

Qualified Residential Treatment Programs (QRTP)

Carrie Mason, Ph.D., CWLS
TN Administrative Office of the Courts
Court Improvement Program

Michelle Reiter, Program Director
TN Department of Children's Services
Federal Programs Division



1

Agenda

1. Family First Prevention Services Act
2. QRTP Basics
 - QRTP Federal Requirements
 - QRTP Process
 - Judicial Oversight
 - DCS Process
 - Tennessee Facts
 - Questions / Resources / Application



2

The Family First Prevention Services Act

- FFPSA was enacted as part of the federal Bipartisan Budget Act of 2018 on February 9, 2018.
- Overarching focus is on foster care prevention and family preservation when possible and more effective and efficient reunification, when it's not.
- Increased scrutiny related to congregate care foster care placements, with a preference for less restrictive, family type settings.



3

Title IV-E Eligible Congregate Care Settings

- Qualified Residential Treatment Program (QRTP)
- Residential programs for prenatal, post-partum, or parenting youth
- Supervised independent living for youth ages 18 and older
- Residential care for youth found to be, or at risk of becoming, sex trafficking victims
- Family-based residential substance abuse treatment facility

At this time, QRTP is the only available IV-E funded congregate care setting in Tennessee for youth under 18. This is subject to change. (Note: EFC settings are available for young adults over 18).



4

Why?

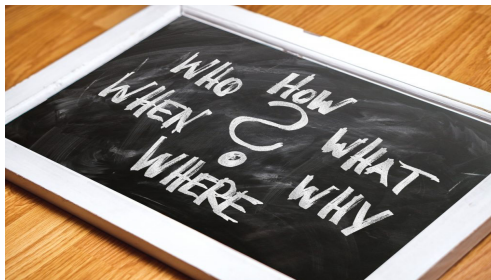
- On average, youth in congregate care vs. youth in foster care:
 - Are more than twice as likely to become delinquent.
 - Have poorer educational outcomes, including lower test scores in basic English and Math
 - Are more likely to drop out of school and less likely to graduate high school.



5

QRTP Basics

- A Qualified Residential Treatment Program (QRTP) is a placement designed to support youth struggling with complex emotional, mental and behavioral health needs that cannot receive appropriate services and support in their home or in another home-like setting.



6

QRTP Basics

Beginning July 1, 2021, in Tennessee, the new QRTP protocol applies to Department of Children's Services' (DCS) placement of certain IV-E eligible children and youth in non-foster family, residential settings.

Note on non-citizen, undocumented children and youth: Tennessee can not draw down IV-E dollars for undocumented youth. While DCS provides the same level of support and supervision for these youth as citizen youth, non-citizen youth are not eligible for judicial review of QRTP when so placed.



7

Frequently Asked Question #1

Q: Must all facilities where children and youth in foster care live be QRTP?

A: No. The congregate care provisions under the FFPSA only applies to "childcare facilities" receiving IV-E dollars.



Note: Tennessee does not draw down IV-E funds for every child in DCS custody. IV-E eligibility is based on the income of the family of origin, and certain children are not eligible for other reasons (i.e.: citizenship status). Some youth have placements funded through state or federal dollars not connected to Title IV-E of the SSA.



8

Frequently Asked Question #2

Q: What constitutes a QRTP?

A: A congregate care setting is one in which no foster parent resides. Almost all Tennessee Level 2 and Level 3 group home/facility placements are certified QRTP.

Note: The only non-QRTP congregate care settings are those funded under TennCare/ Medicaid



9

QRTP Federal Requirements



10

QRTP Federal Requirements

- Under FFPSA requirements, QRTP providers must:
- Have a trauma-informed treatment model that is designed to address the behavioral and emotional needs of children requiring placement.
- Provide 24/7 access to registered or licensed nursing staff, on-site according to the provider's treatment model.
- Facilitate family participation (provided this is in the child's best interest).
- Provide discharge planning and family-based aftercare support (support varies by program).
- Be accredited by specific, non-profit agencies (JCAHO, CARF, COA)



