

Policy Title:	Payment for Family Foster Care, Enhanced Supervision, and Residential Treatment – Temporary OAR		
Policy Number:	I-E.5.1 413-090-0000 thru 0050		Effective Date: 8/12/09 thru 12/28/09

Approved By: *on file*

Date Approved:

Policy

Forms, etc.

Definitions

References

Contact

History

Reference(s):

- ORS 418.005
- USDA Expenditures on Children by Families, Estimated Expenditures on a child by husband-wife families
- Hitting the M.A.R.S., Establishing Foster Care Minimum Adequate Rates for Children
- Oregon Child Care Market Price Study
- Title IV-E State Plan
- I-A. 5.1 Contested Case Hearings

Form(s) that apply:

- CF 802 - CANS SCREENING REFERRAL (Child and Adolescent Needs and Strengths)
- CF 803 – CANS Results (Ages 0 to 5)
- CF 804 – CANS Results (Ages 6 to 20)

Rules:

413-090-0000

Purpose

These rules, OAR 413-090-0000 to 413-090-0050, describe the responsibilities of the Department for payment of costs on behalf of an eligible child or young adult placed by the Department with a substitute caregiver, including payment to:

- (1) A foster parent or relative caregiver for:
 - (a) The foster care base rate;
 - (b) Effective September 1, 2009, the cost of enhanced supervision;
 - (c) The cost of housing the child of a dependent minor, unless the dependent minor

parent receives benefits under a program administered by the Department of Human Services under Chapter 461 of the Oregon Administrative Rules; or

- (d) The cost of family group home care.
- (2) A provider of residential treatment services.

Stat. Auth.: ORS 418.005

Stats. Implemented: ORS 418.005

413-090-0005

Definitions

The following definitions apply to OAR 413-090-0000 to 413-090-0050:

- (1) "Adoption assistance" means financial 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, medical coverage, special payments, a combination of these, or "Agreement Only" as defined in OAR 413-130-0010(4).
- (2) "BRS" means Behavior Rehabilitation Service, a Medicaid funded program that provides behavioral intervention, counseling, or skill building services in a professional, shelter, or residential (including therapeutic foster care formerly referred to as proctor care) placement setting.
- (3) "CAF" means the Children, Adults and Families Division of the Department of Human Services.
- (4) "Child" means a person under 18 years of age.
- (5) "CANS screening" means Child and Adolescent Needs and Strengths screening, the process of integrating information on a child or young adult's strengths and needs and is designed to support case planning, service planning, and the supervision needs of the child or young adult.
- (6) "Department" means the Department of Human Services, Child Welfare.
- (7) "Dependent minor parent" means a child or young adult in the legal custody of the Department who is the parent of a child.
- (8) "Director" means the person serving as the Director of the Department of Human Services.
- (9) "District" means a geographic area of one or more counties served by the Department and managed by a District Manager.
- (10) "Eligible child" means a child or young adult in the legal or physical custody of the Department who is receiving a substitute care service.
- (11) "Enhanced supervision" means the additional support, direction, regulation, and

guidance provided to a child or young adult.

- (12) "Foster family group home" means a certified foster parent who has contracted with the Department to provide substitute care services.
- (13) "Foster parent" means a person who operates a home that has been approved by Child Welfare to provide care for an unrelated child or young adult placed in the home by the Department.
- (14) "Precipitating event" means an observed ongoing change in a child or young adult's behavior or condition.
- (15) "Provider" means a person approved by a licensed private child-caring agency to provide care for a child or young adult, or an employee of a licensed private child-caring agency approved to provide care for a child or young adult.
- (16) "Relative caregiver" means a person who operates a home that has been approved by Child Welfare to provide care for a related child or young adult who is placed in the home by the Department.
- (17) "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.
- (18) "Young adult" means a person aged 18 through 20 years, who remains in the care and custody of the Department, and lives in substitute care or lives independently through the Department's Independent Living Subsidy Program.

