

441—202.9(234) Supervised apartment living. A supervised apartment living arrangement shall provide a youth with an environment in which the youth can experience living in the community with supervision. This arrangement shall prepare the youth for self-sufficiency. It is an arrangement where the youth lives in an apartment unit, shops for food, prepares individual meals, and manages time for cleaning and laundry. It is not a structured living arrangement where life skills are learned through simulated activities.

202.9(1) Eligibility. To be eligible for supervised apartment living placement, a youth shall meet all of the following conditions:

- a. Be at least 16 years old. If aged 18 or older, the youth shall:
 - (1) Meet the definition of a child in Iowa Code section 234.1; and
 - (2) Have been in foster care or state institutional placement immediately before reaching the age of 18, and have continued in foster care or a state institution since reaching the age of 18. The service area manager or designee may waive the requirement for continuous placement for a youth who leaves foster care at age 18 and voluntarily returns before the youth's twentieth birthday in order to complete high school or obtain a general equivalency diploma (GED), consistent with Iowa Code sections 234.35(1) "f" and 234.35(3) "c."
- b. If under the age of 18, either be working (or in work training) full-time or be attending high school, GED classes, or postsecondary classes and working (or in work training) part-time. If aged 18 or older, the youth shall be attending high school or GED classes and making satisfactory progress toward completion of the high school or GED program and working (or in work training) part-time. "Work training" includes individualized programs developed specifically to meet the youth's employment needs. Waiver of the work or work training requirement may be allowed with the prior approval of the service area manager or designee if:
 - (1) The youth can demonstrate involvement in some alternative daily activity that promotes self-sufficiency; and
 - (2) The waiver is in the youth's best interest.
- c. Need foster care placement and services, based on an assessment completed according to rule 441—202.2(234) and subrule 202.6(5).
- d. Participate in activities and services to achieve self-sufficiency.
- e. Have capacity to live in the community with less supervision than that provided by a foster family or group care setting, as determined by an assessment that reviews available information on the youth to identify the needs, strengths, and resources of the youth, especially as they pertain to the youth's ability to function in the community.
- f. Have an approved living situation that meets the following minimum standards:
 - (1) Be located so as to provide reasonably convenient access to schools, places of employment, or services required by the youth.
 - (2) Comply with applicable state and local zoning, fire, sanitary and safety regulations.
 - (3) Be reasonably priced so as to fit within the youth's budget.
- g. Have the approval of the service area manager or designee.
- h. If under age 18, have the approval of the juvenile court.

202.9(2) Services to be provided.

- a. *Required services.* The following activities are required:
 - (1) Through visits with the youth and to the living situation, determination that:
 1. There is no reasonable cause for believing that the youth's living situation presents any unacceptable risks to the youth's health or safety;
 2. The living situation is maintained in a reasonably safe condition;
 3. The youth is receiving any necessary medical care; and
 4. The current program plan provides appropriate and sufficient services and supports.
 - (2) Supervision to assist the youth in developing the needed structure to live in this setting and in locating and using other needed services. If the youth is under age 18, supervision shall include a minimum of weekly face-to-face contacts. For youth aged 18 or older, supervision shall include a

minimum of biweekly face-to-face contacts. Supervision may include guidance, oversight, and behavior monitoring.

(3) Ongoing assessment activities directed toward monitoring the progress being made in the youth's ability to achieve self-sufficiency and coordination and evaluation at least every 90 days to monitor the services and supports being provided to reach this goal.

(4) If services are purchased, visits by the department to the youth according to subrule 202.11(2).

(5) If services are purchased, compliance by the provider with all reporting requirements in 441—paragraph 150.3(3)“j,” including requirements for the individual service plan, quarterly reports, and a termination summary.

(6) A review of the case and case plan every six months, in accordance with subrules 202.6(4) and 202.6(5).

b. Optional services. The following services may be provided to a youth depending on the needs described in the youth's case permanency plan.

(1) Counseling services to reduce stress and severe social, emotional, or behavioral problems that affect the youth's stability or ability to achieve self-sufficiency.

(2) Leisure time and recreational services to enhance the youth's ability to develop recreational, social, leisure time or hobby, and cultural skills.

(3) Parent skill development services to train or educate youth who are parents or prospective parents to enable them to meet the needs of their children.

