

**NON-SCHEDULED PAYMENTS DHS-634**

Several special need items may be provided as specified below. Payments for these items will in most cases be made to the foster parents, agency providing care for the child, or provider of the service and are to be authorized by the DHS-634, Non-Scheduled Payment Authorization, in SWSS-FAJ.

All DHS-634s must have manager approval. Some may also require local office director or designee approval. Only those non-scheduled payments that require program office approval must be forwarded to central office. All others must be processed online locally, using the DHS-634 payment authorization transaction, in SWSS-FAJ.

**Reasons For Non-Scheduled Payments**

Unless otherwise specified, the non-scheduled payment categories are applicable to all children who are placed with or committed to the department by the court and those children who are receiving Limited Term Foster Care funding.

**Initial Clothing Payment Authorization**

An allowance for incidental clothing needs is included in basic foster care payments. This allowance assumes that the child enters care with a basic wardrobe. The foster care worker must make every effort to obtain available clothing from the child's own home or previous placement.

When a youth first enters DHS foster care without a basic wardrobe, needed clothing may be purchased during the first six months of care if the need is documented by completion of the DHS-3377, Clothing Inventory Checklist. The cost of the clothing must be within the maximum found in FOM 905-3 and listed below. Enter the service code 0800 and SWSS-FAJ will compute age and generate the correct service code based on the age of the youth. The maximum clothing allowance will be issued unless a lesser amount is authorized.

Age of Child	Initial Clothing Allowance Maximum	Service Code 0800
00 - 05 years	\$210	0801
06 - 12 years	\$310	0802
Ages 13 +	\$500	0803
Ward child	\$210	0804

Initial clothing payments are to be a supplement only. It is not an automatic allowance for every youth entering care. The DHS-3377, Clothing Inventory Checklist, must be completed and filed in the youth's case record to document need.

The portion of the daily rate intended for clothing is for incidental clothing needs through the year; see FOM 905-3 for amounts.

### The Semi-Annual Clothing Payment

The semi-annual clothing payment is made automatically each September and March to provide for seasonal clothing needs for children in family foster care. Both rates have been established on the premise that a child has an average wardrobe at the onset of foster care.

- Semi-annual clothing payments are not made to children in independent living arrangement or in private institutional care. Their basic daily rate includes the full clothing allowance.
- Semi-annual clothing payments are sent with the regularly scheduled foster care payments. The statement of payments lists the name and amount of the clothing allowance for each child whose clothing needs are included in the check. Each child in foster family care for whom payment is authorized on February 28, and August 31st, respectively will receive this clothing allowance.

**Note:** No DHS-634 is needed for this automatic payment.

### Special Clothing Authorizations

Special clothing authorizations are approved only in unusual need situations and for emergencies. Emergencies include loss of clothing in a fire or other natural disaster. Emergencies do not include growth spurts. Reason for the special need and the DHS-3377, Clothing Inventory Checklist, must be filed in the youth's record and a copy attached to the DHS-634.

Special clothing authorizations must not exceed the maximum amounts listed in FOM 905-3, and require program office approval. Enter service code 0820 in SWSS-FAJ. SWSS-FAJ will compute the youth's age and assign the correct code. Forward the DHS-3377 and DHS-634 to the Foster Care Program Office for approval and processing.

Age of Child	Special Clothing Allowance Maximum	Service Code 0820
00 - 05 years	\$210	0821
06 - 12 years	\$310	0822
Ages 13 +	\$500	0823
Ward child	\$210	0824

The contracts with private child care institutions and placement agency foster care providers include the following requirements:

- DHS must ensure adequate clothing, as defined on the DHS-3377, upon entering into the agency/facility's care.
- The agency/facility must maintain this adequate clothing.

If the child moves from one agency/facility to another and does not have adequate clothing, a special clothing allowance may be issued. How-

ever, the amount of this allowance must be recouped from the previous agency/facility. In these instances, a memo is to be sent to Foster Care Program Office, providing details for the recoupment.

