
POLICY TRANSMITTAL NO. 05-14	DATE: MAY 10, 2005
CHILDREN & FAMILY SERVICES DIVISION	DEPARTMENT OF HUMAN SERVICES OFFICE OF PLANNING, POLICY & RESEARCH

TO: ALL OFFICES

SUBJECT: MANUAL MATERIAL

OAC 340:75-10-9; 75-12-9; 340:75-13, Table of Contents; 75-13-25 through 75-13-29; 75-13-82; 75-16-32; and 75-16-45 through 75-16-46.

EXPLANATION: **Policy revisions were approved by the Commission and the Governor as required by the Administrative Procedures Act.**

The revisions to Subchapters 10, 12, 13, and 16 of Chapter 75 clarify: (1) recently developed diversion protocol used to divert children from Oklahoma Department of Human Services (OKDHS) operated Pauline E. Mayer shelter, when overcrowded, into participating youth services shelters; (2) the amount of allowance provided to Pauline E. Mayer group home residents; (3) the role of the Child Welfare (CW) worker and custody specialist in providing children's benefits information to Children and Family Services Division; (4) child support procedures and benefits pursuant to House Bill (HB) 2526 that became effective May 4, 2004; (5) accrual limits for children receiving Supplemental Security Income (SSI) and procedures for establishing a special needs trust; (6) responsibility of funeral and burial expenses when children reside with their parents; and (7) the provision of mental health services for children.

340:75-10-9 is amended to reflect diversion procedures, when the resident population critically exceeds capacity, for children diverted from the Pauline E. Mayer shelter to participating youth services shelters.

340:75-12-9 is amended to clarify current practice regarding allowances for teenage residents of the Pauline E. Mayer group home. Residents are provided \$25 each and an additional \$10 for each of their children.

340:75-13-25 and 75-13-28 are amended to clarify the CW worker's and custody specialist's role in identifying and reporting financial benefits and resources for children in OKDHS custody and out-of home placement.

340:75-13-26 is amended to set forth current child support procedures in accordance with HB 2526 and incorporate some provisional language found in OAC 340:75-13-27.

340:75-13-27 is revoked.

340:75-13-29 is amended to reflect a maximum accrual amount of \$2,000 for child SSI recipients and instructions for establishing a special needs trust.

340:75-13-82 is amended to clarify that the parents are responsible for funeral and burial expenses when children reside with their parents.

340:75-16-32 is amended to reflect current extension time frames for acute inpatient and residential mental health care.

340:75-16-45 is amended to specify that children in OKDHS custody are eligible to receive a mental health assessment once per local community mental health center services provider or other outpatient Medicaid approved services provider, without prior authorization.

340:75-16-46 is amended to reflect current information regarding the systems of care model.

Original signed on 3-25-05

Linda Smith, Director
Children & Family Services Division

Sharon Neuwald, Interim Administrator
Office of Planning, Policy & Research

WF # 04-21 NAP

INSTRUCTIONS FOR FILING MANUAL MATERIAL

OAC is the acronym for Oklahoma Administrative Code. If OAC appears before a number on an Appendix or before a Section in text, it means the Appendix or text contains rules or administrative law. Lengthy internal policies and procedures have the same Chapter number as the OAC Chapter to which they pertain following a “DHS” number, such as personnel policy at DHS:2-1 and personnel rules at OAC 340:2-1. The “340” is the Title number that designates DHS as the rulemaking agency; the “2” specifies the Chapter number; and the “1” specifies the Subchapter number.

The chronological order for filing manual material is: (1) OAC 340 by designated Chapter and Subchapter number; (2) if applicable, DHS numbered text for the designated Chapter and Subchapter; and (3) all OAC Appendices with the designated Chapter number. For example, the order for filing personnel policy is OAC 340:2-1, DHS:2-1, and OAC 340:2 Appendices behind all Chapter 2 manual material. Any questions or assistance with filing manual material will be addressed by contacting Policy Management Unit staff at (405) 521-3611.

