



Child Placement Agency Remediation Guide

General Guidance

When considering “restriction” and “age appropriate” for children, there are situations when restrictions are necessary and appropriate. Restrictions for persons-served must be documented in an individual plan and must be person-centered. The individual’s plan **should not** function as the policy for a setting or the Provider. Restrictions are temporary modifications to one’s services and or supports that do not impact how a setting is intended to operate.

Age appropriate is defined as, “activities or items that are generally accepted as suitable for children of the same chronological age or level of maturity. Age appropriateness is based on the development of cognitive, emotional, physical and behavioral capacity that is typical for an age or age group.”

To further clarify, it is important that any person-served by HCBS should have the same opportunities as those who are not served by HCBS. A provider should never have restrictions tailored only to HCBS recipients. An example – all children receiving IDD waiver services are restricted to only be served in one pre-designated foster home without any options of choice to be served in other available foster home settings. If there are restrictions for an individual’s choice and autonomy, they must clearly be documented.

Throughout the self-assessment questionnaire, the CPA will be asked, “Do you assess....?” The CPA does not need to have a separate assessment processes for each question. One overall assessment document can be used to answer all questions when the CPA evaluates its sponsored foster homes that serves individuals receiving HCBS. However, when submitting evidence, the CPA should only submit portions of the larger document that will answer the specific question being asked. Example, the CPA has a five-page assessment document is uses for foster homes. It will only attach page 3 for question D2.1, which sites how it assesses that persons-served at the foster homes can attend individual activities and services of their choosing (e.g., shopping, religious services, scheduled appointments, lunch with family and friends) as appropriate for their age?

Assessment Questions Guidance

C1. Do you place children in foster care homes that are designated to serve only children with disabilities?

Evidence for this question should include a clear policy and/or procedure outlining how placement occurs for children in foster homes by the CPA. If there are disability-only homes, it would require a



heightened scrutiny review by KDADS to determine that those in these settings have equitable opportunities of choice, control and autonomy as those not being served by HCBS.

Please note, it is okay to place children in specialized services foster homes. Example, a foster home that specializes in IDD services. However, options counseling of all services/foster homes for the individual/support team must be performed and documented for the person-served. Example, there are five foster homes available for placement, including the specialized foster home. The CPA must allow opportunity for options counseling on each setting to allow the person-served equitable opportunities of choice, control and autonomy as age appropriate.

D1. Do you have policies or procedures that ensure that foster homes provide opportunities for persons-served to participate in organized community events, activities and services as appropriate for the child's age?

Evidence for this question should be a clear policy and/or procedure indicating how a foster home sponsored by a CPA must provide persons served with age appropriate opportunities to be a member of the community by regularly attending events, activities and services. If there are any restrictions to the person-served interacting in the community, they must be documented in the individual plan. Individual restrictions are not to dictate how the overall foster home is operated.

D1.1 Do you assess that foster homes provide opportunities for persons-served to participate in organized community events, activities and services?

Evidence for this question should be an assessment process which shows how foster homes under the sponsorship of a CPA are monitored to ensure persons-served have opportunities and can participate in community events, as age appropriate.

D2. Do you have policies or procedures that ensure that persons-served at the foster homes can attend individual activities and services of their choosing (e.g., shopping, religious services, scheduled appointments, lunch with family and friends) as appropriate for their age?

Evidence for this question should be a policy and/or procedure that explains and shows how persons-served can choose individual activities to attend without restrictions, as appropriate for their age.

D2.1 Do you assess that persons-served at the foster homes can attend individual activities and services of their choosing (e.g., shopping, religious services, scheduled appointments, lunch with family and friends) as appropriate for their age?

Evidence for this question should be a process to assess how the CPA determines if a foster home they represent elevates choice for persons-served regarding attending individual activities and services of their choosing, as appropriate for their age.

D3. Do you have policies or procedures that ensure that persons-served can have visitors as appropriate for their age?

Evidence for this question should be a policy and/or procedure detailing all visitation standards that describe a person's-served choice to have visitors, as appropriate for their age.



D3.1 Do you assess that persons-served can have visitors as appropriate for their age?

Evidence for this question should be a documented assessment process that outlines how CPAs review visitation policies of a sponsored foster home to ensure persons-served can have visitors as appropriate for their age. If restrictions are in place, they must be clearly documented.

E1. Do you have policies, procedures, or a written agreement with the foster homes that offers responsibilities/protections from disruption of placement for persons-served?

Evidence for this question should be a policy that outlines procedures and offerings of protections to a person-served against disruption of placement.

F1. Do you have policies or procedures in place to ensure that persons-served have options for age appropriate privacy?

Evidence for this question should be a policy and/or procedure defining privacy as it is applied in the foster home for a person-served. The policy should consider a person's age and ability.

F1.1 Do you assess that persons-served have options for age appropriate privacy?

