

Family First Prevention Services Act, Requirements for Congregate Settings

2021 Statutory Updates

This legislation makes housekeeping and clarifying changes to state statutes passed in 2020 to implement the federal Family First Prevention Services Act (FFPSA) in Minnesota. It also applies FFPSA requirements to the state's voluntary foster care statutes, and establishes a certification process for facilities that choose to become Qualified Residential Treatment Programs in compliance with the FFPSA.

Background

- Current statute implementing FFPSA does not provide courts with enough direction on how to implement new court review requirements under FFPSA
- Current statute does not require utilization of the federal definition of sex trafficking for determining child eligibility for high quality residential care and supportive services
- Current statute does not address federally mandated training for child protection workers and social services staff
- FFPSA permits agencies to provide support and case management services to youth up to age 23; Minnesota law statute only allows agencies to provide youth with Successful Transition to Adulthood services up to age 21 and does not define case management services in 260C
- Legislation passed in 2020 did not ensure FFPSA QRTP provisions would apply to children placed in QRTPs under voluntary placement authority
- Current statute does not provide efficient means to determine if a placement setting complies with the requirements for the residential settings allowed under FFPSA or a mechanism to determine if residential settings are meeting the background study timelines required under FFPSA

This bill makes the following modifications:

- Clarifies QRTP requirements related to juvenile court processes – language was developed in consultation with the Children's Justice Initiative
- Aligns the definition of sex trafficked youth or youth at risk of sex trafficking to align with federal law and FFPSA requirements; adds federally required training provisions related to sex trafficked youth
- Modifies to Successful Transitions to Adulthood statutes to address new federal age allowances and define case management services
- Incorporates QRTP requirements into Chapter 260D to ensure compliance with federal law
- Human Services Licensing Act definitions and new certifications
- Creates licensing certifications for residential facilities to assist in determining if settings meet Title IV-E eligibility
- Updates statute to create documentation provision for license holders to demonstrate compliance with FFPSA background study requirements.