

# YOUTH SERVICES POLICY

<b>Title:</b> Parental Contributions - Cost of Care and Treatment	<b>Type:</b> A. Administrative <b>Sub Type:</b> 3. Fiscal <b>Number:</b> A.3.4
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<b>References:</b> La. Revised Statute 9:315 - 9:315.15, 15:910, and 15:1086; ACA Standards 2-CO-1B-05 (Administration of Correctional Agencies); 2-7065 Juvenile Probation and Aftercare Services); YS Policy Nos. A.3.8 "Budget and Fiscal Management Activities", C.4.2 "Social Security Benefits", C.5.6 "Juvenile Electronic Tracking System (JETS)", and D.10.5 "Receipt, Security and Disbursement of Funds Collected from Youth – Supervision Fees and Restitution"	
<b>STATUS: Approved</b>	
<b>Approved By:</b> <i>James Bueche, Ph.D., Deputy Secretary</i>	<b>Date of Approval:</b> 04/12/2018

## I. AUTHORITY:

Deputy Secretary of Youth Services (YS) as contained in La. R.S. 36:405. Deviation from this policy must be approved by the Deputy Secretary.

## II. PURPOSE:

To establish the guidelines for assessment and collection of parental contributions for the cost of care provided by the State for youth placed in a secure care facility.

## III. APPLICABILITY:

Deputy Secretary, Assistant Secretary, Undersecretary, Deputy Undersecretary, Chief of Operations, Executive Management Advisor, Regional Directors, Facility Directors, Regional Managers, and Probation and Parole Officers/Juvenile (PPO/J).

## IV. DEFINITIONS:

**Community Based Services (CBS)** - Formerly known as the Division of Youth Services, including the regional probation and parole offices located throughout the state.

**Public Safety Services/Office of Management and Finance (PSS/OMF)** – The designated agency department that reviews and evaluates all financial and legal information from the youth’s custodian, calculates the cost of care assessment, and collects and provides accounting functions regarding contributions made.

**Financial Assessment Transaction Form I - FAST I** is a form utilized by OJJ, the Department of Children and Family Services (DCFS), and PSS/OMF to determine eligibility for federal reimbursement, Medicaid, and the amount, if any, of parental contributions.

**Financial Assessment Transaction Form II** – FAST II is a form utilized by OJJ that outlines the requirement of contribution for the cost of care or the application of any benefits being received on behalf of the child being applied toward the cost of care while in OJJ custody.

**Financial Assessment Transaction Form (FAST) III** – Fast III is a form utilized by OJJ and DCFS to report changes in placement and periodic reviews for continued eligibility.

**Financially Responsible Person** – A youth’s legally responsible parent, a natural or biological parent, an adoptive parent, or a legally appointed tutor.

**Juvenile Electronic Tracking System (JETS)** - The centralized database used to track all youth under OJJ supervision or custody, and to record youth case record activity.

**Office of Support Enforcement** - A division of DCFS responsible for collecting financial support from non-custodial parents.

**Parental Assessment Review Committee (PARC)** – A committee established by the Deputy Secretary and comprised of a maximum of six individuals tasked with reviewing parent or financially requests for redeterminations of parental contribution assessments.

**Placing PPO/J** – The assigned probation officer from the region where the placement originates.

**V. POLICY:**

It is the Deputy Secretary's policy that the cost of care, or parental contribution, billed to the parent or financially responsible person be consistent with applicable federal and state regulations, and commensurate with their ability to pay in accordance with a sliding scale established by La. R.S. 9:315 through 9:315.15. Other children living in the home and dependents as defined for federal income tax purposes shall be considered in establishing the assessment, in accordance with La. R.S. 15:910 and 15:1086.

An appeal of a parental contribution assessment/reassessment shall be heard by the Parental Assessment Review Committee, established herein by the Deputy Secretary.

