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|  <p>Michigan Department of Human Services</p> <p>CSA</p> <p>Children's Services Administration Communication Issuance</p> | Type: <input type="checkbox"/> Informational Memoranda (IM) <input checked="" type="checkbox"/> Program Instruction (PI) <input type="checkbox"/> Policy Guide (PG) | | | | | | | | | | | | | | | |
| | Issuance Date: 07/16/2012 Obsolete Date: 09/30/2012 | | | | | | | | | | | | | | | |
| | Response Due: 08/17/2012 | | | | | | | | | | | | | | | |
| | Log No.: 12-099 | | | | | | | | | | | | | | | |
| | Contact: Christine Rehagen; RehagenC@michigan.gov | | | | | | | | | | | | | | | |
| | Originating Office: Child Welfare Field Operations | | | | | | | | | | | | | | | |
| | Subject/Title: Placement Exception Requests - Clean-up and Monitoring Plans | | | | | | | | | | | | | | | |
| | Distribution: <table style="width: 100%; border: none;"> <tr> <td><input checked="" type="checkbox"/> DHS Child Welfare Staff</td> <td><input checked="" type="checkbox"/> BCAL</td> </tr> <tr> <td><input checked="" type="checkbox"/> Private Agency Child Welfare Staff</td> <td><input checked="" type="checkbox"/> CWTI</td> </tr> <tr> <td><input checked="" type="checkbox"/> CSA Central Office Managers/Staff</td> <td><input checked="" type="checkbox"/> SACWIS</td> </tr> <tr> <td><input type="checkbox"/> Native American Tribes</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Data Management</td> <td></td> </tr> <tr> <td><input checked="" type="checkbox"/> Other: Private Agency Directors</td> <td></td> </tr> <tr> <td>Michigan Federation for Children & Families</td> <td></td> </tr> <tr> <td>Association of Accredited Child & Family Agencies</td> <td></td> </tr> </table> | <input checked="" type="checkbox"/> DHS Child Welfare Staff | <input checked="" type="checkbox"/> BCAL | <input checked="" type="checkbox"/> Private Agency Child Welfare Staff | <input checked="" type="checkbox"/> CWTI | <input checked="" type="checkbox"/> CSA Central Office Managers/Staff | <input checked="" type="checkbox"/> SACWIS | <input type="checkbox"/> Native American Tribes | | <input type="checkbox"/> Data Management | | <input checked="" type="checkbox"/> Other: Private Agency Directors | | Michigan Federation for Children & Families | | Association of Accredited Child & Family Agencies |
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| Michigan Federation for Children & Families | | | | | | | | | | | | | | | | |
| Association of Accredited Child & Family Agencies | | | | | | | | | | | | | | | | |

Placement Exception Requests (PER) were developed to ensure that safety, permanence and well-being standards are met for children in Michigan's child welfare program. PER are tracked by way of monthly spreadsheets submitted by local offices to Child Welfare Field Operations (CWFO). DHS local office and private agency data is merged into statewide reports which are published and posted to the DHS SharePoint site and distributed by email for private agencies. These spread sheets are used by CWFO, local offices, private agencies and Michigan Monitoring Team (MMT) to monitor Michigan's compliance with the Modified Settlement Agreement (MSA), Section X: Placement Standards and Limitations, pages 42-46. The following reports were released on 06/29/2012 and indicate non-compliance with the PER provisions within the MSA:

- Foster Home Capacity (FHC)
- Relative Placement (Rels or Relative)
- Jail / Detention (Jail)
- Residential (Res or Residential)
- Shelter
- 75 –Mile Report (75mi)

Private agencies in non-compliance with the required PER also received spread sheets listing the specific cases in non-compliance and instructions for review and clean-up.

In order for the Department to obtain and maintain future compliance, the actions listed below must be addressed.

Directive to Resolve Overdue PER:

All PER that are incomplete but were due after October 1, 2011 must be completed and approved by **August 17, 2012**.

- Complete DHS-399s, DHS-396s and DHS-875 and forward to your POS monitor or other designated DHS staff. When approved by the DHS County Director, the PER will be added to that county's placement exceptions spreadsheet. The spreadsheet is submitted monthly to Child Welfare Field Operations (CWFO).

