

	<b>INDIANA DEPARTMENT OF CHILD SERVICES CHILD WELFARE POLICY</b>	
	<b>Chapter 8: Out-Of-Home Services</b>	<b>Effective Date: September 1, 2021</b>
	<b>Section 04: Emergency Shelter Care &amp; Urgent Residential Treatment</b>	<b>Version: 6</b>

**POLICY OVERVIEW**

It is imperative to exhaust all efforts for alternative placement options prior to making a recommendation for Emergency Shelter Care (ESC) or admission for residential treatment. ESC and urgent residential treatment are utilized temporarily **only** when it is in the best interest of the child.

**PROCEDURE**

**Emergency Shelter Care (ESC) Placement**

ESC is considered a short-term placement only to be utilized in crisis situations. An ESC stay will not exceed 20 calendar days without approval. A child will be placed in ESC after attempts to secure the most family like setting appropriate for the child. If the child must be detained from his or her parent, guardian, or custodian in order to protect the child’s safety, relative/kinship placement and licensed foster care should be considered prior to considering ESC. See policy 8.1 Selecting a Placement Option for additional information.

**Note:** ESC serves a different purpose than urgent residential treatment. A child is placed in ESC for 20 calendar days or less to meet their basic needs; whereas, a child is admitted urgently in residential treatment to meet their mental health and behavioral needs.

For ESC placement, the Family Case Manager (FCM) will:

1. Review the case information and the child’s needs with the FCM Supervisor and Child and Family Team (CFT), and receive approval for the ESC placement;
2. Ensure the placement is approved by the Local Office Director (LOD) or designee (or the Regional Manager [RM] if the child is under 10 years of age);
3. Place the child in ESC after receipt of the necessary approvals. See policy 8.09 Placing a Child in Out-of-Home Care for additional guidance;
4. Seek court approval for placement within 48 hours of the child entering the initial ESC placement;

**Note:** If the child has been detained by DCS and/or the detention is included in a post-dispositional modification, a report and recommendation to the court, notice to the court, and a court hearing are required.

5. Complete the Child and Adolescent Needs and Strengths (CANS) Assessment pursuant to the time frames outlined in policy 5.19 Child and Adolescent Needs and Strengths (CANS) Assessment;
6. Complete a referral to the Education Services Team within 24 hours of the child’s placement in ESC to request the School Notification and Best Interest Determination (BID) be submitted to the child’s school. See policies 8.20 Educational Services and 8.22 School Notifications and Legal Settlement for additional information;

**Note:** The FCM must notify the child's school as soon as the child is safely placed in ESC.

7. Review the case information and CANS recommendations with the FCM Supervisor and LOD or designee within five (5) calendar days of placement to determine an appropriate subsequent placement recommendation based upon the needs of the child;
8. Contact the DCS Clinical Services Specialist (CSS) for assistance with identified behavioral and therapeutic interventions, if applicable;
9. Consult with the CFT and other relevant parties to discuss the needs of the child and family to develop a plan for placement prior to the 20th calendar day of the child's ESC stay; and

**Note:** If the ESC stay will be more than 20 calendar days, staff with the LOD and contact the CSS for assistance prior to the 15<sup>th</sup> day of the ESC stay. An extension exceeding 20 calendar days may be requested from the Deputy Director of Child Welfare Services or designee by the ESC facility. The Extension of Emergency Shelter Care (ESC) form must be sent to the DCS ESC Extensions mailbox no later than day 15 and must only be sent for exceptional circumstances.

10. Document all recommendations, approvals, and actions taken in the case management system.

The FCM Supervisor will:

1. Make a determination regarding the child being placed in ESC after review of the case information and child's needs;
2. Request approval from the RM if the child is under 10 years of age and placement in an ESC appears to be the most appropriate placement option;
3. Assist the FCM with placement responsibilities, as needed;
4. Review the case information, CFT recommendation, and CANS recommendation with the FCM and LOD or designee within five (5) calendar days of placement to determine an appropriate subsequent placement recommendation based on the strengths and needs of the child and, if appropriate, ensure there is an adequate plan to step the child down to a less restrictive setting;
5. Review the child's needs with the FCM to ensure the child is receiving appropriate services at the ESC;
6. Coordinate with the ESC, FCM, and LOD if the placement needs to extend beyond 20 calendar days to ensure an extension is requested no later than day 15 of the child's stay; and
7. Ensure all recommendations, approvals, and actions taken are documented in the case management system.

The LOD or designee will:

1. Review and approve all ESC placements prior to placement; and
2. Notify the RM of all ESC placements.

The RM will review and approve or deny all recommendations for ESC placements for children under 10 years of age.

The DCS Staff Attorney will:

1. Request court approval within 48 hours of the youth entering the initial ESC placement; and

2. Provide a notice to the court and request a court hearing if the child has been detained by DCS and/or the detention is included in a post-dispositional modification.

The Educational Services Team will follow all procedural steps outlined in policy 8.22 School Notifications and Legal Settlement.

The CSS will maintain continuous communication with the FCM regarding service interventions for the child and family, if contacted for assistance or case consultation.

### **Urgent Admission for Residential Treatment**

Residential treatment should only be used when a child requires 24-hour supervision or the child is not able to function on a daily basis in a family home environment. Residential treatment facilities include a Child Caring Institution (CCI), Private Secure Facility (PSF) with and without Psychiatric Residential Treatment Facility (PRTF) certification, and Group Home (GH).

