

SUBCHAPTER a: SERVICE DELIVERY
PROCEDURES 304 ACCESS TO AND ELIGIBILITY FOR CHILD WELFARE SERVICES

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== 304.1 Purpose

== 304.2 Definitions

304.3 Introduction to Child Welfare Services

a) Purposes of Child Welfare Services

The numerous services which "child welfare" encompasses are in rules and Procedures 302, Services Delivered By the Department. These services are provided directly by DCFS staff as well as by individual and agency providers with whom DCFS has purchase of service contracts. Services are generally directed toward keeping children at home, returning children home who have been placed and for whom DCFS is legally responsible, and placing in adoptive homes those children who cannot be returned to the home of their natural parents.

b) Essential Criteria for Child Welfare Services

DCFS intervention in a family relationship, either directly or through service contractors, is, in and of itself, serious to the family. It holds a family accountable for its actions or inactions concerning its children and judges the extent of their concern for the child(ren). Therefore, the response to one or more of the following questions must be "yes" for DCFS to provide or purchase child welfare services:

- 1) Has the parent(s) or other person responsible for the child's welfare abused or neglected the child? If the answer is "yes", does the protective issue remain unresolved?
- 2) Is the child in risk of harm from child abuse or neglect if child welfare services are not provided?
- 3) Is the parent(s) requesting that he/she be relieved of all rights to the child in order to allow the child to be placed for adoption?
- 4) Is the parent(s) unable to adequately deal with the child's specialized needs (e.g., physical or health impairments, behavioral disorder, mental impairment) without child welfare services?
- 5) Is an unmarried youth under age 18 for whom the Department is not legally responsible in need of supportive counseling to assist him/her in planning for his/her baby? Is a pregnant girl under age 18 for whom the Department is not legally responsible in need of maternity center care due to medical risk or educational disruption and without financial resources to secure such (her own or parental resources)?
- 6) Is the parent(s) requesting child welfare services to assist him/her in meeting his/her child care responsibilities?

304.4 Eligibility for Child Welfare Services

a) Children and Families the Department Must Serve

DCFS provides services, either directly or through purchase, to children for whom the Department is legally responsible and their families. Services are detailed in rules and procedures 302, Services Delivered By the Department. Service planning is detailed in rule and procedures 305, Client Service Planning and service termination is detailed in rules and procedures 306, Service Termination.

Additionally, children at risk and in need of protection, as determined by CA/N investigative staff, and their families shall receive appropriate child welfare services.

b) Children and Families the Department May Elect to Serve

When a family who DCFS is not mandated to serve requests DCFS direct or purchased child welfare services, the provision of services is dependent upon the following:

- 1) a lack of any other appropriate service resource;
- 2) sufficient DCFS staff or agency/individual purchase of service contractors; and
- 3) when Regional budget grant lines will be involved, sufficient available monies so that mandated services will not be impacted.

Additionally, one or more of the questions in procedure 304.3 (b) must have an affirmative response.

c) No Financial Eligibility

Although a family's financial resources do not affect eligibility for DCFS direct or purchased child welfare services, parents or guardians of a child's estate are financially liable for the cost of some services. Refer to rules and procedures 352, Financial Responsibility of Parents or Guardians of the Estates of Children.

304.5 Access to Child Welfare Services

a) Methods of Access

Families come to the attention of DCFS investigative and intake staff through:

- 1) reports made to the State Central Register (SCR);
- 2) referrals from purchase of service (POS) contractors, other state agencies and other states through the DCFS Interstate Compact Office;
- 3) direct parental or caretaker request for:
 - A) family preservation (in-home) services,
 - B) short-term placement of a child(ren) via a voluntary placement agreement
 - C) voluntary relinquishment (surrender) of a child(ren) for adoption,
- 4) court orders adjudicating children neglected, dependent, delinquent (under age 13) and, with Department consent, minors requiring authoritative intervention or who are addicted or alcoholic as defined in the Alcoholism and Substance Abuse Act.

b) Referrals From Providers/Agencies

//

Purchase of service providers, as well as other public or private agencies, may make a written request to a Regional or Field Office for DCFS to provide child welfare services for clients currently served by providers and agencies. These services may be provided directly by the Department or may be provided indirectly by purchase of service agreement. As indicated in rules and procedures 302, Services Delivered By the Department, the only service which DCFS may purchase for unmarried mothers for whom DCFS is not legally responsible is maternity center care (under age 18 and 90 day maximum). The provision of this service is contingent on the availability of funds.

Notice of DCFS Service Request to Client

The provider/agency shall notify the client that services are being requested from DCFS before making such a request. The written request from the provider/agency shall indicate when the client was advised of the request to DCFS and whether the client concurred.

