

Martin O'Malley,  
Governor

Anthony Brown  
Lt. Governor

Brenda Donald  
Secretary

DATE: December 12, 2008

TO: Directors, Local Departments of Social Services  
Assistant Directors, Local Departments of Social Services  
Child Welfare Administrators, Supervisors and Caseworkers  
Local Departments of Social Services

FROM: Carnitra White, Deputy Executive Director  
Social Services Administration

RE: Policy Guidance on Application for Intermediate Foster Care Rate

It has come to our attention that there is uneven policy application across the state in relation to the use of the intermediate foster care rate. The purpose of this memorandum is to provide guidance to the local departments as they make determinations as to the appropriateness of foster care rate levels for specific children.

According to COMAR 07.02.11.03, intermediate care is defined as a payment rate above the regular board rate paid to a foster home for a child requiring extra care and supervision because of special physical, emotional, or behavioral needs. COMAR 07.02.11.28G requires the local department to include a written justification in the child's and foster home records for including the child in the intermediate rate payment category. The justification must include a written certification or evaluation by a physician, psychologist, or licensed social worker stating that the child requires a high degree of supervision and care. COMAR 07.02.11.28 F sets out requirements for foster parents are receiving an intermediate care rate including:

- Provide care for a child who requires intermediate care;
- Have the desire to make a major investment of time, and the ability to give affection and attention without positive response from the child;
- Be required to supervise or provide prescribed physical care, such as the preparation of special medication;
- Have the ability to accept and cope with difficult child behaviors;
- Participate in social service, medical, or psychiatric treatment plans for the child; and
- Participate in training arranged by the local department.

Some examples of situations meeting these criteria are as follows. This is not intended as an exhaustive or complete list of all conditions that could meet the intermediate care threshold and are intended as guidance only:

- Johnny, age 10, was diagnosed with PKU at birth, requiring a protein free diet. Nutrition supplements are needed to maintain good nutrition. Foster parent must exercise extreme diligence in monitoring Johnny's diet.
- LaShawn, age 12, has a DSM IV diagnosis of oppositional defiant disorder. She requires constant supervision and redirection of negative behaviors in order to maintain her placement.
- Scott, age 16, has been diagnosed with sickle cell, which requires frequent medical intervention and requires the foster parent to take time off from work on regular basis to transport him for care.
- Tyrelle, age 4, has severe asthma. He requires a nebulizer for routine and emergency use. His foster parent participated in specialized training in order to meet his needs.

The use of the intermediate rate is solely dependent upon the needs of the child. The following examples do not, without additional specialized care needs, meet the criteria for intermediate rate:

- Peter, age 7, is diagnosed with ADHD. He takes medication daily, and requires no specialized behavioral management program.
- Nakeesha, age 14, goes to weekly therapy. Her caseworker transports her and her foster parent picks her up. No one attends the sessions with her.
- Latrelle, age 2, and Bonita, age 4, are siblings, placed in a foster home together.
- Mrs. Jennings has asked to have the intermediate rate because she heard from another foster parent that they were getting a higher rate.

In order to access intermediate care rates, the following steps must be taken:

- The worker must provide documentation to their supervisor of the need for intermediate care. The documentation must be maintained in the paper record. Additionally, the worker must ensure that the information is included in CHESSIE under "Functioning", located under the child's name in "Clients"
- At minimum, the supervisor must approve the request for intermediate rate. Each local department can designate their own approval process for these requests.
- The approval and documentation are forwarded to the LDSS Resource Unit. The resource worker must ensure that the selected foster parent has Intermediate Care as one of their placement structures in CHESSIE.
- When the worker selects the home in CHESSIE, they must select Intermediate Care placement structure in order to pay the intermediate rate.
- The supervisor must ensure that the intermediate rate was appropriately approved prior to approving the selection of the provider in CHESSIE.

We hope that this guidance will assist you in making the most appropriate decision for each child we serve. As always, we are available to answer any questions and provide additional guidance as needed. Please contact Debbie Ramelmeier, Office Director for Child Welfare Practice and Policy, at 410-767-7506 or via email at [dramelme@dhr.state.md.us](mailto:dramelme@dhr.state.md.us).