**Note: Serviceable clothing must be considered the property of the youth and a concerted effort must be made to move all clothing with the youth when a change in placement is made.**

### School Tutoring (Service Code 0805)

Educational services must be provided by the local school district.

Some tutoring that the school district is not required to provide under the Special Education Act may be provided to children, age 7 and older, in family foster care. This tutoring must be for the purpose of raising a failing grade in a class(es) and recommended in writing by the child's teacher. The teacher must identify the subject(s) in which the student needs remedial assistance and an estimate of the length of time tutoring will be needed.

Tutoring must occur outside of regular school hours, and must not exceed 10 hours per week, with a maximum rate of \$15.00 per hour.

A request by a foster parent or placement agency foster care provider for payment of tutoring must be submitted and approved by the local DHS in advance of the provision of the tutoring. After such approval, payment may be authorized, from the child's board and care funding source, upon receipt of a bill or invoice from the tutor which itemizes dates, hours of tutoring and rate. Payment is authorized in SWSS-FAJ using the DHS-634, Payment Authorization Transaction. The billing document must be filed in the case record. **Reimbursement is made directly to the foster parent or placement agency foster care provider, not the person providing the tutoring.**

Tutoring may be authorized for a maximum of one school term/semester. A progress report from the child's teacher which evaluates the results of, and need for continued tutoring must be provided to the local DHS. Additional tutoring may be authorized if the teacher's progress report indicates the need for continued remedial assistance and an estimate of the additional amount of time needed.

The costs of private school tuition, advanced placement fees, etc. are not tutoring and are not a non-scheduled payment reason. If the expense is beyond the financial scope of the child and the provider, efforts must be made to obtain funding through community resources such as those listed in FOM 903-11, for Youth in Transition funding; see FOM 950.

**Driver's Education (Service Code 0832)**

The expense of a driver's education course may be paid for **state wards**. The fund source is State Ward Board and Care, and it requires manager approval. The request must be authorized to the foster parent, placement agency foster care provider or the youth. Payments for drivers training can not be paid directly to the driving school. The maximum allowed is \$300.00. Temporary and court wards driver's education may be paid through County Child Care funds, other community resources, or Youth in Transition (YIT) funds after all other potential resources have been exhausted, provided the youth meets the eligibility requirements for YIT; see FOM 950.

**Costs for Enrichment Expenses**

Preschool, summer school (**Note:** Summer school classes may be paid for **state ward** only.), summer camp, school trips, karate, skating, dancing lessons, band instrument rental or summer football program are included in the child's daily rate and therefore **not** a non-scheduled payment item. However, if the expense of the above is beyond the financial scope of the child and the provider, efforts should be made to obtain funding via community resources such as are listed in FOM 903-11.

**Graduation Expenses****(Service Code 0806)**

Most if not all, educational needs should be provided by the school district. However, graduation expenses; such as class rings, senior pictures, prom attire, and announcements, may be reimbursed as follows; using the DHS-634, Non-scheduled Payment Authorization Transaction, in SWSS/FAJ each of the following is done separately.

- **Tuxedo rentals and dress purchases** under \$100 are Foster Care fund reimbursable for wards attending their senior prom.
- **Senior cap and gown rental** and other incidental graduation expenses including announcements can be reimbursed up to a total of \$100.00.

**(Service Code 0830)**

- **Senior class rings** are reimbursable up to a limit of \$100.00. Consideration by the specialist is to be made regarding what is an appropriate amount spent for the ward based on what the youth's peers and their families are doing (or would do) in this regard and what the foster parent would spend for their own children.
- **Senior pictures** are covered under Youth in Transition funds provided the ward is YIT program eligible; see FOM 950. The request for payment is made on an DHS-1291; see ACM 426, through the local office accounting, and documented on an DHS-4713, Service

Youth Profile Report, which accompanies the request for payment, and processed through the local accounting unit.

