



# Can CSA Pay?

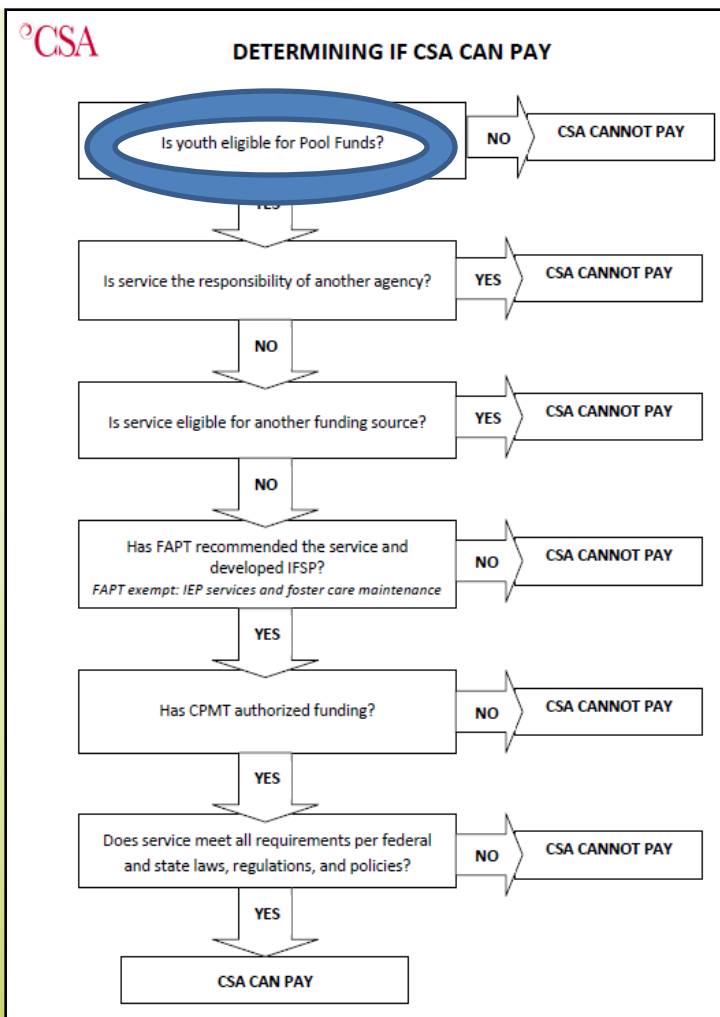


## Can CSA Pay?

- It is not guess-work or magic.
- It is based upon requirements established by the Comprehensive Services Act.
- Apply the requirements to determine the answer.



# Office of Comprehensive Services





**Is youth eligible for Pool  
Funds?**

**The Code of Virginia and policies  
of the State Executive Council  
establish eligibility for Pool Funds**

# DETERMINING ELIGIBILITY FOR FUNDING UNDER THE COMPREHENSIVE SERVICES ACT

ONE OF THE FOLLOWING IS TRUE

"The child or youth requires placement for purposes of special education in approved private school educational programs."

*§2.2-5212A3*

"The child or youth has been placed in foster care through a parental agreement between a local social services agency or public agency designated by the community policy and management team and his parents or guardians, entrusted to a local social services agency by his parents or guardian or has been committed to the agency by a court of competent jurisdiction for the purposes of placement as authorized by [§ 63.2-900](#)."

*§2.2-5212A4*

"Children for whom foster care services, as defined by [§ 63.2-903](#), are being provided to prevent foster care placements."

