

CHIEF PROBATION OFFICERS OF CALIFORNIA

Continuum of Care Reform

Informational Sessions

2016/2017

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What preceded CCR?

- ▶ Too many foster youth residing in group care
 - ▶ Almost half (48%) of foster youth in group homes were in their placements for over two years
 - ▶ 23% for over five years
 - ▶ Challenge for probation was that while our numbers are much smaller than child welfare and our youth generally do not have the longer lengths of stay in group care as child welfare, our youth were not experiencing successful outcomes in group care
 - ▶ This distinction between child welfare foster youth and probation foster youth was key in our ability to get specific implementation timelines for probation departments.

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How did CCR come to be?

- ▶ Senate Bill (SB) 1013, by the Senate Budget and Fiscal Review Committee, realigned child welfare services to counties, put a moratorium on licensing of new group homes and required the California Department of Social Services (DSS) to convene a stakeholder group to discuss and recommend changes and reforms to congregate care system.
- ▶ In January 2015 California Department of Social Services released its CCR Report to the Legislature. CPOC was part of the CCR Executive Steering Committee.
 - ▶ Report was culmination of comprehensive two-year effort (per SB 1013) to build framework to rebuild foster care, reform and improve congregate care, and essentially create a roadmap to expand home-based family care.

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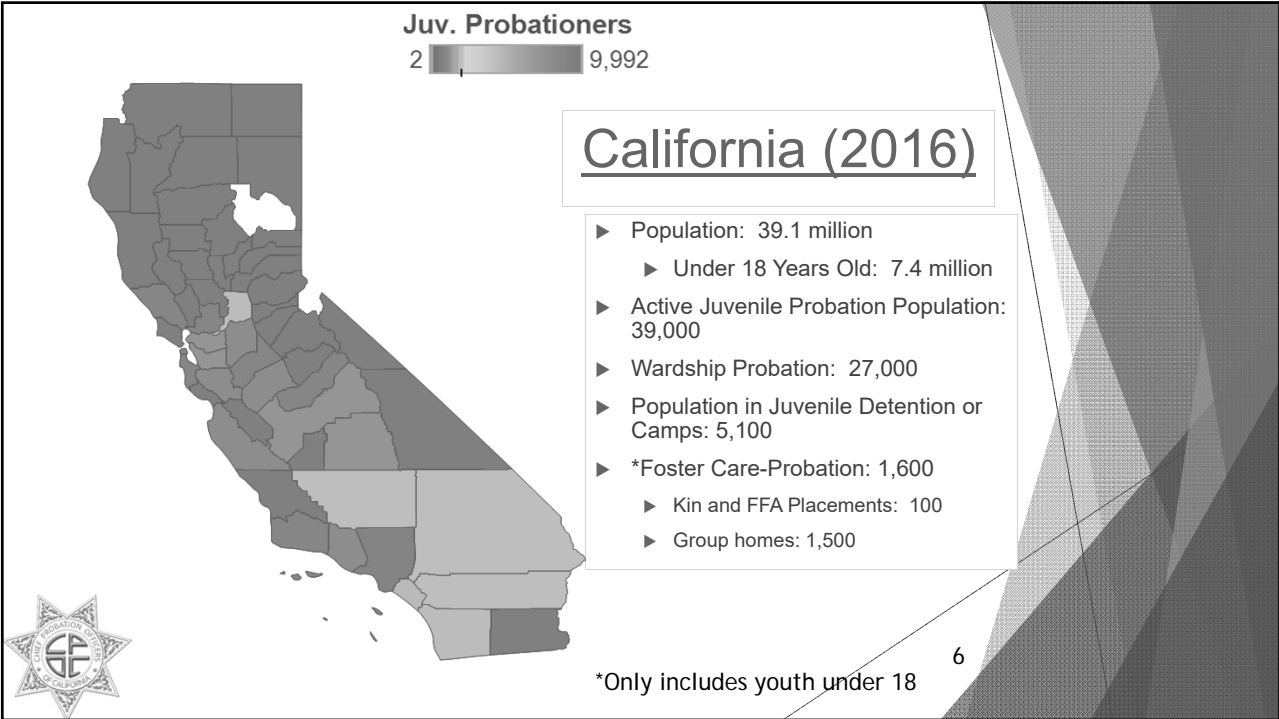
Origins of CCR continued...

