

Ohio Family First Prevention Services Act (FFPSA) Leadership Committee July 18, 2019 Meeting Minutes

| Voting Members | | | |
|---|--|--------------|-------------|
| Name | Agency | Present | Not Present |
| Anderson, Karen | Cuyahoga County PCSA | X | |
| Bergefurd, Angie | Ohio Department of Mental Health & Addiction Services (OhioMHAS) | X | |
| Caldwell, Nicole | Guernsey County PCSA | X | |
| Carpenter, Carla | ODJFS, Deputy Director OFC | X | |
| Clark, Donna | Seeds 4 Life | X | |
| Collier-Jones, Dr. Ollie | Ohio Grandparent Kinship Coalition (OGKC) | | X |
| Darrington, China | Parent | | X |
| Davis, Amanda | Foster Care Alumni | X (by phone) | |
| Edelblute, David | Children and Families Section, Supreme Court of Ohio | X | |
| Flick, Melissa | South Central Ohio Job and Family Services | X | |
| Garbe, Megan | Foster Caregiver | X | |
| Gilbert, Julie | Butler County PCSA | X | |
| Good, Jewell | Montgomery County PCSA | | X |
| Harding, Jodi | Lighthouse Youth Services | | X |
| Harvey, Nancy | Community Teaching Homes | X | |
| Hauck, Kimberly | Ohio Department of Developmental Disabilities (DODD) | X | |
| Jones, Sarah | Ohio Department of Medicaid | X | |
| Jordan, Penny | Kinship Caregiver | X | |
| Kresic, Matt | Homes for Kids, | | X |
| LaTourette, Sarah | Ohio Family and Children First | | X |
| Lill, A J | Erie County PCSA | X | |
| Marconi, Sharon | National Youth Advocate Program | X | |
| Mecum, Mark | Ohio Children's Alliance | X | |
| Reilly, Sean | UMCH Family Services | X | |
| Rutherford, Tina | Franklin County Children Services | X | |
| Wachtel, Mary (On behalf of Angela Sausser) | Public Children Services Association of Ohio (PCSAO) | X | |
| Spears, Jeff | Ohio Department of Youth Services | X | |
| Turner, Wendi | Foster and Kinship Parent | | X |
| Weir, Moira | Ohio JFS Director's Association (OJFSDA) | | X |
| Weitzel, Tim | Lorain County Domestic Relations Court | | X |
| Zawisza, Katie | Lutheran Homes Society, Inc. (Genacross) | X | |

Non-Voting Members: Alicia Allen, ODJFS; Lakeisha Hilton, ODJFS; Ellen Holt, ODJFS; Collen Tucker, ODJFS; Karen McGormley, ODJFS; Tequilla Washington, ODJFS; Crystal Williams, ODJFS; Nicole Sillaman, OCTF; Lucy Gobble for Sue Williams, ODJFS; Kari Akins, ODJFS; Renee Lupi, ODJFS (scribe).

Guests: Pam Carter, Bureau of County Financial and Technical Assistance; Grace Kolliesuah, Ohio MHAS; Don Warner, Oesterlen; Melissa Bacon OCALI; Elisha Cangelosi, FCCS Clinical Director; Patty Jo Burnett, Lorain County Children Services; Becky Massey, on behalf of Dawn Puster from Youth Villages; and Tina Evans, DODD.

I. Welcome, Introduction, & Review of June Meeting Minutes

- A. Welcome and Introductions: Carla welcomed new voting member, Tina Rutherford who is taking Patty Harrelson's position on the Committee.
1. The Budget was passed and signed by the Governor with numerous investments in children and families. There is an overall increased budget for children and family services with a priority for Kinship Programming.
 - a. Carla discussed the plan to prioritize the QRTP planning for this Leadership Advisory Committee meeting. There is an intentional emphasis on QRTP because states cannot begin to pull down funds for the prevention services until they have the QRTP standards in place. With this in mind, JFS leadership has decided to focus in on completing the work of the QRTP subcommittee and do some additional planning for the prevention services.
 2. Review/Approval of June Meeting minutes. Motion to approve David Edelblute and seconded Mark Mecum. Vote carried.

II. Overall Committee Updates

A. Federal/State Updates

1. Federal Updates –Nine Programs have been rated and approved on the Federal FFPSA Clearinghouse.
 - a. Kristi and Carla attended a meeting of directors from other county administered states and a key take away was that there are similar strategies for FFPSA development and implementation. Some of the States who thought they would be ready to implement this October are going to delay. We will continue to stay connected and share information with those colleagues.

B. Subcommittee Monthly Updates

1. Prevention Services Subcommittee
 - a. This Subcommittee is considering a retreat for intensive planning for the Prevention Services Committee in September.
 - b. Prevention Workgroup Co-chairs met July 8 and Roger attended and presented the needs assessment and readiness survey results. This group also looked at the profiles and discussed how this correlates to our families in Ohio.

