

Louisiana Title IV-E Program Improvement Plan

Louisiana's Title IV-E Program Improvement Plan addresses the five cases determined ineligible following the July 2004 review. The reasons for ineligibility focused on the absence of criminal record clearances for employees (2 cases), delay in re-certification of a family foster home (1 case), and the use of provisional licenses for child care facilities which did not meet minimum licensing standards (2 cases). The Plan reflects collaborative agreement among the Bureau of Licensing, Office of Youth Services and Office of Community Services to work jointly in correcting the findings which resulted in the ineligibility determination. Representatives from each of these participating entities included Lora Carroccio and Yvonne Stewart, Bureau of Licensing; Angela Arabie, Beth Meng, and James Bueche, Office of Youth Services; Steve Mayer and Tony Caruso, Bureau of General Counsel; Jean Pittman, Karla Venkataraman, Dianne Kirkpatrick, Kaaren Hebert, and Marketa Gautreau, Office of Community Services; and Lisa Woodruff-White with the Department of Social Services.

Each goal addresses the correction of a specific area of ineligibility with specific action steps designed to achieve the goal. Time frames for achievement of each goal are specified, along with methods of evaluating the progress of the action steps. Responsible parties will provide necessary documentation verifying completion of action steps by last day of each quarter. Quarterly reports addressing the progress made on each area of ineligibility will be compiled and submitted to the Administration for Children and Families.

Carla Moore, Section Administrator IV-E Eligibility Unit, will be responsible for coordinating the implementation of the plan and the submittal of the quarterly reports. She can be reached by telephone at 225 342-2277, email at cmoore@dss.state.la.us, and fax # at 225 342-9446.

PIP Period: (May 9, 2005 – May 1, 2006)

Item 1: Delay in re-certification of family foster home.

Case ID number XXXXX8511 (sample #27)

This case was determined to be ineligible for federal funding due to a delay from December 20, 2003 to January 21, 2004 in re-certifying the provider. Agency efforts to improve practice and avoid delays in re-certifications are underway. Home Development policy (9-615E) has been revised to require the re-certification process to begin three months prior to the deadline with a worker/supervisor staffing. The staffing will be utilized to ensure that a worker is assigned to the re-certification and that a plan of action is developed and items needed for timely re-certification are identified.

A Practice Pointer will be developed to report the findings of the IVE audit, enforce compliance with revised policy 9-615E, and instruct each region to develop and implement a protocol to monitor re-certifications.

A statewide assessment of family foster home cases will be conducted in each region to include compliance with timely re-certifications. Findings will be presented to each region and regional corrective action plans will be developed for any cases determined out of compliance. A TIPS report will be developed and utilized to evaluate the effectiveness of the Program Improvement Plan activities.

Emergency rule-making procedures will be utilized by the Bureau of Licensing to revise regulations allowing for a three-year certification for family foster homes. Annual home visits by OCS Home Development staff will continue to be conducted to assess safety compliance. In addition to the annual home development visit, on-going visits by foster care staff will also occur. Once the licensing revision is made, agency policy will be developed and implemented to reflect the new requirement.

Goal Statement:

Timely re-certification of family foster homes

Outcome:

Foster homes will be re-certified in accordance with policy guidelines

Means of Measurement:

Practice Pointer, Regional Administrator Memorandum, Regional Protocols, Review findings, Corrective Action Plans, TIPS report, Licensing Revision

Action	Target Date for Completion	Responsible OCS or DSS staff member	Actual Completion Date	Date Report Submitted to ACF Region VI	Evidence/ Documentation
1. Revise policy to eliminate extended certifications and to include procedures to adjust IVE claim if certification status changes	1st Quarter 08.08.2005	OCS Home Development Program Manager and IVE Section Administrator			Policy Revisions
2a. Implement revised recertification policy	1st Quarter 08.08.2005	OCS Regional Home Development Supervisors			Training Documentation

2b. Develop regional protocols to monitor compliance with recertification timeframes	1st Quarter 08.08.2005	OCS Regional Home Development Supervisors			Regional Protocols
3. Issue Practice Pointer to inform staff of IVE audit findings, corresponding policy revisions, and measures to assure compliance regarding timely recertifications	1 st Quarter 08.08.2005	OCS Home Development Program Manager			Practice Pointer
4. Revise Licensing Standards to allow for multi year certifications of family foster homes	2 nd Quarter 11.08.2005	Licensing and OCS Staff			Licensing Revisions
5. Complete statewide assessment of family foster home records to evaluate compliance with timely recertification and provide results to regions	3 rd Quarter 02.08.2006	Home Development Program Manager			Assessment Report

6. Develop report on existing TIPS to track re-certification compliance	3rd Quarter 02.08.2006	DSS/IT			TIPS Report
7. Develop and implement regional corrective action plans for case(s) determined out of compliance in statewide reviews	3rd Quarter 02.08.2006	Regional HD Units			OCS Regional Corrective Action Plans

Item 2: Facility did not meet criminal records check requirement

Case ID number XXXXX3810 (sample #02)

XXXXX6282 (sample #36)

The above two cases were determined to be ineligible for federal funding due to the facilities' failure to secure criminal record clearances on staff prior to beginning employment. The Adoption and Safe Families Act requires that safety be the primary concern in decisions about children and requires criminal background clearances on foster and adoptive homes prior to the placement of children. In the cited cases, clearances had been requested but records had not been received prior to staff beginning employment.