Stat. Auth.: ORS 418.005

Stats. Implemented: ORS 418.005

413-090-0010

Eligibility for Payments

- (1) Family Foster Care.
 - (a) The Department reimburses a foster parent or relative caregiver a base rate on behalf of an eligible child or young adult in the Department's physical or legal custody who is placed by the Department in the foster parent or relative caregiver's home. Payment for the base rate is made on a monthly basis, or prorated for a portion of a month, after the month in which the care has been provided. The reimbursement period includes the day the child or young adult enters the home, but excludes the day the child or young adult leaves the home.
 - (b) Effective September 1, 2009, the Department provides payment of the base rate of \$639 per month for a child under six years old, \$728 per month for a child six through twelve years old, and \$823 per month for a child or young adult 13 through 20 years old.
 - (c) The base rate includes the following categories:

- (A) Food -- including the cost to cover a child or young adult's special or unique nutritional needs;
 - (B) Clothing -- including purchase and replacement;
 - (C) Housing -- including maintenance of household utilities, furnishings, and equipment;
 - (D) Daily supervision -- including teaching and directing to ensure the child or young adult is attended to appropriate to his or her age and developmental level and to ensure safety;
 - (E) Personal incidentals -- including personal care items, entertainment, reading materials, and miscellaneous items; and
 - (F) The cost of providing transportation -- including local travel associated with expenditure for gas and oil, vehicle maintenance and repair, and transportation to and from extracurricular, child care, recreational, and cultural activities.
- (2) Shelter Care. The Department reimburses a foster parent or relative caregiver a shelter care rate on behalf of an eligible child or young adult during the first 20 days of substitute care after the Department has obtained physical or legal custody of the child or young adult. The daily shelter care rate is \$24.60 for a child under six years old, \$28.00 for a child six through twelve years old, and \$31.60 per month for a child or young adult 13 through 20 years old.
- (3) Enhanced Shelter Care. Effective September 1, 2009, the Department reimburses a foster parent or relative caregiver an enhanced shelter care rate on behalf of an eligible child or young adult during the first 20 days of substitute care in the first foster care or relative caregiver home after a child or young adult has resided in a residential treatment placement unless an enhanced supervision level of care has been determined.
- (4) Enhanced supervision. Payment to a foster parent or relative caregiver for enhanced supervision responsibilities on behalf of an eligible child or young adult is made when the CANS screening indicates the child meets one of three levels of care at an amount determined by the Department.
- (a) If the child or young adult qualifies as Level 1 (moderate needs), the payment is \$212 per month.
 - (b) If the child or young adult qualifies as Level 2 (intermediate needs), the payment is \$414 per month.
 - (c) If the child or young adult qualifies as Level 3 (advanced needs), the payment is \$850 per month.
- (5) The Department reimburses a foster family group home on behalf of an eligible child or young adult as provided in the signed contract between the Department and the foster parent or relative caregiver.

- (6) Effective September 1, 2009, the Department reimburses a foster parent or relative caregiver for room and board (see subsection (1)(b) of this rule) for the child of a dependent minor parent when the dependent minor parent does not receive other public assistance for the dependent minor parent's child or have other means of financial support.
- (7) Residential Treatment. Payment by the Department to a residential treatment care provider on behalf of an eligible child or young adult is made as provided in the signed contract between the Department and the residential treatment provider.
- (8) Payments prohibited.
 - (a) Payment cannot be made for two simultaneous 24 hour substitute care services.
 - (b) Neither payment nor utilization credit may be given for simultaneous contracted treatment services, such as day treatment and residential treatment.
 - (c) The Department will not authorize payment for the care of a child or young adult in a home or facility supported by public funds and maintained only as a secure facility for individuals under the jurisdiction of a juvenile court.
 - (d) Any exception to this rule 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.
- (9) A payment by the Department under this rule to a foster parent or relative caregiver is inalienable by any assignment or transfer and exempt from execution, levy, attachment, garnishment, and other legal process under the laws of the state of Oregon.

Stat. Auth.: ORS 418.005

Stats. Implemented: ORS 418.005, 418.470, 418.625

413-090-0021

Periodic Review of Eligibility for Enhanced Supervision

The Department conducts a new CANS screening to determine a child or young adult's continued eligibility for enhanced supervision:

- (1) Twelve months from the date of the original screening and each twelve month period thereafter; and
- (2) When a precipitating event occurs and a new screening is approved by the Department.

Stat. Auth.: ORS 418.005

Stats. Implemented: ORS 418.005

413-090-0030

Payment for Temporary Absences

- (1) Family Foster Care:

- (a) During a child or young adult's temporary absence, continued payment may be made to the foster parent or relative caregiver for no longer than 14 days, when:
 - (A) The plan is for the child or young adult to return to the care of the same foster parent, relative caregiver, or provider; and
 - (B) No other foster parent or relative caregiver is receiving a payment for the child or young adult during the period of the absence.
- (b) The caseworker may authorize payment for up to seven days for a child or young adult's temporary absence from the home of the foster parent or relative caregiver for a home visit, vacation, or special activity or when the child or young adult has run away from the home.
- (c) The caseworker must obtain authorization from the District Manager or designee for payment for more than seven days but less than the maximum of fourteen days for a child or young adult's temporary absence from the home of the foster parent or relative caregiver.
- (d) Hospitalization. The foster parent or relative caregiver continues to receive payment when 24-hour medical care is required and the foster parent or relative caregiver continues to exercise caregiving responsibilities in anticipation of the return of the child or young adult. (Hospitalization for medical treatment is not considered a substitute care placement with a duplicate payment.)

