

Family First Prevention Services Act (Family First): Residential Placement FAQ

1. Why does Family First make significant changes to how children and youth are placed in child care institutions?

The intent of Family First is to limit use of child care institutions to children/youth who cannot receive services within their family or family foster homes. Only when a child cannot receive services in those settings is a placement in a child care institution considered in the best interests of a child.

Family First intends to limit the time a child spends in child care institutions.

In Minnesota, child care institutions are: children's residential facilities, group homes, foster residence settings (corporate foster homes), etc. Family First requires court involvement and review of placements that extend beyond six or twelve months by county or tribal agency leadership for placements in qualified residential treatment programs (QRTP).

Family First requires an independent assessment for placement in QRTPs, establishing a family and permanency team, new oversight role of the court and creating specialized placement settings based on needs of children/youth.

Those specialized services focus on meeting the needs of children/youth experiencing:

- Behavioral and/or mental health needs,
- Sexual exploitation/trafficking or at risk of
- Pregnancy and becoming a parent, and
- Need to prepare for independent living.

These new requirements were established to transform the child welfare system to keep children and families together, and preserve family connections when residential placements are necessary.

2. Does your agency have reason to believe a child is American Indian?

If yes, the Indian Child Welfare Act (ICWA) and the Minnesota Indian Family Preservation Act (MIFPA) apply. County agencies must contact a child's tribe(s) immediately to give them the option to designate a qualified individual who is a trained, culturally competent professional or licensed clinician. A child's family and permanency team should include a representative from a child's tribe (s).

For consultation and technical assistance contact: DHS.ICWA.MIFPA@state.mn.us

3. What are specialized settings and services?

Family First creates four new specialized settings for children placed in child care institutions (children residential treatment facilities, foster residence, and group homes).

- Qualified residential treatment program
- Pregnant or parenting youth (PPY)
- Youth who have been or are at risk of sex trafficking or commercial sexual exploitation (STY)
- Extended foster care youth in supervised independent living settings. (SILS)

[Bulletin 21-68-17 children's residential and foster residence settings](#)

Identify youth of sex trafficking, commercial sexual exploitation, or at risk

[Bulletin 21-68-13 Family First and SEY specialized settings](#)

Best practice guide for expectant and parenting youth

[EPY in Foster Care Practice Guide](#)

4. When do Family First residential placement requirements apply?

For new placements made in child care institutions/facilities on or after Sept. 30, 2021. The requirements apply when a child moves from one facility to another facility. For children who were placed prior to Sept. 30, 2021 and remain in the same facility these requirements do not apply.

[Bulletin 21-68-01 Fiscal implications implementing Family First](#)

5. Do these requirements apply to all children or just those who are Title IV-E eligible?

The Family First residential placement requirements apply to all children placed in QRTP facilities regardless of the child's Title IV-E status or the facility's Title IV-E status. If an agency places a child in a certified QRTP program, Family First applies.

When county and Initiative tribal agencies place children in child care institutions that are not certified QRTP programs, Family First QRTP requirements do not apply. All other Title IV-E requirements apply.

6. How does Family First impact Title IV-E claiming for maintenance payments in residential settings?

For an otherwise Title IV-E eligible child, Title IV-E may be claimed for the first 14 days that a child is in a congregate care setting, including those that are not certified as one of the specialized setting types, if that setting is approved for Title IV-E claiming.*

Beginning on the 15th day, Title IV-E claiming is only allowed to be claimed for children placed in a program that is certified as one of the four specialized settings types (QRTP, PPY, STY and SILS).

*For placements in a QRTP, all QRTP program requirements (i.e., 30 day QRTP assessment, 60 day court review) must be met (see question 12), or no Title IV-E can be claimed, not even the first 14 days.

*For placements in a foster residence setting (corporate foster care), the program must be certified as one of the four settings types, as well as approved for Title IV-E claiming, for any Title IV-E to be claimed, including for the first 14 days. There is no Title IV-E claiming for children placed in foster residence settings that are not certified as a QRTP, PPY, STY and SILS.

7. Which facilities need to become certified QRTP's for the placement to be eligible for Title IV-E reimbursement?

- Children's residential treatment facilities.
- Group homes
- Foster residence settings (corporate foster homes)

[Bulletin 21-68-17 Childrens residential and foster residence settings](#)

8. How do placements in certified QRTP programs become approved for Title IV-E reimbursement?

Children's residential treatment programs, group homes and foster residence settings require a state level approval process before a county or tribe can receive Title IV-E reimbursement for room and board costs.

Lead county contracts that establish daily facility rates are required as part of the state level approval for group homes and residential treatment programs.

Lead county contracts are not required for determining daily rates for placements in foster residence settings. All placements in foster residence settings are based on Northstar Care for Children basic rates determined by child's age.

9. Does Family First impact a child's eligibility for waived services (i.e., CADI)?

No.

10. How do you know if a facility is certified QRTP?

Some child care institutions have more than one program that may or may not be certified QRTP. For example, some facilities have shelter, evaluation and residential treatment programs in the same location.

Information regarding a facility's licensing status can be found at [Licensing Information Lookup](#)

11. Does Family First apply to out-of-state facilities?

Yes. If a county agency is considering an out-of-state facility for a child, the county will follow Interstate Compact for Children (ICPC) process. Agency must determine if an out-of-state program is certified QRTP and if that is the case, must follow QRTP requirements. Agencies are required to document to the court compelling reasons for placing a child out-of-state.

