

# Family First Prevention Services Act

## Qualified Residential Treatment Program Benchcard (v. 2)

### WHO SHOULD BE PRESENT

All parties and appointed counsel, legal custodians and the child/youth/juvenile when appropriate. Others with relevant information may also attend.

### FOR INITIAL QRTP PLACEMENT\*

- What is the placement date? Age of the child/juvenile/youth?
- Has the child/youth/juvenile been in QRTP placement before? For how long?
  - If exceeds max time limits, approval from the director of CDHS required
- Was an assessment completed by a qualified individual prior to placement or no later than 30 days after placement? Has it been filed with the Court?
- Has the agency assembled a family/permanency team?
  - For youth 14 & over - did team include members selected by the youth?
  - Are meetings being held at a time/place convenient for the family?

*\* The initial hearing may be done by the Administrative Review Division (ARD) if the juvenile is committed to DYS and no longer under the jurisdiction of the court. QRTP reviews may be held as ARD reviews rather than court reviews if the parties' consent.*

### QUALIFIED INDIVIDUAL ASSESSMENT

- What level of care is recommended in the assessment?
- Was the approved tool used to complete the assessment?
- Was the assessment done by a qualified individual?
- Does the assessment determine/include/appropriately consider:
  - That the child/youth's needs cannot be met in a non-QRTP setting?
  - Child/youth-specific short term and long-term goals?
  - Collateral information?
  - Family/child/youth placement preferences?
  - Placement of siblings?
  - Why this is the most effective and most appropriate placement for the child/youth?
- Was the child/youth interviewed?
- Did the qualified individual work with the family/permanency team?
- Does the family agree with the recommendation?
  - If not, the reasons why the preferences of the team and of the child/youth/juvenile were not recommended must be included.

**INITIAL HEARING REGARDING QRTP PLACEMENT**  
Must be held within 60 days of placement in a QRTP except:

- The hearing must be within 30 days of placement if either:
  - Child/youth/juvenile, GAL or any party objects to the placement or
  - The child/youth/juvenile is placed in a QRTP and the qualified individual assessment does not recommend the QRTP level of care.

### REQUIRED FINDINGS BY THE COURT

Whether or not QRTP provides the **most effective and appropriate level of care** for the child/juvenile/youth in the **least restrictive environment** and is **consistent with the permanency plan**. (This is in addition to findings required in C.R.S. § 19-1-115)

### TIMELINE

- Child/youth/juvenile placed in QRTP (any placement allowed up to 14 days)
- Within 60 days Court must review/approve placement decision (*see Initial Hearing for exceptions requiring hearing in 30 days*)
- If Court does not approve placement, child/youth/juvenile must be moved w/in 30 days of decision\*\*
- While child/youth/juvenile remains in QRTP, decision is reviewed at every placement/review hearing (at least every 90 days)
- After **6 consecutive or nonconsecutive months** (for child/youth/juvenile under 13) continued placement requires approval by Director of CDHS
- After **12 consecutive month or 18 nonconsecutive months** (for child/youth/juvenile 13 and over) continued placement requires approval by Director of CDHS
- **Discharge from QRTP**
- **6 months of aftercare services**

*\*\* federal reimbursement unavailable after 30 days*

The court shall give great weight to the recommendation in the Qualified Individual Assessment. **If the Court deviates from the recommendations in the assessment, the Court shall make specific findings of fact set forth in 19-1-115 (4)(h).**