11

QRTP Federal Requirements

- Title IV-E reimbursement is allowable for the first 14 days of any congregate care stay, if the child or youth stays that long, but not long enough to meet longer thresholds under FFPSA.
- Within 30 days of entering a QRTP, a child must receive an assessment from a **“qualified individual”** using an appropriate functional assessment tool to determine whether they need care in a QRTP and whether that particular QRTP can meet their specific treatment needs.
- **Within 60 days of placement, court review of the appropriateness of a child's placement in a QRTP** for additional oversight and assurance that it is the correct setting for that child. Court reviews repeat at regular review intervals (ratification and permanency hearings as well as reviews), as long as the child remains in QRTP.



12

QRTP Federal Requirements: Reviews

- The judicial officer should have notice of the 60-day review so that he/she can review the relevant documentation which is filed by DCS in advance.
- A Motion to Review Qualified Residential Treatment Facility should be served on the parties/their attorneys pursuant to Rule 106.
- The FFPSA does not require the 60-day review to be a separately held special review.
- If an already scheduled review such as Permanency Plan Ratification, annual review, or possibly even FCRB review (at the judge's discretion and approval) falls within that 60-day timeframe, the review could be held at that time as well and no additional Motion to Review is required to be filed.



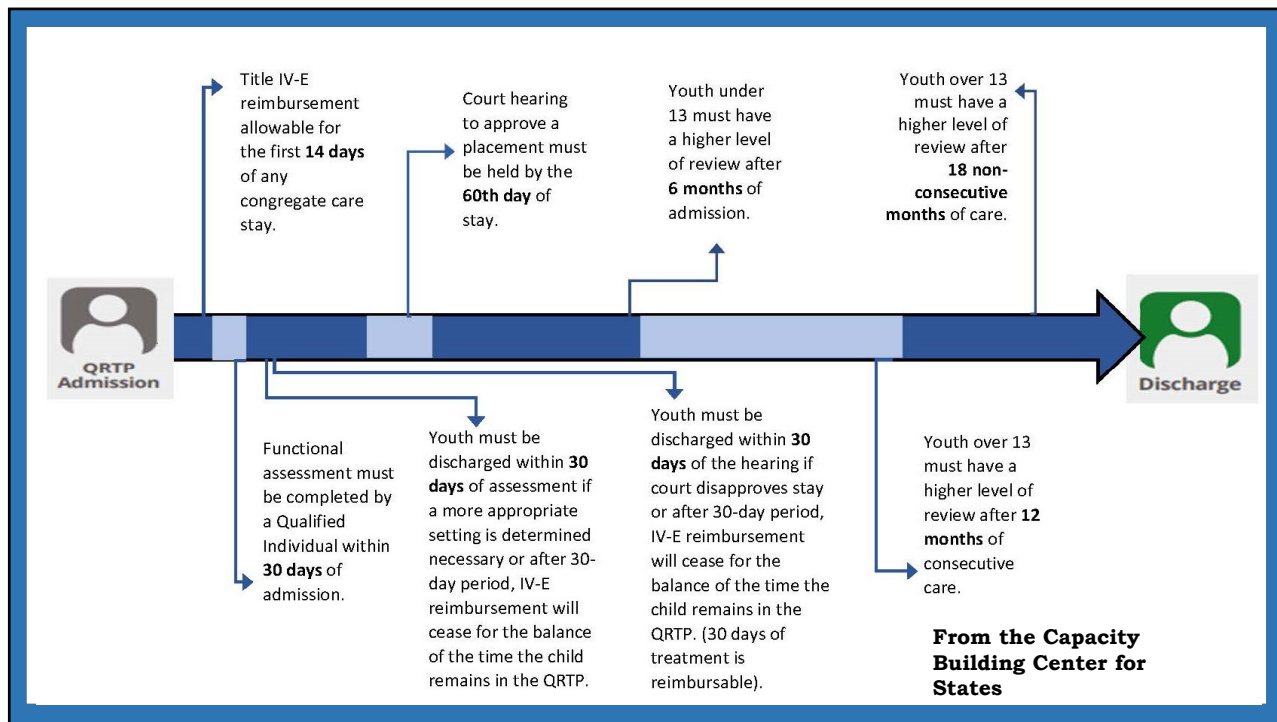
13

QRTP Federal Requirements: Extended or Repeated QRTP Placement

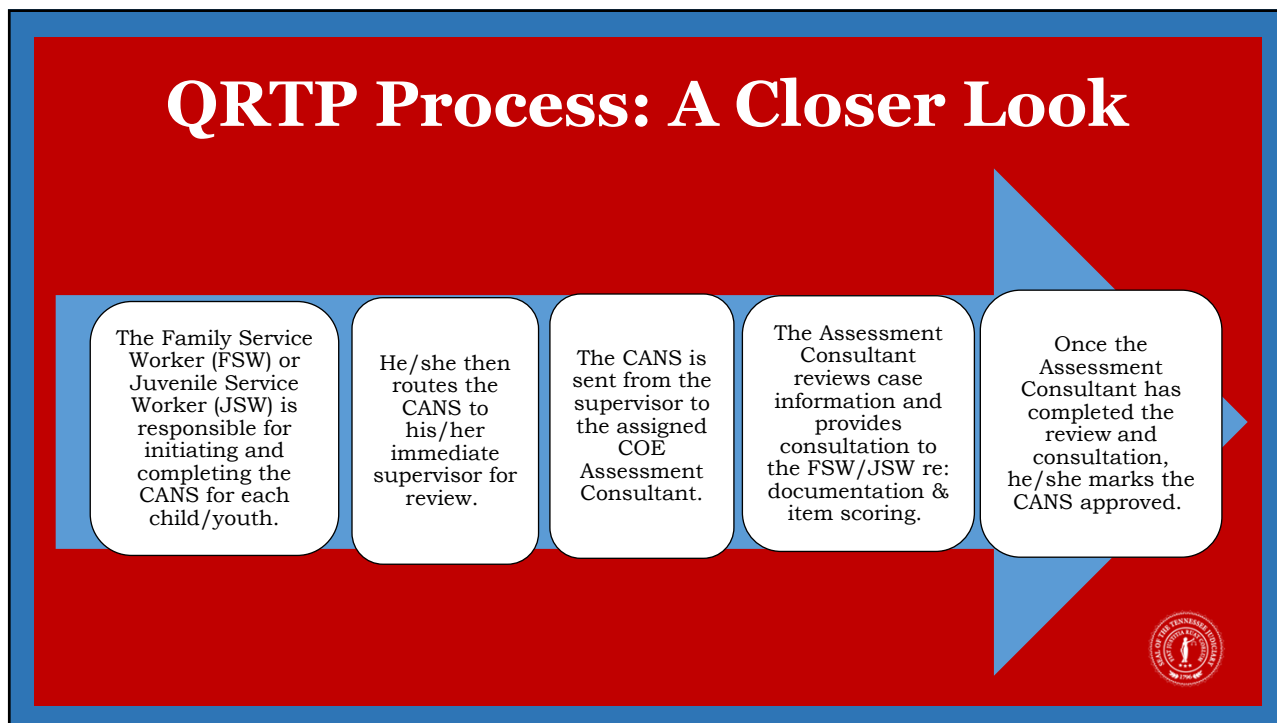
- Additional review may be required for children or youth in foster care with extended or repeated QRTP placement.
- DCS must submit justifying documentation with the signed approval of the DCS Commissioner to the Secretary of U.S. Department of Health and Human Services:
- For youth 13 years of age or older, QRTP placement for more than 12 consecutive or 18 nonconsecutive months
- Or, for children 12 years old or younger, QRTP placement for more than 6 consecutive or nonconsecutive months.



14



15



16

Department of Children's Services Responsibility

Prior to or at the start of the placement, the DCS Case Manager completes the DCS Child and Adolescent Strengths and Needs Assessment (CANS).

