

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814



March 7, 2001

FOSTER CARE AUDITS LETTER NO. 2001-02

TO: ALL COUNTY WELFARE DIRECTORS
ALL COUNTY CHIEF PROBATION OFFICERS
ALL GROUP HOME PROVIDERS
ALL MENTAL HEALTH DIRECTORS

SUBJECT: "50 WAYS TO PASS YOUR AUDIT" – ADDENDUM TO TRAINING
QUESTIONS AND ANSWERS SUMMARY

The California Department of Social Services Foster Care Audits Branch has received requests from group home providers to clarify several of the issues discussed in Foster Care Audit Letter (FCAL) No. 2000-05, issued on July 1, 2000. The responses contained in this attached addendum should be filed with FCAL 2000-05, which transmitted the 45 page "50 WAYS TO PASS YOUR AUDIT" Training Questions and Answers Summary.

If you have any further questions or concerns, please contact Ms. Judi Queirolo, Manager, Audits Policy and Support Section, at (916) 274-0445.

Sincerely,

(Original Signed by Cora Dixon for)

JUDY COLBERT, Chief
Foster Care Audits Branch

Enclosure

c: County Welfare Director's Association
Foster Care Alliance
African American Foster Parent & Group Home Association
Community Residential Care Association of Los Angeles County
Association of Minority Adolescents in Residential Care Homes of Los Angeles County
California Alliance of Child & Family Services
Association of Minority Adolescents in Residential Care Homes (AMARCH)

ADDENDUM TO FOSTER CARE GROUP HOME PROVIDER TRAINING QUESTIONS AND ANSWERS

FINGERPRINT REQUIREMENTS

1. **Question:** Are child care workers required to be fingerprinted and associated by Community Care Licensing (CCL) to each and every facility at which they work?

Answer: Health and Safety (H&S) Code Sections 1522 (b) and (c) require any staff person who has contact with clients to be fingerprinted. Many group home programs have multiple facilities, within the same program (i.e, all facilities have the same FC Program Number). FC Program Numbers are assigned and determined solely by the FC Rates Bureau. Some providers have many facilities, which operate more than one FC program. **For Foster Care rates audit purposes**, the requirement is that employees are associated to the individual FC program, rather than to each facility. Hours will be disallowed in an audit if fingerprints have not been submitted prior to employment and/or the employee is not associated to the program being audited. Even if an employees' fingerprints were submitted and cleared by another CCL provider, if the employee is not officially "associated" by CCL to the group home program in which they work, the hours will be disallowed in an audit. If you have any questions about association procedures or CCL requirements, please contact your Licensing Program Analyst (LPA).

CHILD CARE AND SUPERVISION (CCS)

2. **Question:** Is a Criminal Justice degree allowable for a Behavioral Science weighting for CCS staff and how is it determined?

Answer: Possibly. Criminal Justice is not listed in the Manual of Policies and Procedures (MPP) Section 11-400b.(4) or the Classification of Group Home Programs Under the Standardized Schedule of Rates System Report dated August 30, 1989. However, there are two alternative ways to determine if the Bachelor of Arts or Science Degree in Criminal Justice can be allowed the .25 weighting as a Behavioral Science: 1) the provider has written approval from the Foster Care Rates Bureau (FCRB) stating that the degree in Criminal Justice warrants the additional weighting of 0.25, (i.e. is relevant to the provision of services to the foster care children served by the particular group home program in question); or 2) the provider has written documentation from the State Department of Consumer Affairs, Board of Behavioral Sciences or from the

college/university registrar that conferred the degree stating that the degree is considered to be a Behavioral Science. For audit purposes, the “burden of proof” is always on the provider.

SOCIAL WORK (SW) SERVICES

3. **Question:** Are there any variations allowable for the 2.0 weighting for a Master’s of Science in Counseling (MSC) (60 units)?

Answer: Pursuant to MPP Section 11-402.222(a)(4), the 2.0 weighting will be allowed if the Master’s Degree is **60 units** (or equivalent), and is in **Counseling**. A 60 unit Master’s Degree (from an accredited or state-approved college or university) which includes the specific term “Counseling” in the degree will be allowed the 2.0 weighting. (eg.: A Master’s Degree in Educational Counseling [60 units] **is** allowable.)

4. **Question:** Are social workers who are Licensed Independent Contractors working under the terms of a Direct Contact Contract required to be fingerprinted?

