

**Child and Family Services Policy Manual: Substitute Care For Children
Foster Care Case Plan – DocGen 427, Parts A and B**

**Foster Care Case Plan
Required**

A current case plan is required for every child for whom the Division:

- has placement, care and supervision and the child has been removed from his/her custodial parent(s) and placed with someone other than the child's non-custodial parent; or
- is making a foster care payment pursuant to Mont. Code Ann. 52-2-611; or
- had placement, care or supervision through the young adult's 18th birthday and the Division is continuing to make IV-E foster care payments.

The Division is awarded placement, care and supervision through a court order.

A case plan (and FCRC review of the plan) continues to be required if a child has been returned to the custodial parent on a trial home visit or if the child has runaway.

A trial home visit (THV) is intended to be a short term option in preparation for permanently returning a child to the home from which the child was removed. A THV allows for the Division to monitor and evaluate the parents' ability to keep their child safe. During a THV, the Division retains placement and care authority. If the visit is unsuccessful and the child is placed back into care within 6 months (180 days), it is not considered a new removal. If a THV exceeds 6 months (180 days), the child is presumed to have been returned home. ***If the child is placed back into care after 6 months (180 days), a new removal has occurred and a court order must be obtained unless the trial home visit is ordered by the court for a longer period of time.***

**DocGen 427, Part A,
Foster Care Case Plan**

The foster care case plan that is used by the Division is the DocGen 427, Part A.

The DocGen 427, Part A, when completed in an accurate and thorough manner, includes the federally mandated requirements that must be reviewed by the Foster Care Review Committee.

**Child and Family Services Policy Manual: Substitute Care For Children
Foster Care Case Plan – DocGen 427, Parts A and B**

Child Assessment by Foster Care Provider

Prior to the development of the Foster Care Case Plan, a request to the foster care provider for a copy of a completed DPHHS-CFS-107 Child Assessment must be made. The completed Child Assessment will provide up-to-date information on the child’s behaviors and needs. Concerns or conditions that are identified as “untreated” or “unaddressed” must be addressed in the child’s case plan.

CAPS Screens

Prior to completing the DocGen, the following screens must be COMPLETED or UPDATED to reflect current information:

ACTD	ADDD	CLID	CREI
CRTD	EDHL	IARD	ICWD
MDTD	MMHD	PERD	PLAD
PLSH	RELL	SERL	SPND

If current information is not entered into CAPS prior to running the DocGen 427, required information will not be included on the case plan.

System Generated Information

If the above screens are completed and current, CAPS generated information includes;

- The child’s CAPS ID#, name, social security numbers, birth date, tribal affiliation (if any),
- Enrollment status and enrollment number;
- The names and addresses of the child’s parent(s) and siblings;
- Current placement information and placement history;
- Current court information and court history;
- FCRC review history;
- Special needs;
- Current school information and school history;
- Health information; and
- Limited contact history.

**Child and Family Services Policy Manual: Substitute Care For Children
Foster Care Case Plan – DocGen 427, Parts A and B**

Time Frames**Initial Plan**

A case plan must be completed within 30 days for a child placed under a voluntary placement agreement and within 60 days for a child placed under a court order.

Updated Plan

The plan must be updated or a new plan developed when a child moves to a new placement setting. The case plan must also be updated whenever a change in the permanent plan for the child occurs. At a minimum, the case plan must be updated at least every six months and a new DocGen 427 run. Updates shall be recorded on the required CAPS screens.

The Child Protection Specialist Supervisor must review and sign off approving the case plan.

**Foster Care Case Plan,
Required Elements**

The case plan must:

- Be developed jointly with the parent(s) or guardian of the child;
- Offer parent(s) or guardian(s) the opportunity to participate in the development of the case plan. If the parent(s) or guardian(s) are unwilling or unable to participate in the development of the case plan, the reason for the lack of participation must be noted in the plan;
- Describe the placement setting of the child and the plan for assuring that the child receives safe and appropriate care in that setting;
- Demonstrate that the child's placement is the least restrictive (most family-like) setting available and that the placement is in close proximity to the home of the parent(s) when the case plan goal is reunification.
- Demonstrate that the placement is in the best interests of the child and that the special needs of the child are being met.
- Document visits with the child. Monthly visits are required for all children in foster care. If the child is placed out-of-state, a Child Protection Specialist from either the sending (Montana) or receiving state (state in which the child is placed) may conduct the visits.

**Child and Family Services Policy Manual: Substitute Care For Children
Foster Care Case Plan – DocGen 427, Parts A and B**

- Describe the services offered and provided to prevent removal of the child from his/her home **and** the services offered and provided to improve the conditions in the parents' home and facilitate the safe return of the child to his/her home; or the permanent placement of the child.
- Describe the services that are being provided to the child and his/her foster parents and why these services are appropriate to address the needs of the child while in foster care.
- Include, when reunification is not possible, documentation of the steps that are being taken to find an adoptive family, a fit and willing relative, a legal guardian or another planned permanent living arrangement and to finalize the adoption or establish legal guardianship. Documentation must include child specific recruitment efforts such as the use of state, regional and national adoption exchanges including electronic exchange systems.

When permanency plan is in a relative guardianship eligible for iv-subsidy

- For a child with respect to whom the permanency plan is placement with a relative eligible for kinship guardian subsidy, the following required information for case plan is needed:
 - The steps taken to determine that reunification or adoption are not appropriate
 - If the child is being considered for guardianship is not placed with siblings, a description of the reasons why the child is separated from the siblings.
 - The reasons why permanent placement with the prospective guardian and receipt of guardianship subsidy (if one is to be provided) is in the child's best interests
 - How the child meets the eligibility requirements for guardianship and guardianship subsidy.
 - The efforts that have been made to discuss adoption as a more permanent alternative to legal guardianship in cases where the child is legally free with the child's prospective guardian and the reasons why adoption is not considered an option by this prospective guardian.

