

PROGRAM MEMO # 13 -2005

December 22, 2005

To: Holders of Title 390

From: Todd Reckling, Administrator
Office of Protection and Safety

Signed by: _____, Director
Department of Health and Human Services

RE: Program Memo: Title 390, Use of Emergency Shelter Care Placements

Effective Date: January 1, 2006

Duration: Until regulation is revised.

Contact person: If you have questions regarding this program memo, contact Margaret Bitz, Unit Administrator, Office of Protection and Safety at (402) 471-9457 or margaret.bitz@hhss.ne.gov

This memo replaces the program memo dated August 23, 2001 – Use of Emergency Shelter Care Placements beyond 30 days for State Wards.

Purpose: The purpose of this memorandum is to clarify placement in emergency shelter care beyond 30 days and to establish and track the reason for approval of the emergency shelter care placement.

Reason: In August, 2001, more than 41% of children in the custody of HHS who were placed in emergency shelter care remained in emergency shelter for 31 days or more. Based on the percentage of time in shelter care, a program memo was issued stating that “any period beyond 30 days would require approval from the Office of Protection and Safety – Central Office.”

The program memo stated that “failure to obtain approval of the Deputy Director for shelter care beyond 30 days may result in non-payment to the provider.” As a result in May 2002, the percentage of emergency shelter care dropped to 8%. Due to the percentage of shelter care placements decreasing, the requirement for central office approval was rescinded. Since approval was rescinded, emergency shelter care has risen to 37%. As a result of the increase the following procedures have been established.

Counting the number of days: For the purposes of this program memo, the number of days in emergency shelter care is consecutive calendar days in emergency shelter care regardless of the shelter location or level of shelter care. For example if a child is moved from one emergency shelter to another, all of the days in emergency shelter will be counted. In addition any movement of a youth between emergency shelter care and detention will also be counted. See program memo # 14 – 2005, Detention Services for Juvenile Offenders.

APPROVAL NEEDED FOR EMERGENCY SHELTER CARE PLACEMENT FOR MORE THAN FIVE DAYS.

Effective January 1, 2006:

No child will remain in emergency shelter care for more than 5 days without supervisory review. The supervisor’s review must be documented in the narrative on N-FOCUS and must include:

1. The reasons that the child remains in emergency shelter care; and
2. The efforts being made towards the child’s discharge in emergency shelter care.

APPROVAL NEEDED FOR EMERGENCY SHELTER CARE PLACEMENT FOR MORE THAN FIFTEEN DAYS

No child will remain in emergency shelter care for more than 15 days without written authorization from the Protection and Safety Administrator. This authorization must be documented in the narrative on N-FOCUS and must include:

1. The reasons why the child remains in emergency shelter care; and
2. The efforts being made toward discharge.

When it appears that a child will remain in emergency shelter care for more than 30 days, the Protection and Safety Administrator must advise the Service Area Administrator.

APPROVAL NEEDED FOR EMERGENCY SHELTER CARE PLACEMENT FORE MORE THAN 30 DAYS

Approval from the Service Area Administrator must be received for any continuous emergency shelter care beyond 30 days. Approvals by the Service Area Administrator will only be given under the following circumstances:

1. A non-treatment placement has been located for the child and the placement will be available within 10 days; or
2. Magellan has authorized a sub-acute level of treatment but no placement has been located and it is documented that the service area continues to consult with Magellan at least weekly to explore alternatives to the child remaining in shelter, e.g., the possibility of the child returning home with Intensive Outpatient Services for a short period of time; or
3. Some other rare situation exists: This situation must be thoroughly and completely documented on N-FOCUS.

SERVICE AREA ADMINISTRATOR'S RESPONSIBILITIES IN THE USE OF EMERGENCY SHELTER PLACEMENTS:

In an effort to developing a system approach to eliminating emergency shelter care beyond 30 days, the Service Area Administrator is responsible for the following:

1. To review all requests for emergency shelter care on a designated spreadsheet and record them; and
2. To send the spreadsheet to Craig Erickson at the Office of Protection and Safety Central Office, by the 15th of the following month.