



NEW JERSEY DEPARTMENT
OF CHILDREN AND FAMILIES

New Jersey Department of Children and Families Policy Manual

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OVERVIEW 6-25-2007

Shelter care in congregate care settings is limited to youth age 13 and older.

Shelter care provides food and shelter on a temporary basis, available 24 hours a day. In addition to the basic shelter care service, some shelter facilities also offer other services via contract, such as short term treatment services. Shelter care for children is provided either in home-like settings (five or fewer children) or congregate care facilities (up to 25 children).

All shelters are inspected and approved biennially by the DCF, Office of Licensing and must comply with the Manual of Standards for Children's Shelter Facilities and Homes, N.J.A.C. 10:124.

For pre-placement assessment (health) when placing a child in a shelter, see chart at [CP&P-V-A-1-1300](#).

PROGRAM ELEMENTS OF CONTRACTS/AGREEMENTS 6-25-2007

Each shelter "program" must, at a minimum, meet the standards for shelter care as established by the DCF Office of Licensing; see Manual of Standards for Children's Shelter Facilities and Homes, N.J.A.C. 10:124. Additional services needed by CP&P clients in shelter care may be provided by the shelter, or may be purchased from other community resources.

Additional services are either made a part of the contract/agreement for basic shelter care or negotiated as a separate component to the existing contract/agreement.

YOUTH APPROPRIATE FOR PLACEMENT IN A SHELTER FACILITY 11-16-2009

Placement of youth in a shelter must be temporary and their use minimized, strictly limited to youth age 13 and older. Placement in a shelter is appropriate under the following circumstances only:

- As an alternative to detention;
- As a short-term placement of an adolescent in crisis which shall not exceed beyond 30 days;
- To serve as a basic center for homeless youth that meet the criteria of the Homeless Youth Act, N.J.S.A. 9:12A-2 et seq; and/or
- In response to a court order that requires shelter placement.

LENGTH OF STAY IN A SHELTER 11-16-2009

Length of stay in a shelter is based on the physical, behavioral, and emotional needs of the youth and the availability of an appropriate discharge plan. Shelter care is a temporary service; therefore, all efforts are made to return the youth home or to make an appropriate placement elsewhere as promptly as possible.

When youth are placed in a shelter, the expectation is they may remain for no more than 30 calendar days in accordance with goals established in the Manual of Standards for Children's Shelter Facilities and Homes, N.J.A.C. 10:124. The only exception is when there is a court order requiring continued stay in a shelter.

MEDICAID COVERAGE AND CLOTHING 12-31-87

CP&P supervised children placed in any shelter care facility by CP&P and paid by CP&P are enrolled in Code 60 Medicaid, if eligible. See [CP&P-V-A-2-200](#). If clothing is necessary for the child and cannot be provided by the child's family or guardian, a check for clothing is issued from the LO Bank Account to cover the child's immediate clothing needs. See [CP&P-IX-F-1-300](#), the Initial Clothing Allowance section.

YOUTH PLACED BY OTHER AGENCIES 11-16-2009

An adolescent may be placed in a shelter by sources other than CP&P, for example, county children's service agencies, County Welfare Agencies, the police, and the court. These agencies must agree to pay the shelter facility for the service. The New Jersey Homeless Youth Act (HYA), enacted in 1999, provides homeless adolescents, 21 years of age and younger, with 24-hour, seven-day a week, walk in access to emergency, short-term residential care. See [CP&P-VI-B-1-300](#).

All referrals to CP&P are screened by the State Central Registry. The assigned CP&P Local Office has 30 calendar days from the date of the referral to SCR, to assess the youth's situation and determine whether CP&P will provide services. If the Crisis

Intervention Unit has made the placement, CP&P has 14 calendar days (or 30 days with good cause shown) to submit a case plan to the court. If CP&P provides services beyond 14 calendar days, CP&P begins payment on day 15 at the rate established in the contract or agreement.

If there is an abuse or neglect report, CP&P must respond within the time frames for abuse/neglect investigations outlined in [CP&P-II-C-2-300](#).

If the adolescent is already under CP&P supervision when placed in the shelter, the Worker updates the case notes to reflect the youth's placement in shelter care and revises the existing case plan or establishes a new case plan. In developing the new plan, the Worker, at a minimum, consults with the youth, the person making the placement, the parents or custodians, shelter facility staff, and his or her Supervisor. Payment is initiated in accordance with the contract.

