

Level of Care Protocol (LOCP) Rate Determination

(Revised 09/06/24)

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Related Policies

Additional information can be found in the following policies:

- Change of Placement (COP) Requirements When Notice is Given to Move Child/Youth
 - ERMS and Records Management
 - Interagency Placement Committee (IPC) Meeting
 - Child and Family Team Meetings
 - Discovery - Active Dependency Cases
 - Specialized Care Increments
 - Kin-GAP (Kinship Guardianship Assistance Payment)
 - Guardianship
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Forms

The following forms are referenced in this policy:

- 04-625 Level of Care Protocol (LOCP) Rate Determination Information for Resource Families
- 04-625sp Level of Care Protocol (LOCP) Rate Determination Information for Resource Families (Spanish)
- 04-626 Level of Care Static Criteria Form
- 04-627 Level of Care Rate Determination Request Form
- 04-628 Caregiver Level of Care Rate Determination Letter
- 04-628sp Caregiver Level of Care Rate Determination Letter (Spanish)
- 04-630 Resource Family (RF) Reporting Tool
- 07-65 Placement Information and Payment Authorization (*CWS/CMS Template*)
- AAP 9 Adoption Assistance Program (AAP) Level of Care Rate Determination Matrix (AAP LOC Matrix) Instruction Guide
- AAP 9A Adoption Assistance Program (AAP) Level of Care Rate Determination Protocol Matrix

- AAP 9A sp Adoption Assistance Program (AAP) Level of Care Rate Determination Protocol Matrix (Spanish)
- AAP 9B Adoption Assistance Program (AAP) Level of Care (LOC) Digital Scoring Form
- AAP 10 Adoption Assistance Program (AAP) Level of Care Rate Determination Protocol Matrix
- AAP 10 sp Adoption Assistance Program (AAP) Level of Care Rate Determination Protocol Matrix (Spanish)
- SOC 500 Level of Care (LOC) Digital Scoring Form
- SOC 501 Level of Care Rate Determination Protocol Matrix

Introduction to LOCP

The Home-Based Family Care (HBFC) Level of Care (LOC) rate structure is used to identify the monthly rate necessary to support the daily care needs for each youth/non-minor dependent (NMD) considering their unique situation. The LOCP is a strengths-based process designed to identify the individual care and supervision needs of a youth/non-minor dependent (NMD), the resource family (RF) expectations to meet those needs, and match those to the appropriate rate level. The LOCP is focused on the RF's care and supervision of the youth/NMD's needs and not necessarily on what services the youth/NMD participates in.

The LOCP Matrix is a tool that addresses the daily care activities being conducted by the RF to meet the needs of the youth/NMD in their care. The matrix consists of five areas of well-being known as core domains and includes Physical, Behavioral/Emotional, Education, Health, and Permanency/Family Services. Within each domain, there are different levels of RF expectations that correlate with a point system. Each domain is scored separately based on the actions by the RF to meet the care and supervision needs of the youth/NMD.

Introduction to LOCP (cont.)

The total score of all five domains will identify a monthly rate to support the placement. Apart from the five domains, the LOCP Matrix also includes Static Criteria to address the immediate placement needs of youth/NMD presenting with certain behaviors or conditions that indicate the need to provide a higher level of care and supervision for a youth/NMD prior to the use of the LOCP.

The LOCP consists of the following rates:

- Basic – reflects the minimum, basic RF expectations
- LOCs 2 - 4– reflect increasing RF expectations
- Intensive Services Foster Care (ISFC) rate - reflects intensive RF expectations to meet the acute needs for the youth/NMD

In addition to these four levels of care, the Static Criteria rate is available to ensure a safe placement of a youth/NMD prior to completing an LOC rate determination, as long as the youth/NMD and RF qualify for the use of the rate. The Static rate reflects higher supervision needs for the youth and is a temporary rate provided to an RF to compensate for the elevated supervision needs pending a complete LOC rate assessment.

Eligible Placement Types

All HBFC placements in approved RF homes are eligible for the LOCP process including:

- Relative/Non-Relative Extended Family Members (NREFM) homes
- County approved RF homes
- Foster Family Agency (FFA) approved RF homes
- Treatment level RF homes (ISFC/Therapeutic Foster Care (TFC))
- NMDs residing in a HBFC setting
- Dual Agency youth residing in an HBFC setting
- Tribally Approved Homes
- Kinship Guardianship Assistance Payment Program (Kin-GAP)
- Adoption Assistance Program (AAP)
- Non-related legal guardianships (NRLG) established through the Juvenile Court on or after January 1, 2017

The LOC rate structure **does not** apply to the following placement settings:

- Supervised Independent Living Placements (SILPs)
 - Transitional Housing Programs (THPs)
 - Short-Term Residential Therapeutic Program (STRTP) Placements/Community Treatment Facilities
 - Placements with NRLGs established in Probate Court
 - Emergency placements pending RFA approval
 - Small family homes
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Emergency Placements

If an RF receives emergency placement of a youth/NMD prior to Resource Family Approval (RFA) and is receiving emergency caregiver funding while undergoing the RFA process, only the Basic rate applies. Once RF applicants are fully approved they become/are eligible for LOC 2 - 4 and the Static and ISFC rates

Triggering Events

LOCP rate determinations are completed after each of the following triggering events:

- Initial entry/re-entry into foster care
- Change of placement (COP)
- Step down from congregate care
- Step down or up from ISFC or TFC
- RF or FFA request for a rate redetermination
- Social worker (SW) request for a rate redetermination

NOTES:

