



## Legislation Details (With Text)

**File #:** 16-1148      **Version:** 1

**Type:** Agenda Item      **Status:** Approved

**File created:** 11/8/2016      **In control:** Board of Supervisors

**On agenda:** 12/13/2016      **Final action:** 12/13/2016

**Title:** Probation Department recommending the Board:  
 1) Adopt and authorize the Chair to sign Resolution 208-2016, which delegates authority to the Chief Probation Officer, or designee, to execute boilerplate State-mandated "Agency-Group Home" or "Agency-Foster Family Agency" agreements; and  
 2) Approve the use of the "Agency-Group Home" or "Agency-Foster Family Agency" boilerplate agreements on an "as needed" basis in order to place children who are wards of the Court, into a licensed Group Home or Foster Family Agency.

**FUNDING:** Federal and Realignment Funding.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A - Resolution and GH-FFA Blue 12/13/16, 2. B - GH-FFA boilerplate agreements 12/13/16, 3. Executed Resolution 208-2016

Date	Ver.	Action By	Action	Result
12/13/2016	1	Board of Supervisors	Approved	Pass

Probation Department recommending the Board:  
 1) Adopt and authorize the Chair to sign Resolution **208-2016**, which delegates authority to the Chief Probation Officer, or designee, to execute boilerplate State-mandated "Agency-Group Home" or "Agency-Foster Family Agency" agreements; and  
 2) Approve the use of the "Agency-Group Home" or "Agency-Foster Family Agency" boilerplate agreements on an "as needed" basis in order to place children who are wards of the Court, into a licensed Group Home or Foster Family Agency.

**FUNDING:** Federal and Realignment Funding.

**DEPARTMENT RECOMMENDATION:**

Probation recommending adoption and approval of a resolution to delegate authority to the Chief Probation Officer, or designee, to execute State-mandated "Agency-Group Home" or "Agency-Foster Family Agency" boilerplate agreements with licensed GH or FFA in lieu of the current County agreements for GH services with each individual GH. Currently, the County contracts with individual GH where a child may be placed, and in addition is still required to use the State-mandated "Agency-Group Home" or "Agency-Foster Family Agency" form which governs the placement terms and conditions. Adoption of the resolution and approval of the boilerplate agreements will facilitate and streamline the process to place children who are wards of the Court into any appropriate licensed GH or FFA, and not limit placements to only those GH who have agreements with El Dorado County.

**DISCUSSION / BACKGROUND**

California Department of Social Services (CDSS) is responsible for the oversight and licensing of GH and FFA which provide 24-hour nonmedical care and supervision to children in a structured

environment, with such services provided at least in part by staff employed by the GH or FFA. GH or FFA's provide a placement option for children with significant emotional or behavioral problems who require more restrictive environments. Children placed in GH or FFA's are given various levels of structure, supervision and services. By statute, GH or FFA's are organized and operated on a non-profit basis and must meet the State's requirements for licensing, including but not limited to insurance and adherence to regulatory requirements. CDSS requires the "Agency-Group Home" or "Agency-Foster Family Agency" agreement be completed and filed for each child placed in a GH or FFA prior to placement. This agreement establishes the terms and conditions of each placement under the State licensed home, which is why the State mandates the use of this "Agency-Group Home" or "Agency-Foster Family Agency" agreement. In addition, CDSS will not release Aid to Families with Dependent Children (AFDC)-Foster Care funds to pay for services provided during the placement without the completed form on file.

Once the Courts order placement, Probation becomes the "placement agency" by placing children who meet specific criteria, into licensed GH or FFA's. Probation staff determine placement of a child into a GH or FFA based upon a variety of factors, including selecting the GH or FFA with the services and geographic location that will be of most benefit to the child based on the child's individual needs.

Health and Human Services Agency (HHSA) in concurrence with Probation, maintains approximately 85 separate Agreements for Services with both GH and FFA, most of which are perpetual agreements, and many of which were executed in 2008 or 2010. Historically, HHSA maintained these secondary agreements with GH to facilitate payment for services. However, HHSA maintaining these secondary agreements have no bearing on whether or not the State will authorize AFDC-Foster Care funding payments because the State only recognizes the "Agency-Group Home" or "Agency-Foster Family Agency" agreement as the vehicle for authorizing payment. Most, if not all other counties rely solely on the State "Agency-Group Home" or "Agency-Foster Family Agency" agreement and are not required to have separate County contracts in place, which not only increases the administrative burden in administering the program, but potentially delays placement of a child. In addition, the rates for services are established by the State and are not negotiable.

County Counsel and Risk Management have concurred that the State-mandated "Agency-Group Home" or "Agency-Foster Family Agency" form may be used as a stand-alone boilerplate agreement, upon approval by the Board. Since the form must be completed for each child who requires placement in a GH or FFA, and timeliness of said placements are paramount to ensure the stability and safety of the child, Probation requests the Board adopt the Resolution to permit the Chief Probation Officer or designee to execute each boilerplate placement agreement.

Upon adoption of the Resolution and approval to sign the "Agency-Group Home" or "Agency-Foster Family Agency" boilerplates, HHSA will begin the process of identifying secondary County agreements with GH that should be terminated, including those currently on the perpetual contracts list. Terminating said outdated secondary agreements will eliminate duplication, avoid conflicting requirements, and expedite placement of children.

## **ALTERNATIVES**

Failure to adopt the Resolution and approve the "Agency-Group Home" or "Agency-Foster Family Agency" boilerplate agreement will result in continuation of the current duplicative process used to place children into a GH or FFA, and limit placement options.

## **OTHER DEPARTMENT / AGENCY INVOLVEMENT**

Health and Human Services Agency.

**CAO RECOMMENDATION**

Approve as recommended.

**FINANCIAL IMPACT**

There is no Net County Cost associated with this Agenda item. Rates are established by the State and are not negotiable.

**CLERK OF THE BOARD FOLLOW UP ACTIONS**

1. Clerk of the Board to provide Probation with a certified copy of the adopted Resolution **XXX-2016**.
2. Clerk of the Board to provide Probation with a certified Minute Order approving said Resolution as well as approving the "Agency-Group Home" or "Agency-Foster Family Agency" agreement boilerplates.
3. Notify the Auditor-Controller's Office that use of the State-mandated "Agency-Group Home" or "Agency-Foster Family Agency" Agreement satisfies the requirement for a County contract in accordance with County of El Dorado Charter Section 602.

**STRATEGIC PLAN COMPONENT**

N/A

**CONTACT**

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