

Uniform Foster Care Rate Policy

Purpose

The Uniform Foster Care Rate for Wisconsin's foster care programs was established in accordance with s. 48.62(4) Stats., to provide consistency in foster care payments. The basic maintenance rates are designed to meet the maintenance needs of the child and are intended to provide for the basic costs of raising a foster child (i.e., food, shelter, basic transportation, personal and recreational needs, clothing). Foster children who require more than the usual care and supervision may receive a supplemental or exceptional rate payment based on the needs of the child.

For purposes of this policy, the terms "foster child," "foster home," "foster parent," and "foster care" relate to licensed family foster homes and family-operated group homes.

Applicability

This policy applies to children in foster care placed by agencies who have "Placement and Care Responsibility." The agency refers to either a county agency or the department.

This does not apply to a child placed or to be placed into a foster home that is licensed solely for the purpose of adoption of a domestic infant under s. 48.837, Stats., or a foreign child under s. 48.839 or 48.97, Stats.

Agencies must assure all actions of either agency or contracted provider staff comply with this policy.

Definitions

The four components of the Uniform Foster Care Rate are defined as follows:

Initial Clothing Allowance: an allowance for the actual cost of clothing needed by a child upon initial entry into foster care. The allowance may not exceed the maximum amount specified for the child's age. The placement of a child in foster care 120 days or more after the child has been removed from out-of-home care shall be considered to be an initial placement. The maximum rates are established by the Department by this policy.

Basic Maintenance Rate: a fixed monthly payment for the usual and customary costs incurred in caring for a foster child (including food, clothing, shelter, personal care, transportation, recreation) as determined for Level 1 foster parents by the certification of the provider or by the age of the child. These rates are established biennially by the Wisconsin Legislature.

Supplemental Rate: an additional monthly payment intended to cover the costs of caring for a child whose needs exceed normal limits of care and supervision for that child's age. The descriptors (i.e., criteria) are established by the Department by administrative rule. The funding levels associated with these descriptors are established by the Department by this policy.

Exceptional Rate: an additional monthly payment for caring for a child whose needs may be so extreme that the basic maintenance and supplemental payments do not provide sufficient funding to ensure the child's care in the foster home and to prevent placement in a more restrictive setting. The criteria are established by the Department by administrative rule. The funding level associated with these criteria are indirectly established by the Department by this policy through the establishment of a maximum monthly foster care payment.

I. ELIGIBILITY

- Uniform foster care rates shall be determined for all foster children whose cost of care is paid directly to foster parents by a County Department of Social or Human Services, the Department of Children and Families, or a private Child Placing Agency under contract with a public agency.
- If the agency providing services to a child placed in foster care is different than the agency having "placement and care responsibility," the providing agency, using the criteria set forth in this policy, shall recommend the rate to be paid by the financially responsible agency. A County Department of Social Services, which is the designated providing agency for the 51.42/51.437 Board, shall determine the payment amount using the Uniform Foster Care Rate criteria.
- All the components of the Uniform Foster Care Rate are designed to maintain the child in the foster home and **do not** include service payments to foster parents or licensed child placing agencies. Agencies may enter into purchase of service contracts for services or bed holding costs with individual foster care providers. Such expenses shall not be reported as foster care costs.
- Section 48.62(2), Stats, allows relatives to apply for a foster care license. The agency shall license the relative as a foster parent if the requirements of Ch. DCF 56, Adm. Code, are met. The agency **is not** required to provide a foster care payment unless the child is in out-of-home care under a court order with "placement and care responsibilities."
- Payments made on behalf of children placed in institutions, residential care centers, shelter care facilities or incorporated group homes are **not** covered by the provisions of the Uniform Foster Care Rate Policy.
- Each foster parent shall be provided with current information regarding the Uniform Foster Care Rate Policy at the time of licensure, when a child is placed and when a rate change occurs. A brochure entitled, "Understanding the Uniform Foster Care Rate" is available for distribution to foster parents and will meet the requirement under this provision. The brochure is available on the internet at http://dcf.wisconsin.gov/publications/pdf/pcf_pfs0142.pdf or from Document Sales (for information on ordering DCF forms and publications, see the Division of Safety and Permanence Info Memo 2009-03 at <http://dcf.wisconsin.gov/memos/infomemos/DSP/2009/2009-03.pdf>).

II. INITIAL CLOTHING ALLOWANCE

An initial clothing allowance, in the amount of the actual cost but not exceeding established maximums, may be paid for children initially entering foster care without sufficient clothing.

The amount of the initial clothing allowance shall be the actual cost of the clothing not to exceed the maximums listed below.

