

**Donaldson Adoption Institute
Post-Adoption Services Testimony
Joint Legislative Hearings
2015-2016 Executive Budget Proposal, Human Services
February 19, 2015**

The Donaldson Adoption Institute (DAI) respectfully submits this testimony on post-adoption services (PAS) for consideration during review of the 2015-2016 Executive Budget Proposal and funding for the state's human services programs.¹ DAI was established to meet the need for an independent and objective adoption research and policy organization to address the rights and interests of first/birth parents, adopted children and adults, and adoptive parents. DAI's mission is to better the lives of everyone touched by adoption through research, education and advocacy that improves laws, policies and practices. Advancing sound PAS policy and practice is a longstanding DAI goal furthered by our research demonstrating adoptive parents' and adopted children/youth's need for PAS and the benefits they derive from that support.

Include Child Well-Being and Family Stability in New York's "2015 Opportunity Agenda"

A small \$10 million investment -- just 0.2 percent of the \$5.4 billion surplus -- in post-adoption services (PAS) would yield immeasurable returns in family preservation. Even when PAS was funded at its highest level -- slightly less than \$5 million -- it only funded 27 of 62 counties and restricted eligibility to families who qualified for Temporary Assistance to Needy Families. Accordingly, \$10 million in the 2015-2016 budget would allow progress toward statewide coverage without eligibility restrictions.

Post-adoption services further the public interest and important public policy goals by increasing family stability, improving child well-being, decreasing length of foster care stays, increasing adoptive parent recruitment, reducing disruption and dissolution, and achieving cost savings for the state, as described below.

As some of the budget surplus is allocated to housing in recognition that most of it stems from mortgage security settlements, by funding PAS the state would also ensure housing stability for children and youth. PAS could enable children to move from temporary to permanent homes, as well as prevent youth from "aging out" of foster care (and possibly into homelessness) by matching them with loving families.

Post-Adoption Services Address Critical Needs of Children and Families

Adoption provides a lifetime of benefits for children who cannot return to their biological families, including the emotional security of caring adults and a dedicated family to ensure that their needs are met. Research consistently shows that children with adoptive families fare better than those without permanent families on adjustment measures, developmental outcomes, such as cognitive abilities and educational achievement, and self-support capability in young adulthood.¹

¹ As used throughout this document, adoption and post-adoption services (PAS) include the other permanency alternatives of kinship and guardianship for children who cannot return to their biological families. The terms adoption and PAS also encompass foster care adoption, intercountry adoption and private domestic adoption.

Children with backgrounds of adversity, loss and instability as a result of parental abuse and neglect, removal from their homes, and subsequent (sometimes multiple) temporary placements experience significant stress and trauma. Resulting physiological and developmental problems often have negative behavioral, cognitive, health and emotional consequences.

A recent HHS research brief, National Survey of Child and Adolescent Well-Being (NSCAW), No. 20: Adverse Child Experiences in NSCAW, analyzing the prevalence of 10 adverse childhood experiences (e.g., physical, emotional, sexual abuse; physical and emotional neglect, emotional) among children involved with the foster care system found “extremely high” levels of adverse events: half (51%) of the children had experienced four or more adverse experiences, as did two-thirds (68%) of youth aged 11-17.

Research indicates that adoptive families are three to four times more likely to seek counseling for their children, and five to seven times more likely to seek residential treatment, than are birth families.ⁱⁱ While approximately 10 percent of children in the general population receive mental health services, for adopted children age 5 and older the rates are much higher – 46 percent of foster care adoptions, 35 percent of intercountry adoptions and 33 percent of private domestic adoptions. For adopted adolescents, these percentages were higher still – 57 percent of teens adopted from foster care received mental health services.ⁱⁱⁱ

Studies of children in foster care consistently find that many (ranging from 40% to 80% across studies) have significant mental health needs.^{iv} Adopted children also are more likely than their non-adopted peers to score in the clinical range on standardized behavior problem measures.^v Given the traumatic life experiences these children have endured, a substantial proportion of children placed for adoption continue to have ongoing emotional and behavioral problems that may intensify as they age.

All families experience challenges, and those formed by adoption face additional layers of complexity around issues such as abandonment, attachment, trauma and identity, which impact children’s development, behavior and health. As a result, adoptive families need specialized services to ensure permanent placements and child wellbeing.

Post-Adoption Services Improve Child Well-Being and Family Stability

State and federal officials agree about the need for PAS. In its 2014 Annual Report, the Assembly Committee on Children and Families reiterated that it “has continuously stressed the need for effective and timely permanency planning, incentives for adoption and continued post-adoption support for families in need. Post-adoption services have been shown to increase adoption permanency. Services such as counseling and respite give parents the support and tools they need to care for their children.”

