



Rules of
Department of Social Services
Division 110—Division of Youth Services
Chapter 3—Case Management

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**Title 13—DEPARTMENT OF
SOCIAL SERVICES**

**Division 110—Division of
Youth Services**

Chapter 3—Case Management

13 CSR 110-3.010 Comprehensive Individual Treatment Plans

PURPOSE: The purpose of this rule is to standardize the investigation into the pertinent circumstances of the youth's background to facilitate appropriate treatment and after-care planning.

(1) A comprehensive individual treatment plan (CITP) shall be developed by Division of Youth Services for the purpose of meeting individual youth and family needs. The CITP also serves to record case activity and fulfill requirements for official notifications.

(A) CITP procedures are—

1. The Division of Youth Services shall initiate the development of a written CITP within thirty (30) days of the commitment date. The treatment plan should involve the youth and their parent(s) or guardian(s). The CITP shall be completed within forty-five (45) days of commitment and distributed to the youth, family, court, and facility;

2. Involvement of the parent(s) or guardian(s) is encouraged;

3. Information contained in the CITP includes, but is not limited to:

A. Assessment, including youth and family strengths, needs, and trauma history;

B. Youth history, including core issues, and history with other systems such as mental health, Children's Division, and Juvenile Courts;

C. Education;

D. Youth's medical health/mental health needs; and

E. Transition Planning;

4. The service coordinator will include the preliminary possibilities for the youth's placement;

5. The Division of Youth Services will finalize aftercare placement planning for the youth prior to release from residential or community care;

6. The Division of Youth Services will reexamine the youth's CITP when deemed necessary, but in no case to exceed intervals greater than six (6) months; and

7. The youth, the youth's parent(s) or legal guardian(s), and other members of the youth's family, when appropriate, shall be consulted whenever the CITP is reviewed. Should youth or their families disagree with the content developed or information contained in the CITP they may petition the

director for a hearing under section 219.051.1(1), RSMo.

AUTHORITY: sections 219.036, 219.051, and 660.017, RSMo 2016. Original rule filed Dec. 30, 1975, effective Jan. 9, 1976. Amended: Filed Feb. 10, 2000, effective Aug. 30, 2000. Amended: Filed Oct. 1, 2018, effective May 30, 2019.*

**Original authority: 219.036, RSMo 1975, amended 1993; 219.051, RSMo 1975; and 660.017, RSMo 1993, amended 1995.*

13 CSR 110-3.015 Safe Schools Act Procedures

(Rescinded April 30, 2019)

AUTHORITY: section 219.036, RSMo 1994. Original rule filed Feb. 10, 2000, effective Aug. 30, 2000. Rescinded: Filed Aug. 28, 2018, effective April 30, 2019.

13 CSR 110-3.020 Aftercare Involvement During Residential Treatment

(Rescinded April 30, 2019)

AUTHORITY: section 219.036, RSMo 1994. Original rule filed Dec. 30, 1975, effective Jan. 9, 1976. Amended: Filed Feb. 10, 2000, effective Aug. 30, 2000. Rescinded: Filed Aug. 28, 2018, effective April 30, 2019.

13 CSR 110-3.030 Aftercare Supervision

PURPOSE: The purpose of this rule is to outline responsibilities and procedures for the supervision of youth in aftercare.

(1) Community Placement. It is the responsibility of the service coordinator to provide treatment services for the client and his/her family.

(2) Case Recordings. The service coordinator shall maintain the following records:

(A) A record of dates and type of contacts made on each youth; and

(B) A monthly summary will be prepared for each youth. The summary will include the date and times of contacts as well as client progress and future planning; and

(C) It is mandatory that each six (6) months an evaluation be completed on all youth committed to the Division of Youth Services (DYS).

(3) Transfers. Transfer of an aftercare case shall be made as follows:

(A) To Interstate. (see 13 CSR 110-2.130(2));

(B) Transfers between regions must be approved by the two (2) regional administrators involved; and

(C) To Other Agencies. Transfers to other agencies will be coordinated through the special services administrator.

(4) Foster Care. Except in cases of emergency, children under Division of Youth Services supervision and placed in foster homes funded by DYS shall be so placed only after an evaluation of the home has been completed. This evaluation shall include, but not be limited to, the adequacy of the home, family stability and composition and the motivation and ability of the foster parents to provide foster care.

(A) Preparation for Placement. It is the responsibility of the service coordinator to prepare the family and the youth for the impending placement. That preparation may include, but not be limited to, the following:

1. Counseling and training with the foster family;

2. Preplacement visits between the child and the foster family;

3. Explanation of agency rates of payment and guidelines for expenditures of money in the foster child's behalf;

4. Evaluation of any other income the child might have, such as Social Security benefits, Veteran's Administration benefits, etc., as well as the youth's family's financial situation. The applicability of these funds to the child's needs will be determined by the regional administrator;

5. Discussion of arrangement for payment of special needs, such as, medical expenses, educational or therapeutic, etc.; and

6. All foster homes will be approved prior to the child's placement by the regional administrator. All foster home placements will be approved by the regional administrator.

