

MORE THAN JUST A BED:

A Comprehensive Overview of
Placement Options for
Dependent Youth with
Disabilities

OVERVIEW OF TOPICS

- The Need for Specialized Treatment and Housing
- Licensing Agencies
- Qualifying Diagnoses
- Placement Options:
 - Medically Complex
 - Developmental Disabilities
 - Mental Health
- Case Studies:
 - Securing Appropriate Placement
 - Planning for Permanency
- Questions and Comments

THE NEED FOR SPECIALIZED PLACEMENTS

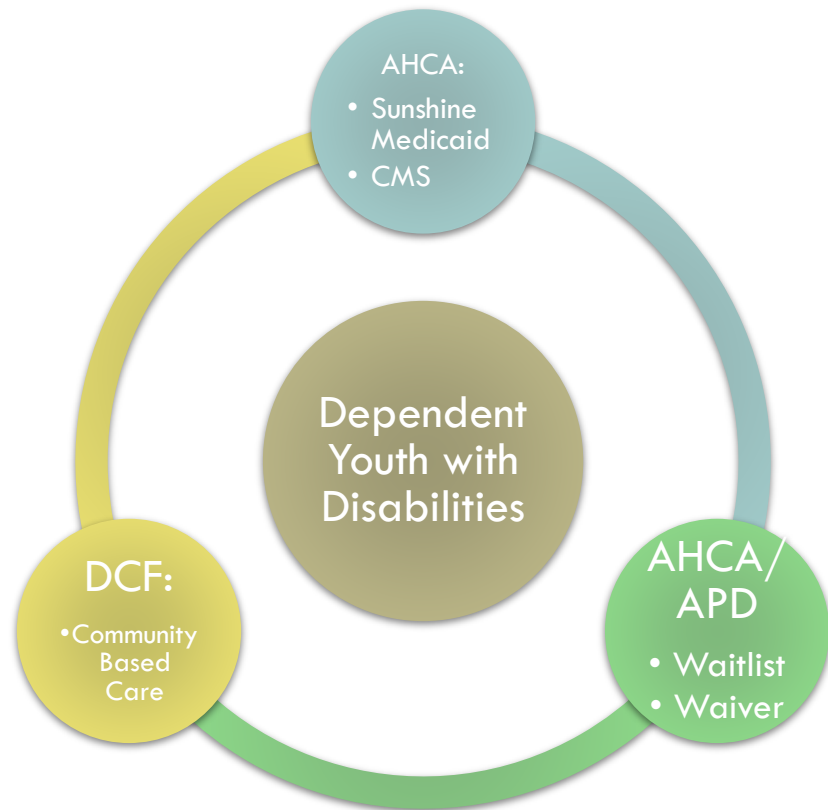
- Children in Dependency:
 - Between 20% to 60% have a disability
- Children with a disability:
 - 3 times more likely to be abandoned, abused or neglected
- Greater vulnerability due to disability and trauma can lead to:
 - Barriers to education
 - Increased contact with law enforcement
 - Worsened health outcomes
 - Housing instability
 - Continued abuse



LICENSING AGENCIES



MULTIPLE AGENCY SYSTEM OF CARE



Licensing

The Agency for Health Care Administration (AHCA)

- Specialized Therapeutic Group Homes
- Residential Treatment Centers
- Intermediate Care Facilities for the Developmentally Disabled
- Skilled Nursing Facilities
- Medical Foster Care

Department of Children and Families (DCF)

- Traditional Foster Care
- Family Care Homes

The Agency for Persons with Disabilities

- Must comply with AHCA regulations
- Foster/Group Homes
- Residential Habilitation
- Comprehensive Transitional Education Programs

QUALIFYING DIAGNOSES

Medical Complexities:

- Serious or chronic physical conditions requiring extensive preventative and maintenance care

Developmental Disabilities:

- Autism Spectrum Disorder
- Intellectual Disability
- Cerebral Palsy
- Down Syndrome
- Spina Bifida
- Prader-Willi Syndrome

Common Mental Health Diagnoses:

- ADHD
- Adjustment Disorder
- Oppositional Defiant Disorder
- Conduct Disorder
- Bi-Polar Disorder
- Post Traumatic Stress Disorder
- Major Depressive Disorder

PLACEMENT OPTIONS

Medical Complexities;
Developmental Disabilities;
Mental Health

DETERMINING THE LEVEL OF CARE: MEDICAL COMPLEXITIES

Medically Complex:

Having a chronic debilitating disease or condition of one or more physiological or organ systems that generally make the person dependent upon 24-hour-per-day medical, nursing, or health supervision or intervention.

