

Toolkit: Director's Approval Process

Source: The State of Rhode Island, 2018

Overview:

Often referred to as a “Firewall,” the Director’s Approval Process takes many forms and is in use in many jurisdictions across the country, including in Rhode Island and here in Dutchess, Westchester, and Onondaga counties. It is used to reduce unnecessary congregate care placements and/or to ensure kinship resources are pursued for first placements, where possible. And now, the Family First Act will require every jurisdiction to have senior-level approval for all congregate placements.

The Redlich Horwitz Foundation believes this policy is one of the most effective and low-cost strategies for reducing congregate-care rates in a short time frame. Districts not only see quick results, but it also makes clear to workers, provider agencies and other stakeholders that the DSS is prioritizing kin relatives and families for foster care placements, where possible.

The Director’s Approval Process (DAP) requires that all requests for congregate-care placements must be formally submitted by the caseworker to the designated county-level director (or committee) for approval before provider agencies are contacted. Aligning with the aims of the Family First Act, the Director’s Approval Process stipulates that kinship and foster families must be diligently explored as options, and the therapeutic needs of the child must be documented before a child is approved for placement into congregate care. Below you will find the Rhode Island Policy and its reporting template.

Rhode Island Department of Children, Youth and Families Congregate Care Placement Request Process

Purpose:

The purpose of this document is to revise and clarify the existing process regarding congregate care placement and to set parameters and guidelines for congregate care placements. The following placements are considered congregate care: group homes, institutions, residential treatment facilities, Semi-Independent living facilities, and emergency shelters.

Research has shown that placing youth in congregate care settings results in increases in placement moves, increased lengths of stay, and decreased family connections and that permanency outcomes become less likely. The State of Rhode Island has too many youth placed in congregate care settings. According to the most up-to-date national data (2014), 28% of youth in care in Rhode Island were placed in congregate care settings, as compared to a national average of 15%. Youth placed in institutions are at higher risk for developing physical, emotional, behavioral, and social issues. Moreover, Rhode Island presently places children ages 12 and under in congregate care settings, a practice that persists despite long-standing consensus in the field that the practice is contrary to children's safety, permanency and well-being.

Eligibility Requirements:

Therefore, effective immediately, the Department of Children, Youth and Families (DCYF) is implementing a Director's Approval Process (DAP) for all congregate care placements. The DAP process is intended to clearly define eligibility requirements for congregate care and ensure that the children placed in congregate care are in need of those services. **Effective immediately, requests for congregate care placement must be formally submitted by the Primary Service Worker (PSW) to the Director prior to outreach to the Networks or providers.** All family placement options including placement with kin, fictive kin, or a non-relative foster family must be fully explored and exhausted prior to requesting congregate care.

I. Congregate Care Eligibility Policy:

- Youth is 13 years or older.¹
- Age, truancy or runaway behavior is not the sole reason for congregate care placement.
- Youth has compelling treatment needs that cannot be addressed in their own home, with kin, or in another family-like setting.

¹ If a PSW believes a child 12 or under has treatment needs that CANNOT be managed in a family setting, the DAP request may be submitted. Please note that these requests will be approved in very rare circumstances, based on extremely unique treatment needs.

- Family-like settings have been fully explored and are either not available or not appropriate as placement options **prior** to congregate care referral.

II. Director's Approval Process: General Guidelines:

Placements by a Primary Service Worker ("PSW") in congregate care will be made following approval from the Director, including:

- Initial placements and subsequent placements into congregate care with the exception of "step downs" into a lower level of care. One exception is when a youth leaving the RI Training School is referred to congregate care as a "step down", these cases are subject to the DAP. All lateral moves (congregate care to congregate care) and step ups are subject to the DAP.
- Specific court orders for congregate placement. The Director will review the order for appropriateness and follow up with judges as needed. DCYF staff are expected to represent the policy of the Department of a preference for a safe family-based placement setting whenever possible.

III. Emergency Placements:

Emergency placements will be made according to current DCYF practice standards and policies. In the event of an Emergency Placement (as defined below), the PSW, Supervisor, Division/Regional Director (or designee) and the DAP Administrator proceed with the existing emergency placement procedure and submit the request for Director's Approval the morning of the next business day. Emergency placements are defined as:

- Those where an immediate placement is needed after business hours/weekend AND a family-based placement option is not available.
- When a same-day placement is needed during business hours AND a family-based placement has been explored, but is not immediately available.
- When a same-day placement is needed AND a group placement has been court ordered² (not at the recommendation of DCYF staff).

Steps for Director's Approval Process

New Request for Congregate Care

1. If a Primary Service Worker (PSW) believes that a referral to the Network for congregate care is needed, prior to communication with the Network, the PSW consults with his or her supervisor. If the PSW and Supervisor determine that congregate care placement is necessary, the PSW (with Supervisor help as needed) prepares the Network referral packet per the usual protocol. Additionally, the PSW completes the brief DAP summary form and attach to the top of the packet.

² If a placement is court ordered, either the court order, or if not available, a clear description of the Judge's explanation regarding the court order should be included with the DAP form.

2. Prior to submitting the packet to the Network, the PSW submits the signed referral packet and DAP form to the Division/Regional Director (or designee).
3. The Division/Regional Director (or designee) reviews the packet, and if appropriate, signs off on the DAP form and submits to the DAP Administrator via email using the Outlook email group “DAP Review Group”.
4. The DAP Administrator reviews and if appropriate, signs off on the DAP form and submits to the Director or Director’s Designee for final approval.
5. The Director (or designee) reviews the DAP form and either approves or denies the request, recommending a lower level of care. If a lower level of care is recommended, the DAP Administrator discusses lower level placement or community based service options with the PSW, Supervisor, and Division/Regional Director (or designee).

