



National Association of Public
Child Welfare Administrators

an affiliate of the American Public Human Services Association

How States are Implementing the Fostering Connections Act

Michigan's At-risk Children

On March 31, 2009, Michigan had a total child abuse and neglect caseload of 17,115, with 15,002 children in out-of-home placement.¹ Of those children, 6,215 were in unrelated family foster care, while 6,278 were placed with relatives. Similar to national statistics, a disproportionate number of children are from ethnic and racial minorities.²

Michigan saw a significant reduction in the number of children in out-of-home placement. At the end of fiscal year 2008, 16,067 children were in out-of-home placement, with 6,796 or 38 percent of those children in relative placements.³ This compares to 16,784 in out-of-home placement in fiscal year 2007, with 7,195 of those children in relative placement.⁴ This reduction is attributed to an increase in adoptions and an enhanced focus on permanency by utilizing data that targets children who have been waiting the longest for permanent homes.

Michigan's Budget Landscape

Michigan's estimated budget deficit for FY2009 was \$313 million, representing 3.2 percent of the state general fund.⁵ The projected deficit for FY2010 suggests a substantially higher gap of \$1.2 billion, or 12.3 percent of the state general fund.⁶ According to the Bureau of Labor Statistics, the state has the highest unemployment rate in the country at 15.2 percent.⁷ The Governor signed Executive Order 2009-22, which required unpaid furlough leave of some state employees to achieve a total savings of \$21.7 million by September 30, 2009.⁸ DHS employees experienced a total of six unpaid days from June until September. Plans were implemented to cover essential services during the furlough days.

P.L. 110-351 State Options

Michigan operates a state-funded guardianship assistance program and intends to use the new federal option.⁹ The state has placed an emphasis on the importance of guardianship, for both relatives and non-relatives. Michigan uses guardianship as a permanency option, shifting the focus from foster care to guardianship.¹⁰ This new program will support both relative guardians and will continue to use state dollars to fund non-relative guardianship placements. As of 10/31/09, 61 guardianship applications had been received and 28 had been approved.

With a well-developed transitional youth services system, Michigan is exploring the opportunity to implement the federal option to extend foster care to eligible youth up to age 20. Currently, youth that have terminated parental rights remain in foster care to age 19, unless adopted. All foster youth are eligible to remain in care under voluntary agreements at age 18 after the court case is closed. Youth in Transition (YIT) services are available to youth starting from age 14 to 21.¹¹ Covered YIT expenses include daily living skills, transportation, mentorship, parenting skills, employment services, educational support, graduation expenses, drivers' education, physical and mental health services, relationship building skills, and housing.¹² Michigan provides Education and Training Vouchers (ETV) to foster youth up to age 21 and youth adopted or placed in a guardianship from foster care after age 16.¹³ The state extends Medicaid up to age 21 for youth transitioning from foster care. There are currently no additional stipulations, such as being in school, to remaining in care till age 19.

P.L. 110-351 Mandatory Provisions

Michigan did not request an extension to implement any of the mandatory provisions of P.L. 110-351. The state law and practice meets the standards in P.L. 110-351 provisions. Michigan is developing recommendations to extend foster care, adoption and guardianship subsidy to the age of 20 with a projection of the fiscal impact.

State policy requires out-of-home placement preference be given to fit and willing relatives. Michigan modified its policy to comply with the relative notification provision of P.L. 110-351. Policy stipulates that within 30 days of removal, the state must exercise due diligence to identify and provide notice to all adult relatives, including: maternal and paternal grandparents, maternal and paternal aunts, maternal and paternal uncles, adult siblings of the child, and any other relative identified by a parent or child.¹⁴ The notice must specify that the child has been removed, explain the options available to

the relatives, explain the consequences of failing to respond, and describe the requirements for becoming a licensed foster family home.¹⁵ The Department sends the Relative Notification Letter DHS-990 in addition to a Relative Response form DHS-989 and a Relative Search Information form DHS-988.¹⁶

Michigan considers a foster child's educational situation upon the initial out-of-home placement of a child.¹⁷ Instructions were provided to the county offices and private agencies about the educational stability requirements and the process to revise case service plan templates and case reading forms to include these factors. Legislation has passed the Michigan House of Representatives and is currently being considered in the Senate. A policy release is planned for 12/1/09 to include all requirements. Transportation payments are still pending a recommendation; additional data is being gathered.