**Child and Family Services Policy Manual: Substitute Care For Children
Foster Care Case Plan – DocGen 427, Parts A and B**

- | | |
|----------------------------------|---|
| Agency Responsibility | <ul style="list-style-type: none"> • The efforts that have been made to discuss with the child’s parent(s) the guardianship subsidy arrangements or why efforts were not made. • Demonstrate how the agency that is responsible for the child plans to carry out the voluntary placement agreement entered into or the judicial determination made with respect to the child. |
| Health and Education Information | <ul style="list-style-type: none"> • Include the most recent health and education records of the child, including: <ul style="list-style-type: none"> ○ the names and addresses of the child’s health providers; ○ the child’s educational status, i.e., last school attended, last grade completed, current school attending, grade level performance, whether evaluated for or receiving special education services; ○ services already provided and to be provided to the child or out-of-home caregiver to address the child’s educational needs, and ○ assurances that <u>each</u> placement of the child in foster care takes into account the appropriateness of the current educational setting, and the proximity to the school in which the child is enrolled at the time of placement and an assurance that the Division has coordinated with the appropriate school officials to ensure that the child remains in the educational setting in which the child is enrolled at the time of <u>each</u> placement; or ○ if remaining in the current educational setting is not in the best interest of the child, the case plan must document the reasons why moving the child out of the current school district is in his or her best interests and assurances that the Division and the local school officials will provide immediate and appropriate enrollment in a new |

**Child and Family Services Policy Manual: Substitute Care For Children
Foster Care Case Plan – DocGen 427, Parts A and B**

school, with all of the educational records of the child provided to the school;

- a record of the child's immunizations;
- the child's known medical problems;
- the child's medications; and
- any other relevant health and education information concerning the child determined to be appropriate by the state agency.

**Transitional Plan/
Independent Living
Services**

- Include for a youth age 16 or over, a written transitional living plan which describes the programs and services which will help the youth prepare for the transition from foster care to independent living.
- Include for a youth age 16 and over, a copy of any consumer credit report on the youth for each year until discharged from foster care, and assistance in interpreting the credit report and resolving any inaccuracies. (refer to Policy Section 408-4)
- Case plan shall reflect that 90 days immediately prior to the youth attaining 18 years of age, efforts were made to offer the youth assistance and support in development and implementation of a personalized transitional plan including options such as housing, health insurance, education, mentors, support services, work force supports and employment. (refer to Policy Section 408-1)
- Case plan shall also reflect that efforts were made to offer youth information about the importance of designating another individual to make health care treatment decisions for him if he becomes unable to participate in such decisions and he does not have, or does not want, a relative who would otherwise be authorized under state law to make such decisions. Efforts were also made to provide the youth with the option of designing and executing a health care power of attorney, proxy or similar document. (refer to policy section 408-1)

Case Plan Review

The updated case plan (DocGen 427) for every child who has been removed from his/her custodial parent and is under the

**Child and Family Services Policy Manual: Substitute Care For Children
Foster Care Case Plan – DocGen 427, Parts A and B**

care and supervision of the Division or for whom a foster care payment is being made must be reviewed periodically (at least every six months). Foster care review must continue to be held for youth between the ages of 18-19 who have remained in a foster care placement, only if IV-E funds are being used on behalf of the youth.

Under Federal law, a periodic review may be completed either by a court or by administrative review; however, state law requires that the periodic review be completed by a Foster Care Review Committee. The purpose is to review the:

- safety, history and specific needs of the child;
- continuing necessity for and appropriateness of the placement;
- extent of compliance with the case plan;
- extent of the progress which has been made toward alleviating or mitigating the reasons the child was placed in foster care; and
- to project a likely date by which the child may be returned to and safely maintained his/her home or permanently placed.

A copy of a current case plan must be provided to the Foster Care Review Committee (FCRC).

DocGen 427 Part B

The FCRC reviews the case plan every six months for each child under the supervision of the Division or for whom foster care payments are being made and young adults between ages 18-19 for whom IV-E funds are being used. The completed DocGen 427, Part B, is the document used to the record FCRC's findings.

A majority of the committee must be present, including at least three of the required members, to conduct an official review or the review must be postponed (Refer to Section, 409-I, Foster Care Review Committee for FCRC membership). If a majority is not present the review must be postponed. All members present must date and sign Part B and set a continuance date.

**Child and Family Services Policy Manual: Substitute Care For Children
Foster Care Case Plan – DocGen 427, Parts A and B**

A signed copy of the continuance (Part B) must be placed in each child's case record.

When a review is conducted, the completed and signed DocGen 427, Part B is the report of the committee's findings and must be maintained in the file along with Part A.

A copy of the current foster care case plan (Parts A and B) is provided to the child (if appropriate) and to the parent(s). A copy is kept in the child's file under "Case Plans."

CAPS

FCRC reviews must be promptly entered on the IARD screen in CAPS. Failure to enter these reviews results in an AFCARS error.

References

42 USC 671
 42 USC 672
 42 USC 675
 45 CFR 1356.21
 Mont. Code Ann. § 41-3-115
 Mont. Code Ann. § 52-2-611
 Fostering Connections to Success and Increasing Adoptions Act of 2008
 The Child and Family Services Improvement and Innovation Act (Public Law 112-34)

Rev. 04/04
 Rev. 10/04
 Rev. 10/05
 Rev. 10/07
 Rev. 12/09
 Rev. 02/10
 Rev. 01/12
 Rev. 07/12