



# Out of Home Placement Resources, Usage, and Challenges

---

CHIEF KATHERINE W. MILLER

SEPTEMBER 11, 2024

# Out of Home Placement 101

- In the course of a juvenile **delinquency** proceeding, the court may determine that “continuance in the home is contrary to the minor’s welfare”—if the youth poses a genuine risk to public safety and requires treatment that cannot be provided while they remain in their home, or if their family home has been proven to be unsafe—and may order the young person be placed in the foster care system.
  - The court may make this finding while the case is pending as a condition of Home Detention (pre-adjudication), or post-adjudication as a petition disposition (case outcome).
- This is distinct from the **dependency** process, which HSA oversees, in which a young person may be removed from their home and placed in foster care due to abuse or neglect on the part of their caregivers.

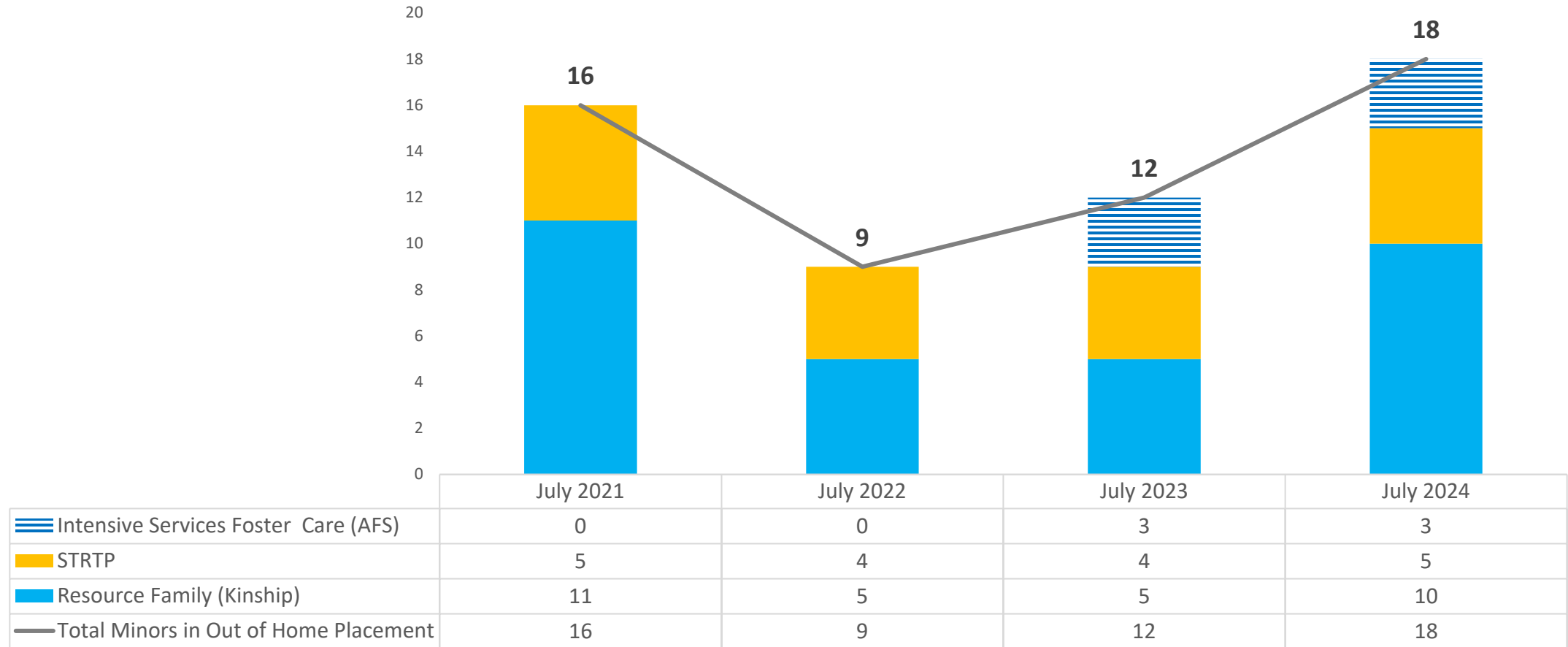
# Out of Home Placement 101

- **JPD is a Placement Agency:** Pursuant to federal and state law, once the court issues a placement order, the Juvenile Probation Department is responsible for identifying an appropriate placement.