*SEC POLICY 1994*

YES

**YOUTH IS ELIGIBLE FOR POOL FUNDS  
FUND CATEGORY IS MANDATED  
FUNDING IS SUM SUFFICIENT (*§2.2-5211C*)**

*(SEC POLICY)*

"Children placed for purposes of special education in approved private school education programs, previously funded by the Department of Education through private tuition assistance;"

*§2.2-5211B1*

"Children with disabilities placed by local social services agencies or the Department of Juvenile Justice in private residential facilities or across jurisdictional lines in private, special education day schools, if the individualized education program indicates such school is the appropriate placement while living in foster homes or child-caring facilities, previously funded by the Department of Education through the Interagency Assistance Fund for Non-educational Placements of Handicapped Children;"

*§2.2-5211B2*

"Children for whom foster care services, as defined by [§ 63.2-903](#), are being provided to prevent foster care placements, and children placed through parental agreements, entrusted to local social service agencies by their parents or guardians or committed to the agencies by any court of competent jurisdiction for purposes of placement in suitable family homes, child-caring institutions, residential facilities or independent living arrangements, as authorized by [§ 63.2-900](#);"

*§2.2-5211B3*

"The special education mandate cited in [§2.2-5211 B1](#) 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."

*SEC POLICY 1998, 2011*

N  
O

ONE OF THE FOLLOWING IS TRUE

"The child or youth has emotional or behavior problems that:"

- a. "Have persisted over a significant period of time or, though only in evidence for a short period of time, are of such a critical nature that intervention is warranted;"
- b. "Are significantly disabling and are present in several community settings such as at home, in school or with peers; and"
- c. "Require services or resources that are unavailable or inaccessible or that are beyond normal agency services or routine collaborative processes across agencies or require coordinated interventions by at least two agencies."

*§2.2-5212A1*

"The child or youth has emotional or behavior problems, or both, and currently is in, or is at imminent risk of entering, purchased residential care. In addition, the child or youth requires services or resources that are beyond normal agency services or routine collaborative processes across agencies, and requires coordinated services by at least two agencies."

*§2.2-5212A2*

YES

**YOUTH IS ELIGIBLE FOR POOL FUNDS  
FUND CATEGORY IS NON-MANDATED**

**YOUTH IS TARGETED FOR SERVICES**

"Children placed by a juvenile and domestic relations district court, in accordance with the provisions of [§16.1-286](#), in a private or locally operated public facility or nonresidential program; or in a community or facility-based treatment program in accordance with the provisions of subsections B or C of [§16.1-284.1](#)"

*§2.2-5211B4*

"Children committed to the Department of Juvenile Justice and placed by it in a private home or in a public or private facility in accordance [§ 66-14](#)."

*§2.2-5211B5*

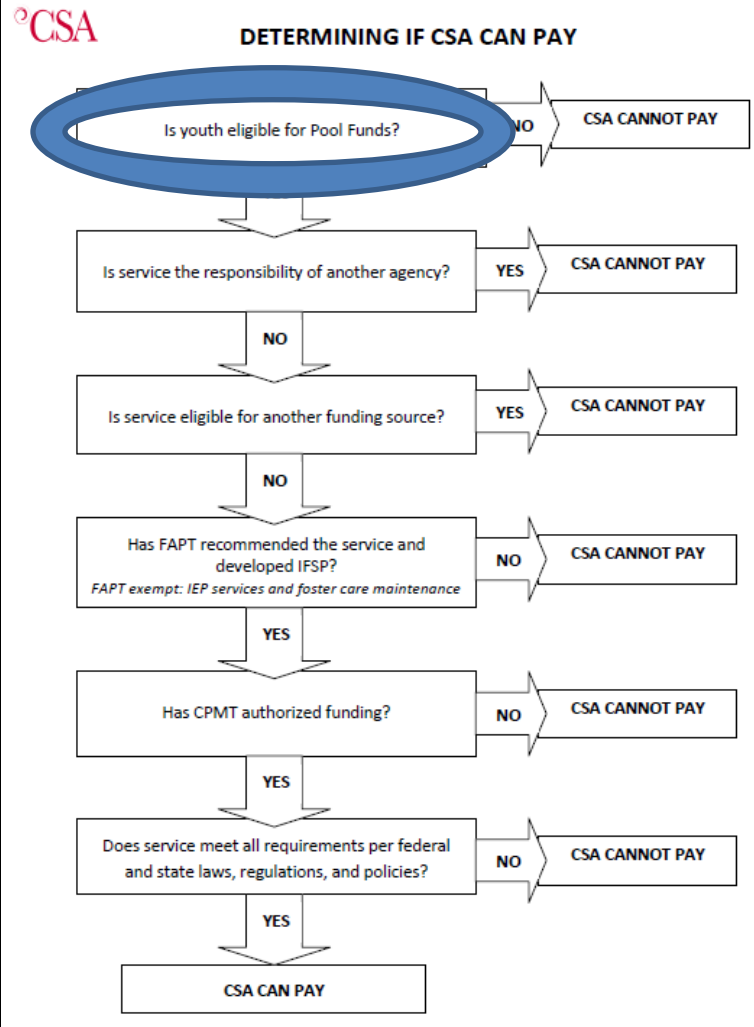
Children for whom an Individual Family Services Plan is developed by the FAPT and funding is approved by the CPMT.

