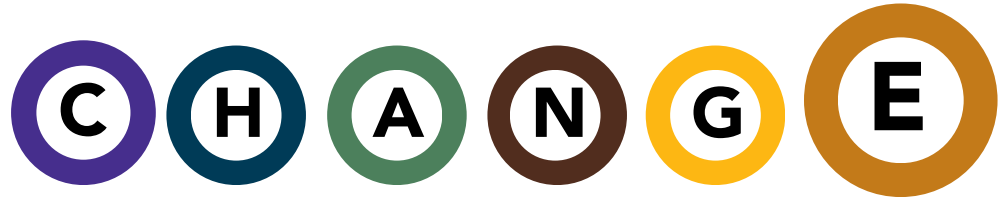


# DOMESTIC VIOLENCE AND CHILD WELFARE LEVERS FOR



*Eliminate Incentives for Removal*

## Can the Family First Prevention Services Act Help Eliminate Incentives for Removal in Domestic Violence Cases?

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Limits on funding and reimbursements for services to children and youth who remain in their homes can lead to staggering increases in removals. Change is needed to provide education and advocacy to reverse policies and practices that limit state's ability to design interventions that meet family's individual need. One response at the federal level aimed at shifting some of these financial imbalances is the **Family First Prevention Services Act** (Family First) signed into law in 2018. SEC. 50702 states "the purpose...is to enable States to use Federal funds available under parts B and E of title IV of the Social Security Act to provide enhanced support to children and families and prevent foster care placements through the provision of mental health and substance abuse prevention and treatment services, in-home parent skill-based programs, and kinship navigator services."



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The National Center to Advance Peace for Children, Youth, and Families (NCAP), is a coalition led by Caminar Latino-Latinos United for Peace and Equity and includes Ujima: National Center on Violence Against Women in the Black Community, the Alaska Native Women's Resource Center, the National Indigenous Women's Resource Center, and Futures Without Violence.



Before Family First, Title IV-E funds could only be used to help with the costs of foster care maintenance for eligible children; administrative expenses to manage the program; training for staff, foster parents, and certain private agency staff; adoption assistance; and kinship guardianship assistance. Now, states, territories and tribes with approved Title IV-E plans can use these funds for prevention services that would allow “candidates for foster care” to stay with their parents or relatives and be reimbursed for prevention services for up to 12 months.

The Family First Act however, only allows federal reimbursements for mental health services, evidence-based substance use treatment, and in-home parenting support only which may not be the services or supports that survivors of domestic violence and their children need. A further limitation of Family First is that the service must be listed on the Title IV-E Prevention Services Clearinghouse (<https://preventionservices.acf.hhs.gov/>) as evidence-based or well on its way there. Only a handful of “services” (55 as of November 1, 2023, with only 4 appearing to have cultural relevance) currently qualify. This means, the Family First Act does not support the common needs (what families would actually experience as services) that lead to family separation and empowerment of domestic violence survivors, such as housing or child-care support for example.

The National Center to Advance Peace for Children, Youth and Families (NCAP) did a review (current as of January 2023) of available states Title IV-E plans to determine if Family First Plans submitted by the states address families who experience domestic violence and are impacted by the child welfare system. The NCAP found that only the state of Maine provides tangible approaches to working with families experiencing domestic violence and impacted by the child welfare system. Some plans mention domestic violence, though only as a risk factor. These findings are outlined in the proceeding pages.



## Do the Family First Prevention Services Act (FFPSA) Plans submitted by the states address families who experience domestic violence and are impacted by the child welfare system?

Only the state of Maine provides tangible approaches to working with families experiencing domestic violence and impacted by the child welfare system.

### Background

As of October 3, 2022, *10 states have not yet submitted* a Family First Prevention 5-Year Plan and were not included as part of this summary.<sup>1</sup> They include:

- Alabama
- Delaware
- Georgia
- Louisiana
- Minnesota
- Mississippi
- New Jersey
- New Mexico
- South Dakota
- Texas

*11 states have submitted* a 5-year plan; however, they are not yet approved.<sup>2</sup> They include:

- Alaska
- Arizona
- California
- Florida
- Idaho
- Massachusetts
- Nevada
- Pennsylvania
- Rhode Island
- Wisconsin
- Wyoming

