Special Education Responsibilities for the Family Support Program

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HFS
Illinois Department of Healthcare and Family Services

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Today's Presentation

- Provide information about the purpose, eligibility, and services offered through FSP
- Reiterate ISBE Residential Placement Guidance from 2024 related to state-agency placements
- Take questions from the field about the delivery of services to our shared consumers

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Family Support Program (FSP)

OVERVIEW FOR DESIGNATED SERVICE AREA PROVIDERS OF FSP

About FSP

A state-funded program that provides access to intensive mental health services and supports, including care coordination, to youth with a severe emotional disturbance.

Administered by HFS and operated consistent with 89 Ill. Admin. Code 139.

Purpose

Support eligible youth and their families in obtaining the appropriate level of treatment services required to improve the youth's condition, with the goal of:

- Strengthening family stability;
- Improving clinical outcomes; and
- Promoting community-based services.

Provide a coordinated system of community-based and residential services that vary in scope and intensity to meet the need of eligible youth and their families.



Program Eligibility

FSP Eligibility Criteria

Youth Requirements:

- Under age 18 at the time of application;
- Not under the guardianship or in the legal custody of any unit of federal, State or local government;
- Diagnosed with a severe emotional disturbance (SED);
- Appropriate trial of community-based services;
- Demonstrates sufficient cognitive capacity to respond to psychiatric treatment and intervention;
- History of mental health challenges demonstrates a chronic condition rather than an acute episode; and
- Demonstrates behaviors or symptoms likely to respond to the treatment services available in FSP.

FSP Eligibility Criteria continued

Parent/Guardian Requirements:

- Demonstrate residence in Illinois; and
- Agree to meet the terms of the FSP Parent or Guardian Responsibilities.

Parent/Guardian Responsibilities

Participation in FSP requires the youth's parent or guardian agree to meet the following responsibilities:

- Actively participate in the youth's treatment;
- Be primarily responsible for any financial obligations associated with participation in the program;
- Assist in identifying and coordinating funding of services from all available sources, including insurance coverage;
- Assist in the completion of all applications for public assistance programs;
- Complete and submit all forms and documents required by HFS;

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Parent/Guardian Responsibilities continued- Changes to Youth

- Notify HFS of any changes to the following:
  - The financial income or assets of the parent, guardian, or youth;
  - The level of financial support from public sources for the parent, guardian, or youth;
  - The youth's healthcare coverage;
  - The parent/guardian's home address; or
  - The guardianship or legal custody of the youth.

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Parent/Guardian Responsibilities continued- Residential Setting

- In the event the youth receives treatment in a residential setting:
  - Make available all sources of public financial support for the youth to be applied to the costs of residential treatment;
  - Coordinate all educational functions, processes, and funding with the youth's home school district;
  - Participate in and cooperate with the residential treatment facility's requirements for the youth' s care, including treatment and discharge to the family and community;
  - Supply the usual and customary costs of parenthood; and
  - Accept the youth back into the home or be solely responsible for establishing residence for the youth upon discharge from residential treatment.

Role of the FSP Coordinator

- Assist in the FSP application process
- Educates families about FSP and program processes
- Coordinates care for FSP Youth and families including:
  - Developing an Integrated Assessment and Treatment Plan;
  - Developing a Crisis Prevention Safety Plan;
  - Helping access needed treatment services;
  - Assisting in the continued Enrollment Authorization Process;
  - Requesting Residential Treatment Prior Authorization; and
  - Assisting in discharge planning from higher levels of care



Application Process

FSP Application

Available on the HFS website:

- FSP Application
- FSP Coordinators are required to assist families with the application, if requested.
- May be submitted by parent/guardian, or the FSP Coordinator with consent.
- Submitted for an eligibility determination to Acentra Health
  - Providers: Submit via AcentraSuite
  - Parent/Guardian: via AcentraSuite or fax

Application Requirements

1. Completed FSP application form, including
   - Family financial information
   - Behavioral health treatment history
   - Acknowledgement of FSP Parent or Guardian Responsibilities
   - Signed request of eligibility determination
2. Copy of the youth's birth certificate;
3. Mental health assessment, dated within 180 days; and
4. Court order defining custody, as applicable.



Program Services

Community Mental Health Services

FSP covers the mental health Medicaid Rehabilitation Option (MRO) and Targeted Case Management (TCM) services available under the Illinois Medical Assistance program, which includes:

- Assessment and treatment planning;
- Therapy/counseling;
- Community support;
- Crisis intervention;
- Medication management; and
- Intensive outpatient services.

ISS/TSS

Individual Support and Therapeutic Support Services

Distinct, flexible service lines available to FSP Youth to purchase clinically appropriate non-traditional services and supports in support of the goals on the youth's treatment plan or crisis safety plan.

