

Family First Prevention Services Act Qualified Residential Treatment Program (QRTP) Tennessee Bench Card

Beginning July 1, 2021 in Tennessee, a new protocol applies to Department of Children's Services' (DCS) placement of certain IV-E eligible children and youth in non-foster family, residential settings. Note this protocol does not apply to placements in which DCS is not drawing down IV-E funds, nor does it apply to specific types of IV-E placements that the federal law excepts from these QRTP requirements (i.e.: programs specifically serving parenting youth, trafficked youth, young adults in supervised settings, and drug treatment family program).

QRTP Judicial Timelines

Initial Judicial Review within 60 Days of Placement

Court review required: Judge, Magistrate or judicially appointed administrative body.

Court reviews:

1. CANS assessment;
2. Child's permanency goals;
3. CFTM determination regarding the least restrictive/most appropriate level of care required; and
4. Assessment Consultant/QI documentation of approval of QRTP.

After court review, the Court must formally find agreement or disagreement with QRTP placement.

IN GENERAL, THE COURT SHOULD PROVIDE WEIGHT TO THE RECOMMENDATION OF THE QI AND THE CHILD AND FAMILY TEAM.

If Court disagrees, child moved within 30 days or IV-E funding ends.

Subsequent Status Reviews and Permanency Hearings include QRTP review

Court review required at regular child welfare intervals: Judge, Magistrate or judicially appointed administrative body.

Court reviews:

1. CANS assessment;
2. Child's permanency goals;
3. QRTP placement provides least restrictive/most appropriate level of care required;
4. QRTP treatment and service needs; and
5. Preparation made for child's step down into family home or less restrictive placement.

Court determines whether QRTP remains the most appropriate level of care.

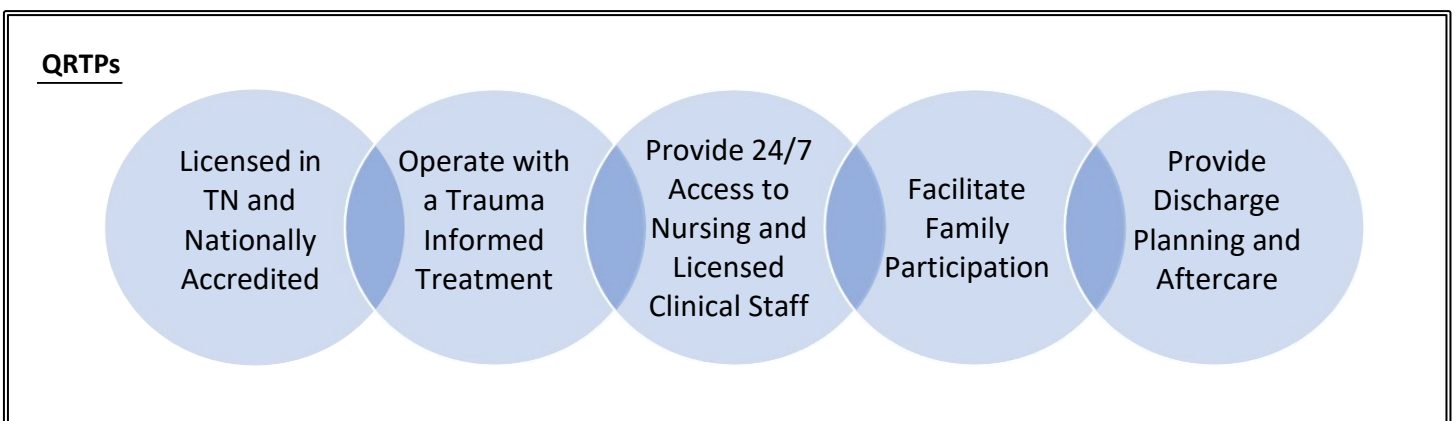
Questions for Judicial or Administrative at 60 Day Review

1. Does the Qualified Individual (QI) recommend QRTP in the assessment?
2. Did other Child and Family Team (CFT) members, i.e., the parents or the child have a different placement preference?
 - If the members of the CFT had a different placement preference than the QI, does the QI provide a rationale for their differing recommendation?
3. Is the QRTP placement the most appropriate level of care in the least restrictive environment?
 - Could the needs of the child be met in a less restrictive placement, i.e.: foster family home? (Lack of available placements is not a valid reason.)
4. If an out-of-state QRTP, what are the compelling reasons why the child's needs can't be met in an in- state QRTP?
5. Is the placement consistent with the child's short- and long-term permanency goals?

Questions for Judicial or Administrative Body at Each Status Review or Permanency Hearing

As long as the child remains in a QRTP, DCS must submit evidence of the continued appropriateness of the placement at each status review. The Court should consider the following:

1. Does the ongoing assessment of the child's strengths and needs continue to support the position that the child could not be appropriately served in a foster family home?
2. Is the QRTP placement the most effective placement and the appropriate level of care in the least restrictive environment? (Lack of available placements is not a valid reason.)
3. Is the placement consistent with the child's short- and long-term permanency goals?
4. What treatment and services are the child receiving in the QRTP?
5. How long is the child expected to require the treatment or services of the QRTP?
6. What efforts are being made to transition the child back to the family or to a lower level of care?



For additional information see: U.S. Department of Health and Human Services Administration on Children, Youth and Families Information Memorandum, Families First Prevention and Services Act at: <https://www.acf.hhs.gov/sites/default/files/documents/cb/im1802.pdf>