**Service Definition:** Immediate, short term, overnight care for children and adolescents up to the age of eighteen (18), which provides a safe, nurturing and structured environment and the opportunity for individuals to achieve the goals set forth in the individual’s Shelter Care Plan. Services are provided in a 24-hour supervised facility with trained staff or in a licensed foster care home.

<table>
<thead>
<tr>
<th>Source of Funding</th>
<th>CYFD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Target Population</td>
<td>Children and adolescents up to age eighteen (18) that are involved or at high risk for involvement with the Children, Youth and Families Department's (CYFD) Child Protective Services (CPS), Youth and Family Services (YFS), Juvenile Justice Services (JJS) or Tribal Social Services (TSS). Adolescents who turn eighteen (18) while in shelter placement may remain until appropriate discharge. CYFD populations identified in order of priority: 1. “Involved/Referred by” – children or adolescents and their families who have an open case with, or are referred by, CYFD PS, YFS, JJS and/or TSS may receive services up to age eighteen (18). 2. “At Risk” – children or adolescents up to age eighteen (18) and their families who are at high risk for entering CYFD PS, YFS, JJS and/or TSS systems.</td>
</tr>
<tr>
<td>Program Requirements</td>
<td>Shelter Care (facility, foster care or treatment foster care home) program requirements include, but are not limited to, the following: 1. Twenty-four (24) hour on-site supervision is provided by qualified staff (as defined under Minimum Staff Qualifications) to meet the basic needs and residential care requirements of consumers in a safe and stable environment. 2. All appropriate services must be explored and utilized for each consumer as needed and billed separately to ensure consumers receive the full spectrum of necessary medical, behavioral health and related services, 3. All consumers receiving services through the program must be registered through the Statewide Entity's Service Registration System. 4. All consumers receiving services through the program must be provided with a Shelter Care Plan within 72 hours. See Documentation section for content.</td>
</tr>
</tbody>
</table>

Revised: 06/14/06, 03/04/10, 07/26/10
5. As appropriate by age, the Shelter Care Plan must be jointly developed with consumer and/or consumer’s guardian as appropriate. If guardian is not part of the planning process, the reason must be documented in the plan. Program must be in full compliance with medication management standards delineated in NMAC 7.8.3.43.

6. Program must develop policies, procedures, and implementation plans for Crisis Management regarding fire, suicide, poison, violence and threats of violence, natural disasters and utility disruption.

7. Program must have written Behavior Management policy and procedures which are in full compliance with NMAC 7.8.3.80 DISCIPLINE (facility) or NMAC 7.20.11.24 BEHAVIOR MANAGEMENT (homes) and in compliance with New Mexico Children’s Code Article 6, 32A-6-6. Personal rights of residential children.

8. Program must have a written Termination of Service Policy which identifies the behaviors or circumstances that result in termination of services and discharge, including but not limited to behavior that may endanger the health and safety of other residents, excessive violence, and active persistent substance abuse.

9. Program must provide or arrange for Transportation to access core activities in compliance with NMAC 7.8.3.92 TRANSPORTATION.

10. Program must provide a structured Recreation Program either on site or off site for a minimum duration of one (1) hour, three (3) times a week. Activities must be consistent with the ages of consumers. Recreational activities must, whenever possible, use the resources of the community and involvement in community activities such, as but not limited to:
   a. School activities
   b. Excursions to zoos, museums, or other points of interest
   c. Age appropriate movies
   d. Library services; and
   e. Organized games

11. Program must have written Policies and Procedures covering the following areas:
   a. Actions to be taken in case of accidents, emergencies involving a consumer
   b. Disciplinary methods used by the facility
   c. Reporting of suspected child abuse or neglect
   d. Admission and discharge of consumers
   e. Actions to be taken in case of a consumer found missing from a facility
   f. Handling medication
   g. Handling of complaints received from parents, guardians, staff or any other person
   h. Confidentiality of consumer records
   i. Termination of Service
   j. Weapons; and
### Provider Requirements

1. Shelter Care services must be delivered by a provider organization that is a legally recognized entity in the United States and qualified to do business in New Mexico.
2. Shelter Care facilities must have a current New Mexico residential facility license and be in compliance with all city, county, state and federal requirements regarding shelter care services unless otherwise state exempted.
3. Shelter Care facilities must meet standards established by the State of NM or its designee, and requirements of the funding source, including but not limited to:
   b. New Mexico Department of Health Regulation 7 NMAC 4.3, Control of Disease and Conditions of Public Health Significance, effective October 31, 1996.
   c. New Mexico Department of Health Regulation 7 NMAC 1.3, Health Records, effective October 31, 1996.
   e. New Mexico Department of Health Regulation 7 NMAC 1.7, Health Facility Licensure Fees and Procedures, effective October 31, 1996.
   f. New Mexico Department of Health Regulation 7 NMAC 1.2, Adjudicatory Hearings, effective February 1, 1996.

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k. Illegal drugs and paraphernalia.
l. Handling of children’s / adolescent’s funds
m. Maintenance of buildings and equipment
n. Fire and evacuation plans

12. Program must ensure the provision of Educational Services. Every consumer in residence shall attend an appropriate educational program in accordance with New Mexico State law, with the exception of child endangerment or extreme short-term placement (less than three days). Consumers will be enrolled and begin school attendance within 14 days of placement unless there is documentation clearly stating how this was not possible. If unable to enroll consumer in public education, then age appropriate tutoring and educational services must be provided on site.

   i. Other educational services may include:
      1. Surrogate/advocate with school
      2. Educational testing (when appropriate)
      3. Study time
      4. Educational materials/opportunities.

