
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE RESOLUTION

No. 438 Session of
2019

INTRODUCED BY TOOHL, BOBACK, MILLARD, JOHNSON-HARRELL,
SCHLOSSBERG, BERNSTINE, YOUNGBLOOD AND CALTAGIRONE,
JUNE 27, 2019

REFERRED TO COMMITTEE ON CHILDREN AND YOUTH, JUNE 27, 2019

A RESOLUTION

1 Directing the Joint State Government Commission to study the
2 fiscal impact of a timely and expeditious versus a delayed
3 implementation of the Family First Prevention Services Act on
4 the Commonwealth's funding under Part E of Title IV of the
5 Social Security Act.

6 WHEREAS, On February 9, 2018, the President of the United
7 States signed the Bipartisan Budget Act of 2018 (Public Law 115-
8 123, 132 Stat. 232), designated as the Family First Prevention
9 Services Act and otherwise known as "Family First"; and

10 WHEREAS, One of the major areas of change under Family First
11 is the way states can spend funds under Part E of Title IV of
12 the Social Security Act (49 Stat. 620, 42 U.S.C. § 670 et seq.),
13 specifically, rather than using funds to help with the costs of
14 foster care, funds may be used for prevention services which
15 help candidates for foster care remain with their parents or
16 relatives; and

17 WHEREAS, The Department of Human Services advises that Family
18 First creates significant opportunities to further support the
19 delivery of evidence-based services to help children remain

1 safely with their families, whenever possible, and to ensure
2 that children who cannot be safely maintained in their own homes
3 are placed in the least restrictive, most family-like settings,
4 or in qualified residential treatment programs appropriate to
5 their special needs; and

6 WHEREAS, Family First invites the states to further leverage
7 Federal and state funding streams, including child welfare
8 funding under Part E of Title IV of the Social Security Act,
9 evidence-based home visiting and Medicaid, particularly for
10 families affected by substance abuse disorders or mental health
11 conditions; and

12 WHEREAS, Each state was instructed to submit a plan to the
13 United States Department of Health and Human Services (HHS), a
14 requirement to receive funding, which outlines programs and
15 services available to parents or kin caregivers in order to
16 prevent the child from entering foster care; and

17 WHEREAS, States may begin accessing funding for Family First
18 critical prevention funding upon approval of a state plan by HHS
19 at the start of the Federal fiscal year 2020, which begins on
20 October 1, 2019; and

21 WHEREAS, Funding under Family First for fiscal year 2020
22 through 2026 will be eligible for up to a 50% reimbursement from
23 the Federal Government under Part E of Title IV of the Social
24 Security Act; and

25 WHEREAS, Two states, Arkansas and Colorado, have enacted
26 Family First implementation legislation in anticipation of
27 submitting a plan to HHS, and up to 21 other states are reported
28 to be preparing submissions for the October 1, 2019, opening
29 date; and

30 WHEREAS, The Department of Human Services has chosen to delay

1 submission of the Commonwealth's Family First plans one year
2 later to October 1, 2020; therefore be it

3 RESOLVED, That the House of Representatives direct the Joint
4 State Government Commission to conduct a study of the fiscal
5 impact of a timely and expeditious, versus a delayed,
6 implementation of the Family First Prevention Services Act on
7 the Commonwealth's funding under Part E of Title IV of the
8 Social Security Act; and be it further

9 RESOLVED, That the Commission, in consultation with the
10 Department of Human Services, the Child Welfare Steering Council
11 in the department and the Children and Youth Committee of the
12 House of Representatives be directed to study the implementation
13 of the Family First Prevention Services Act in this
14 Commonwealth; and be it further

15 RESOLVED, That, in the study, the Commission be directed to
16 examine the Commonwealth's application for Federal approval
17 under the Family First Prevention Services Act and opportunities
18 in that act to attain Federal funding under Part E of Title IV
19 of the Social Security Act to support trauma-informed and
20 evidence-based mental health and substance abuse prevention and
21 treatment services, in-home parent skill-based services for
22 eligible children and their parents and caregivers and other
23 programs on foster grandparenting and kinship; and be it further

24 RESOLVED, That the Commission be directed to make a
25 recommendation on whether the Commonwealth should take immediate
26 action to apply for family-based residential treatment
27 opportunities which can be leveraged separate from the
28 Commonwealth's decision to fully opt in to implementation of the
29 Family First Prevention Services Act in this Commonwealth; and
30 be it further

1 RESOLVED, That the Commission be directed to determine
2 whether Pennsylvania's Kinship Navigator Program meets Title IV-
3 E Prevention Services Clearinghouse criteria for Federal funding
4 eligibility; and be it further

5 RESOLVED, That the Commission be directed to provide a
6 recommendation as to whether the Commonwealth should take
7 immediate action to apply for family-based residential treatment
8 opportunities which can be leveraged separate from the
9 Commonwealth's decision to fully opt into the Family First
10 Prevention Services Act program; and be it further

11 RESOLVED, That the Commission be directed to issue, by
12 December 1, 2019, a report on its study, its determination and
13 its recommendation to the chair and minority chair of the
14 Appropriations Committee of the House of Representatives, the
15 Children and Youth Committee of the House of Representatives and
16 the Human Services Committee of the House of Representatives.