

DEPARTMENT OF SOCIAL SERVICES

CHILDREN'S DIVISION  
P.O. BOX 88  
JEFFERSON CITY, MISSOURI  
July 13, 2007  
MEMORANDUM

<p><b>WHAT'S INSIDE:</b></p> <ul style="list-style-type: none"> <li>• Foster Home Licensing Rule Revisions</li> <li>• Revised Foster/Adopt Home Assessment Application (CS-42)</li> <li>• Introduction of new Resource Home and Safety Checklist (CS-45)</li> </ul>
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TO: REGIONAL EXECUTIVE STAFF, CIRCUIT MANAGERS AND CHILDREN'S DIVISION STAFF

FROM: PAULA NEESE, DIRECTOR

SUBJECT: FOSTER HOME LICENSING RULES

REFERENCE: CHILDREN'S DIVISION

DISCUSSION:

The purpose of this memorandum is to introduce changes in policy due to revisions in the foster home licensing rules, changes to the Foster/Adopt Home Assessment Application (CS-42) and the Resource Home and Safety Checklist (CS-45). The foster home licensing rules went into effect on January 30, 2007, and staff are to conduct all new licensing and renewals according to the revised licensing rules as of the date of this memorandum. Any currently licensed home must meet these requirements as their license is renewed. Staff should be addressing these changes with all licensed homes during their quarterly home visits to prepare resource providers for the changes they will need to make prior to their license being renewed. All contractors must also comply with these licensing criteria for homes they develop for their use or for those developed for the Division's use under the Foster Care and Adoption Resource Services (FCARS) contract.

**FOSTER HOME LICENSING RULES**

The foster home licensing rules are located in the Child Welfare Manual, Section 6, Chapter 2, Attachment B. This section has been updated to reflect the revised licensing rules. The licensing rules are included in the Code of State Regulations and can be found on the secretary of state's website ([www.sos.mo.gov](http://www.sos.mo.gov)). The foster home licensing rules were previously included in Division 40 – Division of Family Services. This has now changed to Division 35 – Children's Division.

This memorandum will address the changes from the previous licensing rules except for those changes which relate to the foster home licensing emergency rule which went into

effect in August, 2006. These changes were addressed in memorandum CD06-77 and will be addressed further in a forthcoming memorandum. The changes are addressed in the order in which they appear in the licensing rules.

### **13 CSR 35-60.010 Family Homes Offering Foster Care**

The changes to this section were the addition of the fingerprint background check information, the issuance of one license per household, suspension of a license, and utilization of the home.

1. Fingerprint Background Checks – this change adds the requirement of fingerprint based background checks for all household members aged 17 and older as well as any child under age 17 that has been certified as an adult for the commission of a crime or has been convicted or pled guilty or nolo contendere to any crime.
2. One License per Household – only one license will be issued per household. This means that a couple must be married in order for both persons to be included on the license. It also means that if more than one adult, no matter the relationship between the adults, lives in the household, only one may be licensed; for example a mother and adult daughter living in the same household, only one may be licensed as a foster parent. However, all adults living in the household who will have child care responsibilities must attend pre-service training but are not required to attend in-service training, although we would encourage them to do so.
3. Suspension of License – this addition requires the Division to provide written notification to a licensee ten (10) days prior to their license being suspended and allows the provider to request a hearing and review. Thus, the Foster/Relative Home Action Report (CS-20) and the Notification of Resource Home Adverse Action letter (CS-20a) notifying the licensee of the action taken must be completed for all suspensions as it is for all denials and revocations. These forms can be found in the Children’s Division e-forms.
4. Utilization of home – this is a new piece to this section and states that the granting of a license does not guarantee placement. It also states that all placement decisions will be made at the discretion of the Children’s Division and Juvenile Court in the best interest of the child based upon the totality of circumstances with parental preferences taken into consideration. This is to allow for CD and Juvenile Court staff to take into consideration the qualities and living situation of all potential placements and the preferences of the parents to make the best placement choice for the child. The foster family profile will be utilized in this process. Parental preferences alone should not prevent a potential placement resource from being selected. This is a decision that should be made with the Family Support Team.

### **13 CSR 35-60.020 Number of Children**

Changes to this section include the following:

1. Language regarding dually licensed homes – the Division’s policy has been that no licensed foster home who is also licensed as a child care provider may have a foster child under the age of seven (7) in their home unless necessary to accommodate a sibling group. This change now places this policy into rule.
2. Applicants and currently licensed homes must notify the Division of any contracts held for the care of children at the time of application or gained after licensure.

### **13 CSR 35-60.030 Minimum Qualifications of Foster Parent(s)**

There are significant changes to this section which include, the age of foster parents, citizenship status, competencies, a physician's statement at license renewal, immunizations, training, home study information, and the foster family profile.