F.A.C. 59G-1.010(164)

Medically Fragile:

A medically complex person whose medical condition is of such a nature that he/she is technologically dependent, requiring medical apparatus or procedures to sustain life, e.g., requires total parenteral nutrition (TPN), is ventilator dependent, or is dependent on a heightened level of medical supervision to sustain life, and without such services is likely to expire without warning.

Section 59G-1.010(165)

MEDICAL FOSTER CARE (MFC)



A Children's Medical Services (CMS) program for dependent kids to receive medically appropriate care in foster homes instead of hospitals or institutions.

To qualify recipient must be:

- Medicaid eligible;
- In the custody of DCF;
- Medically complex or medically fragile;
- Under the age of 21;
- Medically stable and not requiring acute hospital care at the time of the placement

MEDICAL FOSTER CARE

Medicaid reimburses for services deemed medically necessary:

- Be necessary to protect life, to prevent significant illness or significant disability, or to alleviate severe pain;
- Be individualized, specific and consistent with symptoms or confirmed diagnosis of the illness or injury under treatment, and not in excess of the patient's needs;
- Be consistent with generally accepted professional medical standards as determined by the Medicaid program, and not experimental or investigational;
- Be reflective of the level of service that can be safely furnished, and for which no equally effective and more conservative or less costly treatment is available; statewide; and
- Be furnished in a manner not primarily intended for the convenience of the recipient, the recipient's caretaker, or the provider.

F.A.C. 59G-1.010(166)

SKILLED NURSING FACILITY (SNF)



- Inpatient care in an institutional setting
- Medical and/or nursing care
- Rehabilitation services

Florida has a limited number of nursing facilities that serve children.

Children who are too medically fragile for medical foster care may be placed in SNFs.

DETERMINING THE LEVEL OF CARE: DEVELOPMENTAL DISABILITIES

Application Process for APD

Required:

- Three page application
- Documentation to support diagnosis of Developmental Disability:
 - School testing, genetic testing, and medical records
- Vital Documents
 - Birth Certificate and Social Security Card
- Recommended
 - Client Information Sheet
 - Consent for Release of Information

You can find these at www.apdcares.org



DETERMINING THE LEVEL OF CARE: DEVELOPMENTAL DISABILITIES



APD Waitlist:

- Approved for APD, but not yet eligible for services
- Can be placed in APD licensed homes

APD Waiver:

- Approved for APD and receiving services

Children can move from the waitlist to the waiver upon reaching permanency or if deemed in crisis.

FAMILY HOME SETTINGS AND SUPPORTS

Respite

Behavior
Therapy

Physical Therapy

Speech Therapy

Occupational
Therapy

Special
Education

Social Skills
Groups

Center for
Autism and
Related
Disabilities

Crisis
Management

Summer Camps

Assistive
Technology

Job Training

Relative Caregivers:

- Familiar to the child
- Permanency option

Traditional Foster Care:

- Maintain Sibling Relationships

Family Care Homes:

- Specially trained foster parents
- Built in Applied Behavior Analysis

The key is to partner with caregivers and case management to implement services immediately.

APD LICENSED HOMES

- **Foster care facility:**
 - Family living environment; no more than 3 residents
- **Group home facility:**
 - Family living environment; 4-15 residents
- **Comprehensive transitional education program:**
 - Jointly operating centers that provide temporary services
 - Designed to transition clients to a lower level of care

- **Residential habilitation center:**
 - Community residential facility or 9 or more residents
 - After 10/1/1989 no new facilities have been licensed
 - Carlton Palms in Mount Dora

F.S. Chapter 393.063

INTERMEDIATE CARE FACILITY FOR THE DEVELOPMENTALLY DISABLED (ICF/DD)

A residential facility licensed and certified by state law and the federal government.

