

PROCEDURE

Series:	Operating Procedures	COA: N/A CFOP: N/A
Procedure Name:	Avoiding Unnecessary Placements Through the Use Of Substitute Funds	
Procedure Number:	OP-1016	
Review Date:	02/03/12, 05/03/16, 11/22/19	
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Effective Date:	11/23/04	

Applicable to: All BFP Staff and Contract Providers

PURPOSE: To define the procedures regarding the spending flexibility within dependency placement programs granted by s. 409.165 Florida Statutes (F.S.) Funds, appropriated for the establishment and operation of a continuum of homes and facilities for the placement of dependent children, can be used to help prevent placement if the child can be safely kept at home or with relatives and if such expenditures are an eventual cost savings over placement. The underlying goal of this option is to avoid unnecessary placements through the flexible use of substitute care funds.

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References

Note: CFOP 175-16 repealed by DCF 10/31/08
Florida Statute: 409.165

Scope

This operating procedure applies to family preservation, permanency planning and out-of-home programs of Brevard Family Partnership (BFP). It describes procedures to be followed when a family is identified as one with a child who is at risk of placement in substitute care, and who could have the placement prevented if some other intervention were used. The operating procedure also applies to shelter and foster care cases where the length of stay could be reduced by the application of the same type of in-home intervention. The operating procedure describes statutory authority, case selection procedures and funding limitations for implementing this alternative to placement.

Client Eligibility

(A) Dependent children who are at imminent risk of placement, which can be safely served in their own homes or those of specified relatives, are eligible for these funds. By implication, the families of these dependent children are also eligible for this program. For purposes of this operating procedure, a dependent child is one who has been legally adjudicated dependent by a court or one who is at imminent risk of being adjudicated dependent or for whom an abuse/neglect report has been made.

- (B) The provisions of this operating procedure also extend to children already in placement whose length of stay in placement can be reduced by the purchase of services or assistance that could safely expedite reunification with parents or placement with a specified relative.

Service Eligibility

- (A) The statute states that these placement funds may be used to meet the needs of the children. Many times, meeting the needs of the children equates to spending these resources more directly on the parents or relative caretaker. There must, however, in all cases be a clear connection between the service or product delivered to meet the needs of the child and the prevention of the need to place in substitute care. Toward that end the intervention proposed must be goal-oriented and time-limited. If the service provision is going to require a long-term investment, then, eventually, more traditional sources of intervention must be engaged. For example, if transportation to day care is required to avoid placement and there is a waiting list for community transportation services, then the placement funds can be used to purchase transportation during the reasonable amount of time it takes to clear the waiting list.
- (B) A need is defined as a lack of an essential element. This resource is meant to address the necessities of life, rather than what is merely desirable. For example, if a mother needs to move from dangerous housing in order to care for a medically fragile infant being released from the hospital, BFP may assist in providing the security deposit for a safe apartment, establishing in this particular situation that the deposit be refunded to BFP.
- (C) As with the purchase of goods or services from other providers, BFP has the obligation to be a good manager of the state's resources. Common sense must prevail in making decisions about the potential effectiveness or efficiency of acquisitions forecast to prevent placement and keep the child safely at home. When social or treatment services are purchased, BFP must continue to rely upon providers with a soundtrack record of producing favorable client outcomes.
- (D) The statute authorizes more than just familiar services such as counseling and therapy. Staff is not restricted to a certain prescribed list of goods or services. BFP has been given the flexibility to utilize options to ensure access to a more comprehensive domain of helping with food, clothing, and shelter. The purchase of these basic commodities and provisions may be justified when the child or family is not eligible for, or is on a waiting list to receive, these services from some other source whose principle function is to provide the desired service, e.g., TANF, Medicaid, HUD or other community agency.
- (E) While BFP has not prescribed a restrictive list of goods and services, the funds must not be used to acquire goods or services that are illegal or in violation of other policies of BFP.
- (F) In addition, staff continue to have the obligation to report funds granted to relatives and parents, who are receiving TANF/Medicaid or Food Stamps, to the local public assistance office so that public assistance staff may determine how, or if, this income modifies eligibility. A related issue is the impact that these funds might have on a TANF family. It will be important for staff to assess ways to meet the needs of children without causing long term adverse consequences for the benefit amount or the eligibility status of the recipient.

Public assistance staff must be consulted to avoid unintended adverse consequences for families on public assistance. At the policy level, under TANF regulations, rent can be paid directly to the rental facility (public or private) without affecting the amount of income a TANF recipient will be entitled to receive. Vendor payments are money paid by a third party to a third party to benefit the recipient. Payments from the state directly to a landlord, utility company, automobile mechanic, etc., would not count as income because these payments would all be vendor payments.

In kind payments are not-cash items given to the recipient such as groceries, clothes, etc., which are bought by the third party for the household. In kind payments are also not considered income. This leaves a wide area for assisting families without altering the family's basic benefit.

Funding Limitations

- (A) At the individual case level, the most critical aspect of meeting the needs of the children in their homes or those of relatives is a reduction in cost of the purchase as compared to placement. This potential cost must then be balanced with the projected cost of meeting the child's needs in his own home, using the unit cost of planned service and reasonable projections of how long the service will be needed, before a more permanent resolution to the presenting problem is found. The effectiveness and the efficiency of the service provided through this funding source must be incorporated into the regular case review process mandated by the program providing supervision of the family. Review should focus particularly on client outcomes.
- (B) At the broad systems level, the most critical external limit on meeting the needs of children in their own homes is the fact that this revenue source is the same one that funds the system of alternate care for children. Funds to reimburse foster parents and shelter parents and funds to pay facility providers and institutions for the care of dependent children who must be placed come from this same source. Therefore, in addition to making decisions on discreet cases, BFP will have to be sensitive to expenditures to assure sufficient funds to operate the substitute care system within allocated funds. It becomes critical then to underscore that these funds should only be used in those limited situations in which a definite removal of the child from the home or continued placement of the child out of the home is the only alternative available to BFP.
- (C) The payment process is the same as that for reimbursing out-of-home care providers. Discrete expenditure type codes in the Child Welfare Vouchering System have been established to track more precisely how the funds are being used.
- (D) **Decision-Making**
The language of the law clearly implies that BFP has discretion in its decision-making regarding how and under what circumstances these placement funds can be spent to meet the needs of children in their own homes. The law assumes that BFP can make fair and rational decisions about when and how it should spend these funds. The spirit of this operating procedure is that this decision is best left to the staff closest to the service.



BY DIRECTION OF THE CHIEF EXECUTIVE OFFICER:

A handwritten signature in blue ink that reads "Philip J. Scarpelli".

PHILIP J. SCARPELLI
Chief Executive Officer
Brevard Family Partnership Family of Agencies

APPROVAL DATE: 6/10/2020