



CDSS

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**DEPARTMENT OF SOCIAL SERVICES**

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ARNOLD SCHWARZENEGGER  
GOVERNOR

June 3, 2009

ALL COUNTY LETTER NO. 09-18

TO: ALL COUNTY WELFARE DIRECTORS  
ALL CHIEF PROBATION OFFICERS  
ALL COUNTY ADOPTION AGENCIES  
ALL COUNTY FISCAL OFFICERS  
ALL COUNTY PROGRAM MANAGERS  
KARUK TRIBE

SUBJECT: REVISIONS TO VARIOUS ELIGIBILITY, OPERATIONAL,  
REPORTING, AND FOSTER PARENT TRAINING COMPONENTS OF  
INTENSIVE TREATMENT FOSTER CARE PROGRAMS

REFERENCE: SENATE BILL (SB) 1380 (CHAPTER 486, STATUTES OF 2008);  
SB 2234 (CHAPTER 1250, STATUTES OF 1990);  
ASSEMBLY BILL (AB) 1198 (CHAPTER 799, STATUTES OF 1993);  
SB 969 (CHAPTER 832, STATUTES OF 1995)

Existing law requires the California Department of Social Services (CDSS) to implement programs of intensive treatment foster care (ITFC) for eligible youth who are emotionally disturbed. The SB 1380 expands the number of children eligible for the ITFC program by including youth with serious behavioral problems and allows placement of children who would otherwise require placement into group homes Rate Classification Level (RCL) 9 through 11. The bill revises eligibility, operation, reporting, and foster parent training components of the ITFC program and allows flexibility for the use of Multidimensional Treatment Foster Care (MTFC) in lieu of ITFC. Additionally, this legislation requires that CDSS develop, in consultation with others, cost reporting, claiming, and other procedures for ITFC programs to maximize federal financial participation (FFP). The ultimate goal is to improve outcomes for foster youth by expanding the use of ITFC and to reduce group home placements for foster youth in keeping with the state's public policy goals.

REASON FOR THIS TRANSMITTAL

- State Law Change
- Federal Law or Regulation Change
- Court Order
- Clarification Requested by One or More Counties
- Initiated by CDSS

Since the enactment of the ITFC program in 1990, evidence-based models of ITFC have been developed and are being used in the field of mental health and social services. Evidence-based interventions are consistent with the best research available, intersect with sound clinical judgment and experience, and align with the goals and values of the child/family being served. The MTFC is an evidence-based program that has demonstrated effectiveness as an alternative to high-end residential/institutional care. The MTFC currently serves children with severe emotional disturbances in several counties in California through the collaborative efforts of the local county child welfare and mental health agencies. The California Institute for Mental Health (a non-profit organization) is currently providing training and technical assistance to California counties to support the use of MTFC under a multi-year federal grant.

While ITFC and MTFC are similar programs in that they both entail the use of specially trained foster families and the use of outside support systems to stabilize a child or youth with significant emotional issues, MTFC utilizes the foster parents as a more integral part of the child's clinical treatment team and requires more specialized training and a stronger commitment of time and responsibility from the foster parents.

### **Welfare and Institutions Code (W&IC) Section 18358**

The ITFC program has been expanded to include children who have a serious behavioral problem rather than only those children with an emotional disturbance. Additionally, the eligibility is expanded to include children who are placed at a RCL 9 or higher by either the interagency team, county placing agency, voluntarily or found to be at risk of such placement. This section also expands the population that may be served in the ITFC by eliminating the current eligibility criteria mandating the foster youth to have successfully completed a group home program.

### **W&IC Section 18358.05**

In the county's application to CDSS, it is now necessary to identify the population of children being served in RCL's 9 through 14, which is consistent with W&IC Section 18358's expansion of eligibility to children placed in a group home with an RCL 9 or higher. The amended language removes the limitation that not more than 20 percent of the children in the ITFC will be children described in paragraph (2) of subdivision (b) of Section 18358. Furthermore, language has been added to limit ITFC placements to no more than 1,000 children who were in, or at imminent risk of being placed in, an RCL of 9 to 11 at the same time from January 1, 2009 to December 31, 2011. This requirement excludes the children in the Title IV-E waiver project in the counties of Alameda and Los Angeles.

### **W&IC Section 18358.10**

This section amends components of the program for foster family agencies (FFAs) entering into a contract with the county and requires FFAs to provide evidence of specific personnel, administrative and support services. The SB 1380 authorizes the following changes:

- Revises the training curriculum to remove the crisis prevention and intervention component and adds behavioral de-escalation techniques.
- Revises the existing ITFC training requirements from 60 hours to 40 hours of pre-placement training and 32 hours of training within 12 months after becoming certified ITFC parents, and 12 hours of ongoing in-service training each year thereafter.
- Allows placements to be made in two-parent homes once one parent has completed 40 hours of training provided that an additional 20 hours of ongoing in-service training are completed within 12 months after becoming an ITFC foster parent. The second parent must complete 40 hours of training and will complete an additional 20 hours within the first six months of certification.
- Allows training requirements to be waived for foster parents with prior experience that includes, but is not limited to, working for at least one year with emotionally disturbed children or children who have serious behavioral problems.
- Restructures the support counselor's 60 hours training requirement to now allow for 40 hours of training on specific topics and 20 hours of in-service training within their first 12 months of service, replacing the current requirement of 60 hours completed prior to working with ITFC children.
- Allows educational requirements to be waived for support counselors with at least two years of experience working with emotionally disturbed children or children who have a serious behavioral problem and who demonstrate a combination of education and skills.

