

**NORTH DAKOTA DEPARTMENT OF HEALTH AND HUMAN SERVICES
BISMARCK, NORTH DAKOTA**

January 13, 2023

PI 23-03

TO: Field Service Specialists
Human Service Zones
Division of Juvenile Services
Tribal Social Services
Nexus PATH
Youthworks

FROM: Brittany Fode, Licensing and Level of Care Administrator
Kelsey Bless, Licensing Unit Administrator

PROGRAM: CPS, In Home, Foster Care

SUBJECT: **607-05-35-40-01 Shelter Care**

RETENTION: Until manualized

EFFECTIVE: **Immediately**

The revision to this policy includes changes to certified shelter care programs and discharge and re-admission criteria listed in red/underlined. Changes are limited to sites who offer certified shelter in North Dakota, three sites are available. In addition, policy language was added surrounding extension requests and how quickly a placement can be returned to a certified shelter site after discharge.

Reminder to the field:

1. Certified shelter care programs have their own referral or application process. Contact the certified shelter directly for admission needs. CFS created a form specific to certified shelter care programs, SFN 1781, which is only used when an extension request is needed.
2. Family shelter care needs (family foster home or childcare provider) have specific state forms that must be completed by case managers in efforts for the provider to be reimbursed by CFS. Forms can be found online:
 - SFN 928 "Agreement to Furnish Shelter Care"
 - SFN 931 "Shelter Care Placement Claim"

If you have questions about shelter care family settings, contact Children and Family Services Licensing and Level of Care Specialist, Dana Lindemann at danalindemann@nd.gov. If you have questions about certified shelter care settings contact the CFS Licensing and Level of Care Administrator, Brittany Fode at brifode@nd.gov. Lastly, the Field Service Specialist assigned to your area can provide technical assistance as well.

Shelter Care 607-05-35-40-01

Out of home placement is required when present danger exists in the home. Planning to control present and/or impending danger threats is a critical child welfare agency responsibility in managing safety. When present danger occurs, the agency must follow the policies within this manual pertaining to the present danger assessment and present danger plan (607-05-35-10 and 607-05-70-15). If present danger exists and out of home placement is warranted, agencies have options to consider during the initial assessment of present danger, while identifying impending dangers and case planning. In lieu of seeking a temporary custody order (TCO) from Juvenile Court, options include:

1. Identifying and providing in-home supports;
2. Identifying/locating relatives to care for child/ren;
3. Utilizing a licensed foster home or childcare setting with a signed shelter care agreement (SFN 928) to temporarily care for child/ren; or
4. Utilizing a certified shelter care program to temporarily care for child/ren age 10 through 17.

If the family is not cooperating with the present danger plan options above, the reasonable efforts to prevent removal are documented and the agency may then consider obtaining a temporary custody order (TCO) from Juvenile Court.

Shelter Care for Foster Care Cases

If present danger exists and a temporary custody order is obtained by Juvenile Court, Human Service Zones may utilize a licensed foster home with a signed shelter care agreement (SFN 928) to care for the child as an approved temporary safe bed option. If a child enters foster care under a TCO for greater than 24 hours, it is federally required that the case be opened in FRAME as a foster care program and documented for federal AFCARS reporting. In turn, this means the case will be reimbursed as a foster care placement and not reimbursed by CFS shelter care.

Family Settings

Family settings for the purpose of shelter care is defined as a licensed or approved foster care provider (foster home) or a licensed or approved childcare setting (family home or center).

Who is eligible for shelter care in a family setting?

Human Service Zones have access to place a child in need of safe care into a licensed foster care home or licensed childcare setting. Shelter care is available to offer a temporary safe and stable placement for a child until the present danger no longer exists or a safety plan is made with family. Eligibility may include a child:

1. Known to or new to CPS where present danger exists,
2. Active in-home program where present danger exists, or
3. Legally removed from the home by a Temporary Custody Order (TCO).

What funds are used for a family setting?

Shelter care funds are state general funds secured to reimburse licensed foster care providers (including overnights) or licensed childcare providers (if licensed for overnight hours) when a child is in need of a temporary safe and stable placement

until present danger no longer exists or a safety plan is made with family. The SFN 931, Shelter Care Placement Claim, must be completed and signed by the case manager/worker, signed by the provider and submitted via email to the CFS Licensing Unit at cfslicensing@nd.gov no greater than 30 days after the shelter care episode has occurred. If needed, the case manager/ worker will be asked to gather a completed W-9 (SFN 53656) and voided check from the provider. The SFN 931 does not apply to certified shelter care programs.

How long can funding support a child placed in shelter care?

Shelter care reimbursement and placement limits are specific to the type of shelter. Family setting (foster home or childcare setting) may not exceed 7 calendar days in an episode.