- c. Carla Carpenter shared that there is a need for that level of detail about the service array available and how families will access services in Ohio.
 - d. Mark Mecum - Given that there will be federal guidance coming about states using programs they deem to be an evidence-based practice what has the subcommittee done to identify these services?
 - Lucy Gobble - Workgroups are currently gathering lists of EBP services and mapping Clearinghouse EBPs that are currently being used. The Prevention workgroups are also looking at the need within the different areas in the state and selecting a service array that meet the needs of the respective communities regardless of Clearinghouse eligibility. This will help position Ohio to have a full service array and advocate for additional programs to be added to the Clearinghouse if necessary.
2. Tiered Foster Care Continuum – The Tiered Foster Care Continuum stakeholder group met for their second meeting on July 15, 2019. More foster parents attended this meeting and the focus is on reviewing research from other states. There was broad agreement on shared values and outcomes and a tone and desire to find consensus. The goal is to have a written report by October 2019. The group has external facilitation support through a funder and this has been very helpful.
 3. Ohio Kinship/Adoption Navigator – The final stakeholder meeting will be held on July 22, 2019. The goal is to review the program design framework with Kinnect, the Vendor. Five Townhall meetings have been scheduled in Athens, Franklin, Hamilton, Summit, and Lucas Counties - One for Agencies and one for families/community.
 4. Communications Workgroup – This workgroup has drafted a one-pager with talking points for the leadership Advisory Committee to use as they are out in the community talking about FFPSA. The document is designed to be an internal guide of key messages for stakeholders to have when speaking about Family First. There have been inquiries about what the community needs to do to prepare for FFPSA implementation.
 - Tina Rutherford suggested creating a link within the webpage to take County Directors exactly where they need to go. As the page grows it gets more difficult to find the items quickly.
 - Leadership committee members are encouraged to email any additional feedback about the FFPSA communication strategy.

II. *QRTP Discussions and Updates*

A. Phased-in Approach Proposal (As discussed with the Executive Committee)

1. Background - Data was pulled to show the number of children/youth in congregate care at about 14% of the population of all children/youth in care. Of those, 59% are IV-E eligible. This is much higher than some of the other State Supervised-County Administered programs.
2. Cost – The average cost is \$10.5 million dollars per month. Federal share is about \$7 million. Yearly federal share of the room and board costs equals about \$83 million dollars. There are additional costs to come into compliance that the Subcommittee and ODJFS continue to work to quantify, including costs of medical staff, social workers, accreditation, implementation of trauma-informed care and after-care.
 - If Ohio facilities are not ready by 2021 we will be giving up a large chunk of IV-E money. Jeff-the provision of discharge planning for up to six months. Is it expected to be done by the releasing agency or can they subcontract this out to another certified provider? Colleen-this deliverable is still outstanding in their group. Discussion with DODD because they have robust after-care built in to their model. Nothing in the Act that says that we could not do this.
3. Options 1 and 2 were reviewed. The QRTP Subcommittee recommended Option 2 which includes:
 - a. **An October 1, 2021 effective date for QRTP Implementation.** Rule process would have to start six months ahead of time but SACWIS changes would require a much longer timeframe.
 - b. **No new programs licensed after 10/1/2020 unless they meet the QRTP requirements.** Currently licensed providers would continue to be licensed but not IV-E eligible after 10/1/2021 until compliant.
 - c. **All residential facilities must be QRTP eligible by 2024.** There would be no IV-E eligibility from 2021-2024 for providers not in compliance.
 - Angie Bergefurd - If option 2 is selected it would have to be addressed through multiple rule changes and there is not an extra year. The rule would need to be started this year.

- Don Warner – It would be helpful for the state to require some criteria from the provider to show they are actually engaged in the accreditation process.
 - Tina Rutherford – Has there been any conversation about ICPC? Yes, there was a conversation but other states may not meet these requirements and it will be up to us if we would do business with them.
 - Mark Mecum - How do you become a QRTP if you are not licensed? Lakeisha Hilton explained that some accrediting bodies have provisional licensing standards. Do all three accrediting bodies allow for that provisional path? We believe so and will confirm.
 - Carla Carpenter – The goal of the leadership committee is to get to an agreement on the conceptual framework and make decisions based on the best information available today. This group can always add to this decision later but this decision is critical and has been pending for some time. After this decision is made, it will help communicate next steps to the providers.
 - Lakeisha Hilton – Each accrediting body was asked to look at if their requirements aligned with the QRTP requirements. The residential facility will need to pick the one that is closest to their program requirements.
 - Colleen Tucker – The Accrediting bodies developed a cross walk and continue to reach out to ask them questions as needed.
 - Angie Bergefurd - OHMHAS lists should be incorporated as well and there is more information and collaboration needed with DODD.
 - Kimberly Hauck - We know who and where all our providers are (ICF) they are Medicaid reimbursable. There is a need to work with ODJFS to see what we are using for this population of children. This vote would allow for a recommendation to both agencies.
4. Voting on the package — Option 2 Clarification 3rd bullet to specific “ALL” programs means ODJFS CRC and group homes and residential parenting facilities and OHMHAS residential programs for children. Decided to keep an end point “on or before” 10/1/2024. Issue with the word “eligible” changed to

