DEPARTMENT OF HUMAN RESOURCES
SOCIAL SERVICES ADMINISTRATION
311 W. SARATOGA STREET
BALTIMORE, MD 21201

DATE:	September 15, 2015
POLICY#:	SSA-CW# 16-10 (Replaces Policy SSA #12-32)
TO:	Directors, Local Departments of Social Services Assistant Directors, Services
FROM:	Tracey Paliath Deputy Secretary of Programs
RE:	Another Planned Permanent Living Arrangement (APPLA)
PROGRAMS AFFECTED:	Out-of-Home Placement
ORIGINATING OFFICE:	Out-of-Home Placement
ACTION REQUIRED OF:	All Local Departments
REQUIRED ACTION:	Implement Policy and Procedures
ACTION DUE:	October 1, 2015
CONTACT PERSON:	Steven Youngblood, LCSW-C Director, Foster Care Services 410-767-7695 steven.youngblood@maryland.gov

Purpose:

The purpose of this policy is to provide updated guidelines to the local departments of social services (LDSS) in selecting the permanency plan of Another Planned Permanent Living Arrangement (APPLA). This policy supersedes and replaces Policy SSA# 12-32.

At the time of establishing the permanency plan of APPLA and at each case reconsideration, the 12 questions shown on pages 3 and 4 of this policy shall be answered to justify this permanency plan. This can be found in MD CHESSIE Case Plan 3-APPLA and shall be used for every youth with a permanency plan of APPLA.

Background:

In 1997, the federal Adoption and Safe Families Act (ASFA) changed the permanency planning hierarchy. ASFA excluded Independent Living as a permanency plan and defined it as services provided to youth. The law specifically stated that long term foster care and permanent foster care were not permanency goals because they did not provide permanent placements with legal status outside the child welfare system. ASFA adopted APPLA as a permanency plan.

On September 29, 2014, the Preventing Sex Trafficking and Strengthening Families Act, Public Law (P.L. 113-183), was signed into law. This law revises the application and use of APPLA as a permanency plan by restricting its use to youth 16 years old and older. In addition, the law requires documentation of the ruling out of all other permanency plans at each court hearing.

APPLA as a permanency plan:

APPLA is a permanency plan option for youth in out-of-home placement which is to be used only when all other options have been ruled out. APPLA requires an individual plan for permanency that aims for the most secure and stable arrangement possible, considers not just the youth's immediate needs but future needs, and promotes the development of supportive community relationships. The establishment of APPLA as a permanency plan for a youth requires the caseworker to document reasonable efforts made to finalize a preferred permanency plan and must clearly articulate the plan to maximize stability, meet future needs, and encourage the development of enduring supportive relationships in the community. The permanency plan of APPLA is not achieved until the youth exits foster care.

APPLA is the least preferred choice among the permanency plan hierarchy and should be used only when all other plans have been completely exhausted. **APPLA should not be recommended as a permanency plan for any youth under the age of 16.** APPLA should not be used if any other plan can be explored or if the local department has not made full attempts to engage all parents and relatives and explored adoption.

Prior to adopting a plan of APPLA, the caseworker and supervisor shall review the case record to ensure the following have been completed in order to rule out other permanency plans:

- LDSS has located both parents
- LDSS has offered the necessary services to the parents

- Service agreements have been offered and unsuccessfully completed by parents
- Use a genogram or echomap to ensure that all relatives have been explored for the youth
- LDSS has contacted and engaged all relatives on both sides of the family (see **Family Finding** section of this policy)
- LDSS has explored potential family friends
- LDSS has done a child-specific recruitment for the youth including interjurisdictional matching and AdoptUSkids
- LDSS has ruled out adoption after educating the youth or foster family on adoption
- LDSS has discussed the proposed change in the permanency plan with the parents and relatives
- LDSS has discussed the proposed change in the permanency plan with the youth in an age or developmentally appropriate manner

APPLA may be an appropriate plan for youth 16 years old and over who:

- Do not wish to be adopted and are under the LDSS guardianship
- Do not have a parent or relative willing or able to care for the youth
- Have a severe medical, physical, or emotional disability and are unable to function in a family setting.

APPLA should not be used as a permanency plan for any youth under the age of 16.

APPLA cannot be used as the secondary plan as part of the concurrent permanency plan.