Requests for Placement

If a provider/agency requests that a child be placed in substitute care, a written request should be sent to the DCFS Regional or Field Office. The agency/provider shall list the services provided to keep the family intact and, if a placement has been selected, shall demonstrate that the placement selection criteria specified in rule and procedures 302.390 (e). NOTE: If there is an emergency need for placement, call the State Central Register to make a report of child abuse or neglect.

DCFS Determination of Appropriateness

Based on the written detail provided by the provider/agency, DCFS will determine the appropriateness of DCFS involvement in accordance with the criteria specified in 304.3 (b) and 304.4 above. With respect to child placement, DCFS assumes no financial responsibility for the child until DCFS assumes legal responsibility for the child(ren) in accordance with, procedures 327, Guardianship Services. DCFS will assume no financial responsibility for family preservation services until a decision has been made to open a case.

304.6 Decision Concerning Case Openinga) Indicated Child Abuse and Neglect Reports

When a child abuse or neglect report has been "indicated" a decision whether to open a service case shall be made no later than 10 working days after the final finding date. However, when child welfare services are provided prior to the final finding date (e.g., temporary protective custody, emergency caretaker) a case shall be opened effective the date services were first provided.

Other Referrals for Services

Referrals for services may be received from the Division of Child Protection when a report is unfounded or from a purchase of service provider/agency. In either instance, a case opening decision shall be made no later than 30 days after the family was referred for services.

Notice of Decision

The referent (family or provider/agency) shall be advised, in writing, of the Department's decision concerning service provision. The family who disagrees with the decision may request a review of the decision in accordance with rules and procedures 309, Review and Approval Process.

b) Case Opening

When a family is eligible for DCFS direct or purchased services, a family case shall be opened. A child case shall be opened only when DCFS has assumed legal responsibility for a child. Case opening means the assignment of an identification number and completion and terminal entry of the appropriate modules.

c) Development of Client Service Plan

A written client service plan shall be developed within 30 days of case opening in accordance with rules and procedures 305, Client Service Planning.

== d)

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A. Description and Purpose

The purpose of this Appendix is to explain the Department's case opening requirements under MARS/CYCIS and to describe the types of cases which may be opened under MARS/CYCIS.

MARS/CYCIS will accept two basic types of cases:

- service cases, and
- payment/monitoring only cases.

B. Department Service Cases

Service cases are divided into two types:

- family service cases
- child service cases.

// All Department service cases are to fully comply with the case record organization and uniform recording requirements in Administrative Procedures #5.

1. Family and Child Service Cases

A family service case is opened when the Department is providing services, either directly or by purchase of service, to the family. A child service case is opened only when the Department has assumed legal responsibility for a child.

// If a child's biological parents are deceased, their whereabouts have been unknown for a period of one year, or parental rights have been terminated, a family case shall not be opened unless a relative or legal guardian has been caring for the child prior to DCFS involvement and wishes to continue to act as the child's "family." The child's biological parents are to be registered on the CFS 1410, Registration/Case Opening form even if deceased, whereabouts unknown, or parental rights have been terminated.

The only time the child's biological parents should not be entered on the CFS 1410 is when the child has been adopted. Then, the child's adopted name and adoptive parents are entered on the CFS 1410. A relative or legal guardian who wishes to act as the child's "family" should also be registered on the CFS 1410.

a) Day Care Services

When protective day care or family maintenance day care is one of the services provided to a child, a family service case is opened. This case must comply with the uniform recording requirements in AP #5.

However, if transitional day care, employment related day care, or migrant day care is the only service provided to the family, no Department case (either service or payment/ monitoring) shall be opened.

b) Court Supervision of a Family

// The Juvenile Court or Domestic Relations Court may order supervision of a family in the following situations:

- o supervision of a family to prevent placement of the children;
- o supervision of a family upon release of guardianship to assure that the family situation remains stable;
- o supervision of an individual who has custody or guardianship of a child but who needs services. (The Department does not make foster care payments in this instance.)

These cases are family service cases and must comply with the uniform recording requirements in AP #5.

2. Wards with Children

In those instances when a Department ward has a child, list the young mother as both a caretaker for her child and as a child on the CFS 1410, Registration/Case Opening. Register her child in the Registration segment of the same form. Do not complete a separate form to register her child.

If the Department assumes legal responsibility for her child, open a child case for her child on the same form. Do not open another family case. Complete or update all other appropriate forms for child case opening.