Under a section titled “Prevention of Re-Homing” in its February 6, 2015 Information Letter, the Office of Children and Family Services (OCFS) cites PAS -- which “may be available to meet the needs of families after an adoption” -- as one of two prevention strategies (in addition to child preventive services).² OCFS refers to a compendium of services available by county, few of which offer PAS.

² Emphasis added.

Congress acknowledged PAS' importance in the 2014 Preventing Sex Trafficking and Strengthening Families Act (PL113-183) by requiring states to spend 20 percent of their adoption assistance/AFDC eligibility delink savings on it (New York reported to the Government Accountability Office that it did not know if the state calculated its savings in 2011 and 2012). The Department of Health and Human Services (HHS) has noted that PAS has "shown to be influential in successful permanency outcomes."

Without the funding to support adequate PAS, however, a relatively small number of children who are adopted from the child welfare system are at risk of returning to foster care and those who are adopted internationally may be at risk of being placed in foster care or with strangers through unregulated custody transfers (i.e., "re-homing"). In June 2014, OCFS reported "Kinship caregivers and adoptive parents are often overwhelmed by crisis or anxiety regarding unmet needs." A very small proportion of adoptive placements and finalized adoptions (disruptions and dissolutions, respectively) result in entry (or re-entry for foster care adoptions) into the child welfare system. For example, New York City's Administration for Children's Services reports that 5-6 percent of children return to foster care after placement.^{vi} This instability has immeasurable human costs and unnecessary public ones.

To empower these children and their parents, they need specialized knowledge, skills and support that are acquired through PAS interventions such as parent education and training, child and parent support services, case management, adoption-competent therapeutic counseling/interventions, advocacy, respite care, health assistance, crisis intervention, residential treatment, support groups, and information and referral.

The overall body of adoption research generally has linked receiving PAS with more positive outcomes; conversely, having unmet service needs is linked with lower perceived parent-child relationship quality and more negative impact of the adoption on the family and marital relationship.^{vii} Studies on child welfare adoptive families indicate that the amount and quality of support that they receive contribute to permanency and positive adjustment,^{viii} and providing services early in the placement is linked to more positive outcomes.^{ix}

National and state research studies show that adoptive families need PAS and benefit from the services, yet often PAS are unavailable to them:

- Adoptive families express the need for post-adoption services,^x
- The vast majority of parents with children who received a particular adoption-specific service felt it was somewhat or very helpful (86%-100%),^{xi}
- Families reported using an average of 13 different PAS, saying that three-quarters of them were either very or extremely helpful,^{xii}
- Evaluations of post-adoption programs conclude that being able to receive services for as long as they are needed, rather than for a time-limited period, is linked with more positive outcomes.^{xiii}
- Parents report that they need, on average, six services that they do not receive,^{xiv} and
- Adoptive parents have rated counseling at the top of the list of services they had trouble getting.^{xv}

New York Lags Behind its Peers on Adoption Timeliness and Supports

New York ranks 50 of 52 on timeliness of adoptions (among states, the District of Columbia and Puerto Rico).³ As HHS notes in reporting these outcomes, “when a decision is made that adoption is in the best interest of the child, adoption should proceed rapidly so that the child is able to be placed quickly in a secure, caring, and safe environment” and “timeliness of achieving permanency for children in foster care is critical to their wellbeing.” Of children adopted from care in New York in 2012, almost half waited 4 years or more to be adopted.

For most parents in New York raising adopted children with complex needs, effective PAS are lacking, and so family stability and children’s wellbeing are threatened. The Adoption Institute’s 2014 state survey found New York has minimal post-adoption services, with the state funding only information and referral,⁴ and lacking educational programs or materials, support programs, therapeutic interventions, advocacy, and respite, even though one-quarter of kids adopted from care in 2012 have a diagnosed disability.⁵

In recent years, New York State has not adequately funded PAS to maintain family stability for its 75,634 adopted children, an estimated 70 percent of whom were adopted from foster care.⁶ A September 2014 National Resource Center for Adoption survey reported that three-quarters of states (78%) use general state funds to finance PAS.⁷ New York does not. The Governor did not include funding for PAS in his 2015-2016 budget; to redress the same omission last year, the legislature added just \$174,000.

Even when New York funded PAS at the highest level (just less than \$5 million), it only funded PAS in 27 of 62 counties and restricted eligibility to families who qualified for Temporary Assistance to Needy Families. In June 2014, OCFS acknowledged “a large number of families were identified who were in need of services but did not meet TANF eligibility requirements due to income.”

