

Gaps In the 21st Century Child Welfare Model

A new year - A new legislative session - A new opportunity to make better responses to children in harm's way - It will NOT happen unless we collectively unite and make an impassioned undeniable appeal to Congress in 2023.



Background & Current Situation - Over the past two-to-three years, news headlines across the nation have underscored the foster care crisis leaving children without placement resources. News reports of children sleeping in CPS offices or hotels are unsettling; yet that pales, in contrast, to the tragic reports of child deaths post-CPS investigations where decisions were made to leave children in homes where harm proved deadly.

Of course, escalating the foster care capacity crisis was the expiration of waivers from provisions of FFPSA that expired on September 31, 2021. That was the target date for states that requested a three-year waiver from provisions of FFPSA. From that day forward, Title IV-E funds could not be used in residential care settings other than foster care for more than two weeks except for QRTP programs serving children with severe emotional and behavioral needs.

It is not as though the crisis caught states or the federal government unaware. A CHAMPS Report [Published June 2020] states of the 42 states reviewed: "With few exceptions noted in the report, most plans lacked evidence that high-level leadership within and across agencies were engaged in support of foster parent recruitment and retention. Similarly, only a few plans included a comprehensive approach to creation of a sustainable agency-wide recruitment and retention infrastructure..."

[Note: CHAMPS is an acronym for Children Need Amazing Parents, a policy campaign focused at the state and federal levels on promoting high-quality foster parenting...]

In addition, the threat and fear related to the Pandemic had a significant negative impact on families opening their homes as a placement resource to children in need.

In my executive director's report published for November/December 2022, I included multiple references to children being left in harm's way and the dramatic rise of CWP

[Children Without Placement] Please reference last month's report to refresh your memory of those details.

In addition to that information, one of our member agencies provided a link to a panel of national experts discussing the CWOP issue. This event was sponsored by the American Enterprise Institute. The panel discussion is one hour and 17 minutes in length.

The panel discusses the causes and possible solutions to the current capacity crisis.

During the discussion the panel touches on how FFPSA and other actions by state and federal policy makers have impacted capacity issues.

https://www.aei.org/events/why-are-foster-kids-sleeping-in-offices/?mkt_tok=NDc1LVB-CUS05NzEAAAGJp5DGXpVEVc85ogN-76RpOs6X4Anzu9dQ82PwmmaY-hlO_A4qtz-z_I3f46HR0Tr6NdcruYorCYtsG64su5X7Ekv5yR94_09ZpnikBY_OAcdNoexq

Qualified Residential Treatment Programs

What I did not realize until recently is that QRTP (Qualified Residential Treatment Programs) have some alarming concerns. A QRTP program is the only category of care for which Title IV-E funding can be used for on-going care of children other than a foster family home.

Although I question that many residential programs across the nation are exclusively serving children with the intensity of needs required to be assessed eligible for QRTP placement, those are the only placement options for which Title IV-E dollars may be used for the care of children except in a foster family home.

I was shocked to learn that there are **NO QRTP placement providers in Texas**. How could that be possible? By the way, I live near Austin, Texas and the absence of QRTP placement resources have not been mentioned related to the foster care crisis.

The Texas Alliance of Child and Family Services hosts a Child Care Administrator's Conference annually. It is not uncommon for registration for the conference to spiral upward of more than 1,000 people. Membership in that organization is largely dependent on state and federal dollars to cover the cost of care. **Of that number, none are operating a QRTP.**

I am making the assumption that somehow Texas is finding a way to provide reimbursement to those programs, but it obviously is not through use of Title IV-E funds since legislation prohibits it.

It has been five years since FFPSA became law and over a year-and-a-half since the waiver from meeting provisions of the law expired. The Texas Department of Family and Protective Services published an Open Enrollment opportunity for licensed GROs (General Residential Operations) to apply to become contracted QRTP providers in April 2022. Reportedly, DFPS achieved readiness to serve the first youth in July 2022.

According to the open enrollment information, *"The Agency is still waiting for contracted providers in order to accept referrals for QRTP placement. As providers become available, the DFPS Placement Division will issue a statewide broadcast to DFPS staff that QRTP referrals may begin."*

My question is: **How is the QRTP Process working in states other than Texas?** I suspect that Texas can't be the only state that has experienced difficulty finding QRTP providers.

If you can provide me an update on the number of QRTP providers in your state and the number of children they serve, it would be greatly appreciated. I suspect folks on Capitol Hill might find that information helpful in assessing the efficacy of the 21st Century Child Welfare Model. You can contact me by email: Don@CORE-DC.org.

Reportedly, an agency has been selected in West Texas to begin providing QRTP services, but the program is not yet operational and it will be limited to the care of 16 children.

