## **User Guide**

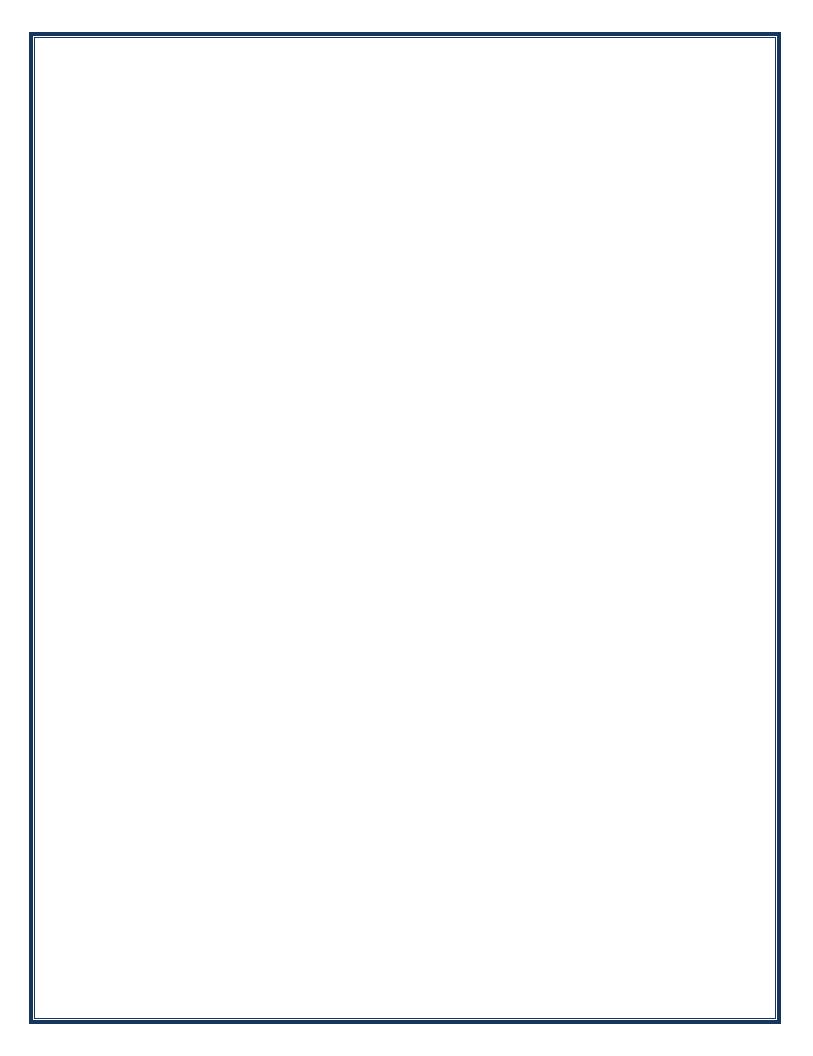
## for the

# Children's Services Act (CSA User Guide)



Original Date of Issue: July 1, 2015

Last Updated: September 1, 2020



#### **Table of Contents**

**Please Note:** The Table of Contents is hyperlinked to the specific sections. While your cursor hovers over any topic, press and hold the <Ctrl> key while using your mouse to click will take you directly to that section of the *User Guide*. Additionally, the document is searchable by using the Find command under the Edit Menu option or using the <Ctrl-F> combination.

1.0	Intro	duction	1
2.0	The C	Office of Children's Services: Supporting Implementation of the CSA	3
3.0	The C	hildren's Services Act as a System of Care	4
3.1	Wh	at is a System of Care?	4
3.2	Hov	w does CSA Relate to the System of Care?	5
3.3	Add	ditional Resources	6
4.0	Local	Management of the Children's Services Act	8
4.1	CSA	A as a State Supervised, Locally Administered System	8
4.2	Cor	mmunity Policy and Management Team (CPMT)	8
4	.2.1	Membership of the CPMT	8
4	.2.2	Duties and Responsibilities of the CPMT	9
4	.2.3	CPMT Authorized Exceptions to FAPT/MDT Process	12
4.3	Fan	nily Assessment and Planning Team (FAPT)	. 12
4	.3.1	Membership of the FAPT: Building the Team	13
4	.3.2	Duties and Responsibilities of the FAPT	. 14
4	.3.3	Alternatives to FAPT	. 15
4.4	Joir	nt Requirements of the CPMT and FAPT	. 15
4	.4.1	Freedom from Liability and Conflict of Interest	15
4	.4.2	Information Sharing/Confidentiality/Freedom of Information Act	. 17
4	.4.3	Submission of Required Client-specific Information to OCS	. 18
4	.4.4	Records Management	. 18
4.5	Rol	e of the Local CSA Coordinator	20

5.0	Elig	ibility for Funding through the Children's Services Act	21
5.1	. D	etermining CSA Eligibility	21
5.2	. A	ge Range for CSA Eligibility	21
5.3	S	tatutory Framework for CSA Eligibility	22
5	5.3.1	Eligibility Based on Special Education Status	22
5	5.3.2	Eligibility Based on Foster Care Status and Types of Foster Care Services	23
5	5.3.3	Eligibility Based on Behavioral/Emotional Needs and CHINS	28
6.0	Acc	ess to CSA State Pool Funds for Services to Eligible Children and Youth	30
6.1	. E	stablishment of the CSA State Pool	30
6.2	. Lo	ocal Matching Funds	30
6.3	S	um Sufficient and Non-Sum Sufficient Populations	30
6	5.3.1	Sum Sufficient Funds	31
6	5.3.2	Non-sum sufficient (Protected) Funds	31
6.4	. А	ssessing Parental Contributions for CSA Services	32
7.0	Det	ermining if CSA Funds Can Be Utilized ("Can CSA Pay?")	33
7.1	. Is	the Youth Eligible for State Pool Funds?	35
7.2	. Is	the Service the Responsibility of Another Agency?	35
7.3	ls	the Service Eligible for Another Funding Source?	35
7.4	Н	as the FAPT Recommended the Service and Developed an IFSP?	36
7.5	Н	as the CPMT Authorized the Funding?	37
7.6	D	oes the Service Meet All Federal and State Laws, Regulations, and Policies?	37
7.7	. A	dditional Resources	37
8.0	Ass	essment, Service Planning, and Case Management under the CSA	38
8.1	. 0	Overview: Service Planning through the FAPT	38
c	1 1	Poforral Policies	20

8.1.2	Family Involvement and Strengths-Based Practice	38
8.2 Ass	sessment	39
8.2.1	Mandatory Uniform Assessment Instrument	39
8.2.2	CANS Certification	40
8.2.3	CANVaS	41
8.2.4	Other Assessments	41
8.3 Ser	vice Planning	41
8.3.1	Development of the Individual Family Service Plan (IFSP)	42
8.4 Cas	se Management	44
8.4.1	Role of the Courts in CSA Service Planning	45
8.5 Ad	ditional Resources	46
9.0 CSA a	and Partner Agencies	47
9.1 Sch	nools and Special Education	47
9.1.1	Special Education Services Provided Outside of the Public School Setting	47
9.1.2	Special Education, the IEP and Utilization Review	49
9.1.3	Wraparound Services for Students with Educational Disabilities	49
9.1.4	Age of Eligibility to Receive Special Education Services through CSA	50
9.1.5	Parental Co-Payments for Special Education Services	50
9.1.6	Confidentiality of Educational Records	50
9.1.7	Additional Resources	51
9.2 Juv	renile Justice (Court Service Units)	51
9.2.1	Eligibility for State Pool Funds	51
9.2.2	Age of Eligibility for DJJ Referred Youth to Receive Services through CSA	51
9.2.3	Case Management of Youth Served through the CSA by CSU Staff	51
9.2.4	FAPT Role in Mental Health Transition Planning for Committed Juveniles	52

9.2.	.5 Allowable Services for Juveniles under CSU Supervision	52		
9.2.	.6 Virginia Juvenile Community Crime Control Act (VJCCCA)	53		
9.3	Local Departments of Social Services	53		
9.3	.1 Funding for Children in Foster Care	53		
9.3	.2 Services for Children in Foster Care	55		
9.3	.3 Protections for All Children Receiving Foster Care Services	56		
9.3	.4 Foster Care Prevention	56		
9.3	.5 Types of Foster Care Placements	57		
9.3	.6 Adoption Assistance (AA)	58		
9.4 Medicaid (DMAS)				
9.4	.1 Medicaid and Residential Placements - IACCT	62		
9.4	.2 Local Medicaid Matching Funds	62		
10.0 C	Consistency of CSA Practices with Other Regulations	63		
10.1	Medical Necessity for Specific Clinical Services			
10.2	10.2 Non-duplication of Case Management Services			
10.3 The Individuals with Disabilities Education Act (IDEA)				
10.4 Enhanced Maintenance for Children in Foster Care		64		
10.5 Denial of CSA Funds		65		
11.0 lı	ntensive Care Coordination	66		
11.1	1.1 Background: What is Intensive Care Coordination?			
11.2 The High Fidelity Wraparound Model		66		
11.3 The Role of ICC at the FAPT		67		
11.4	11.4 The Provision of ICC with Other Case Management			
11 5	11.5 Additional Resources			

12.0	Utilization Review and Continuous Quality Improvement	68
12.3	1 Utilization Review	68
12.3	3 CSA Continuous Quality Improvement (CQI)	69
13.0	Audit Engagement	70
13.1	1 Phase I: Planning	70
13.2	2 Phase II: Fieldwork	72
13.3	3 Phase III: Reporting	73
13.4	4 Phase IV: Follow-up	75
13.5	5 Frequently Requested Documents During Audits	77
1	3.5.1 CSA and Comprehensive Audit and Financial Report Requirements	79
14.0	Service Definitions	80
15.0	The CSA Service Fee Directory	81
16.0	CSA Vendor Contracts	84
16.1	1 General Issues	84
16.2	2 Competitive Bidding and Negotiations	84
17.0	CSA Administrative Funding	85
18.0	Supplemental State Allocations	86
18.3	1 Supplemental Allocation Requirements	86
1	8.1.1 Instructions for the Supplemental Allocation Request	88
18.2	2 Supplemental Request Allocation Form	96
19.0	Reports Available for Managing CSA	99
19.3	1 CSA Utilization Reports	99
19.2	2 CSA Pool Fund Expenditure Reports	99
19.3	3 CSA Performance Measures	100
20.0	Required Local CSA Reporting	101
20.2	1 CSA Local Expenditure and Data Reimbursement System (LEDRS)	101
2	0.1.1 Child Based Data Reporting System (CBDRS)	101

20.1.2	Non-Data Entry File Uploads	. 102
20.2 St	ate Pool Fund Reimbursement Report	. 102
20.2.1	The Report Preparer	. 102
20.3 Se	rvice Gap Survey	. 115
<b>21.0</b> The	Account Management System (AMS)	. 116
21.1 Ke	eeping the AMS Up to Date	. 116
21.2 A	MS – Search Roster	. 116
21.3 A	MS – Update Rosters/New User Registration	. 117
21.4 A	VIS – Local Approver Screen	. 121
21.4.1	My Approvals tab	. 121
21.4.2	Register User tab	. 122
21.4.3	Edit Profile tab	. 123
21.4.4	Edit/Update Users tab	. 124
21.5 Re	eset/ Forgot Password	. 125
22 0 Publ	ication Version Control	126

## 1.0 Introduction

The Children's Services Act<sup>1</sup> (referred to in this Guide as the *CSA*) represents an innovative partnership between state and local governments to provide an effective and efficient system of care. As stated in §2.2-5200, "it is the intention of this law to create a collaborative system of services and funding that is child-centered, family-focused and community-based when addressing the strengths and needs of troubled and at-risk youths and their families in the Commonwealth."

The CSA is a state-supervised, locally-administered system. The State Executive Council for Children's Services (SEC, §2.2-2648) and its administrative agency, the Office of Children's Services (OCS, §2.2-2649), are responsible for oversight of the CSA following all relevant federal and state laws, regulations, and the policies of the SEC. As defined in the statute, the Office of Children's Services shall develop and provide for consistent oversight of program administration and compliance with state law, policies, and procedures.

This *CSA User Guide* is one mechanism through which the Office of Children's Services meets these responsibilities. While the *User Guide* is not intended to answer all possible questions about CSA operations and is not a replacement for a thorough knowledge of relevant statutes, regulations, and definitive policies, it addresses the major areas of CSA implementation and administration at the local level. A companion document, the *CSA Policy Manual*, provides a comprehensive resource regarding specific policies adopted by the State Executive Council for Children's Services (SEC) for the administration of the CSA. Together, these documents provide CSA stakeholders with a resource to effectively and efficiently accomplish the goals of the CSA.

Every effort has been made to ensure the accuracy of the information, to reference, and establish congruence with relevant law and policy. The *User Guide* is not considered as the definitive resource to establish compliance with statute or policy related to the administration of the CSA, e.g., for audit purposes. For that purpose, the statutes themselves and the approved policies (see the *CSA Policy Manual*) of the SEC should be utilized. The staff of OCS hopes you will find this resource to be a useful tool in your work and appreciates your suggestions and feedback on the *CSA User Guide*.

<sup>&</sup>lt;sup>1</sup> Enacted by the Virginia General Assembly in 1992 as the Comprehensive Services Act for At-Risk Youth and Families and renamed as the Children's Services Act by the 2015 General Assembly.

#### **Some Notes on Terminology:**

• As the terms "shall," "may," and "may not" are utilized in the *User Guide*, such usage derives from the relevant statute or policy.

- The terms child and youth are used interchangeably throughout the document. No inference regarding age or other status is implied. When referring to a child in the context of his/her educational activities, the term student is used.
- References to the Code of Virginia (indicated by use of the "§" symbol) refer to the Code
  of Virginia of 1950, as amended through the most recent session of the General
  Assembly.
- All references to the Appropriation Act refer to the Budget Bill most recently enacted by the General Assembly of Virginia.

#### Children's Services Act (effective July 1, 2015)

According to an action of the 2015 General Assembly, effective July 1, 2015, the Comprehensive Services Act for At-Risk Youth and Families, the Office of Comprehensive Services, and the State Executive Council for Comprehensive Services for At-Risk Youth and Families were renamed as the Children's Services Act, the Office of Children's Services and the State Executive Council for Children's Services, respectively. The terminology in the *CSA User Guide* reflects this change.

References to the titles of specific documents issued before 2015 using the name "Comprehensive Services" have been left intact.

## 2.0 The Office of Children's Services: Supporting Implementation of the CSA

One of the core responsibilities of the Office of Children's Services is to support localities and other partners in the implementation of the CSA. In addition to the CSA User Guide and the CSA Policy Manual, OCS carries out this responsibility through a variety of activities.

#### The OCS:

- Develops and implements a robust training plan that includes an annual statewide conference, on-site presentations, and distance learning opportunities (e.g., "on-line" courses through the Commonwealth of Virginia Learning Center (COVLC), webinars).
   Non-state employees (or local agency employees not already enrolled by their agency in the COVLC) who are interested in taking courses through the COVLC may request an account ("Need an Account?) at <a href="https://covlc.virginia.gov/Default.aspx.">https://covlc.virginia.gov/Default.aspx.</a>
- Provides customized on-site training and consultation to localities in response to specific needs. To request on-site training, please contact one of the OCS Program Consultants (you can find the listing on the CSA website) or (preferably) complete the on-line Request for Technical Assistance form.
- Responds to specific questions from local and state CSA partners, parents, service
  providers, and others. Inquiries are accepted via phone, e-mail, or preferably through
  the <u>OCS Help Desk</u> feature of the CSA website. Use of the OCS Help Desk will assure a
  prompt response by the staff member best equipped to assist you.
- Maintains the CSA website (<u>www.csa.virginia.gov</u>), with a variety of information regarding all aspects of CSA implementation.

The staff of OCS strives to provide the highest quality customer service to support you in your work. Please do not hesitate to contact us. Specific contact information for OCS staff is found *here*.

## 3.0 The Children's Services Act as a System of Care

## 3.1 What is a System of Care?

The System of Care model emerged nationally in the mid-1980s as a framework and philosophy to better meet the needs of children, youth, and families coping with serious behavioral health challenges.

Almost 40 years later, the System of Care concept is widely accepted and in practice in states and communities across the country and has shown broader applicability across child-serving systems beyond strictly behavioral health – including child welfare and juvenile justice. There is a growing body of evidence that the philosophy and values embodied in a System of Care approach produce positive outcomes for youth and families, while at the same time reducing the need for more costly and restrictive placements. Simply put, the System of Care is **effective**, **ethical**, **and good public policy**.

On page 7, you will find a visual representation of Virginia's System of Care.

At the center are the child and family, emphasizing that no practitioner, agency, or court can create the conditions necessary for change without the full involvement and engagement of the child and family.

A focus on a child's needs is balanced with consideration of strengths, moving the approach away from a "problem" or "deficit-oriented" model that often serves only to remind practitioners, children, and families of problems and deficiencies. By focusing on a child and family's unique talents, abilities, and interests, a strengths-based approach offers hope for the future, an essential component of any successful change. In a System of Care and CSA, families are partners in the planning process, not passive recipients of the directives and services of the professionals and agencies that often have so much power and control over their lives.

There is a shared belief across the Commonwealth that all children and families who are "atrisk" deserve access to a coordinated array of critical services that will produce the best possible outcomes. The *shared vision, mission, and goals* of Virginia's System of Care are the "glue" that binds CSA together and, at its core, holds that a system that is child-centered, family-focused, and community-based is our shared value and aspiration.

"No wrong door" means that the agency the child/family first contacts should not limit access to the system of care. Services in jurisdictions burdened with high levels of poverty should be as

able to meet needs as those localities having more resources equally. Juvenile offenders with serious mental health needs who have committed a serious offense are treated equally as abused and neglected children needing to address trauma resulting from being a victim of someone else's behavior.

Multi-disciplinary planning and coordinated care are brought to life in CSA through the activities of the Family Assessment and Planning Team or FAPT (or another approved Multi-Disciplinary Team (MDT)). With few exceptions (i.e., services specified in an Individualized Education Program, maintenance-only foster care services), an interagency team must develop all services provided through the CSA. This team process utilizes the information from the mandated, uniform assessment tool, the Child and Adolescent Needs and Strengths, or CANS, which allows the kind of synergy and sharing of knowledge, perspective, and resources that cannot occur when all planning happens within a single agency.

Blended and braided funding allows fiscal resources to be shared in ways that will enable the child and family's needs to be prioritized over specific limitations of traditional funding stream "silos." The CSA itself combined separate sources of funds into what is known as the "state pool." Together with local matching funds, the state pool provides the core funding for the CSA. These funds are blended, in that they are fully integrated and not tied to their source. In addition to the blended funds in the CSA state pool, other fiscal resources remain under the control of specific agencies (e.g., Virginia Juvenile Community Crime Control Act (VJCCCA) under the joint management of localities and the Department of Juvenile Justice and Protecting Safe and Stable Families funds under the joint management of the local and state departments of social services). Where the System of Care is operating at its highest levels, these additional funding sources are braided. While still under single agency management, there is collaborative planning and utilization to achieve the best and highest use of these resources to meet the needs of children and families in the community.

## 3.2 How does CSA Relate to the System of Care?

Although the specific words "system of care" do not appear in their entirety in the statutory language of the CSA, the very first words, which lay out the intent of the Act, including the core concepts of the System of Care model.

It is the intention of this law to create a collaborative system of services and funding that is child-centered, family-focused, and community-based when addressing the strengths and needs of troubled and at-risk youths and families in the Commonwealth. (§2.2-5200)

The CSA itself is not the entirety of the system of care in Virginia. The structure of the CSA facilitates the principles of the model. It serves as a critical organizing element as localities and state agencies continuously strive to improve outcomes for children and families.

#### 3.3 Additional Resources

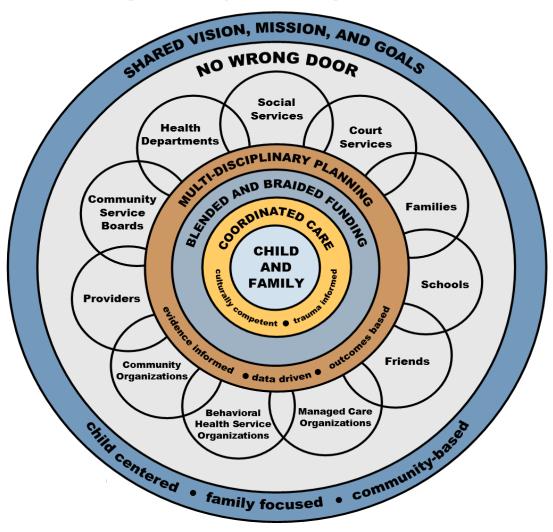
Children's Bureau Child Welfare Information Gateway on Systems of Care

National Wraparound Initiative

National Wraparound Implementation Center

Virginia Systems of Care Website

#### Virginia's Comprehensive System of Care





## 4.0 Local Management of the Children's Services Act

## 4.1 CSA as a State Supervised, Locally Administered System

The Children's Services Act is a shared responsibility of state and local governments. The state provides the majority of the funding and establishes through law and policy the broad operating requirements and guidance for the implementation and oversight. Localities provide substantial matching funds and have direct responsibility for the operation and administration of the CSA within established law and policy. The intent was to create a system in which localities have considerable flexibility to design a program that meets community needs while at the same time maintaining adequate consistency and accountability across the Commonwealth.

## 4.2 Community Policy and Management Team (CPMT)

#### 4.2.1 Membership of the CPMT

The local governing body establishes the Community Policy and Management Team (CPMT) per §2.2-5205. While the majority of CPMTs correspond to individual cities or counties, local governments may create joint CPMTs to serve multiple jurisdictions.

Membership of the CPMT shall include:

- at least one elected official or appointed official or designee for the governing body that is a member of the team;
- local agency heads or designees from the following:
  - department of social services
  - community services board/behavioral health authority
  - o court service unit
  - o school division
  - department of health;
- a representative of a private organization or association of providers for children's or family services if such organizations or associations are located within the locality; and
- a parent representative.

Other members may include, but are not limited to:

- a local law enforcement official;
- a local government official; and/or
- representatives of other public agencies appointed by the local governing body.

Each CPMT should establish a Chair whose signature on CSA documents shall serve as the official signature for the CPMT.

Each CPMT should also identify the person or agency responsible for signing placement agreements or contracts.

#### Notes:

- A resource document, <u>"Recruiting and Retaining Parent Members on Interagency Teams,"</u> is found on the CSA website.
- Localities seeking assistance in identifying potential private provider representatives can contact the Virginia Coalition of Private Provider Associations by e-mail at <a href="mailto:kids@vcoppa.org">kids@vcoppa.org</a> or by phone at (804) 643-2776.

#### 4.2.2 Duties and Responsibilities of the CPMT

The CPMT has the authority to determine local policies and procedures regarding the use of CSA funds and operating procedures within the statutory framework of the Act. Members of the CPMT are local agency leaders with authority to commit their agency's expertise, resources, and funding to provide services to the community's youth and families.

Specific requirements, duties, and authorities of the CPMT are outlined in §2.2-5206<sup>2</sup>, the Appropriation Act, and the policies of the SEC and fall into three general categories. These are:

- planning and policy development;
- fiscal and programmatic management; and
- data collection and reporting.

<sup>&</sup>lt;sup>2</sup> The specific CPMT powers and duties described here are not presented in full text. Users are directed to the full text of the Code of Virginia and the Appropriation Act for complete information.

#### 4.2.2.1 Planning and Policy Development

- Developing interagency policies and procedures to govern the provision of services
- Developing interagency fiscal policies governing access to the state pool of funds, including immediate access for emergency services
- Establishing policies to assess parental co-pays and a sliding fee scale
- Coordinating long-range, community-wide planning for children's services
  - Adoption of a community philosophy concerning the provision of human services for children and families
  - o Identification of the current service continuum and assessment of existing strengths and needs
  - Approval of a strategic plan based on the identified philosophy and analysis of the current system
- Establishing policies governing referrals and reviews of children and families by the FAPT
- Establishing procedures for obtaining bids for the development of new services
- Establishing policies for providing intensive care coordination
- Establishing policies and procedures for appeals by youth and families of FAPT decisions<sup>3</sup>
- Developing policies and procedures regarding the management of records to protect confidential data.

#### 4.2.2.2 Fiscal and Programmatic Management

- Establishing quality assurance and accountability procedures for program utilization and funds management
- Managing funds allocated from the state pool
- Reviewing recommendations for, authorizing, and monitoring of the expenditure of funds by each FAPT/MDT
- Submitting grant proposals
- Reviewing and analyzing management reports to evaluate outcomes and provider performance
- Consulting on the development of the local plan and, at the discretion of the locality, administering funds under the Virginia Juvenile Community Crime Control Act (VJCCCA,

<sup>&</sup>lt;sup>3</sup> This typically includes a local "due process" policy that includes a notice to families of their rights at the time of "admission" to CSA; opportunities for the family/child to be heard and to promote their position; and timelines for review of, and response to, requests to the FAPT and CPMT. The review process shall not take the place of any other review process (e.g., special education, foster care) pursuant to existing state or federal law.

<u>§16.1-309.3</u>) if these funds are not managed by a Commission established under <u>§16.1.-315</u>.

