

Health policy fact sheet

Ohio addiction policy scorecard: Children, youth and families

Federal child welfare laws

This fact sheet briefly describes three federal laws that were enacted or amended from 2016 to 2018, focusing on implications for families affected by addiction.

Family First Prevention Services Act (Family First)

Signed into law in 2018, Family First includes major reforms designed to prevent child maltreatment and keep children safely with their families. The goal is to keep children with their parents or kin in the least restrictive, most family-like setting possible, signaling a shift away from foster care and congregate care facilities. To specifically address challenges of parental addiction, the law provides federal reimbursement for evidence-based mental health and substance abuse prevention services for children at risk for foster care placement, as well as reimbursement for children in residential family-based substance abuse treatment with a parent.

States have options for how some components of the law are implemented. The Ohio Department of Job and Family Services formed a Leadership Advisory Committee to develop a **Family First Implementation Roadmap** for Ohio and to guide implementation in four areas:

- **Prevention:** Ohio's Phase 1 Prevention Plan includes four programs from a federal clearinghouse of evidence-based programs and services (Parents as Teachers, Healthy Families America, Multi-Systemic Therapy and Functional Family Therapy, as well as Ohio START, which is currently being reviewed by the clearinghouse).
- **Qualified Residential Treatment Programs (QRTP):** To reduce inappropriate use of congregate/group care, states must define QRTP requirements. Ohio will be phasing in new QRTP requirements in 2020-2024, including requirements for trauma-informed treatment models, staff registration/licensing and level of care assessments.
- **Kinship Navigator:** States can receive federal reimbursement for half of state expenditures on a kinship navigator program. Ohio has developed the **Ohio Kinship and Adoptive Navigator Program (OhioKAN)**.
- **Model licensing standards:** Ohio has chosen to align with the National Model Foster Family Home Licensing Standards.

Child Abuse Prevention and Treatment Act (CAPTA) as amended by the Comprehensive Addiction and Recovery Act (CARA)

CAPTA, a key piece of federal legislation addressing child abuse and neglect enacted in 1974, was amended by CARA in 2016 in response to the opioid epidemic.¹ CARA was created to help states address the effects of substance use on children and families and strengthen requirements in CAPTA, such as those for Plans of Safe Care (POSC).

Title V of CARA revised and strengthened the POSC requirements originally outlined in CAPTA² as follows:

- Required that POSC address the health and treatment needs of both the infant and the affected family or caregiver

Plans of Safe Care (POSC)

Federally-required plans designed to address the treatment and well-being of infants exposed to substances prenatally and their families. POSC implementation varies by state. In Ohio, plans are developed by caregivers, medical professionals and service providers, and they are overseen by PCSAs.

For more information about POSC, see **Ohio Addiction Policy Scorecard: Children, Youth and Families**

- Expanded requirements for POSC to include infants affected by all substance use, including legal substances
- Required data on the number of infants affected, the number of POSC developed and the number of service referrals made to be entered into the National Child Abuse and Neglect Data System (NCANDS) child maltreatment reporting system
- Required states to develop and implement monitoring systems to determine if and how POSC are being implemented, including referrals to and delivery of appropriate services
- Required the U.S. Department of Health and Human Services (HHS) to develop a clearinghouse of information and best practices related to POSC³

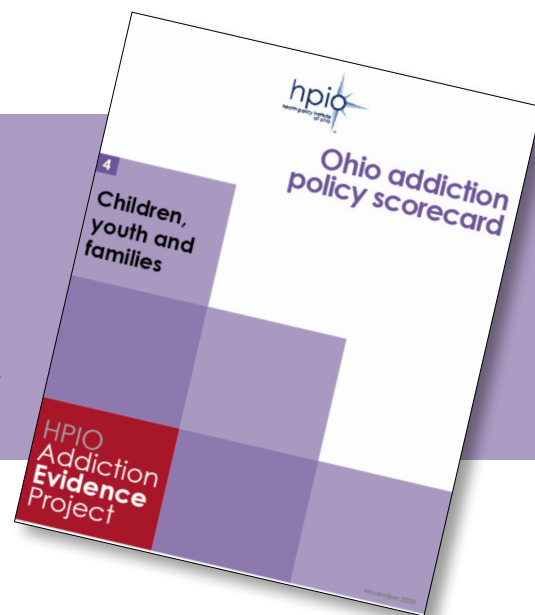
CARA did not appropriate additional funding for states to implement these new requirements.

The Substance Use-Disorder Prevention that Promotes Opioid Recovery and Treatment (SUPPORT) for Patients and Communities Act

Congress passed the SUPPORT Act in Oct. 2018.⁴ It further amended CAPTA to authorize HHS to make grants to states to assist child welfare agencies and other service providers to facilitate collaboration in developing, updating, implementing and monitoring POSC. It also:

- Required HHS to provide guidance and technical assistance to states related to POSC
- Replicated and funded a “recovery coach” program for parents with children in foster care due to parental substance use
- Provided funding to enhance and expand family-focused residential treatment programs⁵

View the complete
**Ohio addiction policy scorecard:
 Children, youth and families**
www.hpio.net/ohio-addiction-policy-scorecard-children-youth-and-families/



Notes

1. Child Abuse and Prevention Treatment Act (CAPTA) Substance Exposed Infants Statutory Summary. Substance Abuse and Mental Health Services Administration (SAMHSA) and the Administration on Children, Families and Youth (ACYF) Children's Bureau 2017. Accessed Oct. 5, 2020. https://ncsacw.samhsa.gov/files/CAPTA_SEL_Statutory_Summary.pdf
2. Child Welfare Information Gateway. About CAPTA: A Legislative History. U.S. Department of Health and Human Services 2019. Accessed Oct. 5, 2020. <https://www.childwelfare.gov/pubPDFs/about.pdf>
3. Child Welfare Information Gateway. Major Federal Legislation Concerned with Child Protection, Child Welfare and Adoption. U.S. Department of Health and Human Services 2019. Accessed Oct. 8, 2020. <https://www.childwelfare.gov/pubPDFs/majorfedlegis.pdf>
4. Child Welfare Information Gateway. About CAPTA: A Legislative History. U.S. Department of Health and Human Services 2019. Accessed Oct. 5, 2020. <https://www.childwelfare.gov/pubPDFs/about.pdf>
5. Child Welfare Information Gateway. Major Federal Legislation Concerned with Child Protection, Child Welfare and Adoption. U.S. Department of Health and Human Services 2019. Accessed Oct. 8, 2020. <https://www.childwelfare.gov/pubPDFs/majorfedlegis.pdf>