



DATE: September 25, 2026

All County Letter (ACL) NO. 26-XXX
Behavioral Health Information Notice No: 26-0XX

TO: California Alliance of Child and Family Services
California Association for Alcohol/Drug Educators
California Association of Alcohol & Drug Program Executives, Inc.
California Association of DUI Treatment Program
California Association of Mental Health Peer Run Organizations
California Association of Social Rehabilitation Agencies
California Consortium of Addiction Programs and Professional
California Behavioral Health Association
California Hospital Association
California Opioid Maintenance Providers
California State Association of Counties
Coalition of Alcohol and Drug Associations
County Behavioral Health Directors
County Behavioral Health Directors Association of California
County Drug & Alcohol Administrators
Chief Probation Officers of California
All Federally Recognized Tribes
All County Welfare Directors
All Foster Care Managers
All Tribes with a California Title IV-E Agreement
County Welfare Directors' Association of California

SUBJECT: QUALIFIED INDIVIDUAL (QI) WAIVER PROCESS OPTIONS

California Department of Health Care Services

Deputy Director's Office, Behavioral Health
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www.dhcs.ca.gov

State of California

Gavin Newsom, Governor



California Health and Human Services Agency

PURPOSE:

The purpose of this California Department of Social Services (CDSS) All County Letter (ACL) and Department of Health Care Services (DHCS) Behavioral Health Information Notice (BHIN) is to provide county child welfare agencies, juvenile probation departments¹, Tribes with a California Title IV-E Agreement, and behavioral health plans (BHPs) with information regarding the QI Waiver process. This guidance does not eliminate nor supersede the requirements set forth in [ACL 21-113/BHIN 21-060](#), which specifies requirements to implement the QI activities required by the Family First Prevention Services Act (FFPSA) including guidance on the QI role, training, referral, assessment, case planning processes, and forms required by case workers and QIs.

REFERENCE: [FEDERAL BIPARTISAN BUDGET ACT OF 2018 \(PUBLIC LAW 115-123\)](#); [SOCIAL SECURITY ACT \(42 U.S.C. SECTION 675a; ASSEMBLY BILL \(AB\) 153 \(CHAPTER 86, STATUTES OF 2021\)](#); [WELFARE AND INSTITUTIONS CODE \(WIC\) WIC SECTION 16501; WIC SECTION 224.1; WIC SECTION 4096; ALL COUNTY INFORMATION NOTICE \(ACIN\) I-73-21/ BEHAVIORAL HEALTH INFORMATION NOTICE \(BHIN\) 21-055; ALL COUNTY LETTER \(ACL\) 21-113/ BHIN 21-060; ACL 24-39; BHIN 21-062; BHIN 23-068](#)

BACKGROUND:

California state law² requires CDSS to seek approval from the Secretary of the U.S. Department of Health and Human Services, Administration of Children and Families (ACF) for a waiver that will avail counties the option to request qualified employees of the Title IV-E agency or qualified individuals connected to, or affiliated with a placement setting to serve as the QI, and for CDSS to certify that the QI will maintain objectivity needed to conduct the assessment and determine the most effective and appropriate level of care for a child. The Secretary of the U.S. Department of Health and Human Services, ACF approved California's request for a federal Title IV-E waiver, in accordance with the [Section 475A of the Social Security Act \(42 U.S.C. § 675a\(c\)\(1\)\(D\)\)](#) and CDSS' process for waiving the requirement under the FFPSA and [WIC section 16501\(l\)\(2\)](#) that a QI cannot be an employee of the county placing agency nor be connected to or

¹ For purposes of this letter, Child Welfare agencies and probation departments are referred to as placing agencies.

² [WIC 16501\(l\)\(3\)](#)

affiliated³ with any placement setting⁴ in which children are placed by the county placing agency. The CDSS QI Waiver process includes measures to ensure all designated QIs meet the QI requirements and maintain objectivity with respect to determining the most effective and appropriate level of care for a child.

The QI Waiver process allows CDSS to grant requests that the QI performing the assessment be an employee of the county placing agency, and/or connected to or affiliated with any placement setting in which children are placed by the county placing agency. The QI Waiver process is designed to ensure that any individual who may serve as a QI be held to a high standard for objectivity, including identification and review of any conflicts of interest which have the potential to impact the recommendations from their assessment. The requirements ensure consistency with the application of statewide standards for the QI qualifications, including competencies, training requirements, and experience in performing activities carried out by a QI.

