

LEVEL OF CARE RATE DETERMINATION PROTOCOL

California Department of Social Services
California Alliance of Caregivers

Logistics

This webinar is being recorded and will be available at:

- [CDSS-Caregiver Support Webinars](#)
- [CAC-Webinars](#)

If you would like a certificate of attendance, please email your request to info@cacaregivers.org as listed in the chat.

Participants will not have the ability to speak. Please submit questions to the Q&A section of the toolbar. The icon with 3 dots should give you this option.

Agenda

The Caregiver Perspective

- Jennifer Rexroad, Executive Director of the California Alliance of Caregivers

Level of Care Presentation

- Kelli Walker, Ty Morgan & John Hale, CDSS

Social Worker Perspective

- Lori Souza, Parents by Choice Placement Worker

Question & Answers

- CDSS Staff

The Caregiver Perspective

Jennifer Rexroad, Executive Director
California Alliance of Caregivers

LEVEL OF CARE

Kelli Walker, Ty Morgan and John Hale

Level of Care Agenda

- LOCP Historical Overview
- LOCP Eligibility
- LOC Matrix Domains
- Static Criteria/ Static Rate
- ISFC
- LOC Scoring Sheet/Completing the LOCP
- Leveling Up
- Due Process

What is the LOCP?

- Strength-based rate methodology containing multiple questions in five core domains scored on a weighted point system designed to identify the services and supports a Resource Parent (RP) provides to a child/non-minor dependent (NMD).
- Foster care rates, including the amount of the payment paid to the RP on behalf of the child/NMD per month, are determined by the LOCP.
- The LOCP is administered by the County Social Worker (SW) or County Probation Officer (PO).

Brief Historical Context of the LOCP

March 1, 2018 - limited to new entries placed with Foster Family Agencies (FFAs) as of December 1, 2017.

Used data gathered to develop further guidance regarding the use of the LOCP with Resource Families (RFs).

April 1, 2021 - all Home-Based Family Care (HBFC) settings eligible for the LOCP process.

The LOCP rate applies to the following:

Approved Relative Caregiver (ARC) homes

Kin-GAP

Approved RFs in both FFAs and County approved homes

Relative & Non-Relative Extended Family Members

Licensed Foster Family Homes

Non-Minor Dependents (NMDs) residing in a HBFC family setting.

Tribally Approved Homes (TAH)

Guardians where the guardianship was established in Juvenile Court

The LOCP DOES NOT apply to:

Supervised Independent Living Placements (SILPs) and Transitional Housing Placements

Short-Term Residential Therapeutic Programs (STRTPs)

Non-Related Legal Guardians established in probate court

Emergency Relative Caregivers (until they are approved as RFs)

Shelters or unlicensed or unapproved homes

LOC Matrix

- LOCP is comprised of a Matrix (SOC 501) and Scoring Sheet (SOC 500).
- 5 Core Domains developed to standardize expectations of RF and consider individualized care and supervision needs for children/NMDs.

Physical Domain

RF meets the child's individual daily living needs:

- Food, clothing, shelter, hygiene, and/or
- Community, social functioning and extracurricular activities including teaching age-appropriate life skills even when developmental delays are present.
- Does not include specific medical activities. (See Health Domain).
- RF supervision for Independence skills.

Behavioral/Emotional Domain

RF engages to promote the following:

- Resilience and emotional well-being for the child/youth.
- Encourages the child/youth to engage in prosocial behavior.
- Activities developing healthy relationships.
- Rating of 7 levels up to ISFC.

Educational Domain

RF promotes:

- Student achievement and/or fosters educational excellence and/or
- Equal access to services and/or
- When required, responds to suspensions and/or expulsions.

Domain includes preschool-aged children who attend early childhood educational programs and youth that may attend adult programs.

Health Domain

To promote health, the RF must engage in the following:

- Arranging and facilitating health care, i.e., CHDP wellness check, medical, dental, and vision.
- Medication administration.
- Monitoring and ensuring access to services that address any special health care needs.
- Rating of 7 levels up to ISFC.