REMOVE

INSERT

340:75-10-9	340:75-10-9, pages 1-3, revised 5-12-05
340:75-12-9	340:75-12-9, 1 page only, revised 5-12-05
340:75-13, Table of Contents	340:75-13, Table of Contents, pages 1-3, revised 5-12-05
340:75-13-25	340:75-13-25, 1 page only, revised 5-12-05
340:75-13-26	340:75-13-26, pages 1-5, revised 5-12-05
340:75-13-27	-----
340:75-13-28	340:75-13-28, pages 1-3, revised 5-12-05
340:75-13-29	340:75-13-29, pages 1-4, revised 5-12-05
340:75-13-82	340:75-13-82, 1 page only, revised 5-12-05
340:75-16-32	340:75-16-32, 1 page only, revised 5-12-05
340:75-16-45	340:75-16-45, 1 page only, revised 5-12-05
340:75-16-46	340:75-16-46, pages 1-2, revised 5-12-05

340:75-10-9. Admissions and discharges

(a) **Admission criteria.** Children younger than 18 years of age, who are alleged abused or neglected, may be admitted to one of the two Oklahoma Department of Human Services (OKDHS) operated shelters, Pauline E. Mayer or Laura Dester, or a non-OKDHS operated shelter.

(1) A child may be admitted to an OKDHS shelter by a:

(A) law enforcement officer who has assumed protective custody;

(B) law enforcement officer with an emergency custody order from the court; or

(C) Child Welfare (CW) worker.

(2) Except in the case of law enforcement admission, only the child's CW worker admits the child to the shelter.

(3) If the child has not been seen by a licensed health professional and displays a significant medical problem or injury or appears under the influence of drugs or alcohol, the shelter staff requests the admitting law enforcement officer take the child for a medical examination prior to admission.

(b) **Shelter capacity and length of stay in OKDHS operated shelters.** The specified licensed capacity is 42 children at the Pauline E. Mayer shelter and 38 children at the Laura Dester shelter. OKDHS operated shelters deny further admission of children in OKDHS custody when operating at 90% capacity, in order to meet obligations under established court orders. The child:

(1) five years of age or younger remains in the shelter no more than 24 hours. If the child does not return home during this time, the child is discharged to emergency foster care (EFC), per OAC 340:75-7-262;

(2) six years of age or older remains in shelter care no more than 30 days. If an extended stay is required, the child's length of stay in the shelter does not exceed 60 days;

(3) is not discharged from either shelter into another shelter setting in order to comply with the required time frames, per OAC 340:75-10-9(b)(1) and (2); and

(4) who remains in the shelter, due to the inability of staff to locate an appropriate placement, is staffed weekly to determine the plan for the child. ■ 1

(c) **Admission by Child Welfare.** Requests by CW for admission to an OKDHS operated shelter are made to a shelter social worker.

(1) The CW worker accompanies the child to the shelter and provides information essential to planning the child's care, including, but not limited to: ■ 2

(A) the child's identifying information, such as name, date of birth, and parent(s)' name and address;

(B) the child's medical information, such as current prescriptions, planned medical appointments, medical problems, and current medical provider;

(C) the reason for admission;

(D) discharge plans;

(E) any significant behaviors regarding the child, such as suicidal behavior;

(F) visitation plans; and

(G) the child's education history, such as the name of the last school and grade attended. The CW worker continues to provide updated information during the child's stay.

(2) The shelter social worker reviews any KIDS records of the child. ■ 3

(3) Shelter direct care specialist (DCS) staff records the child's weight and height and documents any bodily injuries. Shelter staff ensures the child is fed, bathed, and provided clean clothing, as needed, and orients the child to the shelter.

(d) **Discharge process.** The child is prepared for discharge, through counseling by the shelter social workers, personal contact by the CW worker, and preplacement visits, when possible. The shelter social worker ensures that the child's personal belongings and any medications accompany the child to the next placement. Shelter social work staff completes the discharge process when a child is placed into EFC. ■ 3

(e) **Diversion.** When the resident population of the Pauline E. Mayer shelter reaches 45 or more children, the shelter administrator or designee directs social work staff to divert further admissions or current residents to other non-OKDHS operated shelters. This process continues until the population is reduced to less than 45 children.

(1) When a child arrives at the shelter for admission and diversion is necessary, the

child is admitted and the intake process is completed. ■ 4

(2) Shelter social work staff contacts participating youth services shelters to arrange placement of the child requiring diversion. All intake information is sent with the child to the youth services shelter.

(3) The child diverted to youth services shelters is not returned to the Pauline E. Mayer shelter when the population is less than 45 children. EFC services are sought for the eligible child who is diverted.

