	Department of Human Services **CHILDREN, ADULTS and FAMILIES** **CLIENT SERVICES MANUAL I** **ISSUED BY:** Office of Safety and Permanency for Children **EFFECTIVE DATE:** ***Temporary*** Rule 11/1/03 - 4/28/04	**NUMBER:** I-E.5.1 **OAR:** 413-090-0000 thru 0050 **SECTION:** E. Substitute Care **SUBSECTION:** 5. Payments
SUBJECT: 1. Maintenance and Treatment Payments - ***Temporary*** Oregon Administrative Rule		

Prior Version

Responsible Manager: Manager
Foster Care

Approval:_____
Administrator,
Office of Safety & Permanency
for Children

Interpretation: Manager,
Foster Care

Manager,
Treatment Services Unit

REFERENCES: ORS Chapter 418
Child Welfare Policy I-G.3.1, Adoption Assistance
Child Welfare Policy I-E.3.6.2, Guardianship Assistance
Child Welfare Policy I-E.4.3, Residential Care and Treatment

413-090-0000
Purpose

These rules govern the payment for maintenance and treatment services for all children placed in substitute care with certified/licensed providers of care that are funded by the Department.

Stat. Auth.: ORS 418.005
Stats. Implemented: ORS 418.005

413-090-0005
Definitions

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(1) "Adoption Assistance" means financial and/or medical assistance to adoptive families to assist them with costs associated with their adoptive child's needs. Financial benefits are funded by the Department's Adoption Assistance budget. Assistance can be in the form of cash and/or medical coverage, an Agreement Only, or special payments.

(2) "CAF" means the Children, Adults and Families policy and program area of the Department.

(3) "Department" means Department of Human Services.

(4) "SDA" means Service Delivery Area. A geographic region of one or more counties served by the Department and managed by an SDA Manager.

(5) "Sub-Acute Care" means psychiatric and mental health treatment under the direction of a psychiatrist provided as an alternative to hospitalization in a residential psychiatric treatment setting.

Stat. Auth.: ORS 418.005
Statutes Implemented: ORS 418.005

413-090-0010
Payments - General Guidelines

(1) Family Foster Care

(a) Payment by the Department to foster parents for a child's room, food, clothing, incidentals and cash allowance (known as the regular foster care rate) 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 Department service plan may also be provided if essential for the child's well being and if specifically authorized by the Department. See the OAR 413-090-0100 through 0210 Special Rate Policy (CAF Policy I-E.5.1.2);

(b) Regular foster care rates are based upon the age of the child and the type of program services they are receiving; Family Foster Care, Family Shelter Care, Family Group Home. The rate structure is established by the Department subject to the availability of funds and are uniformly applied

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throughout the state. The current monthly reimbursed rates effective November 1, 2003;

(A) Monthly Family Foster Care Rates

(i)	Child's Age	0-5	6-12	13 - 18
(ii)	Room/Board/Other	$ 325	$ 322	$ 383
(iii)	Clothing Replacement	$ 45	$ 51	$ 73
(iv)	Personal Allowance	$ 8	$ 20	$ 29
(v)	Total	$ 378	$ 393	$ 485

(B) Family Shelter Care $ 20.23

(C) Foster Family Group Home $1,189

(c) 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) Residential Treatment. Payment by the Department 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, or 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 the Department 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 CAF Target Planning and Consultation Committee. Exceptions will be considered only when federal funds will not be claimed.

Stat. Auth.: ORS 418.005
Stats. Implemented: ORS 418.470

413-090-0030
Payment for Temporary Absences

(1) Family Foster Care:

(a) Continued payment may be made to the 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.

(b) Payment may be authorized by the case worker for up to seven days after a child is temporarily absent from the foster home for a home visit, vacation or special activity or when the child is on runaway;

(c) Authorization for payment after a child is absent from a foster home for more than seven days must be approved by the SDA Manager or designee;

(d) Hospitalization. The provider will continue to receive 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. (Hospitalization for medical treatment is not considered a substitute care placement with a duplicate maintenance or board and room payment.)

(2) Residential Treatment:

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(a) Payments or utilization credit may be made to contracted providers for days children are on home visits or planned visits to another provider in the following circumstances:

(A) The visit is part of planned activities identified in the child's BRS service plan. Workers will be aware of the inclusion of planned visits in the service plan due to their involvement in the service planning process as outlined in OAR 413-080-0200 through/ 0270 (CAF Policy I-E.4.3, Residential Services);

(B) The assigned Department staff is informed prior to the visit taking place. It is the responsibility of providers to inform workers of scheduled visits.

(C) The child has no more than 8 total visit days per month.

(b) Children may be allowed more visit days than the 4 consecutive days or 8 total days per month. However, payment or utilization credit will not be given for such visit days, and Department workers cannot authorize such payments or utilization credit under any circumstances;

(c) Payment or utilization credit will not be made for days children are on runaway, days prior to when the child physically enters a provider's facility or therapeutic foster home, and days after the child physically leaves a provider's facility or therapeutic foster home as discharged. Department workers cannot authorize such payments or utilization credit;

(d) Hospitalization and "Sub-Acute" Care. The provider will continue to receive 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. (Hospitalization and "Sub Acute" Care for medical treatment is not considered a substitute care placement with a duplicate maintenance of board and room payment.)

(e) 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. The Department may not make maintenance payment to two providers at the same time.

(f) A purchase of service client invoice must be completed in accordance with Department billing procedures.

Prior Version

Stat. Auth.: ORS 418.005
Stats Implemented: ORS 418.005

413-090-0040
Payments During Adoptive Supervision

(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 OAR 413-130-0000 through 413-130-0130 for the eligibility requirements of the Adoption Assistance Program.

(2) The Department 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 period of up to 120 days or until adoption assistance is in place, whichever occurs first.

Stat. Auth.: ORS 418.005
Stats. Implemented: ORS 418.005

413-090-0050
Family Foster Care Out-of-State Payment Rates

(1) Oregon foster families who move out-of-state with a foster child placed by the Department will continue to receive Department's foster care payment rate for a period of up to 120 days or until adoption assistance is in place, whichever occurs first.

(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.

Stat. Auth.: ORS 418.005
Stats. Implemented: ORS 418.005