

Timeline of Key Actions for the Family First Prevention Services Act (P.L. 115-123)

*As of August 9, 2019

	Federal Action	New York State (NYS) Action
October 2017	<p>Adoption and Legal Guardianship Incentive Program extended (sec. 50761) * Extended through FY 2021.</p>	
January 2018	<p>Delay of adoption assistance phase in (sec. 50781) • The Government Accountability Office (GAO) will review states' compliance with requirements to reinvest savings generated by the delinking of AFDC requirements, and submit a report to Congress and DHHS. (No dates specified)</p> <p>Collect and report data on children in non-foster family home settings (sec. 50744) • DHHS must report data to Congress in annual outcomes report.</p>	<p>Protocols to prevent inappropriate diagnoses (sec. 50743) • Establish, as part of the Health Care Oversight and Coordination Plan, procedures and protocols to prevent children in foster care from receiving inappropriate diagnoses that result in placement outside of a foster family home. ✓ NYS has met the requirement as described in the 2019 <i>Annual Progress and Services Report (APSR)</i>.</p> <p>Delay of adoption assistance phase-in (sec. 50781) • Reinstate AFDC income requirements for children under the age of 2 until June 30, 2024, with certain exceptions. ✓ NYS has met the requirement as described in 2018 update of the <i>OCFS Eligibility Manual for Child Welfare Programs</i> (page 69).</p> <p>Collect and report data on children in non-foster family home settings (sec. 50744) • Report data on children in non-foster home settings include, including the type of placement, number of children, age, race, gender, length of stay, specialized services provided and the number of children with permanency goals of Another Planned Permanent Living Arrangement. *NYS is awaiting federal guidance.</p>
		<p>Modifications to the John H. Chafee Foster Care Independence Program (now the John H. Chafee Foster Care Program for Successful Transition to Adulthood) (sec. 50753) • Provide youth aging out of foster care, who have been in foster care for six months or more, with documentation proving they were in foster care. ✓ NYS has met the requirement; steps for LDSS compliance outlined in 18-OCFS-ADM-16, <i>Providing Foster Care Placement Verification to Youth 18 Years of Age or Older Exiting Foster Care</i>.</p>

Supporting and retaining foster families (sec. 50751)

- Make competitive grants (\$8 million total) available to states to support recruitment and retention of high quality foster families.

Title IV-E reimbursement for prevention activities (sec 50711)

- DHHS to establish a clearinghouse of promising, supported and well-supported practices; DHHS to release guidance on practice criteria required for prevention services

* The Administration for Children and Families (ACF) has released guidance, including the first services and programs under review by the clearinghouse (ACYF-CB-PI-18-09).

Services for children under age 5 (sec 50772)

- Describe services provided to address the developmental needs of children under the age of 5 in foster care, as well as those being served in-home or in a community based setting.

✓ NYS has met the requirement as described in the 2019 APSR.

Title IV-E for [redacted] navigator programs (sec. 50713)

- Authorize 50% federal reimbursement to develop, enhance and/or evaluate kinship navigator programs.

*See ACYF-CB-PI-18-11.

Expanded background checks (sec. 50745)

- Conduct criminal history checks and SCR checks on all persons working in a child care institution

✓ NYS has met the requirement pursuant Chapter 56 of the Laws of 2019 (Part H). Steps for compliance are outlined in 19-OCFS-ADM-04, *Expansion of Background Checks for Congregate Care Staff*.

Tracking and preventing child maltreatment deaths (sec. 50732)

- Document steps taken to compile complete and accurate information on child deaths.
- Develop comprehensive statewide plan involving relevant public and private agency partners.

✓ NYS has met the requirement as described in the 2019 APSR.

Expand family reunification services (sec 50721)

- End time limits on family reunification services and allow such services for 15 months after child has returned home.

✓ NYS has met the requirement.

April 2019	<p>Model licensing standards for family foster homes (sec. 50731)</p> <ul style="list-style-type: none"> • DHHS will identify reputable model licensing standards for foster family homes. <p>*See ACYF-CB-IM-19-01, released 2/4/19.</p>	
January 2020	<p>Protocols to Prevent Inappropriate Diagnoses (sec. 50743)</p> <ul style="list-style-type: none"> • DHHS will evaluate state compliance and enforcement, identify best practices and submit a report to Congress. 	
April 2020		<p>Model licensing standards for family foster homes (sec. 50731)</p> <ul style="list-style-type: none"> • Submit to DHHS whether licensing standards are in line with the model standards and explain any differences. <p>→ The federal government granted NYS a one-year delay until April 1, 2020, for this provision. NYS requested this delay due to the uncertainty of when the federal government would release final standards; thereby allowing time to receive and review them.</p> <p>✓ NYS has met the requirement as described in 19-OCFS-ADM-07, <i>FFPSA Model Licensing Standards and Updated Forms for the Certification or Approval of Foster/Adoptive Homes</i>.</p>
		<p>Assurance of nonimpact on juvenile justice system (sec. 50741)</p> <ul style="list-style-type: none"> • Certify in state plan that policies significantly increasing the population of youth in the juvenile justice system will not be enacted in response to provisions limiting Title IV-E reimbursement for youth not

placed in foster family homes.

→ The federal government granted NYS a two-year delay until September 29, 2021 for this provision.

Limit on Title IV-E for reimbursement for youth placed in non-foster family home settings (Sec. 50741)

- Provide guidance on limitations on foster care maintenance payments for youth in foster care in a congregate care setting that is not: a qualified residential treatment program, setting for pregnant or parenting youth, supervised independent living program, licensed residential family- based substance abuse treatment facility or a setting for youth who are, or are at risk of becoming, sex trafficking victims.

→ The federal government granted NYS a two-year delay until September 29, 2021 for this provision.

Limit on number of children in foster family home (sec. 50741)

- Amend definition of foster family homes as homes limited to six children, except for homes with parenting youth, siblings, established child-foster parent bond, and specialized training for youth with disabilities.

→ The federal government granted NYS a two-year delay until September 29, 2021 for this provision.

Modifications to the John H. Chafee Foster Care Independence Program (now the John H. Chafee Foster Care Program for Successful Transition to Adulthood) (sec. 50753)

- DHHS must report to Congress data and outcomes on youth who have aged out or left foster care for kinship guardianship or adoption

Assurance of nonimpact on juvenile justice system (sec. 50741)

- GAO must report to Congress the impact of Title IV-E foster care maintenance payments on state juvenile justice systems.

Title IV-E reimbursement for prevention activities (sec 50711)

- Federal reimbursement will be at the Federal Medicaid Assistance Percentage.

Qualified Residential Treatment Program (QRTP) requirements (sec. 50742)

- Require child care institutions to meet certain criteria to qualify for Title IV-E past 14 days of placement, including specific programming requirements, an independent assessment of the need for placement and court approval.

→ The federal government granted NYS a two-year delay until September 29, 2021 for this provision.

Title IV-E reimbursement for prevention activities (sec. 50711)

- Describe how children and their parents or caregivers will be assessed to determine eligibility for services, how the services are expected to improve specific outcomes, how the safety of children will be monitored, and how each service or program will be evaluated.
- Report expenditures for each service, duration of service and whether a candidate child entered foster care within two years.

→ The federal government granted NYS a two-year delay until September 29, 2021 for this provision.

Electronic interstate case processing system (sec. 507022)

- Utilize electronic processing for interstate placements of children in foster care.

✓ NYS has met the requirement; steps for LDSS compliance outlined in 18-OCFS-ADM-17, *Requirements for Use of the National Electronic Interstate Compact Enterprise (NEICE)*.