INSTRUCTIONS TO STAFF

- 1. Shelter staffings. The Child Welfare (CW) county staff and a shelter social worker attend the weekly staffings. The area director or designee ensures that all necessary actions by field staff are taken to expedite a placement.**
- 2. Child's shelter file. Information from KIDS that is necessary to planning the child's care is printed by the shelter social worker and placed in the child's shelter file.**
- 3. Discharge notice. The CW worker notifies shelter staff in advance of the child's discharge and signs the discharge forms before removing the child from the shelter.**
- 4. Diversion documentation. The admitting shelter social worker documents in KIDS the arrival, departure, and diverted placement of the child.**

340:75-12-9. Resident funds

(a) **Resident funds.** Each group home encourages the deposit of resident personal funds into savings accounts.

(b) **Resident allowances.** Residents of Oklahoma Department of Human Services operated group homes are provided a monthly allowance of \$25. Residents of the Pauline E. Mayer group home are provided an additional \$10 per month for each of their children.

**SUBCHAPTER 13. OTHER CHILD WELFARE SERVICES AND MEDICAL SERVICES
FOR CHILDREN IN OUT-OF-HOME CARE****PART 1. ELIGIBILITY FOR SUBSTITUTE CARE SERVICES AND CLAIMS FOR
PAYMENT**

- 340:75-13-1. Substitute care payments **[REVOKED]**
- 340:75-13-2. Child Welfare funds (Title IV-B) **[REVOKED]**
- 340:75-13-3. Initial eligibility for AFDC foster care funds **[REVOKED]**
- 340:75-13-4. Eligibility factors **[REVOKED]**
- 340:75-13-5. Continued eligibility for AFDC foster care funds **[REVOKED]**
- 340:75-13-6. Eligibility for AFDC upon return to own home **[REVOKED]**
- 340:75-13-7. Allowance claims
- 340:75-13-8. Students at Schools for the Deaf and the Blind
- 340:75-13-9. Birth verification
- 340:75-13-10. Social security number

PART 2. TITLE IV-E ELIGIBILITY AND REIMBURSABILITY

- 340:75-13-11. Title IV-E of the Social Security Act
- 340:75-13-12. IV-E applications
- 340:75-13-13. IV-E eligibility criteria
- 340:75-13-14. Income verification **[REVOKED]**
- 340:75-13-15. Initial eligibility determination
- 340:75-13-16. IV-E reimbursability
- 340:75-13-17. IV-E annual review
- 340:75-13-18. Minor parent and child in care
- 340:75-13-19. IV-E adoption assistance
- 340:75-13-20. Youth in the custody of OJA
- 340:75-13-21. Children in the custody of an Indian tribe
- 340:75-12-22. Trial home visit

PART 3. INCOME AND RESOURCES OF THE CHILD

- 340:75-13-25. Exploration of resources
- 340:75-13-26. Child support
- 340:75-13-27. Child support enforcement requirements **[REVOKED]**
- 340:75-13-28. Social Security Administration and Veterans Affairs benefits
- 340:75-13-29. Supplemental Security Income - Disabled Children's program

PART 5. CLOTHING PURCHASES

- 340:75-13-45. Clothing purchases for children
340:75-13-46. Special services **[REVOKED]**

PART 7. MEDICAL SERVICES

- 340:75-13-60. Scope
340:75-13-61. Medical services to custody children in placement
340:75-13-62. Medical services to custody children in their own home
340:75-13-63. Prior authorization and claims procedures
340:75-13-64. Sources of funding
340:75-13-65. Consent for medical services
340:75-13-66. Consent for admission/treatment **[REVOKED]**
340:75-13-66.1. Admission to Children's Convalescent Center **[REVOKED]**
340:75-13-67. Consent for surgery **[REVOKED]**
340:75-13-68. Consent for DHS custody children in own or relative's homes **[REVOKED]**
340:75-13-69. Consent for DHS custody children in purchase of care facilities and residential treatment facilities **[REVOKED]**
340:75-13-70. Consent for DHS custody children in State Schools for the Mentally Retarded **[REVOKED]**
340:75-13-71. Children's Hospital of Oklahoma (CHO) **[REVOKED]**
340:75-13-72. Medical care unavailable locally **[REVOKED]**
340:75-13-73. Specialized medical facilities (Children's Convalescent Center, O'Donoghue Rehabilitation Center) **[REVOKED]**
340:75-13-74. Medical identification cards
340:75-13-75. Out-of-state Medicaid coverage
340:75-13-76. Medical categories **[REVOKED]**
340:75-13-77. Potential payment from third party sources
340:75-13-78. Third party liability, accident, or injury
340:75-13-79. Transportation and subsistence
340:75-13-80. Referral to the custody specialist for determination of medical eligibility
340:75-13-81. Organ donation and resuscitation efforts
340:75-13-82. Funeral expenses for children
340:75-13-83. Child Welfare Targeted Case Management