If a child is placed in foster care 120 days or more after a previous out-of-home care placement episode was terminated, the placement shall be considered an initial placement for the purposes of eligibility for an initial clothing allowance.

A child who re-enters foster care within 120 days whose clothing allowance has not been exhausted may use the remaining balance.

The current maximum rates are:

Age Group	Clothing Allowance
0-4	Up to \$225
5-11	Up to \$263
12-14	Up to \$300
15-18	Up to \$300

III. BASIC MAINTENANCE RATES

The basic maintenance rate for children is statutorily set by the Legislature and published by the department. The “Understanding the Uniform Foster Care Rate” brochure provides current basic maintenance rates for children placed with foster parents certified at a Level 1 and for those placed with providers above Level 1 in the following age categories: Birth to 4; 5-11; 12-14; and 15 and older.

III. A.Changes to the Basic Maintenance Rate for a Child’s Birthday

When a child in foster care attains the age of 5, 12 and 15, the agency shall authorize the next higher basic maintenance rate effective on the date on which the birthday occurs.

This procedure is automated and reflected in eWiSACWIS and will create and prorate the payment to the foster parent based on the child’s birthday.

IV. SUPPLEMENTAL RATE

A **supplemental rate** payment for a foster child is determined using the *criteria* established at Ch. DCF 56.23, Admin. Code. through the use of the Child and Adolescent Needs and Strengths (CANS) tool, the calculation of the child's Level of Need, and the providers' Level of Certification.

IV. A. Child's Identified Needs and Strengths

The agency with "placement and care responsibility" for a child placed in foster care shall determine a child's identified needs and strengths through the use of the CANS tool. Before administering the CANS tool the person who administers the tool shall first do all of the following:

1. Review the case record.
2. Interview or collect information from an individual who has interviewed the child, child's family, foster parent or other out-of-home care provider, and the child's team or treatment team.
3. Review information gathered in collaboration with the child's team or treatment team.

An individual performing the assessment shall be trained and certified in the use of the department's standardized assessment tool. The assessment requires a certified CANS user to complete a CANS assessment of the information obtained about the child. (See Appendix A for the CANS tool and glossary) Re-certification to complete the assessment process must be completed on an annual basis.

The agency shall use the CANS assessment to determine whether or not a foster child qualifies for a supplemental rate payment. The identified needs and strengths rated a '2' or '3' shall be used to calculate this portion of the supplemental payment.

See Appendix B for which items in the CANS tool are specifically used to calculate the child's assessed needs and strengths for the Supplemental Rate.

In using the CANS tool, the assessor must:

- Determine if the child exhibits characteristics described as a 2 or 3 in **one or more** of the following domains: trauma; life functioning; school; acculturation; behavioral/emotional needs; or risk behaviors.
- Determine the appropriate level within each applicable domain. The three levels are: basic; moderate; and intensive. In order for a rating to be above basic, characteristics exhibited must be inappropriate for what is deemed developmentally age appropriate for a child who is of a similar age.
- Determine ratings for each item within the domains listed in the "Point Distribution Table" below.
- Assign points only once for each item in each domain (e.g., points cannot be given at both the "moderate" and "intensive" level for any one item within a domain).

- Calculate the child’s identified needs and strengths Supplemental Points based on adding the items rated a 2 or 3 on the domains listed in the “Point Distribution Table.” The sum is then multiplied by \$5.50 to determine the child’s portion of the Supplemental payment. The calculation of the supplemental points and the subsequent rate will be automated for all placements that exist in eWiSACWIS.

Point Distribution Table

	<u>Basic</u>	<u>Moderate</u>	<u>Intensive</u>	Total Items Rated 0-5 years	Total Items Rated 5 – 17 years
CANS RATING	0-1	2	3		
CANS DOMAIN					
Trauma	0-1	2	3	5	5
Life Domain Functioning	0-1	2	3	30	37
School	0-1	2	3	7	4
Acculturation	0-1	2	3	1	1
Behavioral/Emotional	0-1	2	3	7	11
Risk Behaviors	0-1	2	3	11	18
Strengths	0-1	2	3	8	17
TOTAL				69	93
Maximum Points				207	279

IV. B. Providers Level of Care/Child’s assessed Level of Need Value

When the providers’ Level of Care (LOC) Certification for Level of 3 or 4 exceeds a child’s assessed Level of Need (LON) (Appendix C), an LOC/LON value of \$100.00 will be added to the supplemental portion of the foster care rate.

IV. C. Total Supplemental Rate

The total value of the Supplemental Rate is determined by adding the child’s identified needs and strengths to the LOC/LON value.