### Summary

*29 states,<sup>3</sup> and the District of Columbia have an approved 5-year plan.<sup>4</sup>* Of those, Nebraska, North Dakota, and Utah did not mention domestic violence anywhere as part of their plans. A copy of the plan for the states of South Carolina, Tennessee, and Virginia was not found. *23 states<sup>5</sup> mention domestic violence as part of their Family First Prevention plan.* Although most of the references are made in the context of domestic violence as a risk factor for child welfare involvement, only Maine proposes a different approach for working with families experiencing domestic violence and impacted by the child welfare system. The rest of the states mention domestic violence in the context of training for new and existing staff, and the models (PAT, HFA, and SafeCare) they plan to use with families experiencing domestic violence.

<sup>1</sup> Children's Bureau: <https://www.acf.hhs.gov/cb/data/status-submitted-title-iv-e-prevention-program-five-year-plans>, (last visited Oct. 5, 2022).

<sup>2</sup> Id.

<sup>3</sup> Arkansas, Colorado, Connecticut, Hawaii, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Michigan, Missouri, Montana, Nebraska, New Hampshire, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, South Carolina, Tennessee, Utah, Vermont, Virginia, Washington, and West Virginia.

<sup>4</sup> Children's Bureau: <https://www.acf.hhs.gov/cb/data/status-submitted-title-iv-e-prevention-program-five-year-plans>, (last visited Oct. 5, 2022).

<sup>5</sup> Arkansas, Colorado, Connecticut, Hawaii, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Michigan, Missouri, Montana, New Hampshire, New York, North Carolina, Ohio, Oklahoma, Oregon, Vermont, Washington, and West Virginia.

## Highlights

Maine outlines specific strategies for working with families experiencing domestic violence and impacted by the child welfare system. Maine’s “[p]revention strategies will target Highlights: Maine outlines specific strategies for working with families experiencing domestic violence and impacted by the child welfare system. Maine’s “[p]revention strategies will target the multitude of risk factors that impact child safety [such as] domestic violence.”<sup>6</sup> If domestic violence is a concern, Maine caseworkers:

- Work with domestic violence advocates to address safety concerns for the youth and the non-offending caregiver.
- Ensure there will be separate meetings for the offending and non-offending caregivers.
- Ensure that if there is a no-contact order in place, Office of Children and Families (OCFS) staff will not have those participants together in the same Family Time Meeting.

Through Title IV-B funding Maine supports “*a long-term initiative with the Maine Coalition to End Domestic Violence to house domestic violence liaisons in each OCFS district office to assist casework staff in navigating domestic violence-related issues in child welfare matters. This will assist caseworkers in Prevention Services cases that involve domestic violence as an added means to locate services and supports for the family.*”<sup>8</sup>

**Domestic Violence a Risk Factor for Child Welfare Involvement:** As part of their state plans, 13 states recognize that domestic violence is a risk factor for child welfare involvement:

- Arkansas
- Colorado
- Iowa
- Kentucky
- Maine
- Maryland
- Michigan
- New Hampshire
- North Carolina
- Ohio
- Oregon
- Washington
- West Virginia

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<sup>6</sup> Maine Family First Prevention Services State Plan (Feb. 2021): <https://legislature.maine.gov/doc/6664> , p. 14, (last visited Oct. 6, 2022).

<sup>7</sup> Id. at 37.

<sup>8</sup> Id. at 49.

**FFPSA Services and Domestic Violence:** Connecticut, Indiana, Kansas, Maine, Montana, New York, Ohio, and Oklahoma expressly state that FFPSA services will be provided to children exposed to domestic violence.

**Assessment/Screening Tools and Domestic Violence:** Indiana, Iowa, Maine, New York, Oregon, and Vermont mention domestic violence as being part of their screening process or assessment tool.

### **Home Visit Models with Parenting Components:**

*HFA - Connecticut, Kansas, Maryland, Michigan, New York, Ohio, and West Virginia* all use or plan to use the Healthy Families America (HFA) model “a home visiting program model designed to work with families who may have history of....intimate partner violence”<sup>9</sup> HFA is an evidenced based program that “has demonstrated positive outcomes in family functioning and reductions in domestic violence (Bair-Merritt, 2010).”<sup>10</sup>

*PAT - Maine, Michigan, and West Virginia* use or plan to use the Parents as Teachers (PAT) model, “a home-visiting parent education program that teaches new and expectant parents skills intended to promote positive child development and prevent child abuse/neglect”<sup>11</sup> to work with families who experience domestic violence.

