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The forms/documents presented in this section are provided for additional information or examples. Below is a description of the forms/documents in the index.

FREQUENTLY ASKED QUESTIONS - These are answers and questions that are frequently asked in regards to residential treatment as well as other program areas.

EXCLUSIONARY CRITERIA – This is a generalized listing of exclusionary criteria that would exclude employees from employment at a Residential Treatment Agency for Children and Youth. For a more detailed description go to www.moga.mo.gov/statutes.

CHAPTER 50 – Rules of Department of Social Services Division 35- Children’s Division Chapter 50-Licensing Accreditation rules.

CHAPTER 80 – Rules of Department of Social Services Division 35-Children’s Division Chapter 80-Payment of Residential Facilities.

FIRE DEPARTMENT NOTIFICATION – This form is provided for an agency to complete and provide to the local fire department.

MEDICAL CONSENT FORM – This is an example of the required medical consents. Parent or legal guardian signatures are required at the time of admission.

LOCKED ISOLATION FORM – This is an example form to document a child’s stay in locked isolation. Any form used by the agency must contain, at a minimum, the same information.

IMMUNIZATION RECORD – This is an example of an immunization recording form that is required for each resident.

FREQUENTLY ASKED QUESTIONS ABOUT INITIAL RESIDENTIAL TREATMENT AGENCY FOR CHILDREN AND YOUTH

The Children's Division (CD) Residential Program Unit (RPU) receives numerous inquiries from individuals and organizations seeking licensure of new agencies. At any given time there are around 60 to 80 licensed residential treatment agencies operating anywhere from 100 to 150 operating sites with a total capacity of around 3,000 plus beds.

The purpose of licensure is to ensure the safety and protection of the children who must live away from their own families. Questions about licensure arise from licensed agencies and potentially licensed agencies. It is not enough to have a building in which to house children. It is important to know and understand the needs of the children to be served and to have a strong therapeutic treatment program available to meet those needs.

This prompts the first questions an agency needs to answer:

- Why does the agency want to become licensed?
- Does the agency provide a unique service for children?
- What can the agency bring to the child clinically?
- What services will the agency provide that are needed?

WHO SHOULD SEEK LICENSURE?

It shall be unlawful for any person to establish, maintain, or operate a foster home, residential treatment agency for children and youth, or child placing agency, or to advertise or hold him or herself out as being able to perform any of the services as defined in section 210.481 to 210.536 RSMo, without having in full force and effect a license issued by the division. A residential treatment agency for children and youth is defined as an agency providing twenty-four (24) hour care and treatment to children who are unrelated to the person operating the agency, and who are unattended by a parent or guardian. Chapter 210.516 RSMo defines exemptions from licensure as:

- facilities operated in conjunction with an educational program for which a tuition is charged and completion of the program results in meeting requirements for a diploma recognized by the Missouri Department of Elementary and Secondary Education (DESE); any camp, hospital, sanitarium, or home which is conducted in good faith primarily to provide recreation, medical treatment, or nursing or convalescent care for children;
- any person who receives free of charge, and not as a business, for periods of time not exceeding ninety (90) consecutive days, the child of personal friends of such person as an occasional and personal guest, and who receives custody of no other unrelated child;
- any child placing agency operated by the Department of Mental Health or any foster home or residential child facility operated or licensed by the Department of Mental Health under sections 630.705 to 630.760 RSMo, which provides care, treatment, and habilitation exclusively to children who have a primary diagnosis of mental disorder, mental illness, mental retardation or developmental disability, as defined in section 630.005 RSMo;
- any foster home arrangement established and operated by any well-known religious order or church and any residential care facility or child placement agency operated by such organization; or
- Any institution or agency maintained or operated by the state, city or county.

WHAT IS THE DIFFERENCE BETWEEN A FOSTER HOME, A GROUP HOME AND A RESIDENTIAL CHILD CARE AGENCY?

A foster home is a private residence of one (1) or more family members providing twenty-four (24) hour care to one (1) or more, but less than seven (7) children who are unattended by parent or guardian and who are unrelated to either foster parent by blood, marriage, or adoption. Foster home licensing is provided by the local CD office or by a private licensed child placing agency.

A foster family group home is a private home of foster parents who provide twenty-four (24) hour care for seven to twelve (7-12) children. The CD office in the local county provides foster home licensing.

WHAT IS THE DIFFERENCE BETWEEN A FOSTER HOME AND A RESIDENTIAL TREATMENT AGENCY FOR CHILDREN AND YOUTH?

A foster home is a private residence of one (1) or more family members providing twenty-four (24) hour care to one (1) or more, but less than seven (7) children who are unattended by parent or guardian and who are unrelated to either foster parent by blood, marriage, or adoption. Foster home licensing is provided by the local CD office or by a private licensed child placing agency.

RPU licenses organizations, not individuals, to operate a residential treatment agency for children and youth. An agency must be operated by a governing body responsible for establishing its policies, determining its programs, guiding its development and providing its leadership. A full-time, fully qualified administrator shall be appointed by the governing body to coordinate day to day activities of the agency. A qualified licensed professional must be available to receive any reimbursement for social services. Residential treatment is a clinically driven, time-limited, treatment resource for children who cannot be housed in less restrictive settings.

IS THERE A NEED FOR ANOTHER RESIDENTIAL TREATMENT AGENCY FOR CHILDREN AND YOUTH?

