



**PROTOCOL:
Level of Care Protocol (LOCP) Rates**

BACKGROUND

Implementation of the LOC Protocol (LOCP) began March 1, 2018 for new placements with Foster Family Agency (FFA) Resource Family Approved (RFA) or certified homes. For all other Home Based Family Care (HBFC) placements the LOCP becomes effective April 1, 2021. Under the LOC rate structure, the age based rates will be replaced by a tiered rate structure based on the child/youth’s needs and the care/supervision provided by the resource family as determined by the LOCP. The LOCP is a matrix of five domains and a scoring form that will determine the child/youth’s rate. There are four rate levels and a Static Criteria/Static ISFC rate. Please refer to the [Practice Guide](#) for staff instructions.

PLACEMENT TYPES

Eligible	Not Eligible
Resource Family (RF) Homes (County or FFA)	Emergency Caregiver Funding cases
Relatives/Non Related Extended Family Members (NREFMs)	Intensive Services Foster Care (ISFC)
Approved Relative Caregivers (ARC)	Non Minor Dependents (NMDs) residing in SILPs
Non Related Legal Guardians (NRLGs) cases (where guardianship was established in Juvenile Court on or after 1/1/17)	Short Term Residential Therapeutic Programs (STRTPs)
KinGAP cases (when dependency was dismissed on or after 1/1/17)	Guardianship established in Probate Court
Dual Agency placements – if the LOC rate plus any applicable SCI results in a higher rate than the dual agency rate then the LOC/SCI will be paid	KinGAP or Non-Related Legal Guardian cases established prior to 12/31/16
Tribally Approved Homes	Regional Center placements in receipt of the ARM rate
Adoption Assistance Program (AAP) (when initial AAP agreements signed on or after 1/1/17) -Refer to the Practice Guide for AAP LOCP for more information	Initial AAP agreements signed prior to 12/31/16

When to Use the LOCP/Triggering Events

- **Initial Foster Care Placement:**
 - ✓ The basic rate will be paid upon initial foster care placement into a Home Based Family Care (HBFC) setting pending the completion of the LOCP.
 - ✓ Social Workers/SCA have 60 days after initial placement to complete the LOCP.
 - ✓ The resulting LOC rate from the LOCP is effective the date of initial placement.
 - ✓ When the child is experiencing multiple placements in the first 60 days of entering foster care the LOCP should be completed when the placement stabilizes. The rate will be retroactive to the date of the most recent placement.
 - ✓ When a child exits foster care in less than 30 days a LOCP is not required and the basic rate will be paid.

- ✓ If a child meets one or more of the static criteria on the LOC Rate Determination Matrix, the caregiver may be eligible to receive the static criteria/static ISFC rate for the first 60 days of placement.
 - Placement Supervisor approval must be obtained in order to pay the static ISFC rate.
 - If the static ISFC rate is approved, it will be paid in place of (not in addition to) the basic rate for the initial 60 days of placement.
 - If necessary, an additional 60 days may be authorized by the Placement Supervisor to complete the LOCP (for a total not to exceed 120 days).
- **Placement Changes:**
 - ✓ When a child changes placements (including from STRTP to a lower level of care) the LOCP should be completed 60 days from the new placement start date.
 - ✓ If a LOCP was not completed prior to the new placement, the basic rate shall be paid until the LOCP is completed.
 - ✓ Once the new LOCP is completed the rate is effective back to the date of the placement change.
- **Requested Changes from Caregivers/Providers:**
 - ✓ When a caregiver indicates a child/youth's needs have changed, they can request an LOCP.
 - ✓ FFAs should send a written request, supporting documentation and reasons for the LOCP request.
 - ✓ In both instances above the new rate is effective the date of the request.
 - ✓ LOC rates 2-4 may not be reduced when the child remains in the same placement.
 - ✓ Even if there is no change in the rate, counties should notify the RF and/or FFA of the outcome of the LOCP.
 - ✓ Requests for a LOCP should be sent to the following inbox: sca-referrals@ehsd.cccounty.us
- **Transition from Intensive Services Foster Care (ISFC):**
 - ✓ When a child/youth is receiving ISFC and the services/rate are ending, the new LOC rate is effective the first day of the month following completion of the LOCP.
 - ✓ When the result of the LOCP lowers the ISFC or Static ISFC Rate, the RF and/or the FFA must be notified that the LOCP scores have resulted in a lowering of the rate, which must be followed by a Notice of Action (NOA). Even if there is no change in the rate, counties should notify the RF and/or FFA of the outcome of the LOCP.

