



Capitol View On Kids

*The latest news on children and families in
in Washington D.C.*

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Senate Appropriations Committee Approves Labor-HHS Bill

The Senate Labor, Health and Human Services and Education Committee approved a fiscal year 2013 appropriations bill on Thursday, June 14. Two day earlier the Subcommittee approved the same measure. Most of the key child welfare programs are funded at the current year funding levels including the three key Child Abuse Prevention and Treatment Act (CAPTA) programs, the two Title IV-B programs (Child Welfare Services and Promoting Safe and Stable Families), the Adoption Opportunities Act, and the Education and Training Vouchers for youth in Foster Care. The one increase in this area did come under Title IV-B with the Committee approving the Administration's proposal to provide \$5 million to encourage programs and research to address victims of child sex trafficking within child welfare. It is unclear when the House will approve their version of the Labor-HHS bill, there have been some reports that it could be taken up as early as this week but there has been no official notice. The Committee did provide increases for some children's programs including the child care block grant, increased by \$160 million with \$70 million for addressing child care subsidy needs and \$90 million for quality improvements. Head Start received a slight increase of \$70 million to bring total funding to \$8.039 billion. The Senate also approved an increase of \$60 million for the Race to the Top Education funding increasing to \$600 million. It is expected that significant portion will be designated for the Early Learning Challenge Grants which are a part of the overall education funding program. Promise Neighborhood received an increase to \$80 million from the current \$60 million. Promise Neighborhoods is the initiative created by the Obama Administration to encourage a replication of programs similar to the Harlem Children's Zone. To see a comparison of the proposed budgets spending levels request a copy of the table at john.sciamanna962@gmail.com.

The House has proposed a budget that is \$19 billion less than was agreed to by the House and the Senate in last August's debt ceiling agreement. In addition the House has designated more spending for the defense budget. The House Appropriations Committee allocated most of their cuts on two subcommittees: Labor-HHS and Transportation-Housing. Under the House framework, Labor-HHS will get \$150 billion down from nearly \$157 billion this year. The Senate has near level funding compared to this year.



Youth Forum Discusses Foster Care Placements

On Tuesday, June 12, the Senate Caucus on Foster Youth held a roundtable discussion on long term foster care and the state's use of a classification of care called, Alternate Planned Permanency Living Arrangement or "APPLA" for short. The acronym APPLA is the result of the 1997 Adoption and Safe Families Act (ASFA). The roundtable was hosted by Co-Chairs of the caucus, Senator Charles Grassley (R-IA) and Senator Mary Landrieu (D-LA). The discussion for the most part focused on the views of more than ten young Capitol Hill interns who are or have been in foster care. In addition some key staffers gave their perspective on ASFA. Laurie Rubiner, who is now a Vice President at Planned Parenthood, was a key senate staffer on child welfare issues as a Legislative Assistant to Senator John Chafee (R-RI). Chafee

along with Senator Jay Rockefeller (D-WV) were two of the chief architects of ASFA. Rubiner said she had not been familiar with the APPLA acronym and that the term was not the major focus of ASFA. She discussed how the goal of Congress back in 1997 was to address the number of children being left in foster care. At that point foster care caseloads had not yet peaked at their 1999 level of more than 560,000 children in care (compared to 408,000 in FY 2010). A number of the young people spoke of their experiences in foster care, some ending up with better outcomes and families while others discussed how they beat the odds to obtain educations and move onto college.

ASFA was passed to address the number of children in foster care with Congress increasing the emphasis on moving children into permanency which included reunification, adoption or kinship care. At the time it was felt that far too many children were “languishing” in foster care for years without any real planning by state child welfare agencies. As a result ASFA eliminated that category of “long term foster care” and substituted language that included an alternate planned permanency living arrangement when no other option was available. In the recent years there has been an increased focus on youth “aging out” or departing foster care because they have hit the age limit on eligibility. With the number of youth aging out at nearly 28,000 a year, some in the Washington advocacy community have suggested that if current law were amended to simply eliminate the APPLA term it would force states into moving children into one of the permanency options. More recently some have suggested that simply changing terms or eliminating APPLA will not change case practice and not help young people without a genuine permanency plan.

