



Office of Children's Services
Empowering communities to serve youth

New CSA Coordinator Academy

2021 Virtual Edition



Office of Children's Services
Empowering communities to serve youth

Anna Antell

Program Consultant

**Office of
Children's Services**



BEFORE WE BEGIN . . .



This session is being recorded



All lines are muted to start the meeting

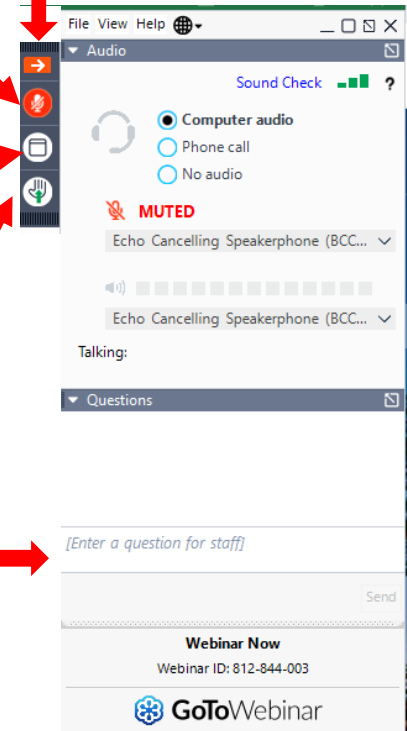
Click to Unmute Yourself (if allowed)

Click ESC to leave full screen mode

Raise Hand to have your line unmuted

Type questions here

Hide/Show Control Panel





Office of Children's Services
Empowering communities to serve youth

Welcome

Carol Wilson
Program Consultant
Office of
Children's Services





Office of Children's Services
Empowering communities to serve youth

CHINS and CSA Parental Agreements

New Coordinator Academy

June 4, 2021

Carol Wilson

Office of Children's Services

Why do we have CSA Parental Agreements?

- CSA Parental Agreements were created as a way to solve a problem.
- Problem: How do we help parents of children with severe emotional/behavioral problems access residential treatment without requiring parents to go to court, work with the LDSS, or even relinquish custody?
- Children with emotional/behavioral needs were considered either not eligible for CSA or non-mandated.

Problem

- Parents might be told that the only way CSA could fund residential treatment was for the parent to relinquish legal custody, have the court determine the child to be in need of services and placed in foster care. This would put the child in the “mandated” CSA population.
- An alternative was the non-custodial agreement which permitted parents to retain legal custody

Problem

- But ... Non-custodials were problematic because:
 - Filing a petition and court involvement including review were still required
 - For all practical purposes, and from a federal standpoint, the child was in foster care
 - Statutory language “permitted” non-custodials, which localities interpreted to mean they did not have to offer this option

Problem

- Issue of custody relinquishment came to the attention of the General Assembly
- Posed question to the Attorney General regarding whether or not CSA should be responsible for providing mental health services to children

Answer

- Opinion rendered in December 2006 which strongly stated that no parent in the Commonwealth of Virginia should ever have to relinquish custody to obtain mental health treatment for a child

<http://www.oag.state.va.us/Opinions%20and%20Legal%20Resources/OPINIONS/2006opns/05-095-Fralin.pdf>

Practice Issues

- How could the requirements of the AG's opinion be put into practice?
- Interagency Guidelines were developed based on the AG's opinion under the direction of the State Executive Council, the policy and oversight body for CSA.

Problem Solved

- The *Interagency Guidelines for the Provision of Foster Care Services to Specific Children in Need of Services* including the:
 - CHINS Eligibility Checklist; and the
 - CSA Parental Agreement
- . . . created the mechanism to solve the problem.

Why CHINS?

- Why was a determination of CHINS so important?
- How did the CHINS determination help resolve the custody relinquishment issue?

CHINS Created a Path to CSA Eligibility



Foster Care Services

- The Code of Virginia does not have a definition of “foster care”, rather defines “foster care services.”
- Code defines “foster care services” as “the provision of a full range of casework, treatment and community services...” (§63.2-905)

CSA Eligibility – Foster Care Services

COV §63.2-905

“Foster care services are the provision of a full range of casework, treatment and community services, including but not limited to independent living services, for a planned period of time to a child who is abused or neglected as defined in § [63.2-100](#) or **in need of services as defined in § [16.1-228](#) and his family** when the child (i) has been identified as needing services to prevent or eliminate the need for foster care placement, (ii) has been placed through an agreement between the local board or the public agency designated by the community policy and management team and the parents or guardians where legal custody remains with the parents or guardians, (iii) has been committed or entrusted to a local board or licensed child placing agency, or (iv) is living with a relative participating in the Kinship Guardianship Assistance program set forth in § [63.2-1305](#) and developed consistent with 42 U.S.C. § 673. Foster care services also include the provision and restoration of independent living services to a person who is over the age of 18 years but who has not yet reached the age of 21 years, in accordance with § [63.2-905.1](#).” (italics added effective July 1, 2018).