QI WAIVER PROCESS OVERVIEW

CDSS and DHCS have jointly developed a process for counties to obtain QI Waivers which will allow certain employees, that would otherwise be barred from acting as QIs pursuant to W&I Code section 16501, subd. (l)(2), to serve as QIs in certain circumstances pursuant to W&I Code section 16501, subd. (l)(3). A QI Waiver request shall be submitted to CDSS for review and approval through the request process detailed below in this ACL/BHIN. CDSS will administer this request process and work in consultation with DHCS when a BHP is seeking a QI Waiver. Once a QI Waiver has been

³ Connected to or affiliated with is defined as being an employee of or having a relationship of ownership or control with any licensed placement setting in which children are placed by the county placing agency or have a relationship of ownership or control with a third party that has such a relationship. This includes but is not limited to licensees of Short Term Residential Therapeutic Program (STRTP), Community Treatment Facility (CTF), Foster Family Agency (FFA), Resource Parents, mental health service providers employed by or connected to a placing setting, and anyone working under the direction of the placement setting including employees, contractors, and others providing services to the placement setting.

⁴ For the purpose of this letter, a placement setting is a STRTP, CTF, FFA, or other placement setting.

granted, the county placing agency must provide oversight and monitoring to ensure the continued objectivity of any individuals serving as a QI. CDSS will provide monitoring and technical assistance to ensure that QIs operating under a QI Waiver maintain compliance with the standards and guidance provided in this ACL/BHIN. Counties must renew the QI Waiver on an annual basis.

COUNTY REQUEST FOR QI WAIVER

County placing agencies and county behavioral health plans may apply jointly to CDSS for a QI Waiver for an individual who is seeking to become a QI but is otherwise not eligible because they are an employee of a county placing agency or a BHP, or they are connected to or affiliated with a placement setting who contracts with BHPs. There are different "pathways" for a county placing agency or a BHP to request QI Waivers for certain individuals depending on who is applying for the QI Waiver. Applicants shall mark the pathway that is applicable to them in the attached QI Waiver Request Form (Enclosure A).

QI Waiver Pathway for a County Placing Agency

A county placing agency may request a QI Waiver to permit an employee(s) of the county placing agency to perform QI activities. To be eligible:

- 1) The employee shall not be assigned as the QI for any child or youth for whom the employee is currently or was formerly assigned to as the child welfare or juvenile probation caseworker; and
- 2) The employee shall not be a supervisor or subordinate of another employee who is directly or indirectly working on the child welfare or juvenile probation case of a child or youth receiving a QI assessment.

Any QI Waiver request must take into consideration the circumstances of the individual(s) for whom a QI Waiver is being requested and include in the request provisions to ensure objectivity despite conflicts of interest, and disclosure of the potential conflicts (e.g., a placing agency requests QI Waiver for a clinician but also tasks the clinician to serve as the Interagency Placement Committee (IPC) clinician).

A county placing agency shall submit the QI Waiver request to CDSS for review jointly with the county BHP, as outlined in the "QI Waiver Request Instructions" section of this ACL/BHIN.

QI Waiver Pathways for County BHPs Working with Providers Connected to or Affiliated with a Placement Setting or Employed by a Placing Agency, Contracted to Serve as QIs

Because a county BHP is not a placing agency under FFPSA, a QI Waiver is not needed for BHP employees to serve as QIs unless the BHP operates a STRTP or another placement setting, or individual employees of the BHP are, in addition to their BHP job, also employed by a placing agency, or connected to or affiliated with a placement setting. Under such circumstances, the county BHP must obtain a QI Waiver.

Also, if a BHP chooses to designate a contracted provider to perform the QI role, and the contracted provider is also connected to or affiliated with a placement setting, or employed by a placing agency, the BHP must obtain a QI Waiver.

BHPs applying for a QI Waiver request must choose one of the following QI Waiver pathways:

Waiver Pathway One: BHP submits a QI Waiver request to CDSS on behalf of a contracted provider or provider entity that is connected to or affiliated with a placement setting. In this instance, the BHP would design the service contract and the overall program that would, at a minimum, ensure the QIs they contract with meet all QI requirements to align with State issued guidance, including that all individual QIs complete State approved curriculum for QI training and attest to perform the QI role in keeping with the standards for objectivity as outlined in the QI Waiver request, signed by the BHP.