PART 9. INDEPENDENT LIVING [REVOKED]

- 340:75-13-95. Independent Living Initiative **[REVOKED]**
- 340:75-13-96. Preparation for adult life/independent living initiative **[REVOKED]**
- 340:75-13-97. Administration **[REVOKED]**
- 340:75-13-98. Eligibility **[REVOKED]**
- 340:75-13-99. Federal requirements **[REVOKED]**
- 340:75-13-100. Services **[REVOKED]**
- 340:75-13-101. Matrix of independent living initiative services **[REVOKED]**
- 340:75-13-102. Oklahoma Children's Initiative (OCI) **[REVOKED]**

PART 3. INCOME AND RESOURCES OF THE CHILD**340:75-13-25. Exploration of resources**

(a) Identifying resources. The Child Welfare (CW) worker of a child in Oklahoma Department of Human Services (OKDHS) custody and out-of-home placement:

(1) explores with the child's family all benefits or resources, such as Social Security benefits, Supplemental Security Income (SSI), Veterans benefits, child support, inheritance, trust funds, insurance benefits, and Indian trusts or monies, available and non-available for use, to which the child is or may be entitled; and

(2) identifies the child who is or may be Indian, per OAC 340:75-19, and requests through the appropriate tribe or Bureau of Indian Affairs (BIA) information regarding:

(A) tribal membership or eligibility for membership; and

(B) the present balance of any individual money accounts and trust funds.

(b) Reporting resources. The CW worker reports to the assigned custody specialist all current and subsequent information pertaining to any income or resources.

(1) Benefits received are used by OKDHS to defray the cost of the child's care.

(2) Any amount over the cost of care is deposited to the child's trust fund account and is available to the child.

340:75-13-26. Child support

(a) **Legal basis.** Federal regulations require Oklahoma Department of Human Services (OKDHS) to pursue child support payments on Title IV-E foster care cases where federal funding is involved. Section 454 of Title IV-D of the Social Security Act requires a referral to the State's child support enforcement agency for child support services. Section 7003-8.8 of Title 10 of the Oklahoma Statutes (10 O.S. § 7003-8.8) requires the court to address paternity and child support issues for every child who is alleged or adjudicated deprived. ■ 1 OKDHS Child Support Enforcement Division (CSED) carries out the provisions of these regulations based on information provided by Child Welfare (CW) staff. Benefits to the child include:

- (1) locating an absent parent(s);
- (2) establishing paternity;
- (3) obtaining previously unavailable child support; and
- (4) exploring, on behalf of the child, eligibility for benefits through:
 - (A) Social Security Administration;
 - (B) Veterans Affairs; or
 - (C) other government programs.

(b) **Use of child support monies.** Support monies collected while the child is in OKDHS custody and out-of-home placement are used to reimburse:

- (1) the federal government for Title IV-E expenditures; and
- (2) OKDHS for monies expended to meet the child's needs.

(c) **Child support orders.** Child support must be ordered in a deprived action, per 10 O.S. § 7003-8.8. Within six months after the filing of a deprived petition, the court must either:

- (1) order child support; or
- (2) refer the issue of establishment and enforcement of child support to CSED.
 - (A) Each parent must be individually ordered to pay his or her percentage of the

total monthly child support obligation, including parents who reside together.
■ 1

(B) 43 O.S. § 118 and 119 require the court to follow child support guidelines in determining each parent's support obligation.

(C) Deviation from the child support guidelines is permitted when it is determined necessary in order for the parent to meet the obligations of an individual treatment and service plan or for other reasons the court deems appropriate. If the court deviates from the amount of support indicated by the guidelines, specific findings of fact supporting such action are required to be documented in the child support computation form.

(D) The child support order must:

(i) be filed as a separate document from the individual treatment and service plan or court minute and is therefore not confidential;

(ii) direct the parent to provide medical insurance when the parent has insurance available through employment or other group plan, regardless whether insurance is available at the time the order is entered;

(iii) include an immediate income assignment provision pursuant to 43 O.S. § 115; and

(iv) include, as an attachment, a child support computation form signed by the judge, per 43 O.S. § 120.

(E) The duty to pay child support continues after parental rights have been terminated and until the child has been adopted pursuant to 10 O.S. § 7503-2.3. Parents may be obligated to pay child support arrears even after adoption.

(F) After a deprived action is dismissed, the most recent child support order entered in the deprived action must remain in full force and effect, unless the judge presiding over the deprived action orders otherwise.