**Medical Expense - (Service Code 0825)  
(State Wards Only)**

Most medical treatment for children in foster care is covered by the MA Program. Some medical services not covered by MA may be available to state wards committed under Act 150, Act 220 or Act 296.

Prior to submitting requests for reimbursement of any medical expenditures, the possibility of private medical insurance, EPSDT or Medical Assistance (MA) payment is to **always** be pursued. **Only** those medical needs which cannot be met through insurance, EPSDT or the MA program are authorized. Documentation of the need, the reason insurance, EPSDT or MA is not available and a copy of the MA rejection notice must be kept in the case record and a copy must be included with the DHS-634 sent to the Foster Care Program Office for approval. Payments may be made directly to the provider, if that provider is enrolled on Model Payments.

**Medical needs not covered by MA cannot be paid from Title IV-E funds.** Court wards are to be referred for payment of non-MA covered medical expenses from county Child Care Funds. State Ward Board and Care must be used for non-MA covered dental expenses for State Wards (MCI, MCI-O, Act 150), and:

- **Glasses** - (and other non MA approved corrective appliances) A copy of the Medicaid rejection letter must be attached. This is not to be used for frame upgrades, contact lenses, etc.
- **Prescriptions** - An DHS-634 may be used to reimburse for individual prescriptions of over \$15.00 and other incidental medical costs unavailable through MA. A copy of the Medicaid rejection letter must be attached to the request for payment.

**Dental Treatment - (Service Code 0826)  
(State Wards Only)**

Most dental treatment for children in foster care is covered by the MA Program. Some dental services not covered by MA may be available to state wards committed under Act 150, Act 220 or Act 296.

**Dental needs not covered by MA cannot be paid from Title IV-E funds.** Court wards are to be referred for payment of non-MA covered dental expenses from county Child Care Funds. State Ward Board and Care must be used for non-MA covered dental expenses for State Wards (MCI, MCI-O, Act 150).

When needed dental services for state wards cannot be provided through MA funding, prior approval from the local office director is necessary for expenses that exceed \$250.00. This approval and the follow-

ing documentation are to accompany the payment authorization, and be forwarded to Foster Care Program office.

The request must include a narrative by the foster care worker explaining the effect the dental need has on the child's physical, psychological and social functioning and the reason MA is not providing this funding.

**Orthodontic  
Treatment (State  
Wards Only)**

**(Service Code 0826)**

Orthodontic treatment may be covered by MA if the child is enrolled in the Department of Community Health's Children's Special Health Care Services Plan Division.

Payment to cover the cost of obtaining an estimate for orthodontic treatment may be authorized without prior approval, via a DHS-634, Foster Care Non-Scheduled Payment Authorization.

If orthodontic treatment is the dental service required, prior approval from the local office director or designee is necessary. A written request must be submitted that includes a narrative by the specialist addressing the following:

- The effect the orthodontic need has on the child's physical, psychological and social functioning.
- The permanency plan for the child.
- How treatment will continue if the child is adopted, changes placement or is discharged from the system.
- A treatment plan from the proposed orthodontic provider that includes:
  - The presenting dental condition.
  - How the treatment will correct the presenting condition.
  - Time line for treatment.
  - The expected treatment outcome.
  - Statement of total cost (including any extractions).

**Note:** Do not initiate orthodontic treatment until written approval is given.

The maximum allowable rate for orthodontic treatment is \$5,000.00. Exceptions to this maximum rate must be submitted to the Federal Compliance Office-Funding Unit, Suite 501, Grand Tower Building, for approval.

If a state ward is expected to be adopted during the course of the orthodontic treatment, the foster care worker needs to consult with the adoption worker about the remaining payment. If the child is eligible for

adoption subsidy, it may be possible for medical subsidy to cover the amount owed to the orthodontic provider, after the child is adopted, if the amount does not exceed \$3,500.00. These discussions need to occur at the beginning of orthodontic treatment to ensure that the necessary application is made and processed for medical subsidy. Otherwise, the foster care worker must continue to submit the remaining DHS-634, Foster Care Non-scheduled payments, quarterly if the foster care case is closed.

