

REASON FOR THIS TRANSMITTAL

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

February 20, 2018

ALL COUNTY LETTER (ACL) NO. 18-05

TO: ALL COUNTY WELFARE DIRECTORS
ALL COUNTY CHIEF PROBATION OFFICERS
ALL COUNTY CHILD WELFARE SERVICES PROGRAM MANAGERS
ALL OUT-OF-STATE GROUP HOME PROVIDERS
ALL TITLE IV-E AGREEMENT TRIBES
ALL COUNTY PROBATION OFFICERS

SUBJECT: CERTIFICATION PROCESS FOR OUT-OF-STATE GROUP HOMES
TO INCLUDE IMPLEMENTATION OF AB 403, THE CONTINUUM OF
CARE REFORM ACT

REFERENCE: [ALL COUNTY LETTER \(ACL\) NO.08-21](#); [ALL COUNTY
INFORMATION NOTICE \(ACIN\) NO.I-50-16](#)

This ACL No. 18-05 clarifies the language regarding the process used for California's certification of out-of-state group homes to include new AB 403 licensure standards applicable to out-of-state group homes who intend to comply with the reporting requirements of a Short-Term Residential Therapeutic Program (STRTP).

On and after January 1, 2017, the certification standards applicable to out-of-state group homes certified by the department shall be those required of an STRTP. A placement in an out-of-state group home that meets STRTP licensing requirements may be funded at the STRTP or host state rate, whichever is lower.

OOS GROUP HOME REQUIREMENTS

- The out-of-state group homes will be required to obtain national accreditation from an agency identified by the California Department of Social Services (CDSS). (See HSC 1562.01) The out-of-state group home has up to 24 months from the date of certification to obtain accreditation. (See W&IC 11462)
- Obtain and have in good standing a mental health certification, equivalent to California standards. These standards may be satisfied if the out-of-state group home has an equivalent mental health program approval in the state in which it is

operating. If an out-of-state group home cannot satisfy the licensing standards for an equivalent mental health program approval, children shall not be placed in that facility. The out-of-state group home will have 12 months from the date of certification to obtain a mental health program approval equivalency. The program approval shall also have a Medi-Cal mental health equivalency.

- The licensee shall prepare and maintain a current, written plan of operation that is sufficient to ensure that the facility will operate in compliance with applicable laws and is culturally relevant, trauma-informed, and age and developmentally appropriate for the population(s) being served.
- Obtain a letter of recommendation for its program from a California county placing agency that complies with the requirements for STRTP applications as set forth in the most recent published version of the STRTP Interim Licensing Standards. (See STRTP ILS section 87018.)

CERTIFICATION

As currently required, counties may not pre-certify facilities on behalf of the CDSS. If a county wishes to place a child in an out-of-state group home that is not currently certified, it is important for the county placement worker to advise the facility administrator: 1) their out-of-state group home must be certified to comply with the certification standards required of group homes in California unless a waiver is granted; 2) the reporting requirements applicable to group homes in California pursuant to Title 22 of the California Code of Regulations apply for each child in the facility's care regardless of whether he or she is a California placement; and 3) the facility administrator should review the general and group-home-specific licensing regulations commencing at Title 22 sections 80000 and 84000 respectively and then contact the CDSS Out-of-State Certification Unit (OSCU) to initiate the certification process.

Pursuant to Family Code section 7911.1(c), CDSS is required to certify and perform initial and annual inspections of out-of-state group homes providing care to dependents and wards of California's Juvenile Courts placed by county social service or probation agencies. The CDSS recognizes that new out-of-state group homes may be identified by counties as the placement that will best meet the child's specific and unique needs. Please note that the following procedures outlined below ***in sequential order*** are necessary and essential to ensure timely certification of an out-of-state facility.