(G) All child support payments must be paid, per 43 O.S. § 413, through the Oklahoma Centralized Support Registry, P.O. Box 268849, Oklahoma City, OK 73126-8849. ■ 2

(H) The CW worker verifies each parent's compliance with his or her child support obligation. ■ 2

INSTRUCTIONS TO STAFF

1. Child support establishment. In many cases, Child Support Enforcement Division (CSED) has established or recorded child support order information in the Oklahoma Support Information System (OSIS) prior to Child Welfare (CW) involvement. In order to ensure the CW case record accurately reflects all available Oklahoma Department of Human Services (OKDHS) records regarding the child's parent(s), including child support orders and payments, the CW worker:

(1) views the CSED Information and Referral Inquiry (CIRI), CSED Address Inquiry (ASA, ADI), CSED Case Log Inquiry (CSLOGI), CSED Child Support Member List (CSML), and CSED Child Support Receipt Inquiry (CFRR) on the OSIS screens no later than 30 days after the child's removal from the home in order to determine:

(A) the absent parent(s)' name, address, and other identifying information;

(B) employer name, address, and income information;

(C) child support court order information; and

(D) whether paternity has been legally established for the child in OKDHS custody;

(2) if CSED has no records of a child support order:

(A) searches for a decree of divorce or dissolution of marriage or other court order of child support on the Oklahoma States Court Network (OSCN) at <http://www.oscn.net/applications/oscn/start.asp?ViewType=DOCKETS>;

(B) obtains a copy of the child support order; and

(C) presents the child support order to the court at the earliest hearing possible but no later than the dispositional hearing;

(3) contacts the CSE district office no later than 30 days after the child's removal from the home in order to obtain copies of any court orders regarding paternity or child support that are in the CSE district office's

possession for any child in OKDHS custody. Copies of Form CSED-209, Affidavit Acknowledging Paternity, may be obtained from CSED State Office;

(4) if neither CSED or OSCN has a record of a child support order for the absent parent(s):

(A) prepares a child support order and a child support computation form; or

(B) contacts the CSE district office to request assistance in preparing the order and computation form;

(5) includes the amount of the child support obligation on Form CWS-KIDS-24, Individualized Service Plan (ISP);

(6) attaches a copy of the order and computation form, if applicable, to Form CWS-KIDS-25-A, Individualized Service Plan (ISP) Dispositional Report;

(7) presents the child support order and the computation form to the assistant district attorney and, when appropriate, to the court;

(8) sends a copy of the child support order and the computation form to the CSED district office in the county of jurisdiction no later than 15 working days following receipt of the order; and

(9) sends a copy of Form DCYFS-CWS-8A, Change in Placement Notification, to the CSED office in the county of jurisdiction whenever the child's placement changes.

2. Child support payment. In order to ensure payments are sent to the appropriate location, the CW worker:

(1) includes the address of the Oklahoma Centralized Support Registry (OCSR) on Form CWS-KIDS-24; and

(2) instructs the parent to send the payment to OCSR only.

3. Verification of child support payment. In order to verify each parent's compliance with his or her child support obligation, the CW worker:

- (1) searches for the client's case number in the Information Management System (IMS);**
- (2) uses the case number found in IMS and searches in the CSED OSIS for child support payment information;**
- (3) includes child support payment information found on the CSED CFRR OSIS screen on Form CWS-KIDS-25, Individualized Service Plan (ISP) Progress Report; and**
- (4) if unable to find child support payment information on the CSED OSIS, contacts the CSE district office for payment history.**

340:75-13-28. Social Security Administration and Veterans Affairs benefits

When a child who receives or may be eligible to receive Social Security Administration (SSA) or Veterans Affairs (VA) benefits is placed in Oklahoma Department of Human Services (OKDHS) custody and out-of-home placement, Children and Family Services Division Administrative Services Unit (ASU) applies to become payee for these benefits. SSA benefits are based on the wage earner's work record and are paid due to the death, retirement, or disability of the wage earner. Entitlement to VA benefits may be due to a service connected or nonservice connected military record of the deceased or disabled parent(s).