For example, one state’s instruction on APPLA (Missouri) describes it as, “Not intended to be a catch all for whatever temporary plan is needed, APPLA is a “living arrangement that is truly planned and permanent” in nature. “Planned” means the arrangement is intended, designed, considered, premeditated, or deliberate. “Permanent” means enduring, lasting, or stable. The term “living arrangement” includes not only the physical placement of the child, but also the quality of care, supervision, and nurturing the child will receive. ...The other four preferred permanency plans (reunification, adoption, guardianship, and placement with a fit and willing relative) consider more than the physical place a child resides. They involve a specific adult or couple (as opposed to an organization) who will be in charge of the young person, exercise certain powers and responsibilities, and likely live with the young person. Further, the caregiver’s familial relationship with the child will be continuing in nature. Therefore, it follows that an APPLA either will involve a permanent adult caregiver of the child or at least adult parent figures playing permanent and important roles in the child’s life. <http://www.dss.mo.gov/cd/info/cwmanual/section4/ch23/sec4ch23sub1.htm>

At the start of the event both Senators spoke about their desire to see further reforms of the child welfare system. Landrieu repeated her desire about to trying to craft a system that allows the funding to follow the child instead of funding being wrapped around a particular form of care or placement. In recent weeks some of the key legislative staff have indicated that efforts to reform the current finance structure should include: a reform of not just financing but also practice, a need to have consensus among reformers, a realization of the current budget constraints and must take into account all the funding streams including the Social Services Block Grant (SBBG) and Temporary Assistance for Needy Families (TANF).



Yes, Children in TANF Kinship Care Exceeds Foster Care

Last week’s article on the TANF reauthorization indicated that there are more children in kinship care under TANF than there are children in foster care. Some readers were surprised by that statement but it is in fact true. The TANF 8th annual report to Congress (2009, the last complete report based on 2006 data)

indicates that approximately 457,000 children reside in TANF "child only families" where the caretaker adult is either a grandparent or another relative. http://www.acf.hhs.gov/programs/ofa/data-reports/annualreport8/TANF_8th_Report_111908.pdf In FY 2010 there were 408,000 children in foster care. TANF and its predecessor, the Aid to Families with Dependent Children (AFDC) program, have had a family category called "child-only." These families include an adult but that adult is not on the caseload and as a result the benefit is adjusted downward. In that 8th Annual Report, 47 percent of the entire TANF caseload was made of child-only families. The child-only caseload has increased over time but the percentage of the entire caseload has decreased faster so that the percentage of child-only families has increased. There were 850,000 families considered child only covering 1,546,267 children. Of these families just under 30 percent were relative care families (20.1% grandparents, 9.5% other relatives). The other 70 percent of child-only families are made up of families where the parent is on SSI, the parent is a legal alien but prohibited by TANF law to be covered, or the parent has been sanctioned off of assistance by the state policy. As you would expect, kinship families do not have to meet the work requirements under TANF. Child-only kin families tend to get a higher benefit than other child-only families but likely receive less than what the state provides through Title IV-E foster care or Title IV-E kinship care. Looking at all TANF families (child-only and adult headed families) kinship families are 15 percent of the entire caseload. Looking at more recent caseload data (without the full annual report data) indicates that there has been some decline in child-only caseloads going from approximately 831,000 in 2008 and below 800,000 in the most recent data in 2010. Kinship families continue to be around 29 percent of all child only cases so the number of children in TANF kinship care is likely closer to 430,000. <http://www.acf.hhs.gov/programs/ofa/data-reports/annualreport8/ar8index.htm>

As TANF works its way to a five year reauthorization (perhaps next year) this becomes one aspect of TANF that intersects with child welfare. What is the proper role of TANF/child-only kinship care? Most states would likely use both formal Title IV-E and TANF. Policymakers would not want to force a family to enter the child welfare system to get support. Conversely pushing families into a TANF child-only program can be a budget savings to states. Because TANF and its block grant nature is a fixed allocation and state matching spending has not changed since 1996, it can result in a savings by diverting families away from Title IV-E which requires a state match based on how many families qualify. Title IV-E benefits are likely higher than TANF kinship care. What is the coordination between the two systems? A TANF caseworker is more targeted and trained to deal with work placement and adult eligibility issues. A child welfare caseworker may be or should be more focused on permanency for the child and on-going casework support. A TANF worker, since the kinship families is not engaged in work, may have limited time and interest and training in doing on-going support for kinship families. A fundamental challenge is how to best coordinate the two programs so that families are not forced into circumstances they don't want (state custody of the child) but are assisted so that the child and the family's well-being are being addressed.



