

12.3 Agency Arranged Relative or Kinship Care Due to the Children's Division Legal Custody

Relative or Kinship care is preferred and should be given first consideration when court intervention is necessary to ensure the safety of the foster youth. Preferably, the foster youth's initial out-of-home placement will be with a relative or kinship provider, unless the court has determined that relative or kinship placement is contrary to the best interest of the foster youth.

If the foster youth is not placed with an identified relative or kinship provider, the court must make specific findings on the record detailing why placement with a relative or kinship provider is not in the best interests of the foster youth, [Section 210.565.3](#).

Upon the removal of a foster youth from his/her home, a list of potential relative or kinship providers, should be obtained from the parents/or caregiver. Information gathered on page 4 of the Child/Family Health and Developmental Assessment – Parent Information form, CW103 A, may be utilized for this information. The list of potential relative or kinship providers should be obtained as soon as possible and no later than at the 72-hr meeting. This list and efforts to locate the identified relative or kinship provider is also to be documented in the assessment and treatment section of the case record and on the Child Assessment and Service Plan, CS-1. Per RSMo 210.127 the search progress to locate the absent parent must be reported at each court hearing until the parent is either, identified and located, or the court excuses further search. The same criterion applies when searching for relatives.

When a foster youth is placed in an agency arranged relative or kinship placement and the placement provider successfully completes the licensure process, that provider will be eligible to receive a monthly maintenance rate equal to that of the traditional foster care payment, plus the \$100.00 professional parent incentive rate each month.

12.3.1 Required Action for Placement

The following steps must be taken at the time of placement in order to facilitate an initial out-of-home placement with an unlicensed relative or unlicensed kinship provider:

1. Before placing the foster youth with a relative or kinship care provider, the Children's Service Worker must inform them of their role and responsibilities including the following:
 - a. Their duties, rights, and role as an out-of-home placement provider;
 - b. Financial assistance, benefits, and services available to support the foster youth's placement;
 - c. The licensure process including how long it will take, what is required, and the benefits of licensure;
 - d. The juvenile court process and options;

- e. The permanency planning process including their membership on the Family Support Team, FST, and Permanency Planning Review Team, PPRT;
 - f. Signed SS-6 for all household members which is needed to contact references and share information with the FST and PPRT; and
 - g. Support services, including training, available through CD and community resources.
2. Determine whether the parent(s) of the foster youth approve of the kinship as a potential placement provider.
3. If the placement is with a grandparent, parental approval is not needed per RSMo 210.305;
4. If the placement is with a relative, parental approval is not needed per RSMo 210.565.
5. Determine the relationship of the foster youth to the potential provider.
6. Complete the Resource Home and Safety Checklist, CS-45, to determine that the environment is safe.
7. Obtain information regarding the potential provider including: name, date and place of birth, Social Security number, address and telephone number.
8. Complete background checks.
 - a. The CA/N report may be obtained by accessing local county office computers or by calling the Child Abuse/Neglect Hotline. Staff will conduct child abuse and neglect background checks in every state where each household member 17 years of age and older has resided during the past five (5) years per Adam Walsh Protection and Safety Act. The search can be conducted by accessing the [List of Contacts for Other States Child Abuse and Neglect Registries](#). This list includes the contact and the process to make the request for every state.
 - b. Per Statute 210.482, RSMo, a CA/N and criminal record check shall be completed for all adult household members over the age of 17, or those under the age of 17 who have ever been certified as an adult and been convicted of, or pled guilty or no contest to any crime. The Division will request that a local or state law enforcement agency or juvenile officer immediately conduct a Purpose Code X, name-based criminal history record check to include full orders of protection and outstanding warrants of each person over the age of 17 residing in the home by using the Missouri Uniform Law Enforcement System (MULES) and the National

Crime Information Center (NCIC) to access records maintained by the FBI.

c. After the name-based search has been conducted and the foster youth has been placed with the relative or kinship family, all household members age 17 and older must submit fingerprints to the Highway Patrol to be used to search the criminal history. The fingerprint authorization letter of Purpose Code X inquiry, CD26-f, shall be provided to the resource provider with the correct registration number for the circuit in the place indicated on the letter. The fingerprints must be obtained within 15 days of the requested name-based check as required for a Purpose Code X inquiry. If the placement is not made, the worker must contact the law enforcement entity that conducted the check and report that the placement was not made. Results of the fingerprint checks will be provided to the Children's Division office that made the request:

- **Any foster youth placed in a relative or kinship home shall be removed immediately if any person residing in the home fails to provide fingerprints after being requested to do so.**

d. If the placement of a foster youth is denied as a result of the name-based criminal check, and the denial is contested, the relative or kinship provider has 15 business days to submit fingerprints to the Highway Patrol through the Children's Division.