- ▶ 2015: Assembly Bill (AB) 403 by Assembly Member Mark Stone was signed by Governor Brown which enacted CCR
- ▶ 2016: AB 1997, also by Assembly Member Mark Stone, provided further amendments and clarification to CCR policies and requirements
- ▶ 2017: AB 404 by Assembly Member Mark Stone

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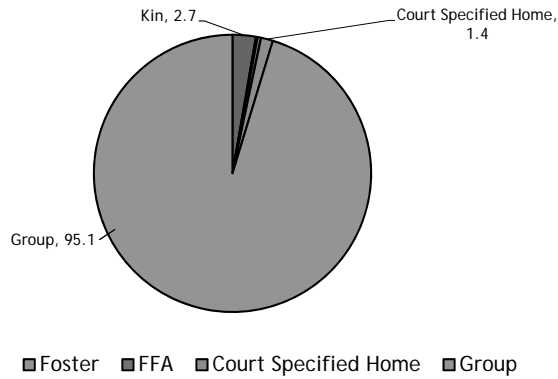
Statewide Perspective on Probation Foster Youth Population

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95% of Probation Youth Entries are into Group Homes, compared to 8% for Child Welfare

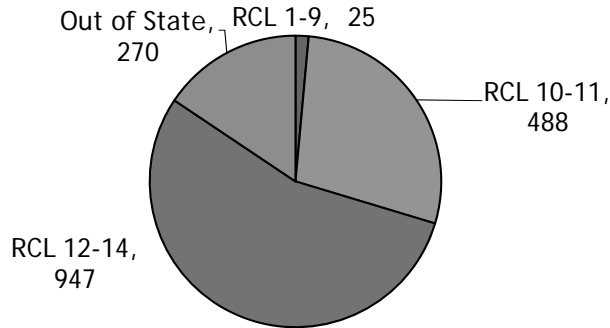
Percent of Probation Foster Care Youth Entries, 2015-16



Source: CWS-CMS Entries April 2015 to March 2016

For Probation Foster Care Youth in Group homes, 99% are RCL 10 or above, with 15% out of state.

% of Probation Foster Care Youth in Group Homes, by RCL



Source: CWS-CMS PIT Jan 2016

Profile of Foster Care Youth Supervised by Probation

- ▶ 76% male
- ▶ Probation Foster youth are over 10 years old
 - ▶ 11-15 years old: 16%
 - ▶ 16-17: 45%
 - ▶ 18-21: 38%
- ▶ Median Time in placement, on average, is 121 days (4 months) overall
 - ▶ 116 days for Group homes
 - ▶ 154 days with kin
 - ▶ 139 in SILP
 - ▶ 146 in FFA
- ▶ Of the 3,200 Foster Care Exits from Probation in FY 2015-16, over 40% are to reunification

So What Happens come January 1, 2017?

- ▶ All placements into an STRTP need to run through the Interagency Placement Committee (exceptions for emergency placements). Placements into a group home with an approved extension continue to be done through your existing placement process; however placement into an RCL 14 with an extension needs to go through your IPC.
 - ▶ Old rate setting structure for RCLs 1-14 sunsets unless a placing agency has requested an extension on behalf of a group home and the extension was approved by CDSS.
- ▶ Child and Family Teams are required for all youth within 60 days of the youth entering foster care.
- ▶ Relatives and all other individuals interested in becoming a resource family (formerly referred to as a foster family) must complete the Resource Family Approval (RFA) process through the probation department and/or child welfare department. *RFA is for all youth where the judge has issued a placement order and youth is being placed with relative or resource family.*

Child and Family Teams (CFT)

- ▶ Child and Family Teams (CFT) were created initially through the Katie A settlement for youth receiving Intensive Care Coordination (ICC) and Intensive Home Based Services (IHBS); however, the concept of teaming was in existence prior to that, most notably for probation in the Wraparound program.
- ▶ AB 403 made it a requirement that all foster youth entering foster care after January 1, 2017 have a CFT.
- ▶ Any foster youth who was placed in a group home prior to January 1, 2017 and continued in that placement after January 1 is also required to have a CFT. To fulfill this requirement the case carrying probation officer should begin working to identify who is to be a part of the youth's CFT and when a CFT meeting is needed and/or required (case plan update), the CFT should be convened at that time.

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What is a CFT?

