PURPOSE

The Michigan Department of Health and Human Services (MDHHS) pays for detention facility placements for Act 150 public wards using state ward board and care (SWBC) funds.

**Exception:** This policy does not pertain to youth who are not Act 150 public wards. The placements for those youth are entered in the electronic case management system as a detention - unpaid placement to ensure payment through a process outside of the electronic case management system.

Secure detention or jail is not to be used for neglect/abuse wards or MCI (Act 220 and Act 296) wards unless a delinquency complaint or petition has been filed and the judge has issued an order for detention; see Placement in Jail, Correctional, or Detention Facilities in FOM 722-03, Placement Selection and Standards.

Detention is the most restrictive placement available and does not provide rehabilitative treatment for juvenile offenders. The assigned case worker must ensure that alternatives to placement in detention are considered. When it is necessary to place a youth in detention, the restrictions on placement in detention must be followed in accordance with JJM 470, Detention Alternatives, Detention & Jail Requirements, and any violations must be reported.

ELIGIBILITY CRITERIA

The department will pay SWBC for detention in a court or county-operated facility beginning on the Act 150 commitment date for newly committed Act 150 public wards.

For other Act 150 public wards who require detention in a court or county-operated detention facility, the department will pay SWBC if the Act 150 public ward is placed in detention as a result of a MDHHS request, see court-ordered juvenile detention in JJM 470, Detention Alternatives, Detention & Jail Requirements, for more information on when juvenile detention may be recommended to the court as a temporary placement.

PLACEMENT DOCUMENTATION

When eligible for SWBC payments, the detention placement for an Act 150 public ward must be entered in the electronic case management system with a service code of 0760 - county detention.
- paid. If a youth is already in detention and later becomes an Act 150 public ward while placed, a new placement with the 0760 service code must be added effective the commitment date.

**Detention Beyond 30 Days**

If a youth is to remain in detention for more than 30 calendar days, a placement exception request (PER) must be completed in the electronic case management system and approved by the local office director or designee prior to the 30th calendar day. Use the juvenile detention or court treatment facility placement will exceed 30 calendar days PER for this scenario. If the request is denied, the youth must be moved from detention within five calendar days.

SWBC payments cannot be made to the detention center beyond 30 calendar days without the approved PER. Obtaining this PER timely also prevents extra steps as outlined in the example below.

**Example:** If the PER is not completed timely, the placement in the electronic case management system will automatically be ended and a new detention - unpaid placement is added. If the PER is later approved for those dates, the detention - unpaid placement must be marked created in error which will re-open the prior detention - paid placement. If subsequent placements have been added, those must be created in error.

**PAYMENT PROCESS**

**Note:** Payments funded by SWBC are made using the chargeback system; see [FOM 902-19, Chargeback System](#). A separate warrant for an individual youth's detention will not be issued. Detention is not a title IV-E reimbursable placement.

**Per Diem Rate**

The daily rate for detention includes the cost of providing food, shelter, ongoing clothing needs, personal incidentals such as personal allowances and school supplies, routine health, medical care, dental care, and routine transportation.

**Non-Routine Medical and Dental Costs**

Non-routine medical expenses and dental treatments such as psychiatric medication, emergency room care, and tooth extraction are not included in the detention per diem rate. Such costs are paid in the electronic case management system for youth placed with
MDHHS through either their abuse/neglect or delinquency case. These payments are not limited to Act 150 youth. The process for payment of medical and dental expenses outlined in FOM 903-09, Case Service Payments, also apply to youth in detention. These costs are then included in the chargeback to the responsible fiscal county.

**Invoice**

The detention facility must send an invoice to the local office that placed the youth in detention. All invoices must be reviewed for approval and signed by the local office juvenile justice specialist and supervisor. Approval and signature indicate that the number of days charged is correct.

**Example:** The youth is placed in detention June 7th through June 9th. Payment is made for the night of June 7th and June 8th. The total number of nights (billable days) the youth was placed in detention is two days.

The approved invoice must align with an approved service authorization in the electronic case management system.

**Invoice Submission**

Invoices from the court or county operated detention facility must include the following information, which may be handwritten on the invoice by the local office:

- The youth's electronic case management system person ID.
- The electronic case management system case ID.
- Legal status and Act 150 commitment date.
- Signature of the juvenile justice specialist and supervisor.

Invoice only when all appropriate documentation in the electronic case management system has been completed and approved. This includes:

- *Detention - paid* placement.
- Approved service authorization.
- Approved PER for detention beyond 30 days.

Email the invoice with approval signature by a supervisor to MDHHS-county-chargeback@michigan.gov.
This same placement and payment procedure is used for Act 150 public wards placed in court or county-operated treatment facilities.

Youth placed at Bay Pines or Shawono Center must have a referral through the Juvenile Justice Assessment Unit (JJAU). If the provider accepts the youth, the JJAU creates the placement in the electronic case management system. The worker then routes the service authorization for approval to ensure payment is made.

The Youth Rehabilitation Services Act, 1974 PA 150, as amended, MCL 803.302(c) defines a "public ward" as "a youth accepted for care by a youth agency who is at least 12 years of age when committed to the youth agency by the juvenile division of the probate court or the family division of circuit court under section 18(1)(e) of chapter XIIA of 1939 PA 288, MCL 712A.18, if the court acquired jurisdiction over the youth under section 2(a) or (d) of chapter XIIA of 1939 PA 288, MCL 712A.2, and the act for which the youth is committed occurred before his or her eighteenth birthday" or "a youth accepted for care by a youth agency who is at least 14 years of age when committed to the youth agency by a court of general criminal jurisdiction under section 1 of chapter IX of the code of criminal procedure, 1927 PA 175, MCL 769.1, if the act for which the youth is committed occurred before his or her eighteenth birthday."

Policy clarification questions may be submitted to MDHHS-federalcompliance@michigan.gov.

The electronic case management system job aid: Entering Paid Detention and Paid Court Treatment Facility.