



In the Matter of ASFA: Examining the First Five Years of the Adoption and Safe Families Act

**The Pros and Cons of ASFA's Timelines
Families with Substance Use Disorders**

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**Developing Knowledge and
Providing Technical Assistance to
Improve Outcomes for Families affected by
Substance Use Disorders in
Child Welfare Services or Dependency Courts**

❖ Dual Role as Adoptive Parent



- **11% of Children – 8.3 Million Live With a Parent Who Is Alcoholic or Needs Treatment for Illicit Drug Use**
- **9% of Children Live With a Parent Who Meets DSM Criteria of Substance Abuse or Dependence**

The Five Clocks

🕒 TANF—Temporary Assistance for Needy Families

- 24 Months work activity; 60 Month Lifetime Limit
- Majority of States Lifetime Ban for Drug Felons

🕒 ASFA—Adoption and Safe Families Act

- Permanent Plan 12 Months
- 15 out of 22 Provision
- Criteria for no Reunification Services – Some States include “Failed Drug Treatment”

🕒 Recovery

- One Day at a Time for the Rest of Your Life

🕒 Child Development

- Critical in Prenatal and Early Years

ASFA is a good thing

- **If You Are a Family Who Is Lucky Enough to Live in a Few Select Jurisdictions Around the Country**
- **Jurisdictions that have defined reasonable efforts regarding substance use in new ways**
 - **With a new sense of urgency**

Imagine...

- **Going to your initial court hearing and**
 - **Your attorney tells you to go get a substance abuse assessment and do whatever the counselor says**
 - **You meet a social worker who using motivational enhancement skills as she schedules your appointment**
 - **You walk across the street to get the assessment done the SAME day**
 - **You can make a plan with a substance abuse counselor that attends to your own crisis and can get you through the day, the week and coming months without your kids**

But, too often...

- **The message from your attorney is don't tell them anything about your substance use till the court says you have to**
- **The social worker says, "Call me Tuesday" for a list of phone numbers**
- **The treatment provider says, "Come see me in 3 weeks, but if you don't call everyday to keep your place on the waitlist you will lose your turn."**
- **It takes over 2 months till you have an agreed upon treatment plan with your social worker**

Intent of ASFA said Health and Safety are Paramount

- **Fast Track Provisions to not provide Family Reunification Services & move to TPR**
- **15/22 Provision**
- **Made Provisions to Require Timely Permanency**
 - **2003 GAO Study found that fast track and 15/22 provisions were not being used largely due to issues of access to substance abuse services**
 - **Child welfare officials said that the lack of substance abuse services that meet the needs of parents makes it difficult to have stable parents in 15 months**

Child and Family Service Reviews – Summary of Substance Abuse Issues

- **Identified as an important gap in services**
- **Reported as an underlying problem that is not addressed in sufficient depth by the services provided to families such as parenting classes and family counseling.**
- **Several states noted the lack of treatment services for adolescents in child welfare families**
- **Services for children with fetal alcohol syndrome and alcohol related spectrum disorders were identified as gaps**
- **Rural treatment needs were seen as a special concern and related issues of transportation to treatment resources**
- **Repeat cases were described as involving substance abusing families**

ASFA said Child Health and Safety are Paramount

- Substance Abuse Services must be Primary and Timely
- Requires a Partnership and a Team Approach

Meeting the intent of ASFA

- **Is not, Call me Tuesday**

Meeting the intent of ASFA

- **Is ensuring parents have immediate availability of a treatment response**
- **Teaming with substance abuse professionals to provide recovery management**
- **Ensuring there is appropriate care and services for children of substance abusing parents**

Partnerships for Family Safety and Recovery

- Child Welfare Cannot Do it Alone**
- Reasonable Efforts Must be Re-Defined**
- New Understanding of the Extent of Trauma, Abuse and Neglect in the lives of Substance Abusing Parents must Revamp Practice Models**
- Implementing Principles of Effective Drug Treatment including appropriate intervention for lapse and relapse**

The Fifth Clock

- **The Clock that is Running on Us**
 - **How long do we get to respond to the ASFA clock regarding families affected by substance use disorders?**