N  
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**YOUTH IS NOT ELIGIBLE FOR POOL FUNDS**



# Office of Comprehensive Services





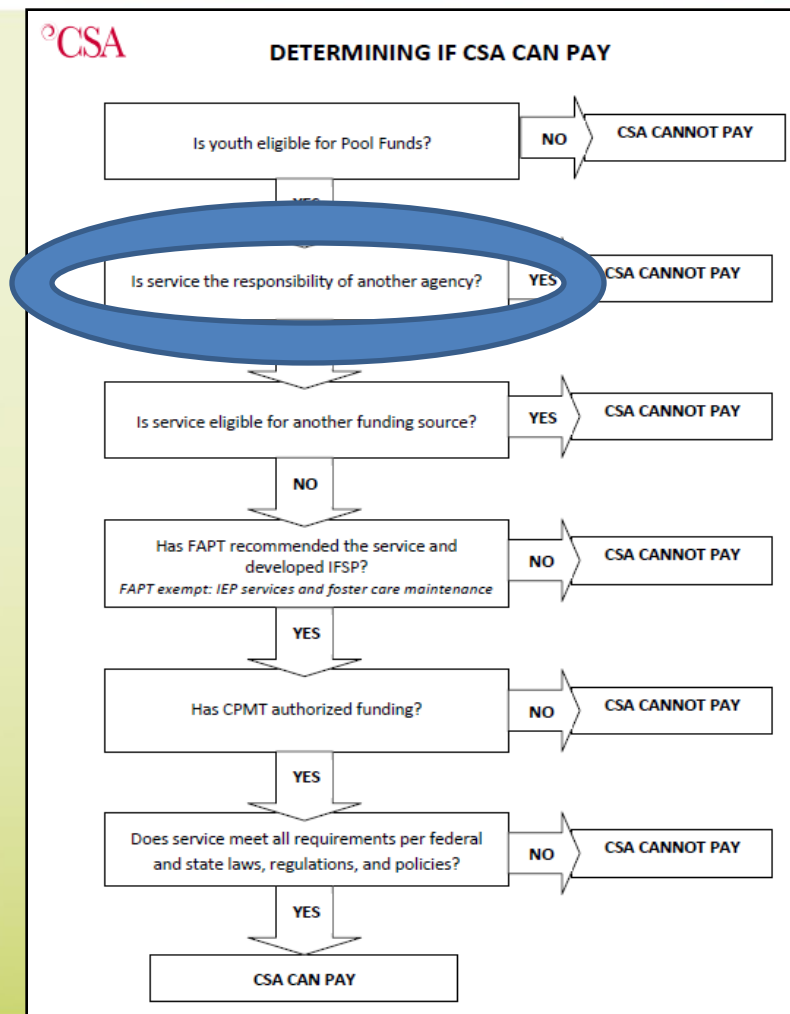
**Is service the responsibility of  
another agency?**

### **Code of Virginia §2.2-5211D:**

“The community services board, the local school division, local social services agency, court service unit or Department of Juvenile Justice shall continue to be responsible for providing services identified in individual family service plans that are within the agency's scope of responsibility and that are funded separately from the state pool.”



# Office of Comprehensive Services







Is service eligible for  
another funding source?

## **SEC Policy – 4.4 Restrictions on Pool Funds**

“Pool Funds cannot be used to supplant federal or state funds supporting existing programs.”