Four Types of Foster Care Services

Foster Care Prevention
(community based)

Placement through an agreement
between a parent/guardian where the
parent retains custody and the local
board or a public agency designated by
the CPMT (Non-Custodial or CSA
Parental Agreement)

**FOSTER CARE
SERVICES**

Commitment, Entrustment or Custody
to the Local DSS

Kinship Guardianship

Two Categories

Abuse/Neglect

- Eligible for “foster care services” including prevention of foster care placement
- No need to use CHINS checklist to determine eligibility
- No standard checklist to determine eligibility for this population

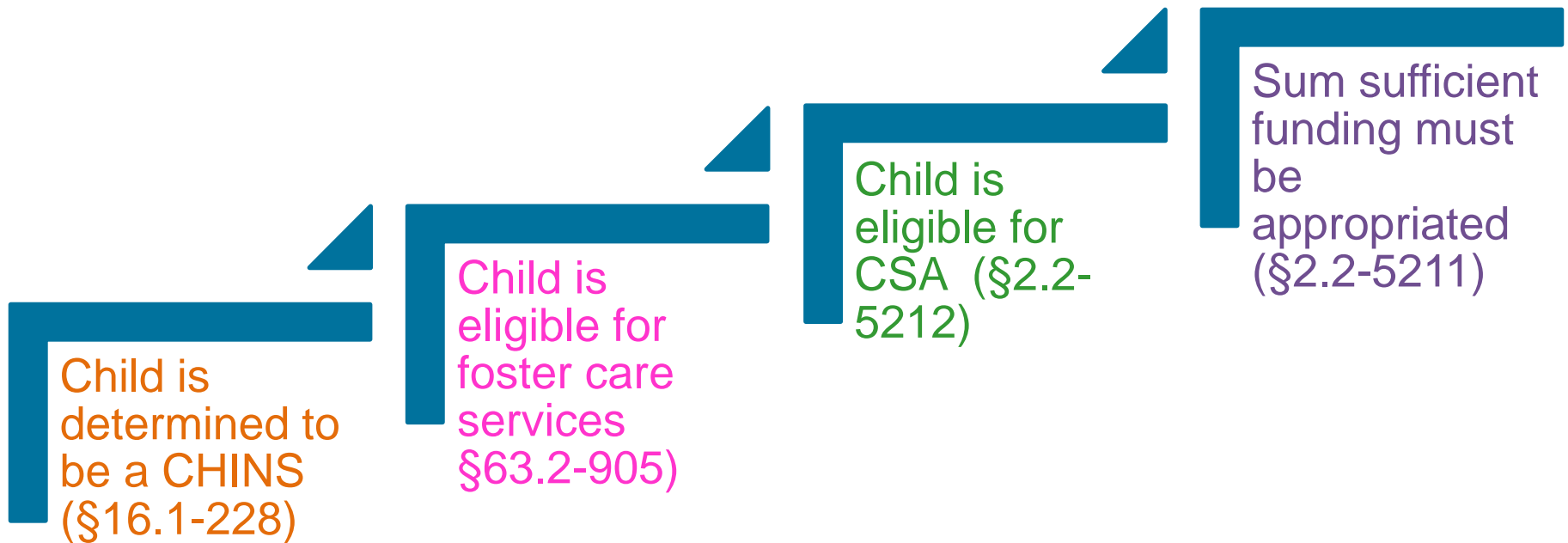
Child in Need of Services

- Eligible for “foster care services”, including prevention of foster care placement
- Court determined or FAPT uses CHINS Checklist to determine eligibility as CHINS

“Foster Care Services” = CSA

- Children who are eligible for “foster care services” are eligible for CSA. (§2.2-5212)
- Children who are eligible for “foster care services” as defined in §63.2-905 are “mandated” for CSA, meaning “sum-sufficient” funding for services must be appropriated by state and local governments. (§2.2-5211)

CHINS: The Steps to CSA Eligibility



Guidelines

- Guidelines Documents (found in Resource Library on www.csa.virginia.gov)
 - Interagency Guidelines for the Provision of Foster Care Services to Specific Children in Need of Services
 - CHINS Eligibility Checklist
 - CSA Parental Agreement
 - VDSS Non-Custodial Agreement (On FUSION)

Only CHINS

- The “Interagency Guidelines” **do not** affect the provision of services to children who are receiving foster care services because of abuse or neglect.
 - The CHINS Eligibility Checklist is not used for these children.
 - These children are receiving foster care services, including prevention and placement, because of abuse and/or neglect, not because of their mental health needs.

CHINS Checklist

- FAPT may determine that a child is “in need of services” using the Eligibility Checklist for documentation.
- All four criteria must be met.

Criteria #1 –Definition of CHINS

- A “child in need of services” is defined in the Code of Virginia as:

“...i) A child whose behavior, conduct or condition presents or results in a serious threat to the well being and physical safety of the child or (ii) a child under the age of 14, whose behavior, conduct or condition presents or results in a serious threat to the well-being or physical safety of another person.” (COV § 16.1-228)

- Why is there a stipulation about the age of the youth if the threat is to another person?

Criteria #2

- Specific factors which must be present for a child to be determined eligible such as:
 - level of severity of the need
 - whether the need is chronic or if acute,
 - is of such significance that it must be quickly addressed,
 - if requires coordinated intervention by two or more agencies
 - the immediacy of the need for residential treatment.
- The statutory language and Checklist guide the FAPT to look at combinations of these factors to determine eligibility.
- This criteria is not intended to restrict or “rule-out” children but to identify those with complex and significant needs who will require a multidisciplinary approach to interventions and services.

Criteria #2 (COV §2.2-5211 A.1, A.2)

1. The child or youth has emotional or behavior problems that:
 - a. Have persisted over a significant period of time or, though only in evidence for a short period of time, are of such a critical nature that intervention is warranted;
 - b. Are significantly disabling and are present in several community settings, such as at home, in school or with peers; and
 - c. Require services or resources that are unavailable or inaccessible, or that are beyond the normal agency services or routine collaborative processes across agencies, or require coordinated interventions by at least two agencies.

