

Licensing of Foster Care Homes

Policy: 900.0020

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It is the policy of the Department to make every effort to maintain children in their own homes. When the home environment is clearly contrary to the child's best interests, however, care of the child outside of the home is indicated. R. I. State Law (42-72.1) mandates that all foster homes for children be licensed and/or certified for use by the Department. The purpose of this law is to ensure that the quality of care which is provided to the child who is placed outside his/her home is as close as possible to society's standards of proper care and nurturing.

In order to determine that the foster home meets minimum standards of health, safety, and care, the Department has developed specific procedures for processing the foster home license application. The prospective foster parent must provide the Department with the information necessary to verify compliance with required standards and to participate in the licensing study process and the Foster Parent Training Program.

The licensing study is performed by the Department's Division of Community Resources and requires the following information regarding the character of the foster parent(s) and home environment prior to issuance of the license.

1. Criminal records check of the foster parent and those individuals living in the foster, home who are eighteen (18) years of age or over.
2. DCYF person search.
3. Fire inspections on the foster home.
4. Physician's Reference.
5. Completion of an application and home study.
6. Necessary sleeping space for each foster child (fifty (50) square feet of sleeping area (one (1) bed per child) including all children in the home.

The Department encourages individuals of varying life styles to apply for a foster home license (e.g. single parents, working parents). In issuing the foster home license, the Department primarily considers the prospective foster parent's interest and commitment to child caring, willingness to assist and contribute to the development and growth of children, and the family's acceptance and support of the addition of other children into the family unit.

It is the policy of the Department to place all children who are in need of placement outside of the natural home in licensed foster homes, licensed group care facilities, or certified relative homes. If, however, the child is already residing in the unlicensed home of an unrelated individual, without the prior knowledge or consent of the Department, and it is not in the child's immediate best interest to be removed from that home, the Department may allow the child to remain in the unlicensed home for a period not to exceed forty-five (45) days. Within this forty-five (45) day period it is required that a

DCYF person search, a BCI clearance, and a fire inspection, the minimum allowed for a provisional license, be completed. The Department will immediately remove a child from any home when there is reasonable cause to believe that there exists imminent danger to the child's well being. The child will also immediately be removed if the above stated requirements are not satisfactorily met within the specified time frame or if the unrelated individual refuses to cooperate in the normal licensing process.

The Department has the responsibility to reevaluate and re-license all licensed foster care homes on a yearly basis in order to ensure that the home continues to meet the required standards of health, safety, and care. The reevaluation is performed by a Licensing Unit worker in conjunction with the primary service worker(s) who has children in the home. The license will remain in effect until the re-licensing process is completed and the foster parent(s) has been notified of the outcome.

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Licensing a Foster Care Home

Procedure From Policy 900.0020: Licensing of Foster Care Homes

- A. A Family Resource intake worker receives a referral/request from a prospective applicant.
 - 1. Applicants who contact the intake worker and are interested in providing care for a specific child will be informed to contact the child's primary service worker.
 - 2. Applications to care for a specific child will only be processed when they are made with the written agreement of the primary service worker, his/her supervisor and the Regional Director.
- B. A Family Resource intake worker informs the prospective applicant about the licensing process, providing a general overview of the licensing procedure including:
 - 1. Application process.
 - 2. Medical references.
 - 3. BCI and DCYF clearances.
 - 4. Home study.
 - 5. Fire inspections.
 - 6. Foster parent training.
 - 7. Overview of the Department's philosophy of the role of the foster parent.
- C. The Intake worker does a preliminary screening on the telephone. All information is recorded online as the initial telephone interview is taking place. All information is maintained in an electronic file pending the final decision.
 - 1. If the prospective applicant admits to having a history of criminal activity (of a nature that would disqualify him/her from being licensed), the worker informs the applicant of this and proceeds no further with the licensing procedure.
 - 2. The worker shall disqualify any prospective applicant if he/she is below the age of twenty-one (21).
 - 3. The worker shall disqualify any prospective applicant if he/she admits to having a lack of required physical space to house foster child (fifty (50) square feet is required for sleeping area per child).
- D. If applicant is disqualified from being licensed for one of the reasons listed above, the Licensing Administrator informs applicant that he/she is entitled to appeal the decision (refer to Policy 100.0055, Complaints and Hearings).
- E. The Application to Board Children, Foster Care informational Letter, and Physician's Reference are mailed to the applicant by the Family Resource Intake worker.
- F. The Family Resource Intake worker receives the completed application from the applicant. The Intake worker will access the applicant's electronic pending file and record any additional information gathered from the applicant's completed application.
- G. The Intake worker completes a Request for BCI Clearance for all adults in the home upon receipt of the application.

