



Legislation Text

File #: 16-0297, **Version:** 1

Health and Human Services Agency, Social Services Division, recommending the Board:

- 1) Adopt and authorize the Chair to sign Resolution **068-2016**, which delegates authority to the Health and Human Services Agency Director, or designee, to execute boilerplate State-mandated "Agency-Group Home" boilerplate agreements; and
- 2) Approve the use of the "Agency-Group Home" boilerplate agreements on an "as needed" basis in order to place children who are dependents of the Court, into a licensed Group Home.

FUNDING: Federal and Realignment Funding.

DEPARTMENT RECOMMENDATION:

Health and Human Services Agency (HHS) recommending adoption and approval of a resolution to delegate authority to the HHS Director, or designee, to execute State-mandated "Agency-Group Home" boilerplate agreements with licensed Group Homes in lieu of the current County agreements for Group Home services with each individual Group Home. Currently, the County contracts with individual Group Homes where a child may be placed, and in addition is still required to use the State-mandated "Agency-Group Home" 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 dependents of the Court into any appropriate licensed Group Home, and not limit placements to only those Group Homes who have agreements with El Dorado County.

DISCUSSION / BACKGROUND

California Department of Social Services (CDSS) is responsible for the oversight and licensing of Group Homes 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 Group Home. Group Homes provide a placement option for children with significant emotional or behavioral problems who require more restrictive environments. Children placed in Group Homes are given various levels of structure, supervision and services. By statute, Group Homes 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" agreement be completed and filed for each child placed in a Group Home 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" 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.

HHS's Child Welfare Services (CWS) program is responsible for protecting children who either do not have a parent, guardian, or other custodian or children whose parents, guardians, or custodians are unable to provide for the care or supervision of their children. As such, HHS becomes the "placement agency" by placing children who meet specific criteria, into licensed Group Homes. CWS staff determine placement of a child into a Group Home based upon a variety of factors, including selecting the Group Home with the services and geographic location that will be of most benefit to the child based on the child's individual needs.

HHSA maintains approximately 85 separate Agreements for Services with both Foster Family Agencies and Group Homes, most of which are perpetual agreements, and many of which were executed in 2008 or 2010. Historically, HHSA maintained these secondary agreements with Group Homes to facilitate payment for services. However, HHSA maintained 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" agreement as the vehicle for authorizing payment. Most, if not all other counties rely solely on the State "Agency-Group Home" agreement and are not required to have a separate County contract 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 Group Home placement form may be used as a stand-alone boilerplate agreement, upon approval by the Board. Since a placement agreement must be completed for each child who requires placement in a Group Home, and timeliness of said placements is paramount to ensure the stability and safety of the child, HHSA requests the Board adopt the Resolution to permit the HHSA Director or designee to execute each boilerplate placement agreement.

Upon adoption of the Resolution and approval to use the "Agency-Group Home" boilerplates, HHSA will begin the process of identifying secondary County agreements with Group Homes 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" boilerplate agreement will result in continuation of the current duplicative process used to place children into a Group Home, and limit placement options.

OTHER DEPARTMENT / AGENCY INVOLVEMENT

County Counsel and Risk Management.

CAO RECOMMENDATION

It is recommended that the Board approve this item.

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 HHSA with a certified Minute Order approving the "Agency-Group Home" Agreement Resolution.
2. Clerk of the Board to provide HHSA with a certified copy of the adopted said Resolution as well as approving the "Agency-Group Home" Agreement boilerplate.
3. Notify the Auditor-Controller's Office that use of the State-mandated "Agency-Group Home" 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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