- Contracting with another CPMT to purchase program coordination services (for example, funding for CSA coordinator staff position)
- Ensuring that services and funding seek to preserve families in the appropriate, least restrictive environment
- Having a utilization management process (referred to as continuous quality improvement), including a uniform assessment instrument
- Ensuring the use of Medicaid funded services whenever they are "available and appropriate."

#### 4.2.2.3 Data Collection and Reporting

- Reporting to the OCS on programmatic and fiscal operations and recommendations for system improvement, including but not limited to:
  - Collecting and providing uniform data to the OCS (this requirement is met by submission of the Local Expenditure and Data Reimbursement System (LEDRS) files according to the established schedule)
  - Submitting to the Department of Behavioral Health and Developmental Services information on children and youth for whom admission to an acute care psychiatric or residential treatment facility could not be obtained. Instructions for such reporting can be found on the <u>DBHDS website</u> (select the "Forms" button)
  - o Providing information on utilization of residential treatment facilities and length of stay in such facilities (this requirement is met by submission of the LEDRS data)
  - Providing client-specific information from the mandatory uniform assessment (this requirement is met by entering child-specific CANS assessment information into the <u>CANVaS website</u> and database)
  - Annually reporting to the OCS on the gaps in services necessary to keep children in the community, as well as barriers to the development of these services (OCS annually issues the instructions and timeframes for submission of the Service Gap Survey. Results of the Service Gap Survey is found <a href="https://example.com/here">here</a>)
  - Providing other data that may be required by the Governor, General Assembly, or SEC.

#### 4.2.3 CPMT Authorized Exceptions to FAPT/MDT Process

Interagency policies shall ensure that individual family service plans (IFSP) are developed at the FAPT/MDT. CSA pool funds may not be used to implement service plans developed outside of the FAPT/MDT process. CPMT policy <u>may</u> allow for exceptions to this requirement in three instances:

- 1. Those cases solely involving the payment of foster care maintenance. As required by the Appropriation Act, "maintenance" is defined consistently with the federal title IV-E (and Virginia Department of Social Services) definition of maintenance, including both basic and enhanced as determined by the Virginia Enhanced Maintenance Assessment Tool (VEMAT). If "maintenance-only" cases are excluded from FAPT review, the written CPMT policies governing FAPT processes shall reflect this exclusion (§2.2-5209).
- 2. Cases referred by the public schools for a private day or residential education placement through an IEP.
- 3. State pool funds may be used for emergency placements/services if the child or youth is assessed by the FAPT/MDT within 14 days of placement/service initiation and the emergency placement/service approved consistent with the locality's policies.

Other than these exceptions, CSA state pool funds shall not be used for services developed outside of the FAPT/MDT process.

## 4.3 Family Assessment and Planning Team (FAPT)

While the functions of the Community Policy and Management Team are "administrative" in nature, the Family Assessment and Planning Team is the interagency group responsible at the individual "case" level for carrying out the CSA.

The work of the FAPT represents the "heart" of CSA implementation. At the FAPT, parents and professionals share their opinions, knowledge, experience, and expertise to assess needs and strengths and develop the best possible plan to address the issues that have brought the youth and family to the CSA process. FAPT reviews provide a time when progress towards goals is noted, and the plan is adjusted, as needed.

CPMT responsibilities include developing and implementing policies regarding how FAPT will carry out its assigned duties and responsibilities. Section §2.2-5209 requires the FAPT to "assess the strengths and needs of troubled youths and families who are approved for referral to the team and identify and determine the complement of services required to meet these unique needs."

The following section of the *User Guide* provides information on the membership of the FAPT, their duties and responsibilities, and the roles of the CPMT and FAPT working collaboratively to implement CSA in the locality.

#### 4.3.1 Membership of the FAPT: Building the Team

The Community Policy and Management Team "shall establish and appoint one or more family assessment and planning teams as the needs of the community require" (§2.2-5207). Each member of a FAPT brings unique expertise, information, and skills to the process. The multi-disciplinary forum brings the system of care concepts to life. The membership of the FAPT includes:

- representatives from the following community agencies who have authority to access services within their respective agencies:
  - o community services board/behavioral health authority
  - o juvenile court service unit
  - department of social services
  - o school division; and
- a parent representative.

The following optional members may be appointed:

- a representative of the local department of health at the request of the chairperson of the CPMT;
- a representative of a private organization or association of providers for children's or family services; and/or
- a representative of other public agencies.

Other parties or appropriate individuals, such as a guardian ad litem or Court Appointed Special Advocate (CASA), should be welcome to participate in meetings of the FAPT in which they have a legitimate interest. Parents should be able to bring additional individuals to support them in their participation in FAPT meetings.

#### Notes:

- A resource document, "<u>Recruiting and Retaining Parent Members on Interagency</u>
   <u>Teams</u>," can be found on the CSA website.
- Localities seeking assistance in identifying potential private provider representatives can contact the Virginia Coalition of Private Provider Associations by e-mail at <u>kids@vcoppa.org</u> or by phone at (804) 643-2776.

#### 4.3.2 Duties and Responsibilities of the FAPT

Service planning and review is the essential role of the FAPT. As described in §2.2-5208, CPMT policy shall provide direction for the following actions of the FAPT, including statements on **how**:

- children and families are referred to the FAPT and how the team will review these referrals
- families are included in all aspects of assessment, planning, and implementation of services (including foster families when a child is in a long-term foster care placement);
- the individual family services plan (IFSP) is developed
- children are identified who are at risk of entering or are placed in residential care through CSA who can be appropriately served in the community and steps to review those placements
- the ability of parents/legal guardians to contribute financially to the cost of services is assessed
- community referrals are made
- a case manager is designated to monitor and report on the progress made on the IFSP.

**Note:** Although there is no required template for the IFSP, a fillable model IFSP may be found under the "Forms" heading of the *Resources* area of the CSA website. More information about service planning is found in Section 8.0 of this *CSA User Guide*.

<u>§2.2-5211.1.3</u> describes FAPT responsibilities when placement of a child across jurisdictional lines is being considered, including:

- exploring all appropriate community services for the child
- documenting that no appropriate placement is available in the community
- reporting the rationale for the placement decision to the CPMT
- notifying the receiving school division whenever a child is placed across jurisdictional lines
- identifying children with educational disabilities in foster care to address requirements for expedited school enrollment and any special education requirements.

#### 4.3.3 Alternatives to FAPT

The FAPT is the standard for CSA multi-disciplinary teams. However, the Code of Virginia allows for the establishment of alternative multi-disciplinary teams to fulfill the FAPT role.

#### 4.3.3.1 Multi-Disciplinary Planning Teams (MDT)

CPMTs may establish an MDT to review specific types of cases, to consider more "routine" cases to permit the FAPT to focus on service planning for youth and families with more complex needs or other purposes. The MDT provides flexibility, may decrease the burden on FAPTs and maximizes the use of professional resources. Alternative MDTs are established according to the relevant SEC Policy 3.2.2.

Except as noted below regarding Family Partnership Teams, CPMTs that wish to establish an MDT shall complete and submit the "Request for State Executive Council Approval - Collaborative Multi-disciplinary Team" and submit it, along with any supporting documentation, to the Office of Children's Services. The form is reviewed, and if necessary, additional information may be requested. If complete, the request is placed on the agenda of the next State Executive Council (SEC) meeting. The SEC may approve or deny the request. If approved, policies regarding the establishment and operation of the MDT is incorporated into local CPMT policies and procedures.

#### 4.3.3.2 Family Partnership Teams

Family Partnership Teams (FPTs) associated with the Family Engagement Model (FEM) used by the state and local departments of social services may, in certain circumstances, serve as an approved MDT. In March 2010, the SEC adopted a policy regarding the incorporation of the principles of family engagement (Policy 3.3), including the use of Family Partnership Teams as approved alternative multi-disciplinary teams. A guidance document was developed by OCS to accompany the policy to provide technical assistance to CPMTs and FAPTs on how FPTs may be used in this manner. That document is found under the  $Guidance \rightarrow Family Engagement \rightarrow Guidelines for CPMTs on Family Engagement on the CSA website.$ 

## 4.4 Joint Requirements of the CPMT and FAPT

Several provisions of CSA apply to the work of both the CPMT and the FAPT.

#### 4.4.1 Freedom from Liability and Conflict of Interest

Virginia law provides the members of both the CPMT and the FAPT with broad latitude to carry out their responsibilities regarding the planning, development, and provision of services to

children and families under CSA. A statutory assurance of immunity from civil liability allows the members of CPMT and FAPT to exercise their best professional judgment when carrying out the duties of the teams ( $See \ \S 2.2-5206 \$ and  $\S 2.2-5208 \$ for CPMT and FAPT powers and duties, respectively). A CPMT or FAPT member may be held civilly accountable for his or her decisions only if it is proven that the individual member acted with "malicious intent" ( $See \ \S 2.2-5205 \$ and  $\S 2.2-5207 \$ for the CPMT and FAPT immunity from liability, respectively).

Statutory language to guard against conflicts of interest for members of a CPMT is found in §2.2-5205 for FAPT members in §2.2-5207 and requires specific members to complete a statement of economic interest. Section §2.2-3115 addresses the requirements for local government officers and employees to file the financial disclosure statement if the governing body has designated them to file. (See §2.2-3117 and §2.2-3118 for the disclosure form requirements). Refer to the table below for the applicable forms and filing requirements.

Sections §2.2-5205 and §2.2-5207 require that CPMT and FAPT parental and private provider representatives abstain from decision-making where there may be a personal or fiduciary interest. All CPMT and FAPT members are expected to avoid any activity that might be perceived as or actually benefitting them personally.

Though not required of local government employees or officers, training is available for your convenience and can be accessed via this link: <u>Local Government Employee and Officer Training Module</u>. For additional guidance about conflicts of interest, consult the Virginia Conflict of Interests and Ethics Advisory Council website <u>here</u>.

Each person who is required to file such disclosure must file their required statement before assuming office or taking employment. After that, they will follow the applicable schedule below:

CONFLICT OF INTEREST DISCLOSURES – FILING RESOURCES  Effective July 1, 2016			
Applicability	Frequency	Disclosure Due Date	Form
CPMT and FAPT members representing a public agency (where applicable)	Upon appointment and annually thereafter	February 1	<u>Statement of Economic Interests</u> <u>Form</u>
Non-salaried CPMT and FAPT citizen members	Upon appointment		<u>Statement of Economic Interests</u> <u>Form</u>

#### 4.4.2 Information Sharing/Confidentiality/Freedom of Information Act

#### 4.4.2.1 Public Meetings and the Freedom of Information Act

Conducting the business of the CSA is a matter of public interest. Certain activities are generally presumed to be open to the public and subject to the provisions on the Freedom of Information Act (FOIA). Other activities in which personal or protected information about individual children and families is shared are exempt from FOIA and considered "confidential." Specifically, FAPT, MDTs, and CPMT shall ensure that all discussions regarding the referral and provision of services and funding for specific children and families or review of such are confidential unless a child and family requests in writing that their portion of the meeting is open to the public (§2.2-5210).

Family Assessment and Planning Teams are exempt from the provisions of the Virginia Freedom of Information Act (FOIA.) ( $\underline{§2.2-3700~et~seq}$ ). Consequently, FAPT meetings are not open to the public "unless the child and family who are the subjects of the proceeding request, in writing, that it be open" ( $\underline{§2.2-5210}$ ).

Meetings of the Community Policy and Management Team <u>are not</u> exempt from the provisions of FOIA. The vast majority of the work of the CPMT relates to public information, such as surveying needs and gaps or barriers to services, developing policy, procurement of services, management of public funds, and long-range strategic planning for meeting the community's needs. These activities must be transparent and CPMT meetings are subject to the requirements of FOIA. However, when the CPMT reviews specific cases or approves funding for individual children and families, or needs to discuss other confidential issues, these proceedings shall be held confidential and not open to the public. The exception is "unless the child and family who are the subjects of the proceeding request, in writing, that it be open." For discussion of confidential matters, the CPMT should follow the process for a closed session outlined in §2.2-3712.

## 4.4.2.2 Confidentiality and Information Sharing / Protecting Personally Identifiable Information (PII)

Members of all teams (FAPT/MDT/CPMT) shall keep confidential all information obtained about a specific child and family during the CSA process and while carrying out their CSA responsibilities. This information may not be shared except as permitted by law.

The Code of Virginia places the responsibility of obtaining the consent to share client information on the agency making the referral to the FAPT. The statutory language also makes clear that all agencies are expected to cooperate with the FAPT and "promptly deliver, upon

request and without charge, such records of services, treatment or education of the family or child as are necessary for a full and informed assessment by the team."

Finally, all information contained in CSA-specific files should be maintained securely, in locked files, and with appropriate access controls.

#### 4.4.3 Submission of Required Client-specific Information to OCS

Various sections of the COV and the Appropriation Act require that "using a secure electronic database," the CPMT and FAPT shall provide the Office of Children's Services with client-specific data. This includes information from the mandatory uniform assessment instrument and the Local Expenditure Data Set Reimbursement System (LEDRS). Local governments meet these obligations when case managers complete the Child and Adolescent Needs and Strengths (CANS) assessment online in CANVaS and when the CSA LEDRS files, containing demographic, service, and financial data for each youth are submitted. All client-specific information shall remain confidential. Only non-identifying aggregated demographic, service, and expenditure information may be made available to the public. Additionally, when communicating via e-mail, whenever any Personally Identifiable Information (PII) is included, such e-mail should be encrypted.

#### 4.4.4 Records Management

The CPMT shall adopt written policies and establish procedures regarding the management of printed and electronic records for the following purposes:

- to protect confidential data regarding individual children and families;
- to create an internal structure for the management of documents;
- to assure that appropriate records to document the FAPT decision-making and provision of child-specific services are maintained for audit reasons; and
- to comply with federal and state requirements regarding confidentiality, records management, storage, and destruction.

There is a minimum documentation inventory to assist local CPMTs and FAPTs in managing their records. This inventory is found here.

The retention and destruction of original records is based on the retention and destruction policy of the agency under whose purview the document originated. For example, the management of foster care records is governed by the requirements for record retention of the Department of Social Services. Duplicates or "copies of convenience" of original records are not under the purview of the destruction schedule. Much CSA documentation may be duplicates (e.g., copies of Individual Education Programs (IEPs)), but other documentation such as IFSPs

are original to CSA. Records original to CSA may consist of individual client files maintained by the local CSA office for which the contents may include, but are not limited to:

- Client referral form
- CSA eligibility determinations
- Parent co-pay assessments, notifications, payment agreements
- CANS assessments
- Individual Family Services Plan (IFSP)
- Child in Need of Services (CHINS) determinations
- Parental Agreements
- Certificate of Need (if prepared by FAPT)
- CPMT funding requests/authorizations
- Utilization review charts/reports (if performed by FAPT or purchased)
- Treatment plans and progress reports where required by local CSA vendor contracts and where CSA Pool Funds were used to purchase services
- Assessment reports prepared and or requested by FAPT for use in service planning, funded by CSA (e.g., psychological and clinical evaluations)

The Library of Virginia (LVA) is responsible for managing the retention and destruction of all public agency records. Per guidance received from the LVA, local CSA offices and representatives should refer to *Records Retention and Disposition Schedule GS-15, Social Services (Feb 2012)* for retention periods of locally held records related to the fulfillment of the Children's Services Act and its requirements. The section about CSA is Comprehensive Services Records, Series Number 000174, on page 5 of 7. The retention period established for this records series is "Retain 3 years after last review then destroy in compliance with No. 8 on the schedule cover page."

While this retention schedule specifically references Social Services, the LVA has advised that it is accepted practice and regular occurrence that other local offices utilize different retention schedules to manage their records. In this context, local CSA offices are encouraged to use LVA Records Retention and Disposition Schedule GS-15 in conjunction with locally established CSA records management policies and procedures.

More detailed information about records management is found at the Library of Virginia at <a href="http://www.lva.virginia.gov/agencies/records/">http://www.lva.virginia.gov/agencies/records/</a>. This website includes an excellent resource, the Virginia Public Records Management Manual.

#### 4.5 Role of the Local CSA Coordinator

CSA Coordinator responsibilities vary widely across Virginia as many factors determine how local governments decide to handle this function. Local government resources, the size of the CSA population, the cost of services, and even the previous experience and expertise of an individual may all affect the exact responsibilities of a "CSA Coordinator" in a given locality. The local government has the flexibility to decide how and where it wishes to focus the coordinator's time and efforts. Local governments may employ several staff to manage CSA in the community or may divide tasks across staff with experience in a specific area.

A local government may also choose where to "house" the office of the CSA Coordinator. The CSA Coordinator may be under the direct supervision of county or city government (housed in the City/County administrative offices) or be placed administratively in any of the CSA partner public agencies.

The Office of Children's Services has developed a model CSA Coordinator Job Description that is found in the "Forms" section of the *Resources* area on the CSA Website. It may assist local governments in understanding the role and responsibilities of CSA program staff and is not to be interpreted as a required format or template.

## 5.0 Eligibility for Funding through the Children's Services Act

Eligibility for services provided by CSA and access to state pool funds are intertwined. This first section will address what circumstances make a child eligible for services funded through the Children's Services Act. A subsequent section will discuss how the state pool fund is structured to support those services financially for eligible children and their families.

The Children's Services Act merged separate state funding streams that supported services to various populations into what is known as the "state pool." When CSA was created, statutory language ensured that children who were being served by these funding sources would remain eligible for services under CSA.

## 5.1 Determining CSA Eligibility

<u>§2.2-5212</u> outlines the criteria for eligibility to receive CSA funded services. Each locality, through its Community Policy and Management Team, shall have policies and procedures to determine a child's eligibility (i.e., the process by which the CPMT determines and documents that the child meets one or more of the criteria listed in this section of the Code; use of the uniform assessment instrument).

## 5.2 Age Range for CSA Eligibility

The age of eligible youth is defined in §2.2-5212.B, which clarifies that the use of the term "child" or "youth" under the CSA refers to a person younger than age 18, or an individual over the age of 18 through age 21 who remains eligible for foster care services as required by federal and state law. Federal and Commonwealth of Virginia special education regulation requires the provision of special education services for students with disabilities ages two to 21 inclusive (this means that a student with an educational disability whose 22<sup>nd</sup> birthday is after September 30 remains eligible for educational services for the remainder of the school year).

#### 5.3 Statutory Framework for CSA Eligibility

The identified populations that are eligible for funding through the CSA state pool are defined in §2.2-5212.

#### 5.3.1 Eligibility Based on Special Education Status

Students with disabilities who are eligible for special education services are in the CSA "target" population. They include those with (educational) disabilities who have an Individualized Education Program (IEP) that indicates the student requires placement in a private special education program/school to meet their educational needs.

These placements may be in either private day schools or residential programs and include children in foster care or placed in private residential facilities by local departments of social services or juvenile justice.

#### 5.3.1.1 Extension of the Special Education Mandate: Special Education Wraparound Funding

Eligibility under CSA is extended to an additional group of students with disabilities. These are students with disabilities presently served in a public school or private day school setting with needs arising from the disability that threatens the student's ability to be maintained in the home, community, or school. The State Executive Council has established a policy (Policy 4.1.3) identifying these students as eligible for certain CSA services, labeled "wraparound services for students with disabilities." Such services may only be provided in the home or community (not the school setting). This eligibility category, as well as other CSA-funded Special Education services, are discussed more fully elsewhere in the *User Guide*.

The funding for Wraparound Services for Students with Disabilities is a specific amount set aside within the overall CSA appropriation (in FY2021-2022, this amount was \$2.2 million in state general funds). Effective beginning FY2019, localities are allocated an appropriation from these funds based on the average of their three prior years utilization. Exceptions to this approach are possible by contacting the OCS Business and Finance Manager. Additional details regarding the annual appropriation of these funds are distributed via Administrative Memo from OCS. OCS Administrative Memos can be found <a href="https://example.com/here-new/memoscape-new/memo

#### 5.3.2 Eligibility Based on Foster Care Status and Types of Foster Care Services

Any child who is eligible for foster care services (as defined in §63.2-905) is included in the CSA target population. Foster care services are defined broadly as the "full range of casework, treatment and community services, including but not limited to independent living services..." Foster care services are provided to children who are abused or neglected per §63.2-100, or in need of services per §16.1-228.

Children who meet either of these criteria are eligible for:

- services to prevent the need for foster care placement,
- placement placed through a non-custodial agreement between the local DSS agency or an agency designated by the CPMT (CSA Parental Agreement) where the parents retain legal custody,
- entrustment or commitment (custody) to the LDSS,
- participation in the Kinship Guardianship Assistance program per §63.2-1305. Foster Care Prevention.

#### 5.3.2.1 Foster Care Prevention

Foster care prevention services may be provided to stabilize the family situation if the need for the service is documented in the local department's service plan or the Individual Family Services Plan (IFSP) used in conjunction with CSA. Provision of foster care prevention services is also appropriate if the local department of social services has initiated court proceedings to remove the child from his or her home.

#### 5.3.2.2 Non-Custodial Foster Care and CSA Parental Agreements

When a child is determined to be a Child in Need of Services (CHINS) (see Section 5.3.5 below) and requires, or is at risk of placement outside of the home, they are eligible for CSA. A formal agreement is needed with the parent to make such a placement. The statute allows placement when the child "has been placed through an agreement between the local board or the public agency designated by the community policy and management team and the parents or guardians where legal custody remains with the parents or guardians" (§63.2-905). This provision permits parents to obtain services, mainly residential treatment services, for their children with severe emotional, behavioral problems without having to relinquish custody to a local department of social services.

There are two types of these agreements, DSS Non-Custodial Foster Care Agreements and CSA Parental Agreements, which, although similar in purpose, are managed very differently. There are many parallels in the two agreements, including:

 the purpose of the agreement is to provide mental health treatment for a child with emotional/behavioral disorders when all other avenues or resources have been exhausted;

- a formal agreement outlining expectations must be signed;
- only out-of-home treatment placements are appropriate (residential, group home or Treatment Foster Care (TFC));
- the child is under the age of 18 at the time of placement;
- the agreement is voluntary;
- either party may terminate the agreement with notice as stated in the agreement;
- it is not used in cases where abuse or neglect has occurred or is an issue;
- (if CSA funds are used), all CSA requirements such as screening for Medicaid eligibility,
   FAPT review, administration of the uniform assessment instrument, and utilization review must be met;
- the parent retains legal custody;
- the parent is required to be involved in planning and treatment; and
- the plan is to return the child home as soon as appropriate.

#### **5.3.2.2.1** Non-custodial Foster Care Agreements

Non-custodial foster care agreements are a mechanism in which the local department of social services provides case management to children placed outside of the home for behavioral health treatment without the parent being required to relinquish custody. Court involvement is required. For more information regarding Non-Custodial Foster Care Agreements, see the *Virginia Department of Social Services Foster Care Manual* (Look under "Guidance Manuals").

#### 5.3.2.2.2 CSA Parental Agreements

CSA Parental Agreements are agreements made between an agency designated by the CPMT, other than the local department of social services and a parent or guardian who retains legal custody. As with non-custodial agreements, the child is placed outside of the home for behavioral health treatment with a local public agency providing case management services. The similarities in the two types of agreements are listed above. The differences are:

VDSS Non-custodial Foster Care Agreement	CSA Parental Agreement	
The child is "in foster care placement"	Child is receiving a "foster care service"	
Court involvement is required including the		
filing of a petition, submitting a Foster Care	No court involvement is required	
Plan, court reviews, and court approval to		
terminate the agreement		
The case must be entered into OASIS	The case is not entered into OASIS	
The child may be eligible for title IV-E	The child is not eligible for title IV-E	
The case is referred to Child Support	May be referred to Child Support Enforcement	
Enforcement	or for CSA parental contribution	
Local DCC (LDCC) correct as the case manager	Agency other than LDSS serves as the case	
Local DSS (LDSS) serves as the case manager	manager	
Agency (LDSS) placement	Parent places child, not agency	

Although the agreement is between an agency designated by the CPMT and the parent, the CPMT must also approve and sign the agreement as CSA is the funding source. A local public agency *may not* enter into a CSA Parental Agreement without the approval of the local CPMT. CPMTs may use the standard CSA parental agreement template, which is <u>Attachment B</u> (<u>Parental Agreement Template.pdf</u>) of the <u>Interagency Guidelines on the Provision of Foster Care Services to Specific Children in Need of Services</u>. Additional information on parental agreements is found in the Resources > Guidance > Child in Need of Services > <u>CHINS Frequently Asked Questions</u> area of the CSA website.

#### 5.3.2.3 Court Ordered Placements

CSA Parental Agreements and Non-Custodial Foster Care Agreements are intended to be voluntary placements on the part of the parents. However, Virginia law provides judges with the dispositional option of ordering such a placement following a CHINS determination. If court-ordered, these agreements are not strictly voluntary on the part of the parent or youth.

The CSA parental agreement template was developed and designed for use with families who were voluntarily seeking services for their child and did not need or want the intervention of the court. Consequently, the wording in the parental agreement template is inconsistent with a court-ordered placement. If they choose to use the template for these agreements, the FAPT and CPMT should modify the language to reflect that the placement is court-ordered and not "voluntary."

#### 5.3.2.4 Commitment or Entrustment to the Local DSS

Commitment or entrustment is "traditional" foster care placement. The court grants custody or a parent entrusts a child to the local DSS and the child is placed in a foster home, a treatment foster home, a group home, or a residential facility, depending on the child's needs. The child

may even remain in his or her home with the local department holding custody. Typically, a child in the custody of DSS is only in the home on approved visits or when transitioning from an out of home placement. Children who are placed by LDSS in an approved foster home or licensed facility and in the custody of LDSS are eligible for CSA.

