

May 26, 2020

Dear Congress,

We, the undersigned organizations, are affiliated with the State Policy Advocacy and Reform Center (SPARC), which is a network of state and local organizations from around the country that advocates for the safety, health and well-being of more than 3.5 million children who have experienced, or are at risk of, child abuse or neglect. We are joined by other organizations that share a deep commitment to the safety and well-being of children and families involved in child welfare.

As leading child advocates in our states, we work closely with elected officials, program administrators, families, youth, service providers, and community and faith-based organizations. We work to ensure that data and research inform public policies and that such policies are measured for their effect – intended and unintended.

Together, we have an up-close view and keen understanding of the pandemic's dramatic impact on families in communities across the United States and have observed a number of concerning trends including:

- Many families are struggling to manage the economic insecurity and overall uncertainty created by the pandemic. Prior research on the effects of recessions on children -- and recent on-the-ground reports -- document concerns about how periods of unemployment and reduced access to protective services and support like extended family or respite care are associated with child abuse and neglect. This pandemic is especially worrisome for the confluence of challenges: worsening economic forecast; growing fiscal instability of families; dramatic changes in the working conditions for parents; reduced access to schools and childcare. The isolating nature of this pandemic legitimately increases the concern about and risk for domestic violence, parental substance use including fatal overdoses, and untreated acute and chronic physical and behavioral health challenges.
- Youth and young adults who are aging out of foster care without a family to turn to are having difficulty meeting basic needs such as housing, food, and transportation. In a nation-wide survey of over 600 older youth and young adults in foster care, nearly a quarter of the young people reported that they were being forced to leave or feared they would be forced to leave their current residence. Nearly 1 in 5 said they had run out of food. These young people are at an important time in their lives where they are trying to gain a foothold in the world of work, family, and career. This crisis has left many without the opportunities and support they need.
- Children of all ages in foster care are, in many cases, going long periods of time without having in-person family time with their parents or siblings. While technology offers new forms of connection, and can even contribute to more frequent contact, sharing videos and phone calls will never prove an effective substitute for children spending in-person time with their families.

The physical separation between children and their parents can exacerbate stress and compound trauma.

We applaud many of the actions our Governors and program administrators have taken to address families' needs; however, the pandemic is creating unprecedented budget shortfalls that will force many state governments to consider deep cuts to social services, including child welfare and related supports like housing assistance that are vital to safe and stable families. This budget forecast poses major challenges for child welfare agencies that are facing increasing demands.

Federal resources are urgently needed to remove barriers to critical services, address funding and capacity needs, and ensure the equitable delivery of services. In particular, state and local agencies need emergency funding to meet the increasing demand for child protection and child welfare programs. This includes programs that help prevent child abuse from occurring as well as programs that identify and respond to child maltreatment. Agencies also need resources to continue recruiting and supporting safe and stable foster families and kinship caregivers who step up in a time when others are pulling back due to concerns about their health and economic wellbeing.

Of growing concern is that state and local agencies that were developing prevention services before the pandemic as a result of the *Family First Prevention Services Act* are now delaying or considering postponement of implementation plans during a time when a surge of child protection referrals is on the horizon. Growing economic constraints are likely to leave states ill-equipped and disincentivized to implement preventative strategies while those very strategies would help strengthen vulnerable families, prevent harm to children, and guard against inappropriate placement of children in foster care.

We are calling on you to take action to provide emergency federal funding to ensure that state and local child welfare agencies have the dedicated resources and flexibility they need during the COVID-19 pandemic to keep children safe, support struggling families, and ensure that foster families, kinship caregivers and other providers have what they need to continue taking care of our children and youth.

1. **Congress should ensure that federal funding and guidance is available to meet the COVID-19 testing and PPE needs of children, families, and child protection workers on the frontlines of child protection.** In-person interactions are essential to child welfare services and activities, including timely and effectively investigating child abuse. Also, testing is needed to determine how to protect the health and safety of all when children are placed in new foster care settings; during visits between children and their parents; and for court hearings which are part of case oversight and essential to children's safe and timely transition from foster care to a permanent family. Child welfare workers also need access to testing and PPE to protect their health and safety and that of the families when they make home visits to investigate suspected maltreatment or visit with children in their foster care placement.