Permanency/Family Services Domain

RF promotes/facilitates:

- Visitation, communication, the identification, development and/or maintenance of lifelong, support connections with members of the biological and non-biological families and natural support systems.
- Connects the youth with their community of origin including connections with resources, cultural organizations, faith communities, and any other group or organization which promotes a sense of belonging, identity and connection to culture.

Static Criteria

- Static Criteria - a list of behaviors or conditions that indicate the need to provide a higher level of care prior to the use of the LOCP.
- If Chronic Indicators have been presenting within the last 12 months, the temporary Static Rate can be paid.
- Limited to 60 days with an additional 60 days extension.

Static Criteria-Chronic Indicators

Chronic indicators that warrant application of the static rate if the child/NMD meets any of the following:

- Adjudicated violent offenders, significant property damage, and/or sex offenders/perpetrators
- Aggressive and assaultive
- Animal cruelty
- Commercial Sexual Exploitation of Children (CSEC)
- Contraction of pandemic viruses, such as COVID-19
- Eating disorder
- Fire setting
- Gang activity
- Habitual runaway
- Habitual truancy
- Medically fragile
- Psychiatric hospitalization(s)
- Special Health Care Needs (SHCN)
- Severe mental health issues- including suicidal ideation and/or self-harm
- Substance use/abuse
- Qualified Individual (QI)

Static Rate

The rate paid while the Static Criteria apply will be referred to as the Static Rate.

This rate is equivalent to the ISFC Rate.

The Static Rate lasts no more than 60 days and may be effective retroactive to the date of placement.

Static Rate may be used to stabilize the current placement.

An additional 60 days may be authorized.

Intensive Services Foster Care (ISFC) and LOCP Updates

- The county and the FFA are responsible for ensuring the child's/NMD's needs are met in placement.
- Payment of the ISFC Rate does not automatically categorize the RF as an ISFC home.
- If an RF chooses not to become an ISFC RF, then the LOC 4 rate should be issued to that RF.

Pathways to the ISFC Care Program and Rate

Several conditions and/or events may occur that allow the ISFC rate to apply:

- LOC Score/Levelling Up: A score of 7 in the Behavioral/Emotional or Health Domains will be leveled up to the ISFC Rate.
- Interagency Placement Committee (IPC): An ISFC Rate may be paid as a result of a decision made by an IPC process.
- SHCN: A SHCN-eligible child/NMD receiving the temporary Static Rate may become a permanent ISFC Rate when the child/NMD's health conditions are severe or unlikely to change.

Training Requirements for ISFC RFs

- ISFC RFs must have an additional 28 hours of training to qualify as an ISFC home.
- 18 hours of trauma informed training.
- 10 hours of electives individualized for the child/NMDs needs.
- ISFC resource parents must also complete ongoing annual training.

Completing the LOCP

- LOCP should be completed within 60 days of a new placement into foster care.
- The Basic Rate is paid until the LOCP is completed.
- Rate is effective retroactive to the date of latest placement.
- All rate changes should be reflected in the [SOC 154A](#) FFA Placement Agreement or [SOC 156](#) Foster Parents Agreement and become effective when the LOCP is completed.

Triggering Events for LOCP

New Entries into Foster Care (Including Re-Entry)

Placement Changes

Requests From a Provider or RF

Lowering of the ISFC Rate

Effective Dates of the LOCP

The Basic Level Rate is paid until the LOCP completed (unless the Static Rate is applied). For new entries (including re-entry) the LOC rate will be effective retroactive to the date of placement.

For placement changes, the rate is effective retroactive to the first date the child/NMD is placed in that approved home.

If the RF requests a redetermination due to a change in the needs of the child/NMD, the new rate is retroactive to date of that request.

The ISFC rate is retroactive to the date of placement. Lowering of the ISFC rate, the effective date of the rate decrease will be on the first day of the month following completion of the LOCP or IPC.