- Relative Licensing Waivers (DHS-875) must be entered into SWSS. Please coordinate with your local DHS office to ensure that information on your cases is entered into SWSS.

Review of PER due in July, August and September 2012:

Review case plans for PERs due in July, August and September 2012.

- A thorough review of case plans which require PER due in July, August and September must be completed to determine if the current placement is appropriate or if a less restrictive placement would meet the child's treatment needs and permanency goal. Action steps to resolve barriers for a less restrictive placement are to be developed, implemented and documented in the PER if requesting a placement extension.

Review of Jail/Detention PER:

Youth placed in jail/detention or correctional facilities must be done so pursuant to either a delinquency or adult criminal charge.

- A thorough review of case records involving youth placed in jail/detention or correctional facilities must be completed to ensure the placement occurred as required by Section X of the MSA. Case records which identify youth placed in such facilities without documented delinquency or criminal charges require the youth to have been moved within 5 days and DHS must have objected to the placement on the record. Documentation of these conditions is required in the case record.

Managing PER:

- Develop and implement a PER monitoring process. The process should include the proactive review of DHS spreadsheets and reports which document compliance with all types of PER, with specific focus on those that are overdue and coming due in the next 30 and 60 days. Supervisors and managers should ensure PER are reviewed and discussed in monthly conferences with staff to ensure compliance. Any non-compliant PERs must be evaluated and monitored by all levels of management to ensure compliance with the MSA and DHS policy standards (See FOB2012-011 Interim Policy Bulletin: Modified Settlement Agreement Requirements; effective 05/01/2012.)

It is imperative that caseworkers and supervisors routinely evaluate and document placement exceptions. Current PER reports reflect non-compliance with policy and consequently, requirements of the MSA. Your attention to this clean-up and ongoing monitoring is required, particularly to impact upcoming MSA reports. To demonstrate how Michigan is monitoring the placements in these specific PER circumstances, **each local office and private agency director are asked to submit a brief summary of your PER monitoring process to Kristine Manion at ManionK@michigan.gov by August 17, 2012.** CWFOA will continue to monitor performance in this area through the monthly reports. In the event improvement is not noted by September's report, your office or agency will be contacted to discuss barriers to improved compliance.

The attached ***Placement Exception Request (PER) Job Aid*** has been created for your use with supervisors and caseworkers.

Attachment: ***Placement Exception Request (PER) Job Aid***

Placement Exception Request (PER) Job Aid

Placement exceptions requests (DHS-396, DHS- 399 and DHS-875) require a thorough evaluation of the child's needs and documents justification for the requested placement. The PER process should assist in identifying placement options which best meet the child's needs.

Residential Exception Request (DHS-396)

The DHS-396 is to be thoroughly completed with special attention to the following required documentation:

- Date of the most recent Permanency Planning Conference (PPC)/MiTeam with recommendations attached. Prior to a child entering residential care, a PPC is required.
- Current issues during the quarter which necessitates placement or continued stay in a residential program.
- Active efforts by the caseworker to maintain this child in the community or to return them to a less restrictive community placement. This includes dates of contacts made with foster care providers, treatment foster care providers, less restrictive residential providers, etc.
- Historic information of past and present services/placements to assess what worked in the past, what has been tried and what needs to be included in a treatment plan.
- Pre-ten waivers will not be granted for periods of more than 90 calendar days.
- The county director's signature prior to the initial residential placement and/or the PER expiration date. An approval signature by CWFO is required for placements extending at 12 months or longer; approval is needed prior to the expiration date.

Foster Home Placement Exception Request (DHS-399)

The DHS-399 evaluates complex living arrangements to ensure foster children are placed in a home with caregivers that will provide a safe and nurturing environment. Specifically, the DHS-399 requires:

- Completion on all licensed and unlicensed care providers if a placement results in more than three foster children or a total of six children (including the foster family's birth and/or adopted children) and or three children under the age of three in the home.
- An assessment of each foster child/sibling, caregiver, and all other children's needs, to ensure the caregiver's abilities are aligned with the challenges and opportunities that exist in foster care situations.
- The county director's signature prior to placement.

Over 75 mile Radius (DHS-399-and DHS-396)

For each child placed outside the 75 mile radius of their original home an exception request is required. This is to ensure DHS makes every attempt to preserve the child's family, school and community relationships.