1. If a youth exits foster care in less than 30 days, an LOCP rate determination is not required and the Basic rate is paid, unless the Static rate was approved upon placement.
2. If a youth experiences multiple placements within the first 60 days of entering foster care, only one rate determination is needed for the most recent placement. The Basic rate is paid until an LOCP is completed. The determined rate is effective retroactive to the date of the latest placement.
3. For a COP of a youth who was receiving an age-based rate, the rate the youth is currently receiving will continue to be paid until the completion of a new LOCP, unless the youth is eligible for a Static rate.
4. If a youth is absent without consent and returns to the **same** home-based placement, the previous LOC rate may be used when the youth returns **unless** the child and family team indicates the youth's needs and caregiver's actions to meet the needs have increased, resulting in the need for a new rate determination. This only applies if the youth returns directly to the same placement with no other placements (including Polinsky Children's Center) in between.
5. For the purpose of this policy, triggering events pertain to all eligible HBFC placements. A separate LOCP process exists for the Adoption Assistance Program (AAP) and is triggered when an initial determination of a child's eligibility for AAP benefits is needed prior to the adoption finalization or upon the reassessment and benefit renegotiation per the adoptive parent's request post finalization. Refer to AAP LOCP section for additional information.

Initial and Re-entry into Foster Care / COP

The following table details the process to initiate an LOCP after an initial entry/re-entry into foster care and when a COP occurs:

Step	Who	Action
1	Placement SW	<ul style="list-style-type: none">• Within 3 business days of a youth's initial entry/re-entry into foster care or COP, complete Part A of the Level of Care Rate Determination Request Form (04-627) and submit it to the LOC Unit. <p>NOTE: A separate referral is needed for each youth placed in an RF home who needs a rate determination.</p>

**Initial and Re-entry
into Foster Care /
COP (cont.)**

Step	Who	Action
1 (cont.)	Placement SW	Per the Change of Placement (COP) Requirements When Notice is Given to Move Child/Youth policy, a Placement Information and Payment Authorization form (07-65) indicating Basic rate, existing age-based rate, or Static rate is required to be submitted to the Registrar within one business day of any placement.
2	LOC PSS	<ul style="list-style-type: none"> • Assign the referral to an LOC SW with a determination due date of 60 days from the date of placement.
3	LOC SW	<ul style="list-style-type: none"> • Within five business days of receiving a referral: <ul style="list-style-type: none"> ○ Inform the assigned SW and PSS via email of the LOCP process and timeline ○ Schedule a meeting with the RF to complete the Resource Family (RF) Reporting Tool (04-630). ○ Send the Level of Care Protocol (LOCP) Rate Determination Information for Resource Families (04-625) and the 04-630 to the RF in preparation of the meeting.
4	LOC SW	<ul style="list-style-type: none"> • Review all applicable records listed within Part B of the 04-627, communicate with the assigned SW and any collaterals necessary to gather additional information needed, and complete all sections and documentation required to support and inform the Level of Care Rate Determination Protocol Matrix (SOC 501). • Complete the SOC 501 using the 04-627, 04-630, and applicable supporting documents. • Complete the Level of Care (LOC) Digital Scoring Form (SOC 500) and Caregiver Letter of Care Rate Determination Letter (04-628). • Submit the following forms to the LOC PSS for review and approval: <ul style="list-style-type: none"> ○ 04-627 ○ 04-628 ○ 04-630 ○ SOC 500 ○ SOC 501 <p>REMINDER: Document all collateral contacts in CWS/CMS delivered service log.</p>
5	LOC PSS and LOC PSPM	<ul style="list-style-type: none"> • Review all LOCP forms completed and submitted by the LOC SW for thoroughness and accuracy of the rate determination and sign for approval. <p>NOTE: LOC PSPM review and signature is required for the ISFC rate.</p>

Initial and Re-entry into Foster Care / COP (cont.)

Step	Who	Action
6	LOC SW	<ul style="list-style-type: none"> • After LOC PSS reviews (and LOC PSPM approval if applicable), inform the RF and FFA RF (if applicable) of the determined LOC rate and mail the following completed forms to the RF and FFA RF within five business days of the LOC rate determination: <ul style="list-style-type: none"> ○ 04-628 ○ 04-630 ○ SOC 500 ○ SOC 501 • Concurrently with the RF rate notification above, notify the SW, PSS, and Placement PSS of the rate determination and the requirement to update the Placement Agreement if the determination results in a rate higher than Basic.
7	Placement PSS	<ul style="list-style-type: none"> • If the rate determination results in a rate higher than Basic, assign a Placement SW to update the existing Placement Agreement with the new rate and send the RF/FFA the updated agreement within five business days of notification of the new rate.
8	LOC SW	<ul style="list-style-type: none"> • Complete and submit the Placement Information and Payment Authorization (07-65) and SOC 500 to the assigned Registrar, including the SW and PSS, for processing of the determined LOC rate. • Import all LOCP forms into CWS/CMS. • Email a copy of the completed LOCP forms to the assigned SW.
9	Assigned SW	<ul style="list-style-type: none"> • Submit received LOCP documents for uploading to Electronic Records Management System (ERMS). <p>NOTE: Refer to the ERMS and Record Management policy for specific procedures.</p>
10	Assigned Registrar	<ul style="list-style-type: none"> • Process the 07-65 and submit the SOC 158A and SOC 500 to Eligibility. • Include the language provided on Section H of the 07-65 on the O line of the SOC 158A.

RF, FFA, and SW Request for a Rate Redetermination

The RF, FFA, and SW can request an LOC rate redetermination based on the changing needs of the youth and/or the extra care the RF is providing. To initiate the request, the SW must complete and submit the 04-627 and all supporting information reflecting the changing needs and/or extra care to the LOC Unit.

**RF, FFA, and SW
Request for a Rate
Redetermination
(cont.)**

If the RF or FFA would like to initiate a request, they must send an email to the LOC Unit with their own name and phone number and an LOC SW will contact them to gather the necessary information to complete the 04-627.