### Mental Health - Psychological Evaluation

#### (Service Code 0808)

The maximum allowable amount for a psychological evaluation is \$300.00. The DHS-634 request must have the foster care worker and manager signature. An exception to the \$300.00 maximum may be granted based on specific case needs and manager approval up to \$500.00.

**Note:** The DHS-93, Medical Service Authorization, may also be used; see PSM 713-5 if the evaluation is for a forensic purpose.

If Community Mental Health services are not available, State foster care funds may be used for **children** who are in DHS supervised family foster care or a placement agency foster care provider's general foster care program and whose family foster care is funded through Title IV-E or State Ward Board and Care funds. No payments are available through the state foster care account for the evaluation or treatment of parents of the children defined above or for children whose board and care is not funded through the foster care account.

If the preceding conditions are met, a DHS-634 may be processed on SWSS for payment of these services. The provider must be enrolled on Model Payments by Central Office prior to payment(s) being made once the manager approves the authorization in SWSS.

For YIT eligible youth seeking services after their foster care case closed, but before age 21, see FOM 950.

### Transportation

#### (Service Code 0809)

- **Transportation Reimbursement Rates:** All reimbursable transportation expenses and rates are to be based on Michigan Standardized Travel Regulations currently in effect.
- **If the transportation is for medical reasons,** and meets the definition of Essential Medical Transportation, Medicaid can fund the transportation. See MA transportation BAM 825 for listing of situations which are covered.

When billing the MA program, the following payment procedures apply to child welfare cases:

- Foster care workers verifies the need for medical transportation in the Initial Service Plan or the Updated Service Plan.
- Foster care workers completes the DHS-1291, Local Payment Authorization, the MSA-4674(A), Medical Transportation Certification, and forwards to the local office accounting unit for payment to the transportation provider.
- This includes any child in family foster care purchased from a placement agency foster care agency. The DHS monitor should follow the above procedures for Medical Transportation.
- **Routine Transportation** which a parent would normally provide for their own child (for example medical and dental appointments, school conferences, etc.) is covered in the age appropriate per diem reimbursement rate. No additional reimbursement is available. For school related transportation payment assistance refer to School Transportation Payment Process (in this section of FOM).
- **DHS Supervised Foster Parent Transportation:** Transportation provided for a child to parental visits (parenting time), special long distance medical appointments (not covered by MA), which are required as part of the service plan are reimbursable. Preparatory visits for a child's replacement are also included.

**Note:** Indicate under Item 25 of the DHS-634, Remarks, the reason or reasons for transportation.
- **Payment of transportation cost of a parent to attend parenting time** with a youth in an DHS supervised placement is paid via an DHS-1582CS at state rates.
- **Meals and lodging costs** for a youth in a home or facility when care is needed away from the regular placement can be included with the transportation payment provided by the foster parent as listed above. Such reimbursement cannot exceed established state reimbursement rates for volunteers.
  - Predictable transportation costs are covered through the process of determining a Determination of Care Supplement, (DHS-470, 470A, or 1945).
  - If the transportation provided by the foster parent is a one-time need, the foster parent may be reimbursed through the use of the state/local funding source appropriate to the child's legal status; such as County Child Care fund for court wards or State Ward Board and Care for MCI or Act 150 wards.

