/kin caregivers of such children or youth under the following conditions:

- For mental health and substance abuse prevention/treatment when provided by a qualified clinician
- For in-home parent skills-based programs that include parenting skills training, parent education, and individual and family counseling
- For programs that are trauma informed
- For programs that are promising, supported, or well supported, and must have a well-designed and rigorous evaluation strategy

When such conditions are met, funding is available for a maximum of 12 months. In addition, New York may seek the Title IV-E preventive services funding only after it adopts the congregate care requirements listed below.

Congregate Care

These provisions are effective 9/29/21, pending approval of New York State's request for a two-year delay. If the request is approved, the preventive funding options above will also take effect 9/29/21.

Federal reimbursement (other than for administrative expenses) for congregate care is restricted to the first 14 days of care. The only congregate care settings that will receive federal financial support after 14 days are the following:

- Qualified Residential Treatment Program (QRTP)
- Independent living arrangements for youth 18 years and older
- Homes for pregnant/parenting teens
- High-quality residential care that includes support services for youth found to be or at risk of sex trafficking
- Licensed residential family-based substance abuse treatment facilities

A QRTP is a congregate care setting that must meet additional requirements necessary for Title IV-E reimbursement. A QRTP must

- provide a trauma-informed treatment model,
- have licensed nursing and clinical staff on-site during business hours and on call during non-business hours,
- provide at least six months of post-placement family support services,
- be licensed and accredited by an independent accreditation organization, and
- include family members in the treatment plan.

The following additional assessments are required for Title IV-E reimbursement for a placement in a QRTP:

- Each child must be assessed within 30 days of placement by a qualified individual (trained professional or licensed clinician who is not an employee of the agency or affiliated with any placement agency – waiver provision applies) using a validated tool.
- The courts must make an additional assessment within 60 days of placement and determine if the placement is appropriate.
- The head of the state, tribe or local agency must approve any placement in a QRTP longer than 12 consecutive months, or, longer than 18 months for non-consecutive stays in a QRTP.

Other Provisions

- New model foster family home licensing standards
- New definition of foster family home and limitations on the number of children in each home
- Requirement to provide proof of foster care for youth discharged from foster care at age 18 or older
- Criminal background checks required for all persons working in a child care institution
- Delay of the delinking of adoption assistance for children under the age of 2