

**Exhibit C: Change Log**

Revision Number	Document Modified	Section Number	Effective Date
1.1	Exhibit A	Article III	01/01/2014
<p><b>Revision 1.1.</b> This Amendment modifies the Contract by adding new Sections 3.14 and 3.15 to the end of Article III, Exhibit A:</p>			
<p><b>"Section 3.14 Foster Care Reimbursement Requirements.</b></p>			
(A)	DFPS will reimburse the SSCC for the calendar day of placement, but not for the calendar day of discharge.		
(B)	DFPS will provide the SSCC notice in writing of any change that affects payments to the SSCC, unless court ordered or there is immediate risk to safety. DFPS must provide notice to the SSCC within two (2) business days of any change in a child's eligibility. DFPS will pay the SSCC for days of care provided up until the time DFPS notifies the SSCC of a change, even if a child's eligibility ended prior to notification.		
(C)	DFPS will reimburse the SSCC for up to 14 days of foster care in the following circumstances:		
(1)	Psychiatric hospitalization		
(2)	Medical facility hospitalization		
(3)	Runaway		
(4)	Unauthorized placement		
(5)	Temporary placement/visit in own home		
(6)	Locked facility, jail, juvenile detention center		
(7)	Short-term substance abuse placement		
(D)	Under the above-referenced circumstances DFPS would reimburse the SSCC for days of foster care on behalf of a child who is no longer in that provider's care, in order to reserve space for the child's anticipated return to the same placement at a date in the near future. The maximum duration of continued payments to the provider during a child's absence is subject to the limitations set forth in this section.		
(E)	Payments to the SSCC for foster care during a child's absence will only be made if each of the following conditions are met:		
(1)	The SSCC plans to return the child to the same placement at the end of the absence;		
(2)	The provider agrees to reserve space for the child's return for as long as payments are made in the child's absence;		
(3)	and The SSCC is not making foster care payments on behalf of this same child to any other provider (with the exception of what is required as a part of the minimum pass-through to the child's foster parent) during the child's absence.		
(G)	DFPS will not reimburse the SSCC for days of foster care when Children and/or Youth reside in the following non-DFPS paid placements:		

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- (1) Nursing home placement
- (2) Intermediate care facilities for persons with mental retardation (ICFMR)
- (3) State Supported Living Centers (SSLC)
- (4) Placed with a non-licensed relative caregiver
- (5) Pre-consummated adoptive placement
- (6) Texas Youth Commission facility
- (7) Texas State Hospitals

**Section 3.15 Temporary Medical Absences.** For children absent from a foster care facility for medical reasons, the SSCC must:

- (A) Give emotional support to the child (via active participation in the child's treatment while hospitalized).
- (B) Meet the child's concrete needs (providing clothing, etc.).
- (C) Ensure that the child has frequent face-to-face contact on a regular basis with the SSCC continuum of care (being physically present with the child at the hospital as required by some medical facilities, etc.).
- (D) Facilitate family visits, as appropriate.
- (E) Communicate with the medical facility care team regarding child's progress and discharge plan."

Revision Number	Document Modified	Section Number	Effective Date
2.1	Exhibit A	Article III, Section 3.04(B)	01/01/2014

**Revision 2.1.** This Amendment modifies the Contract by deleting Section 3.04(B) in its entirety and substituting the following for same.

**"B. Minimum Pass-Through Requirement.** The SSCC must remit a minimum dollar amount of the daily foster care rate to foster parents to pay for child maintenance costs of children and youth placed pursuant to this contract. The minimum dollar amount will be determined by HHSC based on the most recent United States Department of Agriculture (USDA) Expenditures on Children by Families, Estimated Annual Expenditures on a Child by Husband-Wife Families, Urban South, with before tax income falling into middle USDA income bracket, inflated to the rate period, excluding expenditures on health care, child care and education. If HHSC implements a change in the applicable foster care rate(s), DFPS may change the minimum pass-through dollar amount(s). The SSCC must document the payment schedule for services provided through the SSCC demonstrating the provision of required pass through for foster families. The required minimum pass through dollar amount to a foster parent in all of the catchment areas is \$23.10 per day. If the appropriated foster care rates change as a result of the 84th Texas Legislative Session, the amount of the required minimum pass through required will be adjusted."

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**TEXAS DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES**

COMMISSIONER  
John J. Specia, Jr.

05/06/2014

CERTIFIED MAIL

Gary Buff  
Chief Operating Officer  
ACH Child and Family Services  
3712 Wichita Street  
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**RE: Contract Amendment for Contract # 24118890**

Mr. Buff:

The Texas Department of Family and Protective Services (DFPS) has processed the attached unilateral amendment to the above referenced contract with ACH Child and Family Services of Texas (ACH) in compliance with the 83<sup>rd</sup> Legislative Session. It is important that you review the amendment documents thoroughly. **This contract amendment is retroactively effective date of the contract.** If you have any questions or do not agree that the contract requires an amendment, please contact me at (512) 438-3596.

Respectfully,

Judy Pavone  
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**Purchased Client Services Contract  
Amendment**

**Contract #24118890**

**Amendment #2**

This AMENDMENT (Amendment) of contract #24118890 (Agreement or Contract) is entered into by and between the **Texas Department of Family and Protective Services** (DFPS or the Department) and **ACH Child and Family Services** (ACH) (Contractor).

**1. Purpose**

Section 8.02 of the Agreement stipulates that DFPS may unilaterally amend the Contract to incorporate new or revised federal or state laws, regulations, rules, or policies. Both DFPS and Contractor agree that Section 3.04(B) of the Contract reads, in part that "If the appropriated foster care rates change as a result of the 83rd Texas Legislative Session, the amount of the required minimum pass through required will be adjusted." Since the appropriated foster care rates changed as a result of the 83<sup>rd</sup> Texas Legislature, both DFPS and Contractor agree that the Contract requires a unilateral amendment to reflect the current minimum pass through rate. DFPS procured this Contract under RFP #530-13-0070 for Single Source Continuum Contractor services and it has been amended 1 time. Both DFPS and ACH agree that the enumerated revisions below represent necessary changes for the effective administration of the foster care redesign initiative and this SSCC contract.

**2. Effect of Amendment on Contract**

- 2.1. Unless otherwise modified, the terms and conditions of the Contract shall remain in full force and effect.
- 2.2. **Revision 2.1.** This Amendment modifies the Contract by deleting Section 3.04(B) in its entirety and substituting the following for same.

**"B. Minimum Pass-Through Requirement.** The SSCC must remit a minimum dollar amount of the daily foster care rate to foster parents to pay for child maintenance costs of children and youth placed pursuant to this contract. The minimum dollar amount will be determined by HHSC based on the most recent United States Department of Agriculture (USDA) Expenditures on Children by Families, Estimated Annual Expenditures on a Child by Husband-Wife Families, Urban South, with before tax income falling into middle USDA income bracket, inflated to the rate period, excluding expenditures on health care, child care and education. If HHSC implements a change in the applicable foster care rate(s), DFPS may change the minimum pass-through dollar amount(s). The SSCC must document the payment schedule for services provided through the SSCC demonstrating the provision of required pass through for foster families. The required minimum pass through dollar amount to a foster parent in all of the catchment areas is \$23.10 per day. If the appropriated foster care rates change as a result of the 84th Texas Legislative Session, the amount of the required minimum pass through required will be adjusted."

This Unilateral Amendment to Contract #24118890 is effective as of the effective date of the Contract (01/01/2014).