  - In identifying this placement, the probation officer shall consider any recommendations of the child and family.
- **Family Finding:** Once a child is detained, if the minor is at risk of entering foster care, the probation officer shall conduct a Family Finding investigation within 30 days to identify and connect with relatives and kin to provide family support and possible placement.
  - Pursuant to the federal **Indian Child Welfare Act** (ICWA): If the child is Native American, Family Finding also includes contacting the child's tribe to identify relatives and kin.

# Types of Out of Home Placement

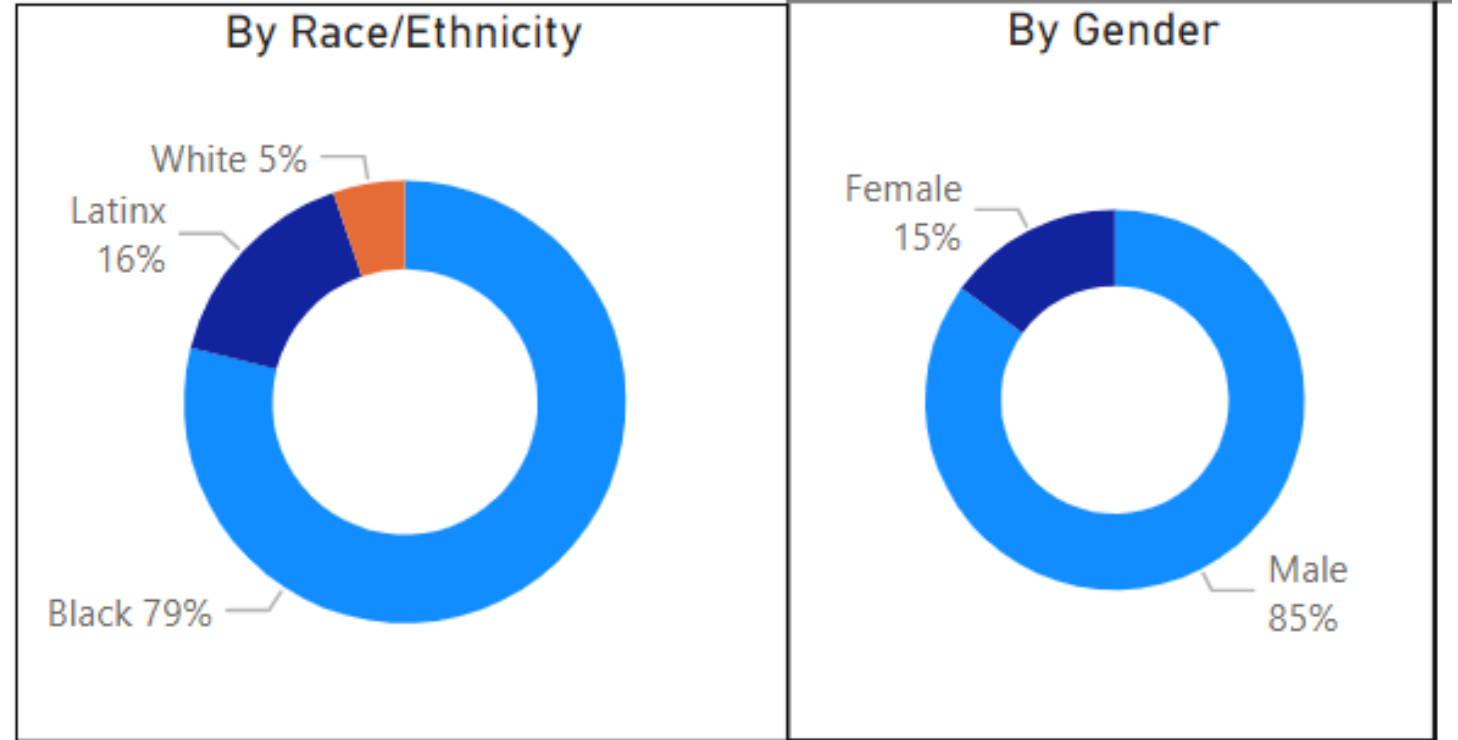
- **Resource family:**
  - Kinship Care: An approved relative or “nonrelative extended family member” foster home
  - A licensed Foster Family Agency foster home (e.g. AFS)
  - A licensed foster home.
- **Short-term residential therapeutic program (STRTP)**
  - Formerly known as a Group Home (e.g. San Francisco Boys’ Home)
  - In December 2020, CDSS decertified all out-of-state facilities for failure to meet licensing standards.
- **Licensed community care facility**
  - 24-hour non-medical residential care facility for children with developmental disabilities