Congregate Care to Congregate Care Request

1. If a Primary Service Worker believes that a youth currently in congregate care requires an alternative congregate care setting that is either the same level of care (lateral move) or a higher (more restrictive) level of care, the PSW consults with his or her Supervisor. If the PSW and Supervisor determine that congregate care is necessary, the PSW submits the most recent Network referral packet plus the signed DAP form and any relevant supporting documentation justifying the move to their Division/Regional Director. The Division/Regional Director (or designee) reviews, and if appropriate, signs off on the DAP form and submits to the DAP Administrator via email using the Outlook email group “DAP Review Group”.
2. The DAP Administrator reviews and if appropriate, signs off on the DAP form and submits to the Director (or designee) for final approval.
3. Director or Designee reviews the DAP form and either approves or denies the request, recommending a lower level of care. If a lower level of care is recommended, the DAP Administrator discusses lower level placement or community based service options with the PSW, Supervisor, and Division/Regional Director.

Referral to TFC But No Resource Available

1. If a PSW has made a referral for Treatment Foster Care and receives feedback from the Network that a family-based placement is unavailable, a formal DAP request must be made before the worker or Network can proceed with identifying a group placement.
2. The PSW must submit the DAP form. In this instance, the PSW should ask the Network to explain why a family-based placement is not available, to assist them in completing the DAP form.³
3. If a Treatment Foster Care placement is required in the same day and one is not available, this meets the definition of “emergency placement” as defined above. Review by the Director’s Office would occur in the next business day.

³ Network providers are aware of the DAP and will be asked by leadership to ensure cooperation with this process.

DAP Roles and Responsibilities

DCYF Primary Service Worker, Supervisor, Division/Regional Director Responsibilities

The Director's Approval process will utilize a DAP Form (see Appendix A) that will be attached to the referral packet currently required for placement. It is an expectation that the DCYF PSW consult with the Supervisor prior to signing and submitting the DAP request to the Regional Director (or designee). It is an expectation that the DCYF Division/Regional Director (or designee) read and sign off that they approve of the DAP request before submission to the Director's Office. It is critical that the Supervisors and Directors review responses to questions to ensure they fully explain why the placement in congregate care is appropriate. For example, responses such as "see previous note" or "N/A" are generally not appropriate. If questions have not been adequately addressed by the PSW to get a reasonable picture of the child or youth's congregate care needs, the Divisional/Regional Director (or designee) must return the referral to the PSW and Supervisor for clarification.

Director's Office Responsibilities

A Master's-level trained clinician will function as the DAP Administrator and screen all DAP requests and make a recommendation to approve or deny the request to the Director or Director's Designee. The DAP Administrator has the authority to request additional information from the PSW as needed prior to forwarding the request to the Director or Director's Designee for final review.

In addition to accountability for review of DAP requests, the Director's Office will record and track data regarding the disposition of cases reviewed. This tracking will provide a mechanism for accountability, learning, and improvement in multiple areas including:

- Where and how often inappropriate placements are made due to resource limitations;
- Where and how often congregate placements are due to court order;
- Supervisory and management oversight related to DCYF policy and practice.
- Agency staff practices around diligent family search for teens; and
- Agency staff and Network/provider practices and family-based placement resources.

APPENDIX A: DAP FORM

Date of Request:

CONGREGATE CARE PLACEMENT REQUEST FOR DIRECTOR'S REVIEW

This form is to be used consistent with the congregate care policy and procedural guidance issued on November 23, 2015.

Primary Service Worker name:
Supervisor's name:
Region: <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4
Intake: <input type="checkbox"/> CPS: <input type="checkbox"/> JProb: <input type="checkbox"/> RITS: <input type="checkbox"/>

IDENTIFYING INFORMATION ON FAMILY

Mother's name:	
Father's name:	
Child name:	
Date of birth	RICHIST CASE ID:
Where is the child now?	

What is the current placement?

LEGAL STATUS

Are there any court orders? YES NO If yes, please describe:

Next court date:

JUSTIFICATION FOR GROUP PLACEMENT

Who is asking for the placement?

Why is this child unable to be safely maintained in the home or current placement?

What has been done to prevent placement or if this child is already placed, what has been done to preserve the current placement?

What would the family or current placement need to manage this child safely in the home or the current setting?

Describe the steps you took to identify a relative or kinship home.
What are the treatment needs cannot be met at home or in a family setting?
In what specific ways will the proposed group placement address the child's current treatment needs more appropriately than a family setting?

QUESTIONS FOR MOVES FROM GROUP PLACEMENT TO ANOTHER GROUP PLACEMENT		
Has the child's needs assessment been completed?	<input type="checkbox"/> Yes	<input type="checkbox"/> No

APPROVAL ROUTING			
Role	Name	Signature	Date Reviewed
Supervisor			
Division/Regional Director or designee			
DAP Administrator			
Director or Designee			

FIELDS BELOW COMPLETED BY DIRECTOR'S OFFICE	
Request disposition	<input type="checkbox"/> Approved <input type="checkbox"/> Denied
If approved, please check the following	<input type="checkbox"/> Approved, request is appropriate <input type="checkbox"/> Approved, court order (Attach court order) <input type="checkbox"/> Approved, lower level of care unavailable <input type="checkbox"/> Approved, other (Please explain in notes below)
If denied, please check the following	<input type="checkbox"/> Denied, recommend family-based alternative placement <input type="checkbox"/> Denied, recommend child stay in home with supportive services

	<input type="checkbox"/> Denied, other (Please explain in notes below)
NOTES:	