CP&P time frames apply - When CP&P determines to accept a case for services, or when a service-active child is placed in a shelter by another entity, the time frame for placement in the shelter is limited by this policy, regardless of who actually placed the child in the shelter. See Length of Stay in a Shelter, above.

PAYMENT FOR SHELTER CARE 6-1-2007

CP&P pays a basic rate for core shelter service when CP&P has made the placement. Rates for additional services provided by the shelter and purchased by CP&P are negotiated and included in the contract.

See [CP&P-VIII-F-1-600](#) for children placed by order of the court in a juvenile and family crisis.

Payment for placements made by other agencies (not CP&P or the court) is the responsibility of the placing authority. If the youth meets the criteria of the Homeless Youth Act, payment is made through HYA funding.

CONTRACT AND RATE INFORMATION FOR SHELTERS 6-1-2007

Contact the Area Business Manager or the DCF Office of Accounting for current rate and payment information on the various shelters used by CP&P throughout the state.

Residential Child Care Facility/Shelter/Home Approval and Reapproval

Policy Regarding Office of Licensing Approval/Reapproval of a Facility/Shelter/Home 5-17-89

Acting on behalf of the Department of Children and Families, the Office of Licensing is authorized under N.J.S.A. 30:1-14 and 30:4C-4 to inspect, evaluate, approve and reapprove residential child care facilities, group homes, teaching family homes,

supervised transitional living homes, treatment homes and children's shelters located within and out of the state that serve children who are placed or financed by CP&P and that are not subject to licensing or regulation by another New Jersey State Department.

For those facilities/shelters/homes subject to licensure/regulation by another New Jersey State Department that accept CP&P supervised children, the Office of Licensing will not regulate such facilities/shelters/homes unless that authority has been obligated to CP&P through a signed Memorandum of Agreement between the CP&P Director and the Director/Administrator of the other State agency.

Shelters that accept status offenders (Juvenile-Family in Crisis children) must be approved by the Office of Licensing under N.J.S.A. 2A:4A-21 et seq.

Approval of New Facilities 5-17-89

Application Referral Process 5-17-89

Individuals/agencies from outside CP&P interested in developing and operating a residential child care facility/home to serve CP&P children are referred to: (a) the appropriate CP&P Area Office for development of facilities/homes proposing to serve local or regional populations; or (b) the Office of Statewide Operations (OSO) for development of facilities/homes proposing to serve a state-wide population, or (c) the Office of Statewide Operations if the facility/home is located out of state.

Representatives from county governments interested in developing a new or in expanding or relocating an existing Juvenile-Family in Crisis shelter that accepts juvenile status offenders, are referred directly to the Office of Licensing.

Referral Agency Review and Approval 5-17-89

Once it receives a recommendation or proposal to develop a new or to expand or relocate an existing facility/shelter/home, the appropriate referral agency (either the Area Office, Office of Licensing, or Statewide Operations, depending on the kind of facility/home) assesses the feasibility of the proposed facility/home in terms of both current Division resource needs and the proposed program design and determines whether to proceed with the development of the new or expanded program. If so, the referral agency sends to the applicant: the applicable Office of Licensing Manual of Requirements and application package and appropriate pre-contract materials (concept papers, request for proposal). The Office of Licensing application package includes forms seeking information on the facility and its program, and an instruction sheet, which summarizes what the applicant must submit to the appropriate referral agency.

During the application process, the Area Office or Statewide Operations may ask the Office of Licensing to conduct a courtesy life/safety inspection for a New Jersey based facility/shelter/home to determine whether a building that the applicant is considering buying or renting as the site for its proposed program generally appears to meet CP&P

physical facility and life/safety requirements and, if so, the extent of any necessary renovations that must be made. Requests for courtesy life/safety inspections are made directly to the Office of Licensing Assistant Chief for Residential and Agency Programs and should be accompanied by the local government Certificate of Occupancy and other inspection reports, as specified in the application package, if available. The Office of Licensing does not conduct courtesy life/safety inspections for programs located out of state.

For regional or statewide projects, the appropriate Area Office or Statewide Operations reviews the completed pre-contract materials (of facilities/shelters/homes that will be under contract with CP&P), to ensure that they are complete and accurate. For proposed State-operated projects, Statewide Operations reviews the completed materials to ensure that they are complete and accurate.

Once the contracting material is determined to be complete, the appropriate referral agency (Area Office or Statewide Operations) submits the completed materials to the Office of Licensing's Assistant Chief for Residential and Agency Programs.