2. The child or youth has emotional or behavior problems, or both, and currently is in, or is at imminent risk of entering, purchased residential care. In addition, the child or youth requires services or resources that are beyond normal agency services or routine collaborative processes across agencies, and requires coordinated services by at least two agencies.

Criteria #3

- Criteria 3 addresses:
 - How services will be delivered, whether in the community with the child remaining at home, such as intensive in-home, or if out of home treatment in a residential setting is needed
 - For each setting, the team must establish and document *how* services will preserve or strengthen the family unit while ensuring the safety of the child and others.

Criteria #4

Criterion #4 addresses:

- The importance of maintaining the family as a unit, whether it is in the community or through an out-of-home placement.
- Both the Children's Services Act and the Attorney General's Opinion stress the importance of maintaining the family as a functioning entity.
 - Requires a fair assessment of the family's commitment to the child. Parents are often going through a crisis at the point the CHINS Checklist is being completed and may not feel that they can manage the child at home at that point. They may even say they don't want the child in the home. Those types of feelings should not be interpreted to mean the family is not committed to the child or will refuse for the child to return home. It is important for FAPT to consider not simply what is happening now, but what efforts the family has already made to seek treatment for their child.

CHINS Checklist

- When the Checklist is completed by FAPT and the child meets all four criteria, child is eligible for either:
 - *Services in the community (prevention of foster care)*
 - CSA Parental Agreement is NOT needed.
 - OR**
 - *Services outside of the home in a treatment setting such as residential, group home, or treatment foster care*
 - CSA Parental Agreement is needed.

Case Management

- Who will case-manage a child in need of services?
- Agencies at FAPT/CPMT are:
 - Department of Social Services
 - Local school division
 - Court Services Unit
 - Community Services Board
 - Local CSA office

Case management decision is based on child's best interests

What about LDSS?

- LDSS may not case manage CSA Parental Agreements.
- Comparable agreement is the Non-Custodial.
- LDSS case manages, child placed outside of home is considered in foster care. Federal laws and benefits apply.
- Child does not have to be in legal custody of LDSS to be "in" foster care.

Two options when parent retains legal custody

A diagram consisting of two large, blue, stylized arrows pointing in opposite directions. The left arrow points left and contains a purple rectangular box with white text. The right arrow points right and contains white text. The two arrows are connected at their bases by a white, ribbon-like shape that curves from the bottom of the left arrow to the top of the right arrow.

Non-Custodial
Foster Care
Areement

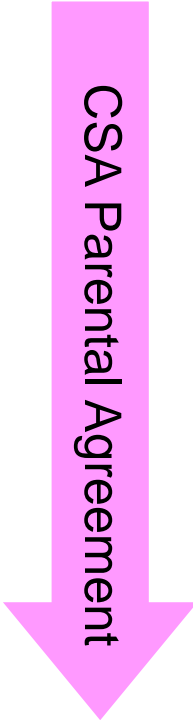
CSA Parental
Agreement

Two Options - Differences



Non-Custodial Foster Care

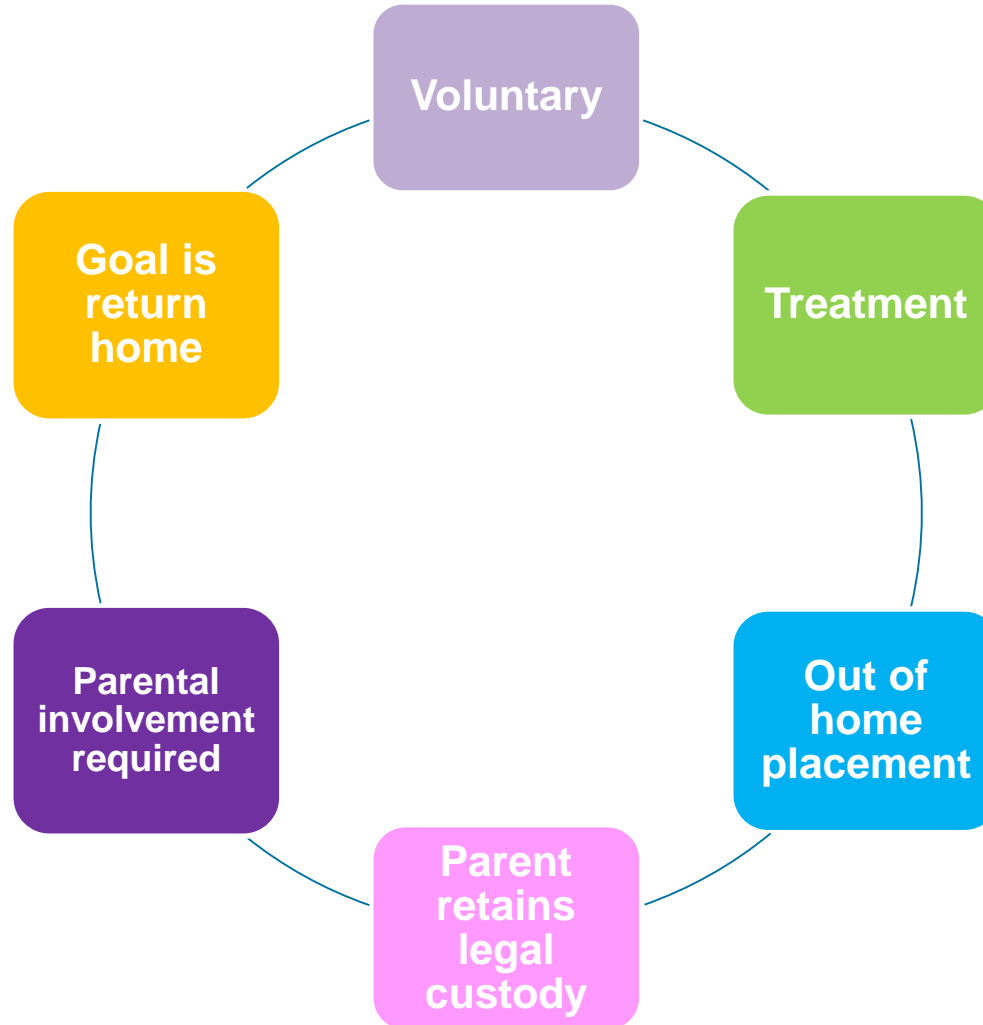
DSS case manages
Child is "in" foster care
per federal law.
Court involvement
required
Eligible for federal
benefits (e.g. Medicaid,
IV-E)