Examples of supporting information include but are not limited to a recent Child and Adolescent Needs and Services (CANS) assessment, Child and Family Team Meeting (CFTM) Action Plan, updated Case Plan, Individual Care Plan, etc.

The rate redetermination process will begin if the information submitted to the LOC Unit is determined to support the need. If the information submitted does not support the need for a rate redetermination, the LOC staff will inform the RF/FFA and/or assigned SW of the reasons why a reassessment cannot occur based on information provided. If the RF/FFA/SW does not agree with the decision that a reassessment cannot occur based on supporting information provided, collaboration will start at the lowest level of the resolution process below:

- LOC SW to RF/FFA/SW
- LOC PSS to RF/FFA/Assigned PSS
- LOC PSPM to RF/FFA/Placement PSPM

The following table details the process if a resolution cannot be achieved with the RF/FFA and the request for a redetermination is denied:

Step	Who	Action
1	LOC SW	<ul style="list-style-type: none"> • Complete the 04-628 indicating the reason the request for a rate redetermination was denied and mail the form to the RF/FFA RF within three business days of the final decision. • Complete the 07-65 Section H only, mirroring the reason the request for a rate redetermination was denied on the 04-628 and submit to the assigned Registrar, including the SW and PSS, for processing. • Import all LOCP forms into CWS/CMS. • Email a copy of the completed LOCP forms to the assigned SW.
2	Assigned SW	<ul style="list-style-type: none"> • Submit received LOCP documents for uploading to ERMS. • NOTE: Refer to the ERMS and Record Management policy for specific procedures.
3	Assigned Registrar	<ul style="list-style-type: none"> • Process the 07-65 and submit the SOC 158A to Eligibility for processing the Notice of Action (NA 403). • Include the language provided on Section H of the 07-65 on the O line of the SOC 158A.
4	RF/FFA	<ul style="list-style-type: none"> • Review the NA 403 informing of the reason(s) for a rate redetermination denial and due process rights.

**RF, FFA, and SW
Request for a Rate
Redetermination
(cont.)**

When a request for a rate redetermination is accepted, an assessment must be completed within 60 days from the date the request was submitted to the LOC Unit Inbox. If the redetermination results in a higher rate, the payment date is effective retroactive to the date the form was submitted. **Lowering LOC 2-4 for a youth in the same placement is prohibited. If the redetermination for a youth in the same placement indicates lowering an existing LOC 2-4 rate, no change will occur.** The following table details the process for a rate redetermination:

Step	Who	Action
1	LOC PSS	<ul style="list-style-type: none"> Assign the referral to LOC SW with a determination due date of 60 days from the date the request was submitted to the LOC Unit Inbox.
2	LOC SW	<ul style="list-style-type: none"> Within five business days of receiving a rate redetermination request, inform the assigned SW and PSS via email and RF and FFA RF (if applicable) of the LOCP process and timeline. Schedule a meeting with the RF to complete the 04-630. Send the 04-625 and 04-630 to the RF in preparation of the meeting.
3	LOC SW	<ul style="list-style-type: none"> Review all applicable records listed within Part B of the 04-627, communicate with the assigned SW and any collaterals necessary to gather additional information needed, and complete all sections and documentation required to support and inform the SOC 501. Complete the SOC 501 using the 04-627, 04-630, and applicable supporting documents. Complete the SOC 500 and 04-628. Submit the following forms to the LOC PSS for review and approval: <ul style="list-style-type: none"> ○ 04-627 ○ 04-628 ○ 04-630 ○ SOC 500 ○ SOC 501 If the redetermination results in no change to the current rate or a lower rate than the LOC 2-4 currently receiving, then indicate “No Change” on the Rate Effective Date line on the SOC 500. <p>REMINDER: Lowering LOC 2-4 is prohibited if the youth remains in the same placement.</p>

**RF, FFA, and SW
Request for a Rate
Redetermination
(cont.)**

Step	Who	Action
4	LOC PSS and LOC PSPM	<ul style="list-style-type: none"> • Review all LOCP forms completed and submitted by the LOC SW for thoroughness and accuracy of the rate determination and sign for approval. <p>NOTE: LOC PSPM review and signature is required for the ISFC rate.</p>
5	LOC SW	<ul style="list-style-type: none"> • After LOC PSS review (and LOC PSPM approval if applicable), inform the RF and FFA RF (if applicable) of the new rate and mail the following completed forms to the RF and FFA RF within five business days of the rate determination: <ul style="list-style-type: none"> ○ 04-628 ○ 04-630 ○ SOC 500 ○ SOC 501 • Concurrently with the RF rate notification above, notify the SW, PSS, and Placement PSS of the rate determination and the requirement to update a Placement Agreement if the redetermination results in a new rate.
6	Placement PSS	<ul style="list-style-type: none"> • If the rate redetermination results in a new rate, assign Placement SW to update the existing Placement Agreement with the new rate and send the RF or FFA RF the updated agreement within five business days of notification of the new rate.
7	LOC SW	<ul style="list-style-type: none"> • Complete and submit the 07-65 and SOC 500 to the assigned Registrar, including the SW and PSS, for processing. • Import all LOCP forms into CWS/CMS. • Email a copy of the completed LOCP forms to the assigned SW.
8	Assigned SW	<ul style="list-style-type: none"> • Submit received LOCP documents for uploading to ERMS. • NOTE: Refer to the ERMS and Record Management policy for specific procedures.
9	Assigned Registrar	<ul style="list-style-type: none"> • Process the 07-65 and submit the SOC 158A to Eligibility for processing the Notice of Action (NA 403). • Include the language provided on Section H of the 07-65 • on the O line of the SOC 158A.