Evidence for this question should be an assessment process that outlines how the CPA looks for privacy rights in foster homes they sponsor, in addition to how the foster homes can offer a person-served age appropriate privacy.

F2. Do you have policies or procedures that ensure that the living spaces at the foster homes are arranged in a way that ensures privacy during personal care (e.g., bathing, toilet)?

Evidence for this question should be a policy and/or procedure stating foster homes sponsored by the CPA will have areas where privacy is allowed for personal care for a person-served.

F2.1 Do you assess that the living spaces at the foster homes are arranged in a way that ensures privacy during personal care?

Evidence for this question should be an assessment process that outlines how the CPA checks the living spaces of foster homes to ensure privacy can be given to a person-served.

F3. Do you have policies or procedures that ensure that the foster homes offer privacy to persons-served while using a telephone, internet, or any other personal communication devices, as appropriate for their age?

Evidence for this question should be a policy and/or procedure defining how privacy is offered to a person-served when using telephones, internet and any personal communication device as appropriate for their age. This includes space for privacy if needed, and autonomous use (examples, their own login, phone number, etc. when applicable).

F3.1 Do you assess that the foster homes offer privacy to persons-served while using a telephone, internet, or any other personal communication devices as appropriate for their age?

Evidence for this question should be a process by which a foster home is assessed by the sponsoring CPA to determine whether it provides adequate privacy to a person-served as appropriate for their age.

F4. Do you have a policies or procedures that ensure that persons served are treated the same as other children residing in the home, as appropriate for their age and ability?

Evidence for this question should be a policy and/or procedure that shows persons receiving HCBS funding are to be treated the same as those who do not receive HCBS, as appropriate for age and ability. Any modifications to such a policy should be documented in an individual plan. An individual plan should not be used as evidence on how a setting operates.

F4.1 Do you assess that persons served are treated the same as other children residing in the home as appropriate for their age and ability?

Evidence for this question should be an assessment process outlining how the CPA monitors sponsored foster homes to ensure a person-served who receives HCBS funding is treated the same as someone who does not, as appropriate for age and ability.

F5. Do you have policies or procedures that ensure that persons-served at the foster homes have access to all areas of the home as appropriate for their age and to the same degree as others in the home?

Evidence for this question should be a policy and/or procedure describing the ability of access to all areas of the foster home for persons-served receiving, and not receiving HCBS as appropriate for their age and ability.

F5.1 Do you assess that persons-served at the foster homes have access to all areas of the home as appropriate for their age and to the same degree as others in the home?

Evidence for this question should be a process for how the CPA assesses sponsored foster homes to determine the level of access for persons receiving HCBS funding and person not receiving said funding.

G1. Do you have policies or procedures that ensure that the foster homes are physically accessible to persons-served?

Evidence for this question should be a policy and/or that ensures all foster homes are physically accessible to persons-served.

G1.1 Do you assess that the foster homes are physically accessible to persons-served?

Evidence for this question should be an assessment process by which a CPA can determine the level of physical access a person-served has, as needed to a sponsored foster home.

G2. Do you have policies or procedures that ensure that the foster homes offer accommodations (e.g., grab bars, seats in the bathroom, ramps for wheelchairs, etc.) to persons-served who need support to move about and be self-sufficient within the home?

Evidence for this question should be a policy and/or procedure that states sponsored foster homes will offer accommodations (and examples of said accommodations) to persons served who need them to promote self-sufficiency and support.

G2.1 Do you assess that the foster homes offer accommodations (e.g., grab bars, seats in the bathroom, ramps for wheelchairs, etc.) to persons-served who need support to move about and be self-sufficient within the home?

Evidence for this question should be an assessment process that the CPA uses to review a sponsored foster home to ensure physical access needs of persons served are met through accommodations when necessary.

H1. Do you have written policies, procedures, or requirements against restraint and coercion in the foster homes where you place children?

Evidence for this question should be a policy and/or procedure that endorses all foster homes sponsored by the CPA do not use methods of restraint or coercion for persons-served.

H1.1 Do you assess compliance with written policies or requirements against restraint in each foster home in which you place children?

Evidence for this question should be an assessment process to show how the CPA examines the use of restraint and coercion in sponsored foster homes.

H2. Does your agency have policies or procedures that ensure all children who receive HCBS Waiver services that are placed in your homes have a person-centered service plan (completed by the MCO) that is supported by medical necessity (mental health, safety, etc.,) and reflects their rights being equal to the rights of other children receiving non-HCBS services?

Evidence for this question would be a policy and/or procedure that ensures all HCBS recipients have in place a person-centered service plan that is supported by medical necessity and discusses individual rights. The plan should promote equality between persons-served by HCBS and those not served by HCBS.

H2.1 Do you ensure that the families of all children placed in your foster homes receive a copy of the person-centered service plan?

Evidence for this question should be a process by which the CPA contacts the MCO or other responsible entity (case manager, etc.) to ensure this process has been completed and shared with families when applicable.