13. Program must meet the basic standards for preparation and provision of nutritious food as outlined in NM 7.8.3.55 NUTRITION and 7.8.3.56 FOOD MANAGEMENT.

14. Program must provide clothing and personal supplies (toiletries, bedding, etc.), as needed.
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Staffing Requirements

MINIMUM STAFF QUALIFICATIONS

1. CYFD Background Clearances.
   a. All personnel (agency employed, contractual or volunteer) who have any contact with consumers, must have a CYFD Background Clearance within 30 days of employment (8.8.3 NMAC and 7.20.11.15 NMAC). This includes but is not limited to administrative, support and facility staff.
i. The reason for all exceptions to the 30 day limit must be documented in the candidates personnel file.

b. Prior to obtaining the clearance, these employees must work in direct line of sight of a cleared staff person at all times.

c. CYFD background checks are done in accordance with the applicable regulations promulgated at 8.8.3 NMAC. This rule has general applicability to operators, staff and employees, and prospective operators, staff, and employees of child-care facilities, including every facility or program having primary custody of children for 24 hours or more per week, juvenile treatment facilities and direct providers of care for children in the following settings:

   i. Children’s Behavioral Health services,
   ii. Registered Child Care including shelter care (8.8.3.2 NMAC).

d. All personnel must submit background check applications by the end of the next day following commencement of services, whether employment, contractual, or volunteer (8.8.3.10.(A)(1) NMAC) and must have attained eligibility no more than thirty (30) days after said commencement of service (8.8.3.11(A)(5) NMAC).

2. For facilities only - High School Diploma/GED and any combination of two (2) years education and training with the target population or two (2) years relevant experience in a human services related field.

3. The staff person must possess:
   a. The ability to communicate effectively verbally and in writing;
   b. The ability to work in crisis situations.

4. The staff person must successfully complete New Employee Core Training within the first month of employment.
   a. Initial training is a minimum of eight (8) hours and includes, but is not limited to:
      i. Crisis Management/Crisis De-escalation and Emergency Safety Procedures
      ii. Medication Management Policies and Procedures
      iii. Child Development
      iv. Child Abuse and Neglect Laws, Referral Procedures, Symptoms and Dynamics
      v. Documentation and Incident Reporting
      vi. Behavior Management/Positive Discipline
   b. Initial training is supplemented by supervised on-the-job training

5. Professional Development of staff and continuing education.
   a. A minimum of sixteen (16) hours per year of additional training is required, and may include, but is not limited to:
      i. Conflict Resolution
      ii. Working with Sexually Abused/Reactive Populations
      iii. Protection Skills for Children (e.g. crisis planning, harm reduction)
      iv. Rape and Sexual Assault
      v. Communication Skills and Techniques
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|   | vi. Social Awareness (e.g. impact of poverty, effects of racism, effect of violence, gay/lesbian/bisexual/transgender awareness, cultural competence)  
|   | vii. Domestic Violence/Cycle of Violence  
|   | viii. Children/Teens from Alcoholic Systems  
|   | ix. Semi-independent Living/Adult Living  
|   | x. Staff/Consumer Power Dynamics  
|   | xi. Partnering with Youth/Program Planning  
|   | xii. Training related to the specific needs and issues of the population served.  
|   | **STAFF SUPERVISION**  
|   | 1. Master’s degree in human services related field or Bachelor’s degree with one (1) year experience in a human services related field or High School Diploma/GED with five (5) years relevant experience.  
|   | 2. A minimum of sixteen (16) hours per year of relevant training is required.  

### Documentation Requirements

|   | **Individual Consumer File** must contain the following:  
|   | 1. Copy of Statewide Single Entity Service Registration  
|   | 2. Signed Rights and Responsibilities  
|   | 3. Signed Grievance Procedures  
|   | 4. Signed Release and/or Consent Forms  
|   | 5. Signed Confidentiality Statement  
|   | 6. Signed Shelter Care Plan, including but not limited to:  
|   | a. Presenting problems and/or needs  
|   | b. Intervention goals and/or objectives including but not limited to:  
|   | i. Safety  
|   | ii. Stability  
|   | iii. Permanency  
|   | c. Services to be provided addressing the presenting problems/needs and corresponding time-frames  
|   | d. Referrals to recommended services  
|   | e. Crisis Plan as appropriate  
|   | 7. Progress Notes documenting services to/activities with consumer, including but not limited to:  
|   | a. Coordination of services with other agencies and/or individuals  
|   | 8. Signed Discharge Summary  
|   | Includes Crisis Plan follow-up as appropriate  

|   | **Agency File** must contain the following:  

### Service Exclusions

|   | This service is designed to provide immediate, short term, residential overnight care.  

|   | **Service Exclusions**  
|   | **Admission/Service Criteria**
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| Continuing Service Criteria | Shelter services may be extended up to an additional thirty (30) days with appropriate documentation in consumer file every 30 days. |
| Discharge Criteria           | Not applicable |
| Service Authorization Period | Services may be provided for up to ninety (90) days, for children and/or adolescents, or adults up through the age of eighteen (18), who meet a contracted CYFD target population. |
| Service Authorization Unit   | 1. Fees for Shelter Care are determined by the CYFD fee schedule based upon the following time frames:  
   a. 0 through 7 hours  
   b. 8 through 15 hours  
   c. 16 through 24 hours.  
   2. Shelter Care services must meet the basic needs and residential care requirements of consumers as defined in the Program Requirements in order for an agency to bill for Shelter Care services. |
| Benefit Limits               | None |