12. What steps are involved when placing a child in a certified QRTP facility?

County social service agencies and tribes participating in the American Indian Child Welfare Initiative (Initiative):

- Have legal and financial responsibility for a child in order to have authority to make a placement decision.
- Utilize their juvenile treatment screening teams to make placement recommendations in a certified QRTP.
- Establish a family and permanency team [Family and Permanency Team Practice Guide](#)
- Request qualified individual (QI) to complete a QRTP assessment prior to or within 30 days of placement. Case workers can request QI's that their agency has contracted with or an agency employee approved under federal waiver or from the department's state sponsored pilot QI program. To request state QI, county and tribal staff use the following form [QRTP referral process for department QI pilot program](#).

- Provide QI access to family and permanency team members and information by completing necessary releases of information. Third party releases of information are not required and may only be needed after a QI has reviewed all of the information provided by members of the family and permanency team and documents from the agency.
- Submit qualified individual's report to court and a court review is held within 60 days of placement in a QRTP. [Bulletin 21-68-21 Court review of QRTP placements](#)
- Provide internal agency oversight by having the agency head review and approve continued need for placements that extend beyond six or twelve months.

For a complete list of steps involved in placing a child in a certified QRTP facility go to [Bulletin 21-68-22 QRTP assessments and qualified individual](#)

For information on fiscal changes when implementing Family First go to [Bulletin 21-68-01 Fiscal implications implementing Family First](#)

13. Who is a qualified individual (QI)?

A qualified individual is a trained, culturally competent professional or licensed clinician, who conducts QRTP assessments according to the Minnesota Department of Human Services (department) process and tool. QI's can be individuals who contract directly with a county or tribe, county or tribal employee approved under federal waiver or contract with the department.

County and tribal agencies pay for cost of QI's when they contract with individuals from the community or approve staff under a federal waiver. The department covers the cost of QI's it has contracted with under the state sponsored pilot program.

Individuals must enroll and complete the QI training provided by the Minnesota Child Welfare Training Academy. This two-day mandatory training provides instructions on the role and responsibilities of qualified individuals, and Child and Adolescent Needs and Strengths (CANS) training and certification. The department covers this cost for all QI's regardless if they have contracted with a county or tribe, are a county or tribal employee approved under a federal waiver or contracted individual with the department.

14. Is there an appeal process if agency staff or parent(s) disagree with QI's recommendation?

No, there is not an appeal process when a QI does not recommend a QRTP placement. To ensure a qualified individual's recommendation remains independent, objective and not subject to pressure by having their recommendation overturned by placing agency staff or a parent(s), Family First does not provide an appeal process when a QI does not recommend a QRTP placement.

The results of a QRTP assessment is impacted by who the county includes on a child's family and permanency team and documentation provided to the QI. It is important that the placing agency shares with the QI what resources are available in local community.

QI's are required to rule out that a child can receive the treatment services within their family or a family foster care setting before they can recommend a child can only receive this level of treatment in the most restrictive placement setting.

Family First intends to limit placements in child care institutions.

When a QI recommends a QRTP placement and an agency or parent (s) does not agree, they can present their disagreement at the 60 day court review.

15. Can agencies contact department staff when they disagree with a QI's recommendation?

Yes. Contact us at ffpsa.qualifiedindividual.dhs@state.mn.us

16. Does Family First apply to placements paid for by a private insurance company?

Yes, if a county or Initiative tribe has entered into a voluntary placement agreement or the placement is court ordered.

No, if a county or Initiative tribe is providing children's mental health or developmental disabilities case management services and does not have authority to make placement decisions.

17. Does Family First apply to CMH Residential Services Path (aka third path?)

No. CMH Residential Services Pathway is a service not a placement. A county or Initiative tribe cannot have placement authority and have a family access the CMH Residential Services Pathway at the same time.

18. When does CMH Residential Services Path apply?

A parent initiates the process. A family informs a county or Initiative tribe they have received a diagnostic assessment (DA) indicating a youth has a severe emotional disturbance (SED), that a youth is eligible to receive the services and a managed health professional (MHP) recommends a youth receive services via the CMH Residential Services Path. If a county has monies from the allocated account, a parent has two options: 1) they can locate a licensed residential treatment center independently or 2) they can ask a county to assist them in locating a licensed residential treatment center. A county does not do any further eligibility determination.

19. Can CMH Residential Services Path apply if a county or Initiative tribe ends their placement authority?

Yes. If a county or Initiative tribe terminates their voluntary placement agreement with a parent (s) then a county no longer has placement authority.

Resources:

The department has a public website that provides up-to-date information on Family First including practice guidance and instructions, tools, bulletins, program information, trainings and registration information.

[Family First County Link public website](#)



For more information on qualified individuals, [County Link Family First QI program](#)
For instructions on QI waiver implementation, [Qualified Individual \(QI\) waiver instructions for county social service agencies](#).

Questions:

Qualified individual, contact ffpsa.qualifiedindividual.dhs@state.mn.us

Residential services, contact csp.fostercare@state.mn.us.

CMH Residential Services Path, contact bhd.cmhResidentialSvcsPath.DHS@state.mn.us