

PLACEMENT RESOURCE ASSESSMENT AND MONITORING

AUTHORITY: California Code of Regulations, Title 22, Division 6, Chapter 5
California Assembly Bill 575 (Chapter 997, Statutes of 1999)
California Senate Bill 933 (Chapter 311, Statutes of 1998)
California Child Welfare Services, Division 31
Adoption and Safe Families Act (Public Law 105-89)
Sections 727(a)(1), 727.1, 16001 and 16521 Welfare and Institutions Code
Sections 1502(a)(1), 1502(c) and 1536.1(f) Health and Safety Code
Section 11166 California Penal Code,

RESCINDS: Procedure Manual Item 1-2-251, dated 01/13/16

PURPOSE: To standardize the method of assessing and monitoring residential community care facilities (i.e., group homes) that are used to house wards of the court whose custody has been vested with the Probation Officer for suitable placement.

I. GENERAL INFORMATION

Prior to a residential community care facility (i.e., group home) being utilized as an out-of-home placement facility by this department, an On-Site Initial Assessment must be completed and the program must be approved by the division director. If a program is approved, it will be placed on the Placement Facilities Active Referral List. Approved programs will be subject to an annual program and facility monitor thereafter, unless allegations of inappropriate conduct result in the program being placed in an "on hold" status, pending further investigation. If it is determined to be in the best interests of the Placement Unit, and has been approved by the division director/assistant division director, a program that has not been used by the Placement Unit for at least one year may be placed on inactive status and removed from the Placement Facilities Active Referral List. A residential community care program that has engaged in significant violations of Division 31 and Title 22 Regulations will be referred to the division director/assistant division director for a review of status. The division director/assistant division director may approve a change of program status from active to inactive. Placement programs with an approved change to an inactive status will be removed from the Placement Facilities Active Referral List.

II. BACKGROUND

Pursuant to Section 727(a)(2) of the California Welfare and Institutions Code (WIC), when a youth is adjudged a ward of the court on the ground that s/he is a person described by Section 601 or 602, the court may make any and all reasonable orders for the care, supervision, custody, conduct, maintenance, and support of the youth, including medical treatment, subject to further order of the court. The deputy probation officer may place a youth in a suitable licensed community care facility when the court has ordered that care, custody and control of the youth is under the supervision of the Probation Officer. According to Section 727.1(a) WIC, placement of youth supervised by the Probation Officer "shall be based upon selection of a safe setting that is the least restrictive or most family like and the most appropriate setting that is available and in close proximity to the parent's home, consistent with the selection of the environment best suited to meet the youth's special needs and best interests."

In accordance with Section 1502(a)(1) of the California Health and Safety Code (H&S), a "residential facility" is defined as "any family home, group care facility, or similar facility determined by the director, for 24-hour non-medical care of persons in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual." Pursuant to Section 1502(c) H&S, "Director" is defined as "the Director of California Department of Social Services," as referred to in Section 1502(a)(1) H&S.

Residential community care facilities in the State of California are licensed, governed, and regulated by the State Department of Social Services, Community Care Licensing Division. Residential community care facilities are subject to compliance with the California Code of Regulations, Title 22, Division 6, Chapter 5. Licensing standards address the health, protection, and safety of youth in residential facilities.

The Federal Adoption and Safe Families Act of 1997 amended the Social Security Act and required states to develop and implement "standards to ensure that children in foster care placements in public or private agencies are provided quality services that protect the safety and health of the children."

Section 16521 WIC mandates that the State Department of Social Services, in consultation with representatives of local probation departments, foster care providers, and other interested parties, shall review federal and state statutes, federal requirements, and state regulations pertaining to the placement of children whose board and care is funded through the Aid to Families with Dependent Children Foster Care Program. Furthermore, the State Department of Social Services shall develop regulations, which identify specific initial and ongoing placement activities that must be performed by the probation department to ensure that the needs of wards in placement are met.