#### **5.3.2.5 Fostering Futures (See** *§63.2-917 – §63.2.923 for the relevant statutes)*

Youth who attain the age of 18 while in foster care placement are eligible for "Fostering Futures." Fostering Futures permits the extension of foster care placement and services until the individual turns 21 if certain conditions are met, including a voluntary entrustment agreement signed by the youth and the LDSS. Following guidance from the Virginia Department of Social Services, only certain types of placements are allowable under the Fostering Futures program.

Youth who were in foster care before age 18, but then committed to the Department of Juvenile Justice are also eligible for Fostering Futures. Youth that turn 18 while under commitment to DJJ are eligible for the *Fostering Futures* program when they are released and until they turn 21 as if they had never left foster care. (COV § 63.2-919)

VDSS specifically defines the range of allowable (and non-allowable) services under the Fostering Futures program. For more information about these services, please refer to the *Virginia Department of Social Services Foster Care Manual (Guidance Manuals)*.

As noted in 5.3.2.4, youth in foster care placement who turn 18 years of age may remain in foster care placement and continue to receive foster care services as appropriate (e.g., treatment foster care case management) under *Fostering Futures*. The youth must sign a voluntary entrustment agreement that must meet at least one of five criteria regarding attaining self-sufficiency. As this is considered a new foster care episode, the youth's eligibility for IV-E must be re-determined based on the youth's income.

If the youth remains in a foster home placement, the foster parent continues to receive maintenance payments (basic and enhanced, if determined appropriate by the VEMAT) and the youth is considered to be "in foster care." However, the youth may also select another living arrangement and receive the basic maintenance payment directly. Youth served under *Fostering Futures* may not be placed or reside in group homes or residential treatment facilities. All youth in the *Fostering Futures* program are eligible and "sum sufficient" for CSA.

For more details, including specific exceptions (e.g., youth who turn 18 before July 1, but will graduate before his or her 19<sup>th</sup> birthday) regarding please see the <u>Virginia Department of Social Services Foster Care Policy Manual (Guidance Manuals).</u>

#### 5.3.2.6 Kinship Guardianship Assistance Program (KinGap) – (Effective July 1, 2018)

The General Assembly established the Virginia Kinship Guardianship Assistance Program (KinGap) with implementation effective July 1, 2018 (COV §63.2-1305, §63.2-100) and §63.2-905). KinGap facilitates the placement of children with relatives (including fictive kin as defined in the Code of Virginia) and provides a supported permanency option for foster children for whom return home or adoption are not appropriate goals. KinGap provides a new way for relatives to access long-term support when assuming the responsibility of caring for children in their extended family. Local departments of social services (LDSS) are encouraged, when appropriate, to use the emergency foster home approval process to facilitate relative placements that may ultimately become KinGap homes. Once the child has been in the (DSS approved) "relative foster home" six months or longer, the relative may sign a KinGap assistance agreement with the LDSS, who will petition the court to transfer legal custody to the relative. Once custody is transferred, the child is no longer in foster care but the child and family are eligible for KinGap assistance until the child reaches age 18. The child's funding source for maintenance (both basic and enhanced, if appropriate) continues to be title IV-E or CSA.

Children eligible for KinGap qualify for all foster care services as defined in §63.2-905, meaning these children meet the criteria established in the Code of Virginia (§2.2-5211 and §2.2-5212) as eligible and "sum sufficient" for CSA. KinGap assistance includes the payment of the maintenance payment as well as the provision of services recommended by the FAPT and approved by the Community Policy and Management Team (CPMT).

In many ways, KinGap is managed similarly to Adoption Assistance (e.g., the locality holding custody at the time of transfer to relative guardianship remains responsible for maintenance payments, payment of non-recurring legal expenses is allowed). However, in KinGap, there is no provision for special services payments. If services are needed, KinGap children and families are referred to the Family Assessment and Planning Team in the locality of the family's residence. Provision of *services* is the responsibility of the residence locality; *maintenance* costs, whether IV-E or CSA, are the responsibility of the locality holding the Kinship Guardianship Assistance Agreement. Children living in KinGap homes are eligible and sum sufficient for services through CSA.

Legislation passed by the 2020 General Assembly adds a definition of "fictive kin" who may enter into Kinship Guardianship Agreements effective July 1, 2020.

#### 5.3.3 Eligibility Based on Behavioral/Emotional Needs and CHINS

Children/youth with significant emotional/behavioral needs and high-risk behaviors that require intervention and treatment are also included in the CSA target population. Additionally, a child/youth exhibiting such needs/behaviors may be determined to be a Child in Need of Services, "CHINS." Such determination may be made by a Juvenile and Domestic Relations Court or by the FAPT. The Court may determine that a child meets these eligibility criteria by entering a finding of a Child in Need of Services. When a court determines a child to be CHINS and orders either out-of-home placement or services to prevent out-of-home placement, the child meets CSA funding eligibility criteria under §2.2-5212.A.4. The FAPT does not need to redetermine the child's eligibility for CSA funding.

Absent a court finding, the Family Assessment and Planning Team may determine a child to be "in need of services" and requiring foster care (prevention) services as defined in §63.2-905. Families of children and youth with severe emotional/behavioral problems who are seeking services are not required to petition the Court to establish CSA eligibility and to obtain these services. This process is governed by "Final Interagency Guidelines on Foster Care Services for Specific "Children in Need of Services" funded through the Comprehensive Services Act (CSA)." adopted by the State Executive Council (Policy 4.1.1). The Guidelines include a standard CHINS Eligibility Checklist (Attachment A of the Interagency Guidelines) that shall be used by FAPT to make this determination.

Allowing a FAPT determination of a Child in Need of Services is based on an Opinion from the Attorney General. Additional background information can be found in the Resources > Guidance > Child in Need of Services > CHINS Frequently Asked Questions area of the CSA website.

The FAPT should complete the <u>CHINS Eliqibility Checklist</u> to determine if a child meets the statutory definition of a child "in need of services" <u>and</u> requires one of the three types of services. If the FAPT agrees that the criteria on the worksheet are met, the child's eligibility for CSA is established.

A finding by either the court or the FAPT is sufficient for determining eligibility for CSA funding. When a child has been determined to meet CHINS criteria **and** requires out of home placement **or** services to prevent the out of home placement, the child meets CSA funding eligibility criteria under §2.2-5212.A.4. The definition of a child "in need of services" is found in §16.1-228. If the child is determined to be a "child in need of services" (CHINS), the child meets the sum sufficient criteria for CSA funding, whether that determination is made by the Court or by the FAPT.

A child may have significant behavioral needs yet not meet CHINS criteria. Such youth are included in the population defined in §2.2-5212 and eligible for CSA funds, but may not fall into a population for which services are sum sufficient. In such circumstances, the locality may use its "Protected" funds to purchase services.

#### 5.3.3.1 Services for a Child Based on CHINS Eligibility

Services for a child eligible for CSA through a CHINS determination may be provided in the home (foster care prevention) or out of the home in a treatment setting. If the child is placed outside of the home, either a non-custodial foster care agreement or a CSA parental agreement (described in Section 5.3.2.4 above) must be entered into by the CPMT, the public agency, and the family.

Services provided to a "child in need of services" provided either in the community or to a child placed through a CSA parental agreement in a treatment program <u>may not</u> extend past the youth's 18<sup>th</sup> birthday. There is no statutory provision to continue these services beyond that age limit.

# 6.0 Access to CSA State Pool Funds for Services to Eligible Children and Youth

This section of the *CSA User Guide* describes the use of the "CSA state pool" for funding of services through the Children's Services Act.

#### 6.1 Establishment of the CSA State Pool

<u>§2.2-5211</u> establishes "a state pool of funds to be allocated to all community policy and management teams in accordance with the Appropriation Act and appropriate state regulations." The state pool was created by combining specific agency funding streams that previously purchased both residential and non-residential services for individual children.

# 6.2 Local Matching Funds

The majority of the funding streams that were merged into the state pool had requirements for local matching funds. The establishment of the CSA state pool eliminated these individual match rates and established a single specific local match rate for all funds allocated through the state pool.

**Note:** Each locality's "base" match rate for CSA pool funds is determined based on the funding formula found in the Appropriation Act and includes an adjustment to that rate for certain types of services. Specifically, the local match rate for services defined as "residential" is 25% higher than the base local match rate. The local match rate for services identified as "community-based" is 50% below the base local match rate. The specific services defined as "residential" and "community-based" were determined by the State Executive Council and can be found *here*.

# 6.3 Sum Sufficient and Non-Sum Sufficient Populations<sup>4</sup>

<u>§2.2-5211</u> describes funding requirements for two different types of CSA eligibility, populations to receive sum-sufficient and non-sum-sufficient funding.

<sup>&</sup>lt;sup>4</sup> Previous version of the CSA User Guide use the terms mandated and non-mandated interchangeably with sumsufficient and non-sufficient, respectively. n order to create greater clarity, this terminology is no long being used.

Of those children eligible for funding through the state pool, §2.2-5211.C makes a critical distinction establishing two groups:

- those for which the state pool and local matching funds shall require sum sufficient funding; and
- those for which the state pool and local matching funds do not require sum sufficient funding.

The definition of sum sufficient and non-sum sufficient groups is based on requirements to provide enough funding to meet federal mandates for specific groups of children.

#### 6.3.1 Sum Sufficient Funds

Sum sufficient funding means the state pool and the required local matching funds **must** cover the full cost of services to meet relevant federal mandates, regardless of the amount. The children and youth for whom sum-sufficient funding must be appropriated are:

- students with disabilities whose IEP requires placement in private special education programs, either private day or residential; and
- children and youth who are receiving foster care services as described in §63.2-905.
  - this group includes those meeting the CHINS determination criteria for the foster care services category described previously.

The practical impact of the sum sufficient requirement is that the state and the locality **must appropriate** the full amount of funding for those children in these populations. If those costs exceed the amounts appropriated or allocated in the state or local budgetary processes, additional funding must be allocated. Localities can request additional or *supplemental* funds from the state pool to cover the state share of the required sum sufficient funding. The process for requesting supplemental funds is described later in the *CSA User Guide*.

## 6.3.2 Non-sum sufficient (Protected) Funds

CSA eligible youth who do not fall into one of the sum-sufficient populations can receive services through non-sum sufficient or "protected" funds. These children and youth are typically referred by the local court service unit, the community services board, or by direct referral from families. There is no requirement for local CSA programs to appropriate funds and serve children and youth who are in the non-sum sufficient population.

Each locality receives a specific "protected" amount of money within its yearly allocation of state pool funds to encourage addressing the needs of these youth. The locality is authorized to spend up to the full "protected" amount on these children. The protected amount for each

locality is determined by a formula and is in no case less than \$10,000. Each locality is informed of its protected funding level before the beginning of the fiscal year and this information is found in the CSA Pool Expenditure Reports area of the CSA website. The use of these protected funds includes the same required local match as established for all funds.

The protected funding provides local CPMTs with flexibility in serving children and families who need intervention, services, and supports, but who do not meet the sum sufficient criteria. If the "protected" amount is not spent on non-sum sufficient children, it may be used to address the funding needs of the sum sufficient population.

The use of these protected funds to serve specific eligible, but non-sum sufficient children, in no way precludes the locality from applying for and receiving supplemental funds for the sum sufficient populations.

A Frequently Asked Questions (FAQ) document on the use of Protected funds developed by OCS and the State and Local Advisory Team and can be located <u>here</u>.

# 6.4 Assessing Parental Contributions for CSA Services

§2.2-5206.3 and §2.2-5208 require the CPMT to establish and the FAPT to implement policies to have parents/guardians of children receiving CSA funded services contribute financially to the cost of such services, except when prohibited by law or regulation (e.g., for special education services per an IEP). This requirement is met by the use of a sliding fee scale based on the ability to pay.

The Appropriation Act specifies that the CPMT shall enter into formal agreements with parents or legal guardians and that the Office of Children's Services shall be a party to these agreements. Per the Act, "... If the parent or legal guardian fails or refuses to pay the agreed upon sum on a timely basis and a collection action cannot be referred to the Division of Child Support Enforcement of the Department of Social Services, upon the request of the Community Policy Management Team, the Office of Children's Services shall make a claim against the parent or legal guardian for such payment through the Department of Law's Division of Debt Collection in the Office of the Attorney General."

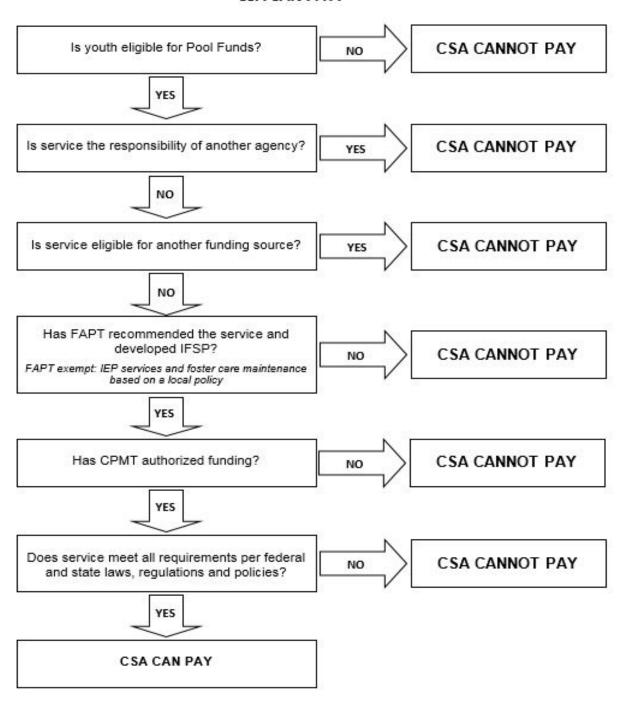
The criteria for referring to the Division of Child Support Enforcement for child support payments or assessing parental co-payments for children served in out-of-home placements are discussed in the *CSA Policy Manual* (Policy 4.5.4). Concerning the question of determining parental contributions for children placed in out-of-home placements under a CSA Parental Agreement: no parental contribution may be assessed against any services funded by Medicaid or educational services required under an IEP.

# 7.0 Determining if CSA Funds Can Be Utilized ("Can CSA Pay?")

Among the most common technical assistance questions submitted to OCS are about whether CSA funds can be used to pay for specific services. The Office of Children's Services created a "Determining If CSA Can Pay" flowchart to assist in making such determinations, based on relevant statutes and policies. The flowchart guides users through six steps to help determine if CSA is an appropriate funding source. The "Can CSA Pay?" flowchart is found on the next page with explanatory information to follow. Additionally, OCS offers a course in the Virginia Learning Center, "CSA001: Can CSA Pay?" which addresses this issue.



#### CSA CAN PAY?



# 7.1 Is the Youth Eligible for State Pool Funds?

The Code of Virginia and policies of the State Executive Council establish eligibility for state pool funds. This topic is covered in depth in the eligibility section (Section 5.3) of the CSA User Guide.

# 7.2 Is the Service the Responsibility of Another Agency?

<u>§2.2-5211.D</u> provides that child-serving agencies (i.e., the community services board, the local school division, local social services agency, court service unit) shall be responsible for providing services that are within the agency's scope of responsibility and that are funded separately from the state pool.

If a service is part of the core responsibility of another agency, CSA cannot pay for the service. To do so would be considered "supplanting of funds." An example of this is if the local department of social services (LDSS) wanted CSA to pay for the LDSS to provide case management for a foster care case. The LDSS receives funding to case manage foster care cases and this service is the responsibility of that agency.

**Note:** There may be limited occasions when a service is typically part of an agency's core responsibility, but the frequency or intensity of the service required far exceeds the usual level of such service. In such cases, the FAPT and CPMT may consider whether state pool funding may be appropriate. An example of such occasions is supervised parental visitation, typically a core responsibility of the local department of social services. If a court orders a high level of supervised visitation that is clearly above and beyond that usually provided, CSA funding could be considered as the service is "beyond" the usual responsibility of the LDSS.

If the service is not the responsibility of another agency, the user can continue to the third step of the flowchart. If the service is the responsibility of another agency, CSA cannot pay.

# 7.3 Is the Service Eligible for Another Funding Source?

State pool funds cannot "supplant" federal or state funds supporting existing programs. Medicaid-funded services shall be used whenever they are available for the treatment of children and youth receiving services under the CSA. State pool funds shall not be spent for any service that can be funded through Medicaid (for Medicaid-eligible children and youth) except when Medicaid-funded services are unavailable or inappropriate for meeting the needs of a child. <u>Unavailable</u> is defined as:

 there is not a participating Medicaid provider of the needed service within a reasonable geographic distance (e.g., up to 30 miles in urban areas or up to 60 miles in rural areas);
 or

 there is a waiting list that prevents the delivery of services within a reasonable time frame.

<u>Inappropriate</u> is defined as a Medicaid funded service (i.e., Intensive In-Home, Mental Health Skill Building, Therapeutic Day Treatment) that does not meet the presenting needs (i.e., per a clinical assessment) or the needs are related to family dysfunction, child or public safety, or special education. The needs cannot be addressed through the Medicaid service.

The FAPT or CPMT should determine if another source can pay for the service before recommending or approving it for CSA state pool funding. These sources can include but are not limited to Medicaid, title IV-E, Adoption Assistance, Promoting Safe and Stable Families (PSSF), private insurance, and the Virginia Juvenile Community Crime Control Act (VJCCCA). The team should document all other sources explored and why that funding source is not available or appropriate for the service. This **does not** mean that CSA is always to be considered the "funder of last resort." Local planning for allocation of various "braided" funding streams may designate how funds available to a locality shall be utilized to meet the needs of its children and families. A resource summarizing *Fund Streams Available to Local Governments for Child-Specific Purchased Services* is available in the *Resources* area of the CSA Website.

If another funding source is not available or desirable, the user can continue to the fourth step of the flowchart. If another funding source is possible/appropriate, CSA cannot pay.

# 7.4 Has the FAPT Recommended the Service and Developed an IFSP?

While there are limited exceptions established by local CPMT policy (i.e., "Maintenance-Only" foster care payments, services under an Individualized Education Program), all services funded through the state pool require a recommendation the by FAPT/MDT and are incorporated into the IFSP. A short-term exception is that CSA state pool funds can pay for "emergency" services for a period of up to 14 days before the meeting of the FAPT and the FAPT's subsequent recommendation of that service.

If this has occurred, the user can continue to the fifth step of the flowchart. If the FAPT has not recommended the service, CSA cannot pay.

# 7.5 Has the CPMT Authorized the Funding?

Once recommended by the FAPT/MDT, the CPMT is required to authorize (and monitor) the expenditure of funds.

If the CPMT has authorized funding, then the user can continue to the sixth step of the flowchart. If the CPMT has not approved the funding, CSA cannot pay.

# 7.6 Does the Service Meet All Federal and State Laws, Regulations, and Policies?

The use of CSA state pool funds requires that the services provided through the CSA must comply with any other state law or policy, or any federal law pertaining to that service. Examples include the use of licensed child-placing agencies, behavioral health service providers or residential treatment facilities, and following Virginia Enhanced Maintenance Assessment Tool (VEMAT) (22VAC40-221) guidelines for enhanced maintenance payments. The Office of Children's Services may deny state pool funding where the service fails to meet established requirements.

If the service meets the requirements of all federal and state laws, regulations, and policies, then CSA can pay. If the service does not meet the requirements of all federal and state laws, regulations, and policies, CSA cannot pay.

As users work their way through the flowchart and have questions, OCS Program Consultants are available to assist with questions.

# 7.7 Additional Resources

"CSA001: Can CSA Pay?" Online Class in the <u>CSA domain of the Commonwealth of Virginia Learning Center.</u>

# 8.0 Assessment, Service Planning, and Case Management under the CSA

# 8.1 Overview: Service Planning through the FAPT

The Family Assessment and Planning Team is a multidisciplinary group knowledgeable about the policies and resources of the agency they represent, as well as other community resources. These individuals, along with the child and family, bring their experience and expertise to the process. Each member's perspective informs the work of the team. Ideally, FAPT is a fully collaborative process with each participant communicating information regarding their own agency's authority, responsibility, and resources as it pertains to each individual child and family. An understanding of the child's and family's needs, the family's culture, and goals allow the team to maximize the use of resources to achieve the desired outcomes. The additional resources available through non-agency community partners and other service providers also contribute to the most effective results.

#### 8.1.1 Referral Policies

Local CPMT policies determine how referrals are made to the Family Assessment and Planning Team, as provided in §2.2-5206.5 and §2.2-5209. This requires that a specific process or processes for a referral to FAPT is established, but permits flexibility in how local governments structure the work of CSA. This statement does not limit or prevent any particular source from referring to the FAPT; instead, it leaves the details of the process to the CPMT. Local policies must address how parents can refer their children to the FAPT. A model policy for a family referral to FAPT can be found <a href="here">here</a>.

#### 8.1.2 Family Involvement and Strengths-Based Practice

Being child-centered, family-focused, and strengths-based is at the core of both the CSA and the system of care approach. Nowhere is this more apparent than in the interactions with children and families for purposes of assessment and service planning.

<u>§2.2-5208.2</u> requires that the FAPT "... provide for family participation in all aspects of assessment, planning, and implementation of services." Service planning for a child and family should ideally take place at the FAPT, with the parents and child, if the child can understand and participate as age or developmentally appropriate. The Children's Services Act requires that agencies work with families and parents as partners in the service planning and service provision process. The SEC Guidance for CPMTs on Family Engagement found in the *Resources* 

area of the CSA website under the heading: Guidance  $\rightarrow$  Family Engagement  $\rightarrow$  Guidelines for CPMTs on Family Engagement.

Family participation in the FAPT service planning process should be documented. This documentation is typically done by obtaining the signature of the custodial parent, guardian, or agency on the Individual Family Service Plan (IFSP).

#### 8.2 Assessment

Assessment of the child and family's strengths and needs is the cornerstone and first step of effective case planning. A complete evaluation is essential to needs identification, goal development, and service planning. The CSA uniform assessment instrument is a valuable tool to guide service planning, assist in the appropriate placement of children and youth, and provides data to assess progress toward measurable outcomes.

#### 8.2.1 Mandatory Uniform Assessment Instrument

All children and youth, regardless of eligibility criteria, age, or referral source, who receive services funded by the CSA state pool shall be assessed using a mandatory uniform assessment instrument approved by the State Executive Council. (§2.2-2648, §2.2-5209) and the Appropriation Act). The State Executive Council has identified the Child and Adolescent Needs and Strengths (CANS) - Virginia Version as the CSA's mandatory uniform assessment instrument. The CANS guides service planning based on the appropriate scoring of needs and strengths of both the child and family.

There are two versions of the Virginia CANS, the DSS-Enhanced and the Standard CANS, each with a separate assessment for children ages birth to four and another for those ages 5-21. Any child or youth receiving CSA funded services must have the appropriate CANS evaluation completed.

At a minimum, a CANS is required initially, yearly after that, and at discharge from CSA. Best practices indicate that the more intensive and restrictive a service, the more frequently a child's needs and strengths should be assessed. Local governments may determine how often the CANS is re-administered within the above time frames. If a CSA child is receiving Medicaid-funded services, CANS reassessments may be required more often.

The Standard Comprehensive CANS Ages 5-21 consists of six domains (Life Functioning, Child Strengths, School, Parent/Guardian Strengths and Needs, Child Behavioral/Emotional Needs, and Child Risk Behaviors) as well as eight Child Functioning Modules and one Placement Module (Residential Treatment Center or RTC). Ratings of "1" or higher on specific items in the Standard Comprehensive CANS "trigger" the completion of a child functioning module, which

gathers additional information about that area of need. The Standard Reassessment CANS consists solely of the six domains and the RTC module. Assessors may list and rate more than one caregiver.

The DSS-Enhanced Comprehensive CANS Ages 5-21 is administered to all children and youth receiving CSA-funded foster care prevention services and all children and youth in foster care. It consists of the domains and modules listed above, with two exceptions. The Trauma Module must be completed for all children, even if not "triggered" and is included in both the Comprehensive and Reassessment versions. A Child Welfare Module, organized by the Strengthening Families Protective Factors framework, is added to target areas of concern. Considerations specific to child welfare are also completed in both DSS-enhanced versions. The "Caregiver Assessment" comprised of the Parent/Guardian Strengths and Needs Domain and the Child Welfare Module may be completed on as many as three caregivers to support concurrent permanency planning requirements. Information from the caregiver assessment is captured and organized by the caregiver in a "Permanency Report."

All assessments entered into CANVaS shall be completed and closed no later than 60 days after the assessment is initiated. Closure requires entry of all required information and the closed assessment should be printed and signed by the assessor. Assessments not closed within 60 days shall be considered invalid and may be deleted from the system. Once removed, the assessment cannot be retrieved.

The policy adopted by the SEC effective January 1, 2019, outlines the expectations for administration of the CANS. For more information, see *SEC Policy 3.6*.

#### 8.2.2 CANS Certification

Each child or youth's public agency case manager (local department of social services, court service unit, community services board/behavioral health authority, school district, or CSA office) shall administer the CANS. If necessary, a supervisor or co-worker with direct knowledge of the child and family's strengths and needs may conduct the CANS. The Family Assessment and Planning Team may also complete the CANS as a team at the FAPT meeting. Private providers may not administer the CANS (for CSA purposes) for children and youth receiving CSA-funded services.