(2) Residential Treatment.

- (a) A payment or utilization credit may be made to a contracted provider of residential treatment for no longer than 14 days when the child or young adult is on a home visit or planned visit to another provider in the following circumstances:
 - (A) The visit is part of planned activities identified in the BRS service plan of the child or young adult. Caseworkers 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 Child Welfare Policy I-E.4.3, "Residential Services", OAR 413-080-0200 to 413-080-0270.
 - (B) The assigned caseworker is informed prior to the visit taking place.
- (b) Although a child or young adult may be allowed more than four consecutive visit days or eight total days per month, Department workers may not authorize payment or utilization credit for more than four consecutive days or eight total visit days per month under any circumstances.
- (c) Department workers may not authorize payment or utilization credit for days a child or young adult has runaway before physically entering a provider's facility or therapeutic foster home or for days after the child or young adult has physically left a provider's facility or a therapeutic foster home as discharged.
- (d) Hospitalization. The provider will continue to receive payment when 24-hour

medical care is required for a maximum of 14 days when the provider continues to exercise caregiving responsibilities in anticipation of the return of the child or young adult. (Hospitalization for medical treatment is not considered a substitute care placement with a duplicate base rate payment.)

- (e) **Planned Visits to Another Provider.** It is the responsibility of the purchase-of-care provider to reimburse the resource that the child or young adult visits at a reasonable rate to be agreed upon by both parties. The Department does not authorize payments to two providers for a child or young adult at the same time.

Stat. Auth.: ORS 418.005

Stats Implemented: ORS 418.005

413-090-0040

Payments During Adoptive Supervision

- (1) The Department does not issue a family foster care base rate payment after a child is free for adoption and placed in a home designated by the Department's Adoption Program manager as the child's adoptive placement. See Child Welfare Policy I-G.3.1, "Adoption Assistance" OAR 413-130-0000 to 413-130-0130 for the eligibility requirements of the Adoption Assistance Program.
- (2) The Department provides a payment for a family foster care base rate and any enhanced supervision payment to foster parents who plan to adopt the child after a child's status changes from foster care placement to adoptive placement or from a "legal risk adoptive placement" to an "adoptive placement" for up to 120 days, as a reasonable period of time is allowed to determine adoption assistance eligibility after an application for adoption assistance has been received from the adoptive family.

Stat. Auth.: ORS 418.005

Stats. Implemented: ORS 418.005

413-090-0050

Family Foster Care and Relative Caregiver Out-of-State Payment

- (1) A foster parent or relative caregiver who receives Department approval to move out-of-state with a child that the Department has placed in their home may continue to receive current foster care payments for that child for up to 180 days or until licensed or certified in the receiving state, whichever is earlier.
- (2) The Administrator of the Office of Permanency and Safety for Children or the Foster Care Program Manager may extend the 180 day limit for continuing to receive current foster care payments when the licensure or certification process in the receiving state has not been completed due to circumstances beyond the control of the Department and the foster parent or relative caregiver.
- (3) Once the home is licensed or certified in the receiving state, the Department authorizes payment at the receiving state's established foster care payment rates.

Stat. Auth.: ORS 418.005

Stats. Implemented: ORS 418.005

Contact(s):

- **Name:** Kevin George; **Phone:** 503-945-5987

Policy History

- [1/02/96](#)
- [03/05/99](#)
- [09/20/99](#)
- [01/07/03](#)
- [01/31/03 thru 7/30/03](#)
- [07/31/03](#)
- [11/01/03 thru 04/28/04](#)
- [04/01/04](#)
- [10/13/06 thru 04/10/07](#)
- [04/01/07](#)
- [01/01/08 thru 06/27/08](#)
- [06/28/08](#)
- [07/01/09 thru 12/28/09](#)
- [09/01/09 thru 12/28/09](#)
- [09/25/09 thru 12/28/09](#)
- [12/29/09](#)
- [6/30/11 thru 12/27/11](#)

Prior Version