- **Placement agency foster care Family Foster Care Transportation:** If the transportation is for a child placed in family foster care purchased from a placement agency foster care provider:
  - The cost for transportation for parental visits (parenting time) is the placement agency foster care provider's responsibility since this is a requirement in the master contract.
  - Routine transportation which a parent would normally provide for their own child (for example, medical and dental appointments, school conferences) is covered in the age appropriate per diem reimbursement rate. No additional reimbursement is available.
  - Predictable transportation costs are covered through the process of determining a Determination of Care Supplement, (DHS-470, 470A, or 1945).
  - If the transportation is a one-time need, the department may be reimbursed for foster parent provided transportation through use of the state/local funding source appropriate to the child's legal status; such as County Child Care fund for court wards or State Ward Board and Care for MCI or Act 150 wards.
  - If the transportation is a one-time need and the foster parent does not provide the transportation, there is no additional payment available. This cost is included in the establishment of the agency's administrative per diem rate.
- **Private Residential Care Transportation:** If the transportation is for a child placed in private residential care, that residential agency is responsible for **all** costs of transportation within its geographical area of service. The cost is included in the established per diem reimbursement rate.
- **In placement change transportation situations**, an hourly wage may be authorized when a state ward or title IV-E funded court ward must be moved from one residential setting to another. When an hourly wage is paid, the person is a paid conveyor. Depending on the specific placements involved, payment is through either the Delinquency Services Conveyance Program Cost Account (for example, movement from detention to training school) or the County CSS&M Program Cost Account (for example, movement from one private child caring institution to another) and is to be authorized using the DHS-1582CS. Attendant services may also be authorized if necessary; see AHA 801-2, Administrative Handbook manual Accounting & Travel. These vouchers are to be sub-

mitted directly to Accounting, Travel Unit. **They are not paid through the foster care payment system.**

When the DHS-1582CS is utilized, the procedures in AHA Items 801-2 and 805 are to be followed. If the DHS-1582CS is not signed by the transportation provider, a statement or bill is to be attached. A federal ID or Social Security number must be shown. Indicate in item #11 of the DHS-1582CS in bold letters, "Planned Foster Care Transportation," the ward's name and case number and the reason (for example, placement change).

- **Bus and Air Tickets:** When appropriate, public transportation must be used. Bus and air tickets are to be secured as outlined in the AHA Items 841 and 840.
- **Travel for out-of-state placement** must be arranged through the Interstate Services Unit in the Children’s Services Administration.
- **Uncovered Transportation:** If there are other transportation needs not covered, contact the local volunteer services unit. Funds are available for volunteers to meet other transportation needs.

**Assisted Care**

**(Service Code 0810)**

Available for youth with determination of care (DOC) Level II or above. Local office director approval required. An explanation and requirements are found in FOM 903-3. This payment can be authorized locally using the CFC-634, Payment Authorization Transaction, in SWSS-FAJ, and requires manager approval in SWSS. Payment is to be authorized directly to the foster parent or placement agency foster care agency, **not** the assisted care provider.

**Foster Care  
Permanency  
Reimbursements**

<b>Six separate payments fall under this category</b>	
Teen Placement Payment	(service code 0813)
Teen Maintenance Payment	(service code 0814)
Initial Placement Payment	(service code 0815)
Delayed Performance Standard Payment	(service code 0816)
Delayed Sustained Action Payment (6 months)	(service code 0817)
Delayed Sustained Action Payment (12 months)	(service code 0818)
Same School Payment	(service code 0812)

**This program ended April 30 2005.**

These are an incentive payments for the Foster Care Permanency Performance Based Payment System. Only (Wayne County staff were able to enter these service codes, for participating Child Placing Agencies, identified by Model Payments number. These payments were authorized locally using the CFC-634 payment authorization transaction, in SWSS-FAJ. There must have been an DHS-626 payment authorization with a service pay code of 0784 to the provider to make an incentive payment.

**Exceptional Request****(Service Code 0827)**

Other unique situations which require program office approval (example; bed hold, payment of foster parent legal fees). This does not include home remodeling, damages, or excessive phone bills etc.

**Out-of-State School Tuition****(Service Code 0831)**

Some states require payment of school tuition of non-residence in child caring institutions or foster care. Tuition for state wards placed out-of-state may be paid only if the child's local school district refuses to make payment. In most cases the school district the child resides in (out of state) covers the cost of the youth's education. Must be done in SWSS or a DHS-634 with manager approval, then program office approval.