**RF, FFA, and SW
Request for a Rate
Redetermination
(cont.)**

The ISFC rate is determined by the LOCP. The rate is intended to support an RF who provides higher levels of care and supervision to an ISFC eligible youth who requires intensive treatment, behavioral supports, and/or specialized health care or medical care. There are four pathways to eligibility for an ISFC rate and program including:

- Score of 7 in the LOC Behavioral/Emotional domain
- Score of 7 in the LOC Health domain
- Special Health Care Needs (SHCN) eligible child with health condition that are severe or unlikely to change per [ACL 21-17](#)
- Interagency Placement Committee (IPC) Meeting determines the youth to have ISFC needs

When an LOCP results in an ISFC rate, the SW and the RF must ensure the intensive care and supervision needs of the youth can be met. For an RF to be eligible to receive the ISFC rate, they **must** be affiliated with an FFA or county with an approved ISFC program and are required to complete 40 hours of training to qualify as an ISFC home. Of the 40 required training hours, a minimum of 12 training hours must include the training required in the RFA pre-approval process toward becoming an RF. Of the remaining 28 required training hours, 18 hours should be in trauma informed or attachment interventions and 10 hours should be of electives that are individualized for the child/NMD’s needs.

The table below describes the ISFC rate eligibility for an RF and FFA:

If...	then...
The RF is affiliated with an FFA with an approved ISFC program and agrees to become an ISFC RF and has not completed the required pre-placement training,	a placement can be made or continue permitted that the RF completes the 40 hours of required training within 120 days after the placement or identification of an ISFC eligible youth. The ISFC rate may be issued retroactive to the date of placement or identification of an ISFC eligible youth.
The RF is affiliated with an FFA with an approved ISFC program and an LOCP indicates required services and supports from an RF at an ISFC level for a youth already placed in the home and the RF chooses not to become an ISFC RF,	the LOC 4 rate is issued to the RF/FFA. NOTE: This circumstance and action requires documentation in CWS/CMS.
The RF is affiliated with an FFA with an approved ISFC program and the FFA provides the services and supports to the RF on behalf of the youth,	the FFA is issued their portion of the FFA ISFC Social Services and Supports and Administration rate and the RF is issued the LOC 4 RF only rate.

**RF, FFA, and SW
Request for a Rate
Redetermination
(cont.)**

If...	then...
The RF and FFA are unable to provide the services and supports to meet the higher needs of the youth already placed in the home,	the LOC 4 rate is issued to the RF/FFA, and the SW, in collaboration with the Child and Family Team (CFT), must ensure the youth receives the appropriate services.
The youth is placed in a county RF home and the county does not have an approved ISFC program or has an approved ISFC program but not in operation,	the LOC 4 rate is issued to the RF and the SW, in collaboration with the CFT, must ensure the youth receives the appropriate services. NOTE: If the RF would like to inquire about possibly receiving the ISFC rate instead of LOC 4, the RF would need to contact: <ul style="list-style-type: none"> • The LOC SW for questions related to the LOC determination and/or LOC ISFC. • Their RFA SW to learn about how to port to an ISFC eligible FFA.
The youth is placed in an FFA/county RF home and may have a medical condition expected to last several months or temporarily only need services that are not primarily dependent on the RF (e.g. behavioral health services) and not requiring additional training but requires additional/increased activities supported by the RF such as medical or therapy appointments,	the ISFC rate may be issued to support the time-limited circumstance. NOTE: The payment of the ISFC rate does not automatically categorize the home as an ISFC home.

REMINDER: NRLGs and Kin-GAP families are not eligible to become an ISFC RF.

**Lowering the ISFC
Rate**

The ISFC rate may need to end if there is information received that the youth’s intensive care and supervision needs provided by the RF have decreased. As required in the , CFTMs are required to be held at a minimum of every 90 days for youth eligible for Enhanced Services to support their mental health needs. Information gathered from CFTMs help inform the LOCP and/or need for a new LOCP based on the changing needs of the youth and the lower level of support needed from the RF. While CFTMs provide useful information to collectively determine an appropriate rate, **there should NEVER be a discussion about rates, the LOCP process, or the LOC Matrix or score within the CFTM.** If a redetermination is required and completed, the effective date of the ISFC rate decrease will be on the first day of the month following completion of the rate redetermination.

NOTE: The assigned SW must submit a 04-627 to the LOC Unit when the youth is determined to no longer need ISFC level of care. Refer to the RF, FFA, and SW Request for a Rate Redetermination section for process information.

Static Criteria and Rate

Static Criteria is a list of behaviors or conditions that have been present within the last 12 months and indicate the need to provide a higher level of care and/or supervision for a youth prior to the use of an LOCP. Static Criteria is used when there is a need to secure a safe placement with an approved RF for a youth presenting with higher supervision needs and to support the RF with a temporary rate for the enhanced level of care and supervision. The use of Static Criteria is **not** required if there is an available placement and sufficient information to complete an LOCP within 60 days. The exhaustive list of chronic behavioral or medical indicators that permit the use of the Static rate include:

- Adjudicated violent offenders (offenses for which the youth was found to have committed the crime and was declared a ward of the court.)
- Significant property damage
- 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
- SHCN
- Psychiatric Hospitalization(s)
- Severe mental health issues including suicidal ideation and/or self-harm
- Substance use/abuse

* The use of Static Criteria for the contraction of pandemic viruses, such as COVID-19, is a separate process from the other indicators on the list and will be discussed after the following table.