SOC 500: LOC Digital Scoring Form Sheet

Level of Care (LOC) Digital Scoring Form							
Child/Youth Info			Last LOC (if applicable)		Case Carrying Worker		Today's Date
Name		Age		Score	Name		
ID				Date	Email		

Instructions: (Section A-E)

- **Section A:** If the child/youth requires a 60-day Static Rate based on the Static Criteria, complete Section A (Click on "Choose One" and select "Yes," then check at least one criteria).
- **Section B:** Enter score from each domain, then click enter to total the score.
- **Section C:** The level of care rate will populate in Section C.
- **Section D:** Check which resources were used to inform the decision.
- **Section E:** Instructions for SW/PO and Foster Care Eligibility staff.

A. Does the child require immediate placement based on Static Choose One
Check which criteria apply then skip Section B.

☐ Adjudicated violent offenses, significant property damage, and/or sex offenders/perpetrators ☐ Aggressive and Assaultive ☐ Animal Cruelty ☐ Special Health Care Needs
☐ Commercial Sexual Exploitation of Children (CSEC) ☒ Eating Disorder ☐ Fire Setting ☐ Gang Activity ☐ Habitual Truancy ☐ COVID-19 ☐ IPC
☐ Habitual Runaway ☐ Severe Mental Health Issues - including Suicidal Ideation and/or Self Harm ☐ Substance Use/Abuse ☐ Psychiatric Hospitalization(s) ☐ Medically Fragile

B.

Core Domain	Score
Physical	
Behavioral/Emotional	
Educational	
Health	
Permanency/Family Services	
TOTAL SCORE	0

C.

Level of Care Rate
Basic
Leveling-Up Guide
If child total score is 21 or less, but scores 5 or more in any of the core domains, child will be moved up a level not to exceed LOC 4.
If child scores a 7 in Behavioral/Emotional or Health Domains, child will be moved to ISFC.

D. Resources Used to Inform the Decision:

☐ Child and Adolescent Needs and Strengths (CANS) ☐ Specialized Care Increment (SCI) ☐ Child and Family Team (CFT) ☐ Education Records
☐ Interagency Placement Committee (IPC) ☐ Case Plan ☐ Medical Records ☐ Mental Health Records
☐ Other (i.e., Court Orders, Resource Family Tool, etc.)

E. SW/PO Instructions: Provide original score sheet to Foster Care Eligibility Staff. Retain a copy of this form and all supporting documents in the child's case file.
Foster Care Eligibility Staff Instructions: Provide copy of Notice of Action (NOA) to the Resource Parent.

SW/PO Signature: _____ Rate Effective Date: _____
Supervisor Signature: _____ Date: _____

Level of Care (LOC) Digital Scoring Form	
General Instructions	
1. Complete this form after reviewing and determining the level of intensity/expectation in each domain of the Level of Care Rate Determination Matrix.	
2. Complete all information requested.	
3. Child ID: This would be either the CWS/CMS ID number or as defined by your county.	
4. Age: Child age in years only.	
5. Case Carrying Worker: This would be either the social worker, probation officer or a county designee. You may change the title as needed.	
6. Sections A-E: Follow the instruction guide in the pink box.	
7. Verify that the form is complete and correct; once printed no corrections may be made. If any error has been made, complete a new form.	
8. Signatures: Sign the form in the designated signature area based on your role. You may change the title as needed.	
9. Effective date: The date that the Resource Family will start the new rate.	
10. Keep a copy of this form and all other supporting documents in the child case file or as directed by your county.	

SOC 500

- Children/NMDs will level up to the next LOC rate (not to exceed LOC 4), when the child/NMD receives a score of 5 or higher in any Domain.
- A rating of 7 in Behavioral/Emotional or Health Domains levels up to ISFC.

