



State of Florida
Department of Children and Families

Charlie Crist
Governor

Robert A. Butterworth
Secretary

DATE: September 20, 2007
TO: Regional Directors
THROUGH: George Sheldon, Assistant Secretary for Operations
David Fairbanks, Assistant Secretary for Programs
FROM: Patricia Badland, Director of Office of Family Safety
SUBJECT: Review of Local Operating Procedures

PURPOSE: This memorandum provides instructions on the review of local operating procedures.

BACKGROUND: One of the recommendations and required actions from the Quality Assurance report and Secretary's statement regarding Courtney Clark involves a review of local operating procedures specific to case plans, reunification, and post-reunification supervision. The focus of the local operating procedures review is to ensure that guidelines are in place to reflect:

- Documentation of key decision making steps leading up to reunification, including supervisory and legal review and approval,
- Documentation of the determination of substantial compliance with case plans, and
- Meeting all post-reunification supervision requirements.

REQUIRED ACTION: The Regions must conduct a review of local operating procedures developed and used by the CBC agencies and sub-contractors no later than October 12, 2007. Please distribute this memorandum to Regional Quality Assurance Managers and Community-Based Care Contract Managers.

Our office is scheduling a conference call with the Regional Quality Assurance Managers and Community-Based Care Contract Managers for September 25 from 9:30 to 11:00 to go through the Action Plan, Review of Local Operating Procedures checklist, and guidelines (see attachments). An agenda and conference call information is forthcoming.

CONTACT: Please contact Sallie Linton, Chief of Quality Assurance/Federal Reporting, at (850) 922-0149 or Suncom 292-0149 if you have questions.

Attachments

cc: Walter Sachs, Contract Administration
Circuit Administrators
Regional Quality Assurance Managers
CBC Contract Managers

1317 Winewood Boulevard, Tallahassee, Florida 32399-0700

Mission: Protect the Vulnerable, Promote Strong and Economically Self-Sufficient Families, and Advance Personal and Family Recovery and Resiliency

Instructions

Review of Local Operating Procedures

INTRODUCTION: This document provides guidance for the review of Community-Based Care Lead Agencies and their subcontractors' operating procedures. The review is a focused look at local operating procedures to determine whether each agency has processes in place that meet the minimum requirement standards of Florida Statute and Administrative Rule in the areas of Case Plan Compliance, Reunification, and Post-Placement Supervision.

This is not a case review. The reviewer is to use the instrument to answer the question, "Does local agency policy and/or procedure require that...?" for each statement on the checklist.

DIRECTIONS:

- A. Lead Agency: Print complete name of lead agency and circuit served.
Subcontractor: Print complete name of subcontracting agency.
Reviewer: Print name and title of reviewer.
Date Reviewed: Date review completed.
- B. For each statement answer:
If the local operating procedure reviewed
- meets the requirement per the statement on the instrument, then the answer is "**Yes**;"
 - does not meet the requirement per the statement, or if the agency has no policy to meet the requirement, the answer is "**No**."
- If the reviewer cannot determine if the operating procedure meets the requirement, or if it is unclear as to whether policy meets the requirement,
- the answer is "**Unable to determine**."
- C. Reviewer comments on findings and recommendations may be written on the last page.

Local Operating Procedure Review

Action Plan

TASK: Review local operating procedures to ensure guidelines are in place to reflect: 1) Document key decision-making steps leading up to reunification, including supervisory and legal review and approval; 2) Document the determination of substantial compliance with case plans; 3) Meet all post-reunification supervision requirements.

	Leadership Oversight	Assigned To	TimeFrame	Comments
1. Checklist for review of local operating procedures 1.1 Develop checklist 1.2 Disseminate checklist	Patricia Badland	Gay Frizzell Sallie Linton	9/18	Draft Checklist developed 8/07/07 Revisions to checklist are in process Memo drafted 9/13
2. Provide training and technical assistance to Regions	Patricia Badland	Sallie Linton	9/25	Memo setting conference call for 9/25 drafted on 9/13
3. Engage contract managers 3.1 Request local OPs from CBC lead agencies and subcontractors	Region Directors	Regional Quality Assurance team	9/24	Contract managers are the liaison with each CBC lead agency.
4. Review local OPs using checklist 4.1 Conduct interviews with supervisors, if necessary	Region Directors	Regional Quality Assurance team - lead Contract Managers	10/10	How are policy and changes communicated? How it incorporated into practice?
5. Identify gaps in local policy 5.1 Inform contract manager of policy gaps in order to have CBC correct 5.2 Summarize results	Region Directors	Regional Quality Assurance team	10/12	
6. Submit results to Family Safety Program Office (headquarters)	Region Directors	Regional QA Manager	10/12	Provide copy of completed checklists to PDFS along with summary of results