## **Appropriations Act Item 274 E.**

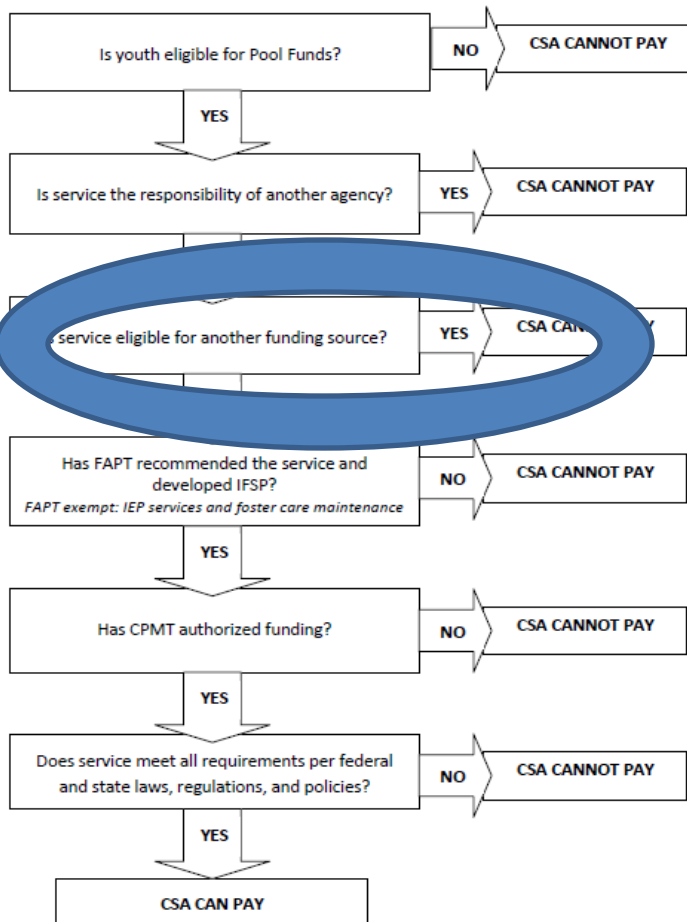
“Community Policy and Management Teams shall use Medicaid-funded services whenever they are available for the appropriate treatment of children and youth receiving services under the Comprehensive Services Act for At-Risk Children and Youth. Effective July 1, 2009, pool funds shall not be spent for any 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.”



