**Section 359.11 Limitation on Federal Financial Participation**

a)Beginning with the third week for which foster care maintenance payments are made on behalf of a child placed in a child-care institution, the Department will not receive Federal payments for amounts expended for foster care maintenance payments on behalf of the child unless:

1)the child is placed in a child-care institution that is:

A)a qualified residential treatment program (QRTP);

B)a setting specializing in providing prenatal, post-partum, or parenting supports for youth;

C)in the case of a child who has attained 18 years of age, a supervised setting in which the child is living independently; or

D)a setting providing high-quality residential care and supportive services to children and youth who have been found to be or are at risk of becoming, sex trafficking victims.(42 U.S.C. 672(k)(2)(A)-(D))or

2) the child is placed in a licensed residential family-based treatment facility with a parent who is in a licensed residential family-based treatment facility for substance abuse, and only when:

A)the recommendation for the placement is specified in the child's case plan before the placement;

B)the treatment facility provides parenting skills training, parent education and individual and family counseling; and

C)the substance abuse treatment, parenting skills training, parent education, and individual and family counseling is provided under an organizational structure and treatment framework that involves understanding, recognizing, and responding to the effects of all types of trauma and in accordance with recognized principles of a trauma-informed approach and trauma-specific interventions to address the consequences of trauma and facilitate healing; (See 42 U.S.C. 672 (j)(1)(A)-(C)), and

3)the child is placed in a qualified residential treatment program and the required assessment to determine the child's appropriate placement is completed within 30 days after the placement is made.

b) If the required placement assessment determines that the placement of a child in a QRTP is not appropriate, a court disapproves or a child who has been in an approved placement in a qualified residential treatment program is going to return home or be placed with a fit and willing relative, a legal guardian, or an adoptive parent, or in a foster family home or the child remains un the placement beyond the 30-day period necessary for the child to transition to the new placement. (42 U.S.C. 672(k)(3)(A)-(B))

(Source: Added at 48 Ill. Reg. 8346, effective May 21, 2024)