All child placing and residential facilities will be notified of the audit findings and expectations regarding criminal record clearances. The staff of the Office of Community Services and the Office of Youth Services will assist the Bureau of Licensing in reviewing documentation of criminal record clearances on all new staff. If a facility is cited for non-compliance in this area, immediate corrective action will be taken. Corrective action will consist of immediate removal of the staff member from work with or around children until the clearance can be obtained. Notification of the corrective action will be submitted to involved agencies (OCS, OYS, IVE, Licensing Bureau) within 5 working days. If the facility fails to comply with the corrective action, they will no longer meet the requirements of a licensed facility.

In the 4th quarter, non-compliance findings will be reviewed to determine patterns and effectiveness of the corrective action plans.

Goal Statement: Criminal record clearances on all residential facility employees

Outcome: Receipt of criminal record clearances in residential facilities will occur prior to employment

Means of Measure: Written notification, Semi-annual review findings

Action	Target Date for Completion	Responsible OCS or DSS staff member	Actual Completion Date	Date Report Submitted to ACF Region VI	Evidence/ Documentation
1. Notify residential facilities of licensing regulation requiring criminal record clearance receipt prior to employment and conse-	1 st Quarter 08.08.2005	OCS Residential Section			Correspondence

quences of noncompliance					
2a. Conduct annual recertification review to include verification of criminal record clearances	1 st Quarter 08.08.2005	Bureau of Licensing			Review Reports
2b. Provide written notification within 5 days to OCS and OYS on any deficiencies noted during recertification review including verification of criminal record clearances	1 st Quarter 08.08.2005	Bureau of Licensing			Policy/Procedure and Report(s)
2c. Conduct semi-annual review by OCS and OYS to include verification of receipt of criminal record clearances	2 nd Quarter 11.08.2005	OCS Residential Staff and OYS Staff			Review Report
3. Implement Corrective action for non-compliance related to criminal record clearances	2 nd Quarter 11.08.2005	OCS Residential Staff and OYS Staff			Corrective Action Plan
4. Provide written notice to facility, Licensing, OCS, and OYS within 5 working days	2 nd Quarter 11.08.2005	OCS Residential Staff and OYS Staff			Correspondence

advising of corrective action					
5. Evaluate noncompliance findings to determine patterns and effectiveness of corrective action plans	4 th Quarter 05.01.2006	OCS Residential Staff or OYS Staff			Monitoring Report, Evaluation Reports

Item 3: Use of provisional license designation

Case ID number XXXXX3814(sample #13) and XXXXX2275(sample #22)

The above two cases were determined ineligible for federal funding due to the use of “provisional licenses” for these two residential facilities. A discrepancy existed between the definition in statute and how the Bureau of Licensing actually utilized the designation of “provisional license” in their determination of licensure status. Recognizing this discrepancy, the Bureau of Licensing will discontinue the use of provisional licenses for all child residential facilities. Additionally, the Department will bring forth legislation during the upcoming session removing provisional language from state statute. The Bureau of Licensing will promulgate the appropriate rules and regulations to address the use of provisional licensure in the future.

The Offices of Youth Services and Community Services will implement interim procedures to assist in the monitoring of residential facilities. Staff from these offices will conduct visits, follow up on cited deficiencies, and provide the Bureau of Licensing with corrective action information.

A comprehensive review of the licensing regulations will be initiated to revise the standards into a 2 tiered system which distinguishes between safety and non-safety standards and also addresses the consequences of deficiencies in these separate categories. Implementation of this revised 2 tiered system will enable facilities and licensing reviewers to have safety of children as their primary determinant in licensure status.

There currently exists a backlog of approximately 100 licensing review reports which contributed to the use of provisional licenses. A final corrective action will include collaboration between the Office of Community Services and the Bureau of Licensing to secure additional temporary, qualified staff to assist in processing of these backlog reports.

It is anticipated that the implementation of these strategies focusing on collaboration between agencies, improved and increased monitoring of cited deficiencies, and exchange of information will promote the safety of children in those facilities, compliance with licensing regulations and standards, and appropriate IVE eligibility claims.

Goal Statement: Eliminate use of provisional license in residential facilities

Outcome: All facilities will be compliant regarding full licensure

Means of Measure: Memorandum of Understanding, Reports, Memos, Revised licensing regulations, Notice of Intent

Action	Target Date for Completion	Responsible OCS or DSS staff member	Actual Completion Date	Date Report Submitted to ACF Region VI	Evidence/ Documentation
1. Discontinue using provisional	1 st Quarter 08.08.2005	Licensing Bureau			Correspondence

license for residential facilities					
2. Develop Memorandum of Understanding between OYS and DSS authorizing OYS to act as agent for department to assist in monitoring licensing deficiencies	1 st Quarter 08.08.2005	Bureau of General Counsel			Memorandum of Understanding
3. Written notification to OCS and OYS regarding changes in licensure status and any deficiencies noted as a result of licensing reviews	1 st Quarter 08.08.2005	Licensing Bureau			Correspondence
4. OCS and OYS to visit residential facilities to follow-up on licensing report and provide written notification to Licensing within 5 working days to notify of corrected deficiencies	2 nd Quarter 11.08.2005	OCS Residential Staff and OYS Staff			Report, Correspondence
5. Revise Licensing standards into 2 tiered system focusing on safety	2 nd Quarter 11.08.2005	OCS			Revised Licensing Regulations

standards as primary requirement for full licensure					
6. Revise legislation to remove provisional language from statute	2 nd Quarter 11.08.2005	Bureau of General Counsel			Draft Legislation
7. Eliminate backlog of licensing survey reviews	2 nd Quarter 11.08.2005	Licensing Bureau			Monthly Status Report
8a. Revise and implement policy to reflect changes in licensing standards and legislation	3rd Quarter 02.08.2006	Licensing Bureau			Policy/Procedures
8b. Conduct training on new policy, legislative changes and classification system	4 th Quarter 05.01.2006	Licensing Bureau			Training Records