Michigan policy already addresses the health oversight and coordination provisions of P.L. 110-351. State policy requires each foster child have a medical passport that contains the following information: the child's current health status and medical needs; basic medical history; periodic screenings and examinations; record of immunizations; prescription drug information; and mental health information.¹⁸ Caseworkers must provide caregivers with a copy of each child's medical passport. It also states that a child's medical provider remains constant unless the child is enrolled in a managed care health plan or doing so would create an unreasonable burden on the caregiver.¹⁹

Michigan is in compliance with the sibling connections provision of P.L. 110-351. The Department revised policy to meet the standards set forth in the new law. Policy mandates all siblings who enter placement at or near the same time be placed together, with the following exceptions: one sibling has exceptional needs that can only be met in a specialized program or facility; it is not in the best interest of one or more of the siblings; or the size of the sibling group makes one placement impractical.²⁰ If siblings are not placed together, reasonable efforts are made for ongoing interaction. These efforts must be detailed by the caseworker to include the dates, location and duration of visits or contact.²¹

Michigan meets the youth transition plan requirement of Fostering Connections through current policy and practice. Policy stipulates that all youth in foster care 14 and older, regardless of permanency goal, have independent living preparation.²² Caseworkers ensure that youth are provided services and that future goals are established that will help the youth achieve successful independent living. Caseworkers collaborate with youth to develop a service plan and are responsible for its implementation. The state conducts age appropriate independent living activities for youth 12 and older, which include activities to foster daily living skills, preventative health services, mentoring, and education.²³ The YIT program, described earlier in this document, provides services to aged-out youth and youth adopted or in guardianship after age 16.

Michigan's Tribes

Michigan has 12 federally recognized tribes, which are as follows: Bay Mills Indian Community, Grand Traverse Band of Ottawa and Chippewa Indians, Hannahville Indian Community, Keweenaw Bay Indian Community, Lac Vieux Desert Band of Lake Superior Chippewa Indians, Little River Band of Ottawa Indians, Little Traverse Bay Band of Odawa Indians, Match-e-be-nash-she-wish Band of Pottawatomi Indians, Nottawaseppi Huron Band of the Potawatomi, Saginaw Chippewa Indian Tribe, Sault Ste. Marie Tribe of Chippewa Indians, and Pokagon Band of Potawatomi Indians.

The Department of Human Services has formed a partnership with the tribes to protect, preserve and strengthen tribal families. An advisory board identifies barriers, makes recommendations and assists in establishing common practice to deliver services to Indian children and families. This advisory board contributed to the revision of the DHS Indian Child Welfare policy in 1999.

Tribes have been provided with technical assistance from the Region V office. A "Children's Services Administration Day" is being planned in conjunction with a tribal meeting on December 2, 2009 to share additional information about the new guardianship program, Interstate Compact Office and other CSA initiatives. The Keweenaw Indian Community is the only tribe that has applied for direct federal access to title IV-E.

Family Connections Grants

Due to the financial match requirement and the status of Michigan's economy, DHS was not able to apply for the first Family Connections Grant. Michigan was disappointed that universities were prohibited from applying for funding as one of the primary resources for kinship services in Michigan is housed at Michigan State University.

Conclusion

Michigan is successfully implementing the provisions of the Fostering Connections Act. Policy changes include sibling visitation and placement, relative notification requirement, educational stability requirements and healthcare provisions.

New programs include the guardianship assistance program and enhanced youth services. Michigan will continue to explore the opportunity to extend assistance across foster care, adoption assistance and guardianship assistance to age 20.

¹ Foster Care Fact Sheet March 2009. Retrieved August 10, 2009 from http://www.michigan.gov/dhs/0,1607,7-124-5452_7117_7167--00.html

² Ibid.

³ Ibid.

⁴ Ibid.

⁵ State Budget Update: July 2009. Fiscal Affairs Program, National Conference of State Legislatures. Retrieved August 5, 2009 from www.ncsl.org/documents/fiscal/StateBudgetUpdateJulyFinal.pdf.

⁶ Ibid.

⁷ Current Unemployment Rates for States and Historical Highs and Lows. Updated July 17, 2009. *The United States Bureau of Labor Statistics*. Retrieved August 11, 2009 from <http://www.bls.gov/web/lauhsthl.htm>.

⁸ Boyd, Liz. 15 May 2009. Michigan Office of State Employer Announces Furlough Dates for State Government. Retrieved August 11, 2009 from <http://www.michigan.gov/gov/0,1607,7-168--214883--,00.html>.

⁹ Child Welfare and Mental Health Coalition Conference Call with Anita Peters, Michigan Department of Human Services on August 6, 2009.

¹⁰ Ibid.

¹¹ Foster Youth in Transition. Retrieved August 11, 2009 from <http://www.michigan.gov/fyit/0,1607,7-240-44295-161180--,00.html>.

¹² Ibid.

¹³ Ibid.

¹⁴ Michigan Department of Human Services Children's Foster Care Manual. CFF722-6. Developing the Service Plan. Retrieved August 11, 2009 from <http://www.mfia.state.mi.us/olmweb/ex/cff/722-6.pdf>.

¹⁵ Ibid.

¹⁶ Ibid.

¹⁷ Michigan Department of Human Services Children's Foster Care Manual. CFF722-3. Developing the Service Plan. Retrieved August 11, 2009 from <http://www.mfia.state.mi.us/olmweb/ex/cff/722-3.pdf>.

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¹⁹ Ibid.

²⁰ Michigan Department of Human Services Children's Foster Care Manual. CFF722-3. Developing the Service Plan. Retrieved August 11, 2009 from <http://www.mfia.state.mi.us/olmweb/ex/cff/722-3.pdf>.

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²² Ibid.

²³ Ibid.