

# **REPORT TO THE LEGISLATURE**

## **INTRODUCTION**

This is a report to the California Legislature from the California Department of Social Services (CDSS) as required by Senate Bill (SB) 160 (Chapter 50, Statutes of 1999). SB 160 requires CDSS conduct two phases of study regarding foster family agencies (FFAs) and non-relative foster family homes (FFHs). The first phase entails collection and analysis of data for compilation in a report to the Legislature. The report is to provide the Legislature with information and recommendations regarding the placement of foster care children in FFAs and non-relative FFH. The second phase of the study will be to assess how placement in FFAs and FFHs are and should be utilized to meet the needs of children and families in the future.

This report is the product of the first phase of the study as specified in the bill. This phase included the collection and analysis of data concerning statewide and county-specific utilization patterns and historic trends; rates of payment; comparative data on county placement policies, child demographics and placement characteristics; and, the number of certified beds and children in each placement type.

This report is limited to those children who have been placed by county probation and welfare agencies in either a FFA or a non-relative FFH. Also included is a small number of children who receive care under the Intensive Treatment Foster Care (ITFC) program and who reside in a FFA.

## **SCOPE AND METHODOLOGY**

This report concerns foster family agencies (FFAs) and the homes they certify, and foster family homes operated by persons not related to the child in placement (non-relative FFHs). Reference to a "FFA" includes the agency as well as its certified family homes and Intensive Treatment Foster Care (ITFC) programs, unless specifically stated otherwise. The designation "FFH" in this report means only non-relative FFHs, unless otherwise indicated.

The data collection period for this report is January-December 1999, and reflects the aggregate total number of children placed with a FFA or in a FFH. Much of the data reported herein covers that complete time period. However, other available data may cover a different time period or point in time. In the event that data is for a period of time other than for the entire January-December 1999 period, it is noted.

Data regarding the characteristics of children was collected for six subsets of the total foster care population: children placed with a FFA or in a FFH; children supervised by a county child welfare services agency placed with a FFA or in a FFH; and children supervised by a county probation department placed with a FFA or in a FFH.

Information for this report was gathered from the following sources:

#### *Survey of County Placement Policies*

The CDSS conducted a survey of county child welfare services agencies and probation departments for the data and information regarding county agencies' placement policies. The survey elicited a 100 percent response rate.

#### *Child Welfare Services/Case Management System (CWS/CMS) Data*

The Department's Child Welfare Services/Case Management System (CWS/CMS) provided child specific data such as age, gender, ethnicity, placement, and case plan/treatment goal information. CWS/CMS also provided county-specific demographics on foster care child age, ethnicity and gender.

Data was also derived from "Child Welfare Services Facts and Figures, October 1999" prepared by the CWS/CMS Support Branch.

County-specific demographic placement trends for children supervised by a probation department with in-county, out-of-county, and out-of-state placement totals and percentages for the period June-December 1999 came from a CWS/CMS extract.

The FC1520 form, "Characteristics of Children in Foster Care Status as of the End of Three Quarters," was utilized to provide data and information on the characteristics of child welfare and probation placements statewide in 1999.

#### *Legal Case Tracking Database*

Data regarding the number of FFH licenses revoked by administrative action for the target period (January - December, 1999) came from the Legal Case Tracking database maintained by the CDSS Legal Division.

### *Community Care Licensing Survey of FFAs*

Data and information on the number of homes certified by licensed FFAs was obtained from two surveys previously conducted by the CDSS' Community Care Licensing Division (CCLD) in May and December 1999.

Data for the number of state-licensed FFAs was obtained from the Licensing Information System (LIS) maintained by CCLD.

### *Department of Finance Website*

Data regarding statewide and county ethnicity percentages were taken from the table, *Race/Ethnic Population with Age and Sex Detail, 1999* found at the California Department of Finance website ([www.dof.ca.gov](http://www.dof.ca.gov)).

### *Other Sources*

Data from the LIC 181 (Licensing of Facilities for Children, Monthly Statistical Report) provided by the Research and Development Division (RADD) of CDSS was used to supply monthly licensing activity data and information regarding foster family homes statewide and by county.

Data and information for the number of homes certified by licensed FFAs, number and age of children in certified homes, and number and education level of social workers in FFAs was obtained from the LIC 182, "Family Homes Certified by Licensed Foster Family Agencies, Semi-Annual Statistical Report", for the period January 1 to June 30, 1999.