(1) To ensure the application for and transfer of SSA or VA benefits, the:

(A) Child Welfare (CW) worker, within ten working days after the child's placement or when potential eligibility is recognized, completes and submits to ASU Form DCFS-119, Report of Social Security and Veterans Benefits for Children in Out-of-Home Placement, requesting an initial eligibility determination;

(B) assigned custody specialist, within ten working days after the child's placement, completes and submits to ASU Form DCFS-119, requesting the payee be changed to OKDHS; and

(C) CW worker, within ten working days, notifies ASU via e-mail when the:

(i) child's placement type changes; or

(ii) child is released from OKDHS custody or out-of-home placement. ■ 1

(2) The youth who remains in school beyond age 18 to complete his or her high school education remains eligible for SSA and VA benefit payments. The CW worker:

(A) submits Form SSA-1372, Student Statement Regarding School Attendance, to SSA when SSA is the source of the benefits; or

(B) if the youth does not wish to make the benefit payments available to OKDHS to defray the cost of care, explores with the youth alternatives to OKDHS paid care that are consistent with the goals of self-support and self-sufficiency.

(3) A non-paid placement provider for a child in OKDHS custody must become the payee for that child's benefits. The placement provider applies at the local SSA office to become payee. ■ 2

INSTRUCTIONS TO STAFF**1. VA and SSA benefits. Children and Family Services Division Administrative Services Unit (ASU) is notified by the:**

(1) Child Welfare (CW) worker when requesting an initial eligibility determination for the child's Veterans Affairs (VA) or Social Security Administration (SSA) benefits via Form DCFS-119, Report of Social Security and Veterans Benefits for Children in Out-of-Home Placement, along with copies of the child's:

(A) full-certified birth certificate;

(B) legal document showing the date the child was placed in Oklahoma Department of Human Services (OKDHS) custody;

(C) medical information, psychological information, or both, stating the diagnosis and prognosis dated within the last 12 months;

(D) medical and psychological resources, including names, addresses, and phone numbers; and

(E) Form CWS-KIDS-18, Placement History.

(2) assigned custody specialist when requesting a change of payee for VA or SSA benefits via Form DCFS-119, along with a copy of the legal document showing the date the child was placed in OKDHS custody.

2. Notification of VA and SSA benefit recipients in non-paid placements. The CW worker e-mails ASU to notify of VA and SSA benefit recipients in non-paid placements and includes the:

(1) child's:

(A) name;

(B) Social Security number;

(C) date of placement; and

(2) non-paid placement provider's:

(A) name; and

(B) mailing address.

340:75-13-29. Supplemental Security Income - Disabled Children's program

(a) Supplemental Security Income (SSI) is a federal program for which recipients must qualify based on disability criteria, household income, and resource criteria designated by the Social Security Administration (SSA). To remain eligible for SSI, recipients may not accrue more than the maximum allowed by SSA. Some children in the legal custody of Oklahoma Department of Human Services (OKDHS) receive or may be eligible to receive SSI benefits on the basis of physical, mental, or emotional problems.

(1) Applications are made for these children by Children and Family Services Division Administrative Services Unit (ASU) when the child:

(A) is in OKDHS custody and out-of-home placement; and

(B) appears eligible for SSI based on disability.

(2) To ensure the application for and transfer of benefits, the:

(A) CW worker completes, within ten working days after the child's placement or as soon as the child's disabling condition is identified, and submits to ASU Form DCFS-119, Report of Social Security and Veterans Benefits for Children in Out-of-Home Placement, requesting an initial eligibility determination;

(B) custody specialist completes, within ten working days after the child's placement, and submits to ASU Form DCFS-119, requesting the payee be changed to OKDHS; and

(C) CW worker, within ten working days, e-mails ASU when the child's placement type changes or the child is released from OKDHS custody or out-of-home placement. ■ 1 & 2

(3) A non-paid placement provider for a child in OKDHS custody must become the payee for that child's benefits. The placement provider applies at the local SSA office to become payee. ■ 3

(4) The child who is an SSI recipient remains eligible for SSI if the child's income, resources, and disability continue to meet SSI program eligibility criteria.

(A) OKDHS receives the child's benefits until the child leaves OKDHS out-of-home placement.

(B) ASU monitors each child's accrued funds and notifies the CW worker when

the limit is approached to give specific instructions regarding the spenddown of that child's money. Purchases made with the child's accrued benefits must be items that benefit the child and are specifically for that child. These items must follow the child to all subsequent placements. ■ 4

(b) Section 1615 of the Social Security Act provides for the referral by SSA of SSI recipients younger than 18 years of age to a designated state agency for provision of services to improve the child's disability. The Omnibus Reconciliation Act of 1981, Public Law (P.L.) 97-35, authorizes Oklahoma to operate a program for these children as a component of the Maternal and Child Health Block Grant. OKDHS is designated to administer this program in Oklahoma.