V. EXCEPTIONAL RATE

An **exceptional rate** payment may be provided on behalf of a foster child only if at least one of the following situations exists:

- The payment will enable the child to be placed in a foster home instead of being placed or remaining in a more restrictive setting.
- The payment will enable the placement of siblings or minor parent and minor children together.
- The payment will assist with transportation to the school the child was attending prior to placement in out-of-home care.
 - To promote the educational stability of children in foster care, agencies can provide payments for costs associated with transporting a child to and from the school the child was enrolled in (school of origin) at the time of placement into out-of-home care. This cost shall be documented under the Exceptional Payments under Transportation to School of Origin. Only reimbursement made to foster parents shall be claimed here.
- To replace a child's basic wardrobe that has been lost or destroyed in a manner other than normal wear and tear.
 - An as-needed exceptional rate payment for wardrobe replacement is appropriate for reasons such as sudden growth spurts. Any ongoing special circumstances (such as unusual wear of clothing caused by prosthesis) would be more appropriately funded under the supplemental rate.
- For a child placed in a foster home before February 21, 2011, and who remains placed in that foster home, equalize the total payment amount lost by the child's foster parent due to implementation of the method of determining supplemental payments listed in section IV. of this policy.

While it would be somewhat unusual, there is nothing to prohibit a child from receiving an exceptional payment without also receiving a supplemental payment.

VI. TOTAL UNIFORM FOSTER CARE RATE

The Uniform Foster Care Rate is the total of the basic maintenance, supplemental, and exceptional rates.

The total foster care payment (including the basic maintenance, supplemental and exceptional rates) shall not exceed \$2,000 per month per child. Any costs that exceeds this limit shall be documented under "Costs > Spending Limit" in eWiSACWIS and are not IV-E reimbursable.

Any payment for a placement that is less than a full calendar month, shall be pro-rated based on the actual numbers of days in that month.

Example:

A child is 15 years old and has characteristics that result in actionable items for the domains rated in supplemental rates. In addition, it is determined that the foster parent should receive an exceptional rate payment because of placement of siblings together and to provide placement to enable the child to live in the least restrictive environment. In numerical terms this example is expressed below:

Basic Maintenance Rate:	\$475
+	
Supplemental Rate:	\$512.50
• Child's Assessed Needs (75 points x \$5.50=\$412.50)	
• Child LON/Provider LOC (\$100)	
+	
Exceptional Rate:	\$400
• Transportation to School of Origin (\$50)	
• Siblings and least restrictive (\$350)	
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Total Uniform Foster Care Rate:	\$1,387.50

VII. INITIAL DETERMINATION AND RE-DETERMINATION

The initial determination of the child's Level of Need and value of supplemental points shall be made within 30 days of the child's placement in a foster home and no less frequently than every 6 months thereafter.

A foster parent or a private child placing agency on behalf of a foster parent may request a redetermination at any time by providing a description and evidence of changes to the child's condition or needs.

A description of the child's condition, justification for any supplemental or exceptional rate payment recommendation and the recommended rate must be submitted to the designated agency rate setter for approval in eWiSACWIS. This information shall also be placed in the child's case record. Documentation in eWiSACWIS of the information shall be considered documented in the child's record.

Supplemental and exceptional rate payments must be based on the child's current situation. As such, it is always possible and probable that the rates could increase or decrease as the result of a determination.

If approved, the supplemental or exceptional rate payment shall be made from the agency's foster care account. All supplemental or exceptional rate payments shall be made to the foster parent for the care of the child.

VIII. AGENCY RATE SETTER RESPONSIBILITY

Each agency shall designate a person to determine supplemental and exceptional rates for foster children. The rate setting function shall be performed by an administrator, supervisor or advanced social work practitioner. The designated rate setter shall not have an active foster care caseload.

The rate setter, after reviewing the recommendation and documentation submitted by the child's caseworker shall approve, deny or modify the uniform foster care rate payments according to this policy.

IX. FAIR HEARING

The foster parent has the right to request a fair hearing if he or she disagrees with the result of a determination or redetermination. The procedures for requesting a fair hearing are described at s. DCF 56.10, Adm. Code.

X. PAYMENT SOURCES FOR OTHER SERVICES

The Department and County Departments of Social and Human Services may not make any payments for maintenance items in addition to the basic maintenance, supplemental and exceptional rate payments and the initial clothing allowance. For example, periodic clothing allowances, other than those described in this policy, are not allowable using foster care funds. An amount for clothing is included in the initial clothing allowance, the basic maintenance rate and, possibly, the supplemental or exceptional rate. Any additional payment for clothing would be considered a duplicate payment and subject to financial disallowance. Occasional needs of a foster child, such as bicycles, class rings, and snowmobile suits, cannot be met through additional payments from the foster care allocation.