

Title:	In-Home Support for Children Under Age 18 and Residing in a Child Welfare-Funded Foster Home				
	SE 151 (OAR 411-308)	Version:	1.0	Effective Date:	11/14/14

Approved By:

Date Approved:

Bruce Baker, ODDS Children’s Services Manger

11/12/14

Overview

Description: *The In-Home Support for Children Under Age 18 and Residing in a Child Welfare-Funded Foster Home – Technical Guide* is designed to outline the necessary steps for the Community Developmental Disability Program (CDDP) to collaborate with the local Child Welfare (CW) program in providing necessary in-home supports and services to children with Intellectual/Developmental Disabilities (I/DD) who:

1. Are in the legal custody of CW; and
2. Reside in a CW-funded relative caregiver or foster care (CW-FC) home.

For those children who are already in an Office of Developmental Disability Services (ODDS)-paid foster care placement, transitioning to in-home support should only occur where it is in the best interest of the child, and in the context of transition planning for alternative supports available.

This is a change in practice for both the Office of Child Welfare Program (OCWP) and Office of Developmental Disability Services (ODDS).

Purpose/Rationale: When considering placements for a child in the legal custody of CW who may be eligible for I/DD services, it is the procedure of CW to collaborate with the CDDP and explore placements in the following order of priority – Option 1 being the least restrictive setting:

1. **CW-certified** relative caregiver or foster home: **CW-paid** placement, child receiving in-home services through K-Plan and/or Waiver.
2. **ODDS-certified** foster home: **CW-paid** placement, child receiving in-home services through K-Plan and/or Waiver.
3. **ODDS or CW certified** foster home: **ODDS-paid** foster care placement.
4. **ODDS** residential placement.

A child with I/DD who is in the legal custody of CW may be eligible for in-home supports and services available through the Medicaid State Plan (K-Plan) and/or Medicaid Waivers. In these situations, it is essential for the CDDP to collaborate with the local CW program to:

1. Determine the least restrictive placement setting that is in the best interest of the child, and
2. Put in place essential services for the child and supports for the foster family which best utilize CW and ODDS resources, including natural supports, when developing the ODDS Individual Support Plan (ISP) in coordination with the CW Case Plan. **Children with I/DD should not automatically be transferred to an ODDS-paid placement.**

Guideline(s) that apply:

Section I: Initial Service Planning and Coordination

When a CW case worker contacts the CDDP to request in-home supports and services for a child with I/DD who is in the legal custody of CW and needs a foster-care level placement, the CDDP Services Coordinator (SC) will:

1. **Respond to the request** as if the child lives in a family home requiring in-home supports for the purpose described in OAR 411-308-0010.
 - a. If it has been determined by CW and the CDDP that the best service setting for in-home services is a **CW-certified** relative caregiver or foster home, **CW-paid** placement, collaborate with CW to ensure the identified CW-certified relative caregiver or foster home is fully informed of the supports and services available through CDDP and CW before proceeding.

- b. If it has been determined by CW and the CDDP that the best service setting for in-home supports is an ODDS-certified home, CW-paid placement:
 - i. Coordinate with CW to identify a foster parent who is able to meet the child’s particular special needs, and is willing to accept the CW foster care base rate payment. The following information must be presented by the CW case worker and the CDDP Services Coordinator to the prospective ODDS-certified foster parent before proceeding toward placement:
 - The CW foster care base rate payment will assist with the costs of providing basic needs to the child (per OAR 413-090-0005). The CW foster care base rate payment rate to the foster parent may also include the enhanced supervision level of care payment resulting from a CANS screening.
 - The in-home supports and services available to the child and foster family provided through ODDS are based on the Child’s Needs Assessment (CNA) and ODDS Level of Care determination. ODDS payments for in home supports and services are for specific identified support needs of the child.
 - ii. Collaborate with CW to complete the ***Inter-Program Foster Home Placement Approval*** form (MSC 5031), once a foster parent has been identified.

