

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

POLICY GUIDE 2020.14

SECURE TRANSPORTATION SERVICES

**DATE:** October 2, 2020

**TO:** All DCFS and POS Staff, Supervisors and Managers and DCFS Licensed Congregate Care Providers

**FROM:** Marc D. Smith, Acting Director

**EFFECTIVE:** Immediately

**I. PURPOSE**

Youth in DCFS care are regularly transported to various locations, including appointments, schools, and family visits. Typically, transportation is by car, and a caseworker or caregiver drives the youth from one location to another. An Ambulance should be called to transport youth in DCFS care in the event of a medical or psychiatric emergency.

The purpose of this Policy Guide is to identify those very limited circumstances when it is determined to be unsafe for a youth, who presents as a risk of harm to themselves or others, to be transported by a caseworker, caregiver or public transportation to an authorized placement, including temporary placements such as shelters, and Secure Transportation Services instead are appropriate.

This Policy Guide outlines procedures for requesting and obtaining approval for Secure Transportation Services with or without the use of Soft Restraints, when applicable. This Policy Guide pertains to the limited circumstances in which DCFS will approve Secure Transportation Services.

*Under no circumstances shall any agent or employee of DCFS, any agent or employee of any provider, or any transportation company designated to transport youth in DCFS care use Mechanical Restraints of any kind, including without limitation metal handcuffs, shackles or zip ties, when transporting any youth in DCFS care. This prohibition applies to all forms of such transportation, including Secure Transportation Services. Only after approval has been obtained through this policy may Soft Restraints be applied during a Secure Transport. No other forms of restraint are acceptable.*



## **II. PRIMARY USERS**

All DCFS and POS Staff, Supervisors and Managers and DCFS-licensed Congregate Care Providers and contracted providers of transportation services.

## **III. DEFINITIONS**

“Ambulance” means a vehicle authorized by the Emergency Medical Services (EMS) Director pursuant to the Emergency Medical Services (EMS) Systems Act [210 ILCS 50]. For the purpose of this policy guide, transportation in an ambulance includes the usage of soft restraints for the protection and safety of the youth.

“DCFS Consulting Psychiatrist” means a psychiatrist with whom DCFS has a contract for consulting services.

“Mechanical Restraints” means any device, material or equipment (including but not limited to straight jacket, arm/leg restraints, four-point restraints, and zip ties), other than personal physical force, used to immobilize or directly restrict the limbs, head or body of a youth. Mechanical Restraints does not include:

child restraint systems as defined in the Child Passenger Protection Act or devices for medical immobilization, adaptive support, or medical protection, such as orthopedically prescribed devices, straps or protective helmets. For the purpose of this policy, Soft Restraints are excluded from this definition.

“Safety Car” means a vehicle that has all vehicle door locks controlled by the driver and inoperable by passengers in the front or back seats of the vehicle, and that is staffed with two Transporters. A Safety Car may include a partition separating the front and back rows.

“Secure Transportation” is defined as transport by a transportation company via Safety Car, Ambulance or other similarly secured vehicle that involves having all vehicle doors locked by the driver and inoperable by passengers in the front or back seats of the vehicle. Secure Transportation requires at least two Transporters and includes both in-state and out-of-state travel.

“Soft Restraints” means a soft material or fabric that is padded and designed to safely fit around the limbs of an individual to limit mobility in order to prevent self-harm or harm to others.

“Transport Provider” means the operator of an Ambulance or Safety Car service contracted by DCFS to provide Secure Transportation for youth in care.

“Treating Psychiatrist” means a psychiatrist who has a current relationship with and has met in person with the youth within the last six months.

“Transporter” means an employee of the transportation company responsible for safely transporting youth in care.

#### IV. WHEN SECURE TRANSPORTATION SERVICES MAY BE REQUESTED

DCFS has determined there are only three circumstances in which Secure Transportation Service is appropriate for youth in DCFS care. Documentation and DCFS approval are required for each, as described in this Policy Guide. The three circumstances are:

- 1) if a court enters an order requiring the use of Secure Transportation Service for transporting a youth;
- 2) if, based on a youth's mental health needs, the Treating Psychiatrist prescribes the use of Secure Transportation Services and attests that this is the least restrictive means in the best interests of the youth; or
- 3) if, in exceptional circumstances, the DCFS Director approves the use of Secure Transportation Services after a Critical Decision has been made and documented in SACWIS and an attestation has been provided by a DCFS Consulting Psychiatrist that the requested transportation method is the least restrictive means in the best interests of the youth.