“must meet standards by.” Julie Gilbert motion to approve. Melissa Flick 2nd. Vote –19 yes and 1 abstention due to concerns with committing to an outside timeframe at this juncture. Motion passed. Recommendation moves forward to Executive Committee. The Executive Committee will have further discussion on cross-departmental coordination and the implementation timeframes set forth in the Leadership Committee’s recommendation. Additional feedback will be shared back with the Leadership Committee during its August meeting.

III. QRTP Discussion and Presentation of Recommendations

A. Treatment Model Considerations

1. Trauma informed approach.

Treatment Model Recommendation (Trauma Informed Approach)

QRTPs shall have a trauma informed approach in which all employees, volunteers, interns, and independent contractors within a QRTP must be trained in that trauma informed approach. In addition, organizations shall have a trauma informed treatment model that includes service of clinical needs and that:

1. Is a department approved Trauma Informed Treatment Model applicable to the population of youth served (approved list will be outside of rule); or
2. Meets the 10 SAMHSA Implementation domains and follows the 6 key principles of the SAMHSA Trauma Informed approach; or
3. Receives approval by the department of designee.

Trauma Informed Approach Language discussion. Mark recommended “program staff” “contractors who provide services to children”. Spirit any person who works in the program or in a building that comes in contact with a child should be trained. Everyone has to be trauma informed under the SAMSHA standards. Landed on “who provide services to children”. Motion David. Second Carla. 21 yes votes-unanimous.

2. Family engagement.

Treatment Model Recommendation (Family Engagement OAC Definition)

Family engagement is the process used to build genuine relationships with the family, as identified by the PCSA and the youth. With consideration to the child/youth's safety and developmental needs, the treatment should be family-driven with both the child/youth and the family included in all aspects of care. The key components of family-centered residential treatment are documented and include the following:

1. Maximize regular contact between the child and family including siblings;
2. Actively involve and support families with a child in residential treatment;
3. Provide ongoing support and aftercare for the child and family

Family Engagement Language discussion - A lot of the discussion centered around the listed considerations and definitions of kin, relatives/nonrelatives, siblings, and family. ("Family" is defined in OAC and has been recently updated). Should the word "support" be further defined? Example – Transportation is definitely a support; some residential facilities have capacity and can pay and some cannot. Consensus was to keep the rule more broad. Motion made and Melissa Flick seconded it. Motion was voted on and unanimously approved by 22 votes.

B. Independent Level of Care Assessment – No recommendations at this time but the workgroup is looking at making a recommendation on the Level of Care Assessment tool and define who will be the "qualified individual" independent assessor.

C. Licensing and Contract Considerations

1. Exempted Sex Trafficking and Pregnant/Parenting Facilities

Licensing & Contracting (Exempt Facilities)

The workgroup does not recommend an exemption of QRTP requirements for residential facilities for youth who have been trafficked or are at risk of being trafficked, or who service youth who are parenting and/or pregnant.

Exempt Facilities Discussion – There was an acknowledgement that this recommendation is more restrictive than the federal requirement but based on the

rationale and robust discussion, this recommendation was voted on within the QRTP Subcommittee. Residential Facilities will need ample time to get up to speed. Especially since they are not allowing an exemption to sex trafficking and pregnant/parenting teen facilities. Currently, there are two licensed sex trafficking facilities in Ohio and two applicants currently in queue. There are also two residential parenting facilities licensed currently and two in queue for licensure. The key priority for Ohio is that all children should be allowed to receive high quality services, regardless of their Title IV-E eligibility. All youth entering a QRTP would require a 30-day level of care assessment and the 60-day court approval to stay in the facility even those youth in sex trafficking facilities and pregnant/parenting facilities. Megan Garbe motion to adopt with correction to typo of spelling of FFPSA. Penny Jordan seconded. Nancy recommended that this morning's vote-on the time frame be tied in to this recommendation as well. Motion made and seconded. Vote-21 yes, unanimous.

2. Background Checks

Licensing & Contracting (Background Checks)

Create a set of standards for completing BCI/FBI Record Checks, Child Abuse/Neglect Registry Checks, Sex Offender Registry Checks, and the related monitoring for all QRTP personnel.