- The cost of fingerprinting shall be paid by the state.

e. Check Case.net

f. Check the Missouri State Highway Patrol's sexual offender list by household address. Enter the address of residence of the resource home at the Missouri State Highway Patrol's sexual offender list located on the web at:

<http://www.mshp.dps.missouri.gov/MSHPWeb/PatrolDivisions/CRID/SOR/SORPage.html> This search will determine if a sexual offender is registered as residing at the resource home address.

Related Subject: Section 6 Chapter 3 Attachment A: [Guide for Conducting Foster/Kinship Family Assessments](#) for instructions on CA/N checks, fingerprinting, Case net and Family Care Safety Registry

Related Subject: Section 7 Chapter 34 [Laws Relating to Custody, Placement and Visitation of Children under the Jurisdiction of Juvenile Court](#)

Related Subject: Section 4 Chapter 4 Attachment B, [Guidelines to Placement Options, Criteria and Selection.](#)

12.3.2 Required Action Following Placement

The following steps must be completed within three (3) working days following placement of a foster youth in an unlicensed relative or unlicensed kinship home:

- a. Receive the court order, ordering the foster youth into the custody of the Children's Division;
- b. Obtain agreement from all Family Support Team Members regarding the placement;
- c. Determine if assistance is needed to monitor/restrict contact between parents;
- d. Immediately notify the eligibility specialist of child's placement;
- e. Provide relative or kinship provider with a copy of the court order;
- f. Provide relative or kinship provider with Medicaid form, IM-29, and instructions for obtaining a complete health examination;
- g. Explain to the relative or kinship provider the procedures for obtaining clothing for child, including a clothing allowance voucher if the foster youth is in custody;
- h. Provide the relative or kinship provider with the name and phone number of foster youth's current school and instructions to enroll foster youth in new school, if needed;
- i. Provide the relative or kinship provider with the name and twenty-four hour contact telephone numbers of the worker and supervisor;
- j. Provide the relative or kinship provider with the Finger Print Authorization Letter to Prospective or Current Resource Providers, CD-26a;
- k. Inform the relative or kinship provider that the foster youth will be removed immediately if anyone in the household does not obtain fingerprints;
- l. Check all the Family Support Division screens as specified in licensure policy, [Section 6 Chapter 3 Attachment A](#);
- m. Check Child Abuse and Neglect Registries in every state each household member 17 years of age and older has resided during the past five (5) years per Adam Walsh Protection and Safety Act. The search can be conducted by accessing the [List of Contacts for Other States Child Abuse and Neglect Registries](#). This list includes the contact and the process to make the request for every state;
- n. Check the Children's Division computer system to verify if the provider has a Departmental Vendor Number, DVN;
- o. Open an application as pursuing licensure. **Relative (RH) and Kinship (KH) placement providers are required to have a DVN whether they are licensed or not.**

The system will automatically generate a monthly maintenance payment for 90 days to the relative or kinship provider. Payment will cease after 90 days. If the relative or kinship provider wishes to become a licensed provider in order to receive monthly maintenance payment, they must complete the requirements for licensure as outlined later in this chapter. Upon completion of the licensure process and approval, the date all licensure requirements

were completed is entered as the begin date of license and payments will resume upon that date.

- p. Open an Alternative Care Client Information screen, SS61, for each foster youth placed in the home;
- q. Check IPAR, Family Support Division, FSD, screen accessed by the child's DCN to determine if the foster youth is receiving TANF benefits. If the foster youth is receiving TANF benefits, close the foster youth out of the FSD case.
- r. Have a conversation with the relative or kinship placement provider regarding the benefits of completing the licensure process.
- s. The licensing worker will make a home visit to the unlicensed relative or kinship provider home every six (6) months until the provider is closed. The visit will include completion of the Resource Home and Safety Checklist, CS-45, and inquiring as to any concerns or needs of the unlicensed provider.
- t. If the relative or kinship provider decides to not pursue Licensure, the Family Support Team must be in agreement with the placement continuing and a court order must be obtained allowing the foster youth to remain in the unlicensed resource home. If there are problems obtaining a court order, contact Division of Legal Services. The worker must notify the unlicensed resource they are not eligible for maintenance payments.

Foster youth may not remain in an unlicensed foster home without a court order approving the placement of the foster youth in the unlicensed resource home.

12.3.3 Licensure Process

The primary impetus of placement in a relative or kinship home is to allow the foster youth to maintain family relationships in a safe environment.