Lack of PAS is a Disincentive for Foster and Other Prospective Parents to Adopt

In New York’s last Child and Family Services Review (CFSR) conducted by HHS, it reported “the lack of post-adoption services was cited as a key barrier in recruiting adoptive homes for children in the foster care system.” The 2001 CFSR made the same observation, and with little funding over the last couple of years, HHS is likely to find it a problem again this year during the third round of CFSRs.

Research shows that the availability of adequate PAS is a concern for the vast majority of people (80%) considering adoption. Of those who have considered foster care adoption, from two-thirds (66%) to three-quarters (74%) said that various post-adoption services and supports (excluding financial support)

³ Timeliness of adoptions is a composite of five measures, including ones such as length of time in foster care for children who exit to adoption, established by the Child and Family Service Reviews and determined from AFCARS data. For these and one other indicator, New York’s performance falls far short of the national median, and for all but one was in the 25th percentile.

⁴ DAI assessed 49 states’ level of PAS provision based on state survey responses: only 12 other states were classified as having minimal PAS (no special services for adoptive families other than subsidy); 19 as moderate (some mid-level services developed, such as training or support groups); and 17 as substantial (several services developed, including some type of specialized counseling program).

⁵ If a child is eligible for Medicaid, residential treatment may be accessible.

⁶ Adopted children under age 18, not including “stepchildren.” Data are for 2010, the latest available. Percentage from Memo in Support Critical Child Welfare Services, March 19, 2014, scaany.org

⁷ New York was the only state that did not participate in the survey.

were “difference-makers” in the decision to adopt. The availability of PAS has been linked to parents’ greater ability and willingness to adopt children from care, and the lack of these services is a barrier to adoptions from care.^{xvi}

Over the last several years, OCFS has highlighted the lack of PAS and its negative repercussions. OCFS’ finding that “officials believe that there may be a reticence on the part of some foster parents to adopt certain children because they fear losing valuable foster care services for special needs children after adoption” is particularly problematic because an extraordinarily high percentage of children in New York are adopted by their foster parents: three-quarters (73.5%), compared to 58 percent nationally. Services that foster parents are likely to lose on adoption include training, respite, case management and counseling. OCFS found in 2014 “Adoptive parents realize the difficulty of these challenges after the adoption has been finalized and the agency and team are no longer involved.” In its 2007 statewide assessment, OCFS noted that “A lack of sufficient post-adoption funding and services may deter an adoptive parent from adopting additional children” (which has particularly tragic consequences for potential sibling placements). Also in both years, OCFS cited adopted children’s unmet mental health service needs. Instead of providing foster parents incentives to adopt, New York is discouraging the very pool of parents most likely to adopt.

Provision of PAS Will Result in Cost Savings/Cost Avoidance

Research shows that adoption yields cost savings versus foster care. For each adoption from care, state and federal government net savings of \$143,000.⁸ Every \$1 invested in a child’s adoption from foster care yields \$2.45-\$3.26 in societal benefits because each adoption nets \$190,000-\$235,000 in total public benefits and \$88,000-\$150,000 in private benefits.^{xvii}

While over two thousand children (2,184) in New York were adopted from care in 2013, nearly three times as many kids (6,258) are waiting in temporary care for permanent families. Many of these youth are at very high risk of “aging out” of care without families and homes – almost one-quarter (23.2%, n=3,106) of waiting children age 9 and older had case goals of long-term foster care or emancipation.

In fact, nearly twelve hundred (1,186) New York youth aged out of the system in 2012 without a family or a home. A recent op-ed in *Newsday* by Cornell law professor and child welfare expert, Rosemary Avery, about youth aging out of care describes the costs to youth and society of New York’s failure to find permanent, loving parents for these children. Avery cites a Jim Casey Foundation cost-benefit analysis concluding the United States pays \$5.7 billion for each group of kids aging out of care each year based on just three factors: failure to graduate from high school, teen child bearing consequences, and likely criminal justice costs.

Providing PAS Is in the Best Interests of New York, Families and Children

As compelling as the data are, they fail to adequately portray the hopes, dreams and potential of New York children and youth who deserve the benefits, safety and security of forever families – reminding us of the work that remains to be done to fulfill our obligations to them. The Donaldson Adoption Institute

⁸ Savings of \$258,000 in child welfare/human service costs minus \$115,000 in adoption costs. All numbers are constant 2000 dollars.

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hopes you will agree that funding PAS at \$10 million is in the best interests of children, families and New York. Thank you for your attention to this vulnerable, underserved group of children and adolescents who are all too often overlooked.

If you would like additional information about post-adoption services, please contact me at (212) 925-4089 or adinwoodie@adoptioninstitute.org.

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