Agency other than LDSS
case manages
Child is receiving a
foster care service per
COV
Court involvement not
required
Not eligible for IV-E
May be eligible for
Medicaid

CSA Parental Agreement

Two Options - Similarities



CSA Parental Agreement

- CSA Parental Agreement is a contract between the parents/guardians and the agency designated by the CPMT. The CPMT has fiscal responsibility.
- Terms include the rights and responsibilities of the parent/guardian, what is expected of the agency, financial terms and length of agreement



CSA Parental Agreement

- Parties must agree that out of home placement is:
 - In the child's best interests,
 - Most appropriate and least restrictive setting to meet child's needs; and
 - Mutually agreed upon by the FAPT and the parents/legal guardians.

CSA Parental Agreements are voluntary agreements.

CSA Parental Agreement

- CSA Parental Agreement
 - Parent retains legal custody.
 - Parent/guardian is actively involved in all phases of assessment, decision-making, service delivery and review.
 - Goal is always to return home.
 - Voluntary agreement! Focus is on treatment of child, not parent's ability to care for or provide a safe home for child
 - Parent places child, not agency. Parent may remove at any time, per the terms of the individual agreement.
 - Residence of parent/guardian matters.
 - Determines fiscal responsibility of all parties.

CSA Parental Agreements

- Only used for short-term out of home placements for treatment of emotional/behavioral needs
- May not be used for other types of placements such as respite
- Placements may be in:
 - Residential facilities (PRTFs)
 - Group homes
 - Treatment Foster Care (use cautiously)

Length of Stay

- Length of Stay
 - Short- term! Set a target date. If child is still in need of treatment on that date, review plan.
 - Placement may not last indefinitely.
 - CSA requires utilization review.

CSA Parental Agreement

- Parent changes residence to another locality-what happens?
- Parent moves out of state-what happens?



Inappropriate Use

- CSA Parental Agreements are not appropriate if child and family are receiving services because of abuse and/or neglect.
 - Voluntary; parent retains custody
 - No court involvement required
 - Cannot be used as an alternative to foster care placement when abuse/neglect is present
- CSA Parental Agreements are not a substitute for foster care placement.
 - Focus is treatment, not protection or permanency
 - Child does not have same federal and state protections as a child in foster care

Role of the Court

- CSA Parental Agreements were created to provide an alternative to court involvement for parents who sought a placement for mental health treatment for a child.
- There is no statutory requirement for a "child in need of services" as determined by the FAPT to be involved with the court.
- CSA Parental Agreements do not include or address the role of the court.

Role of the Court

- But, a court *may*:
 - Determine a child to be CHINS
 - Exercise the dispositional alternative of ordering a placement agreement between LDSS (Non-Custodial) or agency designated by the CPMT where the parent retains legal custody (CSA Parental Agreement)

Use of the **voluntary** CSA Parental Agreement is not consistent with **court-order** of treatment.

Court Involvement

- Because it was not developed for this purpose, the CSA Parental Agreement template may need revision in situations where the court orders a placement through an agreement between an agency designated by the CPMT and the parent, where the parent retains legal custody.



Problems

- Problems arise when CSA Parental Agreements are not used appropriately:
 - Court is involved
 - Child is in need of permanency
 - No target date set for termination
 - No agreement on what constitutes successful completion of treatment
 - Used for child not in intended population (i.e., significant behavioral/emotional needs)
 - Parent moves to another locality or state

Value of CSA Parental Agreements

- CSA Parental Agreements have provided a much needed service in the continuum of care for children and youth with significant emotional/behavioral needs and their families.

Coming Up Next . . .

- Service Planning and Utilization Review





Office of Children's Services
Empowering communities to serve youth

Anna Antell

Program Consultant

**Office of
Children's Services**





Office of Children's Services
Empowering communities to serve youth

Service Planning and Utilization Review (UR)

New CSA Coordinator Academy

Anna Antell, LCSW
Program Consultant

Session Outline

- Overview the service planning requirements of FAPT
- Review the purpose and use of service planning
- Writing measurable goals and objectives
- Utilizing service plans to guide FAPT
- Define Utilization Review and it's CSA requirements



Requirements of FAPT

Code Section 2.2-5208 FAPT Powers and Duties:

"FAPT shall assess the strengths and needs of troubled youths and families who are approved for referrals to the team and identify and determine the complement of services required to meet these unique needs..."

"Develop an Individual Family Services Plan for youths and families reviewed by the team that provides for appropriate and cost-effective services"

Service Planning Begins....