If the relative or kinship provider chooses to become a licensed provider, the worker has 90 days from the date the foster youth was placed in the home to complete the licensure process. Maintenance payment only occurs during the initial 90 days of the licensure process. Maintenance ceases after 90 days and will only resume upon completion of all the licensure requirements. The provider is only eligible for the \$100.00 Professional Parenting Payment after the licensure process is completed. ICPC resource providers are not eligible for the Professional Parenting Payment

Licensure of a relative or kinship provider will be determined after the Children' Service Worker completes the following:

1. Provide the relative or kinship provider with the Relative/Kinship Care Introduction Letter, CD-71, which explains the licensing process and time frames.
2. Provide the relative or kinship provider with the STARS “**For The Caregiver Who Knows The Child**” training materials, as either a self-study or an opportunity for them to attend a group training session. The provider will receive 9 hours of pre-service training credit for successfully completing the training and homework for STARS for the Caregiver Who Knows the Child. At least 9 hours of assessment is required to occur during the pre-service training process.

The relative or kinship provider must meet the following competencies:

- Protecting and nurturing;
 - Meeting developmental needs and addressing developmental delays;
 - Supporting relationships between children and their families;
 - Connecting children to lifetime relationships; and
 - Working as a member of a professional team.
3. Provide the paperwork for the family to register with the Family Care Safety Registry and obtain a report to be documented in the record.
 4. Review Children’s Division License History Screens
 5. Provide the Foster/Adopt Home Assessment Application, CS-42, for completion.
 6. Provide a Foster Family Home Medical Report, CW-215, for each household member, excluding foster youth. Request that the relative or kinship providers authorize their physician to submit a statement of physical and mental health using the CW-215. The providers and all household members must be determined by a physician to be in good physical and mental health.
 7. Complete the Professional Family Development Plan, CD-100, to determine that the relative or kinship provider meets the identified competencies which were addressed in the STARS Care Giver Who Knows the Child training in which they successfully completed;

8. Complete a home assessment which must be conducted at the provider's residence with all caregivers present. The home assessment includes, but is not limited to:
 - a. Assessment of the relative or kinship provider's relationship with the parent and foster youth including knowledge of circumstances/conditions which contributed to the need for out-of-home placement, the provider's past efforts to help family and prevent abuse/neglect and the provider's current ability to ensure the safety of the foster youth in their own home;
 - b. Assessment of the relative or kinship provider's capacity to care for the foster youth financially, physically, and emotionally (understanding of abuse/neglect, supportive, willingness to meet foster youth's needs);
 - c. Observation of the interaction between the provider, parent, and foster youth to assess the degree of comfort and trust which exist among the parties and with agency involvement;
 - d. Assessment of relative or kinship provider's willingness to cooperate with the treatment plan; and
 - e. Three personal references, employer reference, and school reference.

Related Subject: Section 6, Chapter 3, Attachment A: [Guide for Conducting Foster/Kinship Family Assessments](#) for instructions on Fingerprinting, Family Care Safety Registry and Case.net.

Related Subject: Section 6 Chapter 3: [Resource Family Assessment and Licensing Process.](#)

9. If a kinship resource provider chooses to become licensed, the only deviation from the process that is used to license any Foster/Adoptive Applicant as outlined in Section 6 Chapter 3 Attachment A, is the initial pre-service requirement of completing the 27 hours of STARS pre-service training.
10. If a relative resource provider chooses to become licensed, the following non-safety licensing standards located in the Foster Family Home Licensing Rules, Title 13-CSR Division 35 Chapter 60, may be waived on a case-by-case basis with Regional Office approval to meet licensure requirements:
 - Capacity; 13 CSR 35-60.020 (1) Maximum number of children in the home
 - Capacity; 13 CSR 35-60.020 (2) Limits on number of children under the age of five

- Capacity; 13 CSR 35-60.020 (3) Limits on number of elevated needs foster youth
- Age of Foster Parent(s) 13 CSR 35-60.030 (1) Minimum age of 21
- Health of Foster Parent(s) 13 CSR 35-60.030 (4) (A) Physician statement and all immunizations up-to-date at initial licensure and renewal for all household members
- Health of Foster Parent(s) 13 CSR 35-60.030 (4) (B) Physician determination that all household members are in good physical and mental health training
- 13 CSR 35-60.030 (5) (B) Required 30 hours of in-service training hours for license renewal. This waiver does not include required in-service trainings including but not limited to; CPR, First Aid, RPC Trauma, Reasonable and Prudent Parenting Standard, or any Children's Division specified in-service training
- Physical Standards; 13 CSR 35-60.040 (1)(A) Location of home
- Physical Standards; 13 CSR 35-60.040 (1)(B) Size and floor plan of home
- Physical Standards; 13 CSR 35-60.040 (2)(D) Opposite sex in same room
- Physical Standards; 13 CSR 35-60.040 (2)(E) No foster youth age 2 and over sleep in same room with adult over 21
- Physical Standards; 13 CSR 35-60.040 (2)(F) No foster youth age 2 and over shall sleep in the same bed with the resource parent(s)
- Physical Standards; 13 CSR 35-60.040 (2)(I) Drawer and closet space specifications

11. Approval Process Utilizing the Non-Safety Licensing Standards Waivers

When a recommendation to approve a relative provider is based on utilizing the allowable non-safety licensing standard waivers, the recommendation must include clear documentation that utilization of the waiver(s) will not affect the safety and well being of the foster youth.