The Static rate is equivalent to the ISFC rate and intended to last no more than 60 days; however, can be extended upon approval by the LOC PSPM for an additional 60 days not to exceed 120 days when extenuating circumstances exist that require additional time for a full assessment and to complete the LOCP (e.g. youth continues to display some behaviors in the Static Criteria, developing factors that require the RF to provide intensive supervision and supports). The Static rate is effective retroactive to the date of placement. Use of the Static rate does not presume the RF has or will choose to meet the ISFC training requirements or that the placement qualifies for ISFC.

Static Criteria and Rate (cont.)

The following table details the steps for initiating the Static Criteria process:

Step	Who	Action
1	Placement SW / Placement PSS	<ul style="list-style-type: none"> • After reasonable and considerable efforts to secure a home-based placement, review the youth’s case records to assess for Static Criteria eligibility. • If the youth presents as Static Criteria eligible, complete through Part A of the Level of Care Static Criteria Form (04-626). • Send to Placement PSS for review and signature below Part A, then submit to the LOC Unit to initiate the process. • If the LOC Unit confirms Static Criteria eligibility, proceed to Step 2. • If the LOC Unit determines that Static Criteria does not apply, STOP here and continue placement efforts in alignment with the youth’s level of care and in consideration of the CFT recommendation(s).
2	LOC PSS	<ul style="list-style-type: none"> • Within one business day of the receipt of the 04-626, review the 04-626 to determine Static Criteria eligibility. Send the 04-626 back to Placement if any additional information is needed. • If Static Criteria eligible, sign the 04-626. • Send the 04-626 to LOC PSPM for review and signature. <p>NOTE: If the youth does not currently meet Static Criteria, send the 04-626 to the LOC PSPM for denial of the Static rate to be offered and used for the youth. Upload the 04-626 to CWS/CMS and provide a copy to the Placement SW and Placement PSS.</p>
3	LOC PSPM	<ul style="list-style-type: none"> • Review and sign the 04-626 to authorize the Static rate being offered and used, then return to LOC PSS or request additional information if needed. <p>NOTE: The authorization to offer and use the Static rate to locate and place the youth in a HBFC setting will expire 30 days after the LOC PSPM’s approval date in Part A. Steps one through three, using Part B on the same 04-626, would need to be repeated in order to continue offering and use the Static rate to locate and place the youth in a HBFC setting.</p>
4	LOC PSS	<ul style="list-style-type: none"> • Send a copy of the approved 04-626 to the Placement PSS within two business days of LOC PSPM approval to initiate placement efforts using the Static rate.

Static Criteria and Rate (cont.)

Step	Who	Action
5	Placement SW	<ul style="list-style-type: none"> • Upon receipt of approved 04-626, contact prospective RF to discuss placement and offer the Static rate. • Inform the RF of the 60 day Static rate timeframe and that the rate may decrease pending the outcome of the LOCP. • Should the RF accept placement, complete the 07-65 no different than if the youth had an Initial Placement or COP without using the Static rate, then send to the Registrar, including the SW and PSS, to process. • Within three business days of placement, complete Part A of the 04-627 and submit to the LOC Unit along with the approved 04-626 for the youth who was placed using the Static rate to initiate the LOCP process.
6	Assigned Registrar	<ul style="list-style-type: none"> • Process the 07-65 and submit the SOC 158A to Eligibility for processing payment and the Notice of Action (NA 403).
7	LOC PSS	<ul style="list-style-type: none"> • Assign Static request (04-626 and 04-627) within one business day to LOC SW with a determination due date of 60 days from the date of placement.
8	LOC SW	<ul style="list-style-type: none"> • Within one business day, complete a SOC 500 and 04-628 noting Static Criteria and send to LOC PSS for review and signature. The rate effective date is the youth's placement date into the FFA/RF home.
9	LOC PSS	<ul style="list-style-type: none"> • Review and sign SOC 500 and 04-628, then return to LOC SW.
10	LOC SW	<ul style="list-style-type: none"> • Create a new 07-65. • Submit completed 07-65, SOC 500, and 04-626 to assigned Registrar, including the SW and PSS, to initiate the payment process for the Static rate. • Send 04-628 to the identified RF notifying of the Static rate within five business days of the placement.
11	Assigned Registrar	<ul style="list-style-type: none"> • Process the 07-65 and submit the SOC 158A and SOC 500 to Eligibility to process the Static rate payment and the Notice of Action (NA 403). • Include the language provided on Section H of the 07-65 on the O line of the SOC 158A.

Static Criteria and Rate (cont.)

Step	Who	Action				
12	LOC SW	<p>If an LOC can be completed within 60 days of placement:</p> <ul style="list-style-type: none"> • Review all applicable records listed within Part B of the 04-627, communicate with the assigned SW and any collaterals necessary to gather additional information needed, and complete all sections and documentation required to support and inform the SOC 501. • Complete the SOC 501 using the 04-627, 04-630, and applicable supporting documents. • Complete a new SOC 500 and 04-628 separate from the ones used for the Static rate. • Submit the following forms to the LOC PSS for review and approval: <ul style="list-style-type: none"> ○ 04-627 ○ 04-628 ○ 04-630 ○ SOC 500 ○ SOC 501 • Complete and submit the Placement Information and Payment Authorization (07-65) and SOC 500 to the assigned Registrar, including the SW and PSS, for processing of the determined LOC rate. • Import all LOCP forms into CWS/CMS. • Email a copy of the completed LOCP forms to the assigned SW. <p>If an LOC cannot be completed within 60 days of placement:</p> <ul style="list-style-type: none"> • 10 days before the LOCP completion, notify the SW and PSS if there are barriers to completing the LOCP within 60 days and an extension is needed or if the LOCP will be completed timely. <p>The table below identifies the steps when an LOCP cannot be completed within 60 days and a request to extend the Static rate for an additional 30 days is needed:</p> <table border="1" data-bbox="727 1440 1360 1801"> <thead> <tr> <th data-bbox="727 1440 1036 1497">If...</th> <th data-bbox="1036 1440 1360 1497">then...</th> </tr> </thead> <tbody> <tr> <td data-bbox="727 1497 1036 1801">An additional 30 days is needed to complete the LOCP,</td> <td data-bbox="1036 1497 1360 1801"> <ul style="list-style-type: none"> • Complete Part C of the 04-626 and submit to LOC PSS and LOC PSPM to review and approve the use of the Static rate for 30 more days. </td> </tr> </tbody> </table>	If...	then...	An additional 30 days is needed to complete the LOCP,	<ul style="list-style-type: none"> • Complete Part C of the 04-626 and submit to LOC PSS and LOC PSPM to review and approve the use of the Static rate for 30 more days.
If...	then...					
An additional 30 days is needed to complete the LOCP,	<ul style="list-style-type: none"> • Complete Part C of the 04-626 and submit to LOC PSS and LOC PSPM to review and approve the use of the Static rate for 30 more days. 					

