



Legislation Text

File #: 16-0299, **Version:** 1

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

- 1) Adopt and authorize the Chair to sign Resolution **061-2016**, which delegates authority to the Health and Human Services Agency Director, or designee, to execute State-mandated "Placement Agency-Foster Family Agency" boilerplate agreements; and
- 2) Approve the use of the "Placement Agency-Foster Family Agency" Agreement on an "as needed" basis in order to place children who are dependents of the Court, into a licensed Foster Family Agency.

FUNDING: Federal and Realignment Funding.

DEPARTMENT RECOMMENDATION:

Health and Human Services Agency (HHSA) recommending adoption and approval of a resolution to delegate authority to the HHSA Director, or designee, to execute State-mandated "Placement Agency-Foster Family Agency" boilerplate agreements with licensed Foster Family Agencies (FFAs) in lieu of the current County agreements for Foster Family Agency services with each individual FFA.

Currently the County contracts with individual Foster Family Agencies where a child may be placed, and in addition is still required to use the State-mandated "Placement 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 dependents of the Court into any appropriate licensed FFA, and not limit placements to only those FFAs who have agreements with El Dorado County.

DISCUSSION / BACKGROUND

California Department of Social Services (CDSS) is responsible for the oversight and licensing of Foster Family Agencies (FFA), which are used for the placement of children who require more intensive care as an alternative to Group Homes. By statute, FFAs 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 "Placement Agency-Foster Family Agency" agreement be completed and filed for each child placed in an FFA prior to placement. This agreement establishes the terms and conditions of each placement under the State licensed agency, which is why the State mandates the use of this "Placement 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.

HHSA'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, HHSA becomes the "placement agency" by placing children who meet specific criteria, into licensed FFAs. CWS staff determine placement of a child into foster care based upon a variety of factors, including selecting the FFA 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 FFAs to facilitate payment for services. However, 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 “Placement Agency-Foster Family Agency” agreement as the vehicle for authorizing payment. Most, if not all other counties rely solely on the State “Placement Agency-Foster Family Agency” 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 Foster Family Agency 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 an FFA, 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 Placement Agency-Foster Family Agency” boilerplates, HHSA will begin the process of identifying secondary County agreements with FFAs 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 “Placement Agency-Foster Family Agency” boilerplate agreement will result in continuation of the current duplicative process used to place children into foster care, and limit placement options.

OTHER DEPARTMENT / AGENCY INVOLVEMENT

County Counsel and Risk Management

CAO RECOMMENDATION

It is recommended 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 not negotiable.

CLERK OF THE BOARD FOLLOW UP ACTIONS

- 1) Clerk of the Board to provide HHSA with a signed “Placement Agency-Foster Family Agency” Agreement Resolution.
- 2) Clerk of the Board to provide HHSA with a certified Minute Order adopting said Resolution as well as approving the Placement Agency-Foster Family Agency Agreement boilerplate.
- 3) Notify the Auditor-Controller’s Office that use of the State-mandated “Placement Agency-Foster Family Agency” 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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