



Family First Prevention Services Act FAQs

PREVENTION SERVICES

General

1. Will the New York State Office of Children and Family Services (OCFS) be diverting funds to increase money on the front end to prevent entry into foster care?

OCFS has a more robust preventive services funding stream than any other state in the country. New York State provides for an uncapped appropriation of 62% state share with 38% local share reimbursement for local departments of social services (LDSS) to develop prevention models. This funding has provided the prevention support necessary for many families, which has helped New York State to reduce the number of children in foster care.

2. Who has OCFS defined as a “candidate for foster care?”

[New York State’s prevention plan](#) definition:

To be considered a “candidate for foster care” a child must be under 18, at imminent risk of foster care placement or reentry, and be able to be safely retained in the home of their parents or caregivers with provision of mental health, substance abuse disorder, or in-home parenting skills evidence-based services.

Pursuant to Family First, states can claim Title IV-E prevention services funds for any approved services provided to

- children in foster care who are pregnant or parenting,
- candidates for foster care, and
- the caregivers of children in either of the above groups.

3. Are court orders needed to determine a case as mandated preventive?

No, a court order is not needed.

4. What is the timetable for OCFS to send its prevention plan to the federal government for approval?

The New York State Title IV-E Prevention Program State Plan submitted by OCFS was approved on August 2, 2022. A copy of the plan and letter of approval can be found here:

<https://ocfs.ny.gov/main/sppd/docs/FFPSA-Prevention-Plan-2022-07-29.pdf>

5. Which evidence-based programs (EBPs) are included in New York State’s prevention plan?

New York State has selected 11 EBPs to be included in the first wave of Family First implementation. All 11 programs are rated as well-supported in the Title IV-E Prevention Services Clearinghouse and have an existing infrastructure or interest in at least one LDSS in the state. They target identified needs, including parenting

Family First Prevention Services Act FAQs

and adolescent mental health and behavioral needs. Additionally, many of the programs reflect the varied service characteristics identified as desirable by LDSSs and providers, including working with complex and interrelated needs, serving families in-home, incorporating engagement strategies, and targeting youth with complex behavioral needs. The selected programs are the following:

- Brief Strategic Family Therapy (BSFT)
- Family Check-Up (FCU)
- Familias Unidas
- Functional Family Therapy (FFT)
- Healthy Families America (HFA)
- Homebuilders (HB)
- Motivational Interviewing (MI)
- Multisystemic Therapy (MST)
- Nurse Family Partnership (NFP)
- Parent-Child Interaction Therapy (PCIT)
- Parents as Teachers (PAT)

6. Can LDSSs offer prevention services and programs that do not meet the federal standards as evidence-based and recognized as promising, supported, or well-supported?

A prevention program must meet the evidence-based standard of promising, supported, or well-supported and be included in the state's prevention plan to be allowable for claims for Title IV-E reimbursement. LDSSs may continue to offer prevention services that are not recognized as promising, supported, or well-supported so long as they are not claiming for Title IV-E reimbursement for such services. In addition, OCFS has a robust state preventive services funding stream. New York State provides an uncapped appropriation of 62% state share with 38% local share reimbursement for LDSSs to develop prevention models. To seek state reimbursement for prevention services, the case must otherwise satisfy applicable state preventive services eligibility standards.

7. Will the state be seeking a waiver of the evaluation requirement for well-supported EBP models?

Family First requires that each state continually assess the degree to which the EBPs provided to children and their families are being implemented as intended and achieving the desired outcomes. To accomplish this, each EBP service submitted in a state's prevention plan must include a well-designed and rigorous evaluation strategy. The Administration for Children and Families' (ACF) Children's Bureau, however, may waive this requirement for a well-supported EBP if the state provides compelling evidence of the effectiveness of the EBP and its compliance with continuous quality improvement (CQI) requirements.

New York State requested and received a waiver of the evaluation requirements for all 11 of its selected, well-supported EBPs, having provided compelling evidence of the effectiveness of these EBPs and their compliance with CQI requirements. This waiver was approved on August 2, 2022.



Family First Prevention Services Act FAQs

8. Can LDSSs create their own CQI process?

Yes, LDSSs can create their own CQI process and are encouraged to do so. This is especially warranted if an LDSS is seeking to implement an EBP that is currently not rated as well-supported by the Title IV-E Clearinghouse.

9. Will OCFS provide the technology to track those who are offered prevention services and those who decline services?

Currently, the CONNECTIONS system, via the Family Assessment and Service Plan (FASP) and the Welfare Management System (WMS) can provide some data regarding who is receiving services. It does not currently provide data regarding who declines services. OCFS is assessing if and how this may be tracked going forward.

10. Is the 50% federal reimbursement for the entire program or for administrative costs?

The 50% federal reimbursement is for the EBP prevention service. OCFS is developing a cost allocation methodology for LDSSs to claim for agency administration costs related to Title IV-E foster care prevention candidates. These costs will be captured through the Services Random Moment Survey and allocated on the Schedule D-2, *Allocation for Claiming General Services Administration Expenditures*. For the Title IV-E EBP prevention services that are deemed allowable by the federally approved OCFS Family First Prevention Services Act (FFPSA) prevention plan, there will be purchase of service (POS) pay lines in the Welfare Management System, specific for each child.

11. Regarding the anticipated 50% federal Title IV-E reimbursement for in-home substance abuse and mental health services, have both the New York State Office of Mental Health (OMH) and the New York State Office of Addiction Services and Supports (OASAS) approved this? Is the Center for Medicaid Services (CMS) anticipated to allow for funding/billing for in-home services?

Reimbursement is available for Title IV-E EBPs that have been rated as well-supported, supported, or promising by the federal Prevention Services Clearinghouse and approved in the New York State prevention plan. There was no requirement for OMH's or OASAS' approval.

Eligible services provided to eligible families can receive 50% federal Title IV-E reimbursement, with the remaining cost split between local and state share. ACF approved New York State's prevention plan on August 2, 2022, with an effective date of January 1, 2022. New York State has been approved to provide the 11 EBP services listed under question five above. Approval from CMS is not required for federal reimbursement, because they are funded by prevention/Title IV-E dollars, not Medicaid.



Family First Prevention Services Act FAQs

12. Is this state prevention funding eligible for federal reimbursement for the remaining cost? What percent does it support? Is the maintenance of effort (MOE) based on the total expenditure (state and local share)?

For the approved EBPs in the approved OCFS state FFPSA prevention plan, there will be POS lines for each child, and the federal financial participation (FFP) rate will be at 50%. Eligible services provided to eligible families would receive 50% federal reimbursement, with the remaining cost split between local and state share.

State share for eligible child welfare preventive services remains at 62%. The MOE is based on the state and local share of eligible costs.

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 here:
<https://preventionservices.acf.hhs.gov>