

Implementation Update: The Fostering Connections Act

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About FosteringConnections.org

□ **Mission:**

FosteringConnections.org provides timely & reliable tools and information on the Fostering Connections Act to ensure that state, tribal and local decision makers are well-informed about the new law and that they receive maximum support as they plan for and carry out its implementation.

□ **Supported by:**

- The Annie E Casey Foundation
- Casey Family Programs
- Dave Thomas Foundation for Adoption
- Duke Endowment
- Eckerd Family Foundation
- Jim Casey Youth Opportunities Initiative
- Sierra Health Foundation
- Stuart Foundation
- Walter S. Johnson Foundation

What do we provide?

- Nonpartisan data and resources on each section of the bill
- Individualized technical assistance
- Monitoring of implementation activity
- Opportunities to communicate with experts and peers

The Fostering Connections to Success and Increasing Adoptions Act (P.L. 110-351)

Sweeping federal reforms
for children and families

Enacted October 7, 2008

Most significant federal
reforms for abused and
neglected children in
more than a decade.



Children and Youth in Foster Care in 2009



- 424,000 children
- Median age in years: 9.7
- Median months in care: 15.4
- Race:
 - White: 40%
 - Black: 30%
 - Hispanic: 20%
- 254,000 children entered care
- 275,000 children exited care

About the Law

The law promotes permanency and improved outcomes for children in foster care through policy changes in six key areas:

1. Support for kinship care and family connections,
2. Support for older youth,
3. Coordinated health services,
4. Improved educational stability and opportunities,
5. Incentives and assistance for adoption, and
6. Direct access to federal resources for Indian Tribes.

Implementation information on FosteringConnections.org

FosteringConnections.org monitors implementation progress throughout the nation. On our site we have:

1. Lists of state legislative bills (pending and enacted) updated on a monthly basis.
2. Lists of state IV-E plan amendments by topic.
3. Descriptions of different state approaches, for example, GAP, Family Connection strategies, Older Youth approaches.
4. A new story project that features stories of real lives affected by FosteringConnections.



Tracking implementation

Growing momentum in some areas:

1. Kinship (CDF/ChildFocus)
2. Older Youth (Fosterclub, The Finance Project)
3. Education (ABA Center on Foster Care and Education)

Enacted State Legislation

TOPICS » Legislation & Policies

Select a State... ▾

Legislation by Topic

Many states have introduced legislation related to the Fostering Connections Act, and a subset of those bills have been passed. Click the links below to see legislation (Pending and Enacted) for the specified state and topic.

ALL Legislation

Pending Legislation

Enacted Legislation

<u>Topic</u>	<u>Bills Enacted</u>	<u>States with Legislation</u>
Adoption	9	California , Michigan , Texas
Education	19	California , Colorado , Connecticut , District of Columbia , Iowa , Louisiana , Maine , Massachusetts , Missouri , New Jersey , Oklahoma , Rhode Island , South Carolina , Texas , Utah
Health	4	California , Oklahoma , Oregon
Kinship/Guardianship	43	Alabama , Arizona , Arkansas , California , Colorado , Connecticut , District of Columbia , Georgia , Illinois , Indiana , Iowa , Louisiana , Michigan , Minnesota , Missouri , Nebraska , Nevada , New York , North Dakota , Oklahoma , Pennsylvania , Texas , Vermont , Washington , Wisconsin , Wyoming
Older Youth	22	Alaska , Arkansas , California , Delaware , District of Columbia , Illinois , Iowa , Maine , Minnesota , Nebraska , New Mexico , North Dakota , Oregon , Tennessee , Texas , Washington
Training	1	Texas
Tribal	2	California , Minnesota
Total Enacted Bills:	80	

Adoption »

Education »

Health »

Kinship/Guardianship »

Older Youth »

Tribal »

Training »

Find this info on
<http://www.fosteringconnections.org>
 under
 Implementation
 News/In the
 States/State
 Legislative Activity

The FosteringConnections.org Project gratefully acknowledges the National Conference of State Legislatures for sharing its tracking information about pending and enacted legislation. Please visit [NCSL](#) for additional information.