Due Process

- Due process rights will be afforded to families whenever
 - Initial rate set
 - Rate is denied
 - Change in the rate
 - Discontinued rate
 - LOCP is administered and rate remains the same
- SWs/PO or other county designees are required to share a completed copy of the LOCP Matrix (SOC 501) and LOC Scoring Sheet (SOC 500) with RFs.
- If a child/NMD is receiving a LOC 2-4 rate, in no case shall that child/NMD receive a lower rate if the child remains in the same placement. The lowering of the rate policy described in ACL 21-17 for the Static Rate and ISFC Rate still applies.

Notice of Action (NA) 403

- The Department has developed a NOA (NA 403) for county use and substitutions of the form are not permitted.
- Counties are required to notify families via a NOA explaining that their rate has been established.

NA 403

NOTICE OF ACTION - APPROVAL, CHANGE OR DISCONTINUED

For Resource Families, including homes certified by a Foster Family Agency, County Approved Relative Homes, Non-Relative Extended Family Members, Foster Family Homes, Non-Related Legal Guardians, Intensive Treatment Foster Care and/or Intensive Services Foster Care, Group Homes and Short-Term Residential Therapeutic Programs

(ADDRESSER)

COUNTY OF

STATE OF CALIFORNIA
HEALTH AND HUMAN SERVICES AGENCY
CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

Notice Date	
Case Name	
Case Number	
Worker Name	
Worker Number	
Telephone	
Address	

Questions? Ask your Worker.

State Hearing: If you think this action is wrong, you can ask for a hearing. Page 3 tells you how. Your benefits may not be changed if you ask for a hearing before this action takes place.

APPROVAL

☐ The County has approved your Foster Care aid. As of _____, the county is Approving your Foster Care aid of \$ _____ per month.

This aid is for: _____.

CHANGE

As of _____, the county is Changing your Foster Care aid from \$ _____ to \$ _____.

This aid is for: _____.

Here's why: Your rate is based on a level of care determination as defined in AB 403 and WIC section 11461.

- ☐ Your case had a rate increase.
- ☐ Your case had a rate decrease.
- ☐ Your case had no change in rate.
- ☐ Your case has been issued an Infant Supplemental Payment.
- ☐ Your case has been issued a Supplemental Care Increment.
- ☐ The child has countable income.

_____ for _____

of \$ _____ is effective _____.

This is counted as _____
Income in the Foster Care budget calculation.

- ☐ Other: _____
- ☐ Due to funding requirements, you may receive multiple checks for this benefit month. The sum of these checks will be equal to the amount listed above.

NA 403

YOUR HEARING RIGHTS (See also PUB 412 at www.cdss.ca.gov/inforesources/state-hearings)

You can ask for a hearing if you disagree with a county/agency action or failure to act. You have 90 days to do so, starting the day after the date of the notice. After 90 days, you must prove you had a good reason for asking late. You can also ask for a hearing to review your benefits for the past 90 days. If you ask for a hearing before the date of the change, your benefits will continue unchanged. CalFresh will end if you don't recertify when due.

- **Online** at acms.dss.ca.gov Click "Create an account" to have an ACMS account and get documents online; or click "Submit Appeal without Account" to file without an account OR
- **Call** toll free (800) 743-8525 (or TDD (800) 952-8349) OR
- **Fax** fill out this page/fax to (833) 281-0905 OR
- **Fill out this page, and deliver it by one of the following:**
 - o **In-person:** _____
 - o **Mail to:** CDSS State Hearings Division,
PO Box 944243, MS 21-37
Sacramento CA 94244-2430
 - o **Email to:** SHDCSU@DSS.ca.gov

