

	<b>STATE OFFICE for SERVICES to CHILDREN and FAMILIES</b>  <b>CLIENT SERVICES MANUAL I</b>  ISSUED BY: Program Operations  EFFECTIVE DATE: March 5, 1999	<b>NUMBER: I-E.5.1 TRANSMITTAL LETTER</b>
		<b>SECTION: I. Substitute Care</b>
		<b>SUBSECTION: 5. Payments</b>
<b>SUBJECT: 1. Maintenance Treatment Payments</b>		

**TO: G7**

**SUMMARY:** Administrative rule 413-090-0010(1) was revised to clarify that SOSCF payments to foster parents certified by the agency cannot be garnished. Prohibiting the foster parents' creditors access to foster care payments is consistent with present policy; foster care payments should be spent, not to meet foster parents' needs for additional money, but for the needs of the children in care.

**WORKLOAD IMPACT:** There is no workload impact as a result of this revision.

**FORMS/PAMPHLETS:** There are no forms affected by this revision.

**IMPLEMENTATION:** The Transitional Resources Unit will notify the DHR Collections Unit of this rule change. No other training or implementation is necessary.

**IMPLEMENTATION FEEDBACK:** Please contact Bob Crawford at 503-945-6617 with questions about these rule revisions.

**FILING INSTRUCTIONS:**

**Remove**

I-E.5.1, Effective 1/2/96

**Insert**

I-E.5.1, Effective 3/5/99

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**Supervisors:** After discussing these policy revisions with your unit, sign and date below and return a copy of this transmittal letter to your manager.

\_\_\_\_\_  
Supervisor's Signature

\_\_\_\_\_  
Date reviewed this policy with my unit

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INTERPRETATION: MANAGER,  
Foster Care

APPROVAL: *Diane Lancaster*  
Assistant Administrator,  
Program Operations

REFERENCE: ORS Chapter 418

**PURPOSE**

**413-090-000** These rules govern the payment for maintenance and treatment services for all the State Office for Services to Children and Families substitute care placements with certified/licensed providers of care that are funded by the agency.

**Statutory Authority: ORS 418.005**

**Stats. Implemented: ORS 418.005**

**POLICY**

**PAYMENTS - GENERAL GUIDELINES**

**413-090-010 (1) Foster Care:**

(a) Payment by SOSCF to foster parents for a child's room, food, clothing, incidentals and cash allowance (known as the board rate for children in foster care) will be made on a monthly basis, or prorated for portions of a month, after the period during which care has been provided. It will include the day the child enters the home, but exclude the day the child leaves the home. Costs of special care or service in accordance with a written SOSCF service plan may also be provided if essential for the child's well being and if specifically authorized by SOSCF;

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(b) Standard foster care rates based upon the age of the child are established by the State Office for Services to Children and Families subject to the availability of funds and are uniformly applied throughout the state. The current rates are available at each SOSCF office upon request.

(c) SOSCF payments to foster parents certified by the agency shall be inalienable by any assignment or transfer and exempt from execution, levy, attachment, garnishment and other legal process under the laws of this state.

(2) **Group Care:** Payment by SOSCF to purchase of care providers will be made as stipulated in signed contracts.

**(3) Payments Prohibited:**

(a) Payment will not be made for two simultaneous 24-hour out-of-home care services, such as foster care, relative care, family group homes, residential treatment at the same time;

(b) Neither payment nor utilization credit will be given for duplicate simultaneous contracted treatment services, such as day treatment and residential treatment;

(c) Payment by SOSCF will not be authorized for the care of children in a home or facility supported by public funds and maintained only as a secure facility under the jurisdiction of a juvenile court;

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(d) Any exceptions to these rules must be approved in writing by the director, or if for a Target Planning Child, by the Target Planning and Consultation Committee. Exceptions will be considered only when federal funds will not be claimed.

**Statutory Authority: ORS 418.005**

**Stats. Implemented: ORS 418.470**

### PAYMENT PRIOR TO PLACEMENT

**413-090-020 (1)** Payment or utilization credit may be made to a purchase of care provider beginning on the agreed upon admission date if the facility is required to reserve a space for the child. Payment for a reserved space shall be limited to seven consecutive days unless there is further delay due to the actions of SOSCF. Payments exceeding the seven-day limit must be approved by the responsible SOSCF branch manager.