Answer: Social Workers who are Licensed Independent Contractors have been fingerprinted by the State Department of Consumer Affairs as a condition of their licensure. **For FC rates audit purposes**, we would not expect to see a personnel file containing fingerprint submission/ clearance information since they are not considered employees of the group home. If the Licensed Independent Contractor working under the terms of a Direct Contact Contract has been fingerprinted by the group home, it does not necessarily mean that there is an “employee-employer” relationship. Questions concerning CCL’s requirement for fingerprinting should be directed to your LPA.

5. **Question:** If a social worker who is a Licensed Independent Contractor provides more than 20 hours per week of direct social work service under the terms of a Direct Contact Contract, are the hours in excess of 20 per week eligible for a single-weighting?

Answer: Yes. Pursuant to MPP Section 11-402.222(d)(2), the only limitation is the number of hours that may be double weighted (maximum 20 per week, per social worker). The remaining direct contact hours **within a single contract** may be single-weighted.

6. **Question:** Can a social worker who is a Licensed Independent Contractor providing direct services under the terms of a Direct Contact Contract have an **additional contract** with the group home for ancillary services, and if so, how are those hours counted?

Answer: Yes. If there is **one** contract for the **direct** services and another contract for the **ancillary** services, up to 20 allowable hours for the direct services could be double-weighted. Any hours exceeding the 20 hours, plus the hours for the ancillary services could be single weighted. For example, a Licensed Independent Contractor working under the terms of a Direct Contact Contract has two contracts with the group home provider; one for direct services and the other for ancillary services. During the course of the audit, it is discovered that the social worker is providing 25 hours per week of direct services and 10 hours per week of ancillary services. For audit purposes, if all of the other requirements in MPP Section 11-402.222(d)(1)(2)&(3) are met, 20 of the 25 direct hours would be double weighted, and 15 hours would be single weighted (5 excess direct hours + 10 ancillary hours.) For questions about CCL requirements for social workers, please contact your LPA.

Note: (If **both** the direct services and ancillary services are contained in the **same** contract, **no** double weighting for either would be allowed.)

7. **Question:** What is the definition of “ancillary” social work services?

Answer: Any social work activity other than direct contact services with the child is considered “ancillary” social work services. For example, the development of needs and services plans, discharge plans, assessments and quarterly reports; etc. is considered “ancillary” social work services.

MENTAL HEALTH (MH) TREATMENT SERVICES

8. **Question:** Has there been a recent change as to who can **provide** MH treatment services?

Answer: Yes. The definition has been expanded. The Office of Administrative Law approved and filed the final ratesetting regulations for Community Treatment Facilities (CTFs) effective November 16, 2000. These regulations expanded the definition of a Mental Health Professional. This expanded definition applies to all group home programs. Pursuant to MPP Section 11-400m.(3), a Mental Health Professional is “An individual who is

licensed, certified, registered, waived or otherwise recognized or authorized under State law pursuant to CDMH's (California Department of Mental Health) Title 9, Chapter 11, Medi-Cal Specialty Mental Health Services, Subchapter 1, Article 2, to provide mental health treatment services, including but not limited to interns and those referenced in Section 1810.223, California Code of Regulations."

9. **Question:** What is the weighting for those MH professionals who are providing services, but are **not** licensed?

Answer: There has been no change in the MPP Section 11-402.223(a) and (b) for **weightings** allowed for MH professionals providing MH treatment services. An additional subsection (MPP Section 11-402.223[c]) was added to the regulations effective November 16, 2000, which states that "Each eligible hour of mental health treatment services provided by anyone other than a licensed mental health professional as described in Section 11-400m.(3) shall **not** receive an additional weighting, but shall have a **base factor of 1.0** for each eligible hour." For example, even though an unlicensed mental health intern meets the definition of a Mental Health Professional in 11-400m.(3), he/she is not eligible for an additional weighting pursuant to MPP Section 11-402.223(c), but **is** eligible for a base factor of 1.0 for each eligible hour of MH services provided to the child.

10. **Question:** Are group home providers **required** to use the "Verification of Mental Health Treatment Services" form that was distributed to us from your office?

Answer: No. The form is **not required**. The "Verification of Mental Health Treatment Services" form that was issued via Foster Care Audit Letter No. 2000-03, dated March 24, 2000, was developed for use by group home providers strictly as a tool to verify paid-awake hours for mental health services. Although this form is **voluntary**, its use is **suggested** for those group home providers who have difficulty in obtaining verification of payment (Medi-Cal, etc.) for mental health services provided. Even if no other form of verification exists, auditors will accept the **completed** form as documentation of paid-awake hours in the mental health component in the event of an audit.