# Office of Comprehensive Services

CSA

## DETERMINING IF CSA CAN PAY





## Has FAPT recommended the service and developed IFSP?

*FAPT exempt: IEP services and foster care maintenance*

### Code of Virginia § 2.2-5209

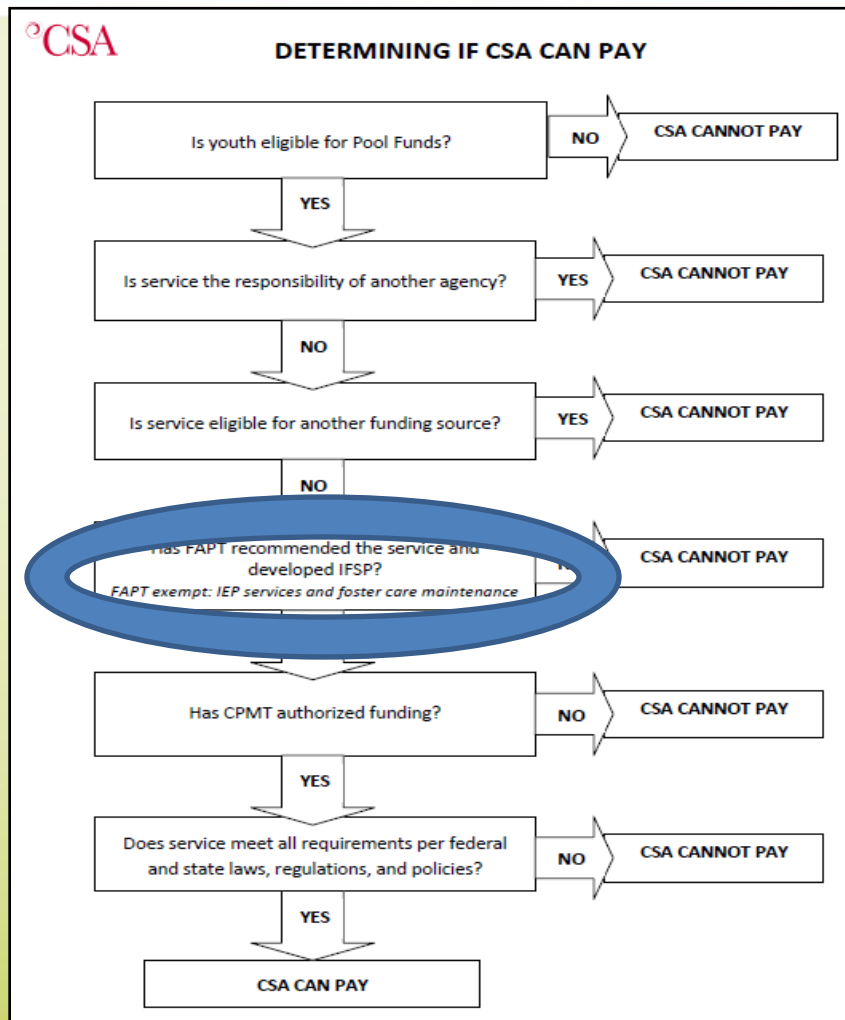
... all youth and families for which CSA-funded treatment services are requested are to be assessed by the family assessment and planning team or an approved collaborative, multidisciplinary team process and shall consider the criteria set out in subdivisions A 1 and A 2 of § [2.2-5212](#). Except for cases involving only the payment of foster care maintenance that shall be at the discretion of the local community policy and management team, cases for which service plans are developed outside of this family assessment and planning team process or approved collaborative, multidisciplinary team process shall not be eligible for state pool funds.

### Office of the Attorney General

IEP services are not treatment services. The IEP is not a “service plan.” IEP services are exempt from 2.2-5209.



# Office of Comprehensive Services





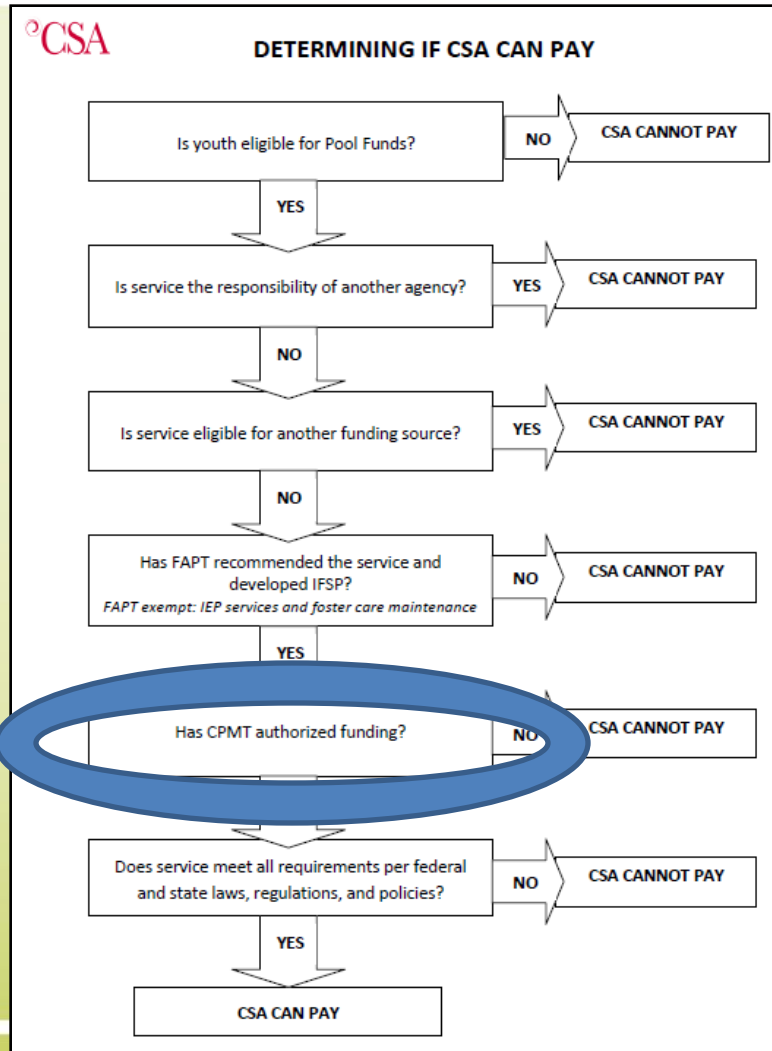
## Has CPMT authorized funding?