(B) Services to Family and Youth. The service coordinator will provide services to the youth and foster family as well as the youth's family.

(5) Contractual Services. The need for the services will be determined by the regional administrator prior to the placement of a youth. The regional administrator will ensure that funds are available.

(6) Return to Facility (Shelter). A temporary return of the youth in aftercare to the institutional facility for reasonable cause may be permitted upon the recommendation of the service coordinator with the approval of the regional administrator. Reasonable cause is to



be determined only upon the basis of need for alternative placement with none immediately available. Where the youth is returned for shelter, every effort is to be made by the service coordinator to complete alternate placement plans within thirty (30) days. A report will be submitted each week that the youth is in shelter over thirty (30) days. The report will be submitted to the regional administrator justifying the continued need for shelter and outlining plans for alternative arrangements with a copy to the facility providing shelter. When a placement is established by the service coordinator, s/he will notify the facility and make arrangements for the youth to be released with the approval of his/her supervisor.

(7) Return to Facility (Sanction). Procedure for the return of youths held in violation of the conditions of aftercare supervision is outlined in 13 CSR 110-3.040 and 13 CSR 110-3.050.

(8) Discharges from Aftercare Supervision. Section 219.026, RSMo 1994 requires the division to immediately notify in writing the youth, his/her parent or guardian, victim's rights respondent and the committing court of the termination of its supervision over the youth.

AUTHORITY: section 219.036, RSMo 1994. Original rule filed Dec. 30, 1975, effective Jan. 9, 1976. Amended: Filed Feb. 10, 2000, effective Aug. 30, 2000.*

**Original authority: 219.036, RSMo 1975, amended, 1993.*

13 CSR 110-3.040 Revocation of Aftercare Supervision

PURPOSE: The purpose of this rule is to provide a standard procedure for the apprehension, detention, and revocation of youth on aftercare.

(1) The director, at any time after the youth is placed in aftercare and before order of discharge is issued, may request the apprehension and detention of the youth by law enforcement without notice to the youth. Any service coordinator assigned to supervise youth in aftercare, or any other employee designated by the director, may apprehend a youth without a warrant or may issue such warrant to law enforcement officials, when in the judgment of the service coordinator, the youth has violated the conditions of his/her placement and his/her presence in the community is considered dangerous to him/her-

self or to the community, or when the youth may flee the jurisdiction of the division. When the youth is detained, the service coordinator shall present to the detaining authority a statement of the circumstances of the violation.

(2) Revocation Hearing. Whenever revocation of aftercare is to be considered, an employee of the aftercare services of the Division of Youth Services (DYS) shall hold a revocation hearing to determine if there is reasonable cause to believe that the youth has violated an aftercare condition.

(A) At no time shall the hearing officer be the youth's service coordinator assigned to supervise the youth. Any other service coordinator or supervisor may act in this capacity, except that the designation as the hearing officer of a supervisor giving direct supervision to the service coordinator assigned to supervise the youth should be avoided.

(B) The revocation hearing is an informal inquiry. The rules of evidence and right to subpoena do not apply. The hearing is to be held promptly and reasonably near the place of violation or detention.

(C) The youth and his/her parent(s) or guardian(s), or the person with whom the youth has been placed, or other responsible adult, as well as a victim who has requested notification per 595.209, RSMo, shall be given notice that the hearing will take place and that the purpose of the hearing is to determine whether there is reasonable cause to believe that the youth is in violation of the conditions of aftercare supervision and aftercare supervision should be revoked.

(D) At the hearing, the youth, his/her parent(s) or guardian(s), or a responsible adult, and legal counsel, if any, may appear and speak in the youth's behalf. They may bring and present documents and other evidence relating to the allegation against the youth. They may present witnesses in victim's behalf, but testimony of the witnesses must be relevant to the alleged violation. The youth may request that persons, who have given evidentiary testimony on which the allegation is based, be made available for questioning in the youth's presence at the hearing; however, if the hearing officer determines that the informant would be subject to risk or harm if his/her identity were disclosed, the hearing officer may excuse the informant from confrontation or cross-examination by the youth, his/her parent(s) or guardian(s), responsible adult, or counsel.

(E) The hearing officer shall prepare a written summary of the hearing including an explanation of the evidence presented by the youth and by the service coordinator. Based

on the information before him/her, the hearing officer will determine whether there is reasonable cause to revoke the youth's aftercare supervision.