Office of Licensing Review and Approval 5-17-89

The Office of Licensing (OOL) reviews and assesses the Annex A of the contract to ensure that it is complete and accurate. Once the Annex A is approved by the Office of Licensing, and the Bureau's Application for Approval, Certificate of Occupancy and local health and fire approvals are submitted by the facility/shelter/home, OOL conducts a formal life/safety inspection of the New Jersey based facility/shelter/home to determine the extent of its compliance with the physical facility and life/safety requirements of the applicable Manual of Requirements. If the life/safety inspection reveals no imminent hazards or serious life/safety deficiencies, the Office of Licensing issues the facility/shelter/home a Temporary Certificate of Approval allowing it to begin serving children. Approximately six months after the facility/shelter/home has been in operation, the Office of Licensing conducts a program inspection of the facility/shelter/home to determine the extent of its compliance with the program requirements of the applicable Manual of Requirements. Based upon the findings from these inspections, the Office of Licensing then issues the facility/shelter/home either another Temporary Certificate of Approval or Regular Certificate of Approval, or denies approval.

Temporary Approval 5-17-89

Whenever the Office of Licensing issues a temporary approval to a facility/shelter/home, the Area Office or Statewide Operations may complete contract negotiations and execute a contract.

Temporary approval is issued to a facility/ shelter/home that is:

- Not yet operating, provided that the formal life/safety inspection by the Office of Licensing shows there are no serious or imminent hazards in the

facility/shelter/home, the Office of Licensing is in receipt of a completed application, a Certificate of Occupancy, local health and fire approval, and the Annex A is determined by the Office of Licensing to conform to the program requirements of the appropriate Manual of Requirements. The Office of Licensing then issues a certificate granting temporary approval, specifying the duration of the temporary approval, the steps the applicant must take to correct the cited life/safety violations and advising the facility/shelter/home that it may begin operating. After it has been operating for a period of time (usually about six months) the Office of Licensing conducts a formal program inspection to determine the extent of its compliance with the program requirements of the appropriate Manual of Requirements; or

- Already operating, provided that the formal life/safety and program inspections by the Office of Licensing find the facility/shelter/ home to be in substantial, but not full, compliance with all requirements of the applicable Manual of Requirements and there are no imminent or serious hazards. The Office of Licensing then issues a certificate granting temporary approval, specifying the duration of the temporary approval and the steps the applicant must take to correct cited violations to secure regular approval.

Regular Approval 5-17-89

Regular approval is granted to a facility/shelter/home when the Office of Licensing determines that it is in full compliance with all of the requirements of the applicable Manual of Requirements. The Office of Licensing then issues a certificate granting regular approval to the applicant, specifying a two-year period of approval from the date the facility/shelter/home began operating -- subject to periodic reinspection during the approval period.

Once a facility/shelter/home has received regular approval, the Office of Licensing conducts annual life/safety inspections and semi-annual program reinspection and/or monitoring visits of the facility/shelter/home, or as necessary and appropriate, to ensure it maintains compliance with the applicable Manual of Requirements.

Exceptions

1. Out-of-state facilities/shelters/homes are not subject to life-safety inspections by the Office of Licensing. The above noted facilities/ shelters/homes located in a state other than New Jersey must comply with its own state, county and or municipal government code approval requirements, as appropriate.
2. Out-of-state facilities/shelters/homes beyond 50 miles of New Jersey are subject to one program monitoring visit, conducted halfway through the two-year approval period.

Denial of Approval 5-17-89

If the Office of Licensing inspections reveal extensive or serious violations in a facility/shelter/home that would endanger the safety or jeopardize the well-being of children in residence or that the facility/shelter/home is not in substantial compliance with all requirements of the applicable Manual of Requirements, or if the facility/shelter/home application is incomplete, the Office of Licensing denies approval. OOL notifies both the applicant and the Area Office and/or Statewide Operations immediately and provides them with a report that specifies the steps the facility/shelter/home must take to correct the cited violations. Pending abatement of the violations, contract negotiations may resume, but may not be finalized until the Office of Licensing verifies abatement of the violations and issues either a temporary or regular Certificate of Approval as noted above.

If the Office of Licensing cannot approve the facility's/home's application due to the seriousness and extent of its non-compliance with the applicable Manual of Requirements after being given a reasonable period of time to do so, the Office of Licensing notifies both the applicant and the Area Office and/or Statewide Operations of its determination.

The Area Office or Statewide Operations then either: provides further technical assistance to the program and resubmits the Annex A to the Office of Licensing, or terminates its action to develop the program.