For urgent admission for residential treatment, the FCM will:

1. Engage the CFT as partners in admission planning and decision-making. See policies 8.01 Selecting a Placement Option and 5.07 Child and Family Team Meetings for additional information;
2. Review case information, CFT recommendations, and the CANS recommendations with the FCM Supervisor to determine if urgent admission in residential treatment is needed. At least one (1) of the following conditions must apply:
  - a. The child requires 24 hour supervision, and/or
  - b. The child is not able to function on a daily basis in a family home environment.
2. Request and receive approval from the LOD or designee (or the RM if the child is under 10 years of age) prior to admission;
3. Take the child to the residential treatment facility for admission after receipt of necessary approvals;
4. Submit a 30 Day Assessment referral in KidTraks within 24 hours of admission;

**Note:** If the contracted provider does not recommend residential treatment, a Child-Focused Treatment Review (CFTR) must be scheduled to discuss reconsideration and/or discuss next steps. See policy 5.24 Child-Focused Treatment Review (CFTR) for additional guidance.

5. Consult with the DCS Staff Attorney to request court authorization for the admission within one (1) business day following admission;

**Note:** If the child has been detained by DCS and/or the detention is included in a post-dispositional modification, a report and recommendation to the court, notice to the court, and a court hearing are required.

6. Contact the CSS to request a consultation within two (2) business days of admission;

**Note:** The consultation with the CSS must occur within one (1) business day of receipt of the referral.

7. Complete a referral to the Education Services Team within 24 hours of the child's admission to request the School Notification and Best Interest Determination (BID) be submitted to the child's school. See policies 8.20 Educational Services and 8.22

School Notifications and Legal Settlement for additional information;

**Note:** The FCM must ensure the child's school is aware of the child's placement change as soon as the child is safely placed.

Schedule a residential treatment-focused CFT Meeting within 10 business days of placement and every 30 days until the child is transitioned to a less restrictive option. See policy 5.07 Child and Family Team (CFT) Meetings for further guidance.

**Note:** The Step-Down Planning form must be completed during the residential treatment-focused CFT Meeting.

8. Document all recommendations, approvals, and actions taken in the case management system.

The FCM Supervisor will:

1. Review the child's needs with the FCM, and make a determination regarding urgent admission in residential treatment;

**Note:** Contact the DCS CSS for assistance if urgent residential treatment is needed and assistance is needed determining an appropriate facility.

2. Ensure the LOD or designee approves the admission in advance of the child's admission to residential treatment;

**Note:** DCS will not recommend to the court that a child under the age of 10 be admitted to a residential facility without RM approval of the admission.

3. Assist the FCM with residential treatment admission responsibilities, as needed;
4. Assist the FCM in preparation for the residential treatment focused CFT meeting. See policy 5.07 Child and Family Team (CFT) Meetings for additional guidance; and
5. Ensure all recommendations, approvals, and actions taken are documented in the case management system.

The LOD or designee will review and approve or deny all urgent admissions in residential treatment prior to the admission.

The RM will:

1. Review and approve or deny all recommendations for residential treatment for children under 10 years of age, prior to admission;
2. Ensure reviews take place timely; and
3. Make decisions when there are disagreements in the choice of the facility.

The CSS will:

1. Staff with the FCM regarding residential treatment and the child's needs, including services recommendations. See policy 5.10 Family Services for additional information;
2. Consult with the FCM regarding the appropriateness of urgent admission to residential treatment; and
3. Make recommendations about which residential facilities meet the child's needs and have availability, based on information found on the Residential Treatment Facility Search.

The DCS Staff Attorney will:

1. Request court authorization for residential treatment admission within one (1) business day following admission; and
2. Provide a notice to the court and request a court hearing if the child has been detained by DCS and/or the detention is included in a post-dispositional modification.

The Educational Services Team will follow all procedural steps outlined in policy 8.22 School Notifications and Legal Settlement.

## LEGAL REFERENCES

- [IC 31-9-2-16.7: Child Caring Institution](#)
- [IC 31-9-2-48.5: Group Home](#)
- [IC 31-34-20-1: Entry of dispositional decree; placement in home or facility outside Indiana; findings and conclusions](#)
- [IC-31-37-20-3: Formal hearing on continued jurisdiction; periodic jurisdiction review; referral to permanency roundtable](#)
- [IC 31-40-1-2: Obligation of parent, guardian, or department for costs of services or return of child](#)
- [465 IAC 2-11-22: Private Secure Facility](#)
- [42 USC 672: Foster care maintenance payments program](#)

## RELEVANT INFORMATION

### Definitions

- N/A

### Forms and Tools

- Child and Adolescent Needs and Strengths Assessment (CANS)- Available in the case management system
- DCS ESC Extensions email- [escextensions@dcs.in.gov](mailto:escextensions@dcs.in.gov)
- [Extension of Emergency Shelter Care \(ESC\) \(SF 55738\)](#)
- [School Notification and Best Interest Determination \(SF 47412\)](#)
- [Step-Down Planning \(SF 57072\)](#)
- [Residential Treatment Facility Search](#)

### Related Policies

- [5.07 Child and Family Team \(CFT\) Meetings](#)
- [5.10 Family Services](#)
- [5.19 Child and Adolescent Needs and Strengths \(CANS\) Assessment](#)
- [5.24 Child-Focused Treatment Review \(CFTR\)](#)
- [8.01 Selecting a Placement Option](#)
- [8.09 Placing a Child in Out-of-Home Care](#)
- [8.20 Educational Services](#)
- [8.22 School Notifications and Legal Settlement](#)