One of the requirements for licensure as a residential treatment agency for children and youth is the conducting of a needs assessment pursuant to 13 CSR 35-71.020(2)(A)20 of Chapter 71 of the Children's Division (CD) Residential Treatment Agencies for Children and Youth rules. The Residential Program Unit (RPU) encourages the potential residential treatment agency in pursuit of licensure to take the lead in inviting key community stake holders to a meeting. The purpose of the meeting is to:

- Enhance communication among the community stake holders and the potential residential treatment agency;
- Conduct a needs assessment to ensure that there is indeed a need in the community for the type and scope of the proposed program. The assessment shall include, at a minimum, an identification and survey of potential referral sources, existing resources and unmet community needs;
- Address resident interaction with existing community resources, in particular, the local public school system; and
- Give an opportunity for meeting participants to provide the potential residential treatment agency for children and youth.

It is suggested that the potential residential treatment agency invite the following to participate in the meeting:

- The potential residential treatment agency Executive Director;
- The respective CD Circuit Manager;
- The respective CD Residential Care Screening Team (RCST) Coordinator;
- The respective RPU Regional Licensing Consultant;
- The respective Juvenile Officer;
- The respective Public School Superintendent or designee;
- The respective Police Chief/Sheriff or designee;
- The respective community elected official, for example, council/alderperson;
- Community child advocacy organization representatives; and
- Representatives from the immediate neighborhood of the proposed operating site.

WHAT STARTUP REIMBURSEMENT IS AVAILABLE?

CD does not provide startup monies to organize a new residential treatment agency for children and youth. All initial startup costs must be met by the organization seeking licensure. Organizations are encouraged to explore potential startup assistance via foundations, grants, or fund raising.

WHO ARE YOUR CUSTOMERS?

There are many children in need of services from multiple referral sources. CD serves children who have been adjudicated as homeless, dependent or neglected. CD seeks to place children in the least restrictive setting in keeping the Adoption Safe Families Act (ASFS). Children are returned home to parents or other kinship placements, if possible, or foster care placements are sought. Typically, children who are placed in a residential treatment agency for children and youth by CD have moderate to intensive emotional and behavioral needs. Some of the children have been in multiple placements, are in need of alternative education planning or display behaviors, which can be injurious to themselves or others. CD contracts on an annual basis. A copy of the contract for residential treatment services may be obtained by contacting the Division of Finance and Administrative Services (DFAS) Purchasing Unit at P.O. Box 88, Jefferson City, Missouri 65103-0088, telephone (573) 751-7558. The Department of Mental Health (DMH) has three (3) divisions serving youth: the Division of Developmental Disabilities, the Division of Comprehensive Psychiatric Services, and the Division of Alcohol and Drug Abuse. DMH operates foster care homes, residential treatment agencies for children and youth and psychiatric treatment facilities under its auspices. You may contact DMH at P.O. Box 687, Jefferson City, Missouri 65102-0687, telephone (800) 207-9329 for more information.

The Division of Youth Services (DYS) serves youth who have been adjudicated for a delinquent act by a Family or Juvenile court and have been committed to the care of DYS. DYS operates residential treatment agencies under its own auspices and also places children in other placement resources. For more information, you may contact DYS at P.O. Box 447, Jefferson City, MO 65102-0447, telephone (573) 751-3324.

Family and/or Juvenile Courts serve youth who have been adjudicated for delinquent acts, children who are homeless, dependent or neglected, and/or youth who are considered status offenders.

Some private insurance companies and managed care organizations have utilized residential treatment as a step-down from acute psychiatric hospitalizations.

Some parents make arrangements for private placements of children in residential treatment and assume the financial responsibility for payment.

WHAT OTHER INFORMATION SHOULD BE SOUGHT BEFORE LICENSURE?

In certain incorporated areas, zoning becomes the most important factor for location. The agency should contact the municipality, city, county and state to determine which zoning laws pertain to its business and discuss how to come into compliance with those laws. The State Fire Marshal's office also needs to approve plans for buildings and inspect and approve property before it will be considered for licensure. The local health department needs to inspect and approve the kitchen and food service of an agency. The local health department or Department of Natural Resources (DNR) (depending on volume of sewage) needs to inspect water and sewer sources unless an agency has public water and sewer services. Other pertinent related documentation pertaining to city, municipal or state laws regarding occupancy and business licenses must be obtained by the agency and provided to RPU.

The Missouri Coalition of Children's Agencies (MCCA) is a statewide professional not-for-profit corporation of residential child care agencies. The office is located at 213 E. Capitol, Suite #101, Jefferson City, Missouri 65101, telephone (573) 635-7226 or (800) 942-0326. It serves as an advocate for residential treatment agencies and services in Missouri. It provides members with opportunities for

networking, collaboration, and professional development. This organization has monthly meetings and an annual conference in the fall. It regularly meets with legislators to keep them abreast of trends in the child care industry. It also collects information such as salary surveys and vacancy surveys on a statewide basis.

You may call or visit other licensed residential treatment agencies for children and youth. Discuss the type of children being served and being under-served. Inquire as to the types of children in need of care and treatment.

WHAT IS THE COST OF DOING BUSINESS?

Several factors should be considered in determining whether to enter the residential treatment agency. Child care workers must meet the minimum standards pursuant to Chapter 71 of the CD Residential Treatment Agencies for Children and Youth rules. Agencies have found it increasingly difficult to attract qualified direct care staff who meets the minimum standards.

If reimbursement rates do not cover the cost of doing business, how will the organization make up the difference? Many not-for-profit agencies engage in fund-raising activities to make up the difference. An organization should become aware of all available community resources.

MORE QUESTIONS?

Please feel free to contact RPU at telephone number: 573-751-4954, PO Box 88, Jefferson City, MO 65103, fax number: 573-522-9652, E-mail address: cd051ask@dss.mo.gov if you have any questions or comments regarding this matter.

(Revised 06/14)