Office of Licensing Reapproval of Previously Approved Facilities/ Homes 5-17-89

Reapproval Process 5-17-89

At least two months prior to the expiration of a previously approved facility's/shelter's/home's existing regular approval, the Office of Licensing notifies the facility/shelter/home that it must renew its Certificate of Approval and sends an Office of Licensing reapplication package. Notice of this action is sent to the Area Office or Statewide Operations.

After receiving the completed application materials, the Office of Licensing follows the same procedures as outlined in this policy in processing the application for renewal of approval. Renewal or continuation of the facility's/shelter's/home's existing contract by the Area Office or Statewide Operations is contingent upon the facility's/shelter's/home's securing Office of Licensing approval, according to the same procedures.

Enforcement System 5-17-89

The Bureau issues the facility/shelter/home an Inspection/Violation Report, listing the violations of the applicable Manual of Requirements and provides a period of time -- usually 30, 60 or 90 days -- to abate the violations. The Bureau initiates the enforcement process when 24-hour Residential Child Care Facilities/Shelters/Homes

fail to abate outstanding violations of the applicable Manual of Requirements in spite of having ample time and opportunity to abate such violations.

If the violations are not abated in keeping with the above noted time frames, the inspector requests the facility administrator to submit to the Bureau an extension letter explaining how and when the violations will be abated. If the Bureau grants the extension, a letter is sent to the facility/shelter/home, specifying time frames for abatement of the violations. The length of the extension will vary depending on the type and severity of the violation. Extensions may be granted from 15 days to 6 months, however, most extensions are for 30, 60 or 90 days.

If the violations are not abated within the agreed upon time frames, the Bureau will take the following enforcement actions:

- A 15-day letter is sent to the facility/shelter/home, requiring abatement of outstanding violation(s).
- A copy of this letter is also sent to the Office of Statewide Operations (SWO) or the appropriate Regional Contract Administrator for their information and possible action; and
- The Bureau conducts a reinspection of the facility/shelter/ home on the date indicated in the 15-day letter. If the violation(s) are abated, no further enforcement action is required.

If upon reinspection, the violation(s) have not abated, the Office of Licensing contacts the SWO Contract Unit or the appropriate Regional Contract Administrator via a memorandum sent through the Chief, Office of Licensing, and makes one of the following recommendations:

- Suspend referrals to the facility/shelter/home;
- Remove from the facility/shelter/home those children currently residing there; or
- Terminate the contract with notice to the facility/shelter/ home, in keeping with [CON-I-A-9-9.05.2007](#), Contract Default.

Copies of the Bureau's recommendations are sent to the Assistant Director, Division of Child Protection and Permanency, Operations Accountability and the Deputy Director.

If the SWO or Regional Contract Unit agrees with one of the above actions, it notifies the facility/shelter/home of such action. The Bureau simultaneously sends a 10 day letter notifying the facility/shelter/home of further enforcement action, if necessary.

If the Administrator of SWO or the Assistant Director of Program Operations or the Area Office does not agree with the Bureau's recommendations, the Bureau recommends to

the Assistant Director, Division of Child Protection and Permanency, Operations Accountability that a meeting be scheduled with the Division Director, appropriate senior staff and Bureau staff to resolve any outstanding issues.

When the CP&P Director and senior staff agree with one of the above recommendations, the SWO or Regional Contract Unit notifies the facility/shelter/home of such actions.

The Bureau will notify the facility/shelter/home of its intention not to continue approval and the Bureau will afford the facility/shelter/ home an opportunity to request an administrative hearing prior to the Bureau's actions in keeping with the New Jersey Administrative Procedures Act (N.J.S.A. 52:14B-1 et. seq.).

Notification to Local Office 5-17-89

Serious/Extensive Violations 5-17-89

Statewide Operations notifies the Local Office, through the Area Office or the Assistant Director of Program Operations, whenever a decision is made to:

- suspend new referrals to a facility, or
- remove children from a facility.

Approvals/Reapprovals 5-17-89

The Office of Licensing sends the Local Office Manager formal initial and biennial inspection reports for each facility.

Notification to the Office of Licensing of Contract Negotiations 5-17-89

Once the Office of Licensing approves or reapproves a facility/home, the Area Office may finalize and execute a contract (or renew an existing contract) with the facility/home. After a new or renewed contract is executed, the Area Office must notify the Office of Licensing of the contract approval and the duration of the contract.