"All children and youth, regardless of eligibility criteria, age, or referral source, who receive services funded by the CSA state pool shall be assessed using a mandatory uniform assessment instrument approved by the State Executive Council. (§2.2-2648, §2.2-5209 and the Appropriation Act)..."



Assessment Information...The Foundation

- The CANS should match the clinical, behavioral and social presentation of the youth and family
- Is all assessment information congruent?
- What do the youth and family identify as their needs and strengths?

The strengths identified through the assessment process are used to meet the identified needs of the youth and family



Poll





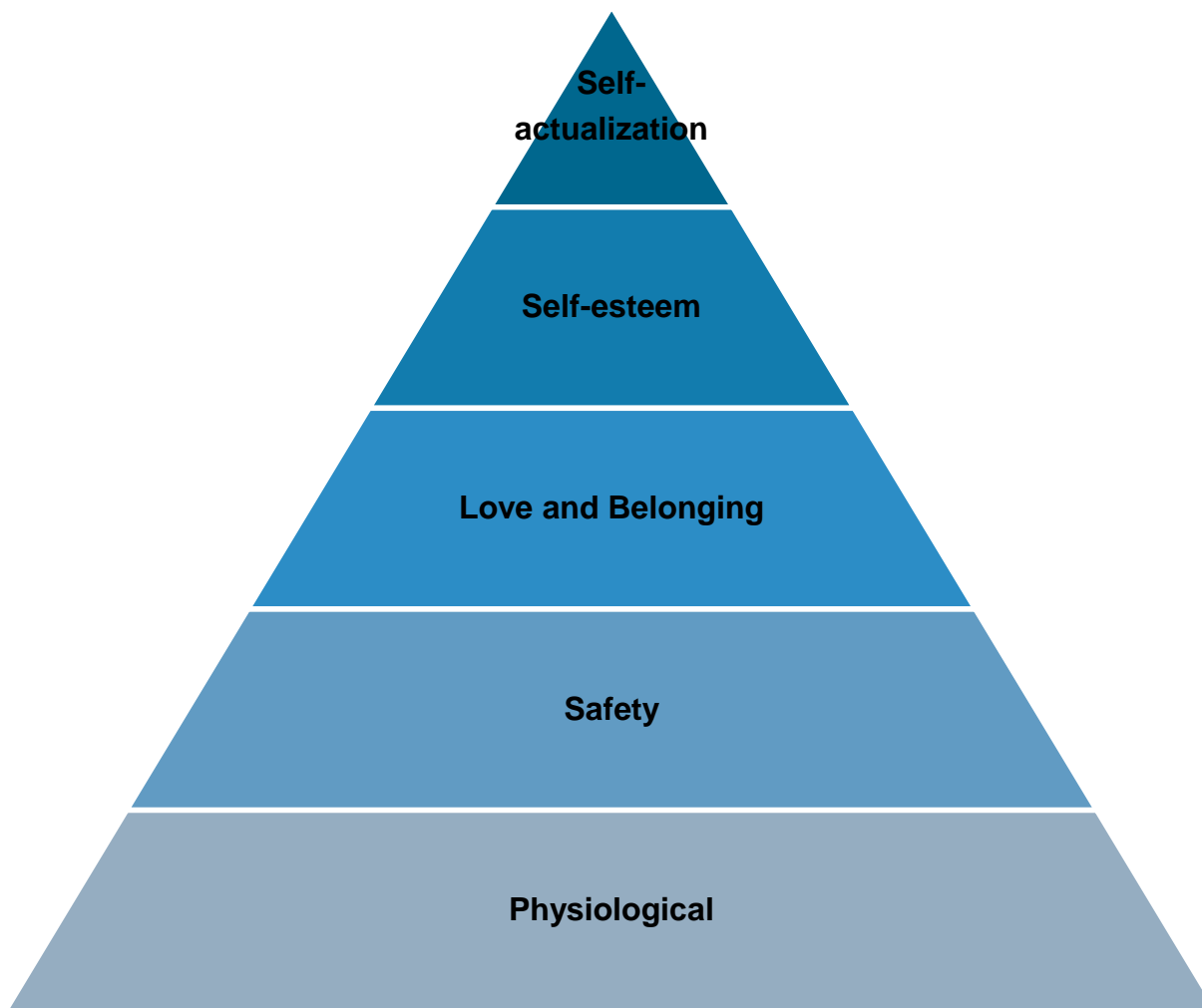
Framework for Service Plan Development



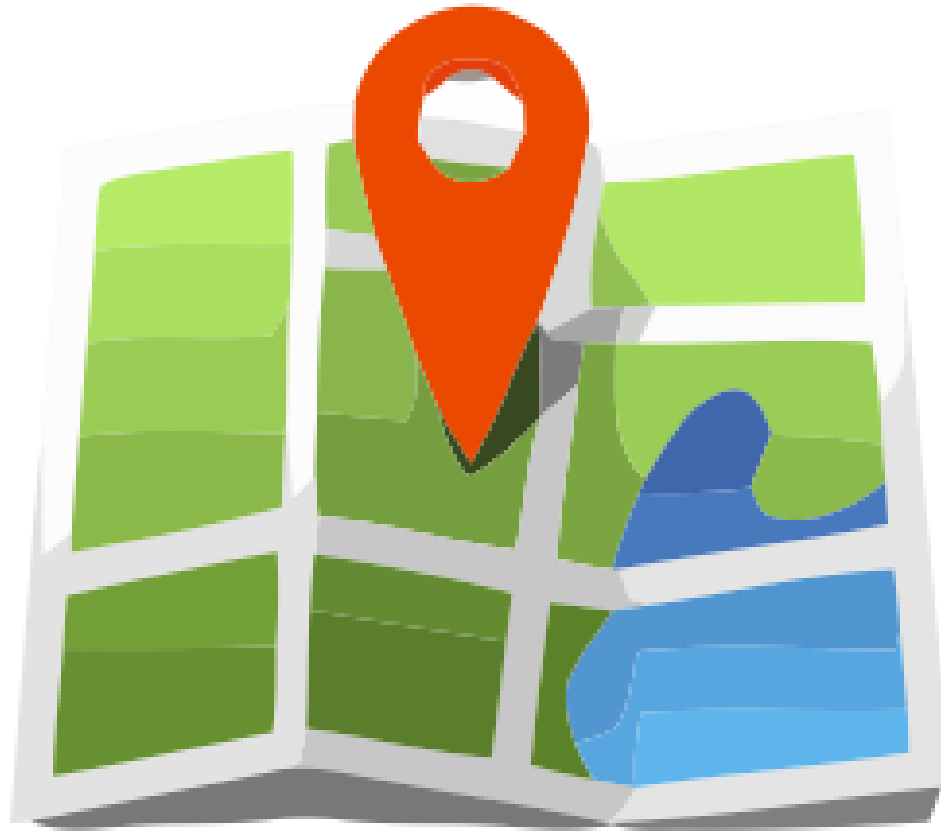
Service Plans as Road Maps



Needs Are Not Services!!!



Goal; The Destination



Jasmine remains at home, attends school daily, participates in trauma-focused treatment and is once again playing volleyball.

Michael has returned home. Michael and his parents utilize the behavior plan to manage his aggressive behaviors and Michael once again attends church with the family.

Kyle lives with his grandmother. He attends school daily and participates in weekly SA treatment. Kyle's grandmother attends her own Recovery groups and they are once again playing cards on the weekend.

