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PROTECTION AND PERMANENCY MEMORANDUM, 26-03

TO: Service Region Administrators
Service Region Administrator Associates
Service Region Clinical Associates
Regional Program Specialists
Family Services Office Supervisors

FROM: Julie R. Ferrell, Assistant Director II
Division of Protection and Permanency

DATE: May 4, 2026

SUBJECT: Neglect vs. Poverty

On January 4, 2025, the [Supporting America's Children and Families Act](#) was signed into law. [Public Law 118-258](#) specifically addresses the state's responsibility to provide training and policy to staff around the separation of children from their families solely due to poverty. New training has been added to help staff distinguish between poverty and neglect and to provide families with access to services to prevent removal. Please review the new and existing Standards of Practice (SOP) and ensure you are following all updated procedures related to this law.

[KRS 600.020](#) defines neglect as the caregiver "Does not provide the child with adequate care, supervision, food, clothing, shelter, and education or medical care necessary for the child's well-being when financially able to do so or offered financial or other means to do so."

[SOP C2.8 Investigation Protocol](#) states, "Neglect refers to the failure of a parent to provide for the development of the child, where the parent is able to do so, in one or more of the following areas: health, education, emotional

development, nutrition, shelter, and safe living conditions. Neglect is thus distinguished from circumstances of poverty in that neglect can occur only in cases where reasonable resources are available to the family or caregiver.” A link to [SOP C1 Prevention and Wellbeing](#) is added to remind staff of the formal prevention services available. This also reminds staff to familiarize themselves with the specific informal resources, in the communities where they work, that help families with housing, nutrition, clothing, and other needs. We must ensure that families receive prompt services for immediate needs. This helps prevent children from being removed from their homes based solely on poverty.

If you have any questions concerning this memorandum or the form, please contact:

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