- ▶ A CFT is defined in WIC 16501(a)(4) (cross referenced for probation in WIC 706.6) as:
"a group of individuals who are convened by the placing agency and who are engaged through a variety of team-based processes to identify the strengths and needs of the child or youth and his or her family, and to help achieve positive outcomes for safety, permanency, and well-being."
- ▶ In addition to mandated participation of involved public agency representatives - to include the placing agency and mental health if the foster youth is receiving mental health services - the composition of the team is driven by family members' preferences.

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When do you include/engage the CFT?

- ▶ ACL 16-84 notes that a CFT meeting is to occur within the first 60 days of a foster youth entering into his or her probation foster care placement (FAQ #1). Since the release of that ACL it has been determined that the 60-day timeframe starts on the date the judge orders the youth into a foster care placement.
- ▶ Probation is to include the recommendations of the CFT in the development of a youth's case plan beginning January 1, 2017.
- ▶ Some departments may opt to have a CFT meeting while a youth is in the detention hall but there is acknowledgement that this is not possible in all situations nor required. Reason for reference to Child and Family only (and not team) in WIC 727(a)(4)

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CFTs continued

- ▶ Per WIC 706.5 a DPO is to develop a case plan for presentation to the court when recommending placement in foster care pursuant to WIC 706.6
- ▶ WIC 706.6 requires CFT input into the youth's case plan.
- ▶ Best practice would dictate that the DPO work to convene a CFT meeting to develop the initial case plan, discuss outcome of the case, and to help the DPO develop placement recommendations prior to the DPO going to court to recommend placement. This would likely occur in the juvenile hall.
- ▶ Understood that CFT meetings held while a youth is in the juvenile hall may look different, and likely will have greater participation, after the youth has moved to their foster care placement.
- ▶ If the DPO has not convened a CFT meeting to complete the requirements set forth in WIC 706.5 and WIC 706.6, then a CFT meeting must be convened within 60 days of the judge's placement order. This can occur while the youth is in the detention hall or after placement in the group home, STRTP or with a Resource Family.

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CFTs continued:

- ▶ CFTs are to have input into the placement decisions made for a youth but the ultimate authority for the placement decision rests with the placing agency.
- ▶ If the probation department recommends a placement that is not the same as that of the CFT's recommendation, the probation officer must document why he or she is recommending something different. (WIC 706.6(b)(2) and WIC 16501.1(a)(3))
- ▶ Further, the intent of CFTs is to prevent multiple meetings with various individuals involved in the foster youth's life but rather to convene everyone at the same time.
- ▶ You may have existing models/practices that are similar to the CFT concept. You do not need to forgo your existing practice but you do need to ensure that you are in compliance with the requirements set forth in ACL 16-84

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Clarifying Role of Probation in Placement Decisions

- ▶ CPOC negotiated amendments in WIC 727 in AB 403 and again in AB 1997.
- ▶ Amendments sought to further clarify the role of probation departments and judges in ordering the placement of probation youth and in determining what placement is most appropriate.
- ▶ Today WIC 727 (a)(4) and WIC 727(e) outline the following:
 - ▶ It is the role of the judge to order a youth into placement and it is the role of the probation department to determine what the appropriate placement should be.
 - ▶ Should the judge reject the placement decision made by the probation agency either because of judicial disagreement or due to concerns expressed by other parties involved in the case, the judge shall order probation to determine another placement. The judge is not to order specific placements.

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Group Homes and Extensions

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Group Homes

- ▶ Didn't cease to exist in January 2017 UNLESS a group home extension request for the facility was not received by CDSS or it was rejected.
- ▶ Extensions may be requested in one-year increments until December 31, 2018. Out-of-state providers must also have extensions.
WIC 11642.04(d)(1)
- ▶ After December 31, 2018 only probation departments may request extensions for group homes that have not yet converted to STRTPs.
WIC 11462.04(d)(2)
- ▶ After January 1, 2017 placements into group homes RCL 12 and below with extensions will be completed via your existing practices. This will be clarified in a forthcoming ACL on Interagency Placement Committees.

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Short Term Residential Therapeutic Programs (STRTPs)

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What is an STRTP

An STRTP is defined in the Health and Safety Code 1502:

Means a residential facility operated by a public agency or private organization and licensed by the department pursuant to Section 1562.01 that provides an integrated program of specialized and intensive care and supervision, services and supports, treatment, and short-term 24-hour care and supervision to children. The care and supervision provided by a short-term residential therapeutic program shall be nonmedical, except as otherwise permitted by law. Private short-term therapeutic program shall be organized and operated on a nonprofit basis. A short-term residential therapeutic program may be operated as a children's crisis residential center.