(F) A determination that reasonable cause exists is sufficient to warrant the youth's continued detention and the youth shall be returned to a facility of the Division of Youth Services.

(G) If the hearing officer does not find reasonable cause to revoke aftercare supervision, the youth will be returned to active aftercare supervision. Further conditions for supervision may be imposed on the youth.

(3) Director's Hearing or Review. If the youth is returned to a facility of DHS, the youth and his/her parent(s) or guardian(s) will be given an opportunity to petition on a form provided by the division for a director's hearing prior to the final decision on revocation of aftercare supervision by the director or his/her designated representative. If the youth or his/her parent(s) or guardian(s) do not petition for a director's hearing, the director, or the director's designee, will review the findings of the revocation hearing and other pertinent case material and will then make a final decision regarding the recommendation for revocation of aftercare supervision.

(A) If the youth or his/her parent(s) or guardian(s) petition for a director's hearing, the director, or the director's designee, shall convene a hearing at the facility where the youth resides within thirty (30) days of the receipt of the written request for a hearing.

(B) The youth or his/her parent(s) or guardian(s) shall have the right to be represented by counsel, call and question witnesses, and cross-examine those witnesses appearing against the youth. DHS shall not bear the cost or expenses of witnesses or attorneys requested by the youth or his/her parent(s) or guardian(s). This is an informal inquiry. The rules of evidence and right to subpoena witnesses do not apply.

(C) The individual conducting the director's hearing shall deliver the decision in writing to the youth or his/her parent(s) or guardian(s) within fifteen (15) days of the close of the director's hearing. The decision shall clearly set forth the evidence presented, a summary of the testimony elicited, and the findings, conclusion, and decision of the individual conducting the hearing.

AUTHORITY: sections 219.016, 219.036, and 660.017, RSMo 2016. Original rule filed Dec. 30, 1975, effective Jan. 9, 1976. Amended: Filed Feb. 10, 2000, effective Aug. 30, 2000. Amended: Filed Sept. 27, 2018, effective May 30, 2019.*



**Original authority: 219.016, RSMo 1975, amended 1993, 1995; 219.036, RSMo 1975, amended 1993; and 660.017, RSMo 1993, amended 1995.*

13 CSR 110-3.050 Instructions for the Implementation of Revocation Procedure (Rescinded May 30, 2019)

AUTHORITY: sections 219.036 and 219.051, RSMo 1994. Original rule filed Dec. 30, 1975, effective Jan. 9, 1976. Amended: Filed Feb. 10, 2000, effective Aug. 30, 2000. Rescinded: Filed Oct. 11, 2018, effective May 30, 2019.

13 CSR 110-3.060 Grievance Procedure for Youth in Aftercare

PURPOSE: This rule insures that when youth in aftercare have a grievance, the division has a process for submitting and responding to those grievances.

(1) Grievances. Should a youth on aftercare, the youth's parent(s)/guardian(s), or foster parent(s), have a grievance concerning treatment, supervision, or the lack thereof, or other relevant concerns, they may file a grievance in writing with the appropriate supervisor. The grievance shall be handled through an informal process. The supervisor will make a decision and advise the youth and the service coordinator with regard to the decision made in the matter. Appropriate written records will be maintained concerning disposition of the matter. If the decision is not satisfactory to the youth, the youth's parent(s)/guardian(s), or foster parent(s), they may present the grievance to the regional administrator or designee for review and final decision. The decision of the regional administrator or designee will be the final decision of the division.

(2) Instructions. The administrators of each program will oversee the implementation of the grievance procedure. The following areas will be considered for grievances:

- (A) Physical abuse by staff;
- (B) Staff allowing physical abuse to a youth by another youth in aftercare;
- (C) Repeated verbal abuse by staff, such as the use of profanity or ill-temper in giving direction and guidance;
- (D) Discrimination based upon a youth's race, color, religion, sex, national origin, age, or disability;
- (E) Lack of opportunity to receive adequate supervision by an aftercare worker (in accordance with current caseload standards); and
- (F) Disagreement with placement decision

or special conditions of aftercare supervision.

(3) Staff Prejudice. If in the implementation of this procedure, a staff member practices prejudice against the youth who has filed the grievance and this prejudice is found to be a result of the youth's complaint, the staff member concerned shall be subject to immediate dismissal.

AUTHORITY: sections 219.036 and 660.017, RSMo 2016. Original rule filed Dec. 30, 1975, effective Jan. 9, 1976. Amended: Filed Feb. 10, 2000, effective Aug. 30, 2000. Amended: Filed Sept. 18, 2018, effective May 30, 2019.*

**Original authority: 219.036, RSMo 1975, amended 1993 and 660.017, RSMo 1993, amended 1995.*