Anyone who administers the CANS shall be currently certified to do so. Certification requires annual renewal/recertification. Certification requires completion of an online training and testing process provided by the *John Praed Foundation*. Administration of the CANS by an individual not currently certified is not allowed. Any assessments administered by a noncertified person are not valid. Invalid assessments may not be used for any purpose.

#### 8.2.3 **CANVaS**

CANS for children and youth receiving CSA-funded services shall be completed/entered in the online system known as CANVaS to meet the requirement that information from the mandatory uniform assessment be provided to the Office of Children's Services (§2.2-5210).

CANVaS is not an acronym, but the name of the internet-based version of the Virginia CANS for use by the CSA. Data for children, youth, and families not receiving CSA-funded services may not be entered into CANVaS, except for children in foster care receiving title IV-E funded services without CSA funding.

Each case manager who administers the CANS shall have established a CANVaS account. An online User Agreement shall be "signed" before the activation of the account. All data entered into CANVaS are confidential and child and family-specific data may not be released without proper authorization. Only "non-identifying" and non-child specific data may be published in aggregate form.

Each CPMT shall designate at least one Local Administrator (formerly known as a DSU/RA) for CANVaS. Local Administrators have several functions, including acting as a point of contact for local users and the OCS regarding CANVaS, authorizing case manager user access, and accessing data and reports in CANVaS.

For detailed information about the CANS training and certification site, <a href="https://www.schoox.com/login.php">www.schoox.com/login.php</a> and CANVaS, such as how to create accounts, navigation of both sites, guidance on rating the CANS, and more, see the CANS section of the CSA website.

#### 8.2.4 Other Assessments

In addition to the CANS, the FAPT will ideally have access to and review all available formal and informal assessments of the child and family, including informal observations from individuals who are knowledgeable about them and their circumstances.

# 8.3 Service Planning

The FAPT (or an alternative multidisciplinary team) is a valuable resource to children and families. CSA service planning may include services from multiple sources (including those provided at no cost through natural supports or available from community resources), as well those funded by the CSA state pool. Service planning discussions need not be restricted to those children and families eligible for CSA state pool funding. Planning should include, but not be limited to, a determination of CSA eligibility. With limited exceptions, all services to be funded through the CSA must be included in a service plan (IFSP) developed by the FAPT.

With the exceptions covered earlier in the *User Guide*, §2.2-5209 requires that "all youth and families for which CSA-funded treatment services are requested are to be assessed by the family assessment and planning team or an approved collaborative, multidisciplinary team process...." To summarize those exceptions:

- the community policy and management team may establish a policy which excludes from FAPT planning cases involving only the payment of foster care maintenance (including enhanced maintenance as determined by the VEMAT);
- the community policy and management team may establish a policy which excludes from FAPT planning students with (educational) disabilities receiving private day and residential services as required by their Individualized Education Programs); and
- approval of funding for emergency placements before a FAPT meeting is permissible, provided that FAPT subsequently reviews the case within 14 days.

Other than these exceptions, the statutory language is clear that CSA pool funds shall only be used to support services developed in the FAPT or MDT planning process.

#### 8.3.1 Development of the Individual Family Service Plan (IFSP)

Once a child or youth is deemed eligible for CSA funded services and the CANS is completed, a wide array of appropriate services may be provided to the child and family. The FAPT shall use the results of the mandatory uniform assessment (§2.2-2648.D.11), the input of the youth and family, and other available information to inform its development of the individual family service plan. There is no required format for the IFSP. However, a "fillable" Model IFSP is provided by the OCS and can be found in the "Forms" section in the *Resources* area on the CSA website.

In keeping with the intent of CSA and system of care principles, the individualized plan for the child and family should strive to include creative, non-traditional services and natural supports, as well as more formal types of services. There are no parameters on the types of services allowed. Rather restrictions may exist based on factors such as whether or not a service is the existing responsibility of a public agency that determines the permissibility for services to be funded through CSA. These factors were discussed in the Determining if CSA Funds can be Utilized ("Can CSA Pay?") section of the *User Guide* (Section 7.0).

The System of Care principles of the CSA emphasize the least restrictive settings, treatments, and services that meet identified needs and are designed based on the unique strengths and needs of that child and family. Strengths, not needs-based planning, is optimal. Rather than placing children and youth in out-of-home programs as the only option available or the easiest to implement, communities are encouraged to think of services and supports that could be

"wrapped around" the child and family maintaining the child at home or in the community. For more information on the System of Care, please see Section 3.0 of the *User Guide*.

CSA services are always child-specific, designed to meet the needs of an individual child and family. Rather than being compelled to fit children and youth into existing structured programs, CSA provides the freedom to create a unique plan for each child. Well-constructed service plans will contain goals, measurable objectives, and specific interventions/activities. Additionally, proper service planning is marked by regular reviews of progress (utilization review) and appropriate revisions and adjustments to enhance success in meeting the specified goals.

#### 8.3.1.1 Use of an IEP or Foster Care Plan (FCP) as an Alternative to an IFSP

It is permissible to utilize either an IEP (for private day or residential special education) developed by the school-based IEP team as an alternative to an IFSP. Federal mandates regarding IEPs result in the IEP meeting CSA IFSP requirements. The FAPT cannot alter an IEP.

A Foster Care Plan developed by a local department of social services may replace an IFSP for CSA. When a Foster Care Plan is used as an alternative and specific services (other than maintenance payments) are needed, those services need to be planned by the FAPT and described in the Foster Care Plan.

If another plan is used, then the information required for an IFSP, such as goals, objectives, and interventions, must be included.

# 8.4 Case Management

No discussion of service planning is complete without consideration of the role of the case manager. Although "case management" is a term used broadly in CSA, it is essential to understand the different types of case management in the CSA service system.

Agency case managers are local public agency staff (e.g., an LDSS foster care worker or a DJJ probation officer) that perform the administrative and casework duties required by their specific agency. CSA pool funds may not be used to reimburse agency case management costs as these are core agency responsibilities.

§2.2.-5208.9 assigns the FAPT with the responsibility to "designate a person who is responsible for monitoring and reporting, as appropriate, on the progress made in fulfilling the individual family service plan developed for each youth and family..." Often this individual is the agency case manager already assigned to the child and these responsibilities are a part of the case manager's job duties.

The process for determining the specific individual/agency to provide this required monitoring and reporting for the FAPT is made at the local level. Typically, the issues that brought the child to the attention of a local agency determine which agency will provide case management. For example, a probation officer is assigned to work with a child before the court, or a foster care worker is assigned to work with a child in foster care and his/her family because of abuse or neglect in the family's home.

If not specified by federal or state law (e.g., CSA Parental Agreements cannot have the LDSS serve as the case manager), decisions regarding who should case manage should be based on established "official" relationships (e.g., the probation officer of a youth on probation, the family services worker of a child in foster care, the school division staff for children placed in CSA services resulting from their IEP) and the best interests of the child and family.

As stated previously, CSA pool funds may not be used to reimburse costs of FAPT case management as it is the expectation that all agencies will provide routine case management, with one exception. There is no statutory requirement for a community services board/behavioral health authority to provide case management to children (unless funding is appropriated for this purpose). Consequently, "case support" may be paid to a CSB/BHA to provide this basic level of case management that is further defined in the *Service Definitions* section of the *User Guide* (Section 14.0).

<u>Targeted case management</u> (TCM) is defined by the Department of Medical Assistance Services and is restricted to clinical activities such as linking, referring, accessing, and documenting those

activities. Treatment Foster Care case management and Mental Health case management are types of "targeted case management." Medicaid utilizes specific clinical criteria to determine the necessity for TCM and reimburses providers for TCM at a standard monthly rate. Medicaid (and by extension, CSA) does not permit the provision of two types of targeted case management concurrently. Neither "case support" nor routine agency case management represents a prohibited, concurrent targeted case management service.

#### 8.4.1 Role of the Courts in CSA Service Planning

<u>§2.2-5211.E</u> describes the process which shall be followed between the Court, the community policy and management team, and the family assessment and planning team. This process is particularly important to understand in situations where the Court orders a service (or services) that is not in the plan developed by the FAPT and approved by the CPMT.

The CPMT is responsible for determining a youth's eligibility for CSA funding. **State pool funds** may only be used for CSA-eligible children and youth. The Court's disposition may (or may not) make the child or youth eligible or mandated for CSA funding. For example, a court's finding of "child in need of services" or transfer of custody to the local department of social services places that child in the CSA sum sufficient population (§16.1-228, §63.2-905, §2.2-5211). Absent a foster care placement or a CHINS determination; however, the Court cannot order a child to be eligible for CSA only by the Court's order for services.

Existing case law supports the authority of the Court to supersede service decisions made by the Family Assessment and Planning Team (FAPT) and approved by the Community Policy and Management Team (CPMT). Simply put, if a child for whom the Court orders services is eligible for CSA funding (per the FAPT and CPMT following the appropriate criteria), the Court's authority to order services overrules the specific service decisions made by the FAPT and CPMT. However, this authority does not supersede compliance with any federal or state law or requirement governing that service (e.g., use of licensed placements).

The Court may be requested to consider a level of service and recommendations not identified in the initial Individual Family Service Plan (IFSP). The Court and the FAPT/CPMT shall then follow the process outlined in §2.2-5211.E regarding the development of a second report outlining a comparable plan of services. However, after this process, the Court may still order specific services for the CSA-eligible child who is "properly before the Court" and for whom the Court has rendered a disposition. The wording "as appropriated" in this section clarifies that:

• If the child or youth for whom the Court orders services is included in the sum sufficient population, CSA funds are utilized for the services and the locality and the state shall ensure this funding.

• If the child or youth for whom the Court orders services is CSA-eligible, but not in the sum sufficient population and "protected" funds are available, the locality and the state should fund the services using these protected (non-sum sufficient) funds.

• If the child or youth for whom the court orders services is CSA-eligible, but not in the sum sufficient population and protected funds are not available, the CPMT cannot authorize services using pool funds.

# 8.5 Additional Resources

Frequently Asked Question: Court-Ordered Services and CSA

# 9.0 CSA and Partner Agencies

This section of the CSA User Guide provides information about areas of interface between the CSA and other agencies that provide services (or funding for services) for children and families.

# 9.1 Schools and Special Education

In establishing the state pool of funds under the Children's Services Act, "Children and youth placed for purposes of special education in approved private school education programs, previously funded through private tuition assistance" (§2.2-5211.B.1) and "Children and youth with disabilities placed by local social services agencies ... in private residential facilities or across jurisdictional lines in private, special education day schools ..." (§2.2-5211.B.2) are identified as populations to be served through the CSA. In §2.2-5211.C, these children and youth are identified as receiving "sum sufficient" funding to "meet relevant federal mandates for the provision of these services."

The relevant federal mandate is the Individuals with Disabilities Education Act (IDEA) of 2004. Information on IDEA for the U.S. Department of Education can be found <u>here</u> and additional information from the Virginia Department of Education at this <u>site</u>.

### 9.1.1 Special Education Services Provided Outside of the Public School Setting

The "bottom line" is that students with an educational disability whose IEP indicates either a private day school or a residential placement as the least restrictive environment <u>for educational purposes shall</u> receive funding for those services through the local CSA program (CPMT). This is contingent on the student's parent signing the appropriate consent to release information to the local CSA program (See 9.1.6 in the *User Guide*).

The CPMT must ensure that no local policies or procedures interfere with the provisions and protections afforded to students with disabilities under federal and state laws and regulations. CPMTs shall authorize funding for private day and residential IEP services based on the IEP itself, and all special education and related services as specified on the IEP (except for transportation) and in the case of a residential IEP placement, all costs associated with the residential placement including room and board, utilizing Medicaid as a primary funding source when applicable. The CPMT is responsible for establishing policies and procedures to ensure access to funds for students with IEPs that specify placement in private educational programs. Provision of a child's IEP services may not be delayed for any reason, including CPMT approval of funding.

For an educational placement of a student with a disability (as specified by the student's IEP), the school division shall develop the IEP and hold responsibility for assuring that special education services are provided.

The following are some specific provisions regarding the provision of special education services specified in an IEP under the CSA:

- the school division is responsible for providing funding for student transportation;
- no parental co-payments can be required for IEP-based services;
- there is no requirement for involvement of the Family Assessment Planning Team
   (FAPT) or for the completion of an Individual Family Service Plan (IFSP) for these children
   (unless other non-IEP services are being provided). Federal and state requirements
   prohibit any entity (including the FAPT and the CPMT) from changing the IEP, including
   services and placements specified. Essentially, IDEA and the IEP is the prevailing
   authority in such cases; and
- in addition to being required to authorize funding, the FAPT or CPMT must also collect the necessary demographic information for CSA reporting and completion of the purchase order for the services. CPMT must also ensure completion of the mandatory CSA uniform assessment instrument (i.e., the CANS).

#### 9.1.1.1 Special Education in Residential Placements for Non-Educational Reasons

(Students placed in residential treatment through the CSA for non-educational reasons per an Individual Family Service Plan (IFSP))

When CSA places a student with an identified educational disability in residential treatment for non-educational purposes (i.e., for behavioral/emotional disorders and that placement is not required by an IEP), the CSA pays for all services (except when Medicaid or private insurance can cover part of those services). This includes educational services at the residential placement.

All children placed in a private residential placement through CSA who are eligible for special education shall have an IEP. The local school division that is part of the CSA Team that placed the child shall be responsible for that IEP.

For a non-educational placement for a student with a disability, the school division that is part of the CSA team will typically revise the IEP to reflect the non-educational placement. The IEP shall indicate that the student is now in a non-educational placement and shall address the student's special educational needs while in the placement. The revised IEP for a non-educational placement is not considered the "source" of the residential placement.

The school division is responsible for ensuring that special education and related services (typically referred to as FAPE, or Free and Appropriate Public Education) are provided per the IEP while the student is in the non-educational placement. The school division has no responsibility for the residential placement/services or special education least restrictive environment requirements, or the student's general education costs, as the student's placement was made for non-educational reasons.

In such cases, all of the typical CSA processes (e.g., FAPT recommendation/CPMT approval of the placement, completion of the IFSP) are required.

#### 9.1.2 Special Education, the IEP and Utilization Review

Due to federal mandates associated with the special education process, utilization review procedures are to be completed by the IEP team and must be based upon the goals in the IEP. IDEA requires at least an annual review of the IEP and progress reporting, at least as often as reporting is provided to parents of students without disabilities. It is common for IEP progress reporting to coincide with the school division's report card schedule.

The CSA utilization review process must be applied to special education services in conformity with special education laws and regulations. It must not violate IDEA or state special education laws or regulations. CSA can expect the school to share the findings of the IEP review of the student's progress and this meets CSA utilization review requirements.

#### 9.1.3 Wraparound Services for Students with Educational Disabilities

The State Executive Council (Policy 4.1.3) has extended the "special education mandate" established under §2.2-5211.B.1 as follows:

The special education mandate may be utilized to fund non-residential services in the home and community for a student with a disability when the needs associated with his/her disability extend beyond the school setting and threaten the student's ability to be maintained in the home, community, or school setting.

The CSA processes (multi-disciplinary FAPT consultation, CPMT approval, and IFSP development) should be utilized to implement additional, non-IEP services to address non-educational needs. These services may benefit the student and facilitate being kept in or a successful return to the public schools. It should be made clear to the parents of a student being served via an IEP that any such additional services are separate from those specified in the IEP and are subject to CSA policies and procedures and not IDEA.

Each year, a specific level of funding is made available to each locality to provide such Wraparound services. To be eligible for these services, the child <u>must have an educational disability</u>, as evidenced by a current IEP. The services <u>must be provided in the home or community</u>. These services <u>cannot</u> be provided in the public school setting during the typical educational day.

In accessing these funds, all of the typical CSA processes (e.g., FAPT recommendation/CPMT approval of the placement, completion of the IFSP) are required.

#### 9.1.4 Age of Eligibility to Receive Special Education Services through CSA

Consistent with a student's eligibility for special education services under IDEA, CSA is responsible for funding private school special education services specified in the IEP for a student who has not reached his/her 22<sup>nd</sup> birthday on or before September 30 of the school year. A student with an educational disability whose 22<sup>nd</sup> birthday is after September 30 remains eligible for the remainder of the school year.

#### 9.1.5 Parental Co-Payments for Special Education Services

Federal law requires that all special education services must be provided at no cost to parents. No co-payment may be charged to a parent for any service specified on the IEP or otherwise provided as a requirement of a free and appropriate public education. Thus, IEP services funded by CSA (i.e., private day and private residential services) are exempt from parental co-payment. For a student with a disability placed into a residential program for non-educational reasons (e.g., through a parental placement), the educational portion of the placement is exempt from the parental co-payment. Wraparound services for students with educational disabilities are subject to co-payments as they are not specified in the IEP.

### 9.1.6 Confidentiality of Educational Records

The federal law known as the Family Educational Rights and Privacy Act (FERPA) gives parents authority over their child's educational records, including access by participants at meetings (including FAPT and CPMT) where their child's education record is discussed. Schools must secure parental consent whenever any non-school employee is to review the child's confidential educational record. In the absence of parental consent, the schools cannot share information with others, including CSA entities. In the absence of parental consent for the minimal release of student records to the local CSA Program, eligibility for CSA funding cannot be established, and responsibility for funding educational services specified in the student's IEP rests with the local educational authority (LEA). See <a href="OCS Administrative Memo #18-01">OCS Administrative Memo #18-01</a> for details on this issue.

#### 9.1.7 Additional Resources

 Special Education and the Children's Services Act: Guidance for CPMTs. FAPTs, CSA Coordinators, and Local School Divisions.

• The E-learning course, "CSA020 – Special Education Wraparound Funding Under the CSA" in the Commonwealth of Virginia Learning Center

# 9.2 Juvenile Justice (Court Service Units)

Youth referred by the juvenile court or the local juvenile court service are typically considered to be in the non-sum sufficient population for CSA funding (unless circumstances making them "sum sufficient are present).

Representation of the juvenile court service unit on the community planning and management team and the family assessment and planning team is established in the statute.

#### 9.2.1 Eligibility for State Pool Funds

Youth referred by the courts or a juvenile court service unit not meeting eligibility in one of the sum sufficient categories must meet one of the eligibility criteria that relate to behavioral/emotional needs (§2.2-5212.A.1) or §2.2-5212.A.2) and addressed in the CSA Eligibility section of the User Guide (Section 5.0).

## 9.2.2 Age of Eligibility for DJJ Referred Youth to Receive Services through CSA

The Department of Juvenile Justice may retain legal jurisdiction over certain youth through the age of 21. It is important, however, to note that unless other CSA criteria (i.e., special education or foster care services) are met that allow for the youth to be served beyond their 18<sup>th</sup> birthday, eligibility for state pool funding ends on the youth's 18<sup>th</sup> birthday. CSA practitioners should be aware of the requirements of §16.1-293 that children in the custody of the local department of social services immediately before their commitment to DJJ and who have not yet turned 18 years of age shall have the local DSS resume custody upon the child's release from DJJ.

# 9.2.3 Case Management of Youth Served through the CSA by CSU Staff

Court service unit staff (i.e., probation officers) may serve in a CSA case management role only within their statutory authority to supervise juveniles before the CSU or the juvenile and domestic relations court under diversion or court-ordered supervision. This may include youth being served through informal "diversion" (§16.1-260); youth placed on court-ordered supervised or unsupervised probation, or an order of the court for the child and/or his parent to participate in programs or treatment and that such participation is monitored by the staff of

the court service unit. This is typically limited to juveniles before the court or the court service unit (in cases handled informally through diversion) on charges of delinquency ( $\S16.1-278.8$ ) or being a child in need of supervision ( $\S16.1-278.5$ ).

These restrictions on case management by CSU personnel do not necessarily prohibit such staff from making an initial referral to FAPT for a child before the court, but not yet under diversion or court-ordered supervision. Once such a referral is made, the FAPT can then determine the appropriate agency to provide CSA case management should the child be determined eligible for CSA funded services.

§16.1-237 spells out the powers, duties, and functions of probation and parole officers.

#### 9.2.4 FAPT Role in Mental Health Transition Planning for Committed Juveniles

<u>§16.1-293.1</u> requires the development of regulations that provide a structure for improving outcomes for juveniles with mental health and substance abuse concerns upon their release from incarceration in a DJJ juvenile correctional facility. These regulations (<u>6VAC35-180</u>) require:

- that each locality develops an interagency agreement concerning mental health transition planning among all the agencies represented on the CPMT (the content of those agreements is also detailed); and
- that within 30 days before the anticipated date of release that a community mental health transition planning meeting is held and that a meeting of the FAPT can serve as that planning meeting.

When the case is referred to the FAPT for this purpose (typically by the assigned parole officer of the court service unit), this does not assume or require that the youth is eligible for CSA services funded from the state pool, only that the FAPT serve in a case planning capacity. Determination of eligibility for state pool funds and the development and implementation of CSA funded services will follow the same processes as any other referral to the FAPT.

#### 9.2.5 Allowable Services for Juveniles under CSU Supervision

In addition to the usual array of services for non-court involved youth, state pool funds may be utilized to fund specific community-based treatment services for youth (and their families) when the court places the youth in a post-dispositional detention program per §16.1-284.1.

#### 9.2.6 Virginia Juvenile Community Crime Control Act (VJCCCA)

Established in 1995, VJCCCA (see §16.1-309.2 et seq) provides for a collaborative state and local program to address the needs of juveniles before the court and their communities. VJCCCA provides funding to each locality to offer community-based services to those determined to be a child in need of services, a child in need of supervision, or a delinquent. Similar to CSA, localities have considerable flexibility in developing a plan for the use of VJCCCA funds. They may provide an array of services based on a plan developed by the locality. This biennial local plan requires the input of the CPMT, along with the juvenile and domestic relations court judges, and the director of the court service unit.

VJCCCA funds should be considered as a resource for each community to meet the needs of youth and families and ideally may be used in a "braided" manner with other resources as described in the System of Care model. There is <u>no</u> requirement that VJCCCA funds must be exhausted before accessing CSA funding.

An opinion of the Attorney General (2000 Va. Op. Atty Gen. 034) found that a "family assessment and planning team may not refer a juvenile for services funded under Juvenile Community Crime Control Act rather than Comprehensive Services Act, where the juvenile is eligible under both acts for services not yet funded by either act." §16.1-309.3 states that funds provided under the VJCCCA "shall not be used to supplant funds established as the (CSA) state pool of funds under § 2.2-5211."

# 9.3 Local Departments of Social Services

### 9.3.1 Funding for Children in Foster Care

There are two primary sources of funding for foster children - title IV-E (federal and state) funding and Children's Services Act (state and local) funding. Additionally, all children in foster care (with limited exceptions) are eligible for Medicaid for their medical, dental, and behavioral health services covered under the State Medicaid plan.

#### 9.3.1.1 Foster Care Maintenance

<u>Maintenance</u> is defined by federal law (title IV-E of the Social Security Act). The definition includes payments made on behalf of a child for food, clothing, shelter, daily supervision, school supplies, personal incidentals, liability insurance, and reasonable travel for the child to visit with family or other caretakers, and transportation to remain in his or her previous school placement. Consistent with title IV-E, this definition of "maintenance" also applies to CSA.

Foster care maintenance is paid to the foster parent or a licensed child-placing agency (LCPA) (for private or treatment foster care).

Maintenance may include both a basic rate and an enhanced per diem rate. <u>Basic maintenance</u> consists of the cost of food, clothing, shelter, daily supervision, a child's personal incidentals, and the other items listed in the previous paragraph. <u>Enhanced maintenance</u> is supplemental payment based on a child's need for additional daily supervision resulting from behavioral health or medical factors. The Virginia Enhanced Maintenance Assessment Tool (VEMAT) of the Virginia Department of Social Services is used to measure the severity of a child's needs. Local FAPTs and CPMTs may not change the amount determined by the VEMAT rater as necessary for a foster parent to provide adequate additional daily supervision for a child. Only the VEMAT may be used to determine the amount of enhanced maintenance. There is no other mechanism that may be used to assess the amount of enhanced maintenance paid to a foster parent.

Actual rates and the procedures for determining enhanced maintenance payments are available at (22VAC40-221) and here.

Youth in foster care placement who reach the age of 18 are eligible for the *Fostering Futures* program. These youth must meet one of five criteria and sign a voluntary placement agreement. If eligible for *Fostering Futures*, the young adult may receive the basic maintenance payment directly. For more about *Fostering Futures*, see Section 5.3.2.5.

Children and families may be eligible for Virginia's Kinship Guardianship Assistance Program (KinGap), which provides a supported permanency option for children placed with relatives who are approved foster parents. Children placed in KinGap arrangements are eligible and mandated for CSA under COV §63.2-905 and §63.2-1305 for maintenance and services. For more information about KinGap, please see Section 5.3.2.6.

#### 9.3.1.2 Funding for Foster Care Maintenance

Maintenance for children in foster care may be funded through either federal title IV-E funds or CSA state pool funds. All children placed in foster care must be assessed for eligibility for title IV-E by the local department of social services. If eligible, a child's maintenance costs are charged to title IV-E by the local DSS. If a child is not eligible for title IV-E, state pool funds pay all maintenance costs. The definition of maintenance is consistent across funding sources. It includes all costs such as payment to foster parents (basic and enhanced), the supplemental clothing allowance, travel for the child to visit with family or relatives, child care costs, and transportation for school as decided by the foster child's Best Interests Determination.