2. **Congress has a number of opportunities for immediate action to modify the *Family First Prevention Services Act* in order to sustain a commitment to prevention and help state and local organizations keep children safe and out of foster care.**

- Remove the state match requirement for one year for Title IV-E prevention services. This would remove fiscal barriers to states' implementation efforts and equip states to move ahead without delay to provide the array of prevention services that are needed now more than ever.
- Expand the scope of allowable prevention services under the *Family First Prevention Services Act* to include evidence-based services that prevent or mitigate the effects of domestic violence, economic security and challenges facing children of incarcerated or re-entering parents; and
- Increase flexibility by extending by one-year the option for states to claim transitional payments for services and associated costs under the Title IV-E prevention program (current policy on transition payments is described in ACYF-CB-PI-19-06).

Granting these flexibilities will help states address immediate needs associated with the pandemic and continue system reforms propelled by the *Family First Prevention Services Act*.

3. **Congress should create an incentive payment for states, funded through supplemental payments to CAPTA's state formula grants.**

Incentive payments would be made to states that meet certain criteria during the period of emergency declaration, such as maintaining key prevention services (including crisis nurseries, emergency respite care and family centers), as well as issuing new public service announcements that are specific to pandemic and address child abuse prevention tips for caregivers on topics such as how to calm crying babies. Incentive payments should also be tied to the state demonstrating effective on-going engagement with children and families.

4. **Congress should increase funding for Child Advocacy Centers (CACs) by \$15M and reinforce the importance of connecting a child to a medical evaluation by a physician or other health care provider with specialized expertise in diagnosing child abuse and neglect.**

Experts report a backlog of forensic interviews. They also anticipate that some children may be experiencing injuries but are not being connected to primary or emergency health care. We expect an increased need for child abuse investigations once sheltering at home measures are lifted and children return to more normal routines of attending child care or school. Historically, CACs have specialized in forensic assessments for sexual abuse, but increased funding should be available to strengthen the experts' ability to provide medical care and to detect physical abuse.

5. **Congress should improve health care access for vulnerable children and their mothers through these approaches:**

- **Extend Medicaid access for a full year postpartum.** Children younger than three are at an increased risk of child abuse, especially child abuse fatalities. Keeping mothers connected to health care is one way to protect infants, prevent newborn mortality and

bolster health equity. To further prevent the abuse and neglect of infants, the federal government should require states to report on how they use increased CAPTA funding to improve plans of safe care for babies born affected by substance exposure.

- **Provide eligible former foster youth immediate access to Medicaid until age 26,** as called for in the *Dosha Joi Immediate Coverage for Former Foster Youth Act*. Congress recently passed legislation to clarification that this Medicaid coverage will go into effect in January of 2023. Due to the COVID-19 pandemic, it is important to make this coverage available now.
- **Ensure that every eligible child has access to Medicaid and the Children’s Health Insurance Program (CHIP)** so they can receive necessary health services, including any necessary prescription medication, regular check-ups, hospital or emergency care, COVID testing, and immunizations, which are necessary for children to return to school. Congress should increase the Medicaid FMAP by at least ten percentage points and postpone the 11.5 percentage point decline in the CHIP FMAP in FY2021; mandate 12-month continuous eligibility in Medicaid and CHIP; reduce enrollment barriers and red tape for enrollment in Medicaid and CHIP; enroll newborns without alternative coverage in Medicaid automatically; and provide Medicaid coverage to any population not currently eligible.

6. **Congress should increase federal funding to the Court Improvement Program (CIP) by \$30 million to mitigate the impact of the pandemic on the functioning of child welfare courts.** Courts closures create serious concerns for child safety, well-being and permanency. Courts need resources to invest in technology and address new staffing needs as to avoid further delays in hearings. CIP is the only source of federal funding for state courts related to child welfare and is well-positioned to help address challenges in the administration of legal proceedings in this field.
7. **Federal legislation should require state and local child welfare agencies to collect data to help them assess and respond equitably to the needs of families in child welfare who are experiencing significant impacts from the pandemic.** Legislation should require HHS to issue guidance to provide examples of the types of data elements that state and local child welfare agencies should be using, such as identifiers that can identify children’s connection to other service systems and disaggregated data to see how subgroups are doing. States such that already have child welfare data dashboards can serve as useful examples.
8. **Congress should enact legislation to ensure kinship caregivers have the support they need to continue as vital caregivers** for millions of children, including children living in foster care. Congress should increase funding and flexibility for kinship navigator programs which are highly important networks for connecting kinship caregivers to information and supplies such as food, health and safety supplies, and other necessities. Kinship families face countless new challenges stemming from COVID-19 and kinship navigator programs are positioned to provide timely and reliable support. **Kinship caregivers also need clear guidance and support in managing situations where a caregiver or child tests positive for COVID-19.**