- For residential placements over 75 miles from the child's original home, the DHS-396 is to be used.
- For all other placements outside the 75 mile radius, the DHS-399 is required.
 - One DHS-399 should be completed per child.
 - DHS-399's are required one time, per placement.
- One DHS-399 can be used when requesting a 75 mile radius and foster home exception request.
- The county director's signature prior to placement.

Placement Exception Request (PER) Job Aid

Relative Licensing Waivers DHS-875

The decision to waive licensing requirements for relatives should be made only after evaluating the Children's Foster Care Relative Placement Home Study (DHS-3130A) and completing the Foster Home Licensing Requirements for Relative Caregivers (DHS-972).

- A Waiver of Foster Home Licensure (DHS-875) for relatives can be granted in the best interest of the child(ren).
- A DHS-875 is valid for a 12 month period. After 12 months, a license should be sought or, if necessary, the waiver can be renewed.
- DHS-875s must be signed by the county director.

Shelters/Emergency Placements

The MSA prohibits the use of emergency shelter placements longer than 30 days or more than one placement episode within a 12 month period. An exception can be approved by the county director (or designee) using a DHS- 399 in the following situations:

- To extend a shelter placement up to 45 days if there is an approved placement that is not yet available or the child's behaviors have significantly changed requiring the temporary placement to serve as an assessment for the determination of an appropriate foster care placement.
- A shelter placement occurs more than once in a twelve month period only if the child is AWOL, facing a direct threat to their safety. This placement serves as an assessment for the determination of an appropriate placement and may last not more than 7 days.

Please note: The DHS-396 and 399 have been modified to align with the requirements of the Modified Settlement Agreement (MSA). Please reference the following documents to assist in the Placement Exception Request process:

- DHS-396 and DHS-399 (Rev. 5-12)
- FOB 2012-11, Interim Policy Bulletin: Modified Settlement Agreement Requirements, effective 05/01/2012 and issued via eBlast on 05/28/2012.
- Attached PowerPoint presentation; Placement Exception Requests which can also be located at: <http://inside.michigan.gov/dhs/Tools/Collaboration/COTS/FOACS/Shared%20Documents1/Exception%20Requests/Exception%20Requests%20slideshow.pdf>

DHS Local Office Reporting Requirements

- Each placement exception must be tracked and documented on the Placement Exception Spreadsheet; instructions are included in the CWFO memo dated 08/02/2011; New Process for Approval of Exception Requests, located on SharePoint for local DHS offices. To ensure that exception requests are completed per DHS policy and the MSA, CWFO monitors all county exception spreadsheets and the following data reports: Foster Home Capacity, Relative Placement, Jail/Detention, Residential, Shelter and 75-Mile Report. CWFO analysts report discrepancies to the counties for resolution. Reconciliation of discrepancies and monthly monitoring of PER due dates is vital to meeting the needs of Michigan's children and families and policy/MSA compliance.



Residential Exception Requests

What are exception requests?

- Exception request are mandated by the Modified Settlement Agreement (MSA) and assist counties in tracking placements of youth in care.
- Exception request are required when placing children in a residential placement (DHS 396), when placing a child in a foster home with more then six children or in a foster home with three or more children under the age of three, and when placing a child outside the required 75 mile radius (DHS 399). (page 42-46 of the MSA)
- Approval of the County director is required for all exception requests. Certain requests are also sent to CWFOA and BCAL for additional approvals.



Residential Exception Request DHS 396

- When to submit to County Director:

BEFORE:

- Initial placement
- 3 months, 6 months, 9 months, 12 months, and every 3 months after 12 months of residential placement



DHS 396- Residential Exception Request

When to submit to Field Operations for approval/signatures-

- When placing a child in residential that is under ten years of age (pre-ten waiver).
- Request for a child to remain in residential for longer than 12 months and every three months thereafter.





