



Community Champions Network (CCN)

New Federal Funding Sources for Post-Adoption Services
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About This Webinar

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Preventing Sex Trafficking and Strengthening Families Act
(Public Law 113-183)

Title II — Improving Adoption Incentives and Extending Family Connection Grants

- Adoption Incentive Program expanded to including guardianship and changes in calculation
- Emphasis on reinvestment requirements of Foster Connections de-link provision

 **Improving Adoption Incentives**

- The Adoption Incentive Program was extended for three years to September 30, 2016 and authorized at \$43 million per year
- Changes include:
 - Inclusion of a **guardianship** benefit incentive
 - Gradual transition to an incentive based on a **state's rate of adoptions** (the number of adoptions divided by the number of children in foster care at the end of the previous fiscal year), rather than a flat numerical increase over a numerical baseline
 - Allows states up to **three years** to spend incentive payments and requires states not to use incentive payments to replace any existing child welfare funding

 **Adoption and Legal Guardianship Incentive Calculations**

Beginning in fiscal year 2016 (2015 adoptions), the bonus payments will be calculated as follows:

- \$5,000 per placement for increases in the adoption rate
- \$4,000 per placement for increases in the guardianship rate
- \$7,500 per placement for increases in the rate of adoption or guardianship for children 9 to 13
- \$10,000 per placement for increases in the rate of adoption or guardianship for children 14 and older

 **Explaining the Numbers**

- Existing system: if baseline total adoption baseline is 1,000, and the next year 1,000 children are adopted there is no increase
- New system: if there are 1,000 adoptions and 5,000 children in foster care in the base year, the adoption rate is 20%. In the next year if there are 1,000 adoptions and 4,000 children in foster care, the adoption rate is 25%. The bonus would be \$5,000/child times the increased number of children - 200 for a total of \$1 million dollars.
- Ohio has not received an Adoption Incentive Payment since 2003



Phasing in the New Calculations 2014

- The baseline rate will be the previous year's adoption rate or an average of the last three years' rates, whichever is lower
- If all of the funds appropriated are not earned, the law enables HHS to award states for timely adoptions. Those states that have an average length of stay in care before finalization of less than 24 months would equally split any remaining funds
- 2014 (2013 adoptions) remained the same, with bonus for overall increases in adoption, increases in adoptions of children nine and older, and increases in special needs adoption



2014 Adoption Incentive Awards

- States earned \$46 million but were only paid \$27 million, with an anticipation that a second payment will occur in 2015.
- States on call with no incentive earned CA, DC, IL, MD, MI, NC, OH, OR, PA, TN, VT



2014 Adoption Incentive Awards

- 10 states earned Incentive Awards (reported in \$1,000s)

State	Earned	Paid
AR	\$2,280	\$1,300
FL	\$6,132	\$3,497
LA	\$2,456	\$1,400
MA	\$16	\$9
MO	\$1,393	\$793
SD	\$172	\$98
TX	\$12,548	\$7,156
VA	\$568	\$324
WA	\$500	\$285
WI	\$420	\$239

 **Phasing in the New Calculations 2015-16**

- 2015 (2014 adoptions) will be a hybrid, with the bonus earned being half of what the state would have earned under the old system and half of its earnings under the new system.
- 2016 (2015 adoptions) will be based on the previous year's adoption rate or an average of the last three years' rates, whichever is lower

 **Accessing Adoption Incentive Funds**

- Awards are unpredictable and time limited.
- Advocates should anticipate potential awards based on knowledge of previous years adoption. For examples, awards announced in September 2015 are based on adoptions between October 1, 2013 and September 30, 2014.
- If advocates anticipate an increase in adoptions, they should initiate discussions with state administrators prior to the award letters. Are there 2-3 year pilot programs that could be tested with these funds.

 **Legislative Mandated Use of Funds**

Advocates can work with the legislature to mandate use of funds for post-adoption services. In 2009 Minnesota advocates worked with a key Senator to insert the following language in the Department of Human Services budget.

- 345.1 Adoption Assistance Incentive Grants.
- 345.2 Federal funds available during fiscal year
- 345.3 2010 and fiscal year 2011 for the adoption
- 345.4 incentive grants are appropriated to the
- 345.5 commissioner for these purposes.
- 345.5 commissioner for **post-adoption services including the parent to parent support network.**

 **Fostering Connections to Success Act 2008 PL 110-351**

- Removed the link between a child's birth parents' income and eligibility for federal adoption assistance payments
- Required states to reinvest any state funds saved as a result of the de-link provision in child welfare services

July 2009 HHS guidance

- HHS offered no guidance to states on calculating saving
- HHS offered no reporting requirements on savings

 **The Child and family Services Improvement and Innovation Act (2011) PL 112-34**

- A state shall spend an amount equal to the amount of savings as a result of the de-Link provision of Foster Connections.
- A state shall provide to children or families any service (including post adoption services) that may be provided under Title IV-B or IV-E
- A state shall document how such amounts are spent, including post adoption services.