Review of Local Operating Procedures

Lead Agency:
Subcontractor:
Reviewer:
Date Reviewed:

CASE PLAN

<i>s. 39.01(71), F.S.: "Substantial Compliance" means that the circumstances which caused the creation of the case plan have been significantly remedied to the extent that the well-being and safety of the child will not be endangered upon the child's remaining with or being returned to the child's parent."</i>		
Cite	Local policy requires:	Do Local Procedures Meet Standard?
s. 39.6011(2)(e), F.S.	Each case plan template to contain a written notice to the parent that failure of the parent to substantially comply with the case plan may result in the termination of parental rights.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unable to determine
s. 39.6011(2)(e), F.S.	Each case plan template to state that a material breach of the case plan may result in the filing of a petition for termination of parental rights sooner than the compliance period set forth in the case plan.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unable to determine
s. 39.6011(6)(a), F.S.	The agency to make appropriate referrals for services if the parents agree to begin compliance with the case plan before the plan's acceptance by the court.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unable to determine
s. 39.621(10)(a-f), F.S.	Each court order template regarding reunification or increased contact with the child address or include: (a) The compliance or non-compliance of the parent with the case plan; (b) The circumstances which caused the child's dependency and whether those circumstances have been resolved; (c) The stability and longevity of the child's placement; (d) The preferences of the child, if the child is of sufficient age and understanding to express a preference; (e) The recommendation of the current custodian; and (f) The recommendation of the Guardian ad Litem, if one has been appointed.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unable to determine <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unable to determine <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unable to determine <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unable to determine <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unable to determine <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unable to determine
s. 39.701(7)(a)5, F.S.	Each JRSSR template to contain a statement that either (a) The parent, though able to do so, did not comply substantially with the case plan, and the agency recommendations; or (b) The parent did substantially comply with the case plan; or (c) The parent has partially complied with the case plan, with a summary of additional progress needed and the agency recommendations.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unable to determine <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unable to determine <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unable to determine
65C-30.008(4), F.A.C.	That documentation address that the case manager offered services, that services were utilized, and the effects of those services.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unable to determine
65C-30.008(4), F.A.C.	That the case manager communicate at least once every 30 days with the parents regarding progress or lack of progress.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unable to determine

REUNIFICATION

<p>s. 39.01(64), F.S.: “Reunification services” means social services and other supportive and rehabilitative services provided to the parent of the child, to the child, and, where appropriate, to the relative placement, non-relative placement, or foster parents of the child, for the purpose of enabling a child who has been placed in out-of-home care to safely return to his or her parent at the earliest possible time. The health and safety of the child shall be the paramount goal of social services and other supportive rehabilitative services. The services shall promote the child’s need for physical, mental, and emotional health and a safe, stable, living environment, shall promote family autonomy, and shall strengthen family life, whenever possible.”</p>		
Cite	Local policy requires:	Do Local Procedures Meet Standard?
65C-30.007(2)(b), F.A.C.	That the case manager make face-to-face contact with the parent a minimum of every 30 days when the case plan goal is reunification with the parent who is a party to the case.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unable to determine
65C-30.007(2)(b), F.A.C.	That if the reunifying parent lives in a county other than the county of jurisdiction, the face-to-face contact every 30 days can be accomplished as provided in Rule 65C-30.018, F.A.C. (<i>Out-of-County Services</i>).	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unable to determine
65C-30.008(3)(a), F.A.C.	For children in an out-of-home placement with a case plan goal of reunification, that the case manager ensure that the parents are provided with reunification services to help identify and remedy the problems that resulted in the removal of the child.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unable to determine
65C-30.008(3)(c), F.A.C.	That the services focus on the specific problem areas that make it unsafe to return the child home.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unable to determine
65C-30.012(4)(a)2., F.A.C.	That prior to reunification, there is a mechanism to increase the frequency of the visitation between the child and family when permitted by the court, to allow the family to adjust and to observe parent and child interactions.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unable to determine
65C-30.014(8), F.A.C.	That reunification with a parent outside of Florida requires approval through ICPC, per s. 409.401, F.S.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unable to determine
CFOP 175-38(4.c)	That when the court has awarded legal custody of a child to the department or other custodian, that the court must explicitly approve release of the child from custody.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unable to determine
CFOP 175-38 (6.b)	That in order to consider reunification, the parents and child have successfully spent extended periods of time together (including overnight and weekend visits), without further abuse or neglect.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unable to determine
CFOP 175-38 (8.a)	That for children age 5 and under, or a disabled child of any age, a Reunification Staffing be held between the case worker, the next two levels of supervision, the sheltering CPI, CWLS (if available), and treatment providers (or their reports) prior to overnight visits or reunification.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unable to determine
CFOP 175-38 (8.a)	Written approval by the Program Administrator if the Reunification Staffing decision is that the child should return home for overnight visits or reunification.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unable to determine
CFOP 175-38 (8.a)	That at the Reunification Staffing all case history and information (including but not limited to all CPT, medical, psychological and provider reports; all risk assessments; abuse and criminal records checks; all case plans; GAL reports; judicial review findings and court orders; daycare arrangements and the Reunification Homestudy) be reviewed, including all conflicting information.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unable to determine