DHS 396- Residential Exception Request

When to submit to Bureau of Child and Adult Licensing (BCAL) for approval/signatures-

- When placing a child in residential placement which is not contracted through the State of Michigan
 - A list of contracted and non-contract placements can be found at FOM 905-5.
- A/N wards into JJ placements
- JJ wards into A/N placements
- One to one supervision
- Outside of geographical area
- Outside of contracted bed capacity

DHS 396- Residential Exception Request

Date of Initial Residential Placement:

Anticipated date for this placement request:

Anticipated length of stay for this placement request:

CHECK the Type of Residential Placement Exception Request Being Made:

NOTE: There should only be more than one INITIAL residential exception for a child if the child is discharged to a community placement for 61 or more days and the child returns to residential.

- | | |
|--|---|
| <input type="checkbox"/> Initial | <input type="checkbox"/> 3 Months |
| <input type="checkbox"/> 6 Months | <input type="checkbox"/> 9 Months |
| <input type="checkbox"/> 12 Months | <input type="checkbox"/> Beyond 12 Months |
| <input type="checkbox"/> Change in Residential Placement | |

- Check the appropriate box based on the child's initial residential placement date (date placed in residential care)

- If the child has been placed out of residential care for OVER 60 days, the request would be for an initial placement exception request. UNDER 60 days, continue to track from the initial placement date in residential care

- Change in Residential Placement could be simultaneously checked with 3, 6, 9, 12, Beyond 12 months

Section I. Case Information

I. CASE INFORMATION

| | | |
|--|---|---------------------------|
| Child's Name [Redacted] | Date of Birth [Redacted] | |
| Legal Status [Redacted] | Drop down boxes will appear | |
| Federal Permanency Goal [Redacted] | | |
| Date entered care [Redacted] | SWSS FAJ Log ID [Redacted] | Case Number [Redacted] |
| Total number of placements since the date entered care (not including this placement): [Redacted] | Funding Source [Redacted] | |
| Date PPC held – Attach report for this placement request [Redacted] | Date of most recent face-to-face contact with child [Redacted] | |
| Were PPC recommendations implemented? <input type="checkbox"/> Yes <input type="checkbox"/> No | If No, explain: [Redacted] | |

Ensure all information is complete and accurate!

DHS 396- Residential Exception Request

III. OUT-OF-COUNTY RESIDENTIAL PLACEMENT AND EXCEEDS 75 MILE RADIUS:

The child's needs are so exceptional that they cannot be met by a family within the county and 75 mile radius.

Outline local office efforts to facilitate parenting time and family treatment if goals is reunification:

- Check this box only if the residential placement is OVER 75 miles away from the removal household

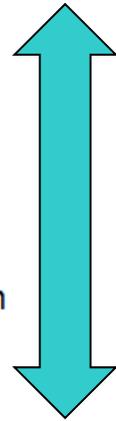


DHS 396- Residential Exception Request

IV. RESIDENTIAL PLACEMENT (Check all that apply):

- Pre-Ten Waiver
 - Placement Capacity is in Excess of 8 Children
 - Placement in a Residential Program Not Under Contract with DHS
 - Placement Outside of the Contracted Geographic Area
 - Placement Outside of the Contracted Bed Capacity
 - Placement of an Abuse/Neglect Ward into a Residential Foster Care – Juvenile Justice Program
 - Placement of a Juvenile Justice Ward into a Residential Foster Care – Abuse/Neglect Program
 - Age (Program Type Exception – Non Pre-Ten Waiver)
 - One-on-One Supervision
- Number of hours requested Hourly rate

Select exception being requested

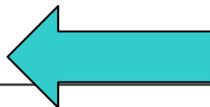


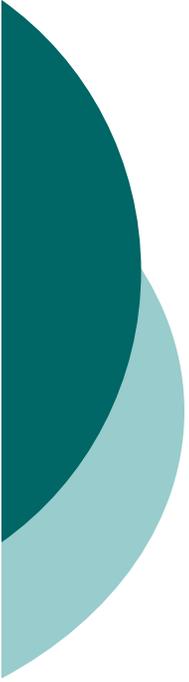
Type of Residential Foster Care Facility

- Residential Foster Care - Abuse/Neglect
- Residential Foster Care - Juvenile Justice

