



Family First Prevention Services Act FAQs

GENERAL/HISTORICAL

1. What is Family First?

The Family First Prevention Services Act [P.L. 115-123] (FFPSA) was enacted as part of the federal Bipartisan Budget Act of 2018. FFPSA reforms federal financing to prioritize family-based foster care over residential care by limiting federal reimbursement for certain residential placements. The law permits – with federal approval – to use Title IV-E funds for evidence-based prevention services for families at risk of entering the child welfare system. In addition, FFPSA provides new federal funding opportunities for kinship navigator programs.

2. Who are the Family First implementation leads in each region?

A complete list of Family First implementation leads can be found on the New York State Office of Children and Family Services (OCFS) [Family First web page](#).

3. Do we know how far along other large states like Texas and California are in implementing FFPSA and what their experience has been?

OCFS is in consultation with the University of Chicago Chapin Hall, a policy research institution that focuses on child welfare and family well-being, which is assisting with many facets of FFPSA implementation on a national level. OCFS also participates with several organizations that offer communication with other states regarding implementation strategies. Many other states (e.g., Texas, Florida, Illinois, etc.) also requested a two-year delay from the federal government to better prepare for implementation.

4. When did FFPSA go into effect in New York?

FFPSA provisions relating to limitations on Title IV-E reimbursement for foster children placed in congregate settings took effect in New York on 9/29/21.

5. Are all factors being considered for youth who require a higher level of care/congregate care for which a foster boarding home (FBH) would not suffice?

The FFPSA is intended to decrease reliance on congregate care for youth who can be served in a less restrictive environment. FFPSA encourages supporting children/youth in kinship foster homes and traditional foster homes over congregate settings. However, the law does allow for situations where it can be demonstrated that the needs of the child cannot be met by the child's kin or in a foster family home and that a congregate care setting is the best possible setting for a child. To provide the living environment most suitable to the level of care needed for children in foster care, local departments of social services (LDSSs) and voluntary agencies (VAs) must assess the supports that can be provided to kin and foster parents to meet the needs of the children and youth who are appropriate to be placed there.



Family First Prevention Services Act FAQs

6. What implementation supports has OCFS offered to LDSSs and VAs?

As part of New York's Statewide Technical Assistance package, LDSSs received funding through the Family First Transition Fund. LDSSs and VAs received in-person data technical assistance, monthly FFPSA readiness webinars, and policy guidance through various administrative directives (ADMs) and local commissioner's memoranda (LCMs). In addition, OCFS hosts monthly statewide implementation team meetings, attended by leaders/implementation team members from LDSSs and VAs. OCFS has provided FFPSA readiness checklists, a FFPSA implementation workbook, and a series of webinars to provide a framework for LDSSs and VAs to assess their needs and to identify programs and services. LDSSs and VAs can also reach out to their OCFS regional office for additional guidance and support.

7. What are the different resources for LDSSs and VAs to meet implementation requirements?

To align with FFPSA requirements, LDSSs and VAs should gather and assess relevant data; identify bright spots and challenges; and align practices, procedures, and policies within the provisions of the law.

LDSSs and VAs are encouraged to reach out to their respective OCFS FFPSA implementation leads and regional offices for guidance and support.

In addition, OCFS has developed the following guidance documents for LDSSs and VAs, which are available on the OCFS FFPSA webpage:

- [FFPSA Implementation Workbook](#), which guides LDSSs and VAs in developing a comprehensive analysis of the children in their care. It may also help inform decisions regarding appropriate placement of these children to comply with FFPSA. January 2021
- [Family First Prevention Services Act Readiness Checklist for Local Departments of Social Services](#) March 2019
- [Family First Prevention Services Act Readiness Checklist for Voluntary Agency Providers](#) March 2019
- Family First Implementation Team Charter to help LDSSs designate team members and organize goals: [Family First Implementation Team Charter](#)

Data

1. I am unable to access my congregate care data because I am unable to download or install programs on my computer. How can I receive my data?

Please reach out to us at FamilyFirstNY@OCFS.NY.Gov for assistance.

2. My congregate care data does not match the data provided by OCFS, why is that?



Family First Prevention Services Act FAQs

Data is pulled from CONNECTIONS, which is a living data system. Numbers will vary depending on when data was extracted. For additional assistance, please send inquiries to FamilyFirstNY@OCFS.NY.Gov.

3. How many placements are persons in need of supervision (PINS) or juvenile delinquents (JDs)? Can we also get data for length of stay for this population?

OCFS has created a Family First folder in the Data Warehouse that enables LDSSs to create a demographic profile of youth residing in congregate care settings on the last day of any given month. Included in these predefined reports are breakouts for the type of petition associated with the child's case and length of time in current care setting as well as other demographics, such as age, race, and ethnicity.

4. Is there a difference in reimbursement between pre-dispositional and adjudicated PINS placements in foster care? What if the youth was already in a PINS placement (foster care) or an institutional setting prior to January 1, 2020? When can we get federal reimbursement?

Effective January 1, 2020, there is no state reimbursement for any PINS placement. No state (or Title IV-E) funding may support pre-dispositional placements. No state dollars may be used to fund PINS pre- or post-dispositional placement, including PINS placements of youth in foster care who were placed pre-January 1, 2020, and remain in care post January 1, 2020. Post-dispositional PINS placements may be Title IV-E eligible if the youth otherwise meets the Title IV-E eligibility criteria for youth in foster care. It is important to note that all requirements of FFPSA will apply to youth in post-dispositional placements under Article 7 of the Family Court Act after September 29, 2021. For the purposes of post-dispositional placements for dually eligible TANF-EAF and Title IV-E eligible children, the local share requirements for Title IV-E cannot be matched with other federal funds, including TANF-EAF. LDSSs may use TANF-EAF funds to cover 100% of the post-dispositional placement of PINS.

Tools/Resources

1. Where can I review the Title-IV E Prevention Services Clearinghouse?

The federal Title IV-E Prevention Services Clearinghouse can be accessed at this link: <https://preventionservices.acf.hhs.gov>

2. How can I request a FFPSA technical assistance (TA) session for foster care data?



Family First Prevention Services Act FAQs

In-person technical assistance for foster care data ended in July 2019. However, if your team needs further assistance, please reach out to us at FamilyFirstNY@OCFS.NY.Gov.

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4. Where can I find the Residential Placement Checklist for Caseworkers - ICPC Regulation 4?

Required forms for Interstate Compact on the Placement of Children (ICPC) can be found on the [Family First web page](#) in the New York State Guidance section of the website.