At the state level

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Enacted Kinship/Guardianship Legislation in Iowa

Department of Human Services

Bill: [SB 152](#); Status: Enacted; Year: 2009

Summary: Relates to administrative and planning requirements involving children for whom the Department of Human Services has responsibility under state or federal law. Revises transition planning for older children in foster care who are age 16 or older and approaching adulthood to include health care coverage planning, opportunities to have a mentor, and education and housing assistance. Requires documentation of the educational stability of the child while in foster care. Mandates the department to send a notice to all adult relatives of the child in custody explaining their options to provide care for the child.

Sponsored by Senate Human Resources Committee

Pending Kinship/Guardianship Legislation in Iowa

Sibling Visitation

Bill: [HB 494](#); Status: Pending; Year: 2011

Summary: Requires that the Department facilitate frequent visitation or ongoing interaction between children participating in the subsidized guardianship program administered by the department and the siblings of those children. However, facilitation of the visiting or interaction is not required if the department determines the visitation or ongoing interaction would be detrimental to the child's well-being or is suspended or terminated by a court.

Adoption »

Education »

Health »

Kinship/Guardianship »

Older Youth »

Tribal »

Training »

Find this info on <http://www.fosteringconnections.org> under Implementation News/In the States/State Legislative Activity/Iowa

Adoption: Delinking the eligibility from AFDC

- Under previous law, states could only claim reimbursement for special needs children adopted from foster care who met Title IV-E income eligibility standards. The Act removed this requirement, and thus states, over time, can seek reimbursement for adoption assistance payments made on behalf of all special needs children who meet other IV-E eligibility requirements.
 - As of October 1st, 2011 children born before October 1, 2000 are now IV-E eligible for the adoption assistance payments

Education: School Stability

- The education provision of the Fostering Connections Act provides for school stability through transportation.
 - ▣ Examples of best practices under this provision include:
 - Connecticut (SB 31)
 - Minnesota
 - Texas
 - Philadelphia
 - Butte and San Diego Counties

Health: Coordination and Oversight

- The Health Provision of the Fostering Connections Act requires coordination and oversight of health care services
 - Three states have enacted legislation around this provision
 - Georgia (HB 23)
 - California (SB 597, Chapter 339)
 - Oklahoma (HB 1734, Chap. 338)

Kinship Guardianship Assistance Programs

- Provides states with the option of obtaining federal reimbursement for ongoing assistance payments made on behalf of children who exit foster care to guardianship with a relative.
- 22 states have approved KinGAP plans
 - Tennessee, Pennsylvania, Rhode Island, Michigan, Oregon, Montana, New Jersey, Illinois, Washington, DC, Colorado, Maine, New York, Maryland, Alabama, Missouri, Texas, South Dakota, Nebraska, Hawai'i, Alaska, Washington, Idaho

Older Youth Provisions of FCA: Extend to 21

- Provides an option to states to secure federal reimbursement for foster care, guardianship or adoption assistance to youth between ages 18 and 21, and extends eligibility for Medicaid and Chafee Act benefits to youth in foster care to age 21 as well
 - 16 states have begun implementing this option through approved IV-E plan amendments or by enacting legislation
 - States with IV-E Plans: AL, IL, MD, MN, NE, NY
 - States with Legislation: AK, CA, DE, DC, IL, ME, ND, TN, TX, WA



Tribal Implementation

- Fostering Connections added a provision that allows tribes to engage the Administration for Children and Families to develop IV-E plans.
 - To date, no tribes have received approval on IV-E plans
 - Eleven tribes have received Tribal Development Federal Grant awards designed to support them in developing a Title IV-E plan that will provide them with direct access to Title IV-E funding for the Indian children and youth they serve.
 - In addition in 2011, several tribes have been awarded federal grants to support their work on other Fostering Connections requirements.

Implementation news highlights

Events & News »

Webinars and Events

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Implementation News

Some states have made significant progress in implementing the Fostering Connections to Success and Increasing Adoptions Act of 2008. This section highlights the enacted legislation and approaches underway across the nation. If you know of a state which has made good progress that should be featured here, please contact us at info@fosteringconnections.org.

Stay Connected »

Get the latest email updates from the FosteringConnections.org Project.