- The DCS CANS Assessment must be completed in conjunction with a Child and Family Team Meeting.
- ***The Child and Family Team will determine what type of placement is least restrictive and most appropriate to meet the needs of the child/youth.***



17

Attorney and Advocate Role at CFTM

- As part of the Child and Family Team (CFT), attorneys and advocates for children, youth, parents and kin will play a critical role in the initial determination of the appropriateness of a child's placement in a QRTP.
- The Child and Family Team (CFT) members' placement preference should be considered at the placement reviews. If the members of the CFT had a different placement preference than the qualified individual, the qualified individual should provide a rationale for their differing recommendation.



18

Attorney Responsibility

- Attorneys and advocates for children, youth, parents and kin have new opportunities to advocate for client participation in a child and family team meetings and motion hearings.
- Understanding the QRTP process, from CFTM to Judicial Review, is critical.



19

Department of Children's Services Responsibility

Within 30 days of placement in a QRTP, the Vanderbilt Center of Excellence (COE) Assessment Consultant ("Qualified Individual" under the FFPSA) approves the DCS CANS and the recommendation of the Child and Family Team.



20

Department of Children's Services Responsibility

“If the needs identified on the CANS indicate and the Child and Family Team finds that placement in a foster home is not appropriate, the COE Assessment Consultant will document why the child/youth's needs cannot be met in a foster home setting and why the QRTP will provide the most appropriate care and how the chosen QRTP placement is the most consistent with the child/youth's short- and long-term Permanency Plan goals.”



21

Department of Children's Services Responsibility

- Following the completion of the Qualified Individual's Assessment, DCS should notice the court that QRTP Review is required.
- Placement in a QRTP must be reviewed by the court within 60 days of placement.



22

IN THE JUVENILE COURT FOR _____ COUNTY, TENNESSEE
STATE OF TENNESSEE
DEPARTMENT OF CHILDREN'S SERVICES

File _____

IN THE MATTER OF:

_____, d.o.b. _____

A CHILD/CHILDREN UNDER 18 YEARS OF AGE

**MOTION TO REVIEW QUALIFIED RESIDENTIAL
TREATMENT FACILITY**

Comes the State of Tennessee, Department of Children's Services, by and through its attorney, and respectfully **MOVES** this Honorable Court to hold a hearing on the child's placement to determine whether said placement is an appropriate placement and to approve the child's placement in this qualified residential treatment facility.

Respectfully Submitted:
STATE OF TENNESSEE
Department of Children's Services

23

Judicial Responsibility

Within 60 days of the start of each QRTP, the court, or an administrative body appointed or approved by the court, must consider the assessment, determination, and documentation made by the qualified individual in approving the placement and formally approve the QRTP placement.

If the court does not approve the QRTP, DCS may claim an additional 30 days of IV-E funding to step down the child or proceed in QRTP without IV-E funds.



24

Judicial Responsibility

At the QRTP review held within 60 days, the court must make the following findings in its Order, with deference to the report provided by the COE :

- Whether the child's needs be met with relatives or in a foster family home.
 - If not...
 - Whether a QRTP is the most effective and appropriate level of care for the child in the least restrictive environment.
 - Whether the QRTP is consistent with the short-term and long-term goals for the child as specified in the permanency plan.
 - Formally approve or disapprove the QRTP.



25

Judicial Responsibility

The Court must consider:

- The DCS CANS assessment;
- The child's Permanency Plan goals;
- The Child and Family Team's determination regarding the appropriateness of QRTP; and
- The COE Assessment Consultant's documented approval of the placement in a QRTP.

Note: Family First does not specify the degree of engagement that the child should have in QRTP hearings. Since the child and family team are very involved in planning aspects of the child's care, best practice would be to allow these members to attend the hearings to stay involved and updated.