The County Placement Agency Director or designee should contact OSCU either by phone or e-mail as provided below as soon as a group home has been identified and/or selected as a potential placement for a child(ren) and it is determined that the chosen facility is not currently certified. The County Placement Agency Director or designee shall then submit a "letter of intent" to OSCU stating their interest or intent to place with the group home. However, ***prior*** to submitting a "letter of intent," it is recommended that the county placement worker visit the prospective facility to the extent permitted by

the respective state's statutes and regulations.

1. The County Placement Agency shall submit the identifying information listed below:
 - A. The facility name, address, telephone number and contact person;
 - B. The county placement worker's name, address, fax and telephone number;
 - C. Whether the facility is for profit or non-profit (please note: no state or federal funding may be used for placements in out-of-state for-profit facilities); and
 - D. If there is a specific child awaiting placement: the child's name, date of birth, and juvenile court status; assessed needs; and the reasons why the out-of-state placement has been recommended for that child.
2. The OSCU will then contact the facility to assess and determine:
 - A. If the facility is eligible to be certified;
 - B. If the facility is willing to apply for CDSS certification and comply with STRTP Interim Licensing Standards, in addition to complying with their own state's laws and standards.
 - C. If the facility is currently licensed and in good standing with the licensing authorities of the state in which it is located; and
 - D. Whether the facility is for-profit or non-profit.
3. If the facility is eligible and its administrator agrees to apply for certification, he/she will be requested to fax a "letter of recommendation" to OSCU. The letter of recommendation must comply with the requirements as set forth in the most current STRTP interim licensing standards. The letter of recommendation must also confirm:
 - A. The facility's intent to apply for certification by completing and submitting an application package to OSCU within four weeks of receiving the application package, and
 - B. Their intent to accept and serve the specific child identified by the placement worker, if a child has been identified;
4. The OSCU will notify the placing county that the facility has initiated or will pursue certification, and
5. The OSCU will provide an out-of-state certification application to the facility.
6. The OSCU is to conduct an on-site visit of the facility. Please note, the OSCU will **not** conduct an on-site facility visit necessary to complete certification until the county placement worker contacts the OSCU stating a child has been identified and is placement ready. Subsequent to the on-site facility visit, OSCU will notify the county when the facility is certified and placement ready.

Under no circumstances should a child be placed prior to Interstate Compact on the Placement of Children (ICPC) approval and certification.

7. Concurrently with the certification process, the county should submit a complete ICPC placement request to the CDSS ICPC office to be processed.
8. Upon receipt and approval of all above information, the Out of State Policy Placement Unit (OSPPU) will submit the ICPC placement packet to the receiving state for review. The OSPPU will notify the county placement agency when approval from the receiving state has been granted.
9. Upon notification that the facility has been certified by the OSCU and notification by the OSPPU of approval of the out-of-state placement from the receiving state, the county may place the child. Again, under no circumstances should a child be placed prior to ICPC approval and facility certification. Such placements will be ineligible for public funding.
10. If no placement occurs within six months of initiating the certification process, the facility will not be certified and the application shall be considered withdrawn.

Please direct any questions regarding certification standards and procedures to the OSCU at 916-651-5380 or ccloutofstategh@dss.ca.gov. The mailing address for OSCU is 744 P Street, MS 8-3-54, Sacramento, CA 95814.

Please direct any questions regarding ICPC to the OSPPU at 916-651-8100 or ICPC@dss.ca.gov. The mailing address for OSPPU is 744 P Street, MS 8-12-90, Sacramento, CA 95814.

Please direct any questions regarding CCR to the CCR mailbox at CCR@dss.ca.gov. The mailing address for CCR is 744 P Street, MS 9-14-46, Sacramento, CA 95814.

If you have any questions regarding this ACL, please contact OSCU Manager, Children's Residential Program, at (916) 651-5380.

Sincerely,

Original Document Signed By:

PAMELA DICKFOSS
Deputy Director
Community Care Licensing Division

GREGORY E. ROSE
Deputy Director
Children and Family Services Division