California Senate Bill (SB) 933 made several significant reforms to California's foster care system, based on the recommendations of a task force assembled by the Joint Legislative Budget Committee. The task force was convened in response to high profile media criticism of the foster care system, particularly the state's regulation of group homes and out-of-state placements. This bill focused on increased monitoring of all out-of-home placements. Section 16516.5(b) WIC was amended and states, "Notwithstanding Section 10101, the state will pay 100 percent of the nonfederal costs associated with the monthly visitation requirement in subdivision (a) in excess of the semiannual visits required under current regulations." SB 933 mandated monthly visitation/contact with youth in group homes and allowed counties to claim costs associated with these visits.

The California Department of Social Services (CDSS), in order to comply with Section 16521 WIC, Federal Adoption and Safe Families Act of 1997, and SB 933, adopted new and updated Child Welfare Services Division 31 requirements. The new regulations, which were added to Division 31, provide a legal foundation for county probation officers regarding the placement of youth in residential community care facilities. The regulations are intended to ensure that eligibility and service(s) requirements for foster care programs are met.

California Assembly Bill (AB) 575 mandates that county probation officers with youth in out-of-home placements are responsible for the provision of services required by the Federal Adoption and Safe Families Act. AB 575 requires the assessment of placement

safety to ensure the provision and efficacy of appropriate program services at the residential community care facilities used by placing agencies.

California Code of Regulations, Title 22, Division 6, Chapter 5; California Child Welfare Services, Division 31; SB 933; AB 575; Adoption and Safe Families Act; various sections of the Welfare and Institutions, Health and Safety, and Penal Code; and Orange County Probation Department policies and procedures mandate evaluation of the quality of services provided and the overall safety of the physical plant of residential community care facilities.

In the past few years the level of services required to meet placement youth's needs, especially as they relate to mental health issues, have significantly increased. Many California programs either cannot meet these higher needs or charge a fee for enhanced services which cannot be borne by the Orange County Health Care Agency. Pursuant to Section 727.1 of the Welfare and Institutions Code, the court may not order out of state placement unless the following conditions exist:

- In-state facilities or programs have been determined to be unavailable or inadequate to meet the needs of the youth;
- The facility in question has been approved by the State Department of Social Services;
- Inter-state compact agreements are in place

III. PROCEDURES

A. Introductory contact shall be made with the facility director to establish the purpose of the appointment and to schedule the site monitor.

1. The facility director shall be advised, both verbally and in writing, that the following information and/or documents are required and must be provided at the time of the appointment:
 - a. Program statement, if new or revised.
 - b. Current staff roster (LIC 500).
 - c. Valid facility license issued by the State of California, Department of Social Services.
 - d. Proof of current liability and motor vehicle insurance.
 - e. Names and addresses of board of directors.
 - f. Other information as specifically requested (i.e., sample copies of all forms used by the facility).
 - g. Copy of rate letter.
 - h. Non-profit status verification.
 - i. LIC 610-Emergency Disaster Plan.
2. The facility director shall be advised that the on-site monitor/assessment will require approximately three to five hours of his/her time, depending

on the size and condition of the facility.

