

# **GUIDANCE MANUAL**

## **Court Ordered and Medically necessary Placements of Students (COMPS)**

### **11-2019**

This guidance document has been created with the intent to clarify the process and procedures associated with court ordered and medically necessary placements of Wyoming students. The placements pertain to both in-state and out-of-state facilities that receive state funding from the Wyoming Department of Education (WDE) for education services delivered to Wyoming students while placed at the facility. The placement funding relates to youth placed by court order or verified as a medically necessary placement.

Wyoming Statute 21-13-315 authorizes the Court Ordered Placement of Students program. Wyoming Statute 21-13-336 authorizes the Medical Necessary Placement of Students. Chapter 14, rules and regulations, have been adopted effective July 2019.

There are currently three (3) state agencies involved with Wyoming youth placed at a facility, either court ordered or medically necessary, the Wyoming Department of Family Services (DFS), the Wyoming Department of Health (WDH), and the Wyoming Department of Education (WDE). All three state agencies have their specific processes and laws each must abide by, and comply with, in the respective eligibility, qualification, and funding methods. At this point, the general overview of each follows: the DFS is responsible for facility licensure, room and board; the WDH oversees medical issues such as Medicaid and verification of medical necessity; and, the WDE is responsible for approved payments related to delivered education services at WDE approved facilities. The WDE works with other facilities that receive placed students but do not receive WDE funds, for example, the Wyoming Boys School, the Wyoming Girls School, Juvenile Detention Centers, and the Wyoming Cowboy Challenge Academy.

The **documents** associated with **DFS** and its responsibilities when reviewing and licensing facilities include but are not limited to, the following:

- Specific Documents cited in Ch. 14: Chapter 7 and Chapter 10 of Administrative Rules for Certification of Providers of Substitute Care for Children; Chapter 3 of Denial, Non-renewal, Revocation or Suspension of License Rules for Certification of a Family Child Care Home (FCCH), Family Child Care Center (FCCC) or Child Care Center (CCC).
- The [Wyoming Department of Family Services](#) (DFS) website will take you to a list of programs and services overseen by DFS, including Child Protection Services (CPS).
- DFS provides a list of [Court-Ordered Youth Treatment facilities](#). Please note: this list is all-inclusive and does not differentiate which are WDE approved vs. DFS approved facilities, as these lists are not the same.
- [Resource Guide for Children, Youth, and Families](#).

The **documents** associated with **WDH** and its responsibilities include but are not limited to the following:

- Specific documents cited in Ch. 14: Wyoming Department of Health, Chapter 1, Wyoming Medicaid Rules; W.S. 35-2-905, Chapter 1 can be accessed at the Secretary of State's [Administrative Rules System](#).

- PRTF documents: Chapter 40, Freestanding Psychiatric Residential Treatment Facilities; Psychiatric Residential Treatment Facilities from WYhealth.
- Medicaid Requirement for Use of External Cause Codes.
- [Fee Schedule](#).

The **documents** associated with **WDE** and its responsibilities include but are not limited to the following:

- W.S. 21-13-315, W.S. 21-13-336: statutes authorizing court ordered placement of students program and medical necessary placement of students.
- [Special Education links, laws, forms](#), including the State Correctional Education Self-Assessment (SCES).
- W.S. 21-2-501; Wyoming Rule, Chapter 7: “Services for Children With Disabilities”.
- Invoice form: document can be found in appendices.
- [Annual Wyoming Cost Study for PRTFs, RTCs, Group Homes, and BOCES](#).
- Reminder to the WDE rate setting process, Ch. 14, Section 6: The mileage rate for transportation reimbursement is set by the Wyoming Governor. All supplemental aids and services provided to Wyoming Medicaid-covered youth that are eligible for reimbursement by Wyoming Medicaid must be billed to Wyoming Medicaid for payment. The Department shall not pay for related or supplemental services that are eligible for reimbursement by a private insurance plan or public benefit unless submitting a claim to private insurance would cause any expense to the child’s family or affect any future benefit.
- Additional Statutes: 21-20-101 – 22-20-111, Chapter 20, “Cooperative Educational Services”.
- [Student Ownership document](#) from Information Management team.
- [WDE-684 guidebook](#).
- Initial review protocol: please see document in appendices.
- Initial review itinerary: please see document in appendices.
- Initial review checklist: please see document in appendices.
- [WDE-450; Annual assurances form](#)
- Individual Learning Plan (ILP) or Academic Learning Plan sample: please see document in appendices.
- [AdvancED](#); accreditation for institutions/facilities. In August 2019, AdvancED and Measured Progress merged with the name change to [Cognia](#).

OTHER:

- [The Wyoming Judicial Branch](#) provides access to history, information, and training sessions from the Wyoming Judicial Branch – Children’s Justice Project (CJP); includes “Multidisciplinary Team Guidebook for Wyoming Juvenile Courts”, “A Handbook for Educators: Navigating Wyoming’s Juvenile Court System”.
- Wyoming Juvenile Justice Act: W.S. 14-6-201(c)(iii).