

5 Things Lawmakers Need to Know



BY KELLY CRANE

State child welfare systems have made a number of reforms that have reduced the length of stays in foster care and expanded support for families so fewer children are removed in the first place. In the past decade, the number of children in foster care has decreased by more than 20 percent. Here are five things—all based on programs that have been tried successfully—lawmakers need to know to help build a strong child welfare system and continue to reduce the number of children in foster care safely.

1

PREVENT ABUSE AND NEGLECT

The majority of children placed in foster care are victims of neglect. Most states have targeted support to vulnerable families to prevent the eventual need for foster care. Home visiting programs, for example, connect mothers with professionals such as nurses, social workers or early childhood specialists. These programs can improve parents' ability to care for and nurture their children by educating them on healthy behavior.

Kelly Crane tracks foster care issues for NCSL.

Almost all states have some kind of home visiting program. Federal health reform provides \$1.5 billion over five years to support state efforts to improve home visiting programs. The federal law provides details about the steps states must take to participate in the grant opportunity.

2

ALLOW KIDS TO STAY SAFELY AT HOME

Some states grant flexibility to child protection workers to respond appropriately and differently to the specific circumstances surrounding an abuse or neglect case, rather than following the required standard procedure when alleged mistreatment occurs. This approach has kept more kids at home with their parents and out of the foster care system. For example, by law some reports of abuse—sexual abuse, child endangerment or serious physical abuse—must be investigated. Other reports of neglect that don't warrant an immediate investigation can be addressed through an assessment that offers help to the family. Lawmakers in 14 states have passed legislation that allows differential or alternative response. Several other states are considering the idea.

Minnesota was one of the first states to experiment with this approach in 2000. By 2005,

all Minnesota counties had begun using the new model. Evaluation found a lower recurrence of abuse and neglect in families that participated, savings to the child welfare system, and an improvement in workers' attitudes.

3

PUTTING RELATIVES FIRST

Research shows children are better off when they are cared for by relatives than by an unrelated foster family. Child welfare systems across the country have been putting more effort into finding family members who are willing to provide support or even a permanent home to a child in foster care.

To fulfill new requirements in the federal Fostering Connections to Success Act of 2008, states must try to identify and provide notice to all adult relatives of a child who has been removed from parental custody. States are now required to notify relatives within 30 days of a child's removal and to explain to them the options for participating in the child's care.

At least 14 states enacted legislation in 2009 and 2010 requiring child welfare agencies to identify and notify relatives when children are placed in foster care. The federal law also provides

FOSTER CARE BY THE NUMBERS

\$25.7 BILLION

AMOUNT SPENT IN FY 2006 BY ALL LEVELS OF GOVERNMENT FOR CHILD WELFARE PURPOSES.

\$10.7 BILLION

STATE MONEY SPENT ON CHILD WELFARE IN FY 2006.

423,000

CHILDREN IN FOSTER CARE IN 2009.

51 PERCENT

CHILDREN WHO LEFT FOSTER CARE IN 2009 AND WERE REUNITED WITH PARENTS.

15 PERCENT

CHILDREN WHO LEFT FOSTER CARE IN 2009 TO LIVE WITH A RELATIVE OR GUARDIAN.

money to states for a monthly stipend to relatives who assume permanent guardianship of eligible children in foster care. Colorado, New York, Texas and Washington, have passed legislation to create subsidized guardianship programs to take advantage of the new federal money.

4

INVOLVE PARENTS AND RELATIVES

Involving parents and relatives in a foster child's life can lessen the time he or she spends in state custody. At least 12 states require child welfare agencies to include parents and family members in planning for a child's safety following abuse or neglect. In these programs—called family group conferencing, family group decision-making or

similar terms—family members participate in meetings to develop a plan that will deal with the problems in the family and respond to concerns of the child protection professionals. Colorado, for example, also involves other community members, such as neighbors and church members, in any placement decisions. When a child is taken into state care and any decision is to be made about placement, Missouri holds family team meetings that include family members and child welfare professionals.

5

REDUCE RELIANCE ON RESIDENTIAL FACILITIES

State child welfare agencies are working to reduce the use of group homes, residential treatment facilities, emergency shelters and psychiatric facilities. Placing kids in these kinds of facilities often makes it more difficult to find a permanent home for them. Placing them instead in appropriate family foster homes can save the state money since residential care is three to five times more expensive. Some states allow child welfare agencies to reinvest any savings in other services, such as prevention programs aimed at keeping children out of foster care.

Virginia, for example, began focusing its reform efforts on reducing the number of children in residential care facilities in 2007. As a result, the state reduced the number of kids in residential care by 25 percent after one year. To continue this progress, lawmakers decided to also focus on a plan to reduce the number of children in foster care. Legislation passed in 2010 calls for a 25 percent reduction by 2020. The plan requires placing children currently in foster care or those entering the system into safe, appropriate, permanent living arrangements. In other states, reinvestment is not limited to residential care savings, but includes savings from all types of care provided to foster children.

WHAT STATES ARE DOING

◆ Several states continue to expand their home visiting programs. One type of home visitation program sends nurses to visit women throughout their first pregnancies and until their children reach age 2. The nurses teach new parents how to care for their babies and what to expect as they develop and grow, along with informing them about medical care and other services available to them. Research indicates nurse home visiting programs help prevent childhood injuries, get fathers more involved, help moms get jobs and decrease dependence on public assistance.

◆ Participants in New York's home visiting program, the Nurse Family Partnership, had 48 percent fewer cases of child abuse, according to a 15-year follow-up study.

◆ After Massachusetts reduced the number of children in residential care and lowered foster care costs, the legislature allowed foster care savings to be spent on other child welfare services.

◆ Rhode Island's General Assembly also allows the state's child welfare department to reinvest savings from foster care reductions to develop new community-based services for children and families.

◆ California's agreement between the child welfare department and the Legislature ensures counties that they will not lose casework staff if they successfully reduce case loads.

◆ Through the use of waivers, some states have been able to use federal foster care money (Title IV-E of the Social Security Act) for prevention and family support services. This money usually is limited to reimbursing states only for foster care cases. Authorization for the waiver program expired in 2006. Congress must reauthorize the program before states can apply for new waivers, although the U.S. Department of Health and Human Services has the authority to renew existing ones.

CHILDREN IN FOSTER CARE