Historical data was taken from the University of California, Berkeley, Center for Social Services Research, report entitled, "Performance Indicators for Child Welfare Services in California: 1997" and from 1999 quarterly extracts. This data is available in its entirety on the Internet at [cssr.berkeley.edu](http://cssr.berkeley.edu).

## **BACKGROUND**

The Foster Care Program provides care and support for abused, neglected and exploited children who have been removed from their parents' custody by the juvenile court. County child welfare services agencies and probation departments provide the direct services and supervision of these children pursuant to regulations implemented by CDSS.

Children receiving care and support in the Foster Care program may be placed in relative homes, foster homes, guardian homes, certified homes of a foster family agency, or group homes depending on the needs of the child. This report provides data pertaining to FFAs and FFHs; specifically, the characteristics of the 64,611 children who resided in either a FFA or FFH, and county placement policies, practices and utilization of the two subject placement types.

As of October 1999, there were 112,173 children in a foster care placement. Approximately 44 percent of these children were placed with relatives, 11 percent were residing in group homes, 17 percent were residing in a FFA, and 16 percent were placed in a FFH.

### *FOSTER FAMILY AGENCY*

Originally established as home finding agencies, FFAs as we know them today were statutorily created in 1991 as an alternative to group homes. A FFA is a private, nonprofit corporation that recruits, certifies, trains and provides professional support to foster parents. CDSS is responsible for licensing FFAs, who in turn certify family homes to provide care for children who require intensive services and care that would otherwise only be available in group homes or institutions. A FFA is also used as a placement option for some children regardless of their needs due to a decrease in licensed foster family homes. FFAs are a placement option designed to provide care and treatment for an increasing number of children who have emotional, behavioral, developmental or other special needs.

There are two types of FFA programs: treatment (or therapeutic) foster care and non-treatment foster care. Treatment foster care was designed to provide care and supervision to a child who has treatment needs which could not be provided in an available family home, would require group home placement if not referred to a FFA, and whose needs could be met by the FFA program to which the child is being referred. Non-treatment foster care provides services to a child who does not need treatment services or is pending adoption by a family.

FFA rates are organized into five age groups (0-4 years, 5-8 years, 9-11 years, 12-14 years, and 15-18 years) and are established for the two types of rate structures. Treatment FFA rates are currently established in regulation and are calculated by combining amounts in three components: basic rate, child increment, and social work services for each age group. An additional two-thirds of the total of the three components is added for administration, recruitment and training to arrive at the total FFA rate. The rates are calculated using the basic rate (which varies by age of the child), the child increment of \$194, the social work services component of \$277, and the administrative component. As of January 1, 2000, the treatment rates range from \$1,425 to \$1,680 per month, per child depending on age. Of the total treatment rate paid, the amount that must be paid to the certified foster parent ranges from \$565 to \$715 per month, per child depending on the child's age. To pay for administration and

social work costs, the FFA retains a range of \$829 to \$929 per month, per child depending on the age of the child.

Non-treatment FFAs receive only the basic rate component per month, per child based on the child's age. The entire rate amount is remitted by the FFA to the foster parent(s). Children placed in a non-treatment FFA are eligible to receive Specialized Care and Incentives Assistance Program (SCIAP) funds (for a complete description of SCIAP, please see the section entitled, "*Specialized Care and Incentives Assistance Program (SCIAP)*" *supra.*). Additionally, children placed in either type of FFA are eligible to receive a clothing allowance (for a complete description of the clothing allowances, please see the section entitled, "*Clothing Allowance*" *supra.*).

As of April 26, 2000, CDSS set program rates for 231 FFAs: of these, 212 were for treatment program rates and 19 were for non-treatment program rates.

Historical data from the University of California, Berkeley, Performance Indicators for 1997, shows that from 1991 through 1997, placements to FFAs steadily increased. In October 1999, data indicates that 17 percent of the 112,173 (or 19,069) children in foster care were placed in a FFA (CWS/CMS extract entitled, "Child Welfare Services Facts and Figures").