 **Preventing Sex Trafficking and Strengthening Families Act Impact on Maintenance of Efforts Provision**

- Requires states to spend 30% of the funds they save as a result of the Fostering Connections Act's expansion of federal adoption assistance eligibility on post-adoption, post-guardianship, and services to prevent foster placement; at least 20% of the total must be spent on post-adoption and post-guardianship.
- In 2013 Minnesota advocates worked with the chair of the Senate Human Services Appropriations Committee to mandate that 100% of savings must be reinvested in post adoption services including peer to peer support.



Proposal to Calculate De-link Savings

- States document the following:
 - Foster child's date of birth
 - Foster child's Title IV-E eligibility status.
 - Yes Title IV-E eligible
 - Not Title IV-E eligible and reason
 - Birth family income too high based on 1996 AFDC rate
 - Court did not determine that child cannot and should not return home
 - No documentation that child could not be adopted without AAP
 - State Adoption Assistance savings calculations
 - Identify cases now Title IV-E eligible children who were not previously Title IV-E eligible in foster care.
 - Identify AAP payments on behalf of these children
 - Calculate savings based on total payments times FMAP rate



Accessing Your State's Savings

- Identify top level administrators, and remind them that state must now reinvest at least 20% of state savings in post-adoption and post-guardianship services. Also, the reinvestment is for new services not to supplant funding for existing programs.
- Ask the administrators if the state has developed a formula for calculating how many children receiving Title IV-E Adoption Assistance payments are newly IV-E eligible due to the Fostering Connections Act. Work with the administrators to identify how much money the state will be saving.
- Meet with other advocates to develop list of services you would like to have new funding support. Share recommendations with key state staff before they commit the funding to other programs.



MOE State Estimated Savings

State	2014	2015	2016
Arkansas	\$164,583	\$275,199	\$549,249
California	\$1,679,616	\$2,864,095	\$4,991,171
District of Columbia	\$224,986	\$420,134	\$724,954
Florida	\$758,125	\$1,340,358	\$2,355,762
Illinois	\$787,425	\$1,313,820	\$2,403,746
Louisiana	\$183,350	\$298,346	\$562,650
Maryland	\$809,115	\$1,408,812	\$2,376,243
Massachusetts	\$679,396	\$1,122,919	\$2,171,707
Michigan	\$2,092,053	\$3,530,654	\$5,986,249
Minnesota	\$316,080	\$557,640	\$930,240
Missouri	\$330,971	\$614,538	\$1,080,613

NACAC MOE State Estimated Savings

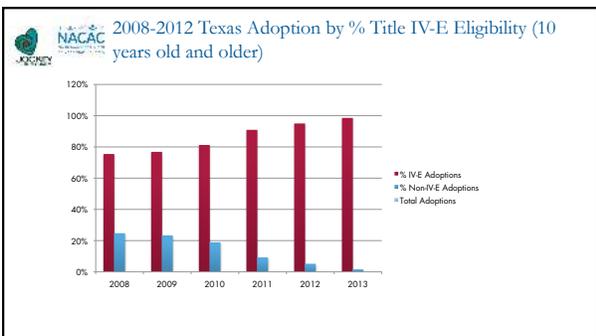
State	2014	2015	2016
North Carolina	\$910,363	\$1,447,303	\$2,353,991
Ohio	\$101,567	\$179,140	\$302,356
Oregon	\$256,381	\$438,372	\$831,578
Pennsylvania	\$566,745	\$952,908	\$1,648,000
South Dakota	\$77,107	\$137,116	\$250,094
Tennessee	\$337,183	\$584,289	\$1,037,417
Texas	\$998,207	\$1,780,033	\$2,778,241
Vermont	\$72,746	\$125,965	\$190,671
Virginia	\$541,544	\$894,013	\$1,417,846
Washington	\$256,407	\$437,966	\$707,599
Wisconsin	\$184,372	\$316,165	\$547,582

NACAC Texas Adoption Success Story

- Between 2008-2013 adoptions increased by 19% from 4,524 to 5,364
- Adoptions of older children increased most

Age	Adoptions in 2008	Adoptions in 2013	% increase
15 year olds	69	92	33%
16 year olds	52	101	94%
17 year olds	30	86	187%

- 29,000 new adoptions in six years
- \$30 million in Adoption Incentive Payments





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