

Department for Children and Families
Family Services Division
280 State Drive
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Waterbury, VT 05671-1030

Agency of Human Services

April 23, 2020

Dear Residential Treatment Providers,

As we have seen over the past few weeks, information about COVID-19 is constantly changing and requires the utmost attention and vigilance to keep up with current recommendations. It's become clear that we're in this for the long haul and we fully appreciate your continuous efforts to provide the best care possible for children and youth in your programs during these challenging times.

On March 19, 2020, Family Services Division (FSD) issued preliminary guidance for Residential Treatment providers which included locations of additional state-issued guidance and resources and how to respond to emerging regulatory questions resulting from this pandemic.

This document is intended to supplement the March 19th FSD guidance, with additional questions and responses, and regulatory changes in the sections below.

In March 2019, DCF partnered with the Department of Mental Health (DMH), Department of Disabilities, Aging and Independent Living (DAIL) to create a joint guidance document, also located on the FSD COVID website below.

FSD continues to utilize the following website to communicate Division specific information to you, our partners, and the families whom we serve: <https://dcf.vermont.gov/fsd/COVID19>

The Vermont Department of Health (VDH) has a comprehensive website that is updated on a daily basis. This is the best place to go for up to date information regarding COVID -19 specific questions. We are trying not to cut and paste content from this site as it is evolving and changing daily. <https://www.healthvermont.gov/covid>

We are happy to share that the Vermont Department of Health, in collaboration with DMH and DCF Family Services, will shortly be issuing specific public health related guidance entitled "Preparing for COVID 19 in Mental Health Residential Settings." This guidance will specifically address the implementation of infectious disease control within your unique settings.

Please continue to report any possible COVID-19 illness in residents or employees to the VT Department of Health at (802)863-7240. Please also report to FSD as noted below.



1. What information and how should we share program updates with our state partners?

RTPs should continue to provide status updates to the Specialized Services Unit and RLSI Agency Team on Tuesdays and Fridays of each week. We do not want this to be time-consuming for programs. These are the main points we need covered in your updates:

- General staffing updates and are any staff out sick because of COVID-19?
- Are any residents exhibiting symptoms of, or tested positive for, COVID-19?
- Do you have any residents that are at-risk of needing to be moved from your program for any reason?

Please send these updates directly to Melanie D'Amico, Chris Ward, and Lauren Higbee and cc the RLSI Agency Licensing inbox at AHS.DCFSDRLSIAgencyLicensing@vermont.gov

2. Can programs use the Zoom videoconferencing platform?

The DCF Commissioner has approved usage of Zoom and other virtual platforms for contractors, private clinicians, and Designated Agencies so long as the agency ensures that confidentiality of clients' information is secure, HIPAA compliant, and your own professional guidelines are met.

3. What do I do if a youth develops symptoms of COVID-19?

Contact the child/youth's primary care physician, make sure to explain that the child/youth is in DCF custody, and as such has additional vulnerabilities, and should be tested rather than presuming the child/youth is COVID positive. Test confirmation is necessary for certain supports and benefits related to the care of children/youth in DCF custody to be applicable.

4. What does "Universal Testing" mean for Residential Treatment Programs?

On 04/10/20, Vermont Department of Health (VDH) announced "Universal Testing at Facilities" when someone tests positive in a facility, including residential treatment programs. VDH will be issuing additional guidance very soon to provide clarity on how to proceed. In the meantime, if someone tests positive in your facility, we advise contacting VDH immediately to discuss next steps.

5. Who should we notify if a child/youth tests positive for COVID-19?

If a child/youth in your program tests positive for COVID-19, in addition to contacting VDH, please contact the FSW, the Specialized Services Unit, and RLSI immediately.

6. What happens if a child/youth tests positive for COVID-19 and the child/youth cannot remain in my program? Is the Goddard College site still available?

If a youth tests positive for COVID-19, current VDH guidelines still indicate sheltering in place as the best option to contain and minimize the spread of the disease. If you cannot have the child/youth remain in your program and the child/youth is in DCF custody, please contact the child/youth's FSW, the Specialized Services Unit, and your RLSI contact immediately.

The state has determined that Goddard College will not be used as a site for COVID-19 positive clients and instead will utilize the Chittenden Recovery Site in Burlington. If you anticipate any placement change, contact the Specialized Services Unit immediately.

7. What if the PNMI COVID-19 Rate Restructure has negatively impacted a program's funding?

Programs may apply for Extraordinary Financial Relief (EFR) if the PNMI COVID-19 Rate Restructure has negatively impacted their funding.

8. Can we admit or discharge youth from out-of-state?

On April 17, 2020, and in response to the Governor's extension of the executive order to shelter in place to May 15, 2020, FSD issued an updated ICPC/ICJ COVID memo allowing for approval of some out-of-state requests for placement. This memo can be found on the FSD COVID website: <https://dcf.vermont.gov/fsd/COVID19>

Please note this memo outlines several requirements for such requests, including that any pre-COVID approvals for residential care where the child/youth has not been placed must be re-submitted. RTP approvals are only valid for 30 days, and therefore if they were granted prior to COVID restrictions, they are no longer valid.

The following is a list of RTP regulations which have been modified in response to COVID-19. When possible, please document the scenario and response with a date and "due to COVID-19."

RTP Regulation 107: Application and renewal of RTPs will be postponed until after the Emergency Declaration, currently expiring on May 15, 2020. Programs must submit an application for renewal before your current licensure expires. Programs will be considered in good standing per Title 3 until further licensing action is taken. Programs may request documentation from RLSI for their records (License Continues Letter).

RTP Regulation 412 & 413: Fingerprint identification centers have ceased to operate within the state due to COVID restrictions, so RTPs are permitted to use Vermont Crime Information Center (VCIC) checks in lieu of NCIC Fingerprint Supported Background checks. Programs must also complete Vermont Child Abuse Registry and Vermont Adult Abuse Registry checks and request out-of-state child abuse registry checks for each state an employee has lived in within the last 5 years.

RTP Regulation 412: Programs may share previously hired and vetted staff with each other. FSD will honor the background checks completed by the sharing program as long as the staff person's employment has been continuous. The background check requirements listed above are still required.

RTP Regulation 116 & 601 – 603: RTP Regulations do not mandate specific staffing ratios. RLSI defers to a program to make a clinical assessment to balance the treatment needs of the residents with the staffing availability necessary to ensure the safety of the residents. Programs will assess the need to modify existing staffing patterns and ratios and notify RLSI according to RTP Regulation 116.

RTP Regulation 418: RLSI understands that programs cannot conduct initial physical restraint trainings due to the close, physical proximity required in restraint training. Annual recertification requirements may be extended for the duration of the COVID-19 crisis. The de-escalation portions of these modality trainings are still required. RLSI recommends there be at least one staff person working each shift who has been fully trained in physical restraints.

RTP Regulation 658 & 659: No program will be held in violation of RTP regulations for seclusion/isolation necessary due to COVID-19. This is also addressed in Act 91 adopted the week of 4/8/2020, found here:

<https://legislature.vermont.gov/Documents/2020/Docs/ACTS/ACT091/ACT091%20As%20Enacted.pdf>

Again, thank you for your service to Vermont's children and youth. We are in this together, so please reach out to your RLSI contact with any additional questions.

Sincerely,



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Residential Licensing & Special Investigations
DCF – Family Services Division



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