

# Family First Prevention Services Act

## Flow Chart

This document provides guidance to determine whether a state or tribe can receive reimbursement under the Title IV-E prevention program for services to prevent a child's placement in foster care.

### 1. Clarification on candidacy:

The Title IV-E prevention program is separate from Title IV-E foster care candidate administrative claiming for pre-placement activities. If the child is a candidate for foster care under section 472(i) of the Social Security Act but is not eligible for the Title IV-E prevention program, or if the services the child receives are not approved under the Title IV-E prevention program, the state or tribe may still claim according to the Title IV-E foster care candidate administrative claiming rules (as they were prior to Family First). However, if the state or tribe is claiming Title IV-E prevention program costs, the state or tribe may not also claim administrative costs through the Title IV-E foster care candidacy program.

### 2. Outstanding question:

If a service is authorized in the plan, does Title IV-E claiming for that service begin in the month that the service is authorized? Scenarios –

- A. Service is listed in the plan before the service is provided. (OK to claim)
- A. Service is provided and then listed in the service plan within the same month. (??)
- A. Service is provided and then listed in the service plan in a later month. (??)

### 3. Outstanding question:

If an evaluation or monitoring reveals that the evidence-based practice is not being provided with fidelity to the model, how will that impact claiming (ex. going forward or retroactively)?

### 4. Outstanding question:

Per the Congressional letter submitted to U.S. Department of Health and Human Services (HHS) on March 7, 2019, will states be allowed to submit as part of their state plan their proposed prevention services for review by HHS or will they have to first wait for a program to be included on the HHS pre-approved list before requesting approval to receive reimbursement for it?

### 5. Additional requirements for Title IV-E prevention program claiming:

- A. At least 50% of the amount expended by the state for a federal fiscal year for the Title IV-E prevention program must be for services that meet the well-supported practice criteria. We intend to provide additional guidance on how the 50% is counted when more details become available from the Administration for Children and Families (ACF).
- A. Family First establishes a maintenance of effort requirement to ensure that states and tribes use the Title IV-E prevention program to supplement and not supplant existing prevention funding. The level of effort states and tribes will be required to maintain will depend on actual spending in federal fiscal year 2014 (or alternative applicable year).



Solutions that Matter