Static Criteria and Rate (cont.)

Step	Who	Action
12 (cont.)	LOC SW	<ul style="list-style-type: none"> Complete the 07-65 extending the Static rate for an additional 30 days and submit to the assigned Registrar, including the SW and PSS, for payment processing. Complete the 04-628 notifying of the Static rate extension for an additional 30 days and send to the RF/FFA RF.
13	Assigned SW	<ul style="list-style-type: none"> Submit received LOCP documents for uploading to ERMS. <p>NOTE: Refer to the ERMS and Record Management policy for specific procedures.</p>
14	Assigned Registrar	<ul style="list-style-type: none"> Process the 07-65 and submit the SOC 158A to Eligibility for processing payment and the Notice of Action (NA 403). Include the language provided on Section H of the 07-65 on the O line of the SOC 158A.

If extenuating circumstances are present that warrant consideration of an additional 30 days of the Static rate, past the already approved 90 days, repeat steps twelve and thirteen, using Part D of the 04-626. The Static rate cannot be paid out beyond the 120 days.

COVID-19 Static Criteria and Use of the COVID-19 Static Rate

Per [ACL 22-59](#), the California Department of Social Services (CDSS) made the use of the COVID-19 Static Criteria permanent and it can be used anytime during a placement. The COVID-19 Static rate may be paid whenever the dependent child/NMD has contracted COVID-19, tests positive, and/or is displaying continuing illness and/or side effects of COVID-19, which requires additional care and supervision for the duration of their illness. This policy only applies to a dependent child/NMD in HBFC who contracted COVID-19 and does not include another member of the household. Documentation such as a positive COVID-19 test or a letter from a physician is sufficient to obtain the COVID-19 Static rate.

Step	Who	Action
1	SW/RF/FFA	<ul style="list-style-type: none"> Submit proof of positive to the LOC Unit
2	LOC PSS	<ul style="list-style-type: none"> Verify the proof of positive and that it meets criteria to submit for the COVID-19 Static rate to be paid. Assign to LOC SW for completion.
3	LOC SW	<ul style="list-style-type: none"> Complete the SOC 500. Submit SOC 500 and proof of positive to LOC PSS for review and signature.
4	LOC PSS	<ul style="list-style-type: none"> Review SOC 500 for accuracy, sign, and return to LOC SW.

COVID-19 Static Criteria and Use of the COVID-19 Static Rate (cont.)

Step	Who	Action
5	LOC SW	<ul style="list-style-type: none"> Complete an 07-65 submit it and the SOC 500 to the assigned Registrar, including the SW and PSS, for processing of the COVID-19 Static rate. Import all LOCP forms into CWS/CMS. Email a copy of the completed LOCP forms to the assigned SW.
6	Assigned SW	<ul style="list-style-type: none"> Submit received LOCP documents for uploading to ERMS. <p>NOTE: Refer to the ERMS and Record Management policy for specific procedures.</p>
7	Assigned Registrar	<ul style="list-style-type: none"> Process the 07-65 and submit the SOC 158A to Eligibility for processing payment and the Notice of Action (NA 403). Include the language provided on Section H of the 07-65 on the O line of the SOC 158A.

REMINDER: The COVID-19 Static rate is a temporary rate paid out for 30 days and then the RF/FFA RF will revert back to the rate they were receiving prior to the COVID-19 Static rate.

Special Health Care Needs (SHNC) and Permanent ISFC Rate

A permanent ISFC rate may be considered past the maximum 120 days allowable for the Static rate for youth identified as having Special Health Care Needs (SHCN) if the youth’s health conditions are severe or unlikely to change. SHCN refers to the health care and related needs of children who have chronic physical, developmental, behavioral, or emotional conditions. The following conditions are required when considering a permanent ISFC rate:

- Documentation from a health care professional that the medical condition is not likely to change, is considered/deemed to be permanent or requires specialized in-home health care pursuant to [WIC Section 17710](#);
- An Individualized Health Care Plan (IHCP); and
- An IHCP team in place.

NOTE: An emergency placement is not eligible to receive the permanent ISFC rate. A county approved RF is not eligible to receive the permanent ISFC rate, but could receive the LOC 4 rate instead. An FFA RF could receive the permanent ISFC rate. [WIC Section 17710](#) outlines training requirements for an RF to receive the permanent ISFC rate, as noted in the table below.

Step	Who	Action
1	Assigned SW	<ul style="list-style-type: none"> Provide the LOC Unit with documentation of all three required conditions (medical condition, IHCP, and IHCP team) via email.
2	LOC PSS	<ul style="list-style-type: none"> In consultation with the (PHN/CHO) as needed, confirm all three conditions are acceptable documents and assign to LOC SW.

Special Health Care Needs (SHNC) and Permanent ISFC Rate (cont.)