Waiver Pathway Two: BHP submits a QI Waiver request to CDSS on behalf of a contracted provider or provider entity that is connected to or affiliated with a placement setting. The BHP and the contracted provider or provider entity collaboratively implement the approved QI Waiver request. In this instance, the contracted provider or provider entity would develop the QI Waiver request reflecting the QI service contract and the overall program design that aligns with State issued guidance, including that all individual QIs complete State curriculum for QI training and attest to perform the QI role in keeping with the standards for objectivity as outlined in the QI Waiver request, signed by the BHP.

Waiver Pathway Three: A provider entity that is connected to or affiliated with a placement setting and is contracted with the BHP submits the QI Waiver request directly to CDSS once they have obtained the BHP's signature. In this instance,

the provider entity develops, with involvement from the BHP, the QI service contract and the overall program design to align with State issued guidance, including that all individual QIs complete State curriculum for QI training and attest to perform the QI role in keeping with the standards for objectivity as outlined in the QI Waiver request, signed by the BHP.

A QI Waiver request under any of these three pathways must incorporate a process that allows the QI to maintain their independence in conducting their QI assessment activities from the undue influence of affiliated placement settings and other conflicts of interest.

QI Waiver Request Instructions

The QI Waiver request must include the following:

- 1) Specification of the QI Waiver Pathway being used for the request (See QI Waiver Pathways section)
- 2) A description of why a QI Waiver is necessary.
- 3) If the QI(s) identified in the application are not Medi-Cal providers, the steps the applicant will take and resources required so that the QI(s) may provide QI assessments as Specialty Mental Health Services (SMHS), whenever possible, consistent with all State and federal Medicaid requirements. This item does not apply to BHPs or SMHS providers, as these provider entities are already eligible to provide SMHS.
- 4) A description of the process for how the county placing agency will ensure the Medi-Cal provider will comply with the documentation requirements for SMHS assessments, pursuant to [BHIN 23-068](#).
- 5) QI Waiver Implementation Oversight and Monitoring Plan (See QI Waiver Implementation Planning, Oversight and Monitoring Section)
- 6) Attestation from the director of the county placing agency, county BHP and county BHP's provider entity or their designee, that QIs operating under the QI Waiver:
 - a. Meet the minimum QI qualifications, as specified in [ACL No. 21-113/BHIN 21-060](#)
 - b. Have completed or will complete the required QI training and QI certification before performing QI assessments.
 - c. Will not hold responsibility as a child welfare or juvenile probation placement case carrying worker or hold a position in the chain of command of an individual, directly or indirectly working on the case of any

- child, youth, or nonminor dependent as a present or past assignment, while concurrently performing a QI assessment for that child, youth, or nonminor dependent.
- d. Will not be an employee of any placement setting where children, youth, or nonminor dependents are placed while concurrently performing QI assessments; and
 - e. Will perform their role consistent with the training and the attestation provided at the time of QI training and maintain objectivity in their role as the QI.
- 7) The county requesting the QI Waiver must complete all sections of the attached QI Waiver Request (Enclosure A). The completed QI Waiver Request shall be submitted to CDSS at FFPSA@dss.ca.gov.

County QI Waiver Implementation Planning, Oversight and Monitoring

The county placing agency, county BHP, or county BHP's provider entity requesting a QI Waiver must implement an oversight and monitoring plan that includes the following:

- 1) A description of the process for how the county placing agency or the county BHP and county BHP's provider entity will determine and ensure objectivity in decision making for the QIs operating under the QI Waiver.
- 2) A description of how the county placing agency or the county BHP and county BHP's provider entity will ensure the individual will not concurrently hold responsibility for any youth for whom they are or were formerly assigned as a welfare or juvenile probation placement case carrying worker or hold a position in the chain of command of an individual who is directly or indirectly working on the case of a youth for whom they conduct QI assessments.⁵
- 3) A description of the monitoring and oversight process for how the county placing agency or the county BHP and county BHP's provider entity will

⁵ The county placing agency, county BHP, and county BHP's provider entity must have a system for tracking the ongoing status of waived QIs who are employees of the county placing agency or the County BHP. The system must be designed to capture the employment status of the waived QI (e.g. documenting if there is a connection to the child's case, change in their professional license status, engagement in an interpersonal relationship with one of the child's relatives, or involvement some other event) affecting their objectivity and therefore their eligibility for the QI Waiver.