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9. **Congress should dedicate funding to address the growing demand for information technology support for children, youth, parents, caregivers and agencies** given rapid and wide-scale shifts to remote service delivery. Dedicated funding to state agencies could be utilized to assist both individuals and organizations meet new information technology needs. This includes access to the internet, smart phones and computers to access telemedicine, educational programs, employment, food and family and social connections; agency and court staff also have new information technology needs as they take on new ways of conducting business remotely.
 10. **Congress should swiftly address the unique needs of older youth and young adults in foster care, and those who have recently aged out on their own.** This should include: 1) increasing Chafee funding by \$500 million in supplemental funding to help young people with immediate needs such as safe housing, food, transportation and child care costs; 2) extend the age of eligibility for Chafee services to age 23 for all youth; 3) suspend participation requirements for young people in extended foster care to prevent them from losing eligibility during the national emergency; 4) place a moratorium on discharges from foster care for youth ages 18-21; and 5) allow states to draw down Title IV-E funds until a young person reaches age 22.
 11. **Congress should increase funding and flexibility for the Social Services Block Grant** to help states meet the most pressing needs of vulnerable populations in their communities. The unprecedented challenges of COVID-19 highlight gaps in existing programs. SSBG's flexible funding can help address these gaps such as in child abuse prevention services, child protective services (CPS), child care, children and youth in foster care, adult protective services, Meals on Wheels, domestic violence services, and services for people with disabilities. **Federal legislation should specify that states must involve stakeholders in decision making about allocation of these resources.**
 12. **Congress should establish an independent Children's Commissioner to coordinate comprehensive solutions for kids.** Children in the U.S., especially children living foster care, need a coordinated and comprehensive approach to addressing the myriad of challenges impacting their lives. The disruptions caused by the pandemic impact every aspect of a child's development and create an urgent need for cross-agency leadership, program coordination and data-driven decision making. Now is the time for Congress to create a Children's Commissioner who can provide leadership on the dynamic and complex challenges facing children as a result of the pandemic and on an ongoing basis. A top priority of the Children's Commissioner would be the health, safety and well-being of children living in foster care. **The U.S. should create an independent Children's Commissioner** and join the 60-plus governments who have established a more effective catalyst to achieving better results for children.

Promoting prevention, supporting families with a more robust investment in proven effective child welfare strategies during the pandemic and this economic crisis will generate savings in the health, justice, and social services sectors. Now more than ever, investing in child welfare is not only the

smart thing to do; it is the right thing to do. Childhood has been interrupted by COVID-19 and the vulnerability of children and families increases every day. Urgent intentional action is needed now more than ever.

Sincerely,

National Organizations

First Focus

National Center on Children and Poverty

State Organizations:

Adoption Rhode Island

Advocates for Children and Youth (Maryland)

Advocates for Children of New Jersey

Center for Children's Justice (Pennsylvania)

Child and Family Policy Center (Iowa)

Children Now (California)

Children's Action Alliance (Arizona)

Children's Advocacy Alliance (Nevada)

Children's Law Center (Washington, DC)

Citizens' Committee for Children of New York

Florida's Children First

FosterAdopt Connect (Kansas and Missouri)

Hawaii Children's Action Network

Idaho Education Association

Idaho Head Start

Juvenile Law Center (Pennsylvania)

Kentucky Youth Advocates

KidsWin Missouri

Michigan's Children

NC Child

Nebraska Appleseed

NMCAN (New Mexico)

Our Children Oregon

Partners for Our Children (Washington State)

Pennsylvania Partnerships for Children

Rhode Island KIDS COUNT

Schuyler Center for Analysis and Advocacy (New York)

Texans Care for Children

TexProtects

Voices for Children in Nebraska

Voices for Georgia's Children

Voices for Vermont's Children