During the period in which title IV-E eligibility is being determined, a child's foster care maintenance costs are paid with CSA state pool funds. If the child is deemed eligible, then title IV-E funding retroactively reimburses these CSA costs.

<u>§2.2-5209</u> allows for CPMTs to exclude from FAPT review children and youth who are receiving maintenance only (no services) payments, including enhanced maintenance. The CPMT must have a written policy in place that excludes these cases from FAPT review.

Travel for the child to visit with family, child care costs (as allowed by title IV-E), and transportation to remain in a school placement are considered "maintenance" (not "services"). They may be excluded from FAPT review if the CPMT has a policy in place which excludes maintenance-only cases.

Youth who are eligible for Fostering Futures may be eligible for title IV-E until age 21.

For a full discussion of foster care requirements and services, see the <u>Virginia Department of</u> Social Services Foster Care Manual.

If a child is determined to be eligible for title IV-E maintenance but loses eligibility (or temporarily loses title IV-E "reimbursability") during the time the child is in foster care, CSA cannot "automatically" pay those costs. The local DSS may be responsible for the maintenance cost of a child's care. Examples are a child whose annual court review is not held in a timely fashion or a court order which does not have the judge's signature confirming "reasonable efforts" made towards a permanency goal. Eligibility for CSA funding in the event of loss of title IV-E eligibility should be reviewed on an individual case basis to reflect the specific factors involved.

#### 9.3.2 Services for Children in Foster Care

As noted in Section 5.0 of the *User Guide* on Eligibility for CSA, children, and youth receiving "foster care services" as defined in <u>§63.2-905</u> are eligible for CSA and receive for sum sufficient funding to address their needs. <u>Services</u> (other than title IV-E maintenance) for children in foster care are paid through CSA, as long as all relevant CSA requirements are met, and there is no other appropriate funding source (e.g., Medicaid). Medicaid should always be used to pay for any medical appointments, procedures, tests, or any other medical service. State pool funds may be utilized for medical and related services/costs when Medicaid determines the costs are not covered.

Services through CSA may be provided to both a child in foster care <u>and</u> the child's family. Often the parents' or guardian's needs are the precipitating cause of the child's removal, particularly in situations where there is abuse or neglect. Those needs must be addressed to reunite the

family. For example, parents may need mental health or substance use treatment before it is safe for a child to return home. Parents may need education or training on how to manage a child's behavior. There is no prescribed "list" of services for children in foster care and their families, but §63.2-905 requires that the "full range of casework, treatment, and community services be provided" to children and their families.

As with any CSA service, services for children in foster care and their family must be documented on the Individual Family Service Plan (IFSP) (or on the Foster Care Plan) and should reflect how the service will assist in attaining a goal or goals on the plan. (For more on service planning, see the Section 8.0 of the *User Guide*).

#### 9.3.3 Protections for All Children Receiving Foster Care Services

Federal and state law requires that child welfare agencies (i.e., state and local departments of social services) and the courts provide certain protections to ALL children in foster care and their families. Title IV-E of the Social Security Act and other federal child welfare legislation provide the framework for these protections. This includes court findings of "reasonable efforts," establishment of permanency goals for children who are removed from their homes, the development of service plans which include visitation with family, periodic court reviews, and time frames for moving a child to a permanent placement. Other relevant protections include the use of licensed foster care providers and criminal background checks for foster parents and licensed child-placing agencies. Not all children placed into foster care meet the eligibility criteria under title IV-E (as determined by the local department of social services). However, CSA requires that CSA-funded foster care maintenance and services "follow" the relevant protections required by title IV-E to ensure that ALL children in foster care, not just those who are title IV-E eligible, are protected. There is no distinction made in the protections provided to children in foster care simply because of title IV-E eligibility. Consequently, title IV-E protections also apply to children who are determined ineligible for title IV-E and whose maintenance and services costs are reimbursed by CSA.

#### 9.3.4 Foster Care Prevention

One type of foster care service that can be paid via CSA state pool funds are services to prevent or eliminate the need for foster care placement - typically called "foster care prevention." Foster care prevention is meant to preserve and strengthen families and keep children in their own homes.

CSA is intended to promote the development of individualized services specifically designed to meet a particular child and family's needs. Consequently, there is no "list" of foster care

prevention services. The key factors to remember when using CSA to fund foster care prevention services are:

- the child or youth is determined by the local DSS to meet the regulatory definition of abused/neglected or as a child "in need of services";
- services are designed for a "planned period of time" individualized for that child and family;
- absent the provision of these services; the alternative is the placement of the child into foster care;
- the service plan must reflect that there are active efforts to prevent foster care; and
- "Foster Care Prevention" is the stated goal of the service plan.

Other types of prevention services that might be provided to a child and family such as "early prevention" or "primary prevention" are <u>not</u> foster care prevention and not appropriate for CSA funding (unless the child is otherwise eligible for CSA).

#### 9.3.5 Types of Foster Care Placements

Many local departments of social services have "agency" foster homes (or resource families) who have been recruited, trained, and approved by the local department.

A local DSS may also place children in its custody with a licensed child-placing agency (LCPA), many of which provide treatment foster care (TFC). "Treatment foster care" in Virginia is defined as:

a community-based program where services are designed to address the special needs of children. Services to the children are delivered primarily by treatment foster parents who are trained, supervised, and supported by agency staff. Treatment is primarily foster family-based and is planned and delivered by a treatment team. Treatment foster care focuses on a continuity of services; is goal-directed and results-oriented and emphasizes permanency planning for the child in care.

An LCPA may provide one of four levels of care (plus an "assessment" level) determined by the needs of the child. All LCPAs shall provide a non-treatment level of care, an assessment level (which is considered a treatment level), and three levels of treatment foster care.

Determination of a child's level of placement is based on all of the child's assessed needs, not only behavioral/emotional needs.

CSA state pool funds may be used to purchase foster care maintenance and services from Licensed Child Placing Agencies. They may also be used for the cost of administration, support and supervision, and case management. Support and supervision are defined as including but not limited to: recruiting, training, assessing and retaining foster parents for the LCPA; making placement arrangements; purchasing/ensuring the child has adequate clothing; providing transportation; counseling with the child to prepare for visits with biological family; providing support and education for LCPA foster parents regarding the management of child's behavior; providing ongoing information and counseling to the child regarding permanency goals; preparing a child for adoption; 24/7 crisis intervention and support for both the child and LCPA foster family; developing and writing reports for FAPT; attending and presenting at FAPT meetings; administering LCPA foster parent payments; and identifying, assessing, and arranging potential adoptive placements. The provision of services will vary for each child based on that child's specific needs and the determined level of care. Services are provided at the nontreatment level as well as treatment levels of care.

A provider shall submit a request to the Virginia Medicaid specified care management entity to determine if a Medicaid-eligible child meets the medical necessity criteria for TFC case management. If so, Medicaid will reimburse the provider for this service. If the child does not have behavioral/emotional needs that meet the medical necessity criteria, localities may either reevaluate and place the child at a non-treatment level of foster care. Alternatively, they may determine and document that needs other than behavioral health are present and which can justify the provision of TFC case management through state pool funds (as opposed to Medicaid funds).

For more information about TFC see the <u>Guidelines for the Use of Treatment Foster Care (2012)</u>, <u>Guidelines for Determining Levels of Care for Foster Care Placement with LCPA (Revised 2015)</u>, and the <u>Frequently Asked Questions for Treatment Foster Care Under the SEC Policy and Guidelines Effective July 1</u>, 2015.

## 9.3.6 Adoption Assistance (AA)

One permanency goal for children in the custody of a local department of social services is adoption. Because children in foster care may have special needs (as defined in federal and state adoption policy), adoptive families may be eligible for adoption assistance payments to support the child's care. The Virginia Department of Social Services administers the adoption assistance funds. More information regarding the VDSS Adoption Assistance program can be found <u>here</u>.

#### 9.3.6.1 The Role of CSA/FAPT/MDT with Adoption Assistance Agreements

There are two areas where questions arise in CSA when dealing with children placed with adoption assistance agreements. One is the transition between foster care and adoptive placement. The second is the role of FAPT/MDT when a child receiving adoption assistance is at risk of residential placement. The Virginia Department of Social Services requires that adoption assistance funds (not foster care funds) be used for payments and services beginning on the date the adoption assistance agreement is signed, not the date of the final adoption order. Maintenance and services for these children are no longer paid through CSA or title IV-E Foster Care funds once the adoption assistance agreement is signed. Only title IV-E Adoption or state adoption funding through VDSS is used to support the agreement.

Secondly, adoption assistance and CSA typically intersect when an adopted child's emotional/behavioral needs rise to the point that a residential treatment setting is potentially needed. VDSS policy requires that the Family Assessment and Planning Team in the locality of the family's residence review the circumstances and:

- determine that services less restrictive than residential placement are not appropriate in meeting the child's needs at this time;
- recommend that time-limited residential treatment is the most suitable, least restrictive, and most effective service to address the child's needs; and
- recommend services and supports to successfully transition and return the child home at the earliest appropriate time consistent with the child's individual needs. (See <u>Virginia Department of Social Services Adoption Policy Manual</u>)

When the FAPT review supports the residential placement or alternative services, adoption assistance funding may be used to support the services identified by FAPT. If the FAPT does not recommend the residential placement, adoption assistance funds may not be used to support such a placement.

For purposes of CSA eligibility, adopted children do not "automatically" meet eligibility criteria related to a child in foster care or receiving foster care services. The FAPT's review and determination in adoption assistance cases do not make it a "CSA placement." The purpose of the required FAPT review is for assessment and case planning purposes only unless the child is determined to meet an established CSA eligibility category. Adoption assistance funding is 100% state/federal funding (no local match). Although the local DSS (of origin) is expected to enter into the agreement with the family and manage the ongoing administrative processes, only state/federal funds are used.

Adoptive families may move and reside in a locality different than the one which holds the original adoption assistance agreement. The LDSS does not transfer adoption assistance cases – they remain with the locality of origin. If a residential placement is considered for an adoptive child, the FAPT in the locality of residence is responsible for the review and determination. The locality of origin holding the Adoption Assistance agreement is responsible for payment of the negotiated adoption assistance costs associated with the placement. As Medicaid is usually available for room and board and treatment costs, the adoptive parents may request that adoption assistance special services funds be used to pay educational expenses. Staff in the two localities must communicate with one another and the adoptive family. The locality of origin should participate in the FAPT meeting in the locality of residence.

<u>IMPORTANT NOTE</u>: If CSA is paying any costs of the placement, it is a "CSA case" for Medicaid purposes, and a local Medicaid match is assessed (see Section 9.4.2 below). If Medicaid is funding part of the placement costs for a child receiving adoption assistance, with no expenditure of CSA funds, there is no local Medicaid match. Any Medicaid documentation completed by the FAPT must reflect that it is a "non-CSA" placement, or the locality will be charged the CSA local Medicaid match rate.

# 9.4 Medicaid (DMAS)

The Virginia Department of Medical Assistance Services (DMAS) is the state agency responsible for all aspects of the state Medicaid program. Many youth and families served through CSA are eligible for membership in Medicaid. All children in foster care, with limited exceptions (e.g., children without a legal presence in the United States), are enrolled in the Medicaid program. Medicaid provides coverage for medical and dental, as well as specific behavioral health services. Additionally, children not in foster care whose families meet income eligibility and other criteria may be enrolled in the Medicaid program.

As specified in Section 7.0 of the *User Guide* ("Can CSA Pay?") whenever a child/family is or can be enrolled in Medicaid, and Medicaid covers the specific service, this is expected and is a requirement for CSA. The Appropriation Act specifies that state pool funds shall not be spent for any service that can be funded through Medicaid for Medicaid-eligible children except when Medicaid-funded services are unavailable or inappropriate for meeting the needs of the child. Families cannot be required to utilize Medicaid funding for services specified on an IEP, but they can be encouraged to do so.

Other than medical and dental services, the following is a partial list of services covered by Medicaid<sup>5</sup>:

- Acute psychiatric services
- Residential psychiatric services including Therapeutic Group Homes (TGH. formerly known as Level B) and Psychiatric Residential Treatment Facilities (PRTF, formerly known as Level C), exclusive of educational services
- Therapeutic day treatment
- Intensive in-home therapy
- "Traditional" outpatient behavioral health treatment
- Specific special education-related services (e.g., speech, physical and occupational therapy)
- Targeted case management (e.g., therapeutic foster care case management, mental health case management)

Medicaid services must be provided by a Medicaid enrolled provider. A designated managed care organization (MCO) coordinates certain Medicaid behavioral health services, or this is done by the behavioral health services administrator (BHSA), presently, Magellan of Virginia. The BHSA managed services include residential treatment, therapeutic day treatment, intensive in-home therapy, and case management. These services require preauthorization by the BHSA.

In the child is not a Medicaid member, CSA funding of community-based behavioral health services requires a determination of clinical necessity (made by either the FAPT through the concurrence of a Licensed Mental Health Professional (LMHP) or by a contracted evaluation for intensive in-home therapy, therapeutic day treatment, and mental health skill-building services). More information on this CSA Policy (Policy 6.3) can be found in Section 10.1 of the *User Guide*, "Medical Necessity for Specific Clinical Services."

<sup>&</sup>lt;sup>5</sup> This is not a comprehensive list of Medicaid covered services. Please refer to the <u>DMAS website</u> for details.

#### 9.4.1 Medicaid and Residential Placements - IACCT

Authorization for Medicaid-funding for a TGH or PRTF placement is requested through an Independent Assessment and Care Coordination Team (IACCT) under arrangement with the BHSA or DMAS. Guidelines for CSA "interactions" with the IACCT process can be found in <u>CSA Administrative Memo #16-08</u> and <u>Guidance for CSA Community Policy and Management Teams Regarding the DMAS/Magellan Independent Assessment and Care Coordination Team (IACCT) Process.</u>

### 9.4.2 Local Medicaid Matching Funds

The Appropriation Act requires that local CSA programs provide matching funds for certain Medicaid-funded services offered to youth served through the CSA. The services are therapeutic group homes, psychiatric residential treatment facilities, and treatment foster care case management. Based on the information provided to OCS by DMAS, OCS "collects" this local share by reducing state reimbursements to localities. OCS posts the details of these collections to the secure local Fiscal Agent and CSA Coordinator areas of the CSA website. Local CSA programs are encouraged to monitor these local Medicaid deductions through the website to ensure their accuracy and to report discrepancies to Magellan at VADMASFIPS@magellanhealth.com.

# 10.0 Consistency of CSA Practices with Other Regulations

Policies and practices of the Children's Services Act are designed to be consistent with all relevant federal and state laws, regulations, and policies. Regardless of whether CSA state pool, federal, or other state funds are utilized, CSA follows these requirements. This section of the *CSA User Guide* addresses activities where the need for such consistency has been identified.

**Note:** The areas addressed in this section of the *User Guide* should not be interpreted as a comprehensive and exclusive listing of all such areas. Practitioners are encouraged to become familiar with all relevant federal and state laws, regulations, and policies that may interface with CSA activities.

# 10.1 Medical Necessity for Specific Clinical Services

Criteria defining medical necessity have been identified for specific community-based clinical services that are funded through the state Medicaid program (Department of Medical Assistance Services, DMAS). These specific services are Intensive In-Home Services, Mental Health Skill Building Services, and Therapeutic Day Treatment. State Executive Council Policy 6.3 requires that when state pool funds are to be utilized (e.g., for non-Medicaid members) for these services, that the FAPT/CPMT ensures that the criteria for medical necessity specified by DMAS for these services are met. The mechanism for making such determination is left to local policy and practice within broad guidelines, including the use of an independent clinical assessment. A <u>Model Community-based Behavioral Health Services Eliqibility Form</u> is available, but not required, for local use.

The opportunity to request an <u>exception</u> to this policy is provided. <u>Guidelines for the</u>
<u>Implementation of the Use of State Pool Funds for Community-Based Behavioral Health Services</u>
<u>Policy</u> are available, as is a <u>Frequently Asked Questions</u> document on this topic.

In cases where the medical necessity criteria are not met, FAPT and CPMT should consider alternative services to meet the youth's needs.

# 10.2 Non-duplication of Case Management Services

Policies of DMAS (reflecting those of the federal Center for Medicaid and Medicare Services) prohibit concurrent funding of more than one case management service, regardless of funding source. Therefore, a child may not receive more than one purchased case management service at a time.

(<u>Note</u>: As indicated in the Case Management section (Section 8.4) of the *User Guide*, this prohibition does not apply to CSA "case support" or the routine case management services provided by agencies that are not purchased on a per-child basis.)

The relevant case management services include:

- Treatment Foster Care Case Management
- Intensive Care Coordination
- Case Management (provided by a Community Services Board) for:
  - o youth at risk of serious emotional disturbance
  - o individuals with substance-related disorders
  - o Individuals with intellectual or developmental disabilities

# 10.3 The Individuals with Disabilities Education Act (IDEA)

As described in the *Special Education* section (Section 9.1) of the *CSA User Guide*, no CSA policy or practice may interfere with, contradict, or otherwise impinge on the rights of a student and family to receive services specified in an Individualized Education Program developed following IDEA. A student whose IEP determines private day school or residential placement for educational reasons must, with few exceptions (e.g., transportation), receive funding for all services specified in the IEP, as long as their eligibility for CSA is established.

# 10.4 Enhanced Maintenance for Children in Foster Care

The Virginia Department of Social Services specifies that any payments beyond basic maintenance for children in foster care to meet the child's need for additional supervision and support shall be addressed through the Virginia Enhanced Maintenance Assessment Tool (VEMAT) process. This requirement applies whether the source of the enhanced maintenance payments is title IV-E or CSA state pool funds. Enhanced maintenance through the VEMAT process is tied explicitly to a determination that that child has a clearly defined need for increased supervision and support from the foster parent due to the child's behavioral, emotional, or physical/personal care requirements.

Local departments of social services shall not make additional payments to foster parents beyond basic maintenance for the supervision of a child (historically referred to as "special services" payments) outside of the VEMAT process.

#### 10.5 Denial of CSA Funds

Per the Appropriation Act, the State Executive Council for Children's Services adopted a policy regarding *Denial of Funds* to local governments (Community Policy and Management Teams) not in compliance with provisions of the Children's Services Act (Policies 4.6 and 4.7).

The SEC policies specify that localities may be denied CSA state pool funds for any violations of federal or state law or policy. The following are relevant federal or state laws or policies:

- All statutory requirements for Community Policy and Management and Family Assessment and Planning Teams
- To be eligible for CSA funding, any service or service provider which requires licensure
  or certification by a Virginia state agency (i.e., the Departments of Behavioral Health and
  Developmental Services, Education, Social Services, and Juvenile Justice) must be
  properly licensed or certified. These include:
  - Residential treatment facilities licensed by DBHDS
  - An array of outpatient services requiring licensure by DBHDS (specified in 12VAC35-105-30)
  - o Private day and residential schools licensed through DOE
  - o Child care, family homes, and children's residential facilities licensed by DSS
  - o Locally-operated group homes or detention centers certified by DJJ

The SEC policies provide references to the specific programs and services which require licensure or certification, as described below.

- Any service or placement with specific federal law or policy requirements, including requirements for placements for children in foster care, as determined by title IV-E of the Social Security Act.
- If any group home or other residential facility serving CSA funded children has its licensure status lowered to a provisional status as a result of multiple health and safety or human rights violations, all children placed through CSA in that facility shall be assessed to determine if it is in the best interests of each child to be removed and placed in a fully licensed facility (§2.2-5211.1.1). No new CSA placements shall be made in the provisionally licensed facility until and unless the violations are remedied and full licensure status restored.

## 11.0 Intensive Care Coordination

## 11.1 Background: What is Intensive Care Coordination?

Intensive Care Coordination (ICC) is a service designed to address the needs of children and families with complex, challenging behavioral health issues. Youth served by ICC typically represent the top 10-20% of a "need severity pyramid." Goals of ICC include serving youth in their homes and communities, and if placed out of the home, decreasing the length of stay and facilitating a successful return to the community. Due to the intensity of need by the youth served, ICC recognizes a need for smaller caseloads than traditional case management. ICC also explicitly acknowledges the need to work in partnership with both youth and families in designing and implementing services to meet goals.

In 2013, the State Executive Council adopted a specific policy concerning the delivery of ICC (see SEC Policy 6.1). In brief, this policy establishes minimum credentials and requires that all ICC providers and supervisors are trained in a model known as High Fidelity Wraparound (HFW). The target population for ICC includes youth placed in, or at high-risk of, out of home placement, acknowledging that prevention of residential placement through intensive work with youth and families is a highly valued outcome.

Intensive Care Coordination (ICC) is defined in the SEC Policy as:

"facilitating necessary services provided to a youth and his/her family designed for the specific purpose of maintaining the youth in, or transitioning the youth to, a family-based or community-based setting. Intensive Care Coordination Services are characterized by activities that extend beyond regular case management services that are within the normal scope of responsibilities of the public child-serving systems and that are beyond the scope of services defined by the Department of Medical Assistance Services as "Mental Health Case Management."

Following §2.2-5206.17, §2.2-2648, and the Appropriation Act, all localities are required to develop a local policy on ICC that meets the needs of children and families.

## 11.2 The High Fidelity Wraparound Model

High Fidelity Wraparound (HFW) is an evidence-based practice firmly grounded in System of Care values such as individualized, family and youth-driven services, strengths-based practice, reliance on natural supports, the building of self-efficacy, team-based practice, outcomes-based service planning, and cultural and linguistic competence. The HFW approach is a process of care

management/care coordination that holistically addresses the behavioral and social needs of youth and families to develop self-efficacy. HFW provides the family with voice and ownership of their plan of care and service delivery. With the help and support of an HFW facilitator as well as youth and family support partners, the youth and family develop their "team." The team consists of system partners and those important to the family (natural supports). The youth and family are integral to the process, as their voice and choice drive the planning process. Over 12-18 months, the HFW team works together to help the family achieve its vision. This is done through monthly planning meetings where outcome-based plans are developed to meet the identified needs. The HFW framework guides the work, which includes four phases with associated activities and documentation.

#### 11.3 The Role of ICC at the FAPT

The ICC provider / HFW facilitator <u>cannot</u> be the lead agency case manager for FAPT. If the ICC is a CSB employee, the lead agency case manager must be a separate individual from the CSB or another child-serving agency.

The local CSA may purchase the FAPT case oversight function from the CSB by using the Case Support service definition.

## 11.4 The Provision of ICC with Other Case Management

The Department of Medical Assistance Services (DMAS), the state Medicaid agency, has determined (in accordance with federal guidelines) that ICC is a Case Management Service. As a result, regulations regarding non-duplication of services apply, meaning that other billed Case Management services (e.g., Treatment Foster Care – Case Management, Mental Health Case Management) cannot occur concurrently with ICC. These restrictions apply whether or not the child is receiving Medicaid funded services.

### 11.5 Additional Resources

Additional resources can be found on the CSA website under *Resources > High Fidelity Wraparound AND AS FOLLOWS:* 

- ICC in a HFW Model
- ICC Frequently Asked Questions
- High Fidelity Wraparound Activities and Documentation Timeline

# 12.0 Utilization Review and Continuous Quality Improvement

Utilization Review (UR) and Continuous Quality Improvement (CQI) are two approaches to evaluate and improve the efficiency, appropriateness, and effectiveness of services funded by CSA. They include a set of techniques used to manage service planning, service provision, and local CSA program management and decision making through systematic and data-driven processes. Utilization Review and CSA CQI seek to implement and maintain high-quality services that are also cost-effective and successfully meet the needs of children and families.

#### 12.1 Utilization Review

Utilization Review (UR) occurs at the child and family/service level and is the formal assessment of the necessity, efficiency, and appropriateness of services. UR measures the progress of the youth and family in services and towards the achievement of the goal and objectives in the Individual Family Service Plan (IFSP). UR can be conducted through various activities, including a chart review and onsite visits to treatment programs (when appropriate).

The <u>CSA Utilization Review Guidelines</u> provide an overview of UR best practices and include a suggested schedule for review (based upon service type), as well as resource documents. A model IFSP UR addendum (and instructions) for completing utilization review can be found on the CSA website in the *Resources* area under *Forms*.

## 12.2 Role of the Office of Children's Services (OCS) in Utilization Review

OCS provides State-Sponsored Utilization Review (UR) to localities that choose to enter into a Memorandum of Agreement for this service. If a locality so chooses, OCS State-Sponsored UR is completed at no cost for all non-educational residential placements. If a locality decides to participate in State-Sponsored UR, this should be reflected in the locality's CSA policies.

The Interagency Agreement for State-Sponsored UR, the Checklist for case submissions, the Discharge Form, and the Initial and Subsequent Utilization Review forms used by OCS can be found in the Resources area of the CSA website under Utilization Review and Management.

## 12.3 CSA Continuous Quality Improvement (CQI)

The Code of Virginia (§2.2-2648 D.15, §2.2-5206.13, and §2.2-5208.5) requires localities to review and analyze aggregate CSA data and develop long-range program plans. This activity has historically been referred to as "Utilization Management" for CSA.