Objectives; The Short Trips



Services; The Fuel



SMART Objectives

S- Simple, Straightforward, Specific

M-Measurable

A- Attainable/Appropriate/Achievable

R-Realistic

T-Time Framed/Time Specific

An Example

John will decrease his anxiety through engagement in in-home services at least 3 times per week for the next 3 months as reported by submitted documentation

Leigh will have a decrease in aggressive behaviors towards her sister by participating in one positive family activity with mentor at least 1 time per week as reported by grandmother

Service Plans Should....

- Incorporate all assessment data
- Be strengths-driven
- Have multiple life domains represented
- Convey the complete picture of the youth and family
- Use measurable and individualized long and short term goals
- Include the voice of family and youth



Functional Strengths

- Strengths aren't just things we are good at... characteristics, interests, belief systems and people can be strengths
- Any strength can be functional. IF we use it in the right way, HOW can the strength be used in service planning?



Service Planning is Ongoing



Implement the Plan

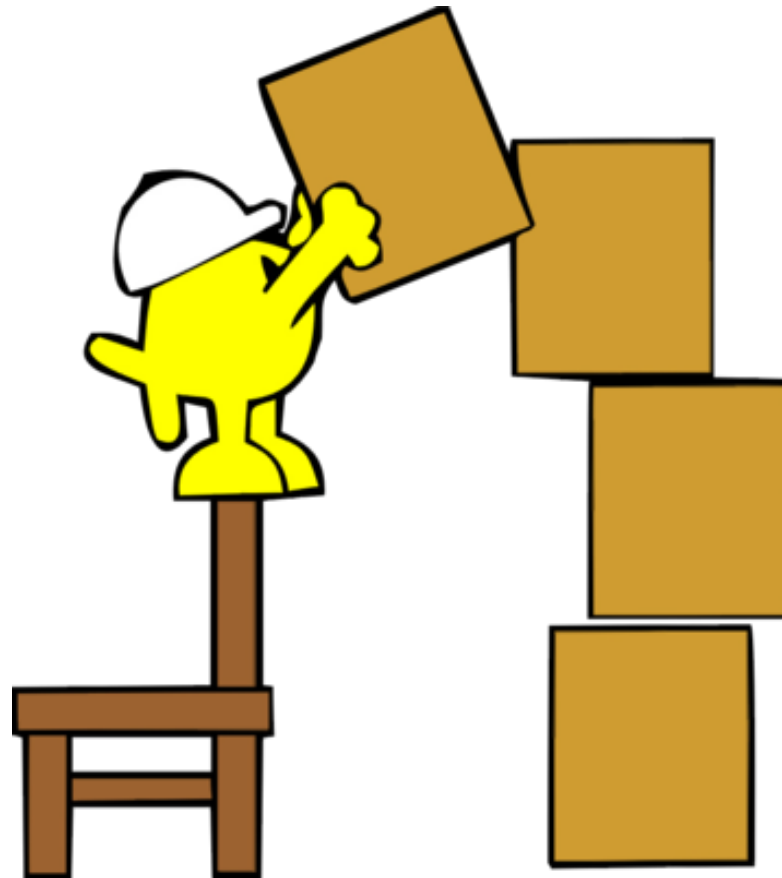


Revisit the Plan



TM & © 2008 The Jim Henson Company. All Rights Reserved.

Revise and Update the Plan





Utilization Review



What are the Requirements?