According to CDSS survey data, in May 1999 there were 12,298 FFA placements in California. December 1999 survey data indicates that at that point in time, there were 12,113 FFA placements. (See maps entitled, "Number of Foster Family Agency Certified Homes" for May and December 1999, *supra.*) Information compiled from LIC 182 reports (Family Homes Certified by Licensed Foster Family Agencies, Semi-Annual Statistical Report) reveal that as of June 30, 1999, there were 11,619 certified family homes with a reported capacity of 29,097. At that time, 19,697 children (or 68% of the reported capacity) were in a FFA placement.

*Map 1*

*NUMBER OF FOSTER FAMILY AGENCY CERTIFIED HOMES\* - May 1999  
by Community Care Licensing Division Regions*

**FOR A COPY OF THIS MAP, PLEASE CONTACT THE FOSTER CARE  
PROGRAM DEVELOPMENT BUREAU AT (916) 324-5809.**

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\* Data compiled from a survey of all licensed Foster Family Agencies conducted by the California Department of Social Services, Community Care Licensing Division, in May 1999.

*Map 2*

*NUMBER OF FOSTER FAMILY AGENCY CERTIFIED HOMES\* - December 1999  
by Community Care Licensing Division Regions*

**FOR A COPY OF THIS MAP, PLEASE CONTACT THE FOSTER CARE  
PROGRAM DEVELOPMENT BUREAU AT (916) 324-5809.**

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\* Data compiled from a survey of all licensed Foster Family Agencies conducted by the California Department of Social Services, Community Care Licensing Division, in December 1999.

### *Intensive Treatment Foster Care (ITFC)*

A small number of FFAs operate an Intensive Treatment Foster Care (ITFC) program. As of September 25, 1999, 14 different providers operated 32 ITFC programs in 18 counties.

Senate Bill (SB) 2234 (Chapter 1250, Statutes of 1990) added Welfare and Institutions Code (W&I) sections 18358 et seq. requiring the CDSS to implement ITFC programs in Yolo and Alameda counties. At that time, the program was established in order to transition emotionally disturbed children placed in a group home paid at Rate Classification level (RCL) 12 or higher from group care residential settings to non-institutional family homes in which a FFA provides intensive treatment and support services.

In 1991, SB 90 (Chapter 1200, Statutes of 1991) extended eligibility to children who are assessed by a county interagency placement team as being at imminent risk of psychiatric hospitalization or placement in an RCL 12 or higher. This bill also allowed children to be placed in and from counties other than the "host" county, when approved by the host county.

Beginning January 1, 1996, SB 969 (Chapter 832, Statutes of 1995) extended the pilots into permanent programs and expanded participation to any county that submitted a plan as required. Statutory language limited the population; no more than 20 percent of participating children could be at risk of placement in a psychiatric hospital or in an RCL 12 or higher group home, and the remaining 80 percent must be children who have been placed in a RCL 12 or higher group home. A participating county is required to annually contract or execute a memorandum of understanding with each FFA who operates an ITFC program.

The ITFC program rates are set by statute and the rate system redirects funds that would otherwise be spent on higher cost group care programs. The program is designed for emotionally disturbed children placed in FFAs. The ITFC rate is determined by the child's service level and decreases as the child's reliance on services decreases. Currently, there are five service and rate levels paid based on the number of in-home support counselor (IHSC) hours needed by the child per month. The rate for an eligible child placed from a group home cannot exceed the rate paid for group home placement.

As of January 1, 2000, the service and rate levels are:

Rate/Service Level	Monthly IHSC Hours	Rate Amount
A	98-114	\$4,146
B	81-97	\$3,802
C	64-80	\$3,447
D	47-63	\$3,112
E	less than 47	\$2,765

From the rate, \$1,200 per month must be paid to the certified foster parent(s), with the balance of the rate retained by the FFA for payment of social work services and administration-related costs. The \$1,200 payment to the certified foster parent represents between 29 and 43 percent of the total rate amount depending on the rate/level of service the child receives.

The CDSS set program rates for 33 ITFC programs for fiscal year (FY) 1999/00.

### *NON-RELATIVE FOSTER FAMILY HOMES*

Health and Safety Code (H&S) section 1502 defines a foster family home as any residential facility providing 24-hour care for six or fewer children that is owned, leased or rented and is the residence of the foster parent(s), including their family, in whose care the foster children have been placed<sup>1</sup>. Placement may be made by a public or private child placement agency, court order, or voluntary placement by the parent(s) or guardian. A foster family home may care for up to 8 children for the purpose of placing siblings or half siblings together (H&S 1505.2).