The use of Soft Restraints for the protection of the youth during transport is prohibited unless authorized as described in this Policy Guide. **Under no circumstances shall any Transport Provider designated to transport a youth in DCFS care use Mechanical Restraints of any kind when transporting the youth.**

#### V. CRITICAL DECISION ABOUT SECURE TRANSPORTATION SERVICES

- a) The caseworker and supervisor can pursue Secure Transportation in the very limited circumstances when no less restrictive means is in the best interests of the youth, and it is unsafe for a youth, who presents as a risk of harm to themselves or others, to be transported by a caseworker, caregiver or public transportation to an authorized placement, including temporary placements such as shelters. In these instances, the case shall be staffed with the area administrator and regional administrator in consultation with Clinical and Child Services staff. If a POS case, the case shall be staffed with the Deputy Director of Permanency, or designee, in consultation with Clinical and Child Services staff. The outcome shall constitute a Critical Decision and shall be recorded in SACWIS.
- b) If the Critical Decision is in favor of the need for Secure Transportation, one of the following must be secured or in the file:
  - 1) a Treating Psychiatrist's written order for Secure Transportation;
  - 2) a written court order requiring the use of Secure Transportation, with or without Soft Restraints; or
  - 3) written approval from the DCFS Director when exceptional circumstances exist. (See Section VI below.)

## VI. PROCEDURES FOR FACILITATING SECURE TRANSPORTATION SERVICES AFTER CRITICAL DECISION

### a) How to Request Secure Transportation Services

#### 1) With Court Order or Youth's Treating Psychiatrist's Order

The DCFS/POS Permanency Worker and Permanency Supervisor shall:

- A) Complete and sign the **CFS 417-F, Request for Secure Transportation Services**.
- B) Attach all supporting documentation, including the Critical Decision, copy of the court order and/or the Treating Psychiatrist's order to the **CFS 417-F**.
- C) Email the signed **CFS 417-F** with all required signatures, orders and supporting documentation to the Clinical Placement Administration mailbox ([DCFS.ClinicalRef@illinois.gov](mailto:DCFS.ClinicalRef@illinois.gov)).

#### 2) Requesting DCFS Director Authorization in Exceptional Circumstances

When a youth may need Secure Transportation Services but there is no court order or order of a Treating Psychiatrist available in the time available before the transportation is to occur, the DCFS/POS Permanency Worker and Permanency Supervisor shall:

- A) Complete and sign the **CFS 417-F, Request for Secure Transportation Services**.
- B) Attach all supporting documentation and Critical Decisions to the **CFS 417-F**.
- C) Email the signed **CFS 417-F** with all required signatures, orders and supporting documentation to the Chief Deputy Director of Operations, or designee, for approval and presentation to the Director.
- D) The Director approved **CFS 417-F** with all required signatures, orders and supporting documentation shall be emailed to the Clinical Placement Administration mailbox ([DCFS.ClinicalRef@illinois.gov](mailto:DCFS.ClinicalRef@illinois.gov)).

b) **Secure Transportation Coordination Process**

**Secure Transportation Coordination.** The DCFS Associate Deputy Director of Clinical Placement Administration, or designee, shall immediately review the **CFS 417-F** and supporting documentation and assign a clinical placement coordinator to facilitate a staffing with the relevant stakeholders to coordinate the transportation plan. The following relevant stakeholders **must** be invited:

- DCFS/POS Permanency Worker and Permanency Supervisor\*
- DCFS General Counsel (or designee)
- DCFS Guardianship Administrator (or designee)
- the youth (as age appropriate)
- the youth's guardian ad litem
- authorized personnel from the discharging and receiving facilities\*
- authorized representative from the Transport Provider\*

\* Indicates mandatory participants

For emergency discharges or moves involving fewer than two days' advanced notice, the staffing must be held within 24 hours of receiving the completed **CFS 417-F** and supporting documentation.