(2) Purchase of care providers who receive a fixed level monthly payment shall be given utilization credit for services provided under this section.

(3) In the event the child is currently in care and public funds are being expended for that care, then no payment can be made for the reserved space.

**Statutory Authority: ORS 418.005**

**Stats. Implemented: ORS 418.005**

### PAYMENT FOR TEMPORARY ABSENCES

**413-090-030 (1)** Temporary absences include:

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(a) Branch authorized absences for home visits, vacations and special activities;

(b) Runaway: When there is agreement between SOSCF and the provider to return the child to the placement within seven consecutive days;

(c) Hospitalization: (Hospitalization for medical treatment under Title XIX is not a maintenance or board and room payment.) When 24-hour medical care is required for a short period of time and the provider continues to exercise child caring responsibilities in anticipation of the child's return.

**(2) Continued payment** may be made to a provider during a child's temporary absence when:

(a) The plan is for the child to return to the care of the same provider; and

(b) No other provider is receiving a maintenance payment for the child during the period of the absence.

**(3) Program Payment Limitations:**

**(a) Family Foster Care:**

(A) Payment may be authorized by the service worker for up to seven days after a child is temporarily absent from the foster home;

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(B) Authorization for payment after a child is absent for more than seven days must be approved by the branch manager.

**(b) Purchase of Care and Family Group Homes:**

(A) Routine home visits to parents or foster parents, which do not exceed four days, do not require special authorization;

(B) Absences of five days or more may be approved for payment if:

(i) The provider's contract is fully utilized (family group homes are exempted);

(ii) SOSCF authorizes the payment no later than the last day of the month in which the absence occurs;

(iii) SOSCF certifies that payment is necessary to ensure a vacancy will be held open in the provider's facility for the child's return.

(C) Absences of five days or more may be approved as follows:

(i) Absent 5 to 14 days, service worker approves;

(ii) Absent over 14 days, service worker and branch manager approve;

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**(D) Planned Visits to Another Provider.** It is the responsibility of the purchase-of-care provider to reimburse the visiting resource at a reasonable rate agreed upon by both parties. SOSCF may not make maintenance payment to two providers at the same time;

**(E)** A purchase of service client invoice must be completed in accordance with SOSCF billing procedures.

**Statutory Authority:ORS 418.005**

**Stats. Implemented:ORS 418.005**

## **PAYMENTS DURING ADOPTIVE SUPERVISION**

**413-090-040 (1)** A foster care payment shall not be authorized when a child is free for adoption and placed in a home designated by the adoption manager as the child's adoptive placement. See administrative rules 413-130-000 through 413-130-130 for the eligibility requirements of the Adoption Assistance Program.

**(2)** SOSCF will not make foster care payments to foster parents who plan to adopt the child when a child's status changes from foster care to adoptive placement or from a legal risk adoptive placement to an official adoptive placement. A reasonable period of time shall be allowed to determine adoption assistance eligibility. If an application for adoption assistance is in process, foster care payments may continue to be paid for a maximum of 90 days. Exceptions to the 90 day time limit shall be limited to administrative delays or error. Exceptions require the review and approval of both the branch manager and the adoption manager.

**Statutory Authority:ORS 418.005**

**Stats. Implemented:ORS 418.005**



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**FAMILY FOSTER CARE OUT-OF-STATE PAYMENT RATES**

**413-090-050 (1)** Oregon foster families who move out-of-state with a foster child placed by the State Office for Services to Children and Families will continue to receive SOSCF's foster care payment rate for a period not to exceed 90 days. For placement of children to continue, foster parents are required to become certified as soon as possible in the state in which they reside.

**(2)** Out-of-state foster homes, licensed or certified (provisional or regular) by the responsible agency in the other state for placement of Oregon children, will be paid at the other state's rate.

**Statutory Authority:ORS 418.005**

**Stats. Implemented:ORS 418.005**