- H. The Intake worker completes a Person Search for all members of the household after receipt of the application. The worker will e-mail Record Center staff requesting Masterfile information, prior to January, 1983, about any applicant. Record Center staff will reply, giving that information to the Intake worker. Hard copy records may be forwarded, if necessary.
- I. In cases of indicated abuse/neglect the entire CPS record will be accessible online for review. The Intake worker will document all criminal investigation material and the CPS record of investigation in the foster home record. Also recorded will be concerns obtained and any entries made as a result of input received from Assessment, Family Services and/or Probation Staff.
- J. If CPS reports and/or BCI clearances indicate Departmental involvement or a criminal activity, one of the following steps is taken:
 - 1. The worker needs to discuss the situation with his/her supervisor within three (3) working days of the interview with the applicant. The supervisor makes the decision whether to permit the applicant to proceed. The worker records online in the Home Inquiry window any information collected from the interviews with the applicant and the supervisor with the disposition and basis for it. If the supervisor decides to terminate the licensing procedure on the basis of the report, the applicant is sent a notice within five (5) working days of the decision. The applicant is provided with the reasons for the decision. The letter is signed by the Licensing Administrator.
 - 2. If the Person Search indicates a record of a serious nature or severity which would preclude continued consideration of the prospective applicant, the Intake worker will consult with the supervisor. The supervisor decides whether or not the worker should conduct the interview.
 - 3. If there is serious Departmental past or current involvement, refer to subsection (J) above. Examples of serious Departmental involvement include the following:
 - a. Relative has terminated or had rights terminated to own child(ren).
 - b. Indicated (i.e. substantiated) allegations of abuse and or neglect.
 - c. Child of the applicant is or has been in placement or a resident of a youth correctional facility.
 - d. A member of the household is on juvenile probation.
 - e. Family active with the Family Services unit, or the Intake unit of the Department.
 - f. Family under investigation by DCYF.
- K. After receipt of the application package, the Family Resource supervisor assigns the case to the Family Resource worker responsible for the geographic area in which the applicant resides.
 - 1. Clerical staff establishes a case record within one (1) working day of receipt of the application.
 - 2. If the Application (DCYF #036) is not returned to the Department within ten (10) days, the Family Resource Intake worker makes a follow-up telephone call to the applicant:

- a. Asks reason for the delay.
 - b. Records the date and outcome of the call in the applicant's pending electronic file.

- L. The Family Resource Intake Worker ensures that the following procedures are initiated after receipt of the application:
 - 1. Clerical staff send the Physician's Reference forms to the indicated physician. The date the forms are mailed is logged into the electronic file.
 - 2. Clerical staff arranges for Fire Safety Inspections. The fire inspector inspects the applicant's home after receipt of the referral. If re-inspection is necessary, the fire inspector maintains contact with the applicant on a monthly basis until the home meets fire standards or it is determined that the home will not meet the standards.

- M. Home study - licensing worker schedules the home study:
 - 1. The home study consists of one (1) to three (3) home visits and considers the criteria for becoming a foster home, taking into consideration good case work practice.
 - 2. The Family Resource unit supervisor signs the Foster Home Boarding Agreement and obtains signatures on the form from the licensing administrator and the chief of the licensing unit. (This form may have the signatures Xeroxed.) The licensing worker reviews the two copies of the Foster Home Boarding Agreement and has the foster parent sign the two copies during the home study.
 - 3. The licensing worker records online the information received from the home study.
 - 4. The Family Resource supervisor reviews the home study upon the request of the licensing worker.

- N. The licensing worker maintains contact with the applicant to expedite receipt of the Physician's References and fire inspection information.

- O. Foster Parent Training:
 - 1. When the case is assigned to the licensing worker the worker will send a letter to the applicant and inform the Staff Training unit. The letter will inform the applicant of the licensing worker's name and telephone number as well as informing the applicant to register for training. The letter will also inform the applicant that training is a prerequisite requirement only.
 - 2. The training staff person will have access to the applicant's case record/home study.
 - 3. The licensing administrator or designee may refer the applicant to the training staff person prior to completion of the usual licensing prerequisites.
 - 4. Upon the applicant's completion of training, the training staff person submits a report of the applicant's training experience to the family resource worker. The report is entered into the applicant's record.

