65C-28.015 Residential Mental Health Treatment. *(See also, FS 39.407 (6) & FS 39.523)*

(1) Initial Consideration of Need for Residential Treatment.

(a) Residential mental health treatment is provided to a child for the specific purpose of addressing their mental health needs through observation, diagnosis and treatment in a therapeutic setting, which includes therapeutic group homes and residential treatment centers as defined in Section 394.67, F.S. Residential mental health treatment shall not be used for emergency placements or to provide secure shelter for the child. If the child is in acute psychiatric crisis, the child shall be referred to the crisis stabilization unit for emergency screening and stabilization.

(b) The department and contracted service providers shall comply with the requirements of Section 39.407, F.S., and Florida Rules of Juvenile Procedure 8.350 when pursuing placement of a child into a residential treatment center, as defined in Section 394.67, F.S.

(c) The department or contracted service provider and the district region or zone Substance Abuse and Mental Health Program Office shall establish written procedures that outline the process of how determinations to pursue residential mental health treatment and referrals for placements for children are made, to include criteria for Suitability Assessment referrals, per Section 39.407, F.S., and the provision of behavioral health assessments and services to children during that process.

(2) Out-of-State Placements.

(a) The department or contracted service providers shall not approve or participate in funding out-of-state placements for behavioral health treatment of children, unless these placements meet all of the following conditions:

1. The case plan goal is for the child to join a family who resides in the other state;
2. The home study on the out-of-state home has been completed and the move of the child out-of-state has been approved by the Interstate Compact on the Placement of Children; and
3. The District/Region or Zone Administrator or Lead Agency Executive Director has provided prior written approval of the placement.

(b) When a placement is made pursuant to this paragraph, the district/region or zone Children's Mental Health program office shall be notified promptly.

(3) Reviews and Reports of Children in Residential Treatment Centers. The department or each contracted service provider shall establish systems to ensure that reports required by Section 39.407(5), F.S., and Florida Rules of Juvenile Procedure 8.350 are prepared and distributed timely and that all requirements for filing with the court are met.

Specific Authority 39.012, 39.0121(13), 394.4781(3)(c), (5), 394.479, Article X (b) FS. Law Implemented 39.407(5)(a)3., 394.4781, 394.4785, 394.479, 394.495 FS. History-New 5-4-06.