Facility N

Select program type





DHS 396- Residential Exception Request

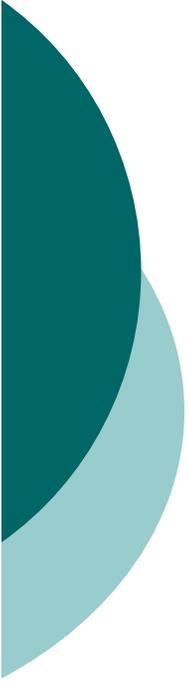
○ **Pre-Ten Waiver**

- Required for any child under 10 years old entering or placed in residential care
- Include a “pending” 626 with Pre-Ten requests
- **The Pre-Ten Waivers only section must be completed** and additional supportive services and efforts (Wraparound, counseling, etc) must be made to keep the child in a community placement prior to requesting residential placement
- These require a second-line review, monthly phone conferences, and approval process within Field Operations before going to the Child Welfare Outstate Director.
- A list of all requirements can be found in policy FOM 722-3 page 29-31.



DHS 396- Residential Exception Request

- Placement Capacity is in excess of 8 children
 - Check for every placement that has more than 8 children placed in the facility
- Placement outside the contracted Geographic Area
- Placement outside the contracted Bed Capacity
- Age (Program Type Exception- Non Pre-Ten Waiver)
 - Only check these if the **residential placement** agency indicates it is necessary
 - Each residential placement's contract with DHS determines if these are applicable



DHS 396- Residential Exception Request

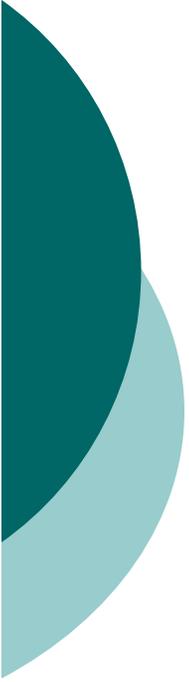
- **Placement in a residential program not under contract with DHS**

- Only select this box for any program that is a non-contracted placement
- Verify with the program if they are a contracted facility for residential placements from DHS, the per diem rate, and a detailed description of the program before submitting the exception request
- Include a “pended” DHS-626 in your submission packet for non-contract placements
- Additional approval necessary from BCAL



DHS 396- Residential Exception Request

- **Placement of an Abuse/Neglect Ward into a Residential Foster Care- Juvenile Justice Program**
- **Placement of a Juvenile Justice Ward into a Residential Foster Care- Abuse/Neglect Program**
 - Select one of these boxes when you have a ward (A/N or JJ) being placed into a residential program not designated for their specific wardship (A/N-JJ, or JJ-A/N only)
 - For these placements, obtain consent/agreement of LGAL, JJ worker and Court and provide documentation to that effect (example: in PPC documentation)
 - Adjudicated dual wards (A/N & JJ) who are assigned to DHS for supervision, approval needs to be obtained through BJJ/JJAU NOT FOA



DHS 396- Residential Exception Request

- **One-on-One Supervision**

- Select when the child will have full time, one-on-one supervision within the residential program
- Additional approval required from BCAL



DHS 396- Residential Exception Request

Facility Name

Facility Address

Per Diem

\$

Provider Number

Service Code

- Complete this section in its entirety.
- Consult the **RATES FOR CHILD CARE INSTITUTIONS AND PLACEMENT AGENCIES** section of OLM.
- SWSS-FAJ (for contracted placements) will also contain this information



DHS 396- Residential Exception Request

○ Section IV, Questions 1-6

Provide a narrative for all questions

Question 1

List the child's diagnosis (Axis I-V, DSM IV TR), Current medications; and any PRN (as needed) medication and frequency of use. Attach current copies of IEP, psychological tests/cognitive function assessment, behavior treatment plans, psychiatric reports, medication reviews, as applicable.

Please provide information as instructed above, including **details** on youth's diagnosis and medications. Include psychological tests, cognitive assessments, behavioral treatment plans, etc.

DHS 396- Residential Exception Request

Section IV, cont'd.

Question 2

∴ List each placement for the child and indicate why each placement was not successful and/or factors contributing to disruption of placement. Include services provided to prevent replacements.

Include a list of every placement. List the **specific behaviors** or incidents which led to child being replaced. When possible use dates to establish a timeframe. Include all attempts to prevent replacement.





DHS 396- Residential Exception Request

Section IV, cont'd.