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Converting to/Becoming a Short Term Residential Therapeutic Program (STRTP)

- ▶ Providers (including out-of-state providers) must do the following:
 - ▶ Submit with their licensure application a statement of program approval by a placing agency. The approval does not need to come from the host county (county in which the facility is physically located). CDSS will not review an application for STRTP licensure without a program approval statement.
 - ▶ Program statement approvals are a mechanism to ensure that the providers that you intend to utilize are developing residential programs that are tailored to the needs of your local probation foster youth population.
 - ▶ Become accredited by one of three national accrediting agencies within the first two years of STRTP licensure by Community Care Licensing.

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STRTPs continued...

- ▶ Become a provider of Medi-Cal Specialty Mental Health Services (SMHS) within one (1) year from date of license by Community Care Licensing (CCL).
 - ▶ During that 1 year period, STRTPs are responsible to make arrangements with the MHP for SMHS to meet the individual mental health service needs of each youth residing in the facility.

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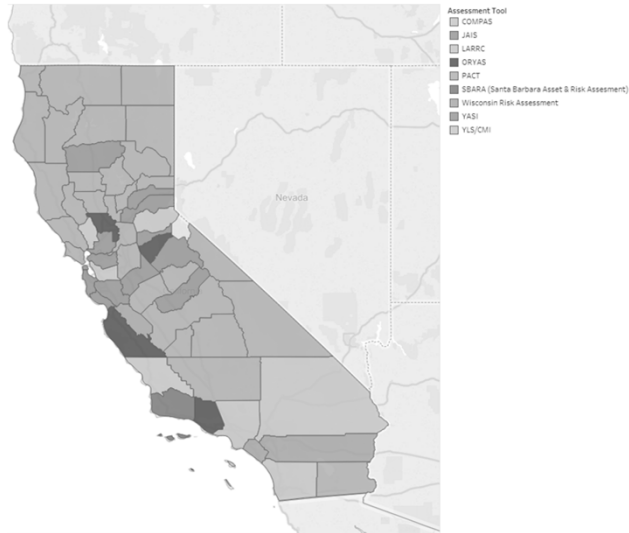
STRTPs continued...

- ▶ In order to provide specialty mental health services, a STRTP must be Medi-Cal Certified and have a contract with each youth's county MHP placed in their facility (multiple contracts). Implementation of AB 1299 is not operationalized. AB 1299 is designed to allow for presumptive transfer of Medi-Cal to the county where the youth resides, if it is determined that the length of stay will be beyond a particular time. This will decrease the number of contracts the STRTP may need to hold. Once implemented, if the Medi-Cal is transferred, it is important to note that jurisdiction still remains with the placing county, including the Consent for Treatment; JV220s for Medication Consent; and any other court responsibilities
- ▶ AB 1299 becomes effective July 1, 2017 and DHCS will be issued guidance in April 2017. ²³

How does a youth get placed into an STRTP?

- ▶ Placement officers will complete a pre-placement assessment (using whatever assessment tool you utilize now). For child welfare two assessment tools are being piloted for this purpose, the CANS and TOPS. For probation, an agreement was made that we will continue to utilize our existing tools but nothing prohibits a department from using the CANS or TOPS should they wish to do so.
- ▶ The needs identified through the assessment process will continue to be documented in the youth's case plan.
- ▶ If the Placement Officer believes that the youth is in need of placement into an STRTP, the case needs to go before your Interagency Placement Committee (IPC) ²⁴

There are 9 different risk needs assessment tools used in the state, with the PACT and JAIS most common



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STRTPs and IPCs continued...

- ▶ Youth are eligible for placement into an STRTP if they meet one of the three eligibility criteria per WIC 4096(e)(1):
 - ▶ Youth meets medical necessity
 - ▶ Youth is seriously emotionally disturbed
 - ▶ Youth requires the level of services provided by the STRTP in order to meet his or her behavioral or therapeutic needs.
- ▶ For youth believed to be eligible for placement into an STRTP under the first two categories (medical necessity and SED), the IPC, specifically county mental health (or whomever your county mental health department contracts with) will complete an assessment.

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STRTPs and IPCs continued...