Step	Who	Action
3	LOC SW	<ul style="list-style-type: none"> Complete the SOC 500 and 04-628 and submit to the LOC PSS and LOC PSPM for approval and signature.
4	LOC PSS and LOC PSPM	<ul style="list-style-type: none"> Review and sign SOC 500 and 04-628 and return to LOC SW for continued processing.
5	LOC SW	<ul style="list-style-type: none"> Complete and submit the 07-65 and SOC 500 to the assigned Registrar for processing. Attach all required documents to the SOC 500 upon submission. Import all LOCP forms into CWS/CMS. Email a copy of the completed LOCP forms to the assigned SW.
6	Assigned SW	<ul style="list-style-type: none"> Submit received LOCP documents for uploading to ERMS. <p>NOTE: Refer to the ERMS and Record Management policy for specific procedures.</p>
7	Assigned Registrar	<ul style="list-style-type: none"> Process the 07-65 and submit the SOC 158A to Eligibility for processing the Notice of Action (NA 403). Include the language provided on Section H of the 07-65 on the O line of the SOC 158A.

Timelines and Rate Effective Dates

The table below describes the rate determination due dates and payment effective dates after each type of triggering event:

Triggering Event	LOC Rate Determination Due Date	Payment Effective Date
<ul style="list-style-type: none"> Initial Entry/Re-entry into Foster Care Initial LOCP COP Step down from an STRTP 	<ul style="list-style-type: none"> 60 days from date of placement. 	<ul style="list-style-type: none"> Payment will be retroactive to the date of placement if the final determination is higher than the Basic rate.
<ul style="list-style-type: none"> Emergency caregiver (RF applicant) completed RFA process and is fully approved 	<ul style="list-style-type: none"> 60 days from date of full resource family approval. 	<ul style="list-style-type: none"> Payment will be retroactive to the date of full resource family approval if the final determination is higher than the Basic rate.

Timelines and Rate Effective Dates (cont.)

Triggering Event	LOC Rate Determination Due Date	Payment Effective Date
<ul style="list-style-type: none"> RF/FFA/SW Request 	<ul style="list-style-type: none"> 60 days from the date the request was submitted to the LOC Unit Inbox. 	<ul style="list-style-type: none"> Payment will be retroactive to the date the request was submitted to the LOC Unit Inbox if the final determination is higher than the current rate.
<ul style="list-style-type: none"> Transition from ISFC/TFC 	<ul style="list-style-type: none"> 30 days from the date the 04-627 was submitted to the LOC Unit Inbox. 	<ul style="list-style-type: none"> The first day of the month following the completion of the LOCP.
<ul style="list-style-type: none"> Use of Static Criteria 	<ul style="list-style-type: none"> 60 -120 days from the date of placement. 	<ul style="list-style-type: none"> 60 days of Static rate <ul style="list-style-type: none"> 61st day from the placement 90 days of Static rate <ul style="list-style-type: none"> 91st day from the placement 120 days of Static rate <ul style="list-style-type: none"> 121st day from the date of the placement

Documentation and Notification

After an LOCP is completed, the LOC SW will complete the following tasks to ensure documentation and notification of the LOCP:

- Enter all collateral contacts into CWS/CMS
- Import all LOCP forms into each youth’s case notebook in CWS/CMS
- Notify the RF/FFA RF and SW/PSS of the rate determination
- Send all completed LOCP forms to the assigned SW for the SW to request them be uploaded to ERMS.
- Send the RF the following completed forms:
 - 04-628
 - 04-630
 - SOC 500
 - SOC 501
- Send the FFA (if applicable) the 04-628

SW will not document about the rate determination in court reports or attach any of the LOCP documents to court reports. LOCP documents and information may be requested and provided in discovery request. Refer to [Discovery - Active Dependency Cases](#) for additional information.

Due Process

RFs are afforded due process rights when their initial home-based foster care rates are established through the LOCP, when their rate is changed based on an LOCP, or when a request for a rate change (redetermination) based on the LOCP is denied. Adequate notice must be provided to an RF when a rate is granted, increased, denied, decreased, suspended, cancelled, discontinued, or terminated. The Notice of Action (NA 403), initiated by the 07-65 and SOC 158A, that is generated and provided to the RF by Eligibility, provides an explanation of how and why rates are set, changing, or a request for an increase is denied.

NOTE: The NA 403 is also required when a rate determination results in no change at all.

LOCP and Special Care Increments (SCI)

Special Care Increments (SCI) are paid in addition to the basic care rate for youth with physical, emotional, mental, or developmental disabilities. The SCI authorization follows the youth rather than the placement and is intended to compensate RFs, including FFA RFs, for the additional time, effort, and expenses required to care for these youth. The table below, describes actions when considering the LOCP and authorized SCI:

If...	then...
The Basic rate plus SCI is less than the LOC rate determination,	No SCI will be paid to the RF and the determined LOC rate will be issued.
The Basic rate and SCI is more than the LOC rate determination,	the determined LOC rate plus the difference between the determined LOC rate and Special Care Rate (Basic rate and authorized SCI) will be issued.

Per [ACL 24-04](#), FFA RFs are eligible to receive any applicable SCIs. Refer to Specialized Care Increments for additional information and eligible placements.

LOCP and Dual Agency Rate

A youth/NMD who is eligible for regional center services may receive an LOC rate. At minimum, youth who are eligible for regional center services should receive the Dual Agency rate. If the basic rate plus the authorized SCI (if applicable) results in a rate higher than the Dual Agency rate, the basic rate plus SCI rate applies.

Per [ACL 24-04](#), FFA RFs are eligible to receive the Dual Agency rate plus any applicable supplement to the Dual Agency rate.

