



Fostering Connections to Success and Increasing Adoption Act of 2008

P. L. 110–351 / 42 USC 673

OCT. 7, 2008

Our Objective:

- Provide framework for understanding key provisions of the new federal legislation
- Enable judges and key stakeholders to help facilitate local implementation efforts
- To provide insight into pending change

Supporting Children in Foster Care by:

- Increasing support for relative placements
- Requiring “reasonable efforts” to co-place sibling or provide for ongoing contact
- Expanding adoption and placement resources for older and special needs children
- Promoting educational and health stability for children in protective custody
- Enhancing adoption incentives
- Creating direct Title IV-E eligibility for Indian Tribes

Promoting Relative Placements

- Permits Title IV-E funding to be used to provide kinship guardian assistance payments
- Requires state agencies to exercise “due diligence” to identify adult grandparents and other relatives within 30 days of child’s placement
- Allows states to waive non-safety related foster parent certification requirements for relatives
- Authorizes funding for Kinship Navigator Programs, intensive family finding, family group decision making, family based AD Treatment (matching grants)
- Creates a \$2,000.00 reimbursement for caretaker expenses related to establishing legal guardianship

Supporting sibling attachment

- Requires state to make “reasonable efforts” to place siblings in same foster care, kinship guardianship, or adoptive placement
- If group placement is not possible, requires “reasonable efforts” to provide sibling visitations or other ongoing interactions
- Provides new grant funding to increase “family” involvement in child’s life and case planning

Resources for older children in care

- Requires CW to create a “personal transition plan” for older youth (14 to 21 yrs) within 90 days of their exit from foster care
- Allows continued federal (IV-E) support for children in foster care/adoption/guardianship payments until age 21 (State option starting Oct. 2010) if the youth is:
 - Completing HS or equivalency program
 - Enrolled in post-secondary or vocational school
 - Participating in an activity designed to promote or remove barriers to employment
 - Employed at least 80 hrs per month
 - Disabled

Adoption Resources for Children with Special Needs

- Removes requirement that adoption assistance payments be linked to a biological parent's pre-placement eligibility for AFDC (TANF)
- Doubles adoption incentives for children with special needs
 - Eligibility expansion to be phased in over 9 years.

Educational Stability for Children in Care

- Requires CW to include a plan to ensure the educational stability of a child entering foster care unless not in their best interest
 - Considerations include;
 - Child's ties to their school
 - Appropriateness of academic program
 - Distance of commute
 - Personal safety of student
 - Service capacity of the school
 - Anticipated length of placement
 - Requires proof that any school age child is attending school

Health Stability for Children in Care

- Requires coordination with the state's Medicaid agency, pediatricians and other experts to develop a plan for ongoing oversight and coordination of health care services for children in foster care
- Plan must describe:
 - How initial and follow up screenings will be provided
 - How ongoing health needs will be treated and monitored
 - How medical information will be shared and updated
 - Assurances of continuity of care
 - How prescription will be monitored

New Adoption Incentives

- Requires that CW document discussion of Adoption Tax Credit with prospective adoptive parents
- Removes link between birth family's income and adoption subsidy criteria

New Tribal Resources

- Offers direct access to federal IV-E funds for foster care and adoption assistance
- Requires HHS to provide technical assistance and implementation services to improve permanency outcomes for Indian children
- Makes available implementation grants

General Provisions

- Expands the number of stakeholders eligible to use IV-E training funds (CW, Relative Guardians, and Court Personnel)