

CHAPTER 186
CHILD WELFARE TARGETED CASE MANAGEMENT SERVICES

PREAMBLE

These rules define and structure the department of human services child welfare targeted case management program. Child welfare targeted case management services assist children in gaining and coordinating access to necessary care and services appropriate to their individual needs. Qualified case managers employed by certified providers perform case management services.

This chapter sets out child eligibility, covered child welfare targeted case management services, provider certification standards and requirements, case manager qualifications, and children's rights.

441—186.1(249A) Definitions.

“*Child*” means a person under 18 years of age.

“*Child welfare services*” means public social services provided under Title IV-B of the Social Security Act (42 U.S.C. Sections 620 – 629e), as defined in 42 CFR 1357.10, as amended to May 31, 2001.

“*Child welfare targeted case management services*” means activities designed to plan, coordinate, link, monitor, and evaluate access to necessary medical, educational and other services, including child welfare services, for an eligible individual child. Child welfare targeted case management services do not include direct services. The services are directed toward ensuring the safety, health, well-being, and permanency of the eligible individual child.

“*Department*” means the department of human services.

“*Division*” means the division of adult, children and family services of the department.

441—186.2(249A) Eligibility. A child shall be eligible for child welfare targeted case management if the child is:

1. Medicaid-eligible or if the child has another payment source;
2. Under 18 years of age; and
3. Receiving or is in need of child welfare services.

441—186.3(249A) Services.

186.3(1) Covered services. Covered child welfare targeted case management services shall include all of the following:

- a. Assessing the child's need for case management services.
- b. Developing, completing, and regularly reviewing a written individual service plan with the assistance of and input from the child and parents or legal guardians, and other relevant persons.
- c. Communicating with the child and parents or legal guardian, and other relevant persons identified as necessary to the development or implementation of the goals of the individual service plan for the child.
- d. Coordinating referrals for service with appropriate service providers.
- e. Coordinating and monitoring service delivery to ensure quality and effectiveness of services.
- f. Monitoring and evaluating services on a regular basis to ensure appropriateness and continued need.
- g. Completing and maintaining necessary documentation to support and verify the provision of child welfare targeted case management services.

186.3(2) *Service contacts.* Providers of child welfare targeted case management services shall document all contacts between the case manager and the child, child's parents, primary caregiver, legal representative, or other relevant persons identified as necessary for the safety, health, well-being, and permanency of the child. At a minimum, these contacts shall include:

- a. Face-to-face contact with the child once every three months; and
- b. Contact with the child, parent or legal guardian, or another person, as necessary to develop or monitor the child's service plan in any month in which there is no face-to-face contact with the child.

441—186.4(249A) Provider certification. Certification is the process by which the department shall ensure that providers meet the requirements for provision of child welfare targeted case management services. Each provider of child welfare targeted case management services shall meet the following criteria for certification:

186.4(1) *Legal authority.* The provider shall have legal authority to provide child welfare services under Title IV-B of the Social Security Act (42 U.S.C. Sections 620 – 629e), as defined in 42 CFR 1357.10, as amended to May 31, 2001, directed to any of the following:

- a. Protecting or promoting the welfare and safety of children.
- b. Preventing or remedying or coordinating the development of solutions to problems which may result in the neglect, abuse, or exploitation of children.
- c. Preventing the unnecessary separation of children from their families.
- d. Restoring IV-E-eligible or non-IV-E-eligible children who have been removed to their families.
- e. Ensuring adequate care of IV-E-eligible or non-IV-E-eligible children in out-of-home placements other than those for delinquents, Medicaid-funded facilities, or those receiving Medicaid-funded targeted case management for persons with mental retardation, developmental disabilities or chronic mental illness.

186.4(2) *Staff qualifications.* The provider shall document the education and experience of the case managers employed to provide case management services under this chapter. A case manager shall have:

- a. A degree from an accredited four-year college or university; and
- b. The equivalent of four years of full-time work experience involving direct contact with people who are overcoming social, economic, psychological, or health problems; or
- c. An equivalent combination of education and experience substituting the equivalent of one year of full-time qualifying work experience for one year (30 semester hours or equivalent hours) of the required education.

186.4(3) *Capacity and experience.* The provider shall demonstrate the capacity and experience to provide child welfare targeted case management services. The provider shall have:

- a. The administrative capacity and experience to serve the target population and to ensure the quality of services delivered under state and federal requirements.
- b. The capacity to provide accurate documentation of services and costs and to document and maintain children's records under state and federal requirements.
- c. Policies and procedures in place to ensure that:

(1) Eligible children and parents or legal guardians are permitted to choose any certified provider of child welfare targeted case management services and are permitted to choose not to receive child welfare targeted case management services.

(2) Each child receiving services under this chapter shall be treated with respect. Each contact and activity by the provider shall support the child's abilities and dignity, and shall enhance the child's safety, health, well-being, and permanency to the extent possible. Case managers shall monitor provision of services by others pursuant to the child's service plan to ensure similarly respectful delivery of services.

(3) Criteria for accessing child welfare targeted case management services and criteria for determining need for child welfare targeted case management services are established.

(4) Adverse actions are handled pursuant to rule 441—130.5(234) or pursuant to policies and procedures of the same scope.

d. A process for addressing the concerns or complaints of a child, parent or legal guardian, or other persons aggrieved by the actions of a case manager or provider pursuant to this chapter.

441—186.5(249A) Certification. The division shall certify providers as child welfare targeted case management service providers pursuant to this chapter after receiving approval for federal funding of child welfare targeted case management services under the Medicaid program from the federal Health Care Financing Administration. Providers shall initiate the certification process by submitting an application for certification to the division. The division shall certify each provider that meets standards. The certification process shall examine the provider's ability to meet certification standards as set forth in this chapter and other federal and state requirements for this service.

186.5(1) *Period of certification.* Providers that meet these standards shall be fully certified for a period of three years.

186.5(2) *Provisional certification.* Providers that fail to meet one or more of these standards shall be provisionally certified if the failure does not cause serious risk of harm to a child or compromise the fiscal integrity of the service. To gain full certification, a provisionally certified provider must submit a corrective action plan for approval by the division and satisfy all requirements of an approved corrective action plan, all within six months of the issuance of provisional certification. Failure to present and satisfy an approved corrective plan within six months of provisional certification shall result in withdrawal of provisional certification.

186.5(3) *Denial of certification.* Certification shall be denied to any provider whose services under this chapter are of such quality that children are put at serious risk of harm.

186.5(4) *Nonassignability of certification.* Certification is not transferable or assignable to another provider.

186.5(5) *Appeal procedure.* A provider aggrieved by a certification decision may file a complaint with the division within 30 days of receipt of the notice of decision. Providers not satisfied with the decision of the division may file an appeal pursuant to 441—Chapter 7. Complaints not resolved with the division within 45 days of submittal of the complaint may proceed to administrative appeal pursuant to 441—Chapter 7.

These rules are intended to implement Iowa Code section 249A.4 and 2001 Iowa Acts, House File 732, section 28, subsection 4.

[Filed emergency 6/13/01—published 7/11/01, effective 7/1/01]