## COURT FINDINGS

Qualified Assessment Recommends Q RTP

Qualified Assessment DOES NOT Recommend Q RTP

Court Approves/Orders Q RTP	Court DOES NOT Approve/Order Q RTP
<ul style="list-style-type: none"> <li>Ensure facility is a licensed Q RTP Provider</li> <li>Is/has family participation been facilitated?</li> <li>Is there a discharge date?</li> <li>Make required findings, see 19-1-115 (4)(e)(II):               <ul style="list-style-type: none"> <li>Q RTP provides the most effective appropriate level of care for the child/youth/juvenile in the least restrictive environment                   <ul style="list-style-type: none"> <li><i>Lack of available placements cannot be a reason</i></li> </ul> </li> <li>Consistent with the permanency plan (if set).</li> <li>Consistent with the child/youth/juvenile’s short and long-term goals.</li> </ul> </li> <li>Set Q RTP review prior to discharge date or no longer than 90 days, see 19-1-115(4)(g).</li> </ul>	<ul style="list-style-type: none"> <li>Is/has family participation been facilitated?</li> <li>Is there a discharge date?</li> <li>Make specific findings to deviate from the assessment required in 19-1-115 (4)(h).</li> <li>Make required findings:               <ul style="list-style-type: none"> <li>Q RTP is not the most effective appropriate level of care for the child/youth/juvenile.</li> <li>May be placed in a less restrictive environment</li> <li>This is consistent with the permanency plan (if set)</li> <li>Consistent with the child/youth/juvenile’s short and long-term goals.</li> <li>Court defines why it deviated from assessment</li> </ul> </li> <li>Must transition out within 30 days.**</li> <li>Set paper review or return date to ensure transition has occurred.</li> </ul>
<ul style="list-style-type: none"> <li>Make specific findings to deviate from the assessment required in 19-1-115 (4)(h).</li> <li>Make findings regarding why an alternative other than Q RTP does not meet the needs of the child/youth.               <ul style="list-style-type: none"> <li><i>Lack of available placements cannot be a reason.</i></li> </ul> </li> <li>Make required findings:               <ul style="list-style-type: none"> <li>Q RTP provides the most effective appropriate level of care for the child/youth/juvenile in the least restrictive environment.</li> <li>Consistent with the permanency plan (if set).</li> <li>Consistent with the child/youth/juvenile’s short and long-term goals.</li> </ul> </li> <li>Set Q RTP review prior to discharge date or no longer than 90 days, see 19-1-115(4)(g).</li> </ul>	<ul style="list-style-type: none"> <li>Make findings regarding why an alternative other than Q RTP does not meet the needs of the child/youth.</li> <li>Make required findings, see 19-1-115 (4)(e)(II):               <ul style="list-style-type: none"> <li>Q RTP is not the most effective appropriate level of care for the child/youth.</li> <li>May be placed in a less restrictive environment</li> <li>This is consistent with the permanency plan (if set).</li> <li>Consistent with the child/youth/juvenile’s short and long-term goals.</li> </ul> </li> <li>Must transition out within 30 days. **</li> <li>Set paper review or return date to ensure transition has occurred</li> </ul> <p><i>** federal reimbursement unavailable after 30 days</i></p>

### REVIEW OF Q RTP PLACEMENT

Required Documentation from the Agency/Considerations for the Court - required at each review or permanency hearing regarding the youth, no less frequently than every 90 days\*:

- How long has the child/youth/juvenile been placed in a Q RTP setting? Has discharge planning begun?
- Q RTP continues to be consistent w/ the short- and long-term goals of the specific child/youth/juvenile and ongoing assessment of the strengths and needs of the child/youth/juvenile is occurring.
- Needs of the child/youth/juvenile continue to support that the child/youth/juvenile’s needs cannot be met in a family foster home, kinship home or with parents (ensure Q RTP is being used as treatment rather than placement/containment).
- Specific treatment/service that will be met for the child/youth/juvenile by the Q RTP and how long is expected need.

### COMMITMENT TO THE DIVISION OF YOUTH SERVICES

When a court commits a juvenile to DYS pursuant to Article 2 the Court shall make a specific determination about whether the lack of available and appropriate congregate care placements is a contributing factor in committing a juvenile to DYS.

- Specific efforts made by the agency to prepare the child/youth/juvenile to return home or to a fit and willing relative.
- What has been done by the Q RTP placement and agency to facilitate family/sibling participation/contact?
- How have family members (including siblings) been integrated into the treatment process?

### DISCHARGE FROM Q RTP PLACEMENT

Documentation of family-based aftercare plan (required for a minimum of 6 months).