- The Code of Virginia (COV) states that "each locality receiving funds for activities under the Comprehensive Services Act (CSA) shall have a locally determined utilization management plan..." (COV 2.2-2648)
- The Community and Policy Management Team is charged with the responsibility of developing and implementing the local Utilization Management Plan (COV 2.2-5206)



Utilization Review...Required By Code

“The Family Assessment and Planning Team or approved alternative multidisciplinary team, in collaboration with the family, shall provide regular monitoring and utilization review of the services and residential placement for the child to determine whether services and placement continue to provide the most appropriate and effective services for the child and his family. (COV 2.2-5208)”



Poll



Utilization Review

- A part of the Utilization Management (CQI) process
- An individual review of the necessity, efficiency, and appropriateness of services
- Measures the progress of the youth and family against the goals and objectives established in the Individual Family Service Plan (IFSP)



What UR is NOT:



Who can do Utilization Review?



Utilization Review as a Service



Service Type	Utilization Review Frequency	CANS Administration
Foster care maintenance, including day care	Based on CPMT policy. Though not required to come to FAPT, best practice encourages a multi-disciplinary review	Initial, discharge, and at least annually per SEC policy and as additionally directed by your local CANS reassessment policy
Community-based, non-clinical services	Every 6 months	Initial, discharge, and at least annually per SEC policy and as additionally directed by your local CANS reassessment policy
Community-based, clinical services and/or a combination of two or more services	Every 3 months	Initial, discharge, and at least annually per SEC policy and as additionally directed by your local CANS reassessment policy
Intensive in-home services, Therapeutic Foster Care, ICC, or Residential (PRTF or TGH) placement	Every 3 months	Initial, discharge, and at least annually per SEC policy and as additionally directed by your local CANS reassessment policy and/or service/funding requirement
Private day special education services or IEP residential	Completed by the IEP review team	Initial, discharge, and at least annually per SEC policy and as additionally directed by your local CANS reassessment policy
Acute psychiatric (hospital)	Daily monitoring of risk and level of need	



Poll



Principles of Quality UR



Quality UR Begins with Quality Service Planning



Thorough UR Critically Examines ALL Elements of the Plan of Care



Effective UR Measures Progress, Provides Recommendations, and Monitors Status of Recommendations



Effective UR Measures Progress, Provides Recommendations, and Monitors the Status of Recommendations



UR is More Than Quality and Cost of Services



A Thorough UR...

