



National Association of Public
Child Welfare Administrators

an affiliate of the American Public Human Services Association

How States are Implementing the Fostering Connections Act

Minnesota's At-risk Children

In 2007, approximately 6,584 of Minnesota's children were abused and/or neglected by those responsible for their care¹. On September 30, 2007 there were a little more than 7,371 children and youth in Minnesota's foster care system according to the state's data system. During that same time period, 8,024 children entered state custody and 8,324 exited the system². In 2007, Minnesota finalized 672 adoptions³ from foster care and approximately 1,429 children⁴ waited for a permanent family through adoption. Minnesota experienced an increase in their foster care caseloads due to a decrease in exits to permanency for the past several years.⁵ The state's child welfare population mirrors statistics nationwide with disproportional representation of minority groups, including African-American and Native American children.

Minnesota's Budget Landscape

Minnesota's budget shortfall is projected to be \$4.7 billion for the 2010-2011 biennium⁶. Minnesota's unemployment rate is lower than the national average at 6.9 percent,⁷ but expected to increase as the economy continues to struggle. The stress of a family member's unemployment and the resulting lack of essential resources for basic living may increase reports of abuse and neglect.

Governor Tim Pawlenty proposes to cut the Health and Human Service budget by 15 percent during the next two years.⁸ These cuts include \$32 million from the Children and Family Service's Minnesota's Family Investment Program, Child Care Assistance and work participation benefits. On a brighter note, Governor Pawlenty proposed an increase of \$13 million to meet the projected caseload forecast for the state's adoption assistance program⁹ and \$500,000 for the Northstar Care for Children program.¹⁰

P.L. 110-351 State Options

Minnesota plans to implement the new Guardianship Assistance Program (GAP) option once the state has passed new legislation this year. The state will restructure its current relative custody assistance program and create a new GAP program consistent with the provisions in P.L. 110-351.¹¹ The state believes that there will be no fiscal impact to implementing the program.

In November 2005, the state began operating a Title IV-E waiver project known as the Minnesota Permanency Demonstration (MnPD). Proposed legislation, that also creates the new federal GAP program, is expected to build on the successful outcomes of MnPD. It will create a single benefit program for children who are either temporarily in out of home care or in permanent placement with a relative or adoptive family. All of Minnesota's foster families receive financial assistance toward clothing, food and housing necessities. However, once these families choose to adopt or provide permanent legal and physical custody, the financial assistance is reduced by almost half and some support services are eliminated. If the proposed legislation becomes law, Minnesota will provide continuous benefits whether the child is in state custody, adopted or in a guardianship arrangement. A recent evaluation of the demonstration project indicated that permanency rates increased for those children whose foster parents were offered the single continuous benefit¹². These findings are consistent with the purpose of P.L. 110-351 to boost the permanency rate of foster children.

Minnesota does not intend to implement the federal option of supporting eligible foster youth until the age of 19, 20 or 21 in the near future. Also, the state will not implement the option of extending guardianship and adoption beyond age 18 to those youth who exited foster care after they turned 16. The state is not in a position to do anything this legislative session that will increase state costs. Minnesota's law does allow youth to stay in foster care and supports adoptions until the age of 21 under certain circumstances. However, the state operates as a county-based system with 84 different jurisdictions and not all counties provide financial assistance and support services for older youth. If the future economic outlook improves, Minnesota will revisit these options.¹³

Minnesota Tribes

Minnesota currently has Title IV-E agreements with 4 Tribes, the Red Lake Nation, Mille Lacs Band of Ojibwe, Leech Lake Band of Ojibwe, and White Earth Band of Ojibwe. These Tribes and others are reviewing their options about implementing the new Tribal IV-E program and what mechanisms they have for claiming reimbursement. It is too early to tell which Tribes plan to operate a program and Minnesota has encouraged Tribes to work with their federal partners.¹⁴

P.L. 110-351 Mandatory Provisions

None of the mandatory provisions related to relative notification, educational stability, health oversight and coordination, and sibling connections are conceptually different than existing state policy.¹⁵

The state already operates an intensive relative notifications system. Agencies identify relatives before or at the time placement is needed. Most of the larger county agencies have resources dedicated to relative search and engagement. Relatives are notified in writing of the need for placement. When parents are reluctant to provide relative information, courts include a provision in the court order to encourage the parent to provide this information. Legislation is proposed to ensure relatives are notified within 30 days of the child's removal from the parent.