Note: Any change in rate must be reflected in a new SOC 154A FFA Placement Agreement or the SOC 156 Foster Parent Placement Agreement.

LOC Domains (Refer to LOC Protocol Rate Determination Matrix)	
Physical	Behavioral/Emotional
Educational	Health
Permanency	***Static Criteria*** applies to Static/ISFC rate

[Refer to the FC 400 for current rates](#)

LOC Scoring Legend

- Basic: 5-16 points
- LOC 2: 17-18 points
- LOC 3: 19-21 points
- LOC 4: 22-27 points
- ISFC: 28 plus points

Level up override

- ✓ If child scores less than 21, but scores 5 or more any domain the child will be moved up a level.
- ✓ If child scores a 7 or more in behavioral or health domains, the child will be moved to ISFC.

Static Criteria/Static ISFC Rate

This Static Criteria/Static ISFC rate is the amount paid to an approved resource home that has received specialized training and is used when the circumstances indicate the need for a placement of a child/youth who has higher supervision needs to compensate the caregiver with a temporary rate for that higher level of supervision. If there is confirmed information regarding a behavior or behaviors, i.e., chronic indicators in the table below, that have been presenting for 12 months, the Static Criteria/Static ISFC Rate can be paid. If it is determined that the child/youth meets the Static Criteria, a 60-day timeframe begins to allow for further assessment of what is needed to achieve stability with a resource parent. If necessary, an additional 60 days may be authorized by the Placement Supervisor to complete the LOCP (for a total not to exceed 120 days). Use of the Static Criteria is not required if there is an available placement and if there is sufficient information to conduct the LOCP. The LOCP should be completed and the appropriate LOC rate applied instead of using the Static Criteria.

Chronic Indicators				
Adjudicated violent offenders, significant property damage, and/or sex offenders/perpetrators	Aggressive and assaultive	Animal cruelty	Commercial Sexual Exploitation of Children (CSEC)	Contraction of pandemic viruses, such as COVID-19
Eating disorder	Fire setting	Gang activity	Habitual runaway	Habitual truancy
Medically fragile	Psychiatric hospitalizations(s)	Severe mental health issues- including suicidal ideation and/or self harm	Special Health Care Needs (SHCN) See further information below	Substance abuse

Pathways to the ISFC Program and Rate

Several conditions and/or events may occur that allow the ISFC rate to apply, as described below:

LOC Score/Leveling Up

After completing the LOCP, if the result of a rating score is seven in the Behavioral/Emotional or Health Domains, the rate will be leveled up to the ISFC Rate. The LOC Scoring Sheet ([SOC 500](#)) has been modified to reflect the ISFC Rate based on a specific score in the Behavioral/Emotional and Health Domains. Section B of the LOC Scoring Sheet ([SOC 500](#)) must be completed to show the score, and indicate the Domain(s) where the RF met the higher level of supervision expectations that caused the leveling-up to the ISFC rate.

Team Meetings

When the Interagency Placement Committee (IPC) approves the stepdown to ISFC, the referral from the SW/PO will indicate this decision on the LOC Scoring Sheet ([SOC 500](#)) by selecting the box in Section A. The effective date of payment is the date of the IPC placement decision. This date should also be reflected on the FFA [SOC 154A](#) placement agreement.

Special Health Care Needs (SHCN)

The SHCN population was added to the Static Criteria list as a chronic indicator. A SHCN-eligible child/NMD receiving the temporary Static ISFC Rate may become a permanent ISFC Rate when the child/NMDs health conditions are severe or unlikely to change. Documentation from a medical professional should be obtained when the condition is not likely to change or is considered permanent.