3. A follow up appointment letter shall be sent to the placement facility administrator, reminding him or her of the time and date of the monitor, along with a request for the above documentation.
- B. Statistical information will be obtained from the Integrated Case Management System (ICMS) computer database. Information regarding the youths in placement at the facility since the last monitor will be noted and verified including the number of wards in the facility during the specified timeframe; the number remaining at the end of the reporting period; and the number terminated for AWOL, new law offenses, beyond control, positive adjustment, long term placement needs, and emancipation from foster care at age 18 years old or older.
- C. A complete physical tour of the facility shall take place, using the standards set forth by Community Care Licensing's Group Home Administrative Assessment Tool. This site visit will include an inspection of the general condition and maintenance, of both the interior and exterior of the program facilities. Attention shall be given to health and safety standards, and any deficiencies will be noted.
1. Kitchen facilities and food preparation arrangements shall be closely examined (i.e., Who prepares the meals and plans the menus? Is the daily menu posted and followed? What food items are available? Quantity and quality of food? Storage of food items? Are the food items dated? Have they expired?)
 2. Attention will be given to general plumbing conditions, roof leakage, window and door repair, heating/air conditioning arrangements, sleeping quarters, bathrooms, furnishings, fire extinguishers, emergency equipment, smoke detectors, and any apparent physical plant flaws.
 3. Attention will be given to youths' personal hygiene items, clothing (quantity, quality, and adequate storage capacity), linen supplies, and recreation facilities.
 4. Attention will be given to required provisions for locked/secure storage of client files, medications, personal property, youth's funds (allowance, etc.), cleaning supplies, knives, tools, and hygiene items containing alcohol or aerosols.
- D. Appropriate documents and files shall be reviewed as follows:
1. All pertinent documents shall be reviewed and inspected, including those listed above (III.A.1) and the following:
 - a. Posted disaster plan.
 - b. Facility sign-in log.
 - c. Posted safety emergency regulations and instructions.
 - d. Posted youth's personal rights.

- e. Facility policy and procedure manual.
 - f. Facility employee procedure manual.
 - g. Facility daily communication logs.
 - h. Facility medical log.
 - i. Facility client file set-up, if initial assessment.
 - j. Daily menus.
 - k. Activity calendars.
 - l. Calendar of mandated appointments (e.g. medical, dental, vision, and mental health).
 - m. Clothing inventory log.
 - n. Allowance/fund log.
2. Orange County Probation client files shall be reviewed, noting:
- a. Date of placement.
 - b. Quarterly progress reports.
 - c. Medical information and Medical Authorization form. Authorization form for psychotropic medication.
 - d. Established treatment goals/initial needs and services plan/intake summary.
 - e. Youth's case plan and Needs and Services Plan (each shall be signed by the assigned DPO).
 - f. Court report, psychological reports, minute order (for placement), usual terms and conditions of probation, and placement agreements.
 - g. Documentation that physical examination was completed during the first 30 days of placement.
 - h. School records.
 - i. Clinical behavior notes.
 - j. Signed personal rights.
 - k. Provisions for locked/secure storage of case files and medications.

- I. Health and Education passport.
 - m. Transitional Independent Living Plan documentation.
- E. Additional interviews shall be conducted with facility residents and other staff members, i.e., program director, clinical director, therapist, social worker, house parent or childcare worker, recreation worker, school personnel, staff psychologist, and medical staff. These interviews shall be accomplished to determine adequacy of intake procedures, basic needs, treatment services, special counseling services, mental health services, drug and alcohol abuse treatment services, reunification services, emancipation services, recreational services, vocational services, educational services, medical services, religious services, outside visitor policy, home visitation policy, staff training, and use of volunteers.
- F. Collateral contacts shall be made to obtain additional appropriate information.
1. Assigned state licensing program analyst.
 2. Host county representative.
 3. Other counties and/or in-county agency monitors using the facility.
 4. Immediate neighbors, when appropriate.
 5. Local law enforcement, when appropriate.
 6. Social worker(s), when appropriate, i.e. mother/baby programs.
- G. The following information will be reviewed on at least six randomly selected staff of varying job categories and a few of these staff will be randomly selected for an interview.
1. Employees' records including:
 - a. Date of hire.
 - b. Position.
 - c. Job application and signed job description.
 - d. Fingerprint records/or live scan.
 - e. Background clearance.
 - f. Physical/Medical Exam (including TB test).
 - g. Department of Motor Vehicle record check.
 - h. Reference(s).
 - i. Child Abuse Central Index clearance.