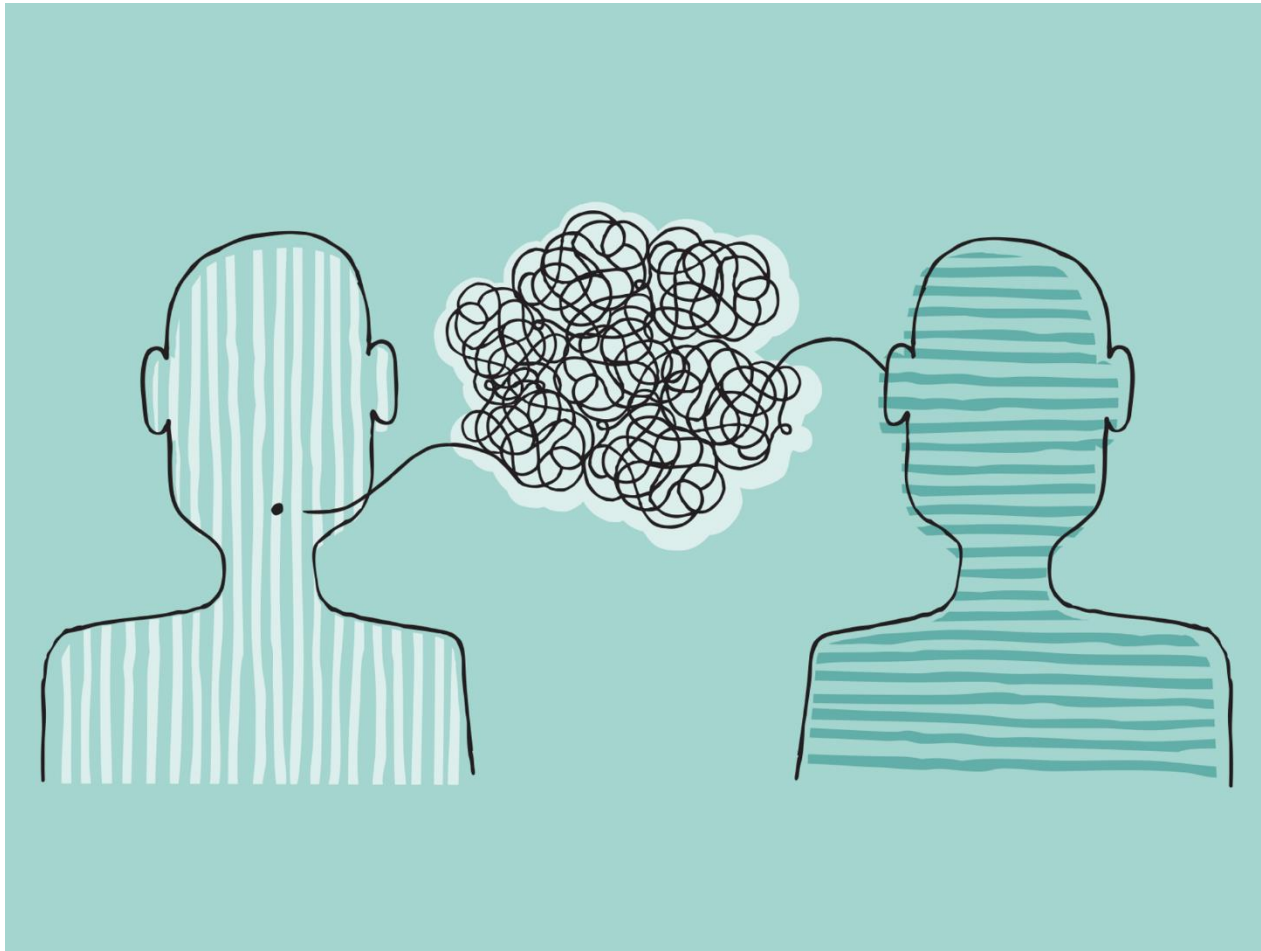




Poll



State Sponsored UR

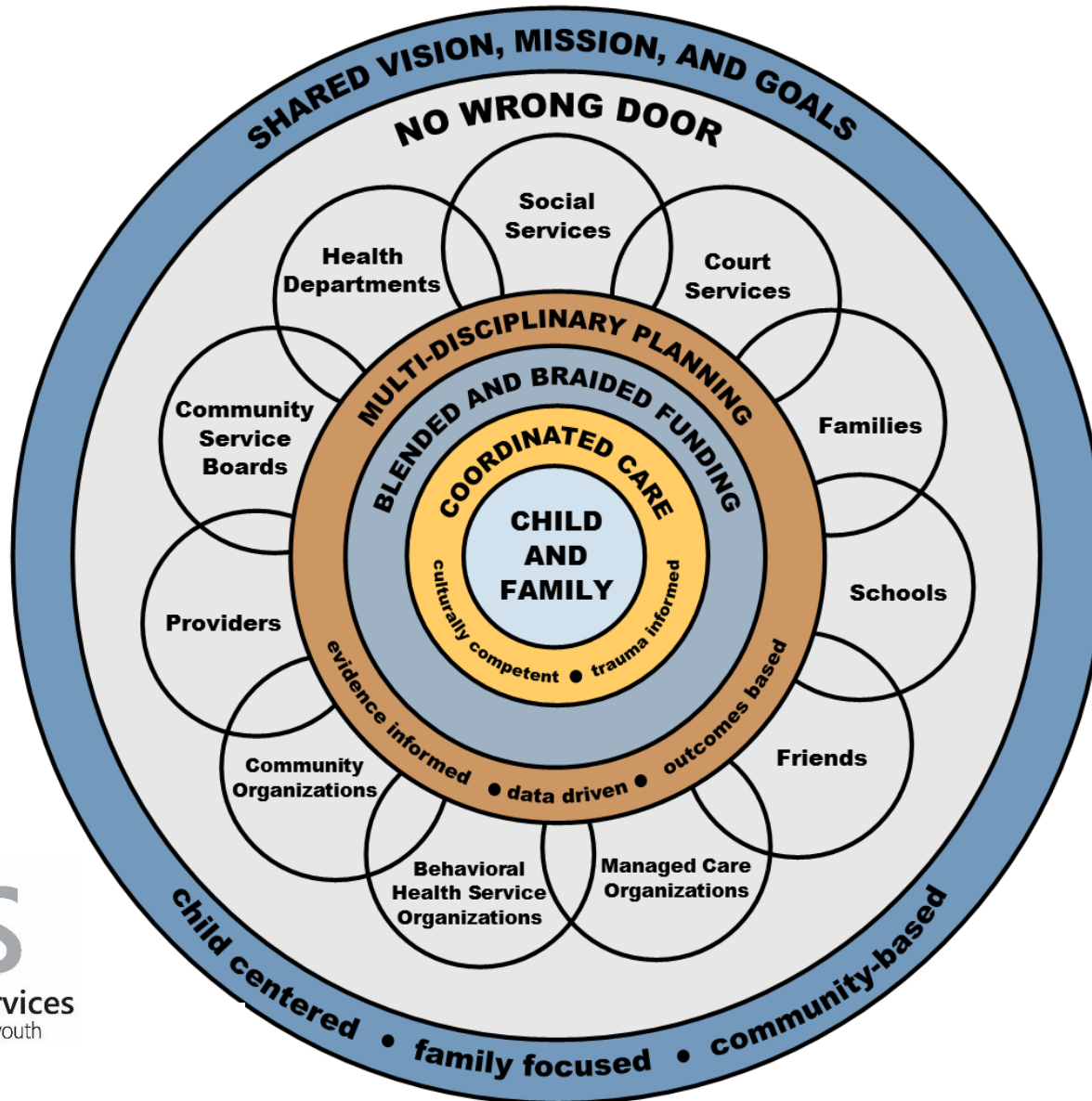


Putting it Together; UR and Service Planning



CSA is a System of Care

Virginia's Comprehensive System of Care



Office of Children's Services
Empowering communities to serve youth

Remember...

Your locality's Utilization Management (UM) plan (which includes your locality's UR plan) should reflect the unique goals, strengths, and needs of your community because:

- The purpose of UM (CQI) is to collect and analyze data in order to evaluate and inform policies and/or services in *your* locality

AND

- Each locality is different

AND

- Plans are locally devised and implemented

UR Guidelines

http://csa.virginia.gov/content/doc/Utilization_Review_Guidelines.pdf

Thank You!!!

anna.antell@csa.virginia.gov

(804) 662-9136



Office of Children's Services
Empowering communities to serve youth

Coming Up Next . . .

- Friday June 11, 9:00 AM
- CSA Finance
- CSA IT Applications
- Send questions to anna.antell@csa.virginia.gov