- P. When all requirements are completed, the family resource supervisor submits the completed record along with a recommendation to the licensing administrator or designee.
- Q. The licensing administrator or designee decides if the license will be granted:
1. If the decision is not to license, the licensing administrator notifies the applicant in writing. A copy of the notification is forwarded to the Family Resource supervisor.
 2. If the decision is to license, the licensing administrator or designee is responsible for the following:
 - a. Preparation of license.
 - b. Entering licensing information in the Family Resource record and returning the record to the Family Resource supervisor.
- R. The Family Resource supervisor oversees the following:
1. The approval of the foster home license. The Family Resource clerical staff mails the approval of the foster home license to the newly licensed foster parent(s).
 2. The Family Resource supervisor forwards the complete foster parent record to the placement unit coordinator for review. The record is not forwarded to the placement unit if the home has been licensed for a specific child.

Licensing Homes in Which the Child is Residing Prior to Completion of Licensing

Procedure From Policy 900.0020: Licensing of Foster Care Homes

- A. The following procedures relate only to those situations in which a child is residing in the unlicensed home of a non-relative caretaker without prior knowledge or consent of the Department and removal from the home is not in the immediate best interests of the child. The Department will allow the child to remain in the unlicensed home for a period not to exceed forty-five (45) days from the date the Department is made aware of this living situation. This is contingent upon the following procedures being completed within the forty-five (45) day time frame. If this cannot be completed within this time frame or if the non-relative caretaker does not agree to cooperate with the licensing process, it will be necessary to immediately remove the child from the home.
1. The primary service worker and his/her supervisor initiate the foster home licensing process for those homes in which the child is residing prior to initiation or completion of licensing. There are situations where the Child Protective Investigator may begin this preliminary work which would be completed by a Family Services worker before it is forwarded to the licensing unit:
 - a. The primary service worker obtains an immediate criminal records clearance from the Bureau of Criminal Identification on all adult members of the household. If the results of the clearance indicate a record of a serious nature which would disqualify the applicant from being licensed, the worker consults with his/her supervisor and unit administrator and discontinues the licensing process. The unit administrator notifies the applicant in writing (DCYF #104) of the decision and provides reason(s) for the decision.
 - b. The primary service worker immediately removes the child from the home.
 - c. The Bureau of Criminal Identification is closed during the following hours. The child may remain in placement, and the clearance must be obtained as soon as the office opens.
 - (1) Monday through Friday -- 1 A.M. to 5 A.M.; and
 - (2) Saturday, Sunday, and Holidays -- 12 A.M. to 6 A.M.
 - d. The primary service worker does an immediate Person Search on the applicant and members of the household. If the results of the above search indicate Departmental involvement, the primary service worker confers with his/her supervisor and unit administrator to arrive at a decision as to whether to terminate the licensing process.
 - (1) If the decision is to terminate the licensing process, the unit administrator notifies the applicant in writing (DCYF #117) of the decision and provides reason(s) for the decision. The child is immediately removed from the home.

- e. The primary service worker visits the home within two (2) days of placement of the child:
 - (1) The primary service worker provides the applicant with a foster care informational letter (DCYF #112) which includes information on the licensing process, foster board payments, etc.
 - (2) The primary service worker assesses the home environment of the applicant and completes the check list on the Preliminary Assessment of Family and Home (DCYF #036A).
 - (3) The primary service worker informs the prospective applicant of age limitations. The worker disqualifies the applicant if he/she is below the age of twenty-one (21).
 - (4) The primary service worker informs the prospective applicant of space limitations of the home. The worker disqualifies the applicant if the applicant states that the home lacks the required space to house the foster child. (Fifty (50) square feet per child is required for sleeping area. Each child shall have one bed.)
 - (5) The primary service worker has the prospective applicant complete and sign the Application to Board Children (DCYF #036), and the Physician's Reference (DCYF #037).
 - (6) The prospective applicant is informed that foster board payments will be retroactive to the date of the placement.
 - f. Within one (1) working day the primary service worker confers with and receives approval from his/her casework supervisor and unit administrator to continue the licensing process:
 - (1) If the decision is made not to proceed, the applicant is notified in writing of the decision and is provided with reasons for the decision (DCYF #117). The child will be immediately removed from the home.
 - (2) If approval is granted, the casework supervisor and unit administrator sign the Preliminary Assessment of Family and Home (DCYF #036A).
 - g. The casework supervisor immediately forwards the Application to Board Children, Preliminary Assessment of Family and Home, the BCI and RICHIST Person Search information, and the Physician's Reference, to the Regional Director if it is decided that the child will remain in the home. It is then forwarded to the Licensing Administrator.
 - h. A copy of the Preliminary Assessment of Family and Home is placed in the record of the child in placement.
2. Upon receipt of the Application to Board Children and material listed in Section A, the Family Resource supervisor oversees the following:

