

North Dakota Implementation Progress

Family First Prevention Services Act (PL 115-123)

ND Family First Prevention Services link on Children and Family Services website: <https://www.nd.gov/dhs/services/childfamily/family-first.html>

Section and Title	Progress
Part I -Prevention Activities Under Title IV-E	
Section 50711 -Foster Care Prevention Services and Programs	ONGOING: Work continues in partnership with the Behavioral Health Division on drafting the Prevention Plan. ND can submit the Title IV-E Prevention Plan at any time, there are plans to submit a plan and obtain federal approval by early 2020.
Section 50712 -Foster Care Maintenance Payments for Children with Parents in a Licensed Residential Family-Based Treatment Facility for Substance Abuse	ONGOING: Behavioral Health Division is considering an RFP for SUD treatment facilities to include child placement with parent. Currently there are facilities in Minot and Grand Forks, but they need enhancements to qualify for reimbursement.
Section 50713 -Title IV-E Payments for Evidence Based Kinship Navigator Programs	ONGOING: North Dakota contracted with a private entity to design how an evidence-based kinship navigator program would be implemented in North Dakota. The contract was not completed due to the Title IV-E Prevention Services Clearinghouse not approving any Kinship Navigator Programs as evidence-based. When the Clearinghouse approves some Kinship Navigator Programs as evidence-based North Dakota will look at the programs and the possibility of implementation.
Part II-Enhanced Support Under Title IV-B	
Section 50721 -Elimination of the Time Limit for Family Reunification Services While in Foster Care and Permitting Time-Limited Family Reunification Services when a Child Returns Home from Foster Care	ONGOING: Eliminating “time-limited family reunification services” provided to a child that is removed from the home and placed in a foster care and to the parents or primary caregiver of such a child, in order to facilitate the reunification of the child safely and appropriately within a timely fashion. ND PIP, ND Redesign efforts and ND Prevention Plan development will continue to review and implement this federal standard to ensure the strength and stability of the reunification.
Section 50722 -Reducing Bureaucracy and Unnecessary Delays when Placing Children in Homes Across State Lines	ONGOING: The Department of Human Services submitted a budget request for the replacement of the child welfare information system prior to the 2019 Legislative Session. The proposal was not selected by the Governor’s Office for submission to the Legislature. This would have included implementation of NIECE. The Department will seek approval for a child welfare data management system replacement during 2021-2023 session, which will include NIECE. The Department continues to explore options to implement NIECE prior to the deadline of 2027 to assist in Interstate Compact on the Placement of Children (ICPC).
Section 50723 -Enhancements to Grants to Improve Well-Being of Families Affected by Substance Abuse Regional Partnership Grants can be used for early intervention and prevention, child and family counseling, mental health services,	COMPLETED: North Dakota chose not to pursue Regional Partnership Grants.

<p>parenting skills training, family based long term substance abuse treatment, medication assisted therapy, in home treatment, in home recovery services</p> <p>Must establish core performance indicators related to child safety, parental recovery, parenting capacity, and family well being.</p> <p>Amended the grant amounts and standards</p>	
<p>Part III-Miscellaneous (Includes “Part E-Federal Payments for Foster Care Prevention, and Permanency”)</p>	
<p>Section 50731-Reviewing and Improving Licensing Standards for Placement in a Relative Family Foster Home</p>	<p>COMPLETED: North Dakota completed the revision to the North Dakota Administrative Code Chapter 75-03-14 rule changes. Legislative session updated North Dakota Century Code Chapter 50-11 to allow for licensing “on or near” and Indian reservation and increase from four beds to six beds in a family foster home. National model standards are in full compliance on October 1, 2019 with a new “relative waiver form” developed to help track when a family foster home is licensed under a relative waiver. North Dakota has allowed for relative waivers historically with policy to enforce the waivers. However, ND did not have a state form to assist the field in fully implementing the waiver process, this was an upgrade since FFPSA implementation efforts. The policy issuance detailing the new rule, policy and various forms have been issued for an effective date of October 1, 2019.</p>
<p>Section 50732-Development of a State-Wide Plan to Prevent Child Abuse and Neglect Fatalities</p>	<p>COMPLETED: Included as a part of the APSR submitted in June of 2019.</p>
<p>Section 50733-Modernizing the Title and Purpose of Title IV-E</p>	<p>COMPLETED: Follow the federal name to change to “FEDERAL PAYMENTS FOR FOSTER CARE, PREVENTION, AND PERMANENCY”</p>
<p>Section 50734-Effective Dates</p>	<p>ONGOING: North Dakota continues to meet compliance with IV-E State Plan updates and implementation dates of FFPSA.</p>
<p>Part IV-Ensuring the Necessity of a Placement that is Not in a Foster Family Home</p>	
<p>Section 50741-Limitation on Federal Financial Participation for Placements that are Not in Foster Family Homes</p>	<p>COMPLETED: North Dakota completed the revision to the North Dakota Administrative Code Chapter 75-03-14 rule changes. Legislative session updated North Dakota Century Code Chapter 50-11 to allow for licensing “on or near” and Indian reservation and increase from four beds to six beds in a family foster home. National model standards are in full compliance on October 1, 2019. The policy issuance detailing the new rule, policy and various forms have been issued for an effective date of October 1, 2019.</p>
<p>Section 50742-Assessment and Documentation of the Need for Placement in a Qualified Residential Treatment Program</p>	<p>COMPLETED: The Department of Human Services has contracted with third party vendor, Maximus - Ascend, Inc., to provide the services of a Qualified Individual to assess children for level of care and need for entry into a QRTP. ND Legislative session did have a law change (SB 2069) to <i>expand the role of Juvenile Court Directors to approve placement of foster children in Qualified Residential Treatment Programs</i>. CFS collaborated with Juvenile Court to align the Qualified Individual and Judicial Status Review Processes to be in compliance with FFPSA Federal Legislation, NDCC and NDAC. The Juvenile Rule N.D.R.Proc.R. § 7 (attached). Court Improvement Project began efforts to train judges on the FFPSA regulations and the impact to the courts related to Qualified Residential</p>