Administration Soliciting Comments on Disconnected Youth

The President's FY 2013 Budget (FY 2013 budget) included a request for authority to implement "Performance Partnership Pilots" that would improve outcomes for disconnected youth. In order to inform the Administration's development of that initiative, they have issued a request for information (RFI) seeking recommendations on effective approaches for improving outcomes for disconnected youth by working across Federal, State, and local community programs and systems. The RFI, is looking for comments "to improve outcomes for disconnected youth" and refers to efforts to increase the rate at which young people, ages 14 to 24, who are homeless, in foster care, involved in the juvenile justice system, or are neither employed nor enrolled in an educational institution achieve success in meeting educational, employment, and other key lifelong development goals.

<http://www.regulations.gov/#!documentDetail:D=ED-2012-OVAE-0014-0001>

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Some Key Commentary And Direction From Senate Appropriators

Senate Appropriators included important instruction to the Administration and policymakers in the Committee report. The Committee frequently offers direction, expresses concerns and outlines how a program should be directed.

Partially in response to recent House action on the Social Services Block Grant:

The Committee continues to regard the SSBG as a critical source of funding for services that protect children from neglect and abuse, including providing foster and respite care, as well as related services for children and families, persons with disabilities, and older adults. The Committee recognizes the importance of this program, especially in providing mental health and counseling services to underserved populations, and recommends continued usage and flexibility of these funds for such purposes.

In response to this and previous administrations using the Adoption Opportunities Program to address fatherhood and other child welfare initiatives and most recently to promote trauma-informed care:

The Adoption Opportunities program funds discretionary grants to help facilitate the elimination of barriers to adoption and provide technical assistance to help States increase the number of children adopted, particularly children with special needs. Consistent with the reauthorization of this program, the Committee continues to expect that these funds will focus on facilitating the adoption of older children, minority children, and children with special needs. Specifically, the Committee expects HHS to focus new grants on strengthening post adoption services and the recruitment of adoptive parents for these populations of children.

Performance Partnerships for Disconnected Youth:

The Committee recommendation creates a new authority called Performance Partnerships that will provide States and local communities with unprecedented flexibility to achieve defined outcomes for disconnected youth. Up to 13 States and/or local communities will be allowed to combine funding that they receive through various programs within this bill, even if the programs are funded in different departments, for these pilot projects. Grantees will receive waivers to reduce bureaucratic obstacles to the smooth functioning of these performance partnerships; for example, they could be allowed to provide a single set of outcome data to the Departments of Education, HHS, and Labor, rather than slightly different data to each agency.



UPCOMING CAPITOL HILL BRIEFINGS/EVENTS

- *On Tuesday, June 19, 2:30 PM* the ABA along with the National Foster Care Coalition, Children and Family Futures and the Child Welfare League of America will host a briefing on the Reunification of children in foster care with their families. The briefing is part of recognizing June as Family Reunification month. The briefing will be held at 122 Cannon House Office Building
- *On June 21, 12-3 (note extended time change)* the Child Welfare and Mental Health Coalition and National Foster Care Coalition are sponsoring a Meeting on Oversight of Psychotropic Medication for Children in Foster Care, at the Children's Defense Fund (25 E St, NW Washington DC), **RSVP:** Stefanie Sprow, ssprow@childrensdefense.org by Friday, June 15. Dr. David Rubin and Meredith Matone from PolicyLab at The Children's Hospital of Philadelphia will present on the results of Policy Lab's recent study.
- *On Wednesday, June 27th*, First Focus is holding a Children's Budget Summit, the Summit will focus on how children have fared in the 2012 budget and appropriations process it will be held in the U.S. Capitol Visitor Center, Congressional Auditorium. RSVP to jareds@firstfocus.net