



National Association of Public
Child Welfare Administrators

an affiliate of the American Public Human Services Association

How States are Implementing the Fostering Connections Act

Pennsylvania's At-risk Children

In 2007, there were over 4,000 maltreated children in the Commonwealth of Pennsylvania. In state fiscal year 2007-2008 over 243,000 children received services while residing in their own homes. That same year, the Pennsylvania Adoption Exchange program served almost 3,520 children. Twenty-five percent of these children were placed in adoptive homes and 54 percent of the children served were finalized for adoption. On September 30, 2006, there were 21,135 children in Pennsylvania's foster care system, with 14,658 kids entering the system and 13,307 exiting the system throughout the year.

¹ In all of 2006, there were 1,926 children adopted² out of the foster care system and 3,559 kids waiting³ to be adopted.

Pennsylvania's Budget Landscape

For fiscal year 2009, Pennsylvania's projected budget short fall is \$2.3 billion, which represents 7.5 percent of General Fund revenue.⁴ Estimates for the budget gap in fiscal year 2010 are not available. In Governor Rendell's speech on his proposed budget, given on February 4, 2009, he stated that, at this point, there are no projected layoffs in the human services Department of Public Welfare.⁵ Governor Rendell's budget does plan to increase funds for public welfare program and education, among other areas.⁶ The goal for passing the fiscal year 2009 budget is June 30, 2009.⁷

P.L. 110-351 State Options

Pennsylvania plans on implementing the Guardianship Assistance Program (GAP) option once ACF approves its Title IV-E State Plan Amendment submitted on March 31, 2009. Currently, Pennsylvania runs a similar program that has been in place for more than ten years. Pennsylvania invests \$20 million annually in guardianship care. The program, referred to as the Permanent Legal Custodianship/Subsidized Permanent Legal Custodianship, is broader than what Congress allows under the new option because it allows non-relatives that have a significant relationship with the child, including neighbors, godparents, friends of the family, etc. to participate. Currently, this program is funded by state and county funds. There is no plan to downscale the program to comply with the federal requirements. Rather, Pennsylvania plans to have a three-tiered program – one tier for cases that meet the federal requirements and two other tiers for cases that are outside the federal definitions. There are many clarifications Pennsylvania administrators need concerning definitions and eligibility. The fiscal impact of this option will depend on whether or not existing kinship care providers are eligible for funds.⁸

Regarding implementing the federal option to support eligible foster youth who are 19, 20 or 21, Pennsylvania is still discussing this option. Currently, foster youth age out at 18, but they can request to remain in care until they turn 21 if they are continuing their education, in treatment and/or in training.⁹

Regarding youth who exit care to guardianship or adoption after turning 16, Pennsylvania uses Chafee and ETV funds to support those who either age out or have been adopted. Once the state exercises the GAP option, supporting youth to age 21 in guardianship arrangements will be considered.¹⁰

Pennsylvania Tribes

Pennsylvania has no recognized tribes; however there are 44 children with tribal backgrounds in the foster care system.¹¹

Family Connections Grants

Pennsylvania is considering applying for a Family Connections Grant. This depends on the grant requirements. Pennsylvania currently implements Family Group Decision-making and is expanding efforts to locate relatives through implementation of family finding efforts. These efforts include programmatic training on the importance of locating and preparing family members and preparing children and youth for life long connections, along with use of information technology as a tool to assist in these efforts. The grant application would be used to enhance these efforts.¹²

P.L. 110-351 Mandatory Provisions

Pennsylvania is already meeting the mandatory provisions in Fostering Connections. That being said, the state is anticipating additional clarification from ACF and would like to improve their service in these areas, where appropriate.

Pennsylvania has required its workers to perform diligent searches for relatives when children are placed in the foster care system. Their kinship care program has been engrained in practice for many years prior to passing Fostering Connections. The State sent out a special transmittal to counties about the 30 day notification as well as provided an updated sample letter counties can use to notify relatives. They are also exploring utilizing on-line search engines.¹³

Concerning the educational stability mandates, Pennsylvania is already coordinating with the state's Department of Education and the Educational Law Center to help ensure children have stability in education. The state issued guidance on McKinney-Vento stating that children waiting for foster care placement are afforded opportunities to remain in the same school district; there is a transportation component to these guidelines as well. These guidelines are being updated to include all children in placement. Simultaneously, a screen is being developed to help workers pay additional attention to educational stability. There is some concern that transportation costs may increase.¹⁴

The state is monitoring counties closely to see if counties are implementing appropriate health oversight and drafting coordination plans. Many counties utilize a managed care system for children in placement. There is an emphasis on special-needs children maintaining the same primary care physician and the state requires compliance with Early Periodic Screening, Diagnosis and Treatment (EPSDT).¹⁵

Pennsylvania is already in compliance with the mandatory requirements regarding placing sibling groups together. This practice was emphasized in the special transmittal mentioned earlier. In Pennsylvania's Child and Family Service Review, keeping siblings together was highly rated.¹⁶

Pennsylvania needs to enhance its efforts regarding transition plans for children aging out of foster care. In the special transmittal issued earlier this year, additional guidance was given regarding having a youth-directed plan sanctioned by the court and the requirement that youth be notified that they can remain in care to the age of 21, provided they meet the educational, training and/or treatment requirements. Pennsylvania has an extensive Independent Living Network, which is youth driven, and the state has Youth Advisory Boards. Nevertheless, the state is going to write additional parameters and going to work with the Independent Living Network and Youth Advisory Boards when revisiting transitional plan guidelines.¹⁷

Opportunities & Challenges

Pennsylvania is already meeting the requirements of the mandatory provisions and no legislation needs to be passed to bring the state into compliance. There does need to be some tweaking of the language and guidelines to existing practice, but that will be completed once the regulations from ACF are issued. The main challenge facing Pennsylvania is in regards to timeframe. Even though the state submitted a plan t, they still need some clarifications on definitions and other information before fully implementing the options.¹⁸

Conclusion

In the recent past, Pennsylvania experienced a slight decrease in foster care caseloads, however increases are possible in the near future. They attribute this decrease to increased resources in front-end services to families, which reduced

out of home placements. There is also an effort to reduce the number of children in residential care facilities. It is unclear at this point if any cost-savings are realized; however, if there are cost-savings associated with the slight decrease, these savings would be re-invested in community based programs.¹⁹

¹ http://www.acf.hhs.gov/programs/cb/stats_research/afcars/statistics/entryexit2006.htm

² http://www.acf.hhs.gov/programs/cb/stats_research/afcars/adoptchild06.htm

³ http://www.acf.hhs.gov/programs/cb/stats_research/afcars/waiting2006.htm

⁴ <http://www.ncsl.org/programs/fiscal/StateBudgetUpdate0109.htm>

⁵ http://www.pennlive.com/midstate/index.ssf/2009/02/text_of_rendells_speech_on_pro.html

⁶ <http://uk.reuters.com/article/marketsNewsUS/idUKN0429934620090204>

⁷ <http://www.msnbc.msn.com/id/29239252/>

⁸ Interview with Cathy Utz and Ms. Jones-Williams on February 25, 2009

⁹ Ibid.

¹⁰ Ibid.

¹¹ Ibid.

¹² Ibid.

¹³ Ibid.

¹⁴ Ibid.

¹⁵ Ibid.

¹⁶ Ibid.

¹⁷ Ibid.

¹⁸ Ibid.

¹⁹ Ibid.

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