Adoption

- [OH: Public Children Services Association of Ohio Family Connection Grant Summary](#)
On September 30th, 2009, the Children's Bureau awarded 24 discretionary grants. Find the Public Children Services Association of Ohio grant summary here....

Education

- [Texas' Educational Stability](#)
Texas DFPS amended its policy in CPS Handbook 6314.1 to strengthen requirements to help ensure a child is maintained in his or her school when a removal takes place or, if in care, when a placement change takes place. The education section of the Chi...
- [Education Highlights Page](#)
See the Education Highlights Page on FosteringConnections.org for more resources and tools to help support implementation of the education provisions of the Fostering Connections Act...
- [Connecticut SB 31](#)
In the spring of 2010, Connecticut passed Senate Bill 31, which went into effect July 1, 2010. The law established that, when it is in the child's best interest to remain in his or her school of origin (SOO): The Connecticut Department of Children...
- [Minnesota: Educational Stability](#)
In Minnesota, a county administered child welfare system, the Minnesota Department of Human Services released a Bulletin to address implementation of the education provisions of the Fostering Connections Act, including details about reimbursement of ...
- [Butte & San Diego Counties: Educational Stability](#)
Two California counties - Butte and San Diego - have developed collaborative approaches to ensure that children and youth in foster care have needed school transportation. Both counties respond to children's transportation needs on a case-by-case bas...
- [Philadelphia: Educational Stability](#)
In Philadelphia, the Department of Human Services (DHS), the School District of Philadelphia (School District), and the Family Court collaborate to ensure school transportation for all children in foster care in accordance with the State's definition...

Find this info here:
http://www.fosteringconnections.org/implementation_news

Kinship/Guardianship

ns.org

TN GAP example

NATIONAL » Implementation News

Select a State...

Tennessee's Guardianship Assistance Program

In 2009, the Tennessee Department of Children's Services received approval from the federal government for its state plan amendment for the Kinship Guardianship Assistance Program (GAP). Tennessee had been conducting a Title IV-E waiver demonstration for guardianship and was eager to convert to the federal program to sustain efforts to achieve permanency for children in foster care statewide. Approval to run a GAP program beginning April 1, 2009 will allow Tennessee to make further gains in timeliness to permanency while sharing the cost with the federal government.

Tennessee was one of three states whose state plan amendment was approved in the first half of 2009. The state will cover the cost of guardianship subsidies for children who are not Title IV-E eligible. Tennessee's program as approved by the federal government has a broad definition of relative to include kin who already have an attachment to the child, including godparents and close family friends. It will not allow them to cover guardianship subsidies for resource families who do not have a pre-existing relationship to the child, as was previously the case for children 14 and over in the waiver program. The state also received clarification about the meaning of the words six consecutive months to describe the length of time a child has to be in the caregiver's home before establishing guardianship. This was clarified in Tennessee so that any break in the care-giving arrangement has to be more than 14 days.

Read Tennessee's policy [here](#).

Contacts:

[Elizabeth Black](#)

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The Fostering Connections Resource Center gratefully acknowledges the Children's Defense Fund and ChildFocus for providing this and other summaries of state approaches related to the kinship or guardianship provisions.

[Adoption »](#)

[Education »](#)

[Health »](#)

[Kinship/Guardianship »](#)

[Older Youth »](#)

[Tribal »](#)

[Training »](#)

Implementation News »

Find state-specific implementation news:

News by State ...

Find this info on <http://www.fosteringconnections.org> under Implementation News/Kinship Highlights/Tennessee

Tracking implementation

Implementation efforts around Fostering Connections have encountered several hurdles.

1. Significant state economic challenges
2. Unfunded mandates for several provisions (education/health)
3. Some provisions provide direction over programs that the governing laws have no jurisdiction (education)
4. Unclear expectations/definitions for some provisions.

What the field can do?

Implementation efforts at the state level need advocates. Advocates can help by:

- Hosting events & meetings with policymakers
- Conducting media outreach (LTEs)
- Tracking your state's progress
- Keeping implementation and reform on the radar.
 - Particularly more can be done on the health care coordination efforts.

We invite questions and shared successes!

- FosteringConnections.org is pleased to answer questions or help you find technical assistance related to implementation. Please email questions to info@fosteringconnections.org

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