Minnesota requires that siblings be placed together in foster care and adoptive families. For siblings that cannot be placed together, visitation is required to be documented in the out-of-home placement plan¹⁶.

Educational stability has not been an issue in Minnesota, as it already works diligently to keep foster children in the same schools and allocates transportation funds when necessary. Agencies seek placement resources within the child's school district. When placement within the child's school district is not possible, some agency and school systems work together to arrange transportation or agencies arrange additional transportation funds to support the child's attendance in the same school. Legislation is proposed to ensure that the effort to coordinate the child's education stability with the local school is documented as part of the out-of-home placement plan.

The state plans to review its practice on mandated 90 day transition plans for older youth to comply with the new requirements. Legislation is proposed to require a transition plan when a youth age 17 or older is expected to be discharged from foster care. The transition plan must include specific options for housing, health care, education, employment and support services.

Minnesota plans to tweak language to align with federal policy on these issues this legislative session. Since the state's policy and practice mirrors the new mandatory provisions, the state does not anticipate any additional fiscal impact.¹⁷

Family Connections Grants

Minnesota plans to apply for a Family Connections Grant once ACF releases an RFP.¹⁸ Minnesota currently operates Family Group Decision Making (FGDM), which significantly aids in establishing permanent connections for young people in foster care. With this practice, families and other caring adults are invited to participate in the decisions that impact the child's life, including type of placement, services, and other key decisions. FGDM starts at the beginning of placement and continues throughout the child's time care.¹⁹ The Family Connections Grant may help Minnesota maintain this promising practice.

Additionally, Minnesota's relative caregiver support group, Minnesota Kinship Caregivers Association (MKCA), plans to apply for a Navigator Grant to help support grandparents and other kinship caregiver providers. The state hopes to collaborate with the support group during the application process.

Opportunities & Challenges

Minnesota believes that P.L. 110-351 is a positive step in the right direction. The opportunities that arise with the new GAP program will help the state better support permanency options for children in foster care.

A challenge that Minnesota strongly believes needs addressing is reforming Title IV-E, so that it is not archaic and unwieldy to administer with the three separate programs (foster care, GAP, and adoption assistance). Each has its own set of rules and eligibility nuances that make it difficult and not conducive to producing timely and positive outcomes for children in care.²⁰ Minnesota has stepped forward to create a single benefit program and encourages Congress to do the same.

Conclusion

Minnesota's caseload has increased during the past three years. This increase is due in part to the increase in re-entries and a decrease in permanent placements.²¹ In implementing the new GAP option, the state is very likely to see a reversal in these trends.

¹ Minnesota's Child Welfare Report.

² Minnesota's Child Welfare Report

³ Minnesota's Child Welfare Report.

⁴ Minnesota's Child Welfare Report.

⁵ National Association of Public Child Welfare Administrators. Reductions Strategies survey, Fall 2008.

⁶ Minnesota Department of Finance *February 2009 Economic Forecast*, March 3, 2009.

⁷ National Conference of State Legislatures (NCSL). *Unemployment rates continue to rise in states; 14 now higher than nation's average*. February 6, 2009.

⁸ Minnesota Department of Human Services. *Fast Facts, 2009 Legislative Session*. January 2009.

⁹ Conference call with Erin Sullivan-Sutton, Minnesota's Public Child Welfare Administrator, on February 18, 2009.

¹⁰ Minnesota Department of Human Services. *Fast Facts, 2009 Legislative Session*. January 2009.

¹¹ Conference call with Erin Sullivan-Sutton, Minnesota's Public Child Welfare Administrator, on February 18, 2009.

¹² Institute of Applied Research, St. Louis, Missouri. *Minnesota Permanency Demonstration Interim Report*. July 2008.

¹³ Conference call with Erin Sullivan-Sutton, Minnesota's Public Child Welfare Administrator, on February 18, 2009.

¹⁴ *Ibid.*

¹⁵ *Ibid.*

¹⁶ National Association of Public Child Welfare Administrators (NAPCWA). Youth Aging Out Workgroup 2006 Survey.

¹⁷ Conference call with Erin Sullivan-Sutton, Minnesota's Public Child Welfare Administrator, on February 18, 2009.

¹⁸ *Ibid.*

¹⁹ National Association of Public Child Welfare Administrators (NAPCWA). Youth Aging Out Workgroup 2006 Survey.

²⁰ Conference call with Erin Sullivan-Sutton, Minnesota's Public Child Welfare Administrator, on February 18, 2009.

²¹ National Association of Public Child Welfare Administrators. Reductions Strategies survey, Fall 2008.

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