

Policy Subject:	Child placed with parent in licensed residential substance abuse treatment facility
Effective Date:	October 1, 2018
Approved By:	Rebecca Jones Gaston, MSW Executive Director Social Services Administration 
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Originating Office:	Child Protective Services, Family Preservation Services and Placement and Permanency
Supersedes:	N/A
Program Affected:	Child Protective Services, Family Preservation Services, Placement and Permanency & IVE

Legal Information & Purpose

The Family First Prevention Services Act was signed into law on February 9, 2018. This act reforms the federal child welfare financing streams, Title IV-E and Title IV-B of the Social Security Act, to provide services to families who have a child at risk of entering the child welfare system. In accordance with sections 472(j) and 472(a)(2)(C) of the Families First Prevention Services Act (FFPSA), beginning October 1, 2018, title IV-E agencies may claim title IV-E foster care maintenance payments (FCMPs) for a child placed with a parent in a licensed residential family-based treatment facility for substance abuse for up to 12 months.

This policy is being issued to comply with the FFPSA as it pertains to children placed with a parent in a licensed residential family-based facility for substance abuse treatment. This policy provides guidance to assist each Local Department of Social Services (LDSS) regarding how to document a child's placement with a parent in a residential substance abuse treatment facility when a child is identified as a candidate for foster care placement.

Policy

As per the FFPSA, children who are "candidates for foster care" or are pregnant or parenting foster youth, are allowed the use of Title IV-E funds for services used to prevent the placement of children and youth into the foster care system, including substance abuse prevention and treatment services.

This policy applies to:

- Children who are identified as candidates for foster care and as safe to remain in the home or in a kinship placement while receiving services from the LDSS.
- Children of a minor parent in foster care.
- Children who are with kinship caregivers who are in need of services to prevent the child's entry into care.

The caseworker is responsible for ensuring the child's placement with the parent in a substance abuse treatment facility is accurately documented. Any child placed with their parent in a residential substance abuse treatment facility must be placed in a licensed treatment facility. Prior to placement, the caseworker must verify that the treatment facility is licensed by ensuring the name of the treatment facility is on an approved list of license residential substance abuse treatment facilities provided by the Behavioral Health Administration. Those facilities on the list are monitored by the Maryland Department of Health, Behavioral Health Administration. The child may be placed for up to 12 months in the treatment facility. The caseworker must ensure the child meets all of the title IV-E foster care eligibility requirements for "candidate for foster care." Refer to the current policy (SSA-CW #13-15) regarding the determination of candidacy for foster care placement.

Procedural Guidance**For Children Whose Families Are Receiving Child Protective Services or Family Preservation Services:**

Before the placement of the child with his/her parent in the licensed residential substance abuse treatment facility, the placement shall be documented in the Family Service Plan.

Caseworkers shall update the existing Family Service Plan indicating “Placement of child with parent in a residential substance abuse treatment facility” as an objective in the Service Plan in MD CHESSIE. The date of review should be the date in which the Plan is being updated and the achieved date would be the date in which the child was placed with the parent in the licensed residential substance abuse treatment facility. Refer to the most recent policy (SSA-CW#18-11) regarding family service planning for further guidance.

The placement of the child with the parent should also be documented in the Service Log. In the service detail section of the “Agency Provided Services,” the caseworker should describe the child’s candidacy for foster care in detail by describing the intervening services provided to prevent placement including a description of the parent’s needs, where the child is residing, the type of substance abuse treatment facility, services provided at the facility, and the terms and conditions for the parent and child while at the facility.

For Children of Youth in Foster Care Who Are Pregnant or Parenting:

This policy supplements the information found in Circular Letter #08-19 regarding SSA’s minor parent policy and the dual placement of a child in foster care with an infant, where infant is not in custody of the department. While the parent is placed in a licensed residential substance abuse treatment facility with their child, the caseworker shall document this activity in the Service Log as well as the Case Plan 3 in MD CHESSIE.

In Case Plan 3, Service Agreement, the caseworker shall document in the task narrative box, the tasks and responsibilities of the parenting foster youth and of the LDSS. This narrative should include a description of the services provided to prevent the infant’s placement into foster care. The case worker shall also use Case Plan 3 to document the progress made to prevent the infant’s placement into foster care.

Utilizing the Service Log, under the service detail section of the “Agency Provided Services,” the caseworker should describe the child’s candidacy for foster care in detail by describing the intervening services provided to prevent placement including describing the parent’s needs as well as where the child is residing, the type of substance abuse treatment facility, services provided and the terms and conditions for the parent and child’s placement while at the facility.

Definitions

Licensed Residential Family-Based Treatment Facility for Substance Abuse: means a type of treatment facility that provides, as part of the treatment for substance abuse: parenting skills training, parent education, individual and family counseling. These services are provided under an organizational structure and treatment framework that involves understanding, recognizing, and responding to the effects of all types of trauma and in accordance with recognized principles of a trauma-informed approach and trauma-specific interventions to address the consequences of trauma and facilitate healing.

Candidacy for Foster Care: means a child who: (a) is at imminent risk of removal from the home AND; (b) foster case is a planned arrangement, absent effective preventive services.

Duration of Services: means 12 months following the identification and start of the prevention strategy

Documentation

The following is a checklist of the documentation that is outlined in the above procedural guidelines. Each can be found in MD CHESSIE:

- Family Service Plan for CPS/Family Preservation gfamily
- Service Log (in CPS/Family Preservation/Out-of-Home)
- Case Plan 3

Related Information

The following policies have been referred to within the procedural guidance of this policy:

- SSA-CW #13-15: Mandatory Determination and Documentation of Candidacy for Foster Care
- SSA-CW# 18-11 Family Service Planning
- SSA-CW #10-21 Case Plan Documentation Clarification
- Circular letter #08-19 Minor Parent Policy - Dual placement of child in foster care with an infant where infant is not in custody of the department