



## Congregate Care Contract Provision Tool



The purpose of this tool is to provide counties with a set of contract provisions designed to align congregate care facilities' contracted deliverables with agency and court expectations.

It is the hope of the State Roundtable's Congregate Care Workgroup that this tool will be useful to county children and youth agencies as they review existing contract language, create addendums, and draft revisions for future contracts.

### Contracts should:

- Include critical elements and activities for effective contract management and quality assurance
- Be written in concise language that clearly outlines what is expected from a congregate care facility

### Counties should:

- Consider judicial input when drafting contracts
- Hold providers accountable to contract provisions through contract monitoring
- Not contract with facilities that use blackout dates
- Consider the following components for inclusion in contract language or as part of an attachment or addendum:



Note: There may be provisions within each component that require funding changes to fully or partially implement. These include, but are not limited to, staffing ratios, training and development, and transportation.

Additional resources regarding the above components can be found in the Pennsylvania Dependency Benchbook and online at [www.ocfcpacourts.us](http://www.ocfcpacourts.us).

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Contract Components	Provisions to Consider	Best Practice Recommendations
<b>Family Engagement</b>	<ul style="list-style-type: none"> <li>➤ Communication &amp; Visitation</li>   <li>➤ Service Planning</li>   <li>➤ Transition Planning</li> </ul>	<p>[Provider] facilitates ongoing and regular communication between youth and family/kin via phone calls, in-person and/or virtual visits, and other contact mediums as outlined by the family service plan and/or court order.</p> <p>[Provider] actively involves family in the development, implementation, review, and modification of family service planning.</p> <p>[Provider] actively involves family in the development, implementation, review, and modification of transition planning.</p>
<b>Visitation</b>	<ul style="list-style-type: none"> <li>➤ Visitation rights and participants/who may visit or have contact</li>   <li>➤ Facilitation of visits*</li>   <li>➤ Frequency and duration</li> </ul>	<p>Unless prohibited by court order, [provider] promotes the involvement of family, kin, and friends, including but not limited to parents, siblings, grandparents, aunts/uncles, and friends.</p> <p>[Provider] assists with transportation or technology needs necessary to ensure onsite and/or offsite visits.</p> <p>[Provider] facilitates visitation as early as possible and ensures that the duration and frequency meet the needs of the youth and adhere to the family service plan and/or court order.</p>
<b>Health and Well-being</b>	<ul style="list-style-type: none"> <li>➤ Age and developmentally appropriate activities</li>   <li>➤ Maintaining connections</li> </ul>	<p>[Provider] provides youth normal experiences that are developmentally appropriate, such as attending public school, joining extracurricular activities, getting jobs, dating, engaging in social activities, and learning to drive.</p> <p>[Provider] ensures that youth are able to preserve connections to family, school, community, and religious organizations through on-site or off-site means through</p>

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	<ul style="list-style-type: none"> <li>▶ Hygiene</li>   <li>▶ Special dietary needs</li>   <li>▶ Medical and dental care*</li> </ul>	<p>face-to-face, telephone/video, or electronic devices. To this end, [provider] does <u>not</u> utilize blackout dates, nor do they permit a level system to impact maintaining connections.</p> <p>[Provider] provides culturally appropriate products to meet the youth’s hygiene and personal grooming needs.</p> <p>[Provider] provides culturally appropriate meals of a sufficient quantity and adequate portion to meet the youth’s nutritional needs. Dietary needs may be based on food allergies, cultural background, medical conditions, or nutritional requirements based on age and size of youth.</p> <p>[Provider] facilitates any transportation or technology needs necessary to ensure a youth’s access to medical, dental care, vision care, and behavioral health services.</p> <p>[Provider] notifies <b>in advance</b> and includes parents, caregivers, caseworkers, and GALs in scheduled medical appointments, changes to medications, and any impact to the youth’s treatment plan related to medical or dental care.</p>
<b>Education and Vocation</b>	<ul style="list-style-type: none"> <li>▶ School selection</li> </ul>	<p>[Provider] promotes the least restrictive educational setting, such as enrollment at a public school over the use of an on-ground school, unless the court order indicates otherwise. [Provider] ensures that student(s) attend schools with certified teachers that provide age-appropriate classwork and participation in age-appropriate school activities.</p>