2. Complete an ODDS Level of Care (LOC) determination, conduct a functional needs assessment/CNA, develop an Individual Support Plan (ISP), and enroll the child in the appropriate K-plan and/or Waiver services – per standards set forth in OAR 411-320-0120. Notify the CW case worker the date of K-plan enrollment.

3. Collaborate with CW caseworker in the person/family-centered planning process for the ISP based on the ODDS functional needs assessment (CNA), CW screening (CANS), and any other available service planning for the child (i.e., Individualized Education Program, Behavioral Support Plan).

- **CNA (Child Needs Assessment):** This is a functional needs assessment tool that ODDS uses to measure the level of the child’s functional support needs

for Activities of Daily Living (ADLs), Instrumental Activities of Daily Living (IADLs), and health related tasks per OAR 411-308-0020.

- **CANS (Child and Adolescent Needs and Strengths):** This is a screening tool that CW uses to measure the needs and strengths of a child/adolescent that generally do not include the functional support needs for ADLs, IADLs, and health related tasks.
- **Personal Care assessment:** This is completed by a registered nurse contracted through CW when the child has identified medical needs and requires personal care services. Personal Care services provided by CW (per OAR 413-090-0100 through 413-090-0210) are the same type of services and utilize the same funding source as State Plan Personal Care services provided by ODDS (per OAR 411-034-0000 through 413-090-0090).

4. Coordinate with CW to ensure services are not duplicative. The SC and the CW case worker must work together to ensure that the in-home supports provided through the K-Plan and/or Waiver services **do not duplicate** services provided by the CW or any other system (i.e., natural supports, school, etc.). The following must be taken into consideration to ensure there is no duplication in the services and supports funded by ODDS:

- **Room and Board:** The CW foster care base rate payment covers this cost.
- **Level of parental supervision:** The CANS algorithm (used by CW) determines the level of parental supervision required, whereas the CNA algorithm (used by ODDS) excludes parental supervision and allocates *Attendant Care* hours based on the need for support related to the I/DD. The ODDS in-home supports **do not** supplant the parental supervision requirement identified via the CANS.
- **Personal care services:** State Plan Personal Care, also known as “Personal Care Services,” is authorized under the Medicaid State Plan. This service may be provided by both CW and ODDS. ODDS-funded *Attendant Care* through K-plan services may not be provided at the same time as CW-funded personal care services. This is a duplication of services and not allowed under Medicaid.

The SC must communicate with the CW case worker to determine what would be most appropriate for the child. If a child has high medical needs – requiring an assessment and service plan authorized by a CW contracted registered nurse – it may be in the best interest of the child to keep the personal care services paid through CW. Additional I/DD related supports and services would then be provided through ODDS; however, supports provided through the CW-funded *Personal Care* services should be considered as a resource toward the assessed support needs identified through the CNA.

- **Available resources:** The planning process should consider any resources or supports available to the child, including natural supports and other supports available that may result in unnecessary Medicaid expenditures (e.g., CW Independent Living Program or a child’s unprotected trust).

5. Adhere to the *In-Home Expenditure Guidelines* for all ODDS-paid services.

6. Clearly document in progress notes and ISP the supports and services provided to the child and foster family by various systems (DD, CW, Mental Health, school, etc.).

If the CW worker and SC determine that the child’s needs can not be met using a CW-funded placement (whether certified by CW or ODDS) with K-Plan and/or Waiver services, the CW case worker will seek consultation with the CW supervisor, the SC and CDDP supervisor, to explore different options available through CW and ODDS. The SC and CDDP supervisor should consider options which maximize the independence of a child and engagement in a life that is fully integrated into the community. The discussion must also include considering supports available to the CW-FC family to increase the family’s ability to care for the child.