Required Documentation:

The federal requirement for APPLA dictates that the following 12 questions shall be answered in writing and be retained in the case record (Case Plan 3-APPLA):

1. Describe the timely assessment conducted and relevant services provided when the child first entered out-of-home?
2. What other permanency options were considered and why were they ruled out?
3. What efforts were made to identify and recruit a permanent placement for the child?
4. Was the child asked about his/her preferences for permanency placement?
5. What is the compelling reason why a more preferred permanency plan was not selected?
6. Why is this proposed plan a valid "Permanent Living Arrangement"?
7. Is there a need to recommend that certain support structures be put in place?
8. Does the child have any type of special needs and what services are being provided?
9. What efforts were made to assess the safety, quality, and stability of this proposed APPLA?
10. Are there support systems available to assist the youth in the transition to self-sufficiency?
11. Describe the adults and/or peers that provide meaningful support? (include name, relationship and nature of support)
12. What supportive services will be required after out-of-home services are terminated? (i.e. supervised living arrangement, housing, medical, etc.)

Reviews:

The plan of APPLA shall be reviewed by the caseworker and supervisor during supervision at the time of the completion of the court report and at each case reconsideration. Each court report and case plan (Case Plan 2, section IIIa questions 11 and 16 and Case Plan 3-APPLA) shall outline the intensive, ongoing, and to date unsuccessful efforts the caseworker has made during the most recent reporting period to place the youth with a parent, relative (including adult siblings), or in a guardianship or adoptive placement. The court report and Case Plan (Case Plan 2, section IIIa questions 11 and 16 and Case Plan 3-APPLA) must also document why APPLA is the most appropriate permanency plan and why it is in the youth's best interest to adopt or continue with the permanency plan of APPLA. At anytime, if a more desirable permanency plan can be adopted, the local department shall request a change in the permanency plan. The supervisor shall ensure that the 12 APPLA questions are answered accurately and that the local department is ensuring the individual needs of the youth including educational plan, health, emotional stability, physical placement, and socialization needs are being met. The case plan and court report shall document that the youth is fully engaged in the case planning process and the process has been explained to the youth in an age or developmentally-appropriate manner.

To be in compliance with federal requirements set forth in the Preventing Sex Trafficking and Strengthening Families Act, the following additional case planning activities are required:

- Document at the permanency hearing and at each case reconsideration:
    i. The efforts provided by the caseworker and the LDSS to ensure that the foster family adheres to the "reasonable and prudent parent standard". Reasonable and prudent parent standards means the standard characterized by careful and sensible parental decisions that maintain a child's health, safety, and best interest while at the same time encouraging the child's emotional and developmental growth, that a caregiver (foster parent, approved relative or resource provider staff) must use when determining whether to allow a child in foster care under the responsibility of the state to participate in extracurricular, enrichment, and social activities. The caseworker shall document this on Case Plan 2 Section IIIa, question 3.
    ii. Any opportunities afforded to the youth to engage in "age or developmentally-appropriate activities" (e.g. prom, school athletic clubs, leadership games and activities, organized social outings with peers, et cetera). Age appropriate or developmentally appropriate activities means suitable, developmentally appropriate activities for children of a certain age or maturity level based on the capacities typical for the age group and the individual child. The caseworker shall document ongoing age or developmentally appropriate activities on Case Plan 2 Section IIIa, in question 14.
- Provide the youth the opportunity to verbalize their desired permanency outcome at each permanency hearing and at each case reconsideration.

Family Finding:

Maryland has implemented the Family Finding Initiative to assist in promoting permanence and cultivate meaningful, lifelong connections between youth and their families of origin. The initiative focuses on engaging potential relative resources in a timely manner to ensure supportive and enduring connections for youth. The caseworker is required to initiate the assistance of the Family Finder prior to changing a permanency plan to APPLA. The Family Finder will assist the caseworker in locating relatives that can be explored or re-explored as a possible placement resource for the youth. If a relative was unable to care for the youth when the youth entered care, the relative shall be re-explored prior to changing the plan to APPLA. On many occasions situations change which may now allow the relative to be a resource even though the relative could not in the past.

The Family Finder's main responsibility is to conduct intensive searches and explore any possible kinship resources to reconnect children with their lost connections. Once family members are identified, the Family Finder works to explore ways to find a permanent family placement for the youth or establish "relational permanence" if the relatives are not able to be a placement resource. When a youth has a permanent adult connection the youth experiences less rejection, trauma, and emotional instability because of failed placements.

Family Law 5-4B-01 et seq. allows the LDSS to contact a sibling who has been adopted and is 21 or over, on behalf of a younger sibling in foster care in order to discuss the possibility of placement with the sibling or a family connection. The law expands search, contact and reunion services to include contacting the sibling of a minor in out-of-home placement for the purposes of developing a placement resource or facilitating a family connection.

In addition, a director of a LDSS or their designee may apply to the Social Services Administration to receive search, contact and reunion services to develop a placement resource or facilitate a family connection with relatives of a minor in out-of-home placement who was adopted through a local department if the local department has determined that reunification with the minor's adoptive parents is not in the minors best interests.