The purpose of the staffing is to:

- discuss the circumstances around the need to transport this youth;
- ensure all required documents have been completed, signed and attached;
- ensure the youth's medication list is up-to-date and any medical and/or special needs (e.g., mental health, hearing impairment, language) are identified for the receiving facility;
- identify the youth's legal status (e.g., probation, parole, pending charges);
- identify any necessary precautions that must be taken to ensure the youth is transported safely;
- determine the least restrictive means in the best interests of the youth for transport including the potential use of approved Soft Restraints;
- identify who will be present when the Transport Provider arrives to transport the youth;
- identify the person with whom the youth has a relationship who will accompany the youth during the transport and note the nature of the relationship, if possible;
- document any unresolved disagreements among participants in the staffing regarding the transportation plan; and
- complete the **CFS 417-F-1, Secure Transportation Services Staffing Sheet**. The Staffing Sheet must include the names and titles of each person who will be present when the Transport Provider arrives to transport the youth, and when the Transport Provider and youth arrive at the arranged destination, and whether those persons participated in this staffing.

After the staffing, the Associate Deputy Director of Clinical Placement Administration, or designee, must complete the remainder of the **CFS 417-F**. The Staffing Sheet must be attached to the **CFS 417-F**.

c) **Final Approvals**

**Secure Transportation without Soft Restraints:**

- 1) The Deputy Director of Clinical Practice, or designee, shall sign the completed **CFS 417-F**, and email the **CFS 417-F**, Staffing Sheet and all supporting documentation for final review and approval to the Chief Deputy Director of Clinical and Child Services.
- 2) The Chief Deputy Director of Clinical and Child Services shall provide the final approval permitting Secure Transportation without Soft Restraints.

**Secure Transportation with Soft Restraints:**

- 1) The Deputy Director of Clinical Practice, or designee, shall sign the completed **CFS 417-F**, and email the **CFS 417-F**, Staffing Sheet and all supporting documentation for final review and approval to the Chief Deputy Director of Clinical and Child Services.
- 2) The Chief Deputy Director of Clinical and Child Services, or designee, shall email the completed **CFS 417-F** to the DCFS Guardianship Administrator, Chief Deputy Director of Operations, General Counsel and Chief Deputy Director for review and approval.
- 3) The DCFS Chief Deputy Director shall provide the final approval permitting Secure Transportation with Soft Restraints.

d) **Changes Require an Addendum and Approval of DCFS Chief Deputy Director**

Proposed changes to the approved Secure Transportation request must be submitted as a written addendum to the **CFS 417-F** and approved by the DCFS Chief Deputy Director of Operations and DCFS Chief Deputy of Clinical and Child Services, before being submitted for final approval to the DCFS Chief Deputy Director.

When an addendum is approved, the Associate Deputy of Clinical Placement Administration, or designee, shall contact the Transport Provider by phone before the Secure Transportation occurs to verbally relay the information in the addendum and provide the company with a copy of the addendum. The Transport Provider shall sign and return the addendum as acknowledgment and affirmation to adhere to the addendum.

## **VII. ADDITIONAL REQUIREMENTS PRIOR TO SECURE TRANSPORTATION OF YOUTH**

- 1) **Notice to the Youth is Required When Soft Restraints Are Authorized.** The Permanency Worker must verbally notify the youth that the court or the youth's Treating Psychiatrist and/or DCFS Director has approved Secure Transportation Services with the use of Soft Restraints on the date shown on the **CFS 417-F**. The Permanency Worker must document the notice in a case note in SACWIS.
- 2) **Notice to the Secure Transportation Provider.** The Associate Deputy Director of Clinical Placement Administration, or designee, shall provide the approved **CFS 417-F** to the Transport Provider. The Transport Provider shall sign and return the approved **CFS 417-F** as acknowledgment and affirmation to adhere to the transportation plan.
- 3) If the youth is being discharged from a DCFS-licensed congregate care facility, the Associate Deputy Director of Clinical Placement Administration, or designee, shall also email the approved **CFS 417-F** to the discharging facility.

## **VIII. NEW AND/OR REVISED FORMS**

- **CFS 417-F, Request for Secure Transportation Services (Rev. 10/2020)**
- **CFS 417-F-1, Secure Transportation Services Staffing Sheet (New 10/2020)**

## **IX. QUESTIONS**

Questions regarding this Policy Guide may be directed to the DCFS Office of Child and Family Policy at 217-524-1983 or via Outlook at DCFS.Policy. Non-Outlook users may e-mail questions to DCFS.Policy@illinois.gov.

## **X. FILING INSTRUCTIONS**

File this Policy Guide behind Rules 384, Behavior Treatment in Residential Child Care Facilities.

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