Medical and Mental Health Care Checklist

Note: *Physical (including immunizations), dental, vision, behavioral health, prescription drugs, and long-term services and supports for children in foster care are covered by Superior HealthPlan, contracted by HHSC to administer the STAR Health program.*

Eligibility

- ☐ All children in DFPS conservatorship and young adults in extended foster care or those young adults who have returned to extended foster care, through the month of the person's 22nd birthday. Tex. Fam. Code § 264.101(a-1)-(a-2)
- ☐ All young adults who turned 18 in foster care and received health care through Medicaid (STAR Health or other), but who did not return to extended foster care, are covered under STAR Health under the Affordable Care Act through the month of the person's 21st birthday, and STAR or STAR+PLUS Medicaid up to age 26 years. Pub. L No. 111-148 (Patient Protection and Affordable Care Act)
  - Former foster care children who are under the age of 21 years, but who are not eligible for the FFCC program because the youth did not receive Medicaid at the time they aged out of care, receive coverage through the Medicaid for Transitioning Foster Care Youth (MTFCY) program if they do not have other health care coverage and meet program rules.

Information Required in DFPS Permanency Review Hearing Court Reports:

- ☐ Nature of any emergency medical care provided to child and circumstances necessitating care, including injury or acute illness of child.
- ☐ All medical and behavioral health treatment child is receiving and child's progress with treatment (this includes ANY physical, dental, vision, behavioral health issues, and long-term services and supports).
- ☐ Any medication prescribed for child, condition, diagnosis, and symptoms for which medication was prescribed, and child's progress with medication.
- ☐ For child receiving psychotropic medication:
  - Any psychosocial therapies, behavior strategies, or other nonpharmacological interventions provided to child; and
  - The child has seen or is seeing their prescribing physician, physician assistant, or advanced practice nurse every 90 days.
- ☐ Degree to which child or foster care provider complied or failed to comply with any plan of medical treatment for child.
- ☐ Any adverse reaction to, or side effects of, any medical treatment provided to child.
- ☐ Any specific medical condition of child diagnosed or for which tests are being conducted to make diagnosis.
- ☐ Any activity child should avoid or engage in that might impact effectiveness of treatment, including physical activities, other medications, and diet.
- ☐ Other information required by DFPS or rule of court.

Tex. Fam. Code § 266.007

Medical and Mental Health Care Checklist

continued

Additional Requirements that Courts Should Monitor:

- ☐ Child has been provided the opportunity to comment on the medical care being provided. Tex. Fam. Code § 266.007(c)
- ☐ DFPS has provided notice to any parent who retains rights, and the parent's attorney if the parent is represented, of initial prescriptions or changes in dosage. Tex. Fam. Code § 264.018

Additional Requirements that Courts Should Monitor:

- ☐ Each GAL and AAL has reviewed the medical care provided to the child. Tex. Fam. Code §§ 107.002 (b-1), 107.003(b)(1)
- ☐ Each GAL and AAL has elicited from client his/her view on the medical care being provided. Tex. Fam. Code §§ 107.002(b-1)(2), 107.003(b)(2)
- ☐ AAL has advised youth 16 and older of the right to request medical consenter designation from the court. Tex. Fam. Code § 107.003(b)(3)
- ☐ Child received initial comprehensive, preventive Texas Health Steps medical checkup within 30 days of entering conservatorship.
- ☐ Child received 3-Day medical examination by the end of the third business day after the child is removed from the child's home, if the child was removed as the result of sexual abuse, physical abuse, or an obvious physical injury or has a chronic medical condition, a medically complex conditiont, or a diagnosed mental illness. Tex. Fam. Code § 264.1076(a), (b)(1)-(2).
- ☐ Child received a Texas Child and Adolescent Needs and Strengths (CANS) 3.0 behavioral health assessment within 30 days of entering conservatorship if aged 3-17 years.
- ☐ For youth 17 years or older taking medication, whether the youth's transition plan includes a program supervised by a health care professional to assist the youth with independently managing their medication. Tex. Fam. Code § 264.121(g)(2)