**SafeCare Model:** Iowa, and Oklahoma use the SafeCare Child Neglect Intervention and Prevention Model to work with families who experience domestic violence. It is important to note that the SafeCare Augmented model addresses domestic violence but does not currently meet evidence-based criteria.<sup>12</sup> Although the Augmented model doesn’t meet criteria, states can propose to use these models as long as they provide a rigorous evaluation for the program in the meantime.

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<sup>9</sup> Ohio Title IV-E Family First Prevention Plan: <https://jfs.ohio.gov/ocf/FFPSA-OhioTitleIV-EPreventionServicesPlanApproved.stm>, p. 46., (last visited Oct. 5, 2022).

<sup>10</sup> Connecticut Family First Prevention Plan: State of Connecticut Department of Children and Families: [https://familyfirstact.org/sites/default/files/State-of-Connecticut-Family-First-Plan-January-2022\\_FINAL.pdf](https://familyfirstact.org/sites/default/files/State-of-Connecticut-Family-First-Plan-January-2022_FINAL.pdf), p. 63, (last visited 10/5/2022).

<sup>11</sup> Michigan Title IV-E Prevention Plan (Aug. 2021): [https://www.michigan.gov/-/media/Project/Websites/mdhhs/Folder50/Folder14/Michigan\\_IV-E\\_Prevention\\_Plan.pdf?rev=e58e527100474f5e949db0ff21108847](https://www.michigan.gov/-/media/Project/Websites/mdhhs/Folder50/Folder14/Michigan_IV-E_Prevention_Plan.pdf?rev=e58e527100474f5e949db0ff21108847), p. 29, (last visited Oct. 5, 2022).

<sup>12</sup> Title Vi-E Prevention Services Clearinghouse: [https://preventionservices.acf.hhs.gov/program?combine\\_1=&page=9](https://preventionservices.acf.hhs.gov/program?combine_1=&page=9), (last visited Oct. 6, 2022).



## Staff Training:

- Cross-training - Connecticut is the only state that mentions offering cross-training for domestic violence and child welfare staff.
- New hires - Colorado, Hawaii, Illinois, Iowa, Maine, and Missouri mention basic training on domestic violence for new staff.
- Seasoned staff - Hawaii, Illinois, New York, Ohio, and Vermont mention ongoing training on domestic violence as an option for seasoned staff.
- Safe and Together - Michigan, and New York mention the use of the Safe and Together Model as it relates to training child welfare staff.

**Partnerships:** Colorado's plan includes mandating child welfare programs to partner with domestic violence service providers.<sup>13</sup> Illinois plans to liaise with domestic violence programs.<sup>14</sup>

## Conclusion

As a result of the reality that programs supported by Family First must meet stringent requirements to be eligible for reimbursement, and that domestic violence does not appear to be a priority in state plans, foster care and adoption subsidies continue to exceed service and reunification programs by the hundreds of millions further illustrating the intersectional nature and need for the Levers for CHANGE. Learn more about the Levers for CHANGE at [centertoadvancepeace.org/levers-for-change](https://centertoadvancepeace.org/levers-for-change)

<sup>13</sup> Colorado Family First Prevention Plan (Aug. 2020): <https://co4kids.org/sites/default/files/Family%20First%20Prevention%20Plan.pdf>, p. 5. (last visited Oct. 5, 2022).

<sup>14</sup> Illinois Department of Children and Family Services: Family First Prevention Services Act – Title IV-E Prevention Plan (July 2021): [https://www2.illinois.gov/dcf/aboutus/Documents/Illinois\\_DCFS\\_Title\\_IV-E\\_Family\\_First\\_Prevention\\_Plan\\_102621.pdf](https://www2.illinois.gov/dcf/aboutus/Documents/Illinois_DCFS_Title_IV-E_Family_First_Prevention_Plan_102621.pdf), p. 107, (last visited 10/05/2022).



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The production of this publication was supported by Grant 90EV0531 from the Department of Health and Human Services, Administration for Children and Families. Its contents are solely the responsibility of Caminar Latino-Latinos United for Peace and Equity and do not necessarily represent the official views of the Department of Health and Human Services, Administration for Children and Families.