- ensure objectivity in decision making of each individual QI connected to or affiliated with a placement setting.
- 4) A description of how the county will ensure that QIs operating under the county placing agency or the county BHP and county BHP's provider entities are not employees of a placement setting, where youth are currently placed or where youth may be placed.⁶
 - 5) A description of how the county will conduct oversight of the waived QIs to ensure they meet the minimum QI requirements. The following is a description of how the county will monitor at a minimum: a) data collection and monitoring related to how many QI assessments recommend STRTP, CTF, and out of state residential placement and b) how stakeholders, including youth and families, will be involved in the oversight and monitoring process. CDSS is developing forthcoming guidance related to an evaluation plan, data collection plan, and CQI plan.

TRIBES WITH A CALIFORNIA TITLE IV–E AGREEMENT QI WAIVER

Tribes with a California Title IV–E Agreement will only be required to request a QI Waiver on a case by case basis when the designated QI is an employee of the Tribe or if they are connected to or affiliated with a placement setting and when the jurisdiction over a child welfare case is transferred to a Tribe with a California Title IV–E Agreement pursuant to [ACL 24-39](#). The waiver process is outlined below. The CDSS will consult with the Tribes with a California Title IV-E Agreement to develop further waiver processes as needed.

QI WAIVER REQUEST REVIEW AND DETERMINATION

CDSS will review each county's request for a QI Waiver in consultation with DHCS, when a BHP is seeking a QI Waiver. CDSS will issue written approval or denial. If approved a QI Waiver is valid for one year, starting from the date the county is notified of the approval.

⁶ The county placing agency, county BHP, and county BHP's provider entities must have a system for tracking the ongoing status of waived QIs who are connected to or affiliated with a placement setting in which children are placed by the county placing agency. The system must be designed to capture the employment status of the waived QI (e.g. employee of a placement setting, change in their professional license status, engagement in an interpersonal relationship with one of the child's relatives, or involvement some other event) affecting their clinical objectivity and therefore their eligibility for the QI Waiver.

If the request is denied, a written explanation for the denial will be provided to the county.

CDSS will work within the timelines listed below for the review and determination of a QI Waiver request. If an extension is needed, CDSS will notify the requesting county and provide an updated timeline for the completion of the activity.

- 1) CDSS will respond to the QI Waiver request within 30 calendar days after submission indicating the request was received and indicate within 60 calendar days after submission whether the request was approved or denied. If approved, the request will be signed by CDSS.
- 2) If a request is not approved, CDSS will schedule a technical assistance call or meeting within 10 business days of the denial notice, and DHCS will participate as needed.

The county may submit a new request following the technical assistance call or meeting.

ANNUAL SUBMISSION OF WAIVER REQUESTS

Entities seeking a continued QI Waiver request must submit a QI Waiver request to CDSS on an annual basis no later than 60 calendar days before the expiration of the current waiver approval term. If the county placing agency is requesting the QI Waiver, it must be signed by the county placing agency and the BHP directors or their designees. CDSS will review each annual request for a QI Waiver based on the timeline above and in consultation with DHCS, when appropriate.

If an annual request for renewal of a QI Waiver is denied, QIs operating under the QI Waiver become disqualified to serve as QIs under state and federal law. Without an approved QI Waiver, they no longer meet the minimum requirements under FFPSA and [WIC Section 16501\(l\)](#). They can no longer conduct any QI activities until a new QI Wavier request by their county placing agency, county BHP, or county BHP's provider entities has been granted.

All sections of the QI Waiver request (Enclosure A) must be completed and submitted to CDSS at FFPSA@dss.ca.gov.

COUNTY RESPONSIBILITIES FOLLOWING WAIVER APPROVAL

Framework for Oversight and Monitoring Requirements

When CDSS has granted a QI Waiver, the county placing agency, county BHP, and county BHP's provider entities must comply with the conditions, descriptions, and other requirements included in the QI Waiver request and the QI guidance letters. The county is responsible for ensuring objectivity of QIs operating under its QI Waiver, including designating, verifying and monitoring the qualifications of individual QIs, ensuring they become certified through QI training from the State designee (i.e., UC Davis).

The county placing agency must have a system for tracking the ongoing status of the QIs who are employees of the county placing agency. The system must be designed to capture the employment status of the waived QI (e.g., documenting if there is a connection to the child's case, change in their professional license status, engagement in an interpersonal relationship with one of the child's relatives, or involvement in some other event) affecting their clinical objectivity and therefore their eligibility for the QI Waiver. In addition, the county placing agency requesting a QI Waiver must have a way to demonstrate that county placing agency employees who serve as QIs under the QI Waiver perform QI assessment activities and complete the QI assessment report in accordance with the QI requirements.