The CDSS has primary responsibility for licensing foster family homes, with some counties having been given authority to license homes in their county. LIC 181 data for the period June - December 1999 reveals a slight decrease in the number of FFH licenses issued by counties, starting in June 1999 with 8,548 licensed FFHs and ending in December 1999 with 8,096 licenses. Monthly data regarding licensed capacity also shows a slight decrease for that time period, with June's licensed capacity at 21,275 and December's licensed capacity at 19,277. As of January 4, 2000, statewide data revealed 3,895 FFH licenses in effect with a licensed capacity of 10,169 children and an average of 2.6 children per license. According to CWS/CMS data reported via the FC1520 program management report, the number of placements in foster family homes statewide in December 1999 equaled 28,136 children.

Basic rates for children placed in FFHs are established in regulations. There are 5 rates, covering a span of age in years: 0-4, 5-8, 9-11, 12-14, and 15-18. The rate the county pays the foster parent(s) is based on the child's age. When a child's birthday requires a higher rate be paid, the new rate becomes effective either on the child's birthday if born on the first of the month or, on the first day of the following month if not born on the first. As of January 1, 2000, the basic rates range from \$393 to \$553 per month per child.

Data obtained from CDSS Legal Division's case tracking system disclosed that 125 FFH licenses were revoked by administrative action between January and December 1999.

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<sup>1</sup> The maximum of six may be exceeded for sibling placements.

### *Specialized Care*

In addition to the basic rates, State statute allows for the payment of a specialized care increment (SCI) to FFH providers. The SCI is a supplemental payment that augments the FFH basic rate for children with special needs placed in foster homes. These children have health and/or behavioral conditions that require additional care and supervision by the foster parent(s). The additional care and supervision is not covered by the basic FFH rate. If the county determines a child is eligible, the foster parent receives an SCI in addition to the basic rate commensurate with the appropriate care and supervision to be provided on behalf of the child.

Children who are placed under the authority of a court order, either as a dependent or a ward of the Juvenile Court, relinquishment, guardianship, or voluntary placement agreement, may be eligible to receive a specialized care rate if the county has a specialized care rate system. Children who are eligible for Aid to Families with Dependent Children-Foster Care (AFDC-FC) and placed in a licensed or approved family home, small family home, the home of a relative, or the home of a non-relative legal guardian may be eligible to receive a specialized care rate.

California's county welfare departments are responsible for developing, maintaining and administering county-specific specialized care rate (SCR) systems. As of July 1999, 55 of California's 58 counties have implemented a SCR program. Three counties have chosen not to administer a SCR program. However, these counties may use the specialized care rate of another county when a child is placed in another county with a state-approved specialized care rates program.

The SCR program in each county varies widely by county. The variance in the counties' SCR programs are reflected in their SCI payments that range from \$10 to over \$1,500. In addition, county systems vary widely based on the type and level of care and supervision provided to the child with special needs.

### *Specialized Care and Incentives Assistance Program (SCIAP)*

Children placed in FFHs are eligible to receive Specialized Care Incentives and Assistance Program (SCIAP) funds. The expenditure of SCIAP funds for foster children is limited to respite care and/or the purchase of goods and services on a non-recurring or as-needed basis which are unallowable costs under the AFDC-FC program and not available through any other funding sources. It should be noted that all of the payments/benefits just described, are only available to FFH providers receiving AFDC-FC reimbursements and certified homes of a FFA that receive a non-treatment rate. Treatment FFAs and relative FFH providers who are not eligible for AFDC-FC funding are not eligible for any of these payments/benefits.

### *Clothing Allowance*

Many counties also provide an additional clothing allowance to assist FFH and FFA providers in meeting the clothing needs of children in their care. The types of additional clothing allowances offered include an initial clothing allowance designed to address the child's needs for clothing when the child first enters foster care, an annual or back-to-school allowance, and/or a clothing allowance for use by the provider when the child has special clothing needs. At the present time, 3 counties have no clothing allowance provisions, 55 counties offer an initial clothing allowance, approximately 50% of California's 58 counties offer an annual clothing allowance, only 4 counties offer a back-to-school clothing allowance, and 8 counties have other/miscellaneous clothing allowances. Those counties without a clothing allowance, however, may use the clothing allowance of another county when a child is placed in another county which provides a clothing allowance.