Question 3 a & b

Initial Request: List efforts to locate less restrictive or other residential placement(s): list all referrals, including program name, person contacted, date of referral and reason for rejection:

Include a list of every agency (DHS or private) that was contacted for placement prior to request for residential. Include date, time, and person contacted for placement. List reason for the person not taking the child. This may be an attachment to the packet if preferable.

Renewal Request: List efforts to locate a less restrictive placement to achieve discharge.

Explain the what efforts have been made to locate less restrictive placement. If one has not sought out then describe the reason for not searching for alternative placement and future plan to transition the child into less restrictive placement.

DHS 396- Residential Exception Request

Section IV, cont'd.
Question 4

4. List the specific residential treatment components to meet the child's treatment needs at this facility.

Explain what this placement can specifically offer to address the specific needs of the child.



DHS 396- Residential Exception Request

Section IV, cont'd.
Question 5

Attach the most recent court order and Permanency Case Review Form (DHS-643).

Please indicate the permanency goal and attach court orders and DHS 643.

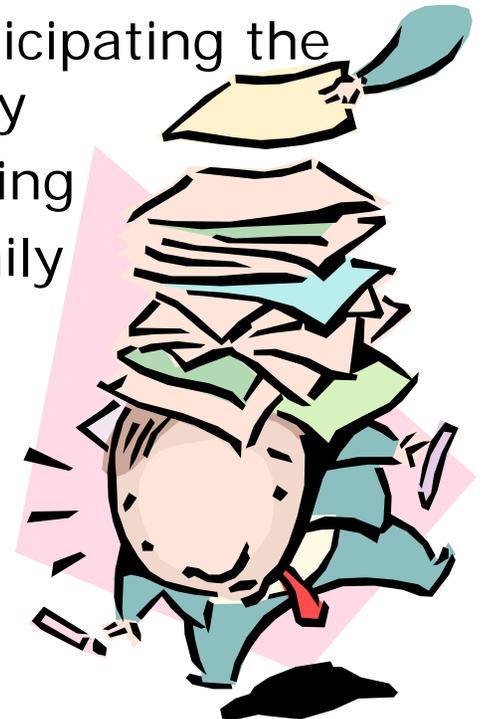


DHS 396- Residential Exception Request

Section IV, cont'd. Questions 6

Is a family identified as the next placement, and what efforts are being made by this county to assist the family in participating with child's program?

List all effort to assist the family in participating the child's treatment and progress. List any attempts to ensure parenting time, sibling visits, and other services to ensure family reunification.





DHS 396- Residential Exception Request

Pre-Ten Waiver Only Section Question 1

Provide a detailed description of assisted care, Wraparound or other interventions that have been used to maintain this child in the community.

- Include information on all treatment and services provided to child/family that would have aided in maintaining a community placement.
 - Attach FAS screening assessment results.
-
- **Placement of children less than ten years of age in residential or other institutional settings will not be authorized for more than three months.**
 - **This child's treatment needs must be reassessed every 90 days, including consideration of the most appropriate and least restrictive placement setting available to meet the child's treatment needs. The assessment must be documented in the Updated Service Plan.**
 - **Attach the most recent Service Plan (ISP/USP) and, if applicable, the RISP/RUSP to this request.**

DHS 396- Residential Exception Request

PROGRESS UPDATES SINCE LAST PLACEMENT EXCEPTION REQUEST

1. Please describe in detail the child's behaviors and progress in the program since the last request, that necessitates continued residential placement:

2. Seclusion and restraint numbers for last 3 months:

- **Attach the most recent Service Plan (ISP/USP) and the RISP/RUSP to this request.**

- List the **specific behaviors** or incidents which are the basis for requesting extension in residential care.
- When possible use dates to establish a timeframe.
- Include all applicable supporting documentation since the last exception request was completed (USP, RUSP, psychological evaluations, therapy notes, educational reports, etc.)

