

CONFERENCE OF STATE COURT ADMINISTRATORS

COSCA Resolution VII

In Support of Federal Funds for Treatment for Juveniles in Detention Centers

WHEREAS, under the federal regulations for implementing Title XIX of the Social Security Act, federal funding is not available for treatment for youth residing in a juvenile detention center; and

WHEREAS, this is particularly problematic for youth in the custody of the child welfare system who have been receiving mental health services and are then placed in a juvenile detention facility; and

WHEREAS, admission to the juvenile detention facility, regardless of the length of stay, results in the termination of federal funds for their needed continuing services; and

WHEREAS, the expansion of the definition of *Inmate of a Public Institution* in 42 CFR 435.1009 to include “(c) He is under 21 years of age and in a juvenile public institution” “would address this problem.

NOW, THEREFORE, BE IT RESOLVED that the Conference of State Court Administrators urges the U. S. Department of Health and Human Services to amend 42 CFR 435.1009 to provide Title XIX federal funding for mental health services for youth residing in juvenile detention centers.

Adopted by the Conference of State Court Administrators at their 2003 Midyear Meeting December 12, 2003.