

February 3, 2022

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

EXECUTIVE SUMMARY

ALL COUNTY LETTER NO. 22-13

The purpose of this All County Letter is to notify interested parties that the temporary Static Rate may be paid as a result of a recommendation made by a Qualified Individual that a child's behavioral health needs and goals require an intensive level of care in a family-based setting.



KIM JOHNSON
DIRECTOR

STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES
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GAVIN NEWSOM
GOVERNOR

February 3, 2022

ALL COUNTY LETTER (ACL) NO. 22-13

TO: ALL COUNTY WELFARE DIRECTORS
ALL CHIEF PROBATION OFFICERS
ALL LOCAL MENTAL HEALTH DIRECTORS
ALL COUNTY ADOPTION AGENCIES
ALL ADOPTION DISTRICT OFFICES
ALL GROUP HOME PROVIDERS
ALL FOSTER FAMILY AGENCIES
ALL TITLE IV-E AGREEMENT TRIBES
ALL OUT-OF-STATE GROUP HOMES
ALL FOSTER CARE ELIGIBILITY WORKERS
CONSORTIUM PROJECT MANAGERS

SUBJECT: QUALIFIED INDIVIDUAL RECOMMENDATION AND THE LEVEL OF
CARE RATE DETERMINATION PROTOCOL STATIC RATE

REFERENCE: [ASSEMBLY BILL \(AB\) 403](#), CHAPTER 773, STATUTES OF 2015;
[AB 1997, CHAPTER 612, STATUTES OF 2016](#); WELFARE AND
INSTITUTIONS CODE [\(WIC\) SECTIONS 11462, WIC 17710](#); ALL
COUNTY LETTERS [\(ACL\) 16-84](#); [ACL 17-11](#); [ACL 18-06](#); [ACL 18-25](#);
[ACL 18-32](#); [ACL 18-48](#); [ACL 20-44](#); [ACL 20-78](#); [ACL 21-17](#);
[ACL 21-17E](#); [ACL 21-113](#)

The purpose of this All County Letter (ACL) is to notify interested parties that the temporary Static Rate as described in [ACL 21-17](#), may be paid as a result of a recommendation made by a Qualified Individual (QI) that a child's behavioral health needs and goals can be met by an intensive level of care in a family-based setting in an Intensive Services Foster Care (ISFC) or Therapeutic Foster Care (TFC) home.

Pursuant to the Family First Prevention Services Act (FFPSA), an assessment by a QI is required as a condition of Title IV-E funding for any placement of a foster child into a qualified residential treatment program made on or after October 1, 2021. In California, a QI assessment is required prior to any placement of a foster child into a Short Term Residential Therapeutic Program or a Community Treatment Facility. For an emergency placement, the QI assessment must be completed within 30 days of the placement. In line with the state's Integrated Core Practice Model values and principles, the QI will conduct an assessment to make certain determinations regarding whether the child's needs can be met with family members, in a tribally approved home in the case of an Indian child, or in another family-based setting, and, if not, the most appropriate level of care, interventions, and treatment for the child in the least restrictive environment. For more information on QIs, please refer to [ACL 21-113](#).

The QI assessment is objective and performed by a person who must be a licensed mental health professional (LMHP), or be a registered, waived, or a trained professional who is working under the clinical supervision of an LMHP, and qualified to make the determination and conduct the necessary activities. All referrals to a QI for an assessment should be discussed and considered through the Child and Family Team process per [ACL 21-113](#).

If the QI assessment determines that the child's behavioral health needs and goals can be met by an intensive level of care in an ISFC or TFC family-based setting, this determination automatically satisfies the Level of Care Rate Determination Protocol (LOCP) requirements for the Static Criteria to apply. The Social Worker (SW) or Probation Officer (PO) may use the QI determination that an ISFC or TFC level of care is required to qualify the child to receive the Static Rate pending the subsequent LOCP rate determination. If a resource family home is the identified placement, the resource parent(s) will be expected to acquire the training and level of competency to serve that child or youth in their care as outlined in [ACL 21-17](#). If the resource parent does not acquire the training and level of competency needed, or is not the long-term placement option, the county or Family Foster Agency is expected to ensure that services are provided that will support that child or youth in the current placement or until stability is established in a new placement.

The caregiver may be paid the Static Rate for up to 120 days following the QI assessment and subsequent LOCP rate determination by the SW/PO. The use of the Static Rate is intended to last no more than 60 days, however, can be extended for an additional 60 days if authorized by the county placing agency.

As a reminder, the LOCP determination must be completed by a SW/PO no later than 120 days from the date of placement per [ACL 21-17](#). The Static Criteria section of the LOC Scoring Sheet (SOC 500) and LOCP Matrix (SOC 501), has been updated to reflect as an indicator that a caseworker may rely upon the QI assessment to determine

who qualifies for the Static Rate. The effective date of the Static Rate is the date of the SW/PO's determination.

Should you have any questions regarding the information in this ACL, please contact the Systems of Care Branch at (916) 651-9152 or email questions to the dedicated LOC mailbox at loc@dss.ca.gov.

Additional information on the LOCP including the LOCP Matrix (SOC 501) and LOC Scoring Sheet (SOC 500) can be obtained from the [University of California Davis Resource Barn](#).

Sincerely,

Original Document Signed By:

ANGIE SCHWARTZ
Deputy Director
Children and Family Services Division

c: CWDA