**Service Code Adjustment****(Service Code 0829)**

In a case situation where a youth has been incorrectly authorized payment at a lower rate, such as general foster care and he/she should have been authorized at the specialized rate, this is the code to use to make the correction. Documentation in the case file must clearly indicate that the youth was approved for the higher rate and received services provided at the higher rate like specialized foster care. This adjustment can only be done for one authorization period at a time.

**OTHER PAYMENT REIMBURSEMENTS**

The following payments are not processed on a DHS-634, Non-scheduled Payments.

**SCHOOL TRANSPORTATION PAYMENT PROCESS**

Pursuant to the Fostering Connections to Success and Increasing Adoptions Act of 2008 (PL 110-351), children in foster care must have the ability to maintain school enrollment in the school they attended prior to removal from their home. When it has been determined to be in their best interest to remain in their school, the assigned foster care worker must first access transportation resources made available through the school district and the McKinney-Vento Act (refer to FOM 722-6, Educational Services for Foster Care).

When transportation provisions are no longer available through the McKinney-Vento Act, reimbursement or payment for the cost of this special transportation must be completed utilizing the DHS-1582-CS, Children’s Services Payment Authorization. Caregiver expenses for reasonable travel accommodations (such as public transportation, taxi, etc.) will be reimbursed at actual cost. Mileage rates will be reimbursed at the Department of Technology, Management and Budget standard mileage rate in effect at the time the transportation was provided.

The foster care provider must submit documentation of the costs associated with this special educational transportation on a monthly basis to the foster care worker. The documentation must contain the following:

- Number of miles round trip to the child’s school; and
- Number of trips to the child’s school; or
- Actual cost of the alternate means of transportation (receipts required).
- Dates of transportation.

The following account structure codes must be utilized to ensure appropriate expenditures:

<u>Payment type</u>	<u>Index</u>	<u>PCA</u>
Educational Stability Travel, IV-E eligible	64410	72555
Educational Stability Travel, Not IV-E eligible	64410	72554

**Reimbursement for Counseling/ Therapy**

Reimbursement for counseling is not done as a non-scheduled payment. Payments for counseling services are submitted on the DHS-3469-COUN, Statement of Expenditures. To be reimbursed by DHS, a counseling contractor cannot accept referrals from any source other than DHS. Counseling contractors are listed on the DHS Net under Division of Contracts and Rate Setting.

**PAYMENT**

A new billing form (DHS-3469-COUN) has been developed specifically for COUN contracts.

Use of this billing form will be required for services provided March 1, 2010 and after. It is the responsibility of the caseworker to determine the funding source for the counseling services. The contract administrator shall use PCA 81117 for all DHS-related payments. The counselor submits to the DHS one monthly DHS-3469-COUN, Statement of Expenditure, form which contains both COUN services and DHS services. Please note that the DHS-3469-COUN must accurately represent the units of service delivered, the reimbursement rate by type of service, and the total amount being claimed. The total number of units (by

service type) for each bill must be rounded down to the nearest whole or tenth of a unit. The DHS-3469-COUN shall be submitted to DHS within 30 days from the end of the monthly billing period.

A counselor cannot bill for more than one unit per counseling session for clinical and group counseling. Counselors can only bill for more than one unit for an outreach session if the referral expressly permits it, and specifies the maximum number of units that can be billed per session. A counselor cannot bill for missed appointments.

Note: Services units must be separately billed on the DHS-3469-COUN by identifying services billings separately from DHS billings.

### **Non-reimbursable Counseling Services**

The following services are not billable or reimbursable counseling services for foster care youth and their families.

- Parenting classes (for example, Love and Logic).
- Anger management classes.
- Work preparation/readiness classes.
- Independent living classes.

### **REIMBURSEMENT FOR BIRTH CERTIFICATES**

Birth Certificates are obtained by local office staff directly from the state where the child is born.

**Note:** Birth Certificates are obtained free of charge for children born in Michigan. See RFF 261 for instruction on how to obtain Birth Certificates.

A list of states, the contact agency and the fee charged for the birth certificate can be found in FOM 910, Payment Resources, Obtaining Vital Records.