When a recommendation is to deny licensure of the relative provider the denial must be based on non-compliance and/or incapability of meeting the required licensing rules. If the non-safety licensing standard waivers could not be utilized to approve the licensure, there must be clear documentation that the safety and well being of the foster youth would be compromised if an allowable waiver was used.

12. After the relative resource home has completed all the licensure requirements as outlined in this section and the license has been approved, they will receive the \$100.00 Professional Parenting Payment and the maintenance payment will resume. The worker must complete the following:

- Enter the date the requirements were met as the begin date of the license.

- Send the signed Cooperative Agreement for the Purchase of Professional Parenting Services, CM-14, to the Central Office Contract Unit for entry. The date on the contract cannot be prior to the date that the licensure began.

13. The Children's Service Worker will review the status of each pending relative or kinship care provider's assessment and license. The Relative/Kinship Care Reminder Letter, CD-72, should be sent every 30 days until licensure is achieved or the family chooses to no longer pursue licensure.

12.3.4 Stepparents

A stepparent by legal definition, RSMo 210.481 (9), is a relative. If a legal status 1 foster youth is placed in the home of their stepparent, the placement type is an RHU, unlicensed relative home, not pursuing licensure. If the placement provider is a prior stepparent who is divorced from the child's natural parent, then the placement type is a KHU, unlicensed kinship home.

Stepparents are not eligible for pursuing a foster home licensure; therefore, they are not eligible for maintenance payment. Pursuant to statute 453.400, a stepparent shall support his or her stepchild to the same extent that a natural or adoptive parent is required to support his or her child so long as the stepchild is living in the same home as the stepparent. If the stepparent needs financial assistance, they may apply for TANF benefits.

If the stepparent gets divorced from the natural parent, their vendor type changes to a KHU and they pursue licensure to be eligible for maintenance payment.

Stepparents are not eligible for adoption or guardianship subsidy if they are married to the natural parent of the child.

12.3.5 Benefits of Licensure

The Children's Service Worker shall explain to the relative or kinship provider the benefits of completing the licensure process. The monthly maintenance payments will cease after the initial 90 days of placement in the relative or kinship home. The following benefits are to be presented and discussed with the provider:

1. Monthly maintenance payments.
2. Respite services.
3. Guardianship subsidy is only available if the kinship provider is licensed.

12.3.6 Placement in a Currently Licensed Home

Relative or Kinship Home

If relative or kinship placements are being made in a home that currently has an open Relative, RH, or Kinship, KH, vendor placement type, the following steps must be taken:

- Verify any capacity concerns;
- Provide the RH or KH provider with a copy of the court order;
- Provide the RH or KH provider with all information specific to the foster youth being placed including: Medicaid form, IM-29, and instructions for obtaining a complete health examination; Procedures for obtaining clothing for child, including a clothing allowance voucher; Name and phone number of foster youth's current school and instructions to enroll foster youth in new school, if needed;
- Provide the RH or KH provider with the name and twenty-four hour contact telephone numbers of the worker and supervisor;

Foster Family Home License

If a relative or kinship placement is made in a home that has a current FH, FA, FG, CF, Elevated Needs Level A or Elevated Medical Needs vendor placement type, the following steps must be taken:

- Verify any capacity concerns
- Provide the RH or KH provider with a copy of the court order;
- Provide the RH or KH provider with all information specific to the foster youth being placed including: Medicaid form (IM-29) and instructions for obtaining a complete health examination; Procedures for obtaining clothing for child, including a clothing allowance voucher; Name and phone number of foster youth's current school and instructions to enroll foster youth in new school, if needed;
- Provide the RH or KH provider with the name and twenty-four hour contact telephone numbers of the worker and supervisor;
- Open an application for vendor type RH or KH using the date of opening as the date the placement is made.
- Open an RH or KH license using the begin date as the date that the placement is made and the end date the same as the current FH license end date.

Chapter Memoranda History: (prior to 01-31-07)

[CS03-32](#), [CD04-79](#), [CD05-80](#), [CD06-37](#), [CD06-46](#), [CD06-75](#)

Memoranda History:

[CD07-36](#), [CD07-65](#), [CD08-55](#), [CD10-61](#), [CD10-102](#), [CD11-88](#), [CD12-30](#), [CD12-31](#), [CD12-88](#), [CD14-09](#), [CD14-27](#), [CD16-18](#)