POST-PLACEMENT SUPERVISION

65C-30.001(102), F.A.C.: “ Post-Placement Supervision’ means services provided to children and families upon reunification, which aim to support and preserve the family unit during the transition period.”		
Cite	Local policy requires:	Do Local Procedures Meet Standard?
s. 39.604(3), F.S. “Rilya Wilson” Act	Compliance with enrollment requirements of the Rilya Wilson Act (i.e., age 3 years to school entry, under court ordered protective supervision and enrolled in a licensed early education or child care program must be enrolled to participate in the program 5 days a week).	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unable to determine
s. 39.604(4)(b), F.S. “Rilya Wilson” Act	Compliance with attendance and absence-reporting requirements of the Rilya Wilson Act (i.e., unexcused/excused absences).	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unable to determine
65C-30.014, F.A.C.	That in a case where reunification has been attained, post-placement supervision continue for at least six months.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unable to determine
65C-30.014(1), F.A.C.	That the child’s adjustment be evaluated throughout the post-placement supervision period.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unable to determine
65C-30.007(13), F.A.C.	That if the case manager becomes aware of conditions or activities in the child’s home, placement home or another location, that threaten the safety of the child, that the case manager take whatever steps are necessary to protect the child, and make a report to the Florida Abuse Hotline.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unable to determine
65C-30.007(13), F.A.C.	That, if the above circumstances exist and the child is in a licensed home or facility, the case manager also advise the licensing unit.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unable to determine
CFOP 175-38 (9.d) (2)	That if, for whatever reason, a parent or person responsible will not allow observation of the child, the case manager immediately contact his/her supervisor for guidance as to possible law enforcement involvement to gain access to or remove the child.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unable to determine
65C-30.007(8), F.A.C.	That for a child on runaway status or whose whereabouts are unknown, the case manager meet the requirements of Rule 65C-30.018, F.A.C., “Missing Children,” including documentation of efforts to locate the child.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unable to determine
65C-30.007(1)(a); 65C-30.007(5), F.A.C.	That the case manager make face-to-face contact with children under supervision and living in Florida no less frequently than every 30 days at the child’s current place of residence or other location that is critical to the life of a child.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unable to determine
65C-30.007(7), F.A.C.	That face-to-face contacts occur more frequently than every 30 days when the child’s situation dictates more frequent contact as determined by the case manager’s supervisor or by the court.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unable to determine
65C-30.014(3)(e), F.A.C.	That the frequency of case manager contacts be based upon the conditions in the home, needs of the child, level of safety and risk to the child, and the level of cooperation of the parents or relatives.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unable to determine
65C-30.007(5)(b), F.A.C.	That at least once every three months the case manager make an unannounced visit to the child’s residence.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unable to determine
65C-30.007(2)(a), F.A.C.	That the case manager with case responsibility establish and maintain regular face-to-face contact a minimum of every 30 days with the custodial parents of any child under in-home supervision.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unable to determine