**VI. PROCEDURES:**

- A. Within 14 days of the youth's placement in OJJ custody for secure placement, the PPO/J shall meet with the financially responsible person, complete the FAST I and FAST II and forward to:

Public Safety Services/Office of Management and Finance (PSS/OMF):

1. Parental Contribution Coversheet for Custody Youth
2. FAST I & II
3. Initial Time Computation
4. JETS Master Record
5. Custody Order

\*The Parental Contribution Coversheet shall contain accurate information regarding the financially responsible person for the youth.

DCFS Social Services Analyst (SSA):

1. FAST Cover Memo
2. FAST I & II
3. Birth Certificate
4. Social Security Card
5. Custody Order
6. Proof of Income

The placing PPO/J shall gather information for the FAST I from the person the youth was living with at the time of removal and placement in custody. This person may or may not be financially responsible for the cost of care. If the youth is living with a person or persons who do not fall within the definition of a financially responsible person, the placing PPO/J shall attempt to locate the youth's legally responsible parent – a natural or biological parent, an adoptive parent, or a legally appointed tutor. If either a legally responsible parent or financially responsible person cannot be located, this should be noted in the comments section of the FAST I.

If a youth is currently being assessed Probation or Parole Supervision Fees at the time he/she is placed in custody, the PPO/J shall complete the "Supervision Fee Modification Letter" in JETS to suspend the collection of all supervision fees. The Account Number for each collection account in which probation fees are being assessed should be identified on the letter. The "Supervision Fee Modification Letter" shall be sent to the PSS/OMF Collections Unit within 14 days of being placed in the custody of OJJ. (Refer to Policy D.10.5).

- B. Upon transfer to an OJJ secure facility, the placing PPO/J shall complete the FAST III form documenting the date of placement. The FAST III shall be forwarded to PSS/OMF and DCFS within 7 days of the transfer.

The PPO/J shall complete a FAST III form to document changes in financial status, physical location, and custody supervision. The FAST III shall be forwarded to PSS/OMF and DCFS within 7 days of the change.

If a youth is released from secure care prior to his/her full term date, the PPO/J shall complete a FAST III. The FAST III shall be forwarded to PSS/OMF and DCFS within 7 days of a youth's release.

Recertification/reassessment of the financially responsible person's financial condition shall be performed every twelve (12) months or upon receipt of additional documentation that indicates a change in income or financial circumstances. The placing PPO/J is responsible for obtaining the necessary information to complete the FAST III form which shall be printed and forwarded to the DCFS/SSA and PSS/OMF by the PPO/J.

- C. Upon placement to an OJJ secure facility, the financially responsible person shall be billed by PSS/OMF immediately, but no later than the next monthly billing cycle. A financially responsible person who fails to provide a properly executed "FAST I & FAST II" shall be assumed to have the ability to pay the entire cost of care. A collection account shall be set up in JETS.

If it is determined there is an open child support case or a petition is filed for child support, parental contributions shall continue to be assessed to the financially responsible person until OJJ becomes the active "payee".

- D. Upon request, OJJ shall be furnished a copy of the financial determination work sheet used for the assessment from PSS/OMF.
- E. The financially responsible person may appeal an assessment or reassessment based upon extraordinary circumstances or catastrophic loss. Extraordinary circumstances can include, but are not limited to, non-insured medical payment or major loss of property.
- F. Appeals of assessments/reassessments shall be heard by the Parental Assessment Review Committee (PARC). The Deputy Secretary shall determine the membership of the Committee, which shall at a minimum be composed of the Assistant Secretary, Undersecretary/designee, a Regional Director, and a representative of the Legal Section. The Committee shall review the FAST I, and FAST III, if appropriate; the legal and current financial status of the financially responsible person, and other relevant documents

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submitted by the person requesting the appeal. If additional documents are required by the Committee to make its determination, the financially responsible person must furnish the documents for the appeal to move forward.

A copy of all PARC decisions shall be sent to PSS/OMF.

**Previous Regulation/Policy Number:** A.3.4

**Previous Effective Date:** 03/07/2016

**Attachments/References:**