1. My hearing issue involves _____ (benefit program) and _____ County/Agency.
2. I want a hearing because: _____
3. Print name of person who needs a hearing: _____ Birthdate: _____
4. Mailing Address: _____ Phone number: _____
☐ I want to get hearing notices from the State Hearing Division by email. Email Address: _____
5. Name/Signature: _____ Date Signed: _____
6. Interpreter: ☐ I want a free interpreter for the _____ language or dialect.
7. Disability Accommodation for hearing? ☐ No ☐ Yes (explain): _____
8. Your Hearing will be scheduled by phone. If you want your hearing conducted by a different method, tell us how:
☐ By Telephone ☐ By Video (you see judge on your phone/computer) ☐ In person at the county hearing site
☐ I have no phone or internet access. I want to go and use the phone or video at hearing site for my hearing.
9. I need a faster scheduled hearing due to ☐ Denial of CalWORKs or CalFresh emergency benefits
☐ Medical Emergency ☐ Eviction/homelessness ☐ Other (explain): _____
10. If you timely appeal before the action listed in the notice takes place, your aid may stay the same. For CalWORKs (including Child Care) and CalFresh, if the county action was correct, you have to pay back any extra aid.
☐ Check to have your aid lowered or stopped pending the hearing for: ☐ CalWORKs ☐ Childcare ☐ CalFresh
11. You can have a friend, relative, legal counsel or other person help with your hearing. If they have agreed:
Name: _____ Email: _____
Address: _____ Phone: _____
12. To Get Help: These groups below may be able to give you legal advice or represent you at the hearing:

Social Worker Perspective with Lori Souza

Placement Worker for Parents by Choice

Social Worker Perspective

- Parents by Choice Level of Care protocol/process
- Social Worker's Role
- Partnership with resource family
- Importance of the partnership with resource family



Questions & Answers

Resources

- [ACL 23-65](#) Current Rates
- [ACL 22-13](#) The LOC Rate Determination Protocol Static Rate
- [ACL 21-17E](#) Errata to clarify policies/address errors in ACL 21-17
- [ACL 21-17](#) Level Of Care Rate Determination Protocol
- [ACL 18-48](#) State Guidance For Specialized Care Rate
- [ACL 18-32](#) Instructions for entry for LOC and ISFC
- [ACL 18-25](#) Implementation of the ISFC program
- [ACL 16-84](#) Requirements And Guidelines For Creating And Providing A Child And Family Team
- [NA 403](#) Notice of Action

Thank you,
Level of Care
Unit!

Foster Care Audits and Rates Branch

(916) 651-9152

For specific questions regarding Level of
Care, please email them directly at

loc@dss.ca.gov

Contacts

- Continuum of Care Reform (CCR) Branch at ccr@dss.ca.gov
- Claiming questions should be directed to Fiscal.Systems@dss.ca.gov
- For information on the AAP LOCP, please contact the Adoptions Services Bureau at AAP@dss.ca.gov
- SCI inquiries at SCI@dss.ca.gov
- Resource Family Approval inquiries at RFA.dss.ca.gov
- Please direct all CFT questions to the Integrated Services Unit, at (916) 651-6600, or via email at CWScoordination@dss.ca.gov
- SOC 500, SOC 501 and Resource Family Reporting Tool can be obtained by emailing the dedicated loc@dss.ca.gov mailbox or the [University of California Davis Resource Barn](#)

Caregiver Pandemic Assistance



If you fostered youth between March 19, 2020-June 15, 2021, you should have received a Caregiver Pandemic Stipend. If you have not received your card, you may request a replacement card. Contact ***Blackhawk customer service at 833.683.4910*** which is available 24/7. When contacting Blackhawk, you will need to share the following information for verification: the first and last name of all caregivers in the home and the address you lived at between March 19, 2020-June 15, 2021, the eligibility period for the program.

If you have any questions, please do not hesitate to contact the Foster Caregiver Policy and Support unit at: CPApayments@dss.ca.gov

Caregiver Support Webinar

For specific Caregiver Support Webinar questions or to be added to future Caregiver Support Webinars, please contact:

Caregiver Support Webinar

CaregiverWebinar@dss.ca.gov

Caregiver Support Webinar Website: <https://www.cdss.ca.gov/inforesources/cdss-programs/foster-care/caregiver-support-webinars-resources>

For specific foster caregiver policy and support questions:

Foster Caregiver Policy and Support Unit

744 P Street, MS 8-13-78

Sacramento, CA 95814

(916) 651-7465

CaregiversForYouth@dss.ca.gov

Thank you for
Attending!

Please don't forget to take our
post webinar survey!