	<p>Treatment Program; additional training will be offered ongoing. Children under custody of a state public agency will follow the State Court review process. Children under the custody of the Tribe will have the Ascend assessment and level of care approval for a QRTP sent to Tribal Court. The Tribal Court review will be varied based on each Tribal court process and hearing procedures.</p> <p>The third-party vendor contract was signed in August 2019 and all planning and implementation efforts were discussed and designed in short order. Ascend has held weekly internal collaboration team meetings with NDDHS and will continue to facilitate calls ongoing beyond implementation to work through any concerns or procedural adjustments warranted. In addition, Ascend offered training to North Dakota case managers, courts and QRTP providers by offering three virtual webinars (September 17, September 24, and October 1) to prepare staff on the procedures for working with the QRTP Qualified Individuals. Ascend will also facilitate face-to-face trainings in Fargo and Bismarck for case managers, courts and providers in November 5 -6, 2019. The QRTP Qualified Individual process will continue to be monitored and evaluated overtime.</p>
Section 50743 -Protocols to Prevent Inappropriate Diagnoses	ONGOING: A subcommittee was formed to review and revise current protocols. Work of this group continues.
Section 50744 -Additional Data and Reports Regarding Children Placed in a setting that is Not a Family Foster Home	ONGOING: AFCARS reporting has been delayed to October 2020. The Department of Human Services is analyzing the changes that will need to be made to implement new data requirements for AFCARS.
Section 50745 -Criminal Records Checks and Checks of Child Abuse and Neglect Registries for Adults Working in Child-Care Institutions and Other Group Care Settings	COMPLETED: North Dakota had been complying with this provision of completing fingerprint criminal background checks and the review of the child abuse and neglect index since 2004. The state submitted the State Plan in September 2018 and received approval from the Children's Bureau.
Section 50746 -Effective Dates; Applications to Waivers	COMPLETED
Part V-Continuing Support for Children and Family Services	
Section 50751 -Supporting and Retaining Foster Families for Children	ONGOING: Expected March 2019, no word on when these funds will be available to states. ND is willing to apply for the grant to assist in R&R efforts statewide.
Section 50752 -Extension of Child and Family Services Programs	ONGOING: Extension for all states related to monthly face-to-face.
Section 50753 -Improvements to the John H. Chafee Foster Care Independence Program and Related Provisions	COMPLETED: Policies and resources have been updated and services have been expanded in compliance with the provisions of FFPSA. See attached North Dakota policy 624-10 "Chafee Transition Program".
Part VI-Continuing Incentives to States to Promote Adoption and Legal Guardianship	
Section 50761 -Reauthorizing Adoption and Legal Guardianship Incentive Programs	COMPLETED: North Dakota is in compliance for adoption. North Dakota does not access Title IV-E Guardianship GAP program.
Part VII-Technical Corrections	
Section 50771 -Technical Corrections to Data Exchange Standards to Improve Program Coordination	NOT APPLICABLE: FEDERAL RESPONSIBILITY

Section 50772 -Technical Correction to State Requirement to Address the Developmental Needs of Young Children.	COMPLETED: IV-B plan submission June 30, 2019 removed “such children” and inserted “all vulnerable children under 5 years of age”.
Part VIII-Ensuring States Reinvest Savings Resulting From Increase in Adoption Assistance	
Section 50781 -Delay of Adoption Assistance Phase-In	COMPLETED: North Dakota is in compliance.
Section 50782 -GAO Study and Report on State Reinvestment of Savings Resulting from Increase in Adoption Assistance.	COMPLETED: North Dakota is in compliance and reporting de-linked earning and expenditures, as required.

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- ND Family First Stakeholder meetings and trainings are posted online.
- The meeting minutes are posted online.
- Necessary attachments and guidance are posted online.