To assist localities with meeting these statutory requirements, the SEC and the Office of Children's Services developed "easy-to-use" tools for local CPMTs to help CPMTs in meeting the statutory requirements. Continuous Quality Improvement (CQI) is defined as the process of reviewing data and using data-driven decision making to improve performance and program implementation. CSA CQI tools consist of a CQI Dashboard, a Documentation Template with Instructions, and a set of uniform terms and definitions. These tools can be used by CPMTs and local CSA partners to continually review data, develop long-range, data-driven action plans, and provide effective CSA services.

CSA CQI tools and instructions on how to use them are available on the OCS website at <a href="http://www.csa.virginia.gov/Resources/ContinuousQualityImprovement">http://www.csa.virginia.gov/Resources/ContinuousQualityImprovement</a>.

Requests for onsite CSA CQI training can be made by submitting a request on the OCS website at <a href="http://www.csa.virginia.gov/Contact/TechnicalAssistance/2">http://www.csa.virginia.gov/Contact/TechnicalAssistance/2</a>

## 13.0 Audit Engagement

This chapter of the *CSA User Guide* describes the four stages of an audit engagement: Planning, Fieldwork, Reporting, and Follow-up.

The audit process, whether a full on-site or self-assessment validation review, consists of four primary phases: planning, fieldwork, reporting, and follow-up. An on-site audit is the more intensive of the two types of engagements. It typically requires a three or more day site visits by the auditor and includes extensive interviews, risk assessment procedures, and detailed audit tests performed on a large sample of CSA case files. The self-assessment validation is less intensive and typically is limited to a one-day site visit by the auditor, which is the validation portion of the self-assessment audit. Self-assessment validation engagements are based on the local CSA programs working collaboratively to complete the CSA Self - Assessment Workbook to evaluate their programs. The Workbook can be found under the Local Government, Program Audits section of the CSA website. The auditor performs audit tests to validate the conclusions reported. Audit tests performed are identical to on-site engagements, though less intensive due to a smaller case sample size and the extent of the preliminary work done by the local CSA program.

The following subsections describe audit activities implemented in each phase and what to expect during an audit. A flowchart of each phase of the audit process is depicted immediately following the subsection, and a list of frequently requested documents is located at the end of this section of the *User Guide*.

## 13.1 Phase I: Planning

Planning is the background information and data collection phase of the audit. This may involve simple internet searches, questionnaires, and a formal request for information to the local CSA Coordinator (e.g., policies, procedures, by-laws, membership rosters). Once the preliminary data collection is completed, an entrance conference is scheduled with the local CSA representatives to discuss the audit objectives, scope, procedures, period covered, communicating results, report distribution, quality improvement plans, and follow-up monitoring. The entrance conference may be conducted in person or through video or teleconference technologies, where desirable. The entrance conference typically occurs at least two weeks before the date of the actual on-site visit. While preferable to conduct the entrance conference in advance of an on-site visit, there are instances when the entrance conference and fieldwork will be initiated on the same day. This is particularly likely for audits where significant travel is required and video/teleconferencing is not possible.

#### PLANNING

- Collects background information
- Contacts local CSA representative to scheule entrance conference (At least two weeks in advance of on-site visit.
- Forward formal engagement Letter to CPMT Chair (on-site) and /or Email (validations)
- Conducts Entrance Conference
- Forward request for information to CSA Coordinator in advance of on-site visit.

Program Auditor

#### **CSA** Coordinator

- Serves as liason between Program Auditor and the CPMT Chair.
- Coordinates accomodations in preparation for the entrance conference and the auditor's onsite visit.
- Participates in entrance conference discussion.
- Gathers information requested by the Auditor (See Section II).

- Participate in entrance conference discussion
- Coordinate with the CSACoordinator to ensure information requested by the Program Auditor is available.
- Encourage cooperation by all local CSA respresentatives during the audit process.

CPMT (Chair)

#### What to expect during an entrance conference:

All CPMT members and other interested parties deemed appropriate by local government administrators and/or the CPMT Chair are encouraged to attend. The auditor will begin by communicating the audit period, anticipated duration of the audit, scope, objectives etc. The Auditor will describe the various audit techniques to be performed. The meeting participants are asked to share their concerns or identify what they view as potential risks for their local CSA programs, and possible mitigating actions. The Auditor will discuss the process for communicating results of the audit, distribution of the final report, and follow-up monitoring. The entrance conference typically last no longer than an hour. Audit clients may take this opportunity to share any information about their local programs that may potentially affect the outcome of their audit (e.g., staff turnover, policy/procedure changes, etc.).

<u>NOTE</u>: For entrance conferences conducted by video/teleconference, the auditor will schedule and provide the meeting details by email to the CPMT Chair and CSA Coordinator to be shared with the other attendees.

#### 13.2 Phase II: Fieldwork

Fieldwork is the analysis and evaluation phase. Fieldwork is primarily performed on-site. However, the auditor may perform various audit procedures in the office. Audit procedures may include, but are not limited to, the following:

- review policies, plans, procedures, guidelines, directives, laws, rules, regulations, publications, etc.;
- conduct interviews with CSA stakeholders as deemed necessary (i.e., CPMT, FAPT, CSA Coordinators, Fiscal Agent, Case Managers, etc.);
- create a flowchart of operational and fiscal processes to evaluate strengths, weaknesses, effectiveness, and efficiency of operations;
- examine/inspect records to assess whether files are complete, information is accurate and reliable, and appropriate authorizations/signatures (if required);
- perform analytical procedures to evaluate the financial/operational impact of processes/activities that may result from ineffective, inefficient, or inappropriate use of CSA resources; and
- communicate preliminary observations to obtain additional information necessary for further evaluation; establish specific timeframes (typically two weeks) for receipt and reconsideration of additional information to mitigate preliminary observations.

#### FIELDWORK

- Review background information collected
- Examine case file documentation and accompanying fiscal records.
- Interview stakeholders (where necessary)
- Coordinate w/CSA Coordinator to obtain missing and/or additional information.
- Communicate significant concerns to CSA Coordinator and CPMT Chair immediately.

Program Auditor

#### **CSA** Coordinator

- Serves as liason between Program Auditor < FAPT members, CPMT members, fiscal personnell, and the other CSA stakeholders (as needed).
- Coordinates workspace accomodations i for the Program Auditor during the on-site visit
- Gathers information requested by the Program Auditor.

- Coordinate with the CSACoordinator to ensure information requested by the Program Auditor is available.
- Encourage cooperation by all local CSA respresentatives during the audit process.

CPMT (Chair)

What to expect during on-site fieldwork:

*Interviews:* The auditor may schedule interviews with selected CSA stakeholders. Interviews typically last no more than an hour. If unavailable, interviews may be conducted by telephone or videoconference. Discussion topics include roles/responsibilities, confidentiality, conflicts of interest, and fraud risk.

Case File Reviews: The auditor selects a sample of client case files for review (usually 5 -10 percent). Case files are reviewed for minimum required documentation (refer to CSA Documentation Inventory). Specific documents, such as Individual/Family Service Plans (IFSP) and expenditure records, are reviewed to ensure compliance with CSA statutes, policies, and procedures.

Informal Briefing: Before the auditor concluding the on-site visit, the auditor will schedule an informal briefing to communicate preliminary concerns. The CSA Coordinator and any interested CPMT members are invited to participate. All parties are made aware that any information communicated is preliminary and NOT final. The informal briefing may be followed up with an email that summarizes the preliminary observations. Where provided within the timeframe specified by the auditor, additional information provided subsequently will be given due consideration.

## 13.3 Phase III: Reporting

The OCS standard audit policy is to discuss each audit observation with the appropriate level CSA representatives, which OCS refers to as management discussion points. Client participation is solicited to:

- resolve misinterpretations, inconsistencies, or factual errors in initial data provided;
- resolve disputed concerns regarding the validity of any preliminary audit observations; and
- aid in the development of recommendations to address valid audit observations.

An exit conference is scheduled to present the audit conclusions to the CPMT. The exit conference may be conducted in person or through video or teleconference technologies, where feasible. A copy of the draft report is provided to the CPMT Chair and CSA Coordinator before the scheduled exit conference for review and distribution to other attendees, to ensure that there will be no surprises in the final audit report.

Before the distribution of the final audit report, audit clients are encouraged to provide written comments to be included in the final report. The timeframe to submit formal responses to audit

observations is typically within two weeks of concluding the exit conference. The final report is distributed to the OCS Executive Director, local government administrator/manager, CPMT Chair, CSA Fiscal agent, and CSA Coordinator. Final reports are also published on the CSA website.

#### REPORTING

- Communicates preliminary observations prior to concluding on-site visit and via email thereafter.
- Coordinate scheduling of the formal exit conference with the CSA Coordinator or CPMT Chair. Forward draft report in advance of the meeting (usually within 2-3 days of meeting)
- · Conducts exit conference
- Forward final report to the CPMT Chair, CSA Coordinator and other parties on the distribution list.

#### Program Auditor

#### CSA Coordinator

- Serves as liason between Program Auditor and the CPMT Chair.
- Coordinates accomodations in preparation for the preliminary and formal exit conference, including distribution of report copies.
- Participates in preliminary and formal exit conference discussions.
- Gathers additional information to provide clarification of or dispute preliminary and /or final reported audit observations.

- Participate in preliminary and formal exit conference discussions.
- Ensures t additional information to be furnished to the Program Auditor is delivered timely.
- Coorrdinate with the full CPMT to develop formal responses to reported observations in the final report.
- Forward formal CPMT responses to the auditor .
- Distribute and discuss final report with the full CPMT and other interested stakeholders (as needed).

CPMT (Chair)

#### What to expect regarding audit reporting:

Exit Conference: All CPMT members and other interested parties deemed appropriate by local government administrators and the CPMT Chair are encouraged to attend. The auditor will present the draft report. Participants may ask questions or provide additional clarifications. The CPMT Chair and CSA Coordinator are asked to sign the Management Discussion Point Worksheet on behalf of the CMPT, acknowledging that the audit observations have been communicated. The auditor will request formal comments to be included in the final report and negotiate a date for receipt of those comments (usually no later than two weeks from the date of the exit conference). Participants are advised of the timetable for submitting the quality improvement plan to OCS and the process for follow-up on the implementation of quality improvement tasks. The exit conference typically lasts no longer than an hour.

Final Reports: The report includes an executive summary, background/locality profile, and observations. The executive summary concludes the overall assessment of internal controls

and compliance. A report may indicate there are "significant" deficiencies. This is an indication that these are potential risk exposures that require immediate action.

**NOTE**: For entrance conferences conducted by video/teleconference, the auditor will schedule and provide the meeting details by email to the CPMT Chair and CSA Coordinator to be shared with the other attendees.

## 13.4 Phase IV: Follow-up

The local CSA program is asked to provide a quality improvement plan (QIP) addressing the observations outlined in the final report. This document should be furnished to OCS within 30-45 calendar days of receipt of the final report. The quality improvement plan should indicate the following:

- description of the task to be completed;
- the person responsible for ensuring the task is completed; and
- anticipated implementation or completion date.

Upon receipt, the auditor will review the quality improvement plan to assess whether tasks identified adequately address audit observations. If the proposed actions are unsatisfactory, the auditor will notify the CPMT Chair in writing. Otherwise, the quality improvement plan is deemed acceptable.

Local representatives are asked to monitor and periodically report to OCS on the status of tasks indicated in the quality improvement plan. Program Auditors and designated OCS staff may also perform follow-up procedures to assess progress during the next scheduled on-site visit. To facilitate this process, the auditor records the QIP in OCS's audit management tool known as Pentana. This resource tool promotes efficient and timely monitoring of the status of implementation of QIP tasks. In Pentana, QIP tasks are referred to as "Actions." Pentana's Action Tracker tool will periodically notify local representatives (CPMT Chair, CSA Coordinator, or CPMT Fiscal Agent) via email that a status update is due. The email will include a link to the application where the designated local representative may then record the update.

#### MONITORING/FOLLOW-UP

- Request and monitor for receipt of the locally developed quality improvement plan.
- Record QIP in Pentana, which will issue periodic reminders to CSA Coordinator and CPMT Chair to report on status/progress of quality improvement plans.
- Conduct paper reviews and/or on-site follow-ups (where necessary) to evaluate satisfactory implementation of quality improvement plans.

Program Auditor

#### **CSA** Coordinator

- Coordinate with the CPMT on the development of the quality improvement plan.
- Monitor and report to the CPMT and OCS the status/progress of QIP upon receipt of email from OCS to update status in Pentana
- Coordinate with the full CPMT in the development of the QIP
- Monitor status/progress of quality improvement plan.
- Report status/progress of quality improvment plan to OCS by ensuring timely response to email from OCS to update status in Pentana

CPMT (Chair)

#### What to expect during audit monitoring/follow-up:

The real added value of an audit occurs at this stage of the process. CPMTs and auditors should continuously monitor implementation of the quality improvement plan as a means to ensure reported observations have been appropriately addressed. QIPs are recorded in OCS's audit management tool known as Pentana, which labels each task as "Actions." Pentana's Action Tracker periodically notifies local representatives (CPMT Chair, CSA Coordinator, or CPMT Fiscal Agent) via email that a status update is due. The email includes a link to the application where the designated local representative may then record the update.

#### Tips for Monitoring/Follow-up on the Status of Quality Improvement Plan Task

- The CPMT should consider adding a quality improvement plan monitoring as an agenda item for CPMT meetings. A designated representative could provide reports on progress to the CPMT.
- Using Pentana's Action Tracker, update quality improvement plan target dates when tasks identified are not implemented or completed by the initially anticipated target dates.
- Report status changes to the Office of Children's Services upon receipt of the email
  notification from OCS. You do not have to wait until the entire plan has been completed to
  provide updates to OCS.

## 13.5 Frequently Requested Documents During Audits

It is not intended that all local CSA programs are required to provide all of the documents that are referenced. Further, the Documentation Request List is not a comprehensive list of materials needed to complete an audit engagement, as documentation required to meet audit objectives are subject to change based on local CSA operational practices.

AUDIT PHASE	DOCUMENT DESCRIPTION
Planning	<ul> <li>List of CPMT/FAPT/MDT members (include agency affiliation and contact information)</li> <li>CPMT Bylaws (if available)</li> <li>Local CSA policy and procedure manual</li> <li>Utilization Management/Utilization Review Plan</li> <li>CSA Self-Assessment Workbook<sup>6</sup></li> <li>External audit reports (CAFR Audits, title IV-E, etc.) and related corrective action plans</li> </ul>
Fieldwork	<ul> <li>CPMT/FAPT/MDT meeting minutes<sup>7</sup></li> <li>Local CSA long-range plan</li> <li>Performance/Outcomes reports (i.e., utilization management reports)</li> <li>Financial Reports (i.e., supplemental requests, budget and expenditure reports, etc.)</li> <li>Training agendas and participant rosters</li> <li>Statement of Economic Interest Disclosure Forms</li> <li>Confidentiality Statements (FAPT and CPMT, if applicable)</li> <li>Listing of CSA Case Managers</li> <li>Listing of CANS users/super users/administrators, including signed user agreements</li> <li>Listing of all CSA Parental Agreements</li> <li>Listing of ICC cases</li> <li>Listing of due process/appeals requested/decided</li> </ul>

<sup>&</sup>lt;sup>6</sup> Only applies where the local CSA program has completed the CSA Self-Assessment Workbook.

<sup>&</sup>lt;sup>7</sup> Include all supplemental documents that support activities/discussions occurring during CPMT/FAPT meetings (i.e. financial reports, presentation materials, etc.)

AUDIT PHASE	DOCUMENT DESCRIPTION
	Reconciliation of CSA Fund balances
	Local government general ledger reports for CSA line items
	Annual Gap Survey
	Vendor/Provider Listing and associated contracts
	Records Retention Destruction Schedules
	Specific to CSA Client Case File Reviews <sup>8</sup> :
	Client referral packet (if applicable)/demographic data
	Consent to exchange information
	Child Adolescent Strength and Needs (CANS) assessment
	IFSP/ IEP/ Foster Care Plans (if applicable)
	Assessment Tools - VEMAT, VICAP, etc. Scores (if applicable)
	Child in Need of Services (CHINS) Determination (if applicable)
	Certificate of Need (if applicable)
	Vendor placement agreement and rate sheets (if applicable)
	Vendor treatment plans and progress reports
	Utilization review reports
	Request for CPMT funding authorization (if applicable)
	Client payment history (i.e., Thomas Bros., Harmony, Local System)
	Purchase orders / invoices / DSS Case Actions w/receipts (if
	applicable)
	Signed management discussion points
Reporting	Formal comments for the final report
	Completed Audit Client Survey

<sup>&</sup>lt;sup>8</sup> Client case file reviews are very intensive. Due to locally developed document retention practices, some documents listed above may or may not be included in the client file maintained by the local CSA Office. Auditors should be made aware of any documents that are maintained in the files of partner agencies to facilitate coordination to access the applicable documents.

AUDIT PHASE	DOCUMENT DESCRIPTION
Follow-up/ Monitoring	<ul> <li>Quality Improvement Plan</li> <li>Quality Improvement Plan updates and related source documents</li> </ul>

For more detailed information regarding the <u>CSA Program Audits</u>, please visit the CSA website.

## 13.5.1 CSA and Comprehensive Audit and Financial Report Requirements

According to the <u>Specifications for Audits of Counties, Cities, and Towns</u>, the expenditure of funds under the Children's Services Act is audited in each locality as a separate program account as part of the annual local audit.

## 14.0 Service Definitions

The State Executive Council has adopted a set of standard definitions to be utilized when reporting on services purchased under the CSA. (See <u>Administrative Memo #14-06)</u>. The purpose of the standardized definitions is to aid in meaningful analysis and reporting of CSA-funded services. All localities are required to employ these standard service definitions when reporting to OCS.

The current approved list of service names and their definitions can be found <u>here</u>.

## 15.0 The CSA Service Fee Directory

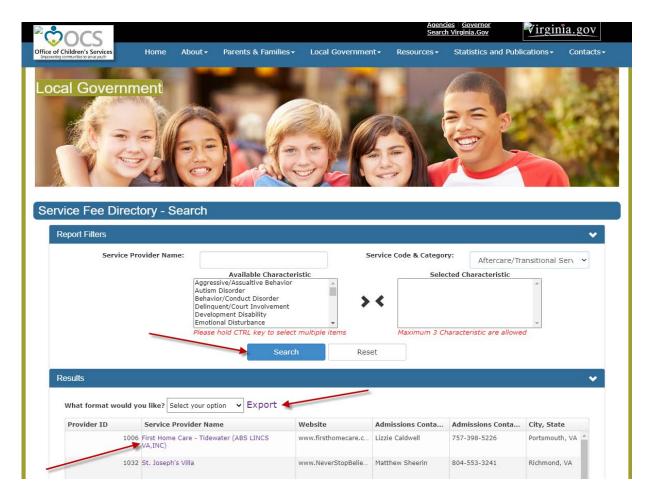
<u>§2.2-5214</u> requires the OCS to establish and maintain a service fee directory (SFD). The <u>Service Fee Directory</u> (SFD) can be found on the CSA website. The SFD allows for vendors to list the various services they provide and the maximum rate they charge for those services. The SFD can assist localities by having service providers share information regarding availability and fees for specific services.

Both public and private vendors enter and update the SFD information. (<u>Note</u>: OCS does not verify any of the information submitted to the SFD. The responsibility for verifying vendor information rests with the vendor and the locality purchasing the services.) While localities may require vendors to list themselves in the SFD through their vendor contract, OCS does not have the authority to require vendors to be listed on the SFD.

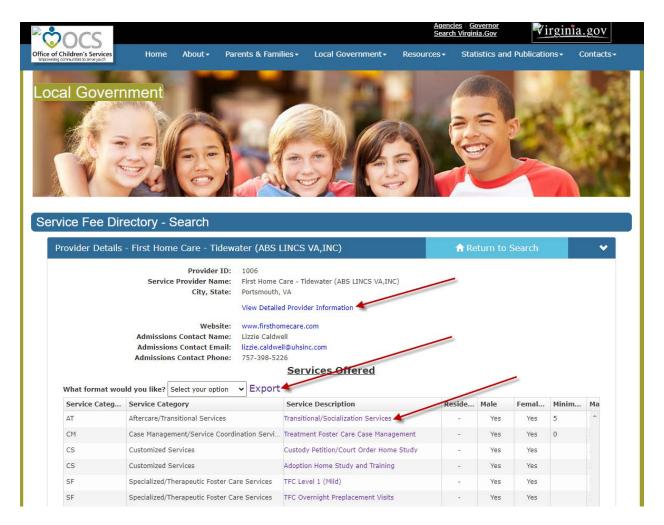
The SFD can be searched using any of the following parameters or a combination of:

- Provider Name
- Service Code
- Characteristics

When the Search button is clicked, based on the parameter criteria, a tabular report is displayed. This report can be sorted by clicking on the column heading. The report results can also be exported to either Excel or pdf using the Export link.



The Provider details can be drilled down by clicking on the Provider Name. In the screenshot displayed below, the Provider details can be viewed by clicking on the View Detailed Provider Information. The Service Description details can be seen by clicking on the individual Service Description and all the Services offered along with the rate can be exported by clicking on the Export link.



If a vendor would like to be added or if a locality requires a vendor to be added to the SFD, the form the vendor must complete can be found <u>here</u>. Once completed, this form is submitted electronically to OCS. When the vendor submits the form, OCS will approve and email details on how the vendor can establish their User Login credentials. At this time, the vendor will be granted access to the SFD and be able to update its information. Questions about the SFD, from either localities or vendors, can be directed to OCS.

## **16.0 CSA Vendor Contracts**

#### 16.1 General Issues

The Office of Children's Services encourages localities to enter into contractual agreements with vendors from whom they purchase services. A standard model contract has been developed to assist localities with developing vendor contracts. The Standard Model Contract can be found on the CSA website in the *Resources* area under *Forms*. Localities <u>are not</u> required to use the standard model contract, but rather it is an optional template.

Vendor contracts for CSA purchased services are between the locality and the vendor. All negotiations for contract terms and rates are done between the locality and the vendor. OCS does not participate in the contracting process.

When developing contracts, local procurement procedures should be followed. The locality establishes these procedures. In addition to following local procurement procedures, it is also suggested that the locality's attorney reviews the contract.

Contracts involving multiple localities and a vendor are permitted. As smaller localities often do not have a significant volume of referrals, localities may collaborate to develop a shared contract. This is beneficial to smaller localities as it may provide more "negotiating power" as they have the potential to refer more youth. Typically, the language of a shared contract is agreed upon by the CPMTs involved. The localities should ensure that contract terms meet their procurement procedures as well as being reviewed by each local attorney. The terms of the contract apply equally to all participating localities.

## **16.2 Competitive Bidding and Negotiations**

Under the Virginia Public Procurement Act (§2.2-4345.A.140), public bodies entering into contracts for purchasing services under the Children's Services Act "for goods or personal services for direct use by the recipients of such programs if the procurement is made for an individual recipient" may be considered as exempt from the requirements for competitive sealed bidding or competitive negotiation.

## 17.0 CSA Administrative Funding

Administrative funds may be used to offset the locality's (non-services) cost of implementing the CSA. Use of these funds may go toward administration/coordination of services (e.g., the salary of the local CSA Coordinator). The Appropriation Act specifies the amount of funding available from the state general fund for these administrative allocations and there is a required local match. The Act defines the minimum and maximum amounts that a locality may receive, inclusive of the local matching funds.

If the locality wishes to receive the state share of the administrative funds, the Community Policy and Management Team must annually submit to OCS an Administrative Budget Plan form.

The submission of the request for administrative funds is initiated and processed through the automated CSA Local Government Reporting System. The local government should submit the Administrative Plan form through the CSA Local Government Reporting System no later than June 1 of the fiscal year to ensure reimbursement. Upon receipt of the approved Administrative Plan form, the state will process a single payment to the fiscal agent of the Community Policy and Management Team for the state's share of the Administrative allocation.

If during the year, the Community Policy and Management Team elects to use its administrative funds in a manner other than reported in the original budget plan, it may do so without amending the plan.

The local fiscal agent must account for Children's Services Act administrative expenditures such that they are identifiable as Children's Services Act administrative expenditures.

## **18.0** Supplemental State Allocations

The Children's Services Act requires that the General Assembly and the local governing body shall appropriate such "sums sufficient" to provide services for certain CSA eligible children.

Frequently, a locality's "base" allocation from the state pool does not contain enough funding to cover the sum sufficient requirements (not including any allocation of funds designated for Special Education Wraparound). The CPMT must then request a supplemental allocation from the Office of Children's Services for the state share of costs that exceed the current allocation. In the case of a multi-jurisdictional CPMT, the application is submitted for an individual participating locality.

Approved supplemental allocations will be in effect only during the program year for which the requests are made. Supplemental allocations are not added to the base allocation for the subsequent fiscal year.

## 18.1 Supplemental Allocation Requirements

A CPMT may request a supplemental allocation at any time before the close of the program year (September 30). To be approved for a supplemental allocation, the CPMT must demonstrate that a known cost has been, or will be incurred for a specific child or children in the sum sufficient populations. For this purpose, obligations are defined as unpaid purchase orders, contracts, or any other agreements, which bind the CPMT to pay for goods or services to be delivered to specific children, at a specified cost, over a defined period.

Any amount of the "protected" allocation for the non-sum sufficient population that is not yet expended or obligated may be re-allocated for use with the sum sufficient population.

