

December 30, 2024

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

EXECUTIVE SUMMARY

ALL COUNTY LETTER NO. 24-71

The purpose of this All County Letter is to clarify to counties that claiming federal financial participation for voluntary placements into short term residential treatment programs and community treatment facilities is impacted when requirements are not met as outlined in Part IV of the Family First Prevention Services Act implemented through Assembly Bill 153 (CHAPTER 86, STATUTES OF 2021).



JENNIFER TROIA
DIRECTOR

CALIFORNIA HEALTH & HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES
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GAVIN NEWSOM
GOVERNOR

December 30, 2024

ALL COUNTY LETTER NO. 24-71

TO: ALL COUNTY WELFARE DIRECTORS
ALL CHIEF PROBATION OFFICERS
ALL COUNTY PROGRAM MANAGERS
ALL COUNTY FISCAL OFFICERS
ALL COMMUNITY TREATMENT PROVIDERS
ALL REGIONAL CENTER GROUP HOMES
ALL LOCAL COUNTY MENTAL HEALTH DIRECTORS
ALL FOSTER CARE ELIGIBILITY SUPERVISORS
ALL SHORT-TERM RESIDENTIAL THERAPUTIC PROGRAMS
COUNTY ADOPTION AGENCIES
ADOPTION REGIONAL AND FIELD OFFICES
CONSORTIUM PROJECT MANAGERS

SUBJECT: PART IV OF THE FAMILIES FIRST PREVENTION AND
SERVICES ACT REGARDING VOLUNTARY PLACEMENTS INTO
SHORT TERM RESIDENTIAL TREATMENT PROGRAMS AND
COMMUNITY TREATMENT FACILITIES

REFERENCE: [FAMILY FIRST PREVENTION SERVICES ACT;](#)
[BIPARTISAN BUDGET ACT OF 2018 \(PUBLIC LAW 115-123\);](#)
[42 U.S.C. § 675a; ACYF-CB-IM-18-02; ACF PI-18-07;](#)
[ASSEMBLY BILL 153 \(CH 86, STATUTES OF 2021\);](#)
[SENATE BILL 187 \(CHAPTER 50, STATUES OF 2022\);](#)
[HEALTH & SAFETY CODE \(HSC\) SECTION 1562.01;](#)
[WELFARE & INSTITUTIONS CODE \(WIC\) SECTION 361.22;](#)
[WIC SECTION 366.1; WIC SECTION 366.3;](#)
[WIC SECTION 366.31; WIC SECTION 706.6;](#)
[WIC SECTION 727.12; WIC SECTION 4096;](#)
[WIC SECTION 11462.01; WIC SECTION 16001.9;](#)
[WIC SECTION 16501; ACIN NO. I-73-21; ACIN NO. I-84-21;](#)
[ACL NO 21-139; COUNTY FISCAL LETTER \(CFL\) 21/22-34;](#)
[ACL 21-113](#)

PURPOSE

The purpose of this All County Letter (ACL) is to clarify to counties that claiming federal financial participation (FFP) for voluntary placements into short term residential treatment programs (STRTPs) and community treatment facilities (CTFs) is impacted when requirements are not met as outlined in Part IV of the Families First Prevention and Services Act (FFPSA).

BACKGROUND

The FFPSA, Bipartisan Budget Act of 2018 (Pub. Law 115-123), implemented through [Assembly Bill \(AB\) 153](#) (Chapter 86, Statutes of 2021) and [Senate Bill 187](#) (Chapter 50, Statutes of 2022) amends the federal foster care program in Title IV-E of the Social Security Act to create new requirements for foster care placements into residential programs that meet the definition under FFPSA Part IV as a qualified residential treatment program (QRTP), which in California are STRTPs and CTFs. When these requirements are not met, FFPSA limits the circumstances under which federal financial participation may be used to support the foster care placement of an otherwise federally eligible child or non-minor dependent (NMD). Full guidance on these requirements is detailed in [ACL 21-139](#), which remains applicable.

FEDERAL FINANCIAL PARTICIPATION AVAILABILITY FOR VOLUNTARY SHORT TERM RESIDENTIAL TREATMENT PROGRAMS OR COMMUNITY TREATMENT FACILITIES PLACEMENTS

In establishing the requirements for STRTPs and CTFs, and for placements into those programs, FFPSA and [AB 153](#) do not make a distinction between voluntary and non-voluntary placements. Therefore, independent of this distinction, any placements of a child or NMD into STRTPs and CTFs must adhere to the requirements outlined in the statute and subsequent guidance.

There are three components of FFPSA that this letter highlights for purposes of evaluating the impact of the law with respect to Voluntary Placement Agreements in STRTPs and CTFs.

1. **Qualified Residential Treatment Program Requirements:** STRTPs and CTFs must comply with all QRTP requirements, including accreditation and other licensing and rate requirements. If the STRTP or CTF complies with all QRTP requirements, FFP is available for the first 14 days, contingent upon the Qualified Individual (QI) completing their assessment, as required. This is required even if the assessment is completed after the first 14 days.
2. **Qualified Individual Assessment:** A QI assessment must be completed within 30 days of placement into an STRTP or CTF. If assessment is not completed timely, then FFP is not allowed from the first date of placement. If the QI completes their assessment within 30 days, and recommends against placement, then FFP is allowed up to the date the determination is made, plus only for the

period of time it takes to transition to a home, and no more than 30 days from that date of the determination.

3. **Court Review:** Court must independently approve or disapprove of the placement within 60 days of the placement. If the court does not approve in a timely manner (within the 60 days), and if all other applicable FFPSA requirements are met, federal guidance states that FFP is only allowed for up to 60 days of placement.

In California, there is no court review process for voluntary placements. Thus, because a voluntary placement into a STRTP or CTF cannot meet every requirement under FFPSA, as outlined in [ACL 21-113](#), [ACL 21-139](#) and [CFL 21/22-34](#), FFP for children or NMDs otherwise eligible for Title IV-E is limited.

Specifically, child welfare placing agencies can only claim FFP for voluntary placements of federally-eligible children and NMDs into accredited STRTPs for up to 60 days of placement, provided there is a timely QI assessment approval within 30 days and the facility and placement is in compliance with all other requirements in FFPSA and AB 153 as outlined in [ACL 21-113](#) and [ACL 21-139](#). The FFP cannot be used for any additional time spent during that placement, except for county administrative costs.

ADDITIONAL INFORMATION

The California Department of Social Services has developed the [Title IV-E Foster Care Maintenance Funding FAQ](#) which lists anticipated scenarios counties may reference in determining the start and end timeframes (when applicable) for FFP. The scenarios that apply to Voluntary Placement Agreements would be outlined under the “Qualified Individual Assessment and Court Approval Requirements into Accredited Facilities” section of the matrix. The FFP eligibility requirements, limitations and timelines for STRTP placement and QI Assessment are further outlined in [ACL 21-113](#), [ACL 21-139](#) and [CFL 21/22-34](#).

If you have any questions or need additional guidance regarding the information in this letter, contact the System of Care Branch at ffpsa@dss.ca.gov.

Sincerely,

Original Document Signed By

ANGIE SCHWARTZ
Deputy Director
Children and Family Services Division

cc: All Title IV-E Agreement Tribes
All Federally Recognized Tribes