26

Judicial Responsibility

As long as the child remains in the QRTP, at all scheduled permanency hearings and progress reviews, pursuant to 42 U.S.C. § 675a(c)(1)(B), (2)-(4), DCS must provide information that demonstrates:

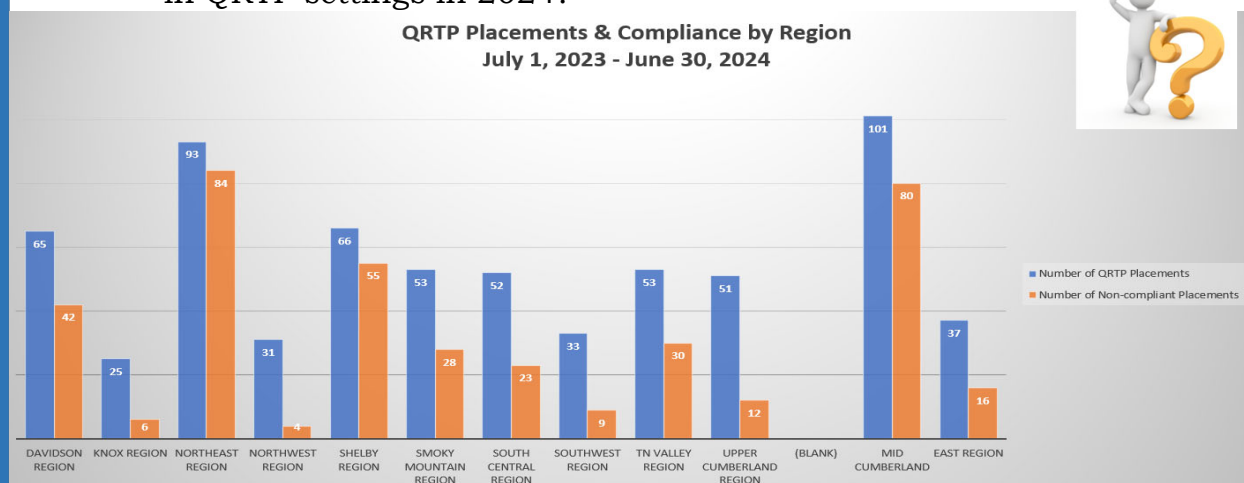
- Ongoing assessment of strengths and needs of the child continues to support the determination that the needs of the child cannot be met through placement with a relative or in a foster home.
- Placement in a QRTP provides the most effective and appropriate level of care for the child in the least restrictive environment.
- The placement is consistent with the short-term and long-term goals for the child as specified in the permanency plan.
- The efforts made by DCS to prepare the child to return home or be placed with a fit and willing relative, legal guardian, adoptive parent, or in a foster home.



