

Home Visiting Coalition Suggested Revisions and Responses to Request for Input to the Increasing Opportunity through Evidence-Based Home Visiting Act, HR 2824

Background: On Friday, June 16th, Steering Committee members Teri Weathers, Cat Macdonald, Kathleen Havey, Diedra Henry Spires and Karen Howard met with majority staff of the Ways and Means, Human Resources Subcommittee to discuss HR 2824. During the meeting, staff outlined key changes they were contemplating to the legislation after feedback they received from the Coalition and others, and asked the Coalition to offer recommendations for legislative language or report language to several provisions of the legislation by **Wednesday, June 21**.

We have provided suggested legislative or report language for sections identified by the Republican Ways and Means staff as provisions for which they are seeking feedback. For sections that the staff has indicated no revisions are being accepted at this time, the Coalition has provided recommendations in place of suggested legislative or report language. The following is a compilation of the Coalition's feedback requested by the Majority staff.

Section 101. Continuing Evidence-Based Home Visiting

This provision continues MIECHV at current funding from FY 2018 through 2022. We raised the previous and future impact of sequestration on funding and noted that the President's budget increased MIECHV funding by \$16 million to eliminate the impact of the sequester. Staff indicated that the savings from the CUFF Act might allow a small increase to offset sequestration.

Question and Recommendation:

We are seeking clarity from the Committee as to whether MIECHV can be removed from the sequester list by providing funding that would replace that which would be lost as a result of sequestration, and adding MIECHV to the list of programs for low-income families that are protected from sequestration. This would be our preferred option as opposed to simply increasing funding to cover the amount lost from MIECHV as a result of sequestration. The later approach is taken in the President's Fiscal Year (FY) 2018 budget. It is our recommendation that the loss of funds from sequestration be accounted for in this legislation.

Section 102. Continuing to Demonstrate Results to Help Families

This section requires states to continue to show improvement in 4 of 6 benchmarks; clarifies that states need only measure and demonstrate improvements in the benchmarks that selected home visiting models intend to impact. This is a reporting requirement and does not mean that states cannot collect this data, they are not required to measure the outcomes not intended by their selected models.

Clarification: Staff clarified that the improvement being measured is a comparison between those families participating in the MIECHV program and those families not receiving home visiting services. The state must show that they improved intended outcomes relative to children and families not receiving services.

Suggested Report Language: Improvement in 4 of 6 Benchmarks (Section 102)

The Committee intends as part of its commitment to ensuring accountability for federal funds, that there should be continued measurement of improvement among eligible, enrolled families as a result of MIECHV grants. It is the Committee's intent that each eligible entity shall continue to identify at least four of the six possible benchmarks for which it will track and report the progress of families enrolled in the program. Eligible entities (states, tribes, territories and non-profits receiving MIECHV grants on behalf of states, tribes or territories) shall track and report on family progress on the measures associated with the selected benchmarks that the service delivery model in which the family is participating is intended to improve. For example, if reduction in child injury is not an intended outcome of a particular home visiting model, families receiving home visits through that model would not be required to be included in measures tracking improvements in child injury.

If the eligible entity fails to show that participation in home visiting improves family outcomes as compared to families who do not receive home visiting services, the entity shall develop and implement an improvement plan. It is the Committee's intent that eligible entities shall be held accountable for demonstrating that families enrolled in home visiting achieve improved outcomes. It is not the Committee's intent to penalize eligible entities that have achieved substantial outcomes and are unable to demonstrate further progress as compared to a prior year.

Section 103. Reviewing Statewide Needs to Target Resources

This section requires a statewide needs assessment by 2010 and allows needs assessment to be conducted in connection with the MCH Block Grant. Staff indicated that they heard from states regarding what they should do with a needs assessment in a flat funding environment. Staff indicated that they view the state match as the additional funding. They also indicated that they are open to setting the needs assessment when it makes the most sense, perhaps no later than every 10 years.

Clarification: Staff clarified that they do not want states to defund programs in less needy communities for those in the highest needs communities as shown by the updated needs assessments. Staff invited the Coalition to draft report language explicitly indicating that states should not defund existing programs to serve higher needs communities that the updated needs assessment reveals. Report language should inform states regarding the prospective use of the updated needs assessment.

Suggested Report Language:

In order to guide placement of home visiting programs funded by MIECHV in high-risk communities with the greatest need, States conducted needs assessments. The Committee recognizes that those initial assessments are nearly a decade old. It is the Committee's intent that State needs assessments shall be updated no later than October 1, 2019. States shall select the schedules as they see fit, and may exercise the option to coordinate with other related data collection and analysis efforts as they choose. States shall retain the authority to use the information gathered at their discretion. Nothing in this section shall be construed to require

moving MIECHV-funded home visiting programs, defunding of programs for the sole purpose of moving services to other communities, or otherwise disrupting existing home visiting programs, their relationships in the community, and their services to eligible families.

Section 104. Improving Likelihood of Success in High Needs Communities

This section requires states to serve the families in communities most in need but allows them to consider community resources and other service delivery requirements when making funding decisions. Some states requested this provision to clarify that they did not have to implement programs in high needs communities that could not support evidence-based home visiting. Staff heard from the field that this could invite states to “cherry-pick” communities that are easier to serve and forego high-needs communities that lack resources.