A Catch-22 Situation

One of immediate concerns identified shortly after passage of FFPSA in 2018 is the conflict it creates with a QRTP (Qualified Residential Treatment Program) being eligible for children to receive Medicaid coverage. The Institute of Mental Disease exclusion, a law that prohibits Medicaid payments to a hospital, nursing facility or other institution with more than 16 beds that primarily provides care for people with mental health conditions.

During the 117th Legislative Session, the Medicaid Continuity for Children in Foster Care Act (S. 2689) was filed by Sen. Richard Burr (North Carolina) on August 10, 2021. It was the intent of this legislation to ensure that children in foster care with assessed behavioral and mental health needs would not be at risk of losing their federal Medicaid coverage if placed in a QRTP with a capacity of more than 16 beds. The bill was not passed into law.

Challenge Before Us

Within our membership, we have providers that are open to serving children without severe emotional and behavioral needs. The majority of our members are open to providing those services without any expectation for reimbursement for care, but are denied the opportunity by placing parties because we are no longer identified in the continuum of care for children.

FFPSA only addresses the prohibition for using Title IV-E funds to procure those services, but functionally, if we are not eligible to receive payment, we are not considered a resource.

Of course, we do have member agencies dependent on reimbursement for the cost of care, but they too, are not equipped to provide treatment services for a population with severe emotional and behavioral needs. However, they could be a resource for a child without placement.

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Despite the rhetoric that FFPSA is the most comprehensive child welfare reform in four decades to keep children with their own families, it falls short in filling the gap of keeping children safe when home is an absolute threat to their safety.

A comprehensive child welfare program must include both family support programs and protective services which ensure safety and well-being for children who've been subjected to life-threatening abuse and neglect.

While many families are benefitting from the prevention components offered through FFPSA, those children in need of residential placement and support to protect them from imminent harm are not always being adequately served under the 21st Century child welfare model.

In last month's report, I included a draft of legislation that the legislative committee of CORE drafted with the intent of restoring programs like our membership provides back into the continuum of care for children.

Please look at the draft of legislation, talk with your legislative representative and coordinate those contact through CORE. You may email or telephone me at any time to discuss.

[We will schedule a TEAMS Call with CORE members soon to discuss the logistics]



COALITION OF RESIDENTIAL EXCELLENCE
MEMBERSHIP RENEWAL

Please don't forget to remit your 2023 CORE Dues

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Washington, DC 2001

In addition, there is strength in numbers. A chord of three stands is not easily broken. The man of wisdom stated: “Two are better than one. They have a good reward for their labor”. It is imperative that residential programs serving children and families from hard places stand together in solidarity as we face challenges for the future.

Consequently, the Coalition of Residential Excellence is open to expanding our membership to include other residential agencies providing exemplary care for children.

New Members Needed To Expand and Strengthen the CORE Membership



Residential agencies providing services that represent a good fit for CORE membership include those with the following characteristics:

- 1) **EDUCATION FOCUSED** - A quality education coupled with relationships with caring adults who nurture the children and youth physically, academically, emotionally, and spiritually is one of the cornerstones of CORE agencies.
- 2) **EMPOWERING** - Residents are provided many opportunities to identify and strengthen their skills, abilities and interests through participation in the arts, music, sports, recreational activities and programs to promote character and social skills development.
- 3) **FAMILY FRIENDLY** - Family members are encouraged to be active participants in the care of their child and to maintain regular contact with their child through week-end and summer visits, and attendance at school and extracurricular events. Keeping siblings together and maintain family connections that are safe and appropriate is a priority.
- 4) **FAMILY-LIKE SETTING** - Most children resides in single-family homes with two parents in a residential community designed for children.
- 5) **PREVENTATIVE** - CORE agencies invest in the futures of children who would otherwise be homeless, out of school, living in dangerous neighborhoods or subjected to multiple failed placements with relatives of other substitute care providers.
- 6) **LIFETIME CONNECTIONS** - Children from CORE agencies maintain strong and lasting connections to home parents, teachers, administrators and other youth and they have a place to come home to for the rest of their lives.
- 7) **TRAUMA INFORMED** - Residents are cared for by skilled professional parents and staff trained in working with children and youth impacted by traumatic life circumstances.

If your agency is considering Membership in the Coalition of Residential Excellence, there has never been a better time to join. The professionalism and enthusiasm of the current membership has never been greater. In addition, the same is true for the challenges we face. Together - we can do this!

SAVE THE DATE
2023 CORE National Conference

Monday, September 18, 2023 - Wednesday, September 20, 2023

Pre-Conference Activities include Pow Wow on Saturday, September 16, 2023
Tour of the Black Hills on Sunday, September 17, 2023