The cost of birth certificates for state wards (such as Act 150 or Act 220 commitments) may be reimbursed from the State Foster Care Account through the use of the DHS-1582CS. Such costs are not paid using the on-line foster care payment system.

The cost of birth certificates for court wards should be included on the Monthly Report on Child Care Fund, DHS-206B, line #4, Other (non-scheduled) payments. If your county does not have a sub-account, the cost should be included on the DHS-207 submitted by the county.

**REIMBURSEMENT  
TO FOSTER  
PARENTS OF  
PRIVATE  
ATTORNEY FEES**

The Department of Human Services may reimburse a foster parent for the costs of legal counsel (such as attorney fees) when legal action is taken against the foster parent for injury or damage which:

- Resulted from an action(s) of the foster child.
- Was sustained by the foster child.

The foster parent must be licensed under 1973 PA 116 and must be acting within the scope of his or her authority as a foster parent. Payment may be made:

- In a civil action only if a judgment for damages is not awarded against the foster parent(s).
- In a criminal action if the foster parent:
  - Is not convicted.
  - Does not plead nolo contendere.
  - Is not found guilty but mentally ill or guilty by reason of insanity.

This provision does not apply to administrative hearings or the appeal of an administrative hearing decision.

Payment is initiated by the local office using a DHS-634 as an exception payment (service pay code 0827). The funding is 100 percent state funded through the foster care account. You must attach a copy of the acquittal order or civil court decision, the bill for the attorney fee(s), a written justification of the reasons for the request. The local office director must sign the DHS-634 then and forward all documents to the program office for approval and processing.

**REIMBURSEMENT  
OF PRIVATE  
ATTORNEY FEES  
TO REPRESENT  
DHS**

The Department of Human Services may reimburse a local office for the cost of a private attorney, when the local prosecuting attorney will not represent the department in a mandatory child welfare action. A conflict of interest or a disagreement with the DHS position are examples of reasons that the local prosecuting attorney may not be willing to provide representation.

Before a private attorney is hired, a request for involvement of the Attorney General must be made in writing taking the following actions:

**Local Office  
Actions**

Obtain statement from the local prosecuting attorney's office that it will not represent the department in a mandatory child welfare action. Urban counties must contact the Urban Field Operations (UFO) director and all other counties must contact the Field Operations Administration Child Welfare Office (FOA/CWO) director. Provide the statement from the prosecuting attorney along with a written request for private representation. Requests may be submitted by email or fax to the appropriate office.

Possible reasons:

- Prosecuting attorney has a conflict of interest.
- Prosecuting attorney disagrees with DHS position.

**UFO or FOA/CWO  
Actions**

Review local office request, If denied, UFO or FOA/CWO will return the request to the local office. If approved, they will request involvement of the attorney general by contacting the deputy director of Legal Affairs (517-373-2082). If the attorney general chooses not to get involved, then a private attorney can be hired by the local office.

The UFO or FOA/CWO will notify the local office that a private attorney may be hired to represent DHS as a special prosecuting attorney for and on behalf of the State of Michigan, \_\_\_\_\_ County DHS. The attorney fee charged should be the customary rate for a court appointed attorney.

**Local Office  
Process for  
Payment**

Hire the selected private attorney. For payment to the private attorney, send the appropriate office the following documentation:

- Initial request explaining the local office's need for the private attorney.
- Documentation approval from UFO or FOA/CWO and Legal Affairs.
- Invoice for private attorney services.
- DHS-1582CS, Children Services Payment Voucher (Do not enter accounting codes as the codes are entered by the UFO or FOA/CWO).
- For initial payments only, attach a completed DHS-1584, Payment Voucher Pre-Approval.

**METHOD OF  
PAYMENT**

The UFO or FOA/CWO will review payment requests, enter appropriate coding on the DHS-1582CS, Approve Payment for the Private Attorney, and forward the payment request to Field Operations Administration (FOA). FOA will review and approve the request and forward to accounting for payment.