The county BHP, and county BHP's provider entities must have a system for tracking the ongoing status of QIs who are connected to or affiliated with a placement setting in which children are placed by the county placing agency. The system must be designed to capture the employment status of the waived QI (e.g. employee of a placement setting, change in their professional license status, engagement in an interpersonal relationship with one of the child's relatives, or involvement some other event) affecting their objectivity and therefore their eligibility for the QI Waiver.

The county placing agency or the county BHP and county BHP's provider entities must immediately revoke any individual's role to serve as a QI anytime the individual no longer meet professional qualifications or scope of work requirements necessary to perform the functions of the QI. The county placing agency or the county BHP and

county BHP's provider entities must immediately notify CDSS at FFPSA@dss.ca.gov if this occurs.

DESIGNATING QIs FROM ANOTHER COUNTY TO PERFORM QI ASSESSMENTS

QI waivers cannot be shared across counties; the entity that applies for a QI Waiver is the only entity that can use that QI Waiver. When a county placing agency or the county BHP and county BHP's provider entities are utilizing a QI who is already established with a QI Waiver in a different county, they must still perform all QI Waiver requirements. The county placing agency or the county BHP and county BHP's provider entities must verify the individuals' qualifications to serve as a QI, including having a current/active Licensed Mental Health Professional (LMHP) license, registration, training, education, knowledge, experience, or tribal designation, as applicable, Child and Adolescent Needs and Strengths (CANS) certification, Intensive Care Coordination (ICC) expertise, training, and experience, QI initial training and certification, any applicable QI re-certifications, and attestations from UC Davis and the individual themselves. The county placing agency or the county BHP and county BHP's provider entities must provide the oversight and quality assurance described in the county's own QI Waiver request to ensure that QIs objectivity and add the individual's name to the list of QIs that will be collected for CDSS.

CDSS OVERSIGHT AND MONITORING FRAMEWORK OF QI WAIVERS

CDSS will ensure objectivity with respect to determining the most effective and appropriate level of care for children assessed by a QI operating under a county QI waiver. CDSS will monitor measures developed to ensure QIs operating under a QI Waiver maintain compliance with the standards for affiliations with placement settings and/or county placing agencies and comply with the QI Waiver request and guidance provided in this ACL/BHIN. Oversight and monitoring will be provided in the following ways:

- 1) Reviewing QI Waiver requests to ensure local policies and procedures are consistent with the statewide requirements.
- 2) Examining the trends for placement outcomes related to the implementation of the ACF waiver.
- 3) Use of data from the Integrated Practice Child and Adolescent Need and Strengths (IP-CANS) assessment tool to monitor outcomes.

- 4) Reviewing the attestations for objectivity on the attached QI Waiver request and QI training attestations through the [UC Davis QI training registration](#) process.
- 5) Reviewing the data received from the QI Certification and training, including the certificates of completion and attestations from individuals receiving the training, including QIs operating under a QI Waiver.
- 6) Ensuring all required elements of the QI Waiver, as specified in the QI Waiver request and Implementation Planning, Oversight and Monitoring sections of this letter, are met.
- 7) Providing technical assistance to counties who request support with overseeing the “connection to or affiliation with” condition for QIs operating under the QI Waiver.

COUNTY PLACING AGENCY QI WAIVER FISCAL CONSIDERATIONS

The QI assessment activities and assessment report performed by a QI pursuant to this waiver may be reimbursed⁷ as SMHS when the QI is a Medi-Cal provider and when the assessment activities are performed in compliance with all SMHS and Medi-Cal requirements, including the documentation requirements for SMHS.⁸

If a QI operating pursuant to a QI Waiver no longer meets the minimum qualifications to perform the functions of the QI, no Title IV-E Federal Financial Payments (FFP) will be available for the entirety of any STRTP or CTF placement when that QI completes a QI Assessment. Please refer to [ACL 25-52/BHIN 25-031](#) for county required ongoing QI monitoring guidance.

If you have any questions concerning this letter, please contact the CDSS FFPSA inbox at FFPSA@dss.ca.gov or the DHCS FFPSA inbox at FFPSA@dhcs.ca.gov.

Sincerely,

Original Document Signed By

⁷ The most current claiming guidance is found in [BHIN 21-062](#)

⁸ SMHS documentation guidance is found in [BHIN 23-068](#)

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ANGIE SCHWARTZ

Deputy Director, Children and Family Services Division
California Department of Social Services

PAULA WILHELM

Deputy Director, Behavioral Health
Department of Health Care Services

Attachments

QI Waiver Request (Enclosure A)

DRAFT