Suggested Report Language:

The Committee recognizes that as States conduct updated needs assessments and consider the placement of home visiting programs in the highest need communities, they may determine that a particular community needs additional technical assistance (TA) prior to launch of a home visiting program to increase the likelihood of program and family success. States are encouraged to offer such assistance to help communities prepare to implement a MIECHV home visiting model. States are also encouraged to consider the full range of MIECHV-approved models when determining how best to support successful home visiting in any given community. Nothing in this section shall be construed to give States the option not to support the success of home visiting in communities of highest risk and need.

Section 105. Building Evidence to Increase Program Effectiveness-NEW TIER

This section creates a new evidentiary tier for models shown to produce significant, sizable, and sustained outcomes in multiple sites. Staff is reviewing this section and may be making revisions.

Recommendation:

The Coalition seeks to remind staff that a great deal of horizontal innovation (across models and states, as well as research and development of innovations that fall outside the fidelity of the model) is taking place across the home visiting field. Establishing a structure in which only research on the core model is recognized will have a chilling effect on the innovations that models are currently testing. We are also sensitive to the Committee’s interest in the promising practice to evidence-based pipeline. We recommend that staff seek TA from the Coalition as you re-examine this section.

Section 106. Measuring Improvements in Family Economic Self-Sufficiency

Staff noted that this is important to Committee members, while acknowledging the mixed signals this provision sends in terms of MIECHV’s benchmark to refer children and families to available resources, including means-tested benefits. Staff noted that the home visitor may not need to collect this information, which may be harmful to the parent-home visitor relationship; it could be done through data matching. They noted that some states have a joint application for TANF, Medicaid and other programs. They are open to using report language to indicate that the home

visitor does not need to collect this information. Other options are model agreements with home visiting models and have ACF monitor this.

Recommendation:

The Coalition is encouraged by the staff's understanding of the relationship between the service referral benchmark and the judicious use of means-tested programs. One of the hallmarks of MIECHV is the ability to move families to self-sufficiency through numerous methods including the use of means tested programs in a supported environment. The stabilization of families is an important benefit of MIECHV. We encourage staff to remove the use of means-tested programs measure from their proposed Employment and Self-Sufficiency Benchmark.

Suggested Report Language:

Committee intends for data collection to occur at the state level. The Committee is aware that home visitors are required to engage in extensive and intensive work during each visit. Therefore this provision is not intended to increase the work of home visitors. The Committee has begun to provide an infrastructure for this provision through a continued focus on data matching. There is also recognition that this provision will require coordination between the MIECHV models, the Administration for Children and Families (ACF), and the Health Resources and Services Administration (HRSA). There is further recognition that the data collected under this provision may be incomplete until data matching between all applicable departments of government is accomplished.

Section 107. Option to Fund Home Visiting on Pay-for-Success Basis

This provision allows states to devote MIECHV funding to pay-for-success initiatives and defer spending allocation for up to 10 years. Staff also noted that they view the state match as generating new funding that could be used for pay-for-success initiatives. Staff is open to guardrails to prevent a state from using all of its allocation on pay-for-success, or use its allocation on an expensive feasibility study, or to impose other reasonable limits.

Suggested Language Change (suggested change in red):

(3) AUTHORITY TO USE GRANT FOR A PAY FOR OUTCOMES INITIATIVE. —An eligible entity to which a grant is made under paragraph (1) may use up to twenty-five (25%) of the grant for outcomes or success payments ~~the grant for~~ related to a pay for outcomes initiative that satisfies the requirements of subsection (d).

Add:

(d) Where feasible, a state shall seek to identify supplemental funding to replace funding that will be made unavailable as a result of a state opting-in to this provision to avoid reducing services for families.

Suggested Report Language:

The Committee does not seek to reduce services for families as a result of this language. It is the intent of the Committee to provide states with an option to use MIECHV grant dollars as success payments in pay-for-outcomes initiatives. The twenty-five percent (25%) cap is not intended to limit a states ability to contribute state or private funds to augment or supplement the 25% cap. The Committee intends that when considering state applications to designate MIECHV funding for pay for success initiatives, HRSA should take into consideration the impact on current services to children and families receiving MIECHV-supported home visiting services. In order to minimize disruption to families and programs, states should seek funding from other sources to keep existing programs at their established level of funding if it is decided that they will use their MIECHV funding in pay for outcomes initiatives. States may not use their MIECHV grants to fund feasibility studies or research and evaluation activities in connection to a pay-for-outcomes project.

Section 108. Dollar-for-Dollar Match

This provision requires states to match MIECHV funding with state funds, allowable federal funds, and in-kind contributions.

The Coalition continues to have concerns about the state match provisions.

Section 109. Data Exchange Standards

This provision requires HHS to develop data standards for home visiting that will help state agencies and the federal government exchange information.

The Coalition understands that changes will not be made to this provision.

Section 201. Payfor-CUFF Act

Prohibits SSI benefits to people who are subject to an outstanding warrant for their arrest for a felony or an outstanding arrest warrant for violating a condition of prohibition or parole. Staff clarified that SSI benefits are restored when the people appear in Court.

The Coalition continues to have concerns about this provision.