



Office of Children and Family Services

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Sheila J. Poole
Acting Commissioner

Administrative Directive

Transmittal:	18-OCFS-ADM-14
To:	Commissioners of Social Services
Issuing Division/Office:	Child Welfare and Community Services
Date:	June 5, 2018
Subject:	Health Home Referral Requirements for Children in Foster Care
Suggested Distribution:	Directors of Social Services Child Protective Services Supervisors Child Welfare Supervisors Foster Care Supervisors CONNECTIONS Implementation Coordinators
Contact Person(s):	See Section VI
Attachments:	None

Filing References

Previous ADMs/INFs	Releases Cancelled	NYS Regs.	Soc. Serv. Law and Other Legal Ref.	Manual Ref.	Misc. Ref.
			Patient Protection and Affordable Care Act [(P.L. 111-148) section 2703		

I. Purpose

The purpose of this Administrative Directive (ADM) is to inform local departments of social services (LDSS) of the Health Home Serving Children Program and minimum eligibility and appropriateness criteria for referring potentially eligible children in foster care to this program. This ADM encourages LDSSs to refer children in foster care to the Health Home Serving Children Program at any point during their time in foster care and specifically requires the LDSS to refer eligible children to this program in preparation for their discharge

from foster care. This ADM further describes the procedures and steps for LDSS staff to take to refer children in foster care to the Health Home Serving Children Program so that they may receive the service of Health Home Care Management. Finally, this ADM describes the New York State Department of Health's (DOH) authority to permit LDSSs to delegate to voluntary foster care agencies (VFCAs), which are also Health Home Care Management Agencies (CMAs), the authority to make referrals to Health Homes Serving Children for children in foster care.

Please note: for purposes of this ADM, the terms child, children, youth include individuals in foster care who are between the ages of 0-21 years.

II. Background

Section 2703 of the Patient Protection and Affordable Care Act (P.L. 111-148) established the authority for states to develop and receive federal reimbursement for a set of health home services for their Medicaid populations with chronic illnesses. In New York State, the Health Home Serving Children Program includes six (6) core services:

1. Comprehensive care management
2. Health promotion and care coordination
3. Comprehensive transitional care
4. Patient and family support
5. Referral to community and social support services
6. Use of health information technology to link services

Health Home Care Management is an additive service that complements the fundamental safety, permanency, and well-being activities performed by staff of the LDSS and VFCA. Children who continue to meet eligibility requirements for the Health Home Serving Children Program at discharge from foster care may remain in the Health Home Serving Children Program post discharge from foster care for as long as the child continues to meet the eligibility criteria. The assigned Health Home Care Manager for children in foster care must

- provide all information about the child's health and welfare to the LDSS and VFCA;
- collaborate with the LDSS and VFCA to ensure that safety, permanency and well-being are addressed within the provision of the six core services; and
- ensure that services are not duplicated.

Additional information about the Health Home Serving Children Program may be found at: https://www.health.ny.gov/health_care/medicaid/program/medicaid_health_homes/index.htm.

III. Program Implications

Upstate Delegation and Referrals of Children in Foster Care to Health Homes

For children in foster care ages 0-21 years old who may be eligible for the service of Health Home Care Management, New York State established the Medicaid Analytics Performance Portal (MAPP) Health Home Tracking System (HHTS) Referral Portal. Originally, only the

LDSSs in New York State, except for New York City, were permitted to make referrals through this portal on behalf of the foster care population. This ADM clarifies that LDSSs may delegate this action to VFCA that are also Health Home CMAs, to assist in making referrals for the foster care population through the MAPP HHTS Referral Portal. If an LDSS chooses to delegate this action to a VFCA, it must do so by written agreement between it and the VFCA. Such agreement may be in the form a letter between the LDSS and VFCA.

The MAPP HHTS Referral Portal is the system of record for the Health Home Serving Children Program referral process. In the MAPP HHTS Referral Portal, an LDSS or VFCA, that is also a Health Home CMA, may refer children in foster care, and directly link the child, to a VFCA that is also a Health Home CMA.

An LDSS may refer children in foster care to the Health Home Serving Children Program at any point during their time in foster care. The LDSS **must**, at a minimum, refer all potentially eligible children in foster care to the Health Home Serving Children Program at the time of their discharge from foster care. In such cases, in order for the LDSS to make the referral, such LDSS or the VFCA must have the legal authority to consent to routine medical care on behalf of the foster child through statute, court order, or delegation of authority from a parent or legal guardian. If the LDSS has delegated referral responsibility to the VFCA that is also a Health Home CMA, and the child is not already enrolled in the program, such VFCA must make the referral for the child at the time of discharge. Once a child is referred through the MAPP HHTS Referral Portal, it becomes the responsibility of the Health Home CMA to document and verify that child meets the Health Home Serving Children Program eligibility and appropriateness criteria.

