



September 27, 2024

Family, Children and Adult Services Procedure Letter No. 421

TO: Family, Children and Adult Manual Holders

FROM: Kara B. Wente, DCY Director
Matt Damschroder, ODJFS Director

SUBJECT: Qualified Residential Treatment Program Waivers

Background

The Family First Prevention Services Act (FFPSA) set forth the requirement for residential facilities to meet Qualified Residential Treatment Program (QRTP) standards to be eligible for Title IV-E Reimbursement. As a result, a requirement was established for all facilities to meet QRTP compliance no later than October 1, 2024, to remain certified to serve children in Ohio. The QRTP requirements are outlined in Ohio Administrative Code (OAC) rule 5101:2-9-42.

Through the implementation period, it has been determined that several specific setting types should not be required to meet all QRTP standards because of the population and treatments being provided. As a result, the Ohio Department of Children and Youth (DCY) has established very specific waiver criteria for Children's Crisis Care Facilities, Residential Infant Care Centers, and Emergency Shelter Facilities to allow these programs to continue to be certified while not being Title IV-E eligible.

Purpose

This letter aims to communicate the specific QRTP requirements that are eligible to be waived and the potential fiscal impacts following the first 14 days a child or youth is placed. DCY certified Children's Crisis Care Facilities, Residential Infant Care Centers, and Emergency Shelter Care Facilities may request a waiver of specific QRTP requirements.

As a reminder, a child or youth eligible for Title IV-E is eligible for Title IV-E reimbursement up to the first 14 days a child or youth is placed in a non-QRTP facility. Agencies approved for a waiver cannot be considered a Title IV-E reimbursable setting beginning on day 15 of a child's placement.

The following QRTP requirements may be waived for each function type listed below. Waiving these QRTP requirements does not relieve a facility of following the Ohio Revised Code for a specific certification type. The network agencies requesting a waiver should ensure the entire network is eligible for the waiver prior to submission. Requests for

waivers are to be submitted to the agency's licensing specialist using the JFS 01376 "Rule Waiver Request for Agencies, CRCs, and Group Homes". The waiver request is to be submitted through Ohio CCWIS once functionality is available.

QRTP Requirements Eligible to be Waived

Function Type And Definition	Requirements eligible for waiver
<p><u>Children's Crisis Care Facility</u></p> <p>A Children's Crisis Care Facility is a facility that has as its primary purpose the provision of residential and other care to the children described below:</p> <ol style="list-style-type: none"> 1. One or more pre-teens voluntarily placed in the facility by the pre-teen's parent or other caretaker who is facing a crisis that causes the parent or other caretaker to seek temporary care for the pre-teen and referral for support services; 2. One or more pre-teens placed in the facility by a public children services agency (PCSA) or private child placing agency (PCPA) that has legal custody or permanent custody of the pre-teen and determines that an emergency situation exists necessitating the pre-teen's placement in the facility rather than an institution certified under section 5103.03 of the Revised Code or elsewhere. 	<ul style="list-style-type: none"> • Accreditation as outlined in 5101:2-9-42 (B)(3). • Utilizing a trauma informed care treatment model as outlined in 5101:2-9-42 (B)(5). • Completing the QRTP discharge plan as outlined in 5101:2-9-42 (B)(9). • Entering all QRTP requirements in the Residential Treatment Information System (RTIS) as outlined in 5101:2-9-42 (B)(13). • Entering the discharge summary in RTIS 5101:2-5-17 (E).
<p><u>Residential Infant Care Center</u></p>	<ul style="list-style-type: none"> • Accreditation as outlined in 5101:2-9-42 (B)(3).

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<p>A Residential infant care center (RICC) is a facility that has as its primary purpose the provision of residential services for infants affected by substance use and the preservation of families through infant diversion practices and programs.</p>	<ul style="list-style-type: none"> • Utilizing a trauma informed care treatment model as outlined in 5101:2-9-42 (B)(5). • Completing the QRTP discharge plan as outlined in 5101:2-9-42 (B)(9). • Entering all QRTP requirements in RTIS as outlined in 5101:2-9-42 (B)(13). • Entering the discharge summary in RTIS 5101:2-5-17 (E). • Nursing and clinical staff requirements outlined in 5101:2-9-42 (B)(6).
<p><u>Emergency Shelter Care Facility</u></p> <p>An emergency shelter care facility is a group home for children, a children's residential center (CRC), or a portion of a CRC, which is certified to provide temporary emergency nonsecure care for children.</p>	<ul style="list-style-type: none"> • Accreditation as outlined in 5101:2-9-42 (B)(3). • Utilizing a trauma informed care treatment model as outlined in 5101:2-9-42 (B)(5). • Completing the QRTP discharge plan as outlined in 5101:2-9-42 (B)(9). • Entering all QRTP requirements in RTIS as outlined in 5101:2-9-42 (B)(13). • Entering the discharge summary in RTIS 5101:2-5-17 (E). • Aftercare support for all youth as outlined in 5101:2-9-42 (B)(10). • Family-driven treatment as outlined in 5101:2-9-42 (B)(8).

Waiver Process

To request a waiver of eligible QRTP requirements, agencies are to complete and submit the JFS 01376 "Rule Waiver Request for Agencies,

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CRCs, and Group Homes” form to their DCY licensing specialist. Upon review of the request, approval or denial will be communicated to the agency contact.

Rule Revisions

Amendments to OAC rule 5101:2-5-18 “Waivers and Variances” will be forthcoming, including an appendix outlining the Q RTP requirements in rules 5101:2-9-42 and 5101:2-5-17 that are eligible to be waived. Rules 5101:2-9-42 and 5101:2-5-17 will be amended to allow the waiver process.

Contact

If you have any questions, please contact the Substitute Care Policy Developer, Jennifer Kobel, at Jennifer.Kobel@childrenandyouth.ohio.gov.

Instructions

The following chart indicates what materials should be removed from the Family, Children and Adult Services Manual (FCASM) and what materials should be inserted in the FCASM.

LOCATION	REMOVE AND FILE AS OBSOLETE	INSERT/REPLACEMENT
Procedure Letters		FCASPL 421

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