NOTE:

1. Emergency placements are not eligible for the Dual Agency rate.
 2. If a child is no longer eligible to receive the Dual Agency rate, including the California Early Start rate, a referral to the LOC Unit is required to determine and establish a new rate.
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**LOCP and
Guardianship Rates**

Guardianships established by the Juvenile Court on or after January 1, 2017 are only eligible to receive the Basic rate or LOC 2-4; they are **not** eligible for the ISFC rate. The LOCP process **does not apply** to NRLG established by Probate Court. For those guardianships established by Probate Court on or after January 1, 2017, the NRLG will receive the Basic rate only. For Kin-GAP Guardianships, the most recent LOC rate determination will apply for the Kin-GAP payment unless the caregiver or SW requests a rate redetermination prior to establishing the Kin-GAP rate.

The SW will refer to the RF/FFA/SW Request for rate redetermination table to initiate a reassessment of the LOC rate with the LOC Unit when any of the following circumstances occur:

- Guardianship is being established
- The guardianship case is open as a “money only” NRLG and/or a redetermination is requested
- The guardianship case is closed to Dependency and an open closed Kin-GAP case and a redetermination is requested via Eligibility

For more detailed information and processes for establishing guardianships and payments, refer to the Kin-GAP (Kinship Guardianship Assistance Payment) and Guardianship policies.

**Adoption Assistance
Program (AAP) LOCP**

The AAP LOCP is required to determine an AAP eligible child’s maximum eligible LOC rate to be negotiated for initial agreements and subsequent amended agreements. Youth in AAP are only eligible to receive the Basic rate or LOC 2 - 4; they are not eligible for the Static or ISFC rate. Every initial AAP signing requires an AAP LOC.

The table below describes who completes the AAP LOCP prior to initial agreements being signed and amended:

If...	then...
The dependency or voluntary relinquishment case is open and the LOC rate has/has not been established,	the SW will refer to the table below to initiate an assessment with the LOC Unit prior to signing the initial AAP agreement.
This is a non-dependency case that the Agency is facilitating an independent adoptions case for,	the SW will complete through Part A of the 04-627 and submit the referral to the AAP PSS within the AAP Unit to initiate the AAP LOCP prior to signing an initial Adoptions Assistance Agreement (AD 4320).
The Adoptions Assistance Agreement (AD 4320) has been signed,	the AAP SW will complete the AAP LOCP process.

Adoption Assistance Program (AAP) LOCP (cont.)

The following table details the process to initiate the initial AAP LOCP:

Step	Who	Action
1	SW	<ul style="list-style-type: none"> Complete Part A of the 04-627 and submit it to the LOC Unit.
2	LOC PSS	<ul style="list-style-type: none"> Assign the referral to LOC SW with a determination due date of 60 days from the date the referral was submitted to the LOC Unit Inbox.
3	LOC SW	<ul style="list-style-type: none"> Within five business days of receiving a referral, inform the assigned SW and PSS via email and RF of the AAP LOCP process and timeline. Schedule a meeting with the RF to complete the Prospective or Adoptive Parent(s) Level of Care (LOC) Reporting Tool (AAP 10 or AAP 10 SP). Send the 04-625 and AAP 10 or AAP 10 SP to the RF in preparation of the meeting.
4	LOC SW	<ul style="list-style-type: none"> Review all applicable records listed within Part B of the 04-627, communicate with the assigned SW and any collaterals necessary to gather additional information needed, and complete all sections and documentation required to support and inform the Adoption Assistance Program (AAP) Level of Care Rate Determination Protocol Matrix (AAP 9A or AAP 9A SP). Complete the Adoption Assistance Program (AAP) Level of Care (LOC) Digital Scoring Form (AAP 9B) using the 04-627, AAP 10/AAP 10 SP, and applicable supporting documents. Submit the following forms to the LOC PSS for review and approval: <ul style="list-style-type: none"> ○ 04-627 ○ AAP 9A/AAP 9A SP ○ AAP 9B ○ AAP 10/AAP 10 SP <p>NOTE: The Adoption Assistance Program (AAP) Level of Care Rate Determination Matrix (AAP LOC Matrix) Instruction Guide (AAP 9) is available for guidance to use the AAP 9A/AAP 9A SP if needed.</p>
5	LOC PSS	<ul style="list-style-type: none"> Review all AAP LOCP forms completed and submitted by the LOC SW for thoroughness and accuracy of the rate determination, sign for approval, and return forms to LOC SW.

Adoption Assistance Program (AAP) LOCP (cont.)

Step	Who	Action
6	LOC SW	<ul style="list-style-type: none">Email approved and signed AAP LOCP forms to SW and PSS. <p>NOTE: AAP LOCP forms should not be imported into CWS/CMS nor should the youth's adoptive name be used in a CWS/CMS contact.</p>
7	Assigned SW	<ul style="list-style-type: none">Submit received LOCP documents for uploading to ERMS. <p>NOTE: Refer to the ERMS and Record Management policy for specific procedures.</p>

Additional guidance, applicable forms, and rate structure can be found in.

LOC and ISFC Rate Entry in CWS/CMS

Upon completion of the LOCP process, Registrars will enter the LOC and ISFC rate in CWS/CMS in accordance with [ACL 18-32](#). The ISFC rate entry will document the placement as an ISFC placement.

NOTE: There are separate data entry instructions for LOC and ISFC rates and only one entry is permitted. Cases cannot be coded as both LOC and ISFC.

Alignment with SET

This policy supports the following Safety Enhanced Together (SET) Values:

- [SET Value 2](#): Collaborative partnerships with kinship and resource families.
 - [SET Value 3](#): Engaging families by securing the information regarding their family in a trusted system and creating permanency for children and youth by keeping accurate records.
-