Any local government requiring supplemental funding must submit their requests electronically utilizing the CSA Supplement Request Allocation Form available on the Local Government Reporting page of the CSA website. The form requires aggregate year-to-date CSA census data, actual expenditure information for the current program year (both items are pre-loaded from the data already submitted to CSA), as well as the (projected or actual) additional sum sufficient funding needed. This form is the only document required to request supplemental funds. Localities are strongly encouraged to review the instructions for the Supplement Request Allocation Form before filing their supplemental allocation requests.

Any Report Preparer may prepare requests for supplemental allocations for the locality. They must then be approved both the CPMT Chair and the Fiscal Agent before being submitted to OCS. The requests are filed electronically via the <u>Local Government Reporting</u> area of the CSA

website. It is not necessary to provide a hard copy of the Request for Supplemental Allocation form to the Office of Children's Services. However, a hard copy containing all necessary signatures should be maintained by the local CPMT.

Localities whose sum sufficient expenditures have increased more than 10% over the previous year's total sum sufficient expenditures are <u>encouraged</u> to complete the "Comment" portion of the Supplemental Allocation Request form. Comments listed should provide additional information related to locality trends that are affecting CSA costs and the reasons for the increase in spending that <u>would not otherwise be apparent from the LEDRS reporting</u> for the locality. It is not necessary to restate the financial information already submitted in other portions of the report. All localities are also encouraged to provide any additional information that further supports their funding needs in the "Comments" portion of the Request. Other documentation to support the supplemental allocation request may be requested.

The report Preparer and the Fiscal Agent will be notified electronically upon approval of the requests for supplemental allocation.

For supplements approved by OCS before May 31st, OCS may only partially allocate to the locality's CSA balance the total amount of the Request. If your reimbursements necessitate the remainder of the approved supplemental funds before the end of the fiscal year, the Report Preparer may request the balance by the Report Preparer by clicking the "Sending e-mail to Request Funds" in the Supplement area of the local governing reporting site.

<u>Note</u>: The statewide appropriation for the expenditure category "*Wrap-around Services for Students with Disabilities*" has been "earmarked" in the Appropriation Act and cannot exceed the appropriated balance. The same is true for the "protected" amounts for non-sum sufficient populations. Hence, supplemental funds are not available for these expenditure categories.

#### 18.1.1 Instructions for the Supplemental Allocation Request

#### Step 1:

From the CSA Home Page, under the Applications section, click the Local Government Reporting link.

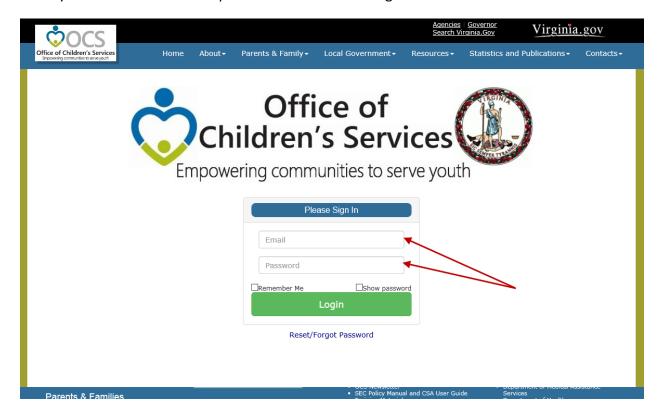


#### Step 2:

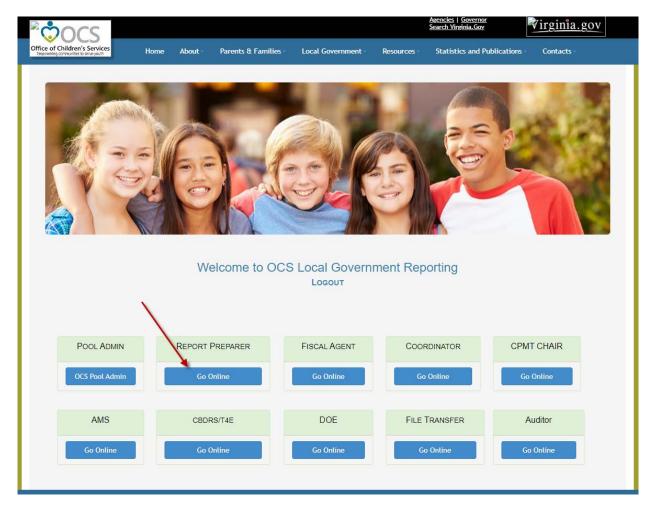
Next click on the "Click here to proceed" button

Step 3:

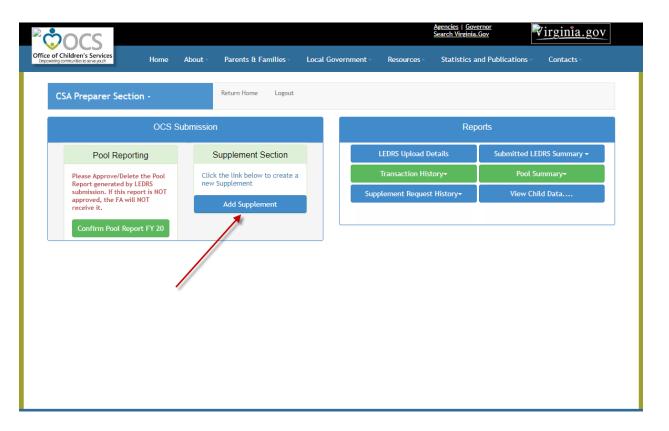
Enter your e-mail address and password and click the Login button



Step 4:
Click on the Report Preparer section



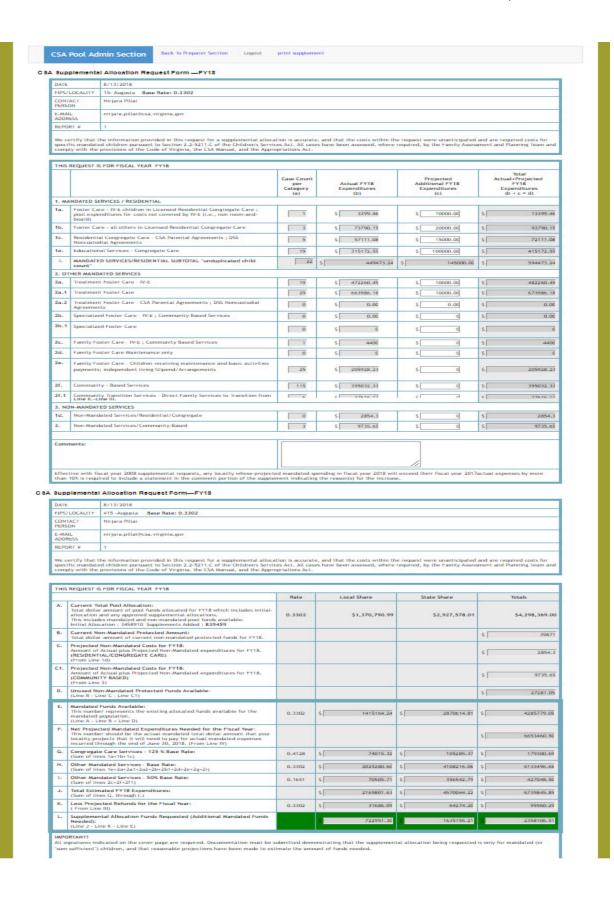
Step 5:
Click on Add Supplement button



Step 6:

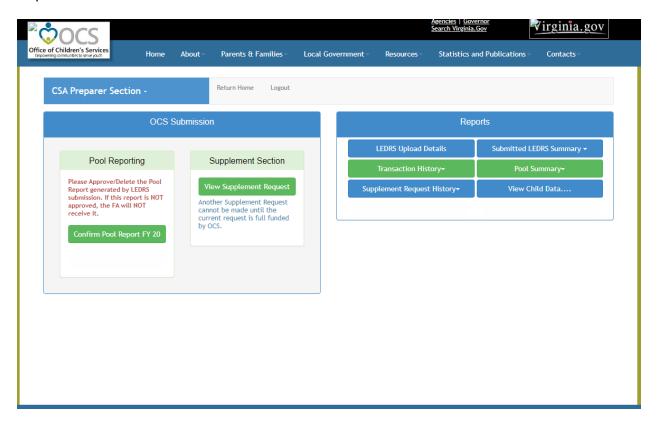
The Supplement Allocation Request Form is displayed. This form has two sections.

- 1. The greyed out part displays data obtained from the CSA LEDRS. (Columns (a) and (b).
- 2. Column (c) is where the user enters the Projected Additional Expenditures.
- 3. The form then calculates amounts based on the projections entered.
- 4. Line L displays as either red or green. If it is in red, the User is indicating that the project need (Supplement) amount that is less than available balances. This means there is no need for additional funds and the supplemental request cannot be filed at this time.
- 5. If Line L is green, the user has an option to either Submit or Pend the Supplement request.
- 6. When the Submit button is clicked, it goes to the CPMT Chair and then the Fiscal Agent for approval and submission to OCS.



#### Step 7:

After successful submission by the Report Preparer, he/she can view the submitted Supplement request.



Step 8: (This step is not yet implemented)

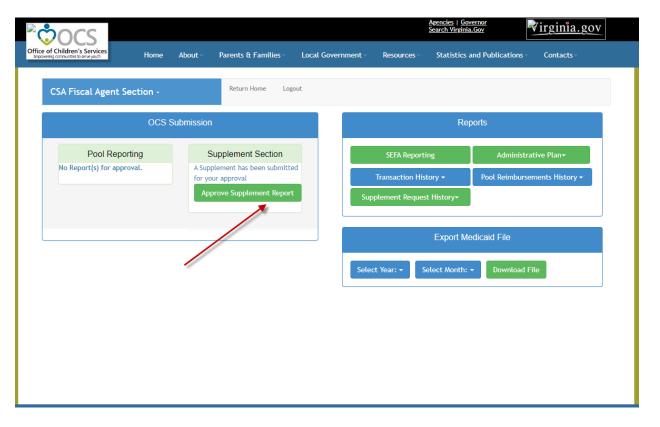
The CPMT Chair section will then show the following:

The CPMT Chair has the option to either Approve or Decline the supplement.

- 1. When the CPMT Chair clicks "Decline Supplement," the request goes back to Report Preparer for re-work.
- 2. When CPMT Chair clicks "Approve Supplement," the request goes to Fiscal Agent for final approval and submission to OCS.

Step 9:

The Fiscal Agent section will then show the following:



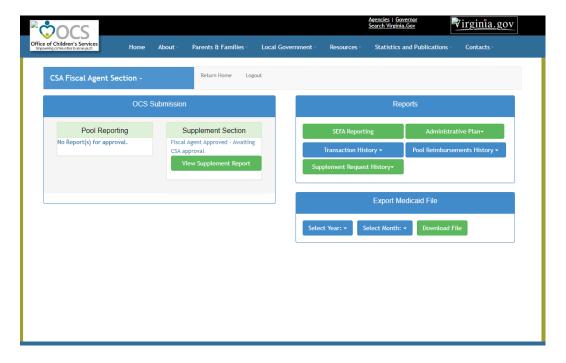
Step 10:

The Fiscal Agent has the option to either Approve or Decline the supplement.

- 1. When the Fiscal Agent clicks "Decline Supplement," the request goes back to Report Preparer.
- 2. When the Fiscal Agent clicks "Approve," the request goes to OCS for Approval.

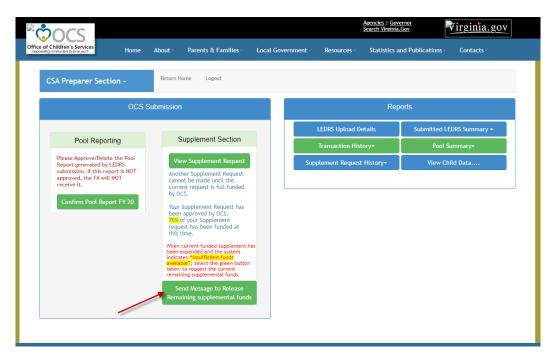


The screen looks as shown.



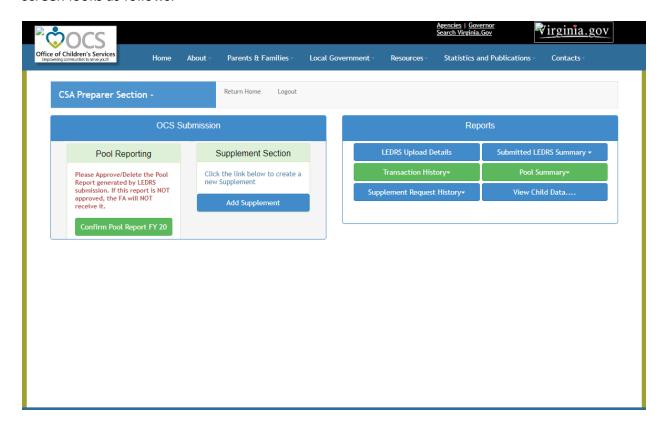
#### Step 11:

If the CSA Business and Finance Manager partially allocates the amount requested, the screen looks as follows, and when the locality needs the remainder of the required funds, the Report Preparer needs to click the button "Send Message to Release Remaining Supplement Funds." CSA Business and Finance Manager can then release the remaining amount.



#### Step 12:

When the CSA Business and Finance Manager fully approves the request, the Report Preparer screen looks as follows.



## 18.2 Supplemental Request Allocation Form

The following table provides additional details about completing the Request for Supplemental Allocation.

The numbered rows for all required reporting categories listed on the Request for Supplemental Allocation are populated the current year's CSA LEDRS submissions from the locality with row references indicating the corresponding CSA Expenditure Category.

On the Request, pre-filled or calculated fields are gray shaded. These fields will show data only after the user keys in and tabs out of a data entry field.

Page 1 Instructions: Fill projected additional expenditure for the fiscal year		
Step	Action	
1	Report Expenditure Rows (1a – 2i) represent the census and expenditure reporting categories for the mandated populations. They are the same expenditure reporting categories contained on the CSA Pool Reimbursement Request Report. Supplemental funding is permitted only on sim sufficient cases. Note: The expenditure row for Wrap Around Services for Students with Disabilities is disabled since additional funding is not allowed for this category.  To complete the supplemental request, you must provide projected expenditures by reporting category. The year-to-date or "actual" expenditures and case count for a category are pre-filled.  WHEN COMPLETING THE REQUEST FOR SUPPLEMENTAL ALLOCATION::  ALL NON-SHADED FIELDS MUST HAVE A VALUE. If there are no expenditures for a particular category, leave as 0  Do not use commas (,) dollar signs (\$) or alphabetical characters  Amounts should be in 99999.99 format  Indicate negative numbers with a minus sign (e.g., -500.00)	

Page 2 Instructions: Supplemental Calculation		
2	All data in Rows E through L are dynamically calculated and the explanation for each row is also displayed.	
3	If Row L is highlighted in RED, if the supplemental amount requested is less than the existing remaining allocation and the request cannot be submitted at this time.	
	If Row L is highlighted in GREEN, the Supplement Request "Submit" and "Pend" button are enabled for user action.	
4	When the Report Preparer clicks the "Submit" button, the CPMT Chair shall receive notification that the supplemental request is ready for their approval.	
5	When the CPMT Chair clicks the "Submit" button, the Fiscal Agent shall receive notification that the supplemental request is ready for their approval. Fiscal Agent approval will cause the supplement to be electronically submitted to OCS for processing.	

## 19.0 Reports Available for Managing CSA

There are numerous reports available through the <u>Statewide Statistics</u> and <u>Reports and Publications</u> sections in the <u>Statistics and Publications</u> area on the CSA Website that are useful in managing local CSA activities. These include: the <u>CSA Performance Measures</u>, an interactive dashboard which allows comparison of localities (and statewide data) on six selected outcomes; an annual <u>CSA Performance Measures/Outcome Indicators Report</u>; <u>CSA Utilization Reports</u>, which describe statewide and locality level information on expenditures, assessments, service types, mandate types, length of stay, and other demographic data from the CSA LEDRS System; and <u>CSA Pool Fund Expenditure Reports</u> addressing various financial areas. The information found in these reports can be useful for utilization management and program quality improvement activities.

## 19.1 CSA Utilization Reports

The <u>CSA Utilization Reports</u> allow the user to view statewide and locality specific information about the types of children (demographics and primary CSA mandate types) and types of services (service placement types, service names) over a specified period. Expenditure and length of stay data are also included in these reports. A brief *User Guide to Producing CSA Utilization Reports* can also be found on the website.

## 19.2 CSA Pool Fund Expenditure Reports

The <u>CSA Pool Fund Expenditure Reports</u> are a useful tool for tracking and analyzing CSA allocations and expenditures. There are numerous statewide and locality specific reports available and they allow comparisons across multiple fiscal years. These reports include:

- The locality's state pool fund allocations and Medicaid expenditure targets
- The "protected" amounts for serving the non-sum sufficient population
- The "Locality Transaction History" Report, providing a real-time summary of filed pool fund expenditures and available allocation balances
- The "Pool Daily History Comparison Report," providing a snapshot of year-to-date reporting compared to the same period in previous years
- The "Medicaid Billings" Report, providing a monthly calculation of Medicaid local share.

#### 19.3 CSA Performance Measures

The <u>CSA Performance Measures</u> interactive dashboard (Excel spreadsheet) allows for comparisons of seven performance measures and a composite performance measure across localities. These performance measures are:

- the percent of youth who had a decrease in their score on the Child Behavioral and Emotional Needs School Domain of the Child and Adolescent Needs and Strengths (CANS) (the mandatory CSA assessment instrument) from a baseline assessment to the most recent re-assessment;
- the percent of youth who had a decrease in their score on the School Domain of the CANS from a baseline assessment to the most recent re-assessment;
- the percent of youth who had a reduction in their score on the Strengths Domain of the CANS from a baseline assessment to the most recent re-assessment (indicates improvement);
- the percent of youth receiving Intensive Care Coordination (ICC) services compared to all youth placed in residential settings;
- the percent of youth receiving Community-Based Services (CBS) of all youth receiving CSA funded services;
- the percent of foster children in foster care who are in family-based placements; and
- the percent of children who exit from foster care to a permanent living arrangement.

Localities are scored and ranked on each performance measure and the composite performance measure. Construction of the <u>CSA Performance Measures</u> and instructions for using the interactive dashboard can be found on the website.

# 20.0 Required Local CSA Reporting

# 20.1 CSA Local Expenditure and Data Reimbursement System (LEDRS)

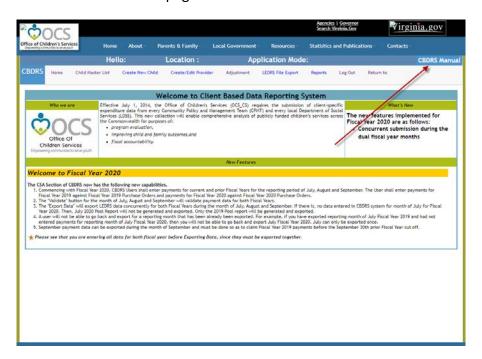
LEDRS is the system for integrated, required reporting for state CSA reimbursement and data collection. The LEDRS file shall be submitted no more than monthly and no less than quarterly at the discretion of the locality. Payments to the locality for State Pool fund expenditures will only be approved and issued following the submission and acceptance of the LEDRS file for the period for which reimbursement is sought.

The following sections provide the locations for instructions for submitting the various reports that localities are required to provide to OCS. There are two methods for submitting the CSA LEDRS file.

- "Data Entry" localities utilize the CSA Child Based Data Reporting System (CBDRS)
- "Non-Data Entry" localities upload the submission through file exports from their local systems (i.e., Thomas Brothers, Harmony or locality-specific systems)

## 20.1.1 Child Based Data Reporting System (CBDRS)

For localities utilizing the CBDRS, the CBDRS Instruction Manual can be found in the *blue heading* section of that CBDRS main page.



### 20.1.2 Non-Data Entry File Uploads

For localities not employing the Child Based Data Reporting System, the method of submission is by uploading the LEDRS file.

The OCS File Upload Screen has a link available for the **File Naming Standard** and the **LEDRS File Layout**.

Local Report Preparers can access specific instructions for submitting the LEDRS files after logging in through the Local Government Reporting portal on the CSA website.

# **20.2 State Pool Fund Reimbursement Report**

The Pool Fund Reimbursement Process has three stages.

- 1. The Report Preparer uploads and submits a LEDRS file
- 2. The Report Preparer approves the Pool Report generated from the LEDRS file
- 3. The Fiscal Agent approves the Report Preparer approved LEDRS file and submits the Pool Report to OCS

### **20.2.1** The Report Preparer

#### Step 1:

From CSA Home Page, under the Applications <u>or</u> the Local Government menu section, click in the Local Government Reporting link.



### Step 2:

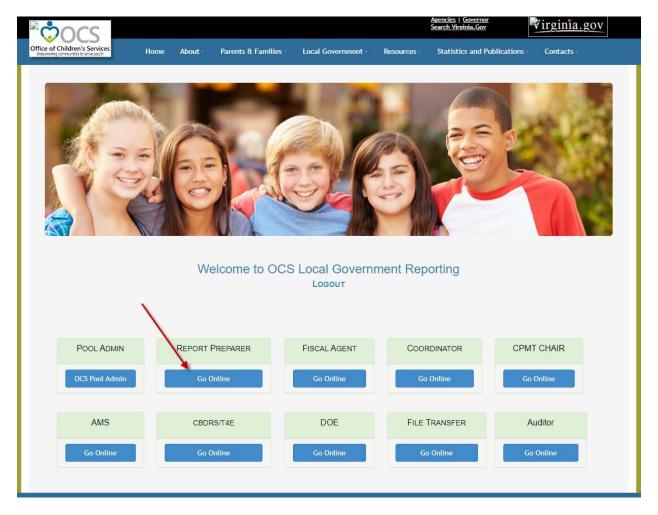
Next click on the "Click here to proceed" button

Step 3:

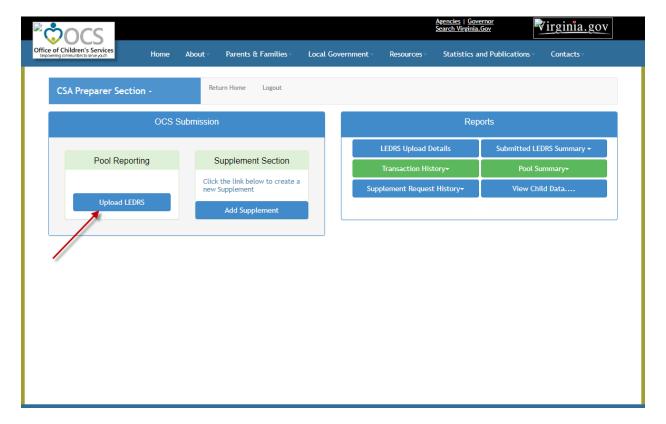
Enter your e-mail address and password and click on the Login button



Step 4:
Click on the Report Preparer section



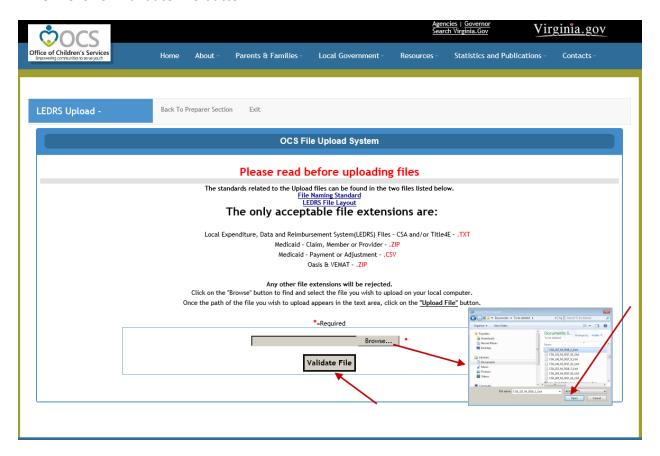
Step 5:
Click on Upload LEDRS button



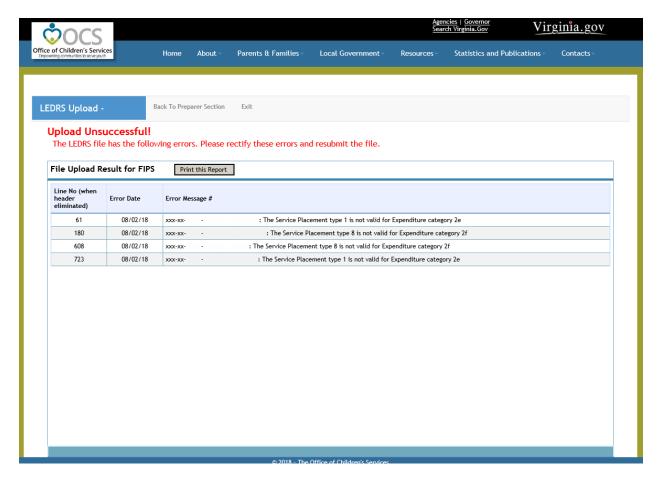
### Step 6:

Displayed on the screen is the OCS File Upload System webpage.

