

# 23 GROUPS URGE THE TEXAS LEGISLATURE TO INCREASE ACCESS TO SERVICES THAT REDUCE FOSTER CARE ENTRIES

## *Recommendations to the 2023 Texas Legislature for Leveraging Federal Funding Available Through the Family First Prevention Services Act*

### **Leveraging the Family First Prevention Services Act (FFPSA) is the smartest, most cost-effective investment in services that will keep children out of foster care.**

FFPSA is a federal, Republican-led initiative that passed in 2018. FFPSA allows states to draw down a federal match for highly effective, evidence-based programs and services provided to children at imminent risk of entering foster care or their caregivers. These family preservation services are proven to prevent removal by supporting mental health, reducing substance use, or strengthening parenting.

### **Polling shows the vast majority (81 percent) of Texans across the political spectrum support increased funding for services that prevent child neglect.**

And these Texans believe state leaders should draw down federal matching funds to expand access to services that support and preserve families needing mental health or substance use services to avoid foster care.<sup>A</sup>

### **Data show that Texas families do not have access to mental health or substance use services that prevent crises that often lead to a child entering foster care.**

In recent years,

two-thirds of Texas children who entered foster care did so for reasons related to a caregiver's drug or alcohol use.<sup>B</sup> While only a small number of children enter care because of their own unaddressed mental health challenges, 35 percent of children without placement entered care for this reason — not because their parents abused or neglected them.<sup>C</sup>

### **Unfortunately, the House and Senate base budgets do not include the steps necessary to draw down funding available under FFPSA.**

Texas has not taken some of the steps necessary to draw down federal funds. For example, Texas needs to submit a plan to the federal government (known as a Title IV-E Prevention Plan) and invest state funds in family preservation services in order to receive federal matching funds. By not taking advantage of a federal match opportunity, Texas is missing a chance to expand investments in programs that would keep more families safely together by supporting mental health, reducing substance use, and strengthening parenting. Additionally, Texas has unexpended federal grant funding to support the implementation of FFPSA.<sup>1</sup>

<sup>1</sup> Texas received \$50 million dollars through the Family First Transition Act (FFTA) to help implement FFPSA in Texas. Last session, the Legislature appropriated \$34 million in FFTA funds through DFPS Rider 48 to pursue this goal. DFPS was unable to spend a significant portion of that funding.

## RECOMMENDATIONS

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- 1. Direct the Department of Family and Protective Services (DFPS) to submit a Title IV-E Prevention Plan to the federal government.** This is the first step to Texas receiving federal matching funds for evidence-based family preservation services.
- 2. Invest General Revenue (GR) in evidence-based family preservation services,** including the family preservation efforts established by the Legislature last session (HB 3401 by Chair Frank and SB 1896 by Chair Kolkhorst), and — importantly — other evidence-based services that are eligible for a federal match because they are on the Title IV-E Prevention Services Clearinghouse. Investing GR is a key step to qualifying for federal matching funds.
- 3. Expand Texas criteria to receive federal matching funds for family preservation services delivered to children at imminent risk of entering foster care and their families.** The SB 910 report<sup>2</sup> recommends adding flexibility to draw down federal funding for services to children and families. And the House Human Services Committee’s Interim report also recommended expanding which children and families may receive services eligible for a federal match under FFPSA. Specifically, the Legislature should consider using FFPSA funding to serve children or their caregivers who:
  - a. Receive Family-Based Safety Services;
  - b. May relinquish custody of their children to the state because they cannot find the right services and support for themselves or their children;
  - c. Are at risk of being referred to DFPS by the juvenile justice system; or
  - d. Exit foster care through reunification, adoption, or other alternatives, such as guardianship with a grandparent.
- 4. Develop a cross-system, publicly available, annually updated asset map of family preservation services in each Community-Based Care catchment area,** as recommended by the Senate Bill 910 Report (2022). An asset map will provide state leaders with a more complete, cross-system picture of family preservation services available to Texas children and families, so leaders can continue to build on existing strengths in communities across Texas.

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<sup>2</sup> SB 910 (87R) required DFPS to identify options to transition Family-Based Safety Services (FBSS) into Community-Based Care and study ways to expand existing FBSS services under FFPSA. DFPS, through a partnership with the Public Policy Research Institute at Texas A&M University, submitted a report of its recommendations to the 88th Texas Legislature.

## SUPPORTING ORGANIZATION AND PRIMARY CONTACT

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### **2ingage**

Adam Crockett, Director of Texas Family First Services

### **Buckner Children and Family Services**

Henry Jackson, President

### **Clarity Child Guidance Center**

Christine Bryan, VP of Information Technology and Public Policy

### **Family Compass**

Ona Foster, CEO

### **Nationals Association of Social Workers-Texas**

Bryan Mares, Government Relations Director

### **North Texas FASD Network**

Lyn McMurry, President

### **Parents as Teachers National Center**

Tiedra Marshall, Director of Expansion

### **Rees Jones Foster Care Center for Excellence**

Jill McLeigh, Director of Research, Policy and Advocacy

### **SAFE Alliance**

Julia Spann, CEO

### **Texans Care for Children**

Stephanie Rubin, CEO

### **Texas 2036**

Hope Osborn, Manager of Policy and Advocacy

### **Texas Alliance of Child and Family Services (TACFS)**

Jamie McCormick, VP of Public Affairs

### **Texas Appleseed**

Gabriella McDonald, Deputy Director

### **Texas CASA**

Sarah Crockett, Director of Public Policy

### **Texas Council on Family Violence**

Barbra Grimmer, Child Welfare Policy Coordinator

### **Texas Grandparents Raising Grandchildren**

Mercedes Bristol, Founder and Executive Director

### **Texas Network of Youth Services (TNOYS)**

Lauren Rose, Director of Public Policy

### **Texas Pediatric Society**

Louis Appel, President

### **TexProtects**

Jordan Watson, VP Policy and Government Affairs

### **The National Service Office for Nurse-Family Partnership and Child First**

Brittany McAllister, Government Affairs Manager

### **United Way of Metropolitan Dallas**

Stephanie Mace, VP of Strong Communities

### **Wilshire Baptist Church**

Rev. Heather Mustain

### **York Consulting & Family Services**

Veronica York, High Conflict Divorce Coach & Domestic Violence and Child Abuse Custody Expert

For additional information, please contact **Kate E. Murphy, J.D.**, Director of Child Protection Policy at Texans Care for Children, at [kmurphy@txchildren.org](mailto:kmurphy@txchildren.org).

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## Endnotes

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