New York State's Health Home Serving Children Program eligibility and appropriateness criteria are as follows:

1. The child must be enrolled in Medicaid.
2. Medicaid members eligible to be enrolled in a Health Home **must** have
 - a. two or more chronic conditions,
 - OR
 - b. one single qualifying chronic condition:
 - i. HIV/AIDS, or
 - ii. Serious Emotional Disturbance (SED) or Complex Trauma.
3. The Medicaid members **must** be appropriate for the intensive level of care management services provided by the Health Home. The child must be assessed and found to have significant behavioral, medical, or social risk factors to deem them appropriate for the Health Home Serving Children Program. Assessing whether a child is appropriate for Health Homes includes determining if the child
 - i. is at risk for an adverse event (e.g., death, disability, inpatient or nursing home admission, mandated preventive services, or out of home placement);
 - ii. has inadequate social/family/housing support, or serious disruptions in family relationships;
 - iii. has inadequate connectivity with the healthcare system;
 - iv. does not adhere to treatments or has difficulty managing medications;
 - v. has recently been released from incarceration, placement, detention, or psychiatric hospitalization;

- vi. has deficits in activities of daily living, learning or cognition issues;
or
- vii. is concurrently eligible or enrolled, along with either their child or caregiver, in a Health Home.

To be eligible, the individual must satisfy all the requirements listed above to include both the Chronic Condition Criteria **AND** be appropriate for Health Home Care Management.

Please note: For the LDSS to refer a child in foster care to the Health Home Serving Children Program, or to delegate such referral to a VFCA, the LDSS must have the legal authority to consent to medical care for such child either by statute or court order, or by written delegation of such consent from the child's parent or legal guardian to the LDSS.

More information on the Health Home Serving Children Program eligibility, including definitions of Serious Emotional Disturbance and Complex Trauma can be found on the DOH internet site at the following link:

https://www.health.ny.gov/health_care/medicaid/program/medicaid_health_homes/docs/hsc_elig_appr_prior_6core.pdf

IV. Required Action

Effectively immediately, LDSSs are encouraged to refer all potentially eligible children in foster care to the Health Home Serving Children Program when there is a reason to believe the child is eligible. LDSSs are specifically required to refer potentially eligible children to this program in preparation for their discharge from foster care. If the LDSS has delegated this authority to a VFCA that is also a Health Home CMA, the VFCA must make the referral. In all cases, in order for the LDSS or the VFCA to make the referral, such LDSS or VFCA must have the legal authority to consent to routine medical care on behalf of the foster child through statute, court order, or delegation of authority from a parent or legal guardian.

- No later than thirty (30) days prior to discharge from foster care, the LDSS and/or VFCA must review children's potential eligibility and appropriateness criteria.
- The LDSS and/or VFCA must discuss the referral with the parent(s), guardian(s), or legally authorized representative who otherwise has the authority to consent for the child to enroll in the Health Home Serving Children Program, and to explain the services that would be available to the child and family. Parents and guardians are integral, active participants in the multidisciplinary team approach of the Health Home Serving Children Program and the child welfare's case planning services.
 - If the parent(s), guardian(s) or legally authorized representative **agrees with enrolling the child**, then the LDSS or VFCA must have such person(s) sign the consent form to enroll the child in a Health Home Serving Children Program and make the referral via the MAPP HHTS Referral Portal.
 - *Individuals who are 18–21 years of age* can legally consent to their own enrollment into the Health Home Serving Children Program.
 - *Children and adolescents who are parents, pregnant, and/or married*, can legally consent to their own enrollment into the Health Home Serving Children Program and share their protected health

information. Detailed guidance regarding consent and forms can be found at:

https://www.health.ny.gov/health_care/medicaid/program/medicaid_health_homes/hh_children/guidance/hhsc_consent_form_guidance.htm

- If the parent(s), guardian(s), or legally authorized representative **disagrees** with enrolling the child in the Health Home Serving Children Program, the LDSS or VFCA must document the refusal in the child's CONNECTIONS case record.

It is important to note that foster care institutions as defined in 18 NYCRR 441.2(f), often referred to as Residential Treatment Centers (RTCs), are excluded settings for purposes of the community-based Health Home Serving Children Program. This means that children in foster care *while residing in a foster care institution/RTC* are not eligible for the Health Home Serving Children Program.

However, for potential referrals to the Health Home Serving Children Program for children being discharged from foster care institutions/RTCs, please note the following:

- LDSSs are encouraged to engage with VFCAs that are also Health Home CMAs to identify children/youth placed in institutions/RTCs who would benefit from Health Home care management services in the community *upon discharge*.
- If a child/youth is expected to be in an institution/RTC for 180 days or less, referrals are encouraged to be made at least 90 days in advance of the discharge date of the child.
- If the child/youth is in an institution/RTC for more than 180 days, the referral should be made 30 days prior to discharge of the child to allow the VFCA Health Home to enroll the member in the Health Home and provide core services related to discharge planning.
- Further guidance regarding the children placed in foster care institutions/RTCs may be found on the DOH internet site below: **Health Home Care Management Services for Members Admitted to Inpatient/Excluded Settings and Voluntary Foster Care Agency (VFCA) Residential Treatment Centers (RTCs)** dated August 7, 2017, at:
https://www.health.ny.gov/health_care/medicaid/program/medicaid_health_homes/hh_children/guidance/rtc_enrollment_guidance.htm

V. Systems Implications

None

VI. Contacts

Any questions concerning this release should be directed to the New York State Office of Children and Family Services Bureau of Waiver Management:

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VII. Effective Date

Immediately effective upon issuance of this ADM.

/S/ Laura M. Velez

Issued By:

Name: Laura M. Velez

Title: Deputy Commissioner

Division/Office: Child Welfare and Community Services