- a. Clerical staff establishes case record in RICHIST. The Family Resource supervisor assigns the case to a worker.
- b. The record includes the Application to Board Children and material listed in Section 1.
- c. Clerical staff arranges for a Fire Safety Inspection (DCYF #040). The fire inspector inspects the applicant's home. If the Fire safety inspection indicates a need for installation of smoke detectors, a fire extinguisher, and/or remote shutoff for the furnace, re-inspection must occur within fourteen (14) days of the initial inspection to both verify compliance and meet the forty-five (45) day time frame for provisional licensing.
- d. If the procedures cannot be completed within a forty-five (45) day time period from the time the Department becomes aware of this living situation, the child must be removed from the home by the primary worker.
- e. The application is processed in the same manner as those for regular foster homes. Upon receipt of a favorable fire inspection report, BCI, and DCYF clearance (the minimum allowed for a provisional license), the licensing administrator may grant such a license pending completion of the full licensing procedure.
- f. The Family Resource worker may contact the primary service worker to confer about the prospective applicant, the application process, or to obtain clarification about any related issue(s).
- g. Upon completion of the licensing procedure, the Family Resource supervisor notifies the supervisor of the primary service worker as to whether the home has been approved or disapproved for licensing. If the home has been disapproved an appeal may be made to the Department.

Re-licensing

Procedure From Policy 900.0020: Licensing of Foster Care Homes

- A. Foster homes are re-licensed on an annual basis prior to expiration of the license. Licenses remain in effect until completion of re-licensing activity:
1. RICHIST maintains a listing of all foster homes according to the date the license expires.
 2. Three (3) months prior to expiration of the license, RICHIST generates a tickler alerting the assigned worker about foster homes whose licenses will expire. The licensing administrator will provide the fire inspector with a copy of the list.
 3. The worker will track and generate a packet for the client. (The application is sent out in advance. The worker needs to complete a home study update.)
 4. If the Application to Board Children is not returned to the Department within two (2) weeks, the worker contacts the foster parents.
 5. Upon receipt of re-application, the worker ensures that the following procedures are initiated within one (1) working day:
 - a. The worker will request a fire safety inspection for expiration cases and forwards the request to the human services facility inspectors.
 - b. The licensing worker completes a new request for a BCI clearance for all adults in the home.
 - c. The licensing worker performs a Person Search on all members of the household.
 - d. The worker contacts the primary service worker(s) of the child(ren) in the home for an assessment of the care provided.
 - e. The worker updates the home study prior to the expiration of the license.
 - (1) The home study consists of one (1) or more home visits and considers the criteria listed in Addendum II Foster Parent Home study.
 - (2) The worker enters the results of the home study in
- RICHIST.
- f. The licensing worker reviews the foster home record for criminal and/or CPS investigations and any recommendations or concerns, observations and recommendations, and entries made by the licensing worker as a result of input received from family service and/or probation staff.
 7. The completed home study and DCYF/BCI clearances are forwarded to the Family Resource supervisor.
 8. The Family Resource supervisor recommends re-licensing or revoking the license based on the above-mentioned material.
 9. The Family Resource supervisor forwards the foster parent(s) record with the recommendation to the Licensing Administrator for appropriate action.

10. The licensing administrator reviews the record and makes the decision as to re-licensing or re-licensing action.
11. The signed license and the Approval of Foster Home License (DCYF #105) are returned to the clerical for mailing to the foster parent(s).
12. The foster parent record is forwarded to the placement unit coordinator for review.

ADDENDUM I - Licensing/Certification of Foster Care Homes

Criminal Offenses

The arrest and conviction for one of the following criminal offenses would preclude a prospective applicant from having his or her home licensed/certified as a foster care home.

Offenses Against the Person

- Murder
- Voluntary manslaughter
- Involuntary manslaughter
- Kidnapping
- Kidnapping with intent to extort
- First degree sexual assault
- Second degree sexual assault
- Third degree sexual assault
- Assault by spouse
- Assault with intent to commit specified felonies
- Felony assault
- Domestic assault
- First degree child abuse
- Second degree child abuse

Offenses Against the Family

- Incest
- Child snatching
- Exploitation for commercial or immoral purposes

Public Indecency

- Transportation for indecent purposes:
 - Harboring
 - Prostitution
- Pandering
- Deriving support or maintenance from prostitution
- Circulation of obscene publications and shows
- Sale or exhibition to minors of indecent publications, pictures or articles
- Child nudity in publication

Drug Offenses

Any offense constituting a felony which is enumerated in Rhode Island General Law 21-28-1.01 et seq., the Uniform Controlled Substances Act.