C. Payment/Monitoring Only Cases

Payment/monitoring only cases are to be opened for the following reasons:

- // o to pay adoption assistance and provide a medical assistance card when no other post-adoptive support services are being provided;
- // o to pay a subsidy to a successor guardian and provide a medical assistance card when no other post-transfer support services are being provided;
- o to pay for services to a non-ward unmarried mother;
- o to pay for foster care for deaf children;
- o to pay for the return to his/her home state of a child who has runaway;

- o to pay for the care of children under the Governor's Youth Initiative when the Department does not have legal responsibility for the child; and
- o to record time spent providing services to another agency or individual.

Payment/monitoring only cases are not the same as service cases. Compliance with the Department contact requirements, client service planning requirements, most of the eligibility forms requirements, most of the other MARS/CYCIS forms requirements, or the uniform recording requirements is not required unless services are provided and a service case opened. However, completion of CFS 1421, Activity/Travel Reports and CFS 492, Case Entry is required for these cases.

PAYMENT/MONITORING ONLY CASES

1. Adoption Assistance/Payment Only - Open a child's payment case. On the CFS 1410, Registration/Case Opening, register the adoptive parents, the child (use new name), and the child's new siblings. Do not enter the biological parents' names or the child's former name as an alias. To begin the adoption assistance payment and the medical assistance card, complete a CFS 906, Placement/Payment Authorization. List the adoptive parents as the care provider.
- // 2. Subsidized Successor Guardianship/Payment Only - Unless the Department is otherwise involved with the family, the family case should be closed. The child's case is to be left open and the successor guardian registered as such on the CFS 1410, Registration/Case Opening. To begin the subsidy and medical assistance card, complete a CFS 906, Placement/Payment Authorization, listing the successor guardian as the care provider and inserting the type service code for payment of subsidy to a successor guardian. Complete a CFS 1411, Eligibility I, listing only the child's income and assets of the child. Do not include the income or assets of the child's parents or the successor guardian.
3. Non-Ward Unmarried Mothers - Open a child's payment case for the unmarried mother. Register the unmarried mother, her parents, and upon its birth, her child. Complete a CFS 1411, Eligibility I. Include information about the unmarried mother's, her child's and her parents' income and assets. To begin payment for her care in a maternity center, the center will complete a CFS 906-1, Placement/Payment Authorization.
4. Foster Care for Deaf Children - Open a child's payment case. On the CFS 1410, Registration/Case Opening, register the parents and the child. To begin deaf education foster care payments, complete a CFS 906, Placement/Payment Authorization.

5. Return of Out-of-State Child (Non-DCFS Wards)

When a child has run away from his home in another state to Illinois and the state from which the child ran refuses to arrange for or return the child home, the Department shall arrange for and pay for the return of the child. (Refer to Part 329, Return of Runaway Children, for a full explanation of the Department's rule.)

Open a child's payment case. On the CFS 1410, Registration/ Case Opening, register the child, his parents, and the persons to whom the child was returned (if not his parents). Enter the case opening code of CB (Child Behavior Problem) and the Legal Status code of RN (Runaway). Pay for any temporary foster care of the child via the CFS 906 or 906-1, as appropriate, or C-13, Voucher, as appropriate.

6. Governor's Youth Initiative (GYI)

Some children are served under the Governor's Youth Initiative even though the Department is not legally responsible for the child.

When the Department is not legally responsible for the child, open a child's payment only case. On the CFS 1410, Registration/Case Opening, register the parents and the child. Complete CFS 1411, Eligibility I, CFS 1412, Eligibility II, and CFS 1413, Eligibility III (if appropriate) reflecting both the child's and parent's income and assets. To authorize Governor's Youth Initiative payments, complete a CFS 906-1, Placement/Payment Authorization (if private agency care) or a CFS 906, Placement/Payment Authorization (if DCFS care).

7. Service to Other Agency/Individual (SOA)

a) Service to an Out-of-State Agency

This refers to those situations when the Department is supervising a child from out-of-state who is placed in substitute care in Illinois. The Department does not have legal responsibility for the child and does not pay for the child's care.

Open a family monitoring only case. On the CFS 1410, Registration/Case Opening, register the family and enter the out-of-state address. Register the child at the Illinois address. Register the Illinois substitute caretakers, enter their address, and code them as significant others.

b) Supervision of Visits

When a court has ordered that the Department, in accordance with the Illinois Marr

riage and Dissolution of Marriage Act, supervise visits between a divorced or legally separated parent and child, the Department shall open a family monitoring only case. On the CFS 1410, Registration/Case Opening, register the divorced or separated parent, the child and the child's current caretaker.

c) Miscellaneous Services to Individuals or Agencies

Complete a CES 1400, Assessment, to record the time spent on:

- o child custody investigations;
- o independent adoptive home studies;
- o inter-country adoptive home studies; or
- o social service payee investigations.