

	INDIANA DEPARTMENT OF CHILD SERVICES CHILD WELFARE POLICY	
	Chapter 6: Court	Effective Date: September 1, 2021
	Section 15: Court Process for the Assessment of Admission to a Qualified Residential Treatment Program (QRTP)	Version: 1

POLICY OVERVIEW

After a decision is made to admit a child to a Qualified Residential Treatment Program (QRTP), a hearing is requested approximately 45 days after the child’s admission to allow the court to assess the suitability of and approve or disapprove of the QRTP. The court continues to assess the appropriateness of the QRTP at each subsequent hearing while the child is in the QRTP.

PROCEDURE

When the Indiana Department of Child Services (DCS) determines that a Qualified Residential Treatment Program (QRTP) is the appropriate plan of treatment for a child, the FCM will:

1. Notify the DCS Staff Attorney of the child’s plan of treatment;
2. Make a referral for the completion of the 30-Day Assessment; and

Note: If a child has already been admitted to a QRTP, a referral for the 30-Day Assessment should be made as soon as possible, as the assessment must be completed within 30 days of the child’s admission.

3. Ensure the QRTP Determination Report is attached to the child’s Case Plan/Prevention Plan, which includes the Step-Down Planning form (see policy 5.24 Child-Focused Treatment Review for further guidance).

The DCS Staff Attorney will:

1. File a motion with the court indicating that a child has been admitted to or DCS is seeking admission for child in a QRTP, and may request a:
 - a. Detention Hearing/admission to a residential treatment program,
 - b. Motion for Continued Placement,
 - c. Motion for Authorization of Placement, and
 - d. Request for a hearing on the placement.
2. File a copy of the QRTP Determination Report with the court, upon receipt, in advance of the 60-Day Hearing and serve all parties (or determine a process with the court). Ensure the QRTP Determination Report and the Case Plan/Prevention Plan, which includes the Step-Down Planning form, are submitted to the court for the 60-day review and approval;
3. Request a 60-day order on the approval/disapproval of the QRTP be set approximately 45 days from the first day of the child’s admission to the QRTP;

Note: This does not need to be an actual hearing; it may be a paper review and subsequent court order. The decision to approve the QRTP must be made by the court within 60 days of the child’s admission. In order to meet the 60-day deadline, DCS recommends requesting the hearing be held at 45 days to allow for time for a

continuance or for the order to be completed. This approval is different from the initial approval for the QRTP, as the court must assess whether or not this course of treatment is in the best interest of the child.

4. Request that the following findings be made at the 60-Day Hearing (or upon review) after the court has considered the assessment:
 - a. Whether the needs of the child may be met through placement in a foster home; or
 - b. Whether treatment at a QRTP is appropriate by assessing the if the QRTP is:
 - i. The most effective and appropriate level of care for the child;
 - ii. The least restrictive environment;
 - iii. Consistent with the short- and long-term goals for the child, as specified in the permanency plan.
 - c. Approval or disapproval of the QRTP.
5. Ensure the child's progress in residential is provided to the court at each subsequent hearing by providing the Step-Down Planning form and be prepared to submit the following, at every subsequent hearing after a child is admitted to a QRTP:
 - a. Evidence demonstrating the ongoing assessment of the strengths and needs of the child continues to support the child's needs are not able to be met in a foster family home,
 - b. Evidence demonstrating the QRTP is:
 - i. The most effective and appropriate level of care for the child,
 - ii. The least restrictive environment, and
 - iii. Consistent with the short- and long-term goals for the child, as specified in the permanency plan.
 - c. Documentation of the specific treatment or service needs that will be met for the child in the QRTP and the length of time the child is expected to need the treatment or services, and
 - d. Documentation of the efforts made to prepare the child to return home or be placed with a fit and willing relative, legal guardian, adoptive parent, or a foster family home.

Note: The DCS Director must sign the Continued Qualified Residential Treatment Program (QRTP) Approval for Title IV-E for continued treatment at the QRTP for children who are:

- i. Thirteen (13) years of age or older and remain in a specific QRTP for more than 12 consecutive months or 18 nonconsecutive months; or
- ii. Twelve (12) years of age or younger and remain in a specific QRTP for six (6) consecutive or nonconsecutive months.

LEGAL REFERENCES

- [42 USC 672: Foster care maintenance payments program](#)

RELEVANT INFORMATION

Definitions

Qualified Residential Treatment Program (QRTP)

A Qualified Residential Treatment Program (QRTP) is a designation for a Child Caring Institution (CCI), Group Home (GH), or Private Secure Facility (PSF) which meets requirements specified by the Family First Prevention Services Act (FFPSA). Requirements a program must meet for this designation may be found in policy 17.03 Verification of QRTP Designation. A program which receives this designation may qualify for federal Title IV-E matching payments after a child's first two (2) weeks in the program. See policy 15.13 Title IV-E Eligible Placements for additional information regarding this eligibility.

Forms and Tools

- Case Plan/Prevention Plan- available in the case management system
- [Continued Qualified Residential Treatment Program \(QRTP\) Approval for Title IV-E \(SF 57138\)](#)
- [Step-Down Planning \(SF 57072\)](#)

Related Policies

- [5.24 Child-Focused Treatment Review \(CFTR\)](#)
- [15.13 Title IV-E Eligible Placements](#)
- [17.03 Verification of QRTP Designation](#)