(1) The purpose of SSI-Disabled Children's Program (DCP) is to ensure that all available services and resources are used, as necessary, to assist each eligible child to become a self-sustaining and self-supporting adult.

(2) The Department of Rehabilitation Services Disability Determination Unit determines SSI eligibility for SSA and refers every SSI recipient, younger than 18 years of age to Family Support Services Division Health Related and Medical Services to maintain a control on all referrals.

INSTRUCTIONS TO STAFF

1. SSI benefits. For an initial Supplemental Security Income (SSI) application, the Child Welfare (CW) worker completes and submits Form DCFS-119, Report of Social Security and Veterans Benefits for Children in Out-of-Home Placement, to Children and Family Services Division (CFSD) Administrative Services Unit (ASU) within ten working days from the date the child's disabling condition is identified. The child's information that must accompany Form DCFS-119 for the initial determination of SSI includes:

(1) a full-certified copy of the birth certificate;

(2) the legal document showing the custody date;

(3) medical information, psychological information, or both, stating the diagnosis and prognosis dated within the last 12 months;

(4) names, addresses, and phone numbers of all medical and psychological resources; and

(5) Form CWS-KIDS-18, Placement History.

2. Change of payee. For a change of payee for existing benefits, the assigned custody specialist, within ten working days from the child entering Oklahoma Department of Human Services (OKDHS) custody and out-of-home placement:

(1) completes Form DCFS-119;

(2) attaches the legal document showing the child's date of custody and Form CWS-KIDS-18; and

(3) submits to ASU.

3. Notification of custody or placement change. When a change occurs in the type of placement for a child or OKDHS is relieved of the child's care or custody, the CW worker e-mails ASU within ten working days of the change.

4. Spenddown request. To remain eligible for SSI, the child may not accrue more than \$2,000. In order to expend the child's accrued funds, a spenddown request is submitted.

(1) The CW worker:

(A) e-mails a spenddown request to T.J.Sarrington@okdhs.org outlining the items for purchase that the child wants or needs, including, but not limited to the:

(i) approximate price of each item;

(ii) child's full name;

(iii) placement provider's name and mailing address; and

(iv) name and address of the store where the items will be purchased. An e-mail reply is sent in return indicating approval or denial of the request;

(B) attaches to a copy of the spenddown approval e-mail the:

(i) receipt for items purchased;

(ii) voided receipt;

(iii) store invoice; or

(iv) layaway receipt specifying the items and total cost, including any tax or delivery charge;

(C) faxes the documents to CFSD, attention: T.J. Sarrington, at 405-521-4373;

(D) completes Form ADM-135, Vendor Information, posted on the OKDHS InfoNet under Contracts & Purchasing forms, at the request of CFSD, if the vendor is not listed in the Office of State Finance database. Form ADM-135 is faxed to CFSD, attention: T.J. Sarrington at 405-521-4373; and

(E) once the purchase is made, faxes the final receipt to CFSD, attention: T.J. Sarrington.

(2) Upon completion and submission of the paperwork for payment, a check is sent to the placement provider for the amount of the spenddown, regardless whether the check is made out to the placement provider or the store where the items were purchased. The check amount includes any down payment required for layaway of the items. Finance Division does not send a check to a county OKDHS office.

340:75-13-82. Funeral expenses for children

Oklahoma Department of Human Services (OKDHS) is responsible for funeral and burial expenses and related costs for the child in permanent OKDHS custody. When the child is in emergency or temporary OKDHS custody and out-of-home placement, a determination is made of the ability of the parent(s) or next-of-kin to assume the cost. When the parent(s) or next-of-kin is unable or unwilling, OKDHS assumes the responsibility. A maximum reimbursement limit of \$4,500 is allowed for the funeral and burial. The parent(s) is responsible for all funeral and burial expenses when the child resides with the parent(s). ■ 1

INSTRUCTIONS TO STAFF

1. **Funeral and burial arrangements for children.** As soon as possible following the death of a child in Oklahoma Department of Human Services (OKDHS) custody and out-of-home placement for whom OKDHS will assume the funeral and burial expenses, the Child Welfare (CW) worker:

(1) negotiates funeral and burial costs with a local funeral vendor. This does not preclude the CW worker from negotiating the donation of items. There are no restrictions on what items are paid for in the reimbursement limit;

(2) coordinates with the funeral vendor to select what is included in the arrangements, keeping expenses below \$4,500;

(3) upon determination of the total reimbursement request, notifies Children and Family Services Division Administrative Services Unit (ASU) by phone or e-mail of the:

(A) child's name and date of death;

(B) vendor's mailing address and federal employment identification (FEI) number; and

(C) total cost of the funeral and burial; and

(4) after ensuring the reimbursement request does not exceed \$4,500, submits the invoice with the vendor's original signature and FEI number to ASU.

