

Family First Prevention Services Act

Maintenance of Effort Requirement



The Family First Prevention Services Act of 2018 (Family First) has fundamentally changed how the federal government funds child welfare programs and for the first time, beginning in October 2019, states will be able to use federal Title IV-E funds for foster care prevention services and programs. The following guidance is intended to help states understand the associated maintenance of effort (MOE) requirement.

What is the MOE requirement?

The state must continue to spend at least the same amount on prevention programs as it did in the baseline year of FFY 2014 (October 1, 2013-September 30, 2014).¹ This requirement encourages states to use the new Title IV-E prevention funds to supplement current funding as opposed to supplanting state funds with federal funds.

How is the MOE baseline amount calculated?

The state will need to identify any expenditures from FFY 2014 for prevention programs that have been approved by the Administration for Children and Families (ACF) and included in the Title IV-E Prevention Services Clearinghouse *at the time the state submits the initial approvable five-year Title IV-E prevention program plan.*²

¹ If the state had a population of children less than 200,000 in FFY 2014 (as determined by the Bureau of the Census) it may elect to use FFY 2015 or 2016 instead.

² Under Family First, states interested in using federal funds for foster care prevention services must submit a five-year Title IV-E prevention program plan to HHS. Approval from HHS is required for the state to draw down federal funds.

As of the November 30th issuance "ACYF-CB-PI-18-09," there are no programs approved in the Title IV-E Prevention Services Clearinghouse, but the following programs are being considered:

1. Parent-Child Interaction Therapy
2. Trauma Focused-Cognitive Behavioral Therapy
3. Multisystemic Therapy
4. Functional Family Therapy
5. Motivational Interviewing
6. Families Facing the Future
7. Methadone Maintenance Therapy
8. Nurse-Family Partnership
9. Healthy Families America
10. Parents as Teachers
11. Children's Home Society of New Jersey Kinship Navigator Model
12. Children's Home Inc. Kinship Interdisciplinary Navigation Technologically-Advanced Model (KIN-Tech)

Which foster care prevention expenditures should states include in their MOE calculation?

- State expenditures and federal matching funds provided to the state for Title IV-B, Temporary Assistance for Needy Families (TANF), and the Social Services Block Grant (SSBG); and
- State expenditures for foster care prevention services and activities under any other state program (except Title IV-E).

What should states leave out of the MOE calculation?

- Title IV-E expenditures, including the Title IV-E waiver.
- Expenditures for any prevention programs NOT included in the Title IV-E Prevention Services Clearinghouse.
- It appears to exclude expenditures under the Medicaid program. ACF is currently working to clarify.

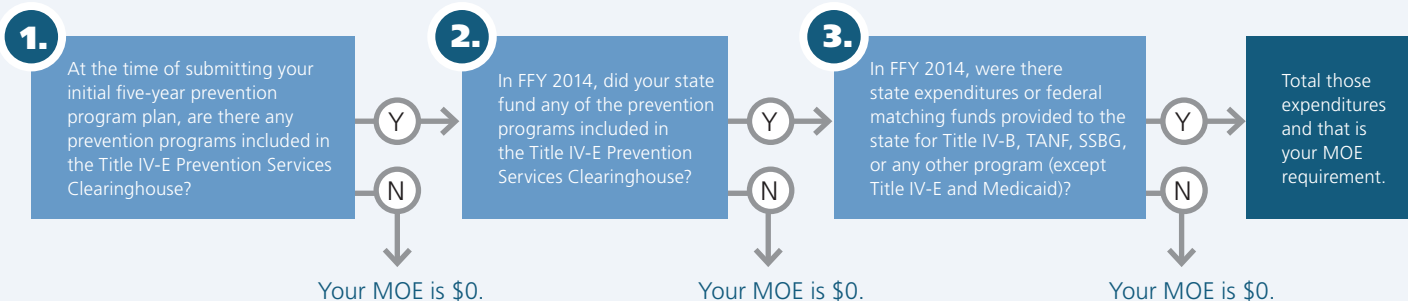
When should states submit their baseline MOE report?

Timing is important! While there is no deadline for submitting the five-year prevention program plan, states that submit their plan earlier will have less potential MOE to meet since the Title IV-E Clearinghouse will continue to grow over time. As more programs are added to the Title IV-E Clearinghouse, the more programs the state will need to consider when looking back to FFY 2014. Since the baseline amount will only be calculated once, states will not need to refresh their baseline MOE calculations as new programs are added to the Title IV-E Prevention Services Clearinghouse.

Are there any tips states should consider for MOE reporting?

- Develop a communication plan with the state legislature to ensure there are adequate funding levels to meet the MOE requirement.
- Have a clear methodology for calculating the MOE each year and providing evidence as to how the MOE requirement has been met.

Calculating baseline MOE



To learn more about the Family First MOE requirement, or to discuss your specific Family First concerns, questions, and next steps, please contact Heather Baker, Manager, at hbaker@pcgus.com or 617-426-2026.