To qualify:

- Approval by the Agency for Persons with Disability
- Financially eligible for Medicaid
- All services must be medically necessary as determined by APD



INTERMEDIATE CARE FACILITY FOR THE DEVELOPMENTALLY DISABLED (ICF/DD)

Admission Criteria:

- Have a DD as defined in F.S. Chapter 393:
 - IQ of 59 or less or;
 - IQ of 60-69 inclusive and at least one of the following handicapping conditions: ambulation deficits, sensory defects, chronic health problems, behavior problems, epilepsy or another developmental disability or;
 - IQ of 60-69 and severe functional limitations in at least three of the following major life activities: self-care, understanding and use of language, learning, mobility, self-direction or capacity for independent living or;
 - DD and severe functional limitations in at least three major life activities

DETERMINING THE LEVEL OF CARE: MENTAL HEALTH

Multi-Disciplinary Team (MDT):

- Assess the mental health and/or substance abuse needs
- Make recommendations on different levels of therapeutic intervention
 - Medical Necessity Criteria
 - Florida Medicaid Community Behavioral Health Services Coverage and Limitations Handbook
- Authorizes change in level of care
 - Good for 30-90 days; must be reviewed by the court
- MDT's are held every 30-60 days to ensure services are in place and level of care is still needed

Suitability Assessment:

To be placed in an STGH or RTC a suitability assessment must be conducted.

- Must be a Psychiatrist or Psychologist licensed in Florida
- Must have at least 3 years of experience in the diagnosis and treatment of serious emotional disturbances in children and adolescents.

Assessor must find:

- Child appears to have an emotional disturbance serious enough to require residential treatment;
- Child is reasonably likely to benefit from the treatment;
- Child has been provided with a clinically appropriate explanation of the nature and purpose of the treatment; AND
- All available, less restrictive options have been considered and do not meet the treatment needs.

SPECIALIZED THERAPEUTIC FOSTER CARE

Level 1 Behaviors

Self destructive acts

Destruction of property

Heightened aggression

Lying/stealing

Eating disorder

Extreme impulsivity

Impaired self concept

Sexually acting out

Running away

Emotional immaturity

SPECIALIZED THERAPEUTIC FOSTER CARE

Level 2 Behaviors

Physically aggressive to people/animals

Self inflicted injury

Suicidal ideation or gestures

Limited ability to delay gratification

Inability to perform activities of daily living due to psychiatric symptoms

Baker acts

SPECIALIZED THERAPEUTIC GROUP HOME (STGH)

Community-Based residential program that provides:

- Home-like setting of up to 12 children
- Youth may safely attend school and community activities
- Treatment plan within 10 days of admission and reviewed every 90 days
- Suitability Assessment within 90 days submitted to the court prior to its 3 month review

To qualify:

- Clinical/Medical Necessity
- MDT Recommendation
- Insurance Authorization



RESIDENTIAL TREATMENT CENTER (RTC)



Residential program that provides:

- Crisis placement
- 24 hour inpatient care
- Highly structured environment
- Treatment plan within 10 days of admission and reviewed every 90 days
- Suitability Assessment within 90 days submitted to the court prior to its 3 month review

To qualify:

- Clinical/Medical Necessity
- MDT Recommendation
- Insurance Authorization

CASE STUDY

Securing Appropriate Placement
and Strategies for Permanency

CASE STUDY: MORIAH

Moriah is a 9-year-old with cerebral palsy. She requires a G-tube and wheelchair. She loves music and being around other kids.

Moriah was hospitalized due to severe medical neglect by her parents, but is ready to be discharged.

What placement options should be explored?

CASE STUDY: REUBEN

Reuben is 17 and has been in and out of the dependency system for most of his life. He has an Intellectual Disability and receives APD services. Now that he will be turning 18, Reuben no longer wishes to live in a group home.

How do you help Reuben plan for his future?

CASE STUDY: LUCAS

Lucas is 14, has an Autism Spectrum Disorder, and several mental health diagnoses. In the past, he has threatened to hurt family members and acted in sexually inappropriate ways toward school staff.

Lucas previously was receiving in-home services, but was sheltered when his mother refused to pick him up from a Baker Act facility.

What treatment options will help ensure permanency?

QUESTIONS AND COMMENTS |

CONTACT US

Coravious Cowart, Esq.

GAL Program Developmental Disabilities Attorney

407-841-8310 ext. 3176

ccowart@legalaidocba.org

Abigail Adkins

GAL Program Developmental Disabilities

Case Coordinator

aadkins@legalaidocba.org

**The Legal Aid Society of the
Orange County Bar Association, Inc.**

100 E. Robinson Street

Orlando, FL 32801

www.legalaidocba.org