DHS 396- Residential Exception Request

○ **SIGNATURES**



- Obtain ALL necessary signatures for each request PRIOR to submission to Field Operations
 - Worker (direct/monitor)
 - Supervisor
 - Program manager (if applicable based on county)
 - County Director

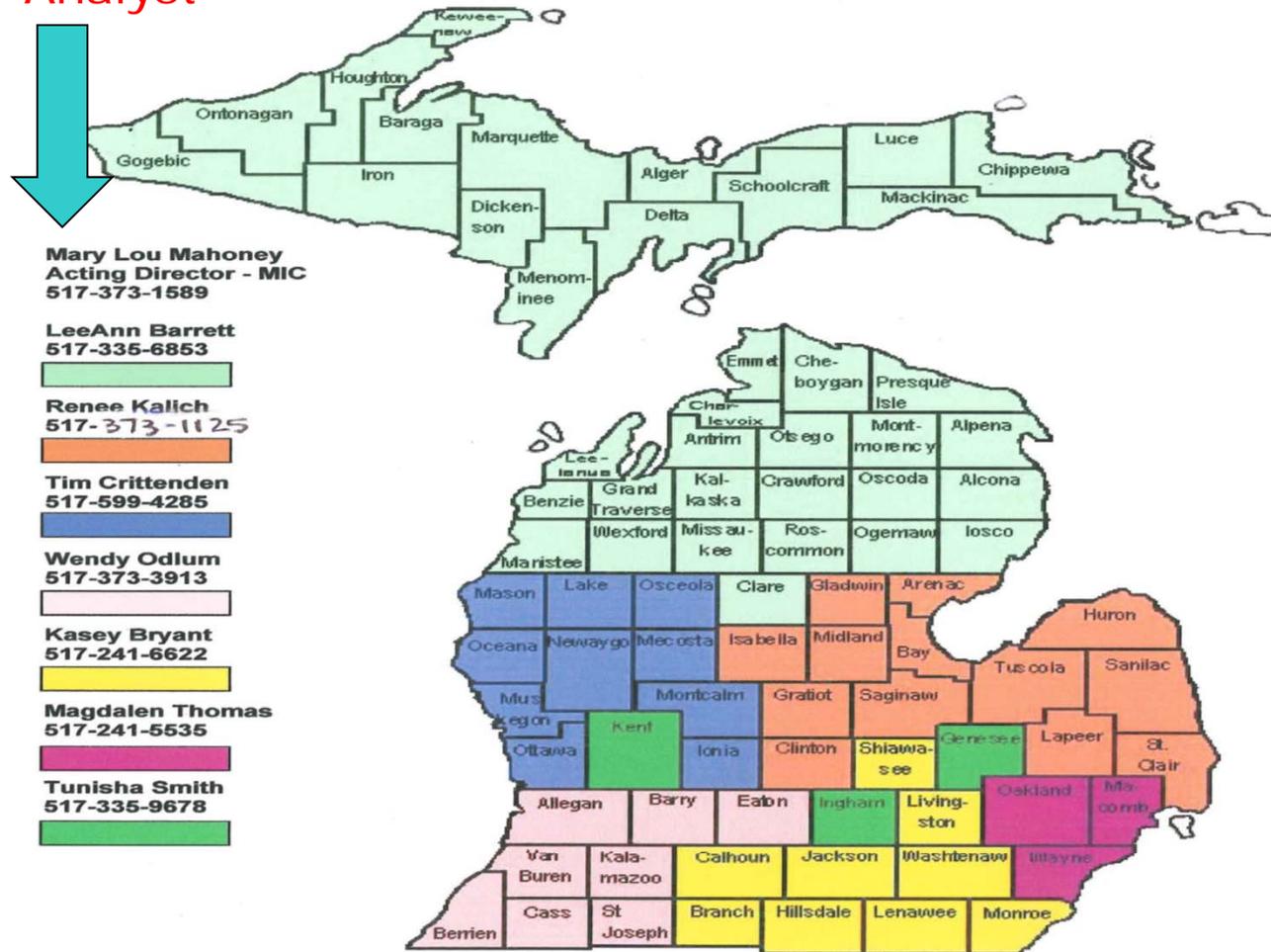
Documentation to submit

- Completed and signed exception request
- PPC documentation and outcomes
- Appropriate residential, therapeutic, educational, court, medical reports (SWSS reports will be obtained off SWSS by Field Operations for direct services cases)
- Psychological or psychiatric reports
- ANYTHING else that may assist in the review of the placement exception request



Any questions?
 Contact your
 CWFO Analyst

CHILD WELFARE FIELD OPERATIONS Coverage Area Map



Child Welfare Field Operations Fax: 517-241-2555