Decrease in ISFC Rate

In the instance when the ISFC rate decreases as a result of the LOCP and the child remains with the same caregiver, the effective date of the decrease will be in the first month following the determination in which adequate and timely notice can be provided.

Role of Team Meetings, Assessments, and Reports

- Information from the Children & Family Team (CFT) meeting, Child and Adolescent Needs and Strengths (CANS) Assessment, Court Reports, Case Plan or any other assessments may be used to inform the LOCP.
- The LOCP should never be completed or discussed during a CFT meeting.

Due Process/Appeal Rights

- Due process rights will be given to families that have their initial rate set by the LOCP, whose rate is changed in any way based on the LOCP or whose request for a rate change based on the LOCP is denied.
- If a child is receiving LOC 2-4 in no case may the rate be reduced while they reside with the placement the LOCP was completed for. However, the ISFC rate and the Static ISFC rate may be reduced and appropriate Notice of Action (NOA) must be sent.
- A NOA must be sent to provide an explanation to resource families when rates are set, changing or a request for an increase was denied. Adequate notice must be provided whenever a rate is granted, increased, decreased, discontinued, denied, suspended, cancelled or terminated.
- Even if a rate determination results in no change at all or when a request for an increase is denied a NOA must be sent to the caregiver/provider including a copy of the LOCP Matrix and LOC Scoring Sheet.

Special Care Increment (SCI)

With full implementation of the LOCP we will begin using the updated SCI rate structure. Please refer to the [SCI Practice Guide](#) for further information.

FAQs

1. Do the LOC rates replace the Special Care Increment (SCI) rates?
Answer: No, a child may be eligible to any LOC rate as well as a SCI rate.
2. Will the FFA age based rate be reduced?
Answer: For any child moving from a FFA home receiving an age based rate to another FFA home with a different FFA agency a LOC rate determination must be made.
3. Is there a LOC annual determination required?
Answer: No, an annual rate determination is not necessary as long as the child's needs remain the same. If the child remains with the same caregiver LOC rates 2-4 may not be reduced.
4. Is there a due date to implement LOC rates?
Answer: The LOC rate determination can be made on or after April 1, 2021 for eligible placements.

Forms

[SOC 500 LOC Digital Scoring Sheet](#)
[SOC 501 LOC Rate Determination Matrix](#)

References

[ACL 21-17E Level of Care Determination Protocol \(LOCP\) Implementation Updates for Foster Family Agencies, Home Based Family Care \(HBFC\) Placements and The Intensive Services Foster Care \(ISFC\) Rate](#)
[ACL 21-17 Level of Care Determination Protocol \(LOCP\) Implementation Updates for Foster Family Agencies, Home Based Family Care \(HBFC\) Placements and The Intensive Services Foster Care \(ISFC\) Rate](#)
[ACL 18-06 Implementation Date Change for the Home Based Family Care \(HBFC\) Level of Care \(LOC\) Rate Determination Protocol \(Protocol\) and Instructions](#)

[ACL 18-06E Errata to Implementation Date Change for the Home Based Family Care \(HBFC\) Level of Care \(LOC\) Rate Determination Protocol \(Protocol\) and Instructions](#)

[ACL 17-111 Delayed Implementation of the Home Based Family Care \(HBFC\) Level of Care \(LOC\) Rate Determination Protocol](#)

[ACL 17-11 Phase II Implementation of the Continuum of Care Reform \(CCR\) Home Based Family Care \(HBFC\) and Short Term Residential Therapeutic Program \(STRTP\) Rates Structure and Conversion Process From the Old Rate Structure to the New Rate Structure](#)

[ACL 16-79 Information about the Continuum of Care Reform \(CCR\) Home Based Family Care \(HBFC\) and Short Term Residential Therapeutic Program \(STRTP\) Rates Structure and Conversion Process From the Old Rate Structure to the New Rate Structure](#)