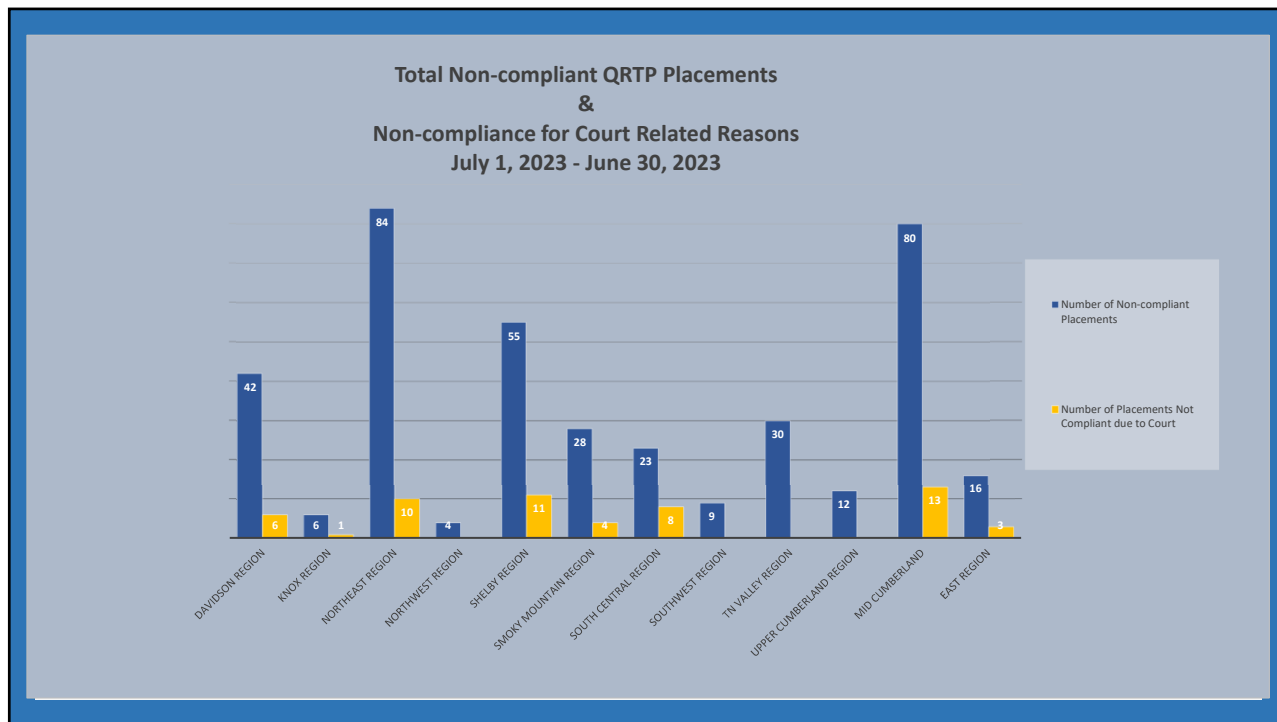
27

Frequently Asked Question #3

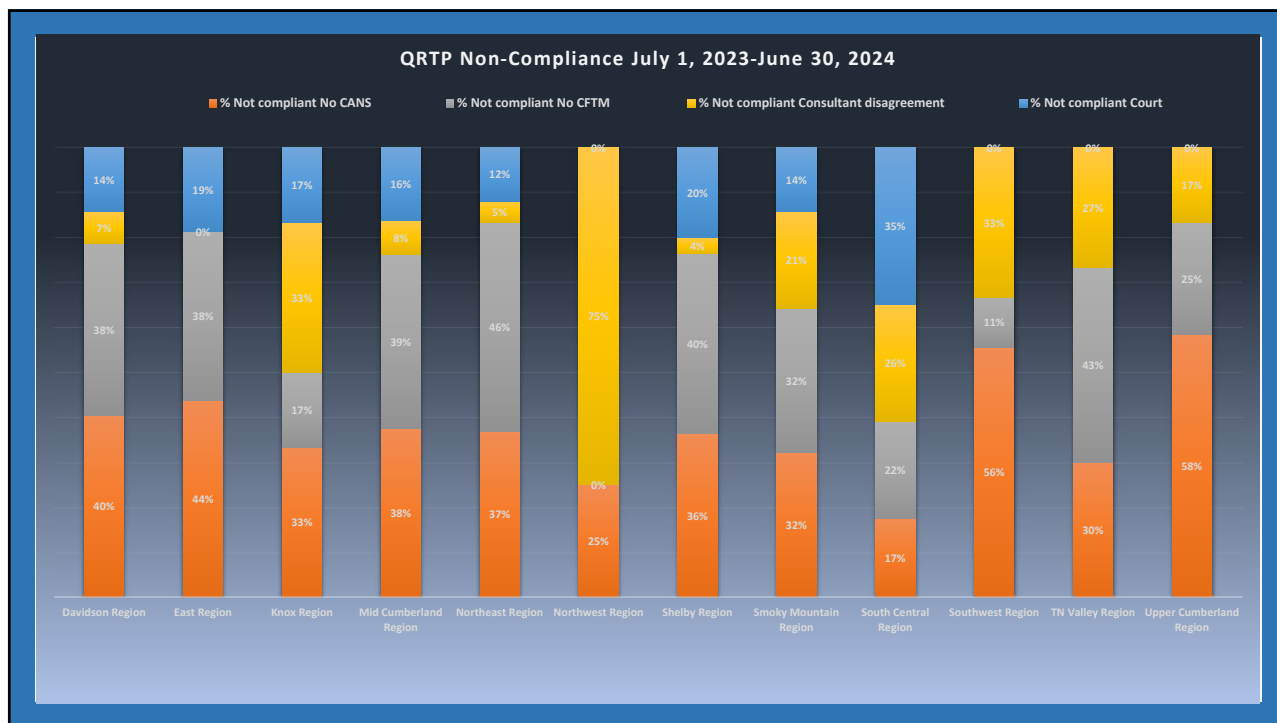
Q: How many IV-E eligible Tennessee children and youth were placed in QRTP settings in 2024?



