Florida’s Path Forward: Family First Prevention Services Act (FFPSA) Implications for Residential Care Providers
Looking Back - Title IV-E Waiver

• Requirements for an “eligible child” and an “eligible placement” were waived so that Title IV-E funds could be spent on any child / family and any child welfare purpose

• In exchange, Florida agreed to a capped allocation with annual automatic increases plus “triggers” to adjust the allocation if actual levels significantly exceeded estimates

• Today, Florida spends 42% of Title IV-E Foster Care funds on non-traditional services

• If the Title IV-E waiver ended tomorrow, Florida would be unable to earn 42% of $190 million = $80 million
  
  o Plus, there are some other factors leading to $90 million gap

• The Title IV-E waiver ends September 30, 2019
Looking Ahead - *Path Forward*

- Florida must operate using traditional Title IV-E claiming, effective October 1, 2019
- Florida’s Path Forward encompasses several initiatives to close the identified $90 million gap
- Expanding the IV-E Footprint
  - Candidacy Program – earns about $40 million
  - Guardianship Assistance Program – earns about $20 million
  - Eligibility Rate Improvements – earns about $10 million
  - Extended Foster Care – eliminates $7 million deficit in Independent Living
Title IV-E Administration
As-is - $90m gap

In-Home
Licensed Care
Relative & Non-Relative Care

68% eligibility rate + 50% Federal Financial Participation
Title IV-E Administration
Title IV-E Candidacy – close gap by $40m

68% eligibility rate
+ 50% Federal Financial Participation

In-Home
Licensed Care
Relative & Non-Relative Care
Title IV-E Administration
Guardianship Assistance – close gap by $20m

68% eligibility rate
+ 50% Federal Financial Participation

In-Home
Licensed Care
Relative & Non-Relative Care

68% eligibility rate
+ 50% Federal Financial Participation
Title IV-E Administration
Eligibility Rate Improvement – close gap by $10m

72% eligibility rate
+ 50% Federal Financial Participation

In-Home
Licensed Care
Relative & Non-Relative Care

72% eligibility rate
+ 50% Federal Financial Participation
Title IV-E Maintenance
As-Is

72% eligibility rate
X FMAP (about 61%)

*RGC = $42m Title IV-E earnings

- In-Home
  - Family Foster Homes $40m
  - Residential Group Care $110m*

- Relative & Non-Relative Care

- Family Foster Homes TBD
Title IV-E Maintenance
Impact of FFPSA – Limit on RGC

72% eligibility rate X FMAP (about 61%)

*RGC = $42m Title IV-E earnings
Impact TBD
Title IV-E Maintenance
Impact of FFPSA – Funding for Prevention Services

100% eligibility rate X FMAP (50% until 2026, then FMAP)

Impact TBD – current prevention services spending about $40m

72% eligibility rate X FMAP (about 61%)

*RGC = $42m Title IV-E earnings
Impact TBD
Ensuring Appropriate Placements in Foster Care - Funding

**When:** Effective October 1, 2019; however, a state may delay for up to 2 years but the OPTION for prevention services claiming cannot be selected until the limit on RGC is implemented.

**Federal Reimbursement:** FMAP for eligible children (i.e. penetration rate applies), note that for Administration (e.g. case management), earnings can still be claimed on eligible children in previously eligible placements.
Ensuring Appropriate Placements in Foster Care – Approved Options

After 14 days of a child being in care, Title IV-E foster care maintenance payments may only be claimed for the following placement settings:

• Foster family home

• Family-based residential treatment facility for substance abuse

• Specialized placement settings for:
  o Pregnant and parenting youth
  o Youth 18 years and older
  o Youth who are victims of or at-risk of becoming victims of sex trafficking

• Qualified Residential Treatment Programs (QRTP)
Foster Family Home

**FEDERAL**

- Term “foster family home” means the home of an individual or family
- Meets the licensure standards established for the licensing of foster family homes
- Licensed or approved by the State to be a foster parent
- Child is placed in the care of the licensed individual
- Licensed individual resides in the home with the child
- The State deems the licensed individual capable of:
  - Adhering to the prudent parent standard
  - Providing 24-hour substitute care
  - Providing care for not more than six (6) children in foster care; exceptions allowed for sibling groups, parenting youth, and established relationships
- Payment may be made to the individual or public/private child-placement or child-care agency

**FLORIDA**

- Currently not applicable to group homes
- 36% use a family style model
- Not all family style models include a live-in caregiver
- 33% have a licensing capacity of six (6) or less children
- Financial analysis pending
Family-Based Residential Treatment Facility for Substance Abuse

**FEDERAL**

- Placement recommendation specified in the child’s case plan
- Treatment facility provides parent skills training, parent education, and individual/family counseling as part of the substance abuse treatment
- Organization structure and treatment framework includes a trauma-informed approach and trauma-specific interventions
- May claim IV-E FCMP and admin (case management) for up to 12 months
- Not a child care institute; no requirement to meet IV-E licensing and background checks
- Child is under the placement and care responsibility of the IV-E agency
- Effective October 1, 2018

**FLORIDA**

- Currently licensed by DCF Office of Substance Abuse and Mental Health
- 27 facilities identified
- Potential limitations:
  - Age and number of children parents may bring
  - Services/supports to the children
- Program analysis pending
Specialized Placement Settings

FEDERAL

• Supervised setting for youth, age 18 or older and the youth is living independently
  o States have discretion to develop this setting category and to determine if setting should be licensed

• Setting specializing in providing prenatal, post-partum, or parenting supports for youth
  o Must meet child-care institution requirements

• Setting providing high-quality residential care and supportive services for child and youth who have been found to be, or are at risk of becoming, sex trafficking victims
  o Must meet child-care institution requirements
  o States have flexibility to determine “high-quality residential care” and array of supportive services needed

FLORIDA

• Currently applicable to maternity homes and certified safe homes
  o 14 maternity homes identified
  o 7 certified safe homes identified

• At risk of sex trafficking is not a current certification category

• Supervised, independent living homes currently do not require licensure by DCF

• Community needs assessment pending
# Qualified Residential Treatment Programs

## FEDERAL

- Licensed and accredited
- Trauma-informed treatment model to serve youth with serious emotional disorders or disturbances
- Assessment of the child completed within 30 days of the start of placement by a “Qualified Individuals” (not employed by the state or affiliated with any provider) using an age-appropriate, evidence-based, validated, functional assessment tool
- Court approves placement within 60 days
- Clinical and Nursing staff available 24/7 and onsite according to the treatment model
- Providers must maintain documentation of family engagement, including contact with siblings
- Program must include six (6) months of post-discharge, family-based aftercare services/support

## FLORIDA

- Currently not applicable to group homes
- 55% of DCF licensed group homes are accredited
- Similar to existing group homes, AHCA certified BHOS provider
- Similar to existing residential mental health treatment services for children with funding by Medicaid
  - Licensing conducted by the Agency for Health Care Administration
  - Assessment and court approval completed prior to placement or a status hearing is filed within 48 hours (Juv. Rule 8.350)
  - All parties including family members are engaged
  - Clinical/nursing staff available
  - Aftercare may or may not include six (6) months of services and supports
What work is needed to move forward?

• Develop new processes and procedures for eligible Title IV-E placement settings
• Draft state law changes and state plan amendments
• Update data requirements and reporting methods
• Develop and implement technology changes
• Train staff and community partners
Wrap UP

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