



# County of El Dorado

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## Legislation Text

**File #:** 08-0972, **Version:** 1

Human Services Department recommending the Board delegate the Director of said Department, or his/her designees, authorization to execute on behalf of the County, non-standard boilerplate agreements developed by the California Department of Social Services and approved by County Counsel, Risk Management and Human Resources for provision of emergency and Court-ordered placement of children with substitute care providers to ensure the safety and welfare of said children.

**RECOMMENDED ACTION:** Approve.

**FUNDING:** Averages 55% Federal/State Social Services Funding with the average 45% County Share met primarily with realignment dollars.

BUDGET SUMMARY:		
Total Estimated Cost		\$2,432,500.00
Funding		
Budgeted	\$ 2,432,500.00	
New Funding	\$	
Savings	\$	
Other	\$	
Total Funding Available	\$ 2,432,500.00	
Change To Net County Cost		\$ 0.00

Fiscal Impact/Change to Net County Cost: No change. The above amount is an estimate of annual payments to substitute care providers that have not executed a standard County contract and represents approximately one-half of the \$5,000,000 budgeted annually for foster care services. Payments for emergency placements are paid directly by the County. Payments for Court-ordered foster care services are issued through the automated State ISAWS system. Rates for substitute care provider services are established and published by the State and vary based on multiple factors, including the type of placement, the age of the child/children and the level of care required. The State reimburses the County for the federal and state share of cost in a varying ratio based on an array of circumstances.

### Background:

The Department of Human Services, Social Services Division, Child Protective Services (CPS) is mandated to remove children from unsafe circumstances and place them in protective care in accordance with provisions of the Welfare and Institution Code when the circumstances of minor(s) fall within the parameters of Section 300 et seq.

**Reason for Recommendation:**

Temporary emergency placement, often outside of normal working hours, is necessary to ensure the safety of the child/children pending Court-ordered disposition of the case. Placement is generally made with a licensed foster family, with a relative or non-relative extended family member (preferred option), with a foster family agency, or with a contracted or non-contracted group home for provision of substitute care provider services.

Human Services maintains contractual agreements with a significant number of identified substitute care providers locally, statewide and beyond. However, placement with a contracted provider may not be appropriate or possible because of specific, specialized needs of the child/children or the lack of available space.

When placement of a child/children must be made with a non-contracted entity, the Department is recommending the use of existing boilerplate agreements developed by the State Department of Social Services to meet the County requirement for contracts for services and to cover emergency and/or ongoing Court-ordered placement with these entities. It is not reasonable or appropriate for a licensed foster family or relative/non-relative substitute care provider to enter into a standard County contract for services. Further, while every effort is made to initiate a standard County contract with any Foster Family Agency or Group Home once a child is placed, this is not always feasible with out-of-state vendors or due to other circumstances beyond the control of the Department. In those cases, the appropriate boilerplate agreement would be used to cover emergency and/or ongoing Court-ordered provision of services with these agencies.

The Department recommends the use of the State boilerplate agreements in order to ensure compliance with County Charter, Ordinance and Procurement Policy requirements and to facilitate payment for substitute care provider services. These agreements define the role and responsibilities of the parties regarding children placed with the various types of substitute care providers and have been approved by County Counsel, Risk Management and Human Resources. The Department also recommends that authority to sign the agreements be delegated to the Director or his/her designees to ensure that agreements are in place as soon as possible once the placement of the child/children is determined. The Department will obtain concurrence from the Chief Administrative Officer and maintain written verification on file as to who is specified as a designee.

The Purchasing Agent will require Human Services to retain agreements executed for provision of substitute care provider services at the department and will not assign County numbers to these agreements.

Retroactive delegation of signature authority is being requested to facilitate payment for substitute care provider services provided between May 1<sup>st</sup> and this date. Copies of each type of boilerplate agreement and the corresponding Blue Route sheets are attached and on file with the Board Clerk.

**Action to be taken following Board approval:**

Board Clerk to provide Human Services, Social Services Division at Briw Road with a certified Master Report. Human Services to execute the appropriate approved agreement at the time of any placement of child/children. Auditor-Controller to pay invoices for services associated with these agreements.

**Contact:** Doug Nowka, Director, 621-6163

Concurrences: County Counsel, Risk Management and Human Resources