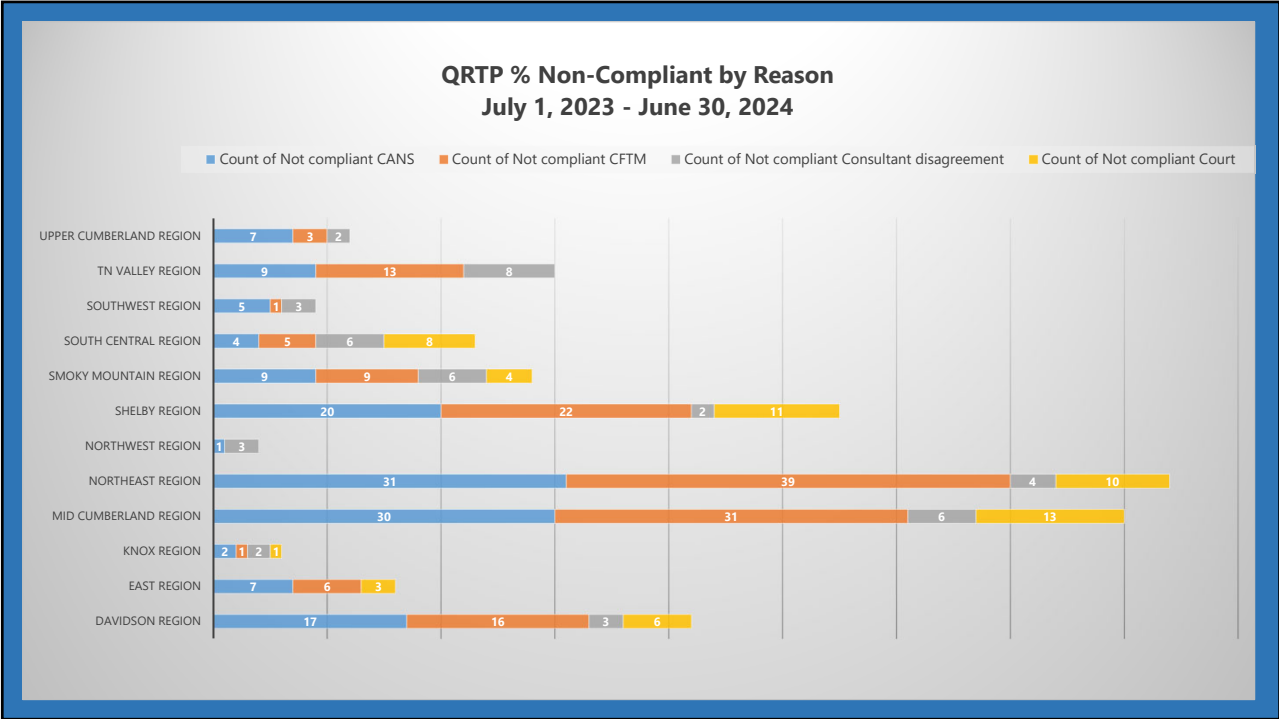
28



29



30



31

Any Questions – Please Contact:

**Court Improvement Program
Administrative Office of the
Courts**

Carrie Mason, CIP Attorney
carrie.mason@tncourts.gov

**Department of Children’s
Services Federal Programs
Division**

Michelle Reiter, Program Director
michelle.l.reiter@tn.gov



32

CIP Free Online Resources

<https://www.tncourts.gov/programs/court-improvement>

- On-Demand Training
- Upcoming Training/Events
- Sample Motions, Orders, and Forms
- Reference Guides and Manuals