Background Checks Discussion – FFPSA lays out minimal standards for background checks for individuals employed by a QRTP. However, States are bound by the Social Security Act and it requires more stringent checks for those working with children. ODJFS requires all employees have an initial employment background check. Foster care and adoption require a check every two years thereafter. This recommendation should mirror the same standard. Central registry checks are for foster care and adoption but was not the case for residential staff—this would change. Sex Offender registry check was not required previously for residential treatment staff. There was disagreement on subcommittee about the sex offender permitted/prohibited/ and rehabilitative offenses. Should it mirror foster care and adoption?

- Melissa Flick - What are the requirements for the other adults who gain access to the facility for any other purpose mean? Still Attorney and GALs need to have privileged conversations with the client. Facilities did

not want to be responsible for making sure those people had their checks done.

There was additional discussion on Monitoring versus supervising. Monitoring means what? Does this include watching via video or checking in? Does this include a simply having a watchful eye with visits or those coming in to do work on the building? Should “all new hires” be expanded to include employees, volunteers, interns, and independent contractors? –The language was changed to monitoring all “outside parties”. Karen Anderson - motion with change. Julie Gilbert second. Approved with 21 votes, unanimous.

3. Other Licensing & Contracting Deliverables: This Workgroup also completed recommended language changes for the overall licensing approach and master contract changes. Because these changes are contingent on the final recommendations, there is no need to vote on these two deliverables. With these completed, the Licensing and Contracting Workgroup has completed all stated deliverables and no longer needs to meet.

D. Accreditation

1. Verification of Accreditation Status



Accreditation (Verification of Accreditation Status)

It is recommended that ODJFS and OhioMHAS add additional requirements in OAC for QRTP’s to provide verification of accreditation status at the time of licensure/recertification.

Megan and Katie motioned to approve the recommendation. 21 voted yes, 0 opposed, unanimous. Vote carried.

2. The deemed status strategy is still unresolved and there is federal guidance needed in order to complete this deliverable.

E. Court Oversight

1. Court Oversight Plan – This workgroup put forth four recommendations. There was a unanimous vote in favor of all four recommendations.

Court Oversight Plan Recommendations

1. A recommended court oversight plan as it relates to QRTP placements

- The workgroup recommends statutory changes, where needed, to address the 60-day review and approval after a placement is made in a QRTP/residential treatment facility and subsequent reviews.
- The workgroup recommends administrative code changes, where needed, to address amended case plans related to approval of a QRTP placement.
- The workgroup recommends that work products include a comprehensive toolkit inclusive of sample forms and a detailed curriculum.
- Additional recommendations include comprehensive trainings for judicial officers, attorneys, GALs/CASAs, other court personnel (clerk of court staff, court administrators and others), to be developed in collaboration with the Ohio Judicial College.
- The workgroup recommends formation of a Subcommittee on Responding to Child Abuse, Neglect, and Dependency workgroup to develop the work products described herein.

2. Recommendations to address court hearings versus administrative review

- The workgroup recommends that any ORC changes recommended for the court approval and review of placement includes language that allows the court to determine if review and approval will occur in a court hearing or through an administrative review.

3. Recommendations for training courts

- The workgroup recommends development of a variety of training options for judicial officers, attorneys, GALs/CASAs, and other court personnel (clerk of court staff, court administrators and others) in coordination with the Ohio Judicial College. Training options should include a combination of both in-person and online training.
- The workgroup recommends that training resources and presentations should be provided to judicial partners, including PCSAs, providers and associations.

4. Define permanency hearing and cost

- The workgroup recommends administrative code changes, where needed, to address changes to what the agency is required to provide at permanency hearings, based on the following three FFPSA requirements:
 - (A) ongoing assessment supports child's needs cannot be met through foster family,
 - (B) specific treatment and length of time needed, and
 - (C) agency efforts to return child to a home.
- The workgroup did discuss the possible need for updates to SACWIS forms, but felt that this decision was best made by the administration of ODJFS.

F. **Agency Readiness** – This workgroup prepared a recommendation regarding the training and technical assistance for residential facilities looking to become QRTP compliant however, the Leadership Committee ran out of time during this meeting and decided to table this discussion for the August Leadership Advisory committee Meeting.

IV. *Adjournment of Session*

- A. Summary from the Day, Reflections, Overall Action Steps & Closing
- B. The Executive committee will meet on August 5th and all items voted on will be shared with this group. In particular, the Executive Committee will have further discussion on the proposed implementation timelines for QRTP requirements.
- C. Good of the order – None.
- D. Next meeting will be in person on Thursday August 15, 2019 at 4020 East Fifth Avenue, Columbus, Ohio 43219 from 10:00 a.m. – 3:00 p.m.