- ▶ For youth falling into the third category (youth requires the level of service provided by the STRTP) the placing agency will assess using the assessment tool utilized by your department.
- ▶ Youth falling into this third category must also have commonality of needs with the other youth in the STRTP and that needs to be determined by mental health because of their contractual relationship with the STRTPs. How the commonality of needs will be determined will be clarified in a forthcoming ACL. Currently, it appears that mental health will make their determination based upon the information provided by the responsible DPO.
- ▶ There are exceptions for emergency placements that allow for placement prior to an IPC meeting. When this occurs mental health has 72 hours from time of placement to make a written determination that the youth requires the level of services and supervision provided by the STRTP in order meet his or her therapeutic needs. WIC 11462.01(h)(3)

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STRTP Core Services

- ▶ STRTPs are required to provide core services to foster youth residing in the facility. A complete list of the core services can be found in your packet of information.
- ▶ Transition and aftercare services were built into the STRTP model; however it is unclear if they have been funded. County Probation Departments should actively engage with providers about how transition and aftercare services will be delivered to foster youth and their families.

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For Discussion

How can we ensure that providers are providing quality transition and aftercare services to probation youth and their families?

What are the challenges for providers and placement officers for youth placed out of county as it pertains to transition and aftercare services? How can we address these challenges?

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Youth in Placement for Longer than One Year

- ▶ It is important to note that there is no limit to how long a youth may be placed in an STRTP - a youth may reside in an STRTP for as long as the youth requires the level of care, treatment, services and supervision provided by the program.
- ▶ CCR does require that a youth age 13 or older have a second level case review completed with sign-off by the Chief Probation Officer or their designee annually (WIC 727(E)).
- ▶ For youth age 12 and younger, the second level case review must occur every six months (important to note that child welfare must complete a second level case review every six months for foster youth regardless of the child's age) (WIC 727(E) with cross reference to WIC 361.2(e)(9)).

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Foster Parent Recruitment, Retention and Support

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FRRS Funding

- ▶ Funding is one-time and subject to budget approval each year
- ▶ Small amount of funding provided to roughly 12 probation departments in 2015-16 (of \$2.7 million, approximately \$721,000 awarded to probation departments)
- ▶ \$15.5 million in state general funds were provided directly to probation departments in 2016-17
- ▶ CDSS intends to allow counties to rollover 2016-17 FRRS funding into the next fiscal year. The language providing the rollover authority will be contained in the 2017-18 final budget to be adopted in June 2017.

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FPRRS Continued...

- ▶ Probation and child welfare departments were given the option of filing joint plans or individual plans.
- ▶ If county probation completed a joint plan and child welfare is performing activities on behalf of the probation department, probation departments were asked to identify what portion, if any, of their allocation they wanted to give to their child welfare department. The same was asked of child welfare if probation is performing activities on their behalf.
- ▶ If you were one of the few county departments that declined funding in the 2016-17 fiscal year, you will still be able to receive funding next year (assuming funding is available) and it is subject to budget approval each year.

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Examples of How FPRRS Funds can be Utilized:

- ▶ Staffing to provide and improve direct services and supports to licensed foster family homes, approved resource families, and relative caregivers and to remove any barriers in those areas defined as priorities in the county implementation plan and subsequent reports on outcomes.
- ▶ Exceptional child needs not covered by the caregiver-specific rate that would normalize the child's experience, stabilize the placement or enhance the child's well-being.
- ▶ Child care for licensed foster parents, approved resource families and relative caregivers.
- ▶ Intensive relative finding, engagement and navigation efforts.
- ▶ Emerging technological, evidence-informed or other nontraditional approaches to outreach to potential foster family homes, resource families and relatives.

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Top Ten Uses of FPRRS Funds by Probation

1. Caregiver Support
2. Caregiver Training
3. Recruitment and Outreach
4. Wraparound
5. Initial Placement Support
6. Concrete Support
7. Family Finding, Support and Staff
8. Staff Training
9. Normalizing Activities
10. Family Finding and Other Databases

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FPRRS Continued...

- ▶ Legislature is requiring that probation and child welfare departments collect and report data on their FPRRS activities including, but not limited to, how many families are recruited and how many youth placed are placed with a foster family.
- ▶ State is encouraging placing agencies to think outside the box - especially probation departments because we currently have so few youth placed with foster families. Our youth are more likely to reside with relatives.
- ▶ What type of supports do foster/resource families need to successful care and supervise probation foster youth?

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Resource Family Approval

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What is Resource Family Approval (RFA)?