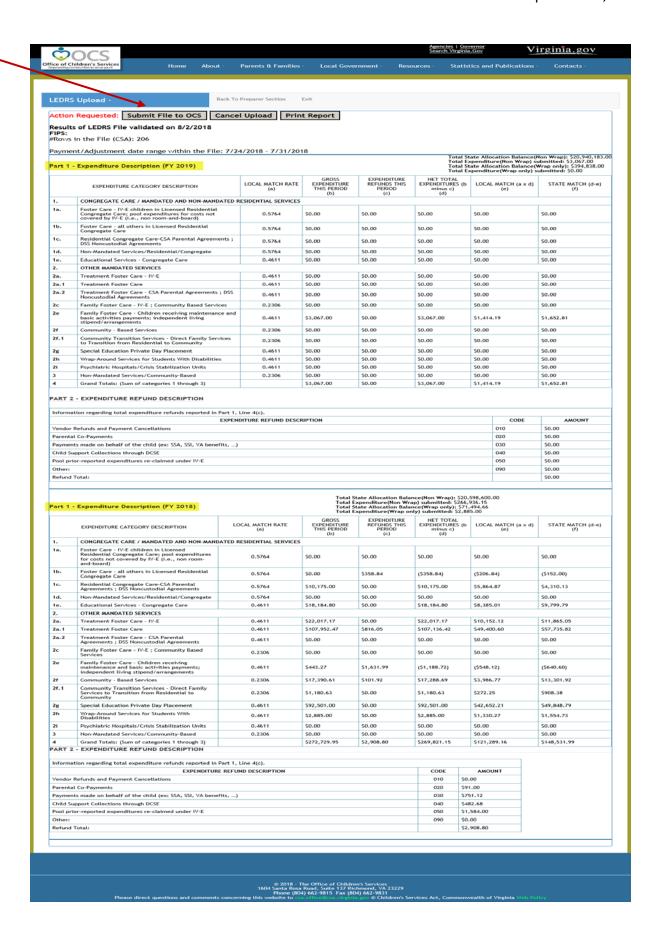
- 1. Click on Browse
- 2. Select the LEDRS file to be uploaded
- 3. Click on Validate File button



- 4. If there are errors, the validation is "unsuccessful" and the errors are displayed
- 5. Users will need to rectify the errors and then resubmit the LEDRS file

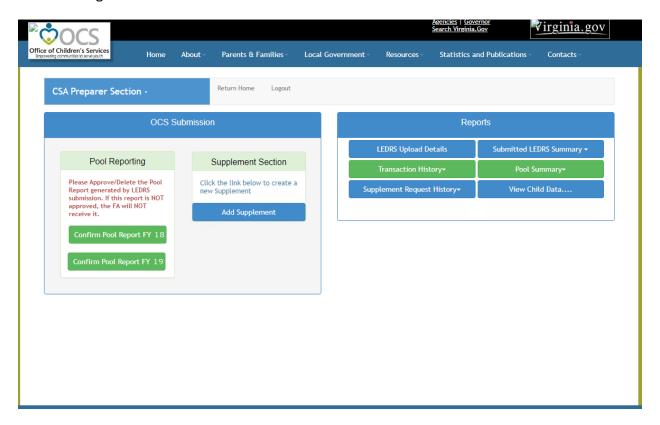


- 6. If the validation is "successful," a Pool Fund Report will be generated for the data in the file. During the over-lapping fiscal years (submissions in July, August, and September), a Report will be displayed for both Fiscal Years within the file, as shown.
- 7. Users will have the option to either Submit File to OCS, Cancel Upload or Print Report



### Step 7:

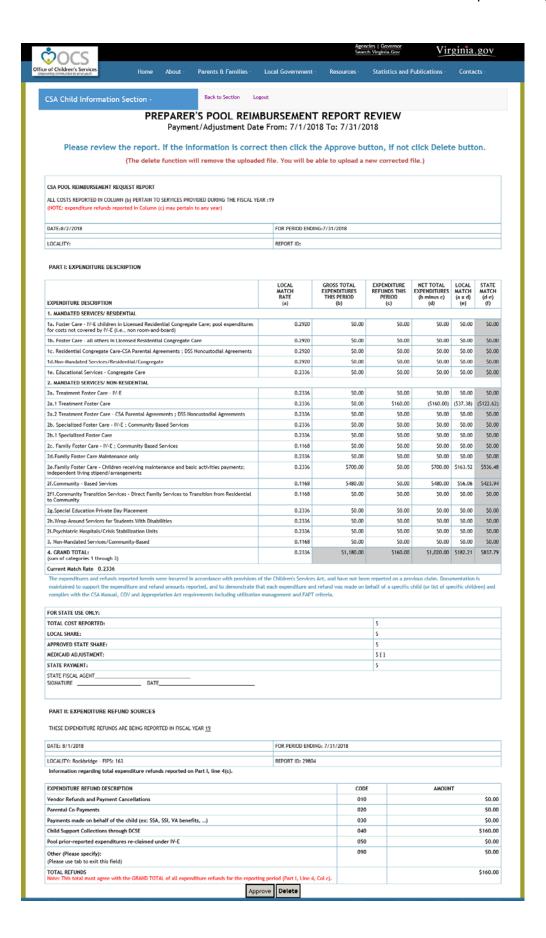
When the user clicks on Submit File to OCS, the file is submitted, and the Report Preparer's screen changes as shown below



#### Step 8:

When the User clicks on Confirm Pool Report. The screen changes as follows.

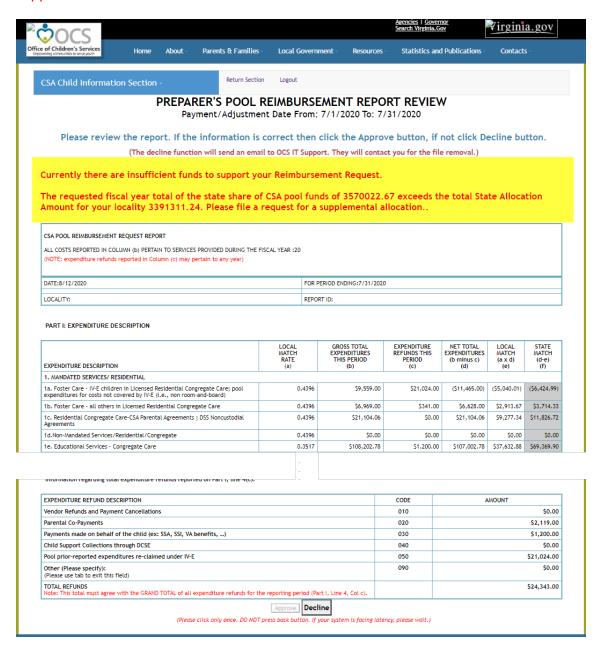
To activate the Pool Report in the Fiscal Agent's "approval basket," the Report Preparer now needs to click on the Approve button at the bottom of the screen.



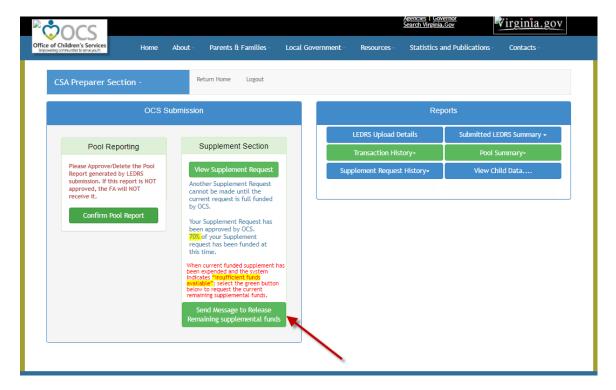
#### Alternate Step 8:

When the Report Preparer clicks on the Confirm Pool Report button and when the new screen opens. If, on the top of the screen, the following red message is visible:

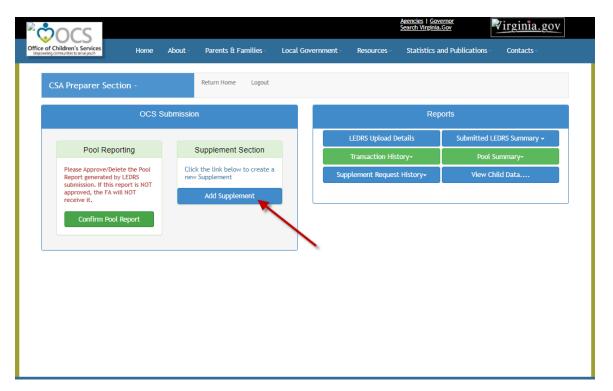
Currently, there are insufficient funds to support your Reimbursement Request. The requested fiscal year total of the state share of CSA pool funds of 3570022.67 exceeds the total State Allocation Amount for your locality 3391311.24. Please file a request for a supplemental allocation.



Since the only option the Report Preparer has is to Decline the Report. The Report Preparer needs to return to the section **and** click on the button "Send Message to Release Remaining supplement funds."



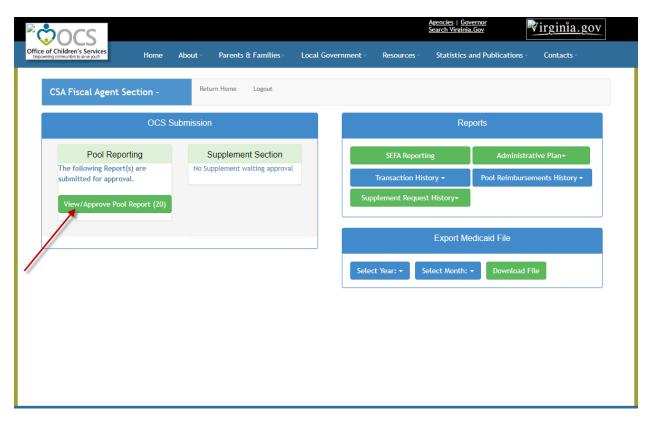
### Or click on the "Add supplement" button



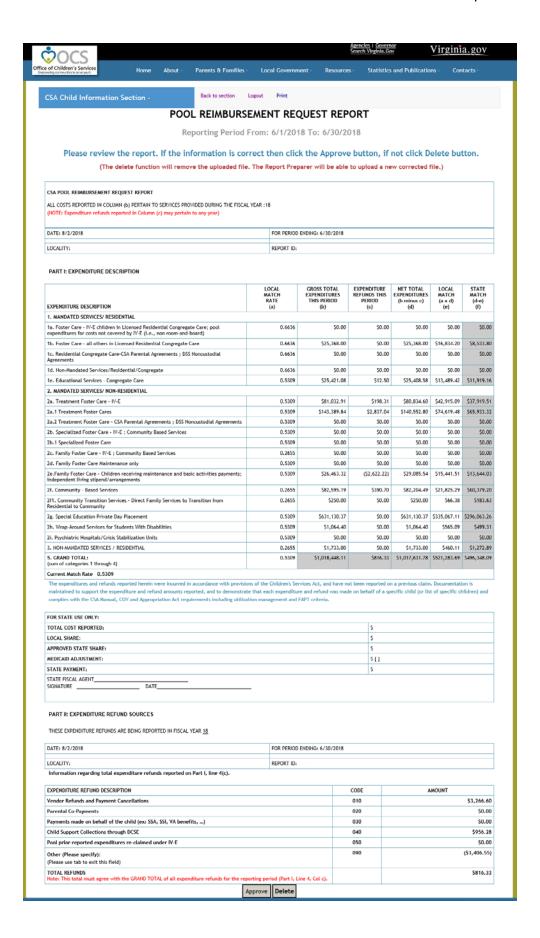
After the CSA Business and Finance Manager, releases the *Remaining Supplement Funds* and if the Report Preparer continues to see the message for insufficient funds on Pool Report Approval screen; the Report Preparer needs to click on the Add Supplement button and file a new Supplement Request.

### Step 9:

The Fiscal Agent's Screen change is as shown below. When the Fiscal Agent clicks on the View/ Approve Pool Report button, the Pool Report previous approved by the Report Preparer is as shown on the Screen and now available for the Fiscal Agent's approval.



When the Fiscal Agent clicks on the Approve button, the Pool Report is queued for DOE Monthly Reimbursement.



# 20.3 Service Gap Survey

§2.2-5211.1.2 requires that the CPMT report annually to OCS on "gaps in services needed to keep children in the local community and any barriers to the development of those services." This requirement is met by the CPMT's annual submission of the "Service Gap Survey." The Service Gap Survey may also be utilized as a component of the requirement for the CPMT to coordinate long-range, community-wide planning to ensure resources and services needed by children in the community (§2.2-5206.4).

Beginning in FY2017, the Service Gap Survey will be due on or about May 1 of each year. Full surveys are required in the odd-numbered years, and briefer, "review and update" versions are required in the even-numbered years.

The results from current and prior year's surveys are found under Statistics and Publications -> Service Gap Survey



# 21.0 The Account Management System (AMS)

CSA maintains an on-line directory, the Account Management System or AMS (found in the Contacts → Local Government Contacts link on the CSA website), of individuals filling a variety of local CSA roles including:

- CPMT Chair
- Fiscal Agents
- CSA Coordinator
- Report Preparers
- CANS Super Users
- title IV-E File Uploader

These directories are a resource for obtaining contact information. The Office of Children's Services utilizes them to communicate important information to local partners.

# 21.1 Keeping the AMS Up to Date

It is the responsibility of the locality to keep these rosters current and accurate.

Request to make additions/deletions/changes to the directories can be done by any individual. These changes go through an approval flow in the Account Management System (AMS), where the data resides.

# 21.2 AMS - Search Roster

The Local Government Contact screen is as shown below. The Rosters section has the following features:

- 1. Search by Locality and/or Role
- 2. Sort the data displayed on the screen
- 3. Export the searched data (to an Excel file)



# 21.3 AMS - Update Rosters/New User Registration

When a user clicks on the Account Management/Update Rosters/New User Registration link on the left "rail."

Click on the "Click here to proceed" button.

The screen displayed is as follows. The user has three options:

- 1. Login to AMS (using an established e-mail address and password)
- 2. Create New Account
- Reset/Forgot Password

# 21.3.1 Creating a new user account

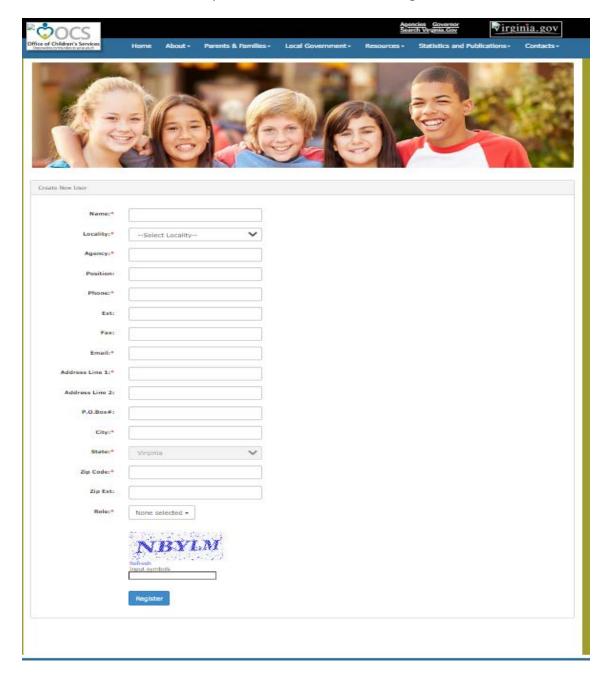
There are two ways to create a new user account:

- 1. By clicking on the Create New Account button
- 2. Or by Login to AMS button (if you have an existing registered account)



### 21.3.1.1 Using the Create New Account Button

When the user clicks on the Create New Account button, the following screen is displayed, and the user needs to enter all the required data and click on the Register button.

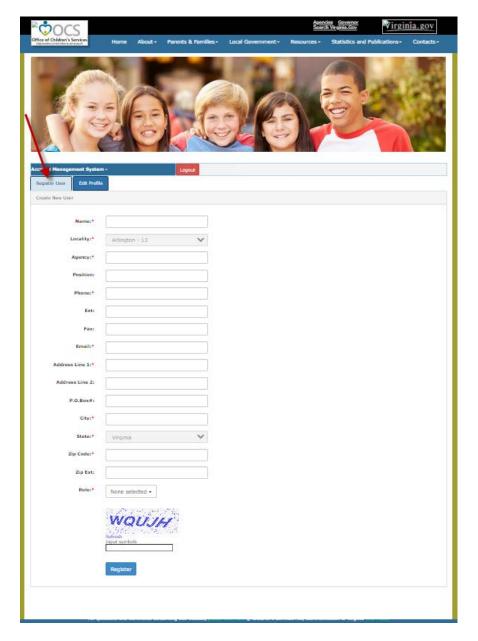


Depending on the Role requested, an approval notification is sent to either the locality's CPMT Chair or CSA Coordinator.

The Local Approver will need to login into the AMS system and approve the new user.

### 21.3.1.2 By Login to AMS Button (for users with existing registered account)

The user enters their registered email and password and clicks on the Login button to log into the AMS account. The user then clicks on the Register User tab, which will then display the Create New Account page, as shown below. The User needs to enter all the required data and click on the Register button.



Depending on the Role requested, an approval request notification is sent to either the locality's CPMT Chair or CSA Coordinator.

The Local Approver will need to login into the AMS system and approve the new user.

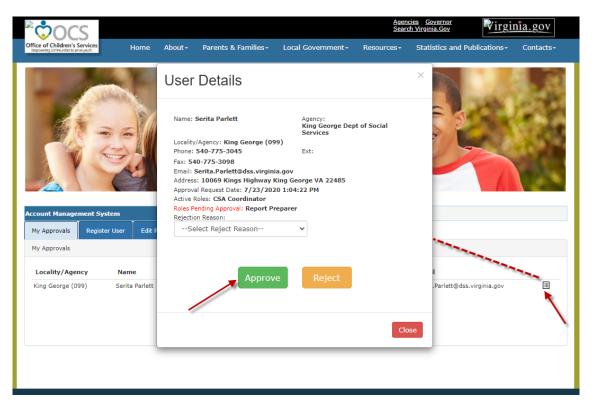
# 21.4 AMS – Local Approver Screen

# 21.4.1 My Approvals tab

Local Approvers (CSA Coordinator and CPMT Chair) have the My Approvals tab that will display a list of users in their "approval basket." To Approve or Reject a request, the Local Approver will click on the review icon in the far right column. A popup screen to Approve or Reject the user is displayed.

One the user is approved, they will no longer appear in the "approval "basket." When the State Approver approves the user (the next step in the process), then the user will be displayed in the Local Government Contacts screen for the Locality.

The user shall also receive an email notification to create his credentials to access the system.

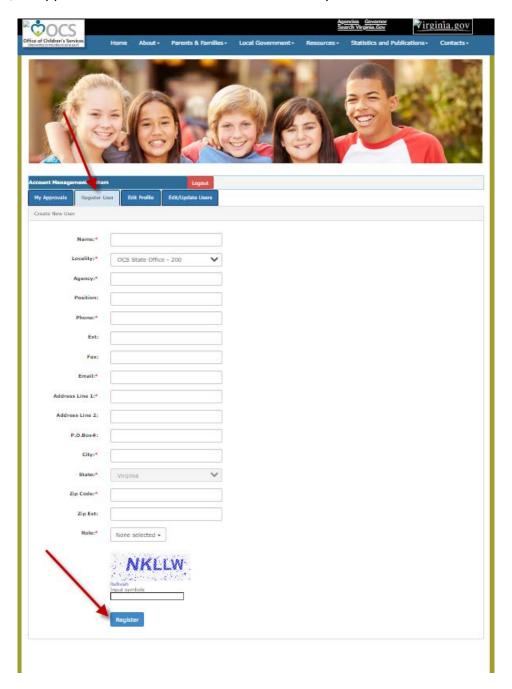


If the user is rejected by the Local Approved or State Approver, an email is sent to the user with the Reject reason stated.

# 21.4.2 Register User tab

As an alternative to creating a New User as described in 20.3.1.1 above, Local Approver's and other registered users may request a new User account through the to Register User tab.

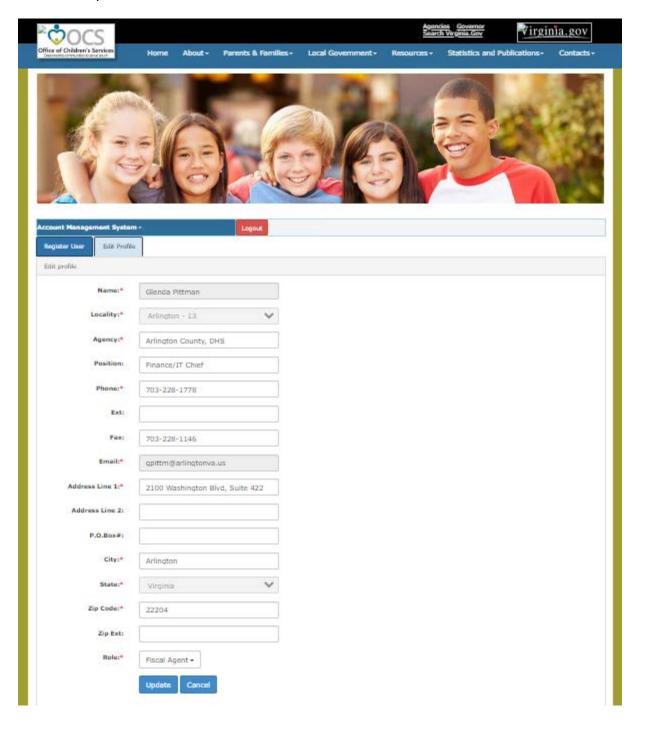
On this tab, the user can register a new User from their locality. After the new User details are keyed in, click on the Register button at the bottom of the screen. Depending on the Role requested, an approval notification is sent to either Locality's CPMT Chair or CSA Coordinator.



### 21.4.3 Edit Profile tab

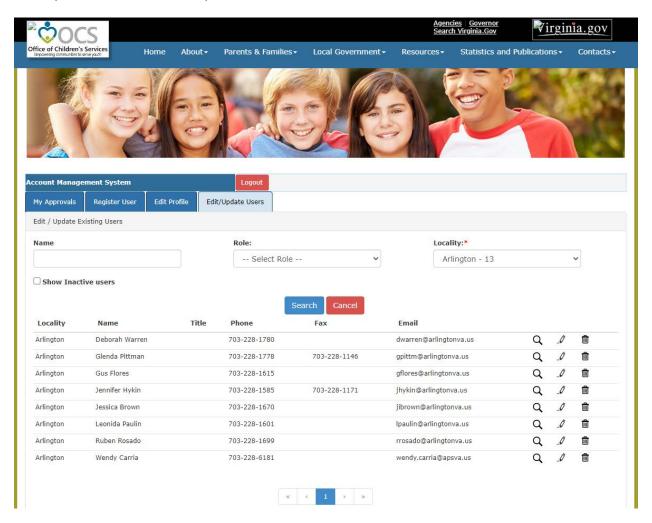
Local Approvers and established users have access to the Edit Profile tab.

On this tab, the user can edit or modify their profile detail. After needed changes are entered, click on the Update button.

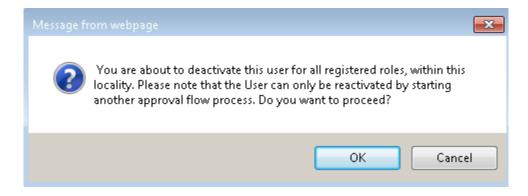


### 21.4.4 Edit/Update Users tab

Local Approvers have the Edit/Update User tab. This tab will display a list of all users in the locality. This tab has three important features.



- 1. The View (Magnifying Glass icon) is used to view the details of a User.
- 2. The Edit (Pencil icon) is used to Edit the details of a User. It can be used to:
  - i. Edit User Information
  - ii. Add User roles
  - iii. Delete User roles
- 3. The Delete (Trash Can) icon is used to Delete/Deactivate a User in the AMS. When the following message is displayed, the User will have to click on the "OK" button. Once a user is deactivated for all roles, the user can be reactivated only by starting a new approval flow process.

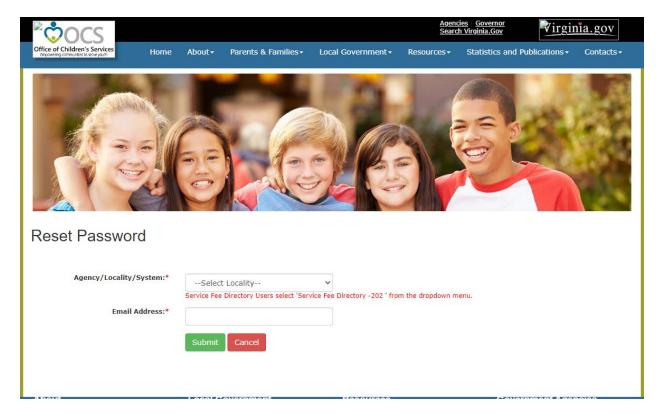


# 21.5 Reset/Forgot Password

If you are a registered user and cannot remember your password, click on "Reset/Forget Password."

- 1. Select your Locality
- 2. Enter your email address
- 3. Click on Submit

To your registered email address, an email with instructions is sent on how to proceed.



# **22.0** Publication Version Control

Publication Version Control: It is the user's responsibility to ensure they have the latest version of this publication. Questions should be directed to the Office of Children's Services. OCS will issue an agency-wide Broadcast and post the revised publication version on the agency Intranet, and provide an email announcement to parties the OCS considers being interested in the change.

This chart contains a history of this publication's revisions.

Version	Date	Comments
Original	July 1, 2015	Base Document
Revision 1	September 1, 2018	Revised to reflect current guidance
Revision 2	September 1, 2020	Revised to reflect current guidance