Can a funding retainer be offered to a family setting who agrees to be "on call"?

Children and Family Services will allow for emergency on-call providers specific to licensed or approved foster parent(s). Provider may be eligible to receive a pre-determined retainer to hold a bed. The amount of a retainer is determined by Children and Family Services based on the statewide budget. The retainer is detailed in the signed agreement (SFN 928). If placement were to occur, the provider will receive the retainer + shelter care daily rate, not to exceed 7 calendar days. Certified shelter care programs are not eligible for retainers to hold a bed.

Certified Shelter Care Program Settings

The certified shelter care settings are located throughout North Dakota, managed by an agency who hires rotating staff to facilitate supervision of children in need of a temporary safe bed.

North Dakota Certified Shelter Care Sites

Name	Address	Phone	Service Area	Serves
Sunrise Youth Bureau	2680 Empire Road Suite E Dickinson, ND 58601	701-483-9498	Primarily Serves: Adams, Billings, Bowman, Dunn, Golden Valley, Hettinger, Slope and Stark.	5 youth Ages: 10-17
Northwest Youth Assessment Center	1020 10 th Ave West Williston, ND 58801	701-577-7708	Primarily Serves: Burke, Divide, Mountrail, McKenzie, Renville and Williams	4 youth Ages: 12-17
Youthworks-Minot	4 39 th Ave SW Minot, ND 58701	701-837-6519	Primarily Serves: Ward and Surrounding Counties	5 youth Ages 10-17

Who is eligible for a certified shelter care program?

Human Service Zones, Division of Juvenile Services (DJS) or Tribal Nations have access to place a child in need of safe care into a certified shelter care setting. Certified Shelter Care programs offer temporary care during which a child needs a

safe bed outside of the home and the certified shelter care site is an early intervention strategy used to minimize crisis.

Eligibility may include a child:

1. Known to or new to CPS where present danger exists
2. Active in the in-home program where present danger exists
3. Referred by HHS Human Service Center, crisis services team
4. Legally removed from the home by a Temporary Custody Order (TCO).
5. Identified as a Child in Need of Service (CHINS) working with local Zone staff

What is a certified shelter care programs admission criteria?

Admission criteria is determined by the certified shelter care program. Typically, may accept youth who are CHIPS, CHINS, placed by a human service center or delinquent youth under the custody of the Division of Juvenile Services. Youth must be able to function independently and at an age-appropriate level while at the program. Youth must be able to respond to direction and verbal de-escalation. Youth must not need 1:1 supervision, need physical intervention to de-escalate behaviors, be under the influence of drugs or alcohol (unless cleared by a medical professional) or be unsuccessfully discharging from a higher level of care. Cases for placement can be staffed on a cases-by-case basis.

What funds are used for a certified shelter care program?

Certified shelter care program costs are to be paid for by the agency making referral for placement. For example, Human Service Zones, Division of Juvenile Services and Tribal Nations have access to certified shelter care program settings. Each agency is responsible to enter into a contract/agreement with certified shelter care program(s) to ensure reimbursement is made for respective temporary placements. For more information, please see the referral and financial guide found here: [Referral and Financial Guide](#)

How long can funding support a child placed in a certified shelter care program?

Certified shelter care program stay may not exceed 7 calendar days in an episode, unless otherwise approved by the Department.

1. If an additional 7 days is warranted, an extension request (SFN 1781) must be completed by the certified shelter care program staff and submitted to CFS at least three days prior to placement expiration.
2. If approved, a child's stay cannot exceed 14 calendar days in one episode. An episode, for these purposes, is further defined as a child who remains in a certified shelter care program as part of an extension request regardless of the number of days approved through the extension. Any child approved through the extension process cannot return to a certified shelter program for 30 calendar days from date of discharge, unless otherwise approved by the Department.
3. A child who is placed in a certified shelter care program for less than 7 days and who unexpectedly leaves the facility without permission (ie. runaway), the certified shelter care program can allow for the child to return under the same episode if found within 24 hours. If a child is not located and returned to the certified shelter care program within 24 hours, the certified shelter care

program must consider the child a new admission and placement time frames start over for youth who were placed less than 7 days.

Extension Request

Certified shelter care programs do require the use of SFN 1781, "Extension Request for Shelter Care Services Beyond Seven Days", which must be completed and submitted by the shelter care program seeking an extension. This should be completed in conjunction with the child's collateral contacts including, custodian, parent or guardian. The request must specify in detail the child's discharge plan, barriers to timely discharge from the shelter care program, pending safety services to return the child home and rationale for length of time needed. Transitioning from one certified shelter care agency to another in efforts to extend a child's stay is prohibited.