- ▶ New foster caregiver approval process that is intended to improve the way caregivers (related and non-related) are approved by preparing families to better meet the needs of children, youth and NMDs in the county child welfare and/or probation systems.
- ▶ Replaces the existing processes for licensing foster family homes, certifying homes of licensed foster family agencies, approving relatives and NREFMs as caregivers, and approving legal guardians and adoptive families by combining the best elements of all the processes into a single approval standard.
- ▶ RFA was enacted by legislation in 2007 (as a CWDA sponsored bill) and becomes effective statewide on January 1, 2017.
- ▶ Federal government requires one licensing process for foster families in each state.

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RFA Continued

- ▶ RFA will replace the relative placement process only for those cases where the court has issued a removal order and probation is placing a probation youth with a relative or foster family (both will now be referred to as resource families).
- ▶ Does impose new duties on probation departments.
- ▶ Five Components of RFA:
 1. Background check
 2. Home Study
 3. Psycho-social assessment
 4. Training for resource family
 5. Written report

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RFA versus Relative Approval

Approval Standards	Relative/NR EFM (Existing)	RFA
Criminal Records/Child Abuse Review	✓	✓
Standardized Criteria for Criminal Record Exemptions	✓	✓
Homes and Ground Safety Check	✓	✓
Training Required		✓
Psychosocial Assessment		✓
Applicant References		✓
Annual Review of all families	✓	✓

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Other Important Details:

- ▶ Probation Departments may contract back with CDSS - or contract with an FFA - for portions of RFA to include dispute resolution and investigations.
- ▶ By December 31, 2019 all existing licensed foster family homes, all certified family homes, and all approved relatives and NREFMs who wish to continue to care for a foster child must be an approved resource family.
- ▶ CDSS is available for technical assistance which includes county visits.
- ▶ For more information on RFA training, please see:

<http://calswec.berkeley.edu/toolkits/resource-family-approval-rfa>

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Placing Youth with a Resource Family

- ▶ Youth being placed with a resource family or foster family agency (resource families do not need to be a part of an FFA) are not required to go through the IPC
- ▶ The placing agency will complete a level of care (LOC) protocol which is a tool to help evaluate the needs of the youth. The protocol will ultimately be used by the child welfare department to determine the rate paid to the resource family/FFA. The LOC protocol will be piloted this spring by probation and child welfare departments before statewide guidance is issued.
- ▶ Five domains of LOC:
 - ▶ Physical - activities of daily living
 - ▶ Behavioral/Emotional - promote resilience and emotion well-being for youth; prosocial behavior
 - ▶ Education - actions to promote student achievement
 - ▶ Health - promote healthy living and facilitate health care
 - ▶ Permanency/Family Services - activities to promote visitation, communication, maintenance of lifelong, supportive connections with members of youth's family

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Foster Family Agencies

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Foster Family Agencies (FFAs)

- ▶ Beginning in January 2017 existing FFAs need to update their program statements with additional information. New FFAs seeking licensure post January 2017 will need a letter of recommendation from a county placing agency.
- ▶ Obtain accreditation
 - ▶ FFAs licensed before 1/1/17 have one year to obtain accreditation
 - ▶ FFAs licensed after 1/1/17 have two years from date of licensure to obtain accreditation

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FFAs continued

- ▶ Identify core services to be provided either directly or indirectly to youth placed with foster family agencies
- ▶ By county request, an FFA may provide support and services to youth placed with resource families
- ▶ FFAs are also required to approve families according to the RFA process after January 1, 2017

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Probation Specific CCR Implementation Language

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WIC 11462.041

- ▶ Documents specific activities probation departments must engage in to implement CCR including work with group home providers, foster family agencies, and CDSS to implement CCR and help define probation outcome measures
- ▶ CDSS, with CPOC, is to help develop capacity for home-based care; work with providers (both STRTP and FFAs) to address treatment needs of probation youth; develop rate structures for probation foster youth; develop strategies for rural and small counties to implement CCR, and provide technical assistance to small scale providers and probation departments.

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WIC 11462.041 continued...

- ▶ Assessment of CCR beginning in 2018
- ▶ CDSS (in consultation with CPOC and counties) to provider reports to Legislature in 2019 and 2021 on CCR implementation

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For Discussion

- ▶ What do you see as the most urgent training needs for the field of probation?
- ▶ What would you like to see covered in more detail?