If the outcome of the above discussion results in switching to an ODDS-paid foster care placement, refer to the ***Transferring from a Child Welfare-funded foster care placement to an ODDS-funded foster care placement – Technical Guide***. If the outcome results in moving the child to an ODDS-paid residential placement, follow the existing ODDS referral process.

Note: While the child remains in the legal custody of CW, the responsibility for the child’s Case Plan and the services and activities described in the Case Plan is retained by

the CW caseworker. The CDDP will have the lead on managing services and planning directly related to the child’s I/DD needs. Refer to the ***Who is Responsible for What*** document (attached to transmittal [APD-PT-14-038](#)) for additional reference regarding specific case management responsibilities between CW, ODDS, and CDDP.

Section II: Medical Coordination

The SC must verify medical benefits for the child to ensure accurate access of K-Plan and/or Waiver services based on the Standard Eligibility as described in OAR 411-308-0060. Medical cases for children under CW custody are managed at the local CW office. Children who qualify for Medicaid Title XIX through CW may qualify for K-Plan services. Children who qualify for Medicaid Title XIX because they are receiving SSI (Security Supplemental Income) may qualify for both K-Plan and Waiver services. To qualify for both K-Plan and Waiver services, a child must meet ODDS Level of Care.

Eligibility for services is outlined in the table below:

MEDICAL COVERAGE/ ELIGIBILITY	POTENTIAL SERVICE ELIGIBILITY
All children with OHP Plus (including CHIP Title XXI)	State Plan Medical Plan , including State Plan Personal Care (SPPC)
OHP Plus/ MAGI Medicaid – Title XIX (does not include CHIP Title XXI) Plus meet ODDS Level of Care	All the above, plus K Plan services
OSIPM Plus meet ODDS Level of Care	All the above, plus Waiver services

Section III: On-going Service Monitoring and Coordination

As long as the child is in the legal custody of CW and residing in the CW-funded relative caregiver or foster home, the SC must continue to monitor services per standards set forth under OAR 411-320-0090. The SC must collaborate with the CW worker to develop/modify the ISP based on the CNA and CANS needs assessments and the principles of person/family-centered planning.

Section IV: Training Coordination

To the greatest extent possible, the SC and CW caseworker will coordinate training resources and services that would best benefit the child and relative caregiver or foster care provider.

Section V: Adoption and Guardianship

The SC will coordinate with the CW caseworker to ensure continuity of in-home services for the child, as the child transitions out of CW legal custody and into a permanent family home. Coordination must include ensuring that the child has the necessary medical eligibility redetermination, and is receiving K-Plan and/or Waiver services as appropriate. Medical cases for children under adoption/guardianship are managed at the central OCWP office. Services Coordinators can contact the child's assigned Adoption/Guardianship Assistance Coordinator (<http://www.orparc.org/services/AACoordinators.pdf>) to verify the child's medical benefits and any other resources available to these children and their family, as necessary.

Form(s) that apply:

- Child Needs Assessment (CNA)
- Child and Adolescent Needs and Strength (CANS)
- Eligibility and Enrollment Form
- Level of Care (LOC) Assessment, SDS 0520 (09/14)
- Child Annual Plan/Family Support Plan, SDS 4549 (2/11)
- Services and Funding/Individual Support Plan, SDS 0151 (7/14)
- Inter-Program Foster Home Placement Approval form (MSC 5031)

Definition(s):

Glossary of Terms

Reference(s):

- [OAR 411-320](#)
- [OAR 411-308](#)
- [OAR 411-034](#)
- [OAR 413-090](#)
- In-Home Expenditure Guidelines

- Policy Transmittal [APD-PT-14-038](#)
- [Transferring from a Child Welfare-funded relative caregiver or foster care placement to an ODDS-funded foster care placement – Technical Guide](#)

Contact(s):

May Martin, Family Support Coordinator, may.martin@state.or.us, 503-947-2318

Julie Van Nette, Children’s Foster Care Coordinator, Julie.l.vannette@state.or.us, 503-378-5001