340:75-16-32. Length of stay in inpatient mental health facilities and extension by IPCRC

(a) The initial length of stay for acute inpatient mental health care is up to five calendar days and residential inpatient mental health care is up to ten calendar days. Length of stay is based on the review by the inpatient psychiatric care review coordinator (IPCRC) at the Oklahoma Foundation for Medical Quality (OFMQ) to determine the number of days required to resolve the identified presenting problems.

(b) An extension for acute inpatient mental health care is up to five calendar days as determined by the IPCRC, based upon the documented need for the extension of care. A request for extension is made by staff of the treating facility via phone on or before the last business day of the current authorization for inpatient care.

(c) An extension for residential mental health care is up to 30 calendar days. The number of days allowed is determined by the IPCRC, based on the level of impairment, severity, and chronicity of the symptoms present that meet the medical necessity criteria. The treating facility submits the request for an extension three calendar days before the end of the current authorization.

(d) A reconsideration request for the length of stay is made to OFMQ by the Child Welfare (CW) worker or the inpatient psychiatric facility when the IPCRC denies an extension and the CW worker or the inpatient psychiatric facility has additional information that was not considered in the extension decision by the IPCRC. ■ 1

INSTRUCTIONS TO STAFF

- 1. Reconsideration request for inpatient denial. Refer to OAC 340:75-16-30 Instructions to Staff.**

PART 3. OUTPATIENT BEHAVIORAL HEALTH CARE SERVICES

340:75-16-45. Outpatient mental health services

(a) The child in Oklahoma Department of Human Services (OKDHS) custody is eligible to receive a mental health assessment once per local community mental health center services provider or other outpatient Medicaid approved provider, without prior authorization. The mental health service plan development may also be provided without prior authorization.

(b) Prior authorization from Oklahoma Foundation for Medical Quality (OFMQ) is required for the child in OKDHS custody to receive outpatient behavioral health rehabilitative services beyond the initial assessment and service plan development.

(1) The Child Welfare (CW) worker refers the child for services to the local community mental health center or Medicaid approved provider in the county where the child resides.

(2) The mental health professional develops an assessment and service plan to indicate problem areas and potential services. ■ 1

INSTRUCTIONS TO STAFF

- 1. Mental health assessment and service plan. Oklahoma Department of Human Services (OKDHS) staff requests a copy of the assessment and service plan from the Medicaid provider by completing the appropriate confidentiality release required by the Medicaid provider. The assessment and service plan serve as aids to OKDHS staff in preparing the OKDHS treatment and service plan.**

340:75-16-46. Systems of care

(a) Systems of care is funded through Oklahoma Department of Mental Health and Substance Abuse Services (ODMHSAS) and offers a comprehensive array of mental health and other support services organized into a coordinated network to meet the multiple and changing needs of children with serious emotional disturbances and their families. Counties are selected based on an evaluation of community readiness and the intensity of children's behavioral health needs within a community. Participating counties are listed at www.osoci.org/index.htm.

(b) Systems of care is individualized to each child, family, and community, and includes services that are:

- (1) child centered;
- (2) family focused;
- (3) needs driven;
- (4) strengths based; and
- (5) based on national best practice model.

(c) The core aspects of systems of care are:

- (1) partnerships with families;
- (2) collaboration with all child serving agencies; and
- (3) local control of services that are enhanced through:
 - (A) the wraparound service philosophy;
 - (B) flexible funds;
 - (C) respite care;
 - (D) case management; and
 - (E) transitional services.

(d) Expected outcomes of systems of care are:

- (1) improved level of functioning;
- (2) improved school attendance and performance;
- (3) fewer encounters with the juvenile justice system;
- (4) reduced number of out-of-home placements; and
- (5) parent and child satisfaction. ■ 1

INSTRUCTIONS TO STAFF

1. **CW participation in systems of care.** The **Field Operations Division** area director or designee designates Child Welfare (CW) staff to participate as team members with the local **community team** when systems of care is initiated in the county. CW staff:

- (1) attends local steering committee meetings to develop and monitor the systems of care program within the county;**
- (2) participates on the review committee and reviews all referrals to systems of care to determine whether the needs assessments and treatment plans for children and families are appropriate; and**
- (3) attends meetings and training for wraparound services and provides referrals of clients to systems of care.**