

Guidance 11 Juvenile Incompetent to Proceed (JITP)

Contract Reference: *Sections A-1.1 and C-1.3.2*

Authority: *Section 985.19, F.S.*

Frequency: *Ongoing*

Discussion:

Pursuant to s. 985.19, F.S., referrals for Juvenile Incompetent to Proceed (JITP) services are filed with Clerks of Court and submitted directly to the Department's JITP Statewide Coordinator. The statewide JITP competency restoration service provider is Twin Oaks Juvenile Development, Inc. (Twin Oaks), which includes Twin Oaks Forensic Outpatient Services (TOFOS) and Apalachicola Forrest Youth Camp (AFYC). The JITP Statewide Coordinator maintains a waitlist of all youth who have been referred to the Department for admission to either TOFOS or AFYC.

The Managing Entity shall designate a JITP point of contact responsible for coordination and communication regarding JITP referrals in each service area. The Managing Entity shall submit contact information of their designated JITP Point of Contact to the Department and Twin Oaks annually by July 1. If the designated JITP Point of Contact changes, the Managing Entity shall submit updated contact information within 7 working days.

Upon receiving a complete referral packet, the JITP Statewide Coordinator will forward the packet to TOFOS or AFYC, as appropriate, for competency restoration services and to the appropriate Managing Entity JITP point of contact for additional community behavioral health services. The Managing Entity JITP Point of Contact will review the packet and, within five business days, refer the juvenile as described below for necessary services other than competency restoration training.

- When a court determines a juvenile is incompetent to proceed to trial due to mental illness, the Managing Entity shall coordinate services with an appropriate Network Service Provider and, if necessary, a Medicaid Managed Medical Assistance provider or other third-party resource provider.
- When a court determines a juvenile is incompetent to proceed to trial due to intellectual disability or autism, the Managing Entity shall coordinate a referral to Agency for Persons with Disabilities (APD) for assessment and referral to address any additionally identified areas.
- When a court determines a juvenile is incompetent to proceed to trial due to co-occurring mental illness and intellectual disability or autism the Managing Entity shall coordinate referrals to both APD and Network Service Providers.

By the 15th of each month, the Managing Entity shall email the JITP Statewide Coordinator a list of the Network Service Providers, Managed Medical Assistance Providers, or APD office receiving each referral and the date of each referral for all packets received during the prior month.

The Managing Entity shall require the Network Service Provider receiving each referral to:

- Email the JITP Statewide Coordinator:
 - Of each juvenile's referral status as "accepted," "denied consent," or "unable to contact" within 30 days of each referral.
 - Of any juvenile's termination of treatment against the Network Service Provider's recommendation with 14 calendar days of termination.
- Coordinate services with Twin Oaks, the Department of Juvenile Justice, the Agency for Persons with Disabilities and any other service providers indicated,

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- Initiate necessary behavioral health services, other than competency restoration, for youth in community settings, as indicated; and
 - Participate in creation of Discharge Summary (i.e., Discharge Plan), sufficient to meet the requirements of s. 985.19(5), F.S., with Twin Oaks, including recommendations for continuation of care upon resolution of the court-ordered competency restoration services.