- j. Signed suspected child abuse reporting form.
 - k. Performance evaluations.
 - l. Criminal Record Statement, including written explanation for any criminal conviction.
 - m. Proof of training in CPR and First Aid.
 - n. Water safety training, if applicable.
 - o. Physical Assault Restraint Training (P.A.R.T.), if applicable.
2. Records of training received by staff.
- H. The preliminary results of the assessment or monitor will be provided in writing and discussed verbally with the facility director prior to leaving the facility. This exit interview will address additional concerns which may include the following items:
- 1. Staffing patterns and ratios.
 - 2. Significant program changes in either services or staff.
 - 3. Any noted deficiencies regarding the physical plant; staffing issues; client or employee files; and complaints or investigations.
 - 4. Program questions, or comments, regarding probation staff, policy, and services.
 - 5. Any anticipated or planned future program changes.
- I. Upon completion of all necessary inspections and interviews, the residential On-Site Initial Assessment/Reassessment report or the Annual Residential On-Site Monitoring report will be completed within 60 days. The division director will be notified in writing of any reports that are not completed within 60 days.
- 1. The report will be submitted to the **placement** monitor's supervisor for initial review and approval.
 - 2. Once the report is approved by the supervisor and the division director, the facility will be placed or continued on the Placement Facilities Active Referral List. If an assessment was completed, a memo with pertinent information regarding the facility will be distributed to Placement Unit staff. If a monitor was completed, any updated information will be shared verbally with Placement Unit staff at the weekly staffing meeting.
 - 3. The placement monitor will add the facility to the PMS computer database, or update existing records, with the most recent program monitor date and any change of status, as necessary.
 - 4. Any investigations will be documented in the placement monitor's quarterly report to the supervisor. They will address the alleged incident,

immediate action taken to protect the youth (if warranted), interviews conducted, findings, activity of other agencies (if involved), corrective action plan (if warranted) and action of the group home administration (if any taken). While investigations will be documented quarterly and submitted to the division director, the supervisor will be kept apprised of investigations as they unfold.

- J. The reports generated above in Item I, along with copies of the facility's current liability and motor vehicle insurance, staff roster, staff schedule, rate letter, and Board of Directors will be maintained in the Placement monitor's facility file.
- K. A Corrective Action Plan Notification letter will be sent to the facility director documenting the findings of the assessment or monitor if there are deficiencies noted. The facility director will have 30 days to make the necessary changes and notify the Placement monitor in writing. If the placement facility fails to respond or make corrections within 30 days, the **completed monitoring report will be submitted** to the division director for review of program status. If a change of status (**such as a soft hold, hold or a stop**) is approved by the division director, an Inactive Status Notification will be sent to the facility director and the facility will be placed in an inactive status and removed from the Placement Unit's Active Referral List.

The facility director will be advised that the period of inactive status is a minimum of one year, unless otherwise specified, from the date of notification and, during that time, the facility will not receive and may not accept any placement referrals from the Department. After the term of inactive status has lapsed, the facility director may submit a letter to the placement monitor requesting a reassessment of the placement facility. Placement facilities may be considered for reassessment, with the approval of the division director based on the needs of the Placement Unit.

- L. If during the course of a program assessment or reassessment, there are serious deficiencies noted that are hazardous to the health and safety of youths, the Placement monitor shall make a child abuse report (CAR), pursuant to California Penal Code Section 11166. Furthermore, pursuant to Section 1536.1(f) H&S, the placement monitor shall notify the assigned licensing program analyst at the Community Care Licensing Division of any known or suspected incidents which would jeopardize the health or safety of residents in a community care facility. If a written explanation of these observed deficiencies is requested/required by the licensing program analyst, the placement monitor will complete the Summary of Initial Findings for Community Care Licensing form and submit it to the unit supervisor who will forward it to the division director for approval. The Placement Monitor will forward a copy of the approved summary report to the Community Care Licensing Program Analyst and retain a copy in the facility file.

REFERENCES:

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| Procedures: | 2-1-004 | Child Abuse Reporting Responsibilities of Deputized Probation Staff |
| Policies: | E-10
F-1 | Use of Public and/or Private Community Resources
Out-of-Home Placement/Temporary Placements of Minors |

Other: Placement Consultant Desk Manual

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APPROVED BY: