

Family First Prevention Services Act (FFPSA)
Qualified Residential Treatment Programs (QRTP)



Covering the Basics of QRTP in Dependency Court

Judge Christine Schaller, Thurston County Superior Court
Doug Allison, Unit Supervisor, Youth Services, Dept. of Children, Youth and Families
James Richardson III, Assistant Attorney General, WA State Office of the Attorney General

Oct 1, 2019

FFPSA - QRTP

Federal Law



- P.L. 115-123, signed on 2/9/18, effective 1/1/18 and later (depending on the section).
- Effective 10/1/19: Limitations on federal Title IV-E foster care maintenance payments for placements that are not foster family homes.
- A qualified residential treatment program (QRTP) is a specific category of non-foster family home setting, for which public child welfare agencies must meet detailed assessment, case planning, documentation, judicial determinations and ongoing review and permanency hearing requirements for DCYF to receive federal Title IV-E funding for the placement. Facility must also be licensed and comply with criminal records check and child abuse and neglect registry check requirements and must also be accredited.

FFPSA-QRTP

Limitations on Scope



- QRTP requirements only implicate federal Title IV-E funding for a particular placement. Thus, if a placement of a child in a particular facility does not meet QRTP requirements, DCYF cannot draw down federal funding for that placement. However, the federal law does not prohibit placements in facilities that do not meet QRTP requirements.
- Some facility-based placements are not required to meet QRTP requirements in order to be eligible for federal funding if they otherwise meet all federal statutory requirements: 1) placements that provide prenatal, post-partum, or parenting supports for youth; 2) placements that provide high-quality and supportive services to children and youth found to be, or at risk of becoming, sex trafficking victims; and 3) a supervised setting in which the child lives independently (e.g., supervised independent living setting for youth in extended foster care).
- QRTPs are a subset of licensed group care facilities; they do not wholly replace them.

FFPSA - QRTP

Changes in WA Law – HB 1900



- HB 1900 passed the Legislature on 4/18/19. The bill implements the changes in state law required to implement the Family First Prevention Services Act, including QRTP requirements.
- The sections implementing QRTP requirements are effective 10/1/19.
- Section 2 of the bill amends RCW 13.34.030 (20) to define QRTP as: “a program licensed as a group care facility under chapter 74.15 RCW that also qualifies for funding under the federal family first prevention services act under 42 U.S.C. Sec. 672(k) and meets the requirements provided in RCW 13.34.420.”

FFPSA - QRTP

Changes in WA Law – Program Requirements



- Section 3 of HB 1900 creates new section **RCW 13.34.420** which requires QRTPs:
 - 1) Use a **trauma-informed treatment model**; and
 - 2) Are able to implement treatment for the child that is identified in an **assessment** that
 - is completed by a **qualified individual** as defined by federal law,
 - assesses the **strengths and needs of the child**, and
 - “determines whether the **child’s needs can be met** with family members or through placement in a foster family home, or, if not, which available placement setting would provide the most effective and appropriate level of care for the child in the least restrictive environment[.]”

FFPSA - QRTP

Changes in WA Law - Assessment



- Section 3 of HB 1900 creates new section **RCW 13.34.420** which requires QRTPs:
 - 1) Use a **trauma-informed treatment model**; and
 - 2) Are able to implement treatment for the child that is identified in an **assessment** that
 - is completed by a **qualified individual** as defined by federal law,
 - assesses the **strengths and needs of the child**, and
 - “determines whether the **child’s needs can be met** with family members or through placement in a foster family home, or, if not, which available placement setting would provide the most effective and appropriate level of care for the child in the least restrictive environment[.]”

FFPSA - QRTP

Changes in WA Law – Social Study Requirements



- Section 4 of HB 1900 creates new section **RCW 13.34.430** - requires that if a child is placed for at least 30 days in a QRTP DCYF's social study must include the assessment by a qualified individual.
- As long as the child remains in a QRTP and DCYF anticipates the child will remain there for at least 60 days, or if the child has already been in the QRTP for at least 60 days, the social study must also include the following information:
 - 1) whether ongoing assessment of the child's strengths and needs continues to support the determination that the child's needs cannot be met through placement in a foster family home,
 - 2) whether the child's placement provides the most effective and appropriate level of care in the least restrictive environment,
 - 3) whether the placement is consistent with the child's permanent plan,
 - 4) what specific treatment or service needs will be met in the placement, and how long the child is expected to need the treatment or services, and
 - 5) what efforts DCYF has made to prepare the child to return home or be placed with a relative.

FFPSA - QRTP

Timeline of Court Procedures related to QRTP



- **Day 1** - Child placed in group care facility (in WA, this will be labeled “BRS facility”).
- **Within 30 days** – Assessment per RCW 13.34.420.
- **Between 30-60 days (and beyond)** – Social Study to include the Assessment, and additional information to enable court determinations. RCW 13.34.430(4)
- **By 60 days – per RCW 13.34.425 the court:**
 - Considers Assessment and related documentation
 - Determine whether placement in foster care can meet the child’s needs or if placement in another available placement setting best meets the child’s needs in the least restrictive environment; and
 - Approve or disapprove the child’s placement in the QRTP.
- **At each Review (RCW 13.34.138(2)(c)(iv) and Permanency Planning RCW 13.34.145(4)(c) hearing thereafter, court must make findings related to the ongoing need for QRTP placement.**
- **Question:** How will your court establish procedure for sharing information and setting hearings related to QRTP?

Behavior Rehabilitation Services (BRS)

A temporary intensive wraparound support and treatment program for youth with extreme,
high level service needs

September 17, 2019

www.dcyf.wa.gov



Washington State Department of
CHILDREN, YOUTH & FAMILIES

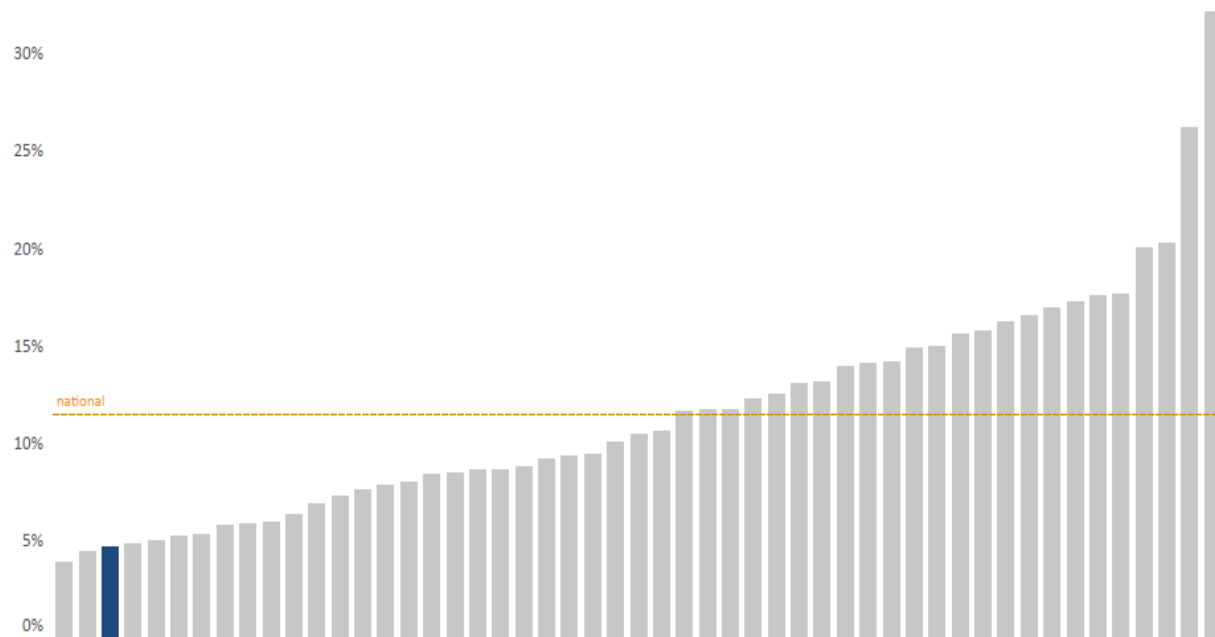
Program Purpose

- Used to safely stabilize youth and assist in achieving a permanent plan or a less intensive service
- Intended to:
 - Keep youth in their own homes with wraparound supports to the family
 - Reunify or achieve permanency more quickly
 - Increase family based care
 - Reduce length of service
- Services can be delivered in the child's legal/permanent home, a treatment foster home, or a Qualified Residential Treatment Program (QRTP / Licensed group or staff residential home)

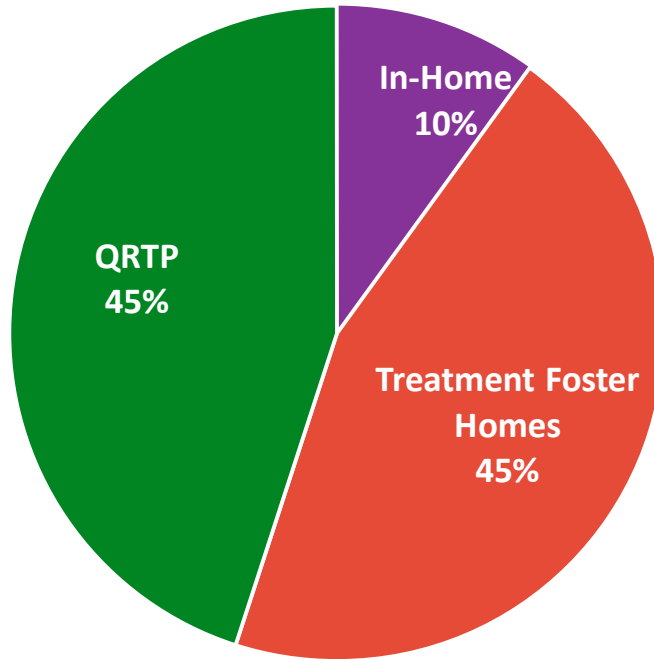
Washington State: congregate care

Percent of children in congregate care

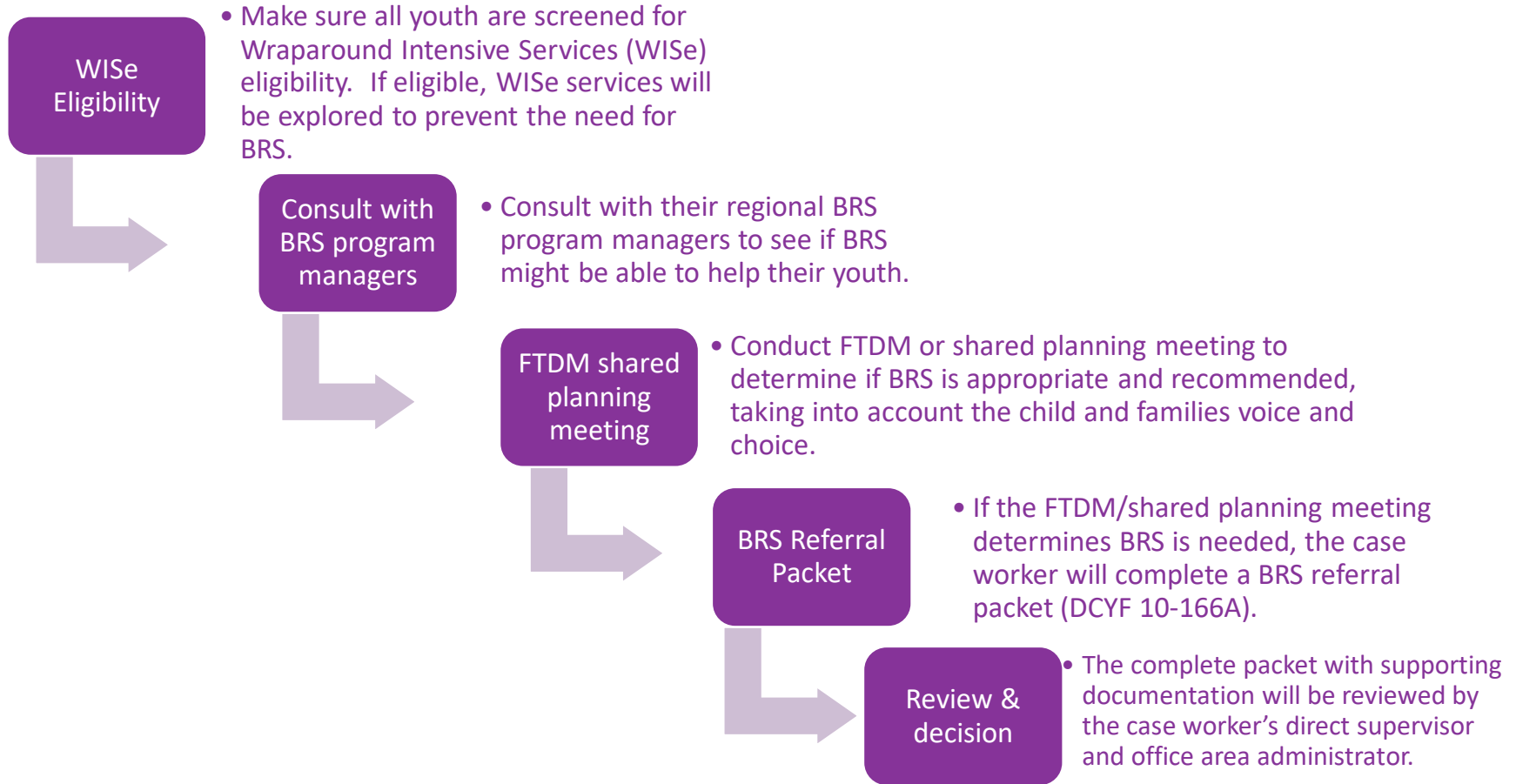
of all children in care on 9/30/2018, what percent were placed in a group home or residential treatment facility?



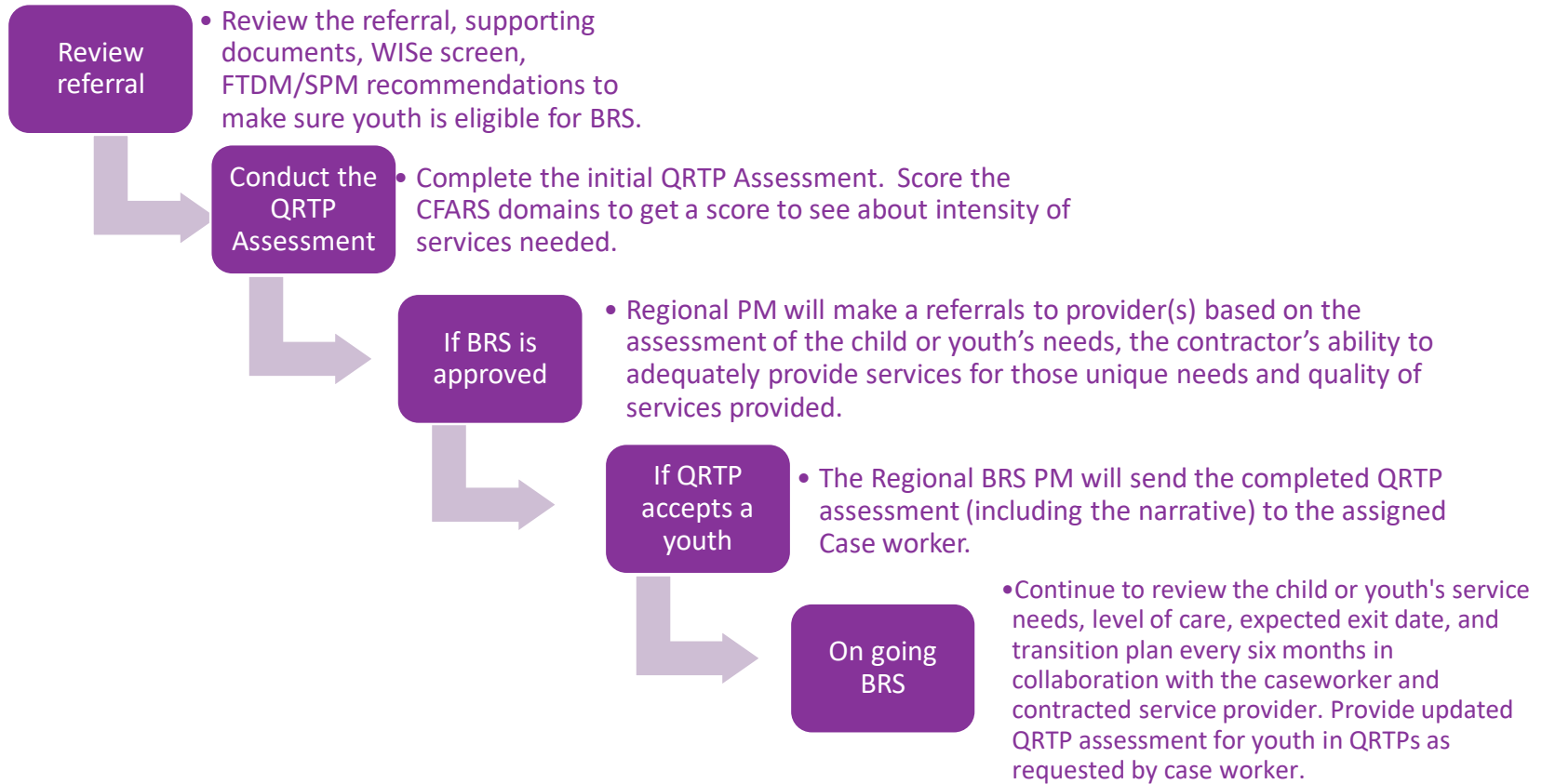
BRS Placement Type in Washington



Prior to the BRS Referral, Case workers will



Regional BRS Program Managers will:



FFPSA and QRTP

- FFPSA Program Instruction on July 9, 2018 provided clarification to the states regarding QRTP requirements for youth already in QRTP placements prior to 10-1-19 when the legislation takes affect.
- QRTP requirements to collect IV-E are not retroactive for youth placed in a QRTP prior to 10-1-19, as long as that youth remains in the same QRTP placement. If those youth move to another QRTP placement on or after 10-1-19, then all the FFPSA QRTP requirements take affect and must be met to continue to collect IV-E.

QRTP Assessment

- DCYF has identified the qualified individuals who will conduct the QRTP Assessment as the BRS Program Managers.
- The validated assessment tool is the Children's Functional Assessment Rating Scale (CFARS).
- BRS Program Managers completed training in order to receive their CFARS Evaluator certification.
- Every child will receive a CFARS score and that score will help determine whether a QRTP level of care is needed.

The BRS provider will

- Develop Individual Behavior Management Plan (IBMP) within 24 hours.
- Conduct a health assessment of the youth within 24 hours.
- Convene a Child and Family Team (CFT) meeting monthly, including the youth.
- In conjunction with the CFT, complete an Individual Services and Treatment Plan (ISTP). This plan will be reviewed and updated monthly or as needed.
- If youth is also receiving WISe services they will work with this provider and incorporate into the ISTP.

Behavioral Rehabilitation Services provides

Behavioral services	From the BRS provider or other community resources
Counseling and therapy	This will be provided by the BRS agency and possibly with private practitioners
Substance use disorder (SUD) services	From either the providers network of services or in conjunction with outpatient SUD provider in the community
Case management services	Develop and oversight of IBMP and ISTP, communication with all members of the case and CFT.
Clinical consultation and oversight	Consultant will review and approve all treatment plans. Be on sight and on call as determined by the treatment model and plan.
Educational services	Ensure youth is getting educational services
Health care services	Emergency care, routine health, health maintenance and disease prevention
Transportation	Routine transportation for youth in care
Community support development	Identify and develop linkages to supports for the youth and family as necessary
Transitions	On youth transitions to a less restrictive setting, aftercare for six months, if applicable.

Placements in a QRTP

Case workers will:

- Immediately notify the assistant attorney general (AAG) to request a court hearing within 60 days, if one is not already scheduled, e.g. shelter care hearing, dependency hearing, permanency review hearing, etc., for the court QRTP approval.
- At each dependency, permanency review hearing update the report to court to provide the following information per the social study requirements in RCW 13.34.430

Administrative approvals:

- After the first six months of placement the DCYF Regional Administrator and the Deputy Secretary
- After first 12 months and every 12 months thereafter the Regional Administrator or designee

Resources

To learn more about FFPSA and QRTP, visit the [DCYF website](#)

For QRTP questions, contact Doug Allison at Doug.Allison@DCYF.wa.gov or Michael Campbell at Michael.Campbell@DCYF.wa.gov

For FFPSA questions, contact Rachel Mercer at Rachel.Mercer@DCYF.wa.gov

Family First Prevention Services Act (FFPSA)
Qualified Residential Treatment Programs (QRTP)



Procedures and Pattern Forms

Oct 1, 2019

Changes Based on QRTP – Oct 1, 2019



WA State Law - review

- Legislature enacted statutory changes intended to fully implement the federal FFPSA.
 - Defines Qualified Residential Treatment Program (QRTP). RCW 13.34.030(20)
 - State must meet certain requirements to secure federal funding
 - Within 60 days of placement in QRTP dependency court must hold a hearing to approve or disapprove the placement as a QRTP making certain required findings. RCW 13.34.065(f); RCW 13.34.138(2)(c)(vi); RCW 13.34.420; RCW 13.34.425.
 - At each subsequent review hearing if the child remains in QRTP placement the Court must make finds certain findings. RCW 13.34.130(4); RCW 13.34.145(4)(c)
 - Note: if the Court does not make findings, funding - NOT placement - is affected.

Changes Based on QRTP – Oct 1, 2019

Pattern Forms Changes



- **Two new forms**

- Motion for Court Approval of Placement in Qualified Residential Treatment Program (JU 03.0450)
- Order on Motion for Court Approval of Placement in Qualified Residential Treatment Program (JU 03.0460)

- **Changes to two existing forms**

- Order after Hearing: First Dependency Review / Dependency Review / Permanency Planning (JU 03.0500)
- Legally Free – Order after Hearing Dependency Review Hearing Order / Permanency Planning Hearing Order (JU 03.0560)



Motion for Court Approved Placement in QRTP

Superior Court of Washington County of _____	
In the Interest of: D.O.B.: _____	No: Motion for Court Approval of Placement in a Qualified Residential Treatment Program (MTAF)

- **NEW FORM: Motion for Court Approval of Placement in Qualified Residential Treatment Program (JU 03.0450)**

Motion for Court Approved Placement in QRTP



I. Motion

I **moves** the court for an order approving the child's placement in the following Qualified Residential Treatment Program: _____ (name).

I: _____
Signature

Print Name

II. Statement

undersigned **states** that:

The child has been placed in a Qualified Residential Treatment Program for [REDACTED].
The child's strengths and needs were assessed by a qualified individual who determined that the Qualified Residential Treatment Program best met the child's needs in the least restrictive environment consistent with the child's permanent plan.

Placement in the Qualified Residential Treatment program best meets the child's needs in the least restrictive setting.

I am under penalty of perjury under the laws of the state of Washington that the above is true and correct.

Dated on _____ at _____, Washington.

Signature

Print name

- **NEW FORM: Motion for Court Approval of Placement in Qualified Residential Treatment Program (JU 03.0450)**

Motion for Court Approved Placement in QRTP



I. Motion

I **moves** the court for an order approving the child's placement in the following Qualified Residential Treatment Program: _____ (name).

I: _____
Signature

Print Name

II. Statement

undersigned **states** that:

The child has been placed in a Qualified Residential Treatment Program for _____
The child's strengths and needs were assessed by a qualified individual who determined that the Qualified Residential Treatment Program best met the child's needs in the least restrictive environment consistent with the child's permanent plan.

Placement in the Qualified Residential Treatment program best meets the child's needs in the least restrictive setting.

I am under penalty of perjury under the laws of the state of Washington that the above is true and correct.

Dated on _____ at _____, Washington.

Signature

Print name

- **NEW FORM: Motion for Court Approval of Placement in Qualified Residential Treatment Program (JU 03.0450)**

Changes Based on QRTP – Oct 1, 2019

QRTP Assessment Report



- DCYF should include the Qualified Individual's report with the motion for court approval of QRTP placement.
 - Report includes:
 - results of the Children's Functional Assessment Rating Scale ("CFARS"), and
 - a narrative written by the Qualified Individual
 - Assessment outcome narrative is auto populated by the CFARS score.
 - Courts should only see QRTP Assessment reports with a score of 60 or higher that populates a message of "Meets QRTP level of care". These will have a narrative in the box directly below to describe why the QRTP is the best setting to meet the youth's current level of needs.



Youth Name:

PID #

Date of Assessment:

CFARS score:

69

Assessment outcome:

Meets QRTP level of care

A score above 60 indicates a level of severity appropriate for Qualified Residential Treatment Program (QRTP).

Working in conjunction with the child and family team (Shared planning or Family Team Decision Making) determine the reasons why the QRTP is the setting which will provide the child/youth with the most effective and appropriate restrictive environment and how the placement is consistent with the long and short term goals in the permanent foster family homes shall not be an acceptable reason for determining that the needs of the child not be met in

QRTP Assessment Report

Order on Motion for Court Approval of Placement in Qualified Residential Treatment Program (JU 03.0460)



I. Basis

The court considered DCYF's social study and the included assessment, determination, and documentation completed by a qualified individual.

II. Findings

The court finds:

2.1 The child was placed in a qualified residential treatment program on _____ (date).

2.2 Placement of the child in a qualified residential treatment program meets does not meet the child's needs in the least restrictive environment.

III. Order

It is ordered that:

The Court approves does not approve the child's placement in _____ as a qualified residential treatment program.

Dated: _____

Judge/Commissioner

- **NEW FORM: Order on Motion for Court Approval of Placement in Qualified Residential Treatment Program (JU 03.0460)**

First Dependency Review / Dependency Review / Permanency Planning (JU 03.0500)



- **NEW FORM**: Order on Motion for Court Approval of Placement in Qualified Residential Treatment Program (JU 03.0460)

Placement

2.15 Placement of the child:

C. Out of Home

Currently out of the home: The child remains placed out of home. There is a continuing need for out-of-home placement for the child and it would be contrary to the child's welfare to return home. The child should remain in the custody, control and care of

DCYF a relative another suitable person to be placed or remain in:

Relative care with _____ (name).

Relative placement, although preferred, is not in the best interest of the child and the child shall continue or be placed in:

Foster care (For QRTP also complete section D below).

Placement with a suitable person _____ (name).

Placement with an adoptive parent or other person with whom the child's siblings or half-siblings live.

Other: _____.

First Dependency Review / Dependency Review / Permanency Planning (JU 03.0500)



Placement

2.15 Placement of the child (cont):

- To be removed from the home now: The child was in the home and is now removed from the home. It is currently contrary to the child's welfare to remain in the home. Reasonable efforts have been made to prevent the removal of the child and were unsuccessful. The child should be placed in the custody, control, and care of:
 - DCYF for placement in:
 - Relative care with _____ (name).
 - Relative placement, although preferred, is not in the best interest of the child and the child shall continue or be placed in:
 - Foster care (For QRTP also complete section D below):
 - pending completion of DCYF investigation of relative placement options.
 - because there is no relative or other suitable person who is willing, appropriate, and available to care for the child, with whom the child has a relationship and is comfortable.
 - because there is reasonable cause to believe that relative placement would jeopardize the safety or welfare of the child and/or hinder efforts to reunite the parent(s) and child.
 - Placement with a suitable person _____ (name).
 - Placement with an adoptive parent or other person with whom the child's siblings or half-siblings live.
 - Other: _____.
 - A relative or other suitable person.

- **NEW FORM: Order on Motion for Court Approval of Placement in Qualified Residential Treatment Program (JU 03.0460)**

First Dependency Review / Dependency Review / Permanency Planning (JU 03.0500)



2.15 Placement of the child (cont):

D. Qualified Residential Treatment Program

- The child remains placed in a Qualified Residential Treatment Program.
- Ongoing assessment of the child's strengths and needs continues to support the determination that the child's needs cannot be met through placement in a foster family home.
- The child's placement provides the most effective and appropriate level of care in the least restrictive environment.
- The placement in a Qualified Residential Treatment Program is consistent with the child's short and long term goals as stated in the child's permanency plan.
- The Qualified Residential Treatment Facility will meet the treatment or service needs of the child, as follows:

- _____ [] months [] days is the expected time the child will need the treatment or services provided by the Qualified Residential Treatment Program.
- The Department has made the efforts to prepare the child for return home or placement with a relative, legal guardian, adoptive parent, or foster family home, as follows:

NEW FORM:

Order on Motion for Court Approval of placement in Qualified Residential Treatment Program (JU 03.0460)

Note:
"Qualifying" QRTP
requires finding *each*
item.

Changes to Legally Free Order After Hearing (JU 03.0560)

The child remains placed in a Qualified Residential Treatment Program.

- Ongoing assessment of the child's strengths and needs continues to support determination that the child's needs cannot be met through placement in a family home.
- The child's placement provides the most effective and appropriate level of care in the least restrictive environment.
- The placement in a Qualified Residential Treatment Program is consistent with the child's short and long term goals as stated in the child's permanency plan.
- The Qualified Residential Treatment Facility will meet the following treatment and service needs of the child:
 - _____ [] months [] days is the expected time the child will need the treatment or services provided by the Qualified Residential Treatment Program.
- The Department has made the following efforts to prepare the child for placement with a fit and willing relative, legal guardian, adoptive parent, or foster family home:

Note:

- The QRTP findings are the same as the review hearing/permanency planning hearing order
- but appear in a stand-alone section (2.14).

FFPSA - QRTP

Questions for Local Jurisdictions



Some questions are left for local jurisdictions to determine how to comply with FFPSA.

- What is your procedure for sharing the assessment by a qualified individual?
- How is the 60-day hearing set in your jurisdiction?
 - Who is invited? What is the procedure of the hearing? How frequently does your jurisdiction want to review the status of children in QRTP placement?
- How will your review and Permanency Planning hearings change to focus attention on children/youth in QRTP placements?

Questions about QRTP implementation?

Send email with subject line “QRTP implementation” to Robert.Wyman@courts.wa.gov.

CITA will curate answers to them on the Director Blog Post on a weekly basis: <https://www.wacita.org/category/directors-blog/>

Family First Prevention Services Act (FFPSA)
Qualified Residential Treatment Programs (QRTP)



Covering the Basics of QRTP in Dependency Court

Judge Christine Schaller, Thurston County Superior Court
Doug Allison, Unit Supervisor, Youth Services, Dept. of Children, Youth and Families
James Richardson III, Assistant Attorney General, WA State Office of the Attorney General

Oct 1, 2019