(4) Basic living skills services to enable or train the youth to maintain a safe, healthy, and stable home.

(5) Educational tutoring and vocational services to enable the youth to secure and maintain paid employment.

(6) Community involvement services to enable the youth to access community resources and to develop support systems, including services to assist the youth in establishing or reestablishing relationships with significant adults.

202.9(3) *Living arrangements.*

a. There are two types of supervised apartment living arrangements as follows:

(1) Scattered site arrangements have no specific site or building which houses the program. Youth are assisted by staff people in locating apartments scattered throughout the community. Up to three youths supervised by one agency may reside in apartments located in one building. Youths living in such an arrangement shall be able to contact supervising agency staff 24 hours a day, seven days a week.

(2) Cluster arrangements are those in which four to six youths reside in apartments located in one building and are supervised by one agency. Cluster arrangements shall have an adult employed by the agency on-site at any time that more than one youth is present in the cluster arrangement.

b. There shall be no provision of a meal or meals, either individually or as congregate dining, by the landlord as an inherent part of the living arrangement. This provision does not apply to youth under the age of 18 who are living in a postsecondary dormitory setting when that living arrangement best meets their needs.

c. If an agency rents an apartment to the youth, there shall be a signed lease between both parties that includes, but is not limited to:

(1) Amount to be paid for rental unit.

(2) Term of lease with both a beginning and ending date.

(3) Rights and responsibilities of tenant.

(4) Rights and responsibilities of landlord.

(5) Conditions under which lease can be terminated.

202.9(4) *Method of service provision.*

a. Supervised apartment living services may be provided directly by the department or may be purchased from a licensed child-placing agency. If services are purchased, department staff shall be responsible to determine the specific service components and the number of hours to be provided. The department case permanency plan shall specify the goals of the services that are being purchased.

b. If services are purchased, service billings shall be based on one hour, or any portion thereof (with monthly cumulative units rounded up or down to the nearest whole unit), of:

- (1) Direct face-to-face contact between the service provider and the youth.
- (2) Activities undertaken to assist the youth with the use of community resources and to consult and collaborate on service directions with schools, employers, landlords, volunteers, extended family members, peer support groups, training resources, or other community resources on behalf of the youth.

c. If services are purchased, expenses of transporting youth, service management activities, and other administrative functions shall be allowable indirect costs subject to the restrictions set forth in rule 441—150.3(234).

d. When youth receive services in a group rather than individually, the purchase of service contract shall specify the unit rate for group services separate from other services defined in the contract.

(1) The unit of service for group services shall be based on one hour, or any quarter portion thereof, of direct face-to-face contact between the service provider and each group member. Monthly cumulative units shall be rounded up or down to the nearest whole unit. The contract shall specify the average number of group participants.

(2) The unit rate shall be based upon the cost of the service when provided by a single caseworker. Reimbursement for a team approach to service delivery will not be made except in accordance with subparagraph (3) below.

(3) When two or more individuals from a service provider agency jointly deliver a unit of service, billings for that unit of service shall be reimbursable in an amount equal to the cost of two or more units of service if the following criteria are met:

1. The department case plan requests a team approach to service delivery and specifies the number of individuals that will be working together on the team, and a purchase of service contract identifies the service provider's ability to provide a team approach.

2. The specific number of individuals requested in the case plan who are representing the service provider are physically present to deliver the service to the youth.

202.9(5) Reserved.

202.9(6) *Termination of services.*

a. Mandatory termination. Supervised apartment living services shall be terminated when any of the following occurs:

- (1) The youth no longer meets the definition of a child in Iowa Code section 234.1.
- (2) The youth fails to meet the work (or work training) requirement for 30 consecutive days.
- (3) The youth no longer needs foster care placement and services.
- (4) The youth needs a more restrictive level of placement.
- (5) The youth chooses to live in a nonapproved setting.
- (6) The youth refuses to follow the provisions of the case plan, after having been given the opportunity to correct the behavior.

(7) to (10) Rescinded IAB 3/31/04, effective 6/1/04.

(11) The youth is aged 18 or over and fails to make satisfactory progress towards completion of the high school GED program, after having been given the opportunity to correct the behavior.

b. Notice of adverse action. When services are denied or terminated, adequate and timely notice shall be provided the youth as defined in rule 441—130.5(234).

This rule is intended to implement Iowa Code section 234.6(6) "b."