Code of Virginia §2.2-5206 – Powers and Duties of CPMT

"Authorize and monitor the expenditure of funds by each family assessment and planning team or a collaborative, multidisciplinary team process approved by the Council"



# Office of Comprehensive Services



Empowering communities to serve youth



**Does service meet requirements of  
all federal and state laws,  
regulations, and policies?**

**Code of Virginia §2.2-2648**

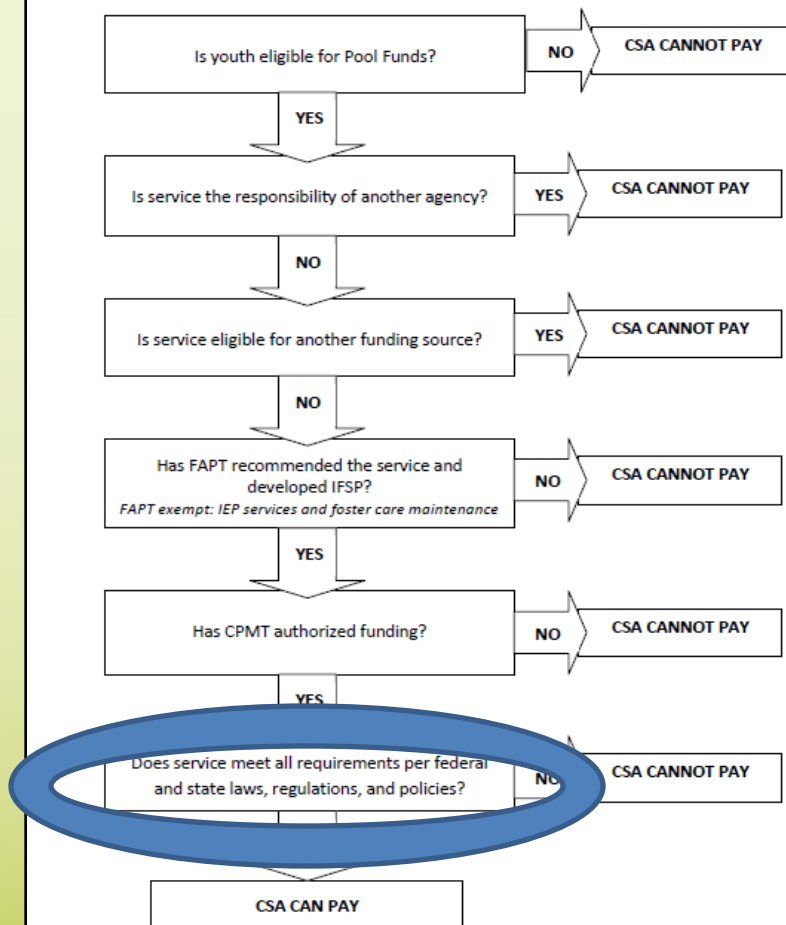
The State Executive Council shall have the power and duty to deny state funding to a locality “where the CPMT fails to provide services that comply with the Comprehensive Services Act (§2.2-5200 et seq.), any other state law or policy, or any federal law pertaining to the provision of any service funded in accordance with §2.2-5211.”



# Office of Comprehensive Services

CSA

## DETERMINING IF CSA CAN PAY







# Serving youth and families

1. Establish that CSA can pay
2. Be confident in designing the unique services necessary to meet the needs of each youth