

DEPARTMENT OF SOCIAL SERVICES
744 P Street, Sacramento, CA 95814



October 9, 1990

ALL COUNTY INFORMATION NOTICE NO. I-79-90

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: CASE PLAN INFORMATION REQUIRED AS A RESULT OF THE
ENACTMENT OF PUBLIC LAW 101-239, DECEMBER 19, 1989

The purpose of this All County Information Notice (ACIN) is to inform you of the provisions of Public Law (P.L.) 101-239, enacted December 19, 1989.

Public Law 101-239 amended section 475(1) of the Social Security Act which contains the definition of a "case plan". Section 475(1) of the Social Security Act now specifies that a foster child's case plan include the following information regarding the child's education and health status, to the extent such information is available and accessible:

1. The names and addresses of the child's health and educational providers.
2. The child's grade level performance.
3. The child's school record.
4. Assurances that the child's placement in foster care takes into account proximity to the school in which the child is enrolled at the time of placement.
5. A record of the child's immunizations.
6. The child's known medical problems.
7. The child's medications.
8. Any other relevant health and education information concerning the child determined to be appropriate by the agency.

Public Law 101-239 also added a subparagraph to section 475(5) of the Social Security Act which calls for a review and update of each foster child's health and education records at the time of each new placement of that child and for those records to be supplied to the foster parent or foster care provider with whom the child is placed.

All of the federal requirements stated above were effective April 1, 1990.

While these federal requirements were enacted by P.L. 101-239 on December 19, 1989, and became effective April 1, 1990, existing State regulations, as documented in Manual of Policies and Procedures (MPP) Division 30, already require the collection of health and education data. Specifically:

MPP 30-376.16 requires that the case record contain medical and dental reports.

MPP 30-376.13 requires that the assessment provided in the case record include a description of relevant social, cultural, psychological, and physical factors relating to the child.

MPP 30-436.1 requires that the selection of a permanent placement be based upon, among other things, the appropriateness of attempting to maintain the child in his/her current school, the child's health and emotional factors, and the anticipated special needs of the child, including but not limited to, transportation, diet, medical and/or psychological care, and special education.

MPP 30-338.1 requires that prior to any placement, the foster parent(s) or group home operator(s) shall be informed of the child's background, if such information is available, including, but not limited to, medical history.

Additionally, Title 22, Division 6, Chapter 7.5 which contains licensing regulations for foster family homes currently requires that health and education data be provided foster families. Specifically:

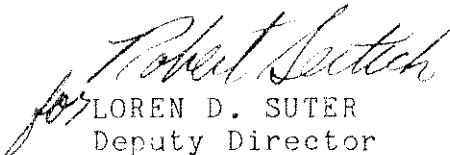
Section 87068.2 requires that, at the time of placement, the licensee (foster parent) shall request for each child, a needs and services plan, which describes his/her service needs. The needs and services plan shall contain a number of items of information including the child's physical limitations, history of infections or contagious diseases, and a history of other medical, emotional, behavioral and physical problems.

Section 87069 regarding children's medical assessments requires that prior to, or within 30 calendar days following the acceptance of a child, the licensee shall obtain a written medical assessment of the child.

Section 87070 regarding children's records requires the licensee to maintain a separate, complete, and current record in the facility for each child. The record must contain specific information including the name, address and telephone number of the child's physician and dentist, and other medical and mental health providers if any; a medical assessment, including ambulatory status; a record of current medications, the prescribing physician, and instructions regarding control and custody of medications; medical and dental history, if available, including immunization records and physicians; orders for any medically necessary diet; a record of the continuing health needs and services received while the child is in the home, including but not limited to physical therapy and counseling. This section also specifies that the original or photographic reproductions of the child's records shall be given to the placement agency or the child's authorized representative when the child moves from the home.

While current State regulations already address a broad scope of health and education data requirements, counties should make every effort to ensure that documentation of the health and education data in the case record clearly satisfies, to the extent the information is available and accessible, all of the federal requirements specifically defined in P.L. 101-239.

If you have any questions, please contact your Child Welfare Services Operations consultant at (916) 445-0623.


LOREN D. SUTER
Deputy Director
Adult and Family Services

cc: County Welfare Directors Association