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	<ul style="list-style-type: none"> <li>▶ District of residence/Home district involvement</li> <li>▶ Licensing requirements</li> <li>▶ Certification, hours, and relevancy of coursework</li> <li>▶ Vocational and employment training</li> </ul>	<p>[Provider] cooperates with and involves the home district in the determination of educational placement.</p> <p>[Provider] ensures any on-ground educational facility is state-licensed or through contracts provides credentialed instructors and transferrable credits.</p> <p>[Provider] provides access to education that allows a student to receive academic credits that, upon discharge, will transfer to the student’s home school and that the student will be able to advance to the next grade level.</p> <p>[Provider] provides and/or facilitates access to vocational training, support services, and activities, including job readiness, skill training apprenticeships and trade skills, and vocational training opportunities that are required by the youth’s service plan, transition plan, and/or court order.</p>
<p><b>Service Planning and Coordination</b></p>	<ul style="list-style-type: none"> <li>▶ Community-based services</li> <li>▶ Service Accessibility</li> <li>▶ Transition planning</li> </ul>	<p>[Provider] facilitates the use of and transportation to community-based services, recreational and/or after-school activities, and any other services necessary to align with the goals of the family service plan and/or court order.</p> <p>Trauma-informed and responsive treatments, evidenced-based treatments, assessments, and other services must be accessible and incorporate family involvement according to the youth’s treatment plan and/or court order.</p> <p>[Provider] works with the parent/guardian/caregiver to ensure successful transition planning, including, but not limited to, providing timely submission of</p>

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		discharge summaries, facilitating pre-placement visits, supplying adequate medications, and assisting with transportation or technology needs.
<b>Cooperation in Judicial Proceedings</b>	<ul style="list-style-type: none"> <li>▶ Court appearance, written reports, and testimony for youth*</li> </ul>	[Provider] facilitates any transportation or technology needs necessary to ensure a youth's participation in court hearings.
	<ul style="list-style-type: none"> <li>▶ Court appearance, written reports, and testimony for employees and/or subcontractors</li> </ul>	[Provider] ensures employees, subcontractors, and/or [provider]'s are present and capable of giving accurate and necessary testimony in judicial proceedings, depositions, and administrative hearings relating to a youth placed as requested by [agency] or [court].
<b>Disclosures, Notifications, and Safety</b>	<ul style="list-style-type: none"> <li>▶ Policy and Protocol Disclosures</li> </ul>	[Provider] ensures [agency] and [court] has information to make decisions regarding the safety and well-being of the youth. This requires [provider] transparency in disclosures including, but not limited to, restraint policy, emergency protocols, and safety protocols.
	<ul style="list-style-type: none"> <li>▶ Safety and Supervision of Youth</li> </ul>	[Provider] bases the level of supervision/observation on individualized needs and utilizes video/security cameras to ensure youth safety.
	<ul style="list-style-type: none"> <li>▶ Reportable incidents</li> </ul>	[Provider] provides information regarding the number of reportable incidents and corresponding outcomes upon request of [agency] or [court].
<b>Staffing Requirements</b>	<ul style="list-style-type: none"> <li>▶ Staff ratio</li> </ul>	[Provider]'s staffing ratios must be manageable, sufficient, and dependent on the level of care needs of the youth served.
	<ul style="list-style-type: none"> <li>▶ Education and skill level*</li> </ul>	[Provider] must employ individuals whose education and skill level are appropriate for

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	<ul style="list-style-type: none"> <li>▶ Training/Development*</li> </ul>	<p>the services provided. When providing counseling services, [provider] must employ or contract with someone in the community who is credentialed and holds a master’s level degree in counseling.</p> <p>[Provider] must provide opportunities for ongoing professional development to develop and maintain the necessary skill level for the services provided.</p> <p>[Provider] ensures employees are culturally competent and trained to recognize and address trauma and trauma-related behaviors.</p>
<b>Reporting and Contract Monitoring</b>	<ul style="list-style-type: none"> <li>▶ Required reporting</li>   <li>▶ Contract Monitoring</li> </ul>	<p>[Provider] provides facility performance data related to permanency, well-being, and safety outcomes including, but not limited to, re-entry rate, family involvement, progress, and outcomes.</p> <p>[Provider] ensures that employees and/or subcontractors are familiar with any contract monitoring provisions that require their cooperation and/or participation.</p>