### **W&IC Section 18358.15**

The FFAs participating in ITFC program are now required to develop the child's needs and services plan and have it agreed to by the county placing agency or the county interagency review team and certified parents as well as arrange for services funded by publicly funded programs, to be delivered either by the nonprofit organization that also

operates the FFA or by another qualified provider. The FFAs must provide the services and supports identified in the needs and services plan, which are allowable under W&IC Section 11460 and 11463. The FFAs will also arrange for applicable publicly funded programs, including but not limited to, mental health, education, and health services. The requirement of providing therapeutic after-school programs has been eliminated and language has been added to include children with serious behavioral problems.

### **W&IC Section 18358.20**

This section addresses changes to the provisions of services and activities of the contract or Memorandum of Understanding (MOU) between the FFA and the counties. This legislation amends the W&IC Section 18358.20 as follows:

- Deletes service plan and adds MOU or contract.
- Broadens language to include mental health coverage services as needed for mental health emergencies.
- Deletes treatment plan and adds service plan to be completed within one month of placement and also requires that the plan thoroughly assesses the unique needs and strengths of the child in specific “life domains.”
- Refers to individual or group mental health treatment services instead of psychiatric coverage.
- Specifies that there be positive behavioral interventions and these interventions should be designed to prevent entry or reentry into the juvenile justice system.
- Includes several services to help develop and support the child’s success with their plan, which include a family reunification, family finding services to support and enhance access to lifelong permanent relationship with relatives or nonrelated significant adults, life skills training and resources, mentoring and educational supports.
- Adds case management to ensure appropriate and effective coordination of activities and resources identified in the plan are being met.
- Revises the training curriculum by deleting crisis prevention and adding de-escalation techniques. The training curriculum has also been amended to provide that the FFA will arrange rather than provide for the provision of respite care services and frequency of respite care.

- Allows experience working with children with a serious behavioral problem to be counted towards the one year experience for social workers.

Additionally, W & IC Section 18358.20 adds the following new statistics to be reported quarterly to the CDSS as follows:

- The number of prior foster care placements for each child prior to entering the ITFC program.
- The percentage of children discharged to a more intensive program.
- The percentage of children discharged to a less restrictive program, short of permanency.
- The percentage of children who drop down an ITFC level.
- The percentage of children discharged to adoption.
- The percentage of children discharged to reunification with a parent or guardian.
- The percentage of children discharged to kin guardianship.
- The number of ITFC families in which a child was placed.
- The percentage of children discharged to some other permanent outcome.

Furthermore, W & IC Section 18358.20 eliminates the following evaluation components from the quarterly reporting submitted to the CDSS:

- The number of in-home support counselor hours per child.
- The number of psychiatrist hours per child.
- The number of emergency social work hours per child.
- The number of families receiving family therapy services and the number of families receiving this service on a weekly basis.
- Satisfaction with services provided.

The CDSS will amend the ITFC Program Quarterly Statistical Report (Form FC 19) to include the new statistical requirements.

**W&IC Section 18358.23**

Allows county placing agencies or county interagency review teams to review and determine ITFC eligibility, and eliminates the requirement that counties enter into a MOU or contract with FFAs on an annual basis. Existing ITFC programs that will be expanding to include the new population must submit an updated MOU or contract to identify expanded population and services.

**W&IC Section 18358.25**

This section has been amended to include children with a serious behavioral problem and also adds that the foster parent's home be in close proximity to the child's family and community, whenever possible in order to enhance and sustain the child's ties to their family.

**W&IC Section 18358.30**

The amendment allows county placing agencies as well as interagency review teams to assess the imminent risk of group home placement or psychiatric hospitalization of an eligible child. Additionally, flexibility for the payment to the FFA provider has been addressed by identifying that an amount not less than \$1,200 is to be paid to the foster parent, rather than a specific amount of \$1,200, which could expand the recruitment of eligible providers. Children placed at service and rate level E will now receive deescalation services instead of crisis intervention services.

This section now allows the county placing agency to determine in conjunction with the FFA that alternative services are in the best interests of the child and extend the placement of an eligible child in a service and rate level higher than E for additional periods of up to six months each. Currently only the child's interagency review team can extend these placements. These services and supports allowable under California's foster care program now include, but are not limited to MTFC activities. The MTFC utilizes the foster parents as a more integral part of the child's clinical treatment team and requires more specialized training and a stronger commitment of time and responsibility from the foster parents.

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**W&IC Section 18358.37**

This section mandates that CDSS develop in consultation with counties, providers, and other stakeholders cost reporting, claiming, and other procedures necessary to maximize FFP.

If you have any questions regarding this letter, please contact me at (916) 657-2614 or the Foster Care Rates Bureau at (916) 324-4857.

Sincerely,

***Original Document Signed By:***

GREGORY E. ROSE  
Deputy Director  
Children and Family Services Division