Must be prior authorized by HFS

- Authorization is requested by the youth's FSP Coordinator

Individual Support Services

- Non-therapeutic supports that promote the youth's stabilization in the community.
- Available up to $1,500 in services per FSP Youth per State Fiscal Year (July 1 – June 30)
- Examples:
  - Wellness activities
  - Special recreation
  - Therapeutic camps

Therapeutic Support Services

- Clinical interventions that support the youth's treatment goals and help promote safety and stabilization of the youth in the community.
- Available up to $3,000 in services per FSP Youth per State Fiscal Year (July 1 – June 30)
- Examples:
  - Art Therapy
  - Music Therapy
  - Equine Therapy



Residential Treatment Services

Residential Treatment

FSP reimburses the treatment component of residential treatment when it is determined to be medically necessary.

Must be sought from a provider enrolled with HFS.

FSP Youth must be prior authorized to seek residential treatment by Acentra.

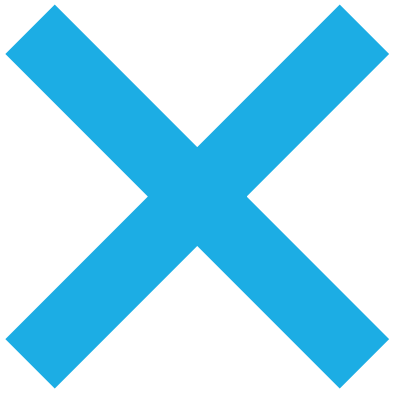
- Authorization is requested by the youth's FSP Coordinator.

Residential treatment is subject to continued stay reviews performed by Acentra.

Residential Prior Authorization

Requested by the FSP Coordinator on behalf of the youth and family. Required documentation submitted to AcentaSuites:

- IATP/IM=CANS dated within 180-days of request
- Psychiatric evaluation dated within 180-days of request
- Psychological evaluation dated within 2 years of request
- If residential treatment is determined to be clinically appropriate, an approval to seek residential admission will be given for a period of 180 days.
- Once the youth is admitted to a residential treatment facility, the residential prior authorization automatically results in an approved 60 days of residential treatment.



Program Discharge

Reasons for Discharge

- The youth or guardian requests discharge from FSP;
- The youth reaches the age of 26;
- The parent/guardian or youth is no longer an Illinois resident;
- Legal guardianship or custody of the youth is ordered by a court to a State or federal agency;
- The parent/guardian fails to comply with the FSP Parent or Guardian Responsibilities;
- The youth does not receive FSP services for a period of 90 consecutive days or more;
- The youth or guardian fails to complete the Continued Enrollment Request process; or
- The youth is determined to no longer meet the FSP eligibility criteria.

Helpful Links and Resources

Family Support Program Website

Family Support Program - Illinois Medicaid

89 Ill. Admin. Code 139 (Rule 139)

FSP-1: Prior Auth Request Form – ISS & TSS

Family Support Program Application

Family Support Program FAQ

Special Education FAQs

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Role Clarity

Resident School District (LEA)

- Responsible for provision of special education services
- Least-restrictive environment (LRE) determination
- Refers students for outplacement when appropriate and contracts with those service providers
- Informs parents of rights and resources available
- Responsible for the storage and maintenance of student records

ISBE (SEA)

- Provides technical assistance to placing school districts
- Oversees program approval under Parts 401 & 405
- Runs searches, provides supports, collaborates with sister agencies
- Reimburses public school districts for costs of tuition and room & board
- Responsible for Child Count and Educational Environment (EE) reporting

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105 ILCS 5/14-7.05

"For any student with a disability in a residential facility placement **made or paid for by an Illinois public State agency** or made by any court in this State, the school district of residence as determined pursuant to this Article is **responsible for the costs of educating the child** and shall be reimbursed for those costs in accordance with this Code."

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Important Caveats

Notification requirements – Facility must inform the school district "as soon as practicable after the placement"; district does not become financially responsible "unless and until it receives written notice of the placement by either the placing agency, court, or facility."

LRE determination – Still originates from the student's district of residence; "payments shall be made by the resident district to the entity providing the educational services whether the entity is the residential facility or the school district where in the facility is located."

Non-ISBE approved – Required to demonstrate proof to the State Board; school district "under no obligation to pay unless and until proof is provided."

Part 405

- Allows school districts to pay tuition for special education students who are placed by another public agency (per 105 ILCS 5/105-14.7.05) in a program not approved under Part 401
  - Rates are established by IPCRB
  - Application is provided by ISBE
  - The resident district *must be* notified of the residential placement, but the student's educational placement remains their responsibility
- Application reviewed within a week; approval is provided immediately if no deficiencies exist (program will be set up in our system soon after)
- Will need to provide the licensing agent as part of their application
- Must meet "satisfactory proof" as outlined in 23 IAC Part 405.40 or **district is under no obligation to pay**

FAQs

- LRE Disputes
- District of Residence Questions
- Eligibility
- “Made or paid for…”
- School District Involvement
- Non-ISBE Approved Programs
- Residential Placement Guidance 2024
  - Section G covers this topic at length

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Questions?