# Out of Home Placement Over Time



# Out of Home Placement Youth

(9/10/24)



# STRTP Placements

- Aspiranet – Stanislaus
- Boys Republic – Los Angeles & San Bernadino
- Girls Republic – Los Angeles
- San Francisco Boys Home – San Francisco
- Courage to Change – Tulare County
- DN Associates – Fresno
- Hope For Youth – Fresno
- Koinonia Foster Homes – Placer
- Paradise Oaks Youth Services – Sacramento
- Peacock Acres Group Home – Monterey
- Promesa Behavioral Health – Fresno & Madera
- Rite of Passage – Orange, Calaveras, Alpine, El Dorado, Los Angeles
- Valley Teen Ranch – Madera

As of 9/11/24, only 2 youth are placed in out of county STRTPs (both post-adjudication)

# Challenges

- Lack of SF options
- Limited options for girls
- Placing youth with sustained charges for violence
- Older age of youth
- De-certification of out of state placements
- FFPSA requirements
- AB 1051



# AB 1051: Presumptive Transfer Policy Change

- STRTPs are required to provide Specialty Mental Health Services.
- Specialty Mental Health Services—which can be upwards of \$8,000 per month—are eligible for Medi-Cal reimbursement.
- Each county’s Mental Health Plan manages access to and reimbursement for these services.
- In SF, the Department of Public Health is the county Mental Health Plan. All Medi-Cal reimbursement is managed by DPH.

# AB 1051: Presumptive Transfer Policy Change

- Between 2017-2024, when a San Francisco child was placed in an out of county STRTP, the responsibility to provide and pay for the Specialty Mental Health Services transferred from SF to the STRTP county.
- This is called “Presumptive Transfer.”
- This enabled SF to leverage STRTP contracts in other counties.
- SF would draw down Medi-Cal for these youth and pay back the STRTP-county for the Specialty Mental Health Services.
- County to county payments for Specialty Mental Health Services were made via the Mental Health Services Act (MHSA) Portal.

# AB 1051: Presumptive Transfer Policy Change

- **Effective July 1, 2024, AB 1051 essentially eliminates Presumptive Transfer.**
- **SF is now responsible for providing and paying for the Specialty Mental Health Services in out of county STRTPs.**
- **To do this, SF DPH is now required to enter into contracts with STRTPs in other counties – which is not feasible for a variety of reasons.**
- There is an option to develop county to county agreements to replicate the previous practice. DPH is pursuing this option.

# AB 1051: Presumptive Transfer Policy Change

- DPH needs to enter into an agreement with each county in which HSA or JPD places youth in an STRTP. This requires legal processes for both counties; some counties require Board of Supervisors approval.
- DPH wants to continue to use the MHSA Portal to reimburse other counties – some counties don't want to do this, so an alternative payment mechanism will need to be identified.
- **In the meantime, JPD is paying for Specialty Mental Health Services for 2 youth with general fund dollars, and no guarantee of Medi-Cal reimbursement.**

Questions?