1. Age of Foster Parents – this change adds language to the rule that allows for the licensure of a person under age 21 in the case of relative and kinship placements.
2. Citizenship Status of Foster Parents – this has been added to the rules and requires that all persons seeking to be licensed by the Children's Division must be a citizen of the United States or be able to verify lawful immigration status. All persons seeking licensure must provide a valid Social Security card or a Legal Immigrant Card ("green card"). All persons here legally have had a background check completed by the federal government prior to receiving their green card and their information is available in the FBI database. Therefore, a criminal background check may be completed on these individuals. Identix Identification Services, the contracted electronic fingerprint provider in Missouri, will accept a green card as identification for the purpose of completing background checks.
3. Competencies – this addition to the Personal Qualifications for Foster Parents requires that foster parents be able to acquire and demonstrate performance based competence in each of the five competency areas (Protecting and nurturing; Meeting developmental needs; Supporting relationships between children and families; Connecting children to relationships intended to last a lifetime; and Working as a member of a professional team) and for re-evaluation of their abilities in these competencies at each license renewal.
4. Physician's Statement – this change adds the requirement of having the foster parent's physician complete the Resource/Adoptive Family Medical/Health Report (CW-215) not only at the time of initial licensure but also at the time of renewal.
5. Immunizations – requires that all family members be up to date on their immunizations. If anyone in the household is not up to date on immunizations, the family must provide a statement from their family physician that the health of foster children is not at risk.
6. Training – requires the completion of a competency based training approved by the Division for pre-service and adds the requirement of in-service training hours for license renewal.
7. Home study information – requires the collection of personal information for the purpose of completing a home study on the foster family. The information gathered will include, but is not limited to,
  - a. Family size and household composition of the foster family;
  - b. Ethnic and racial background of the foster family;
  - c. Religious preferences and practices of the foster family;
  - d. Lifestyles and practices, including sexual orientation, of the foster parents;
  - e. Educational practices of the foster family; and
  - f. Employment of the foster parents.

This information will be collected during the initial assessment and must be updated at each license renewal assessment. Changes in some of these categories will require the home study to be updated within two weeks of the Division being notified of the change (changes to household composition, employment and address changes must be updated immediately per COA

requirements). This requirement was previously addressed in memorandum CD06-49.

8. Foster Family Profile – all of the information gathered for the home study will be condensed to comprise a foster family profile which will be utilized by the Family Support Team to assist in making placement decisions in the best interest of the child. A forthcoming memo will address this requirement in more depth.

### **13 CSR 35-60.040 Physical Standards for Foster Homes**

Changes to this section include:

1. The cost of testing for a private water supply is to be the responsibility of the applicant or licensee. If the water supply is found to be unsafe for human consumption, an alternative source of drinking water is to be made available;
2. The addition of swimming pools to the list of hazards which may require fencing;
3. Clarification of age six and two (children age six (6) and older of the opposite sex are not to sleep in the same room and children age two (2) and older shall not sleep in the same room as foster parents);
4. The foster home must have an operable phone or CD approved form of emergency contact;
5. Requires smoke detectors in the home to be operable with batteries installed;
6. Increases the required capacity of fire extinguishers in foster homes from 2 ½ to 5 pounds; and
7. Requires carbon monoxide detectors in all households with gas appliances.

This section also has new Weapons Requirements for foster homes which include:

1. Any and all firearms and ammunition shall be stored so as to be inaccessible to children. Foster parents shall store ammunition separately from any weapons. Firearms and ammunition shall be stored in locked areas or cabinets with keys secured so as to be inaccessible to children.
2. No firearms shall be kept in any vehicle transporting foster children (unless weapons are inaccessible to the foster child – i.e., in a locked glove box or other locked container or in the trunk of the vehicle) or on any person providing care or supervision to foster children. (An exception will be made for any person transporting a foster child who must carry a weapon as part of their job responsibilities – i.e., law enforcement officers.)
3. No firearms possessed in violation of a state or federal law or a local government ordinance shall be present at any time in the home, on any household member, or in any vehicle in which the children are riding.
4. Weapons storage shall be made available for external viewing by Children's Division staff in order to assure weapons are inaccessible to children.

### **13 CSR 35-60.050 Care of Children**

The changes to this section include the requirement of the foster parents to:

1. Participate in the Family Support Team (FST) meetings via physical attendance or via written or oral input;
2. Notify the division within two weeks of any pertinent changes in their family situation (changes in household composition, marital status, employment, address, phone number, arrests, convictions, guilty pleas, etc.);
3. Maintain medical and school files on foster children;
4. "Act as the parent" on behalf of a foster child in the development of an IEP;

5. Comply with all FST recommendations and court orders regarding visitation plans; and
6. Support the foster child's cultural identity and individuality in foster care.

The Education and Training piece of this section has the most significant changes as it outlines that the educational and vocational plan for the foster child shall be determined by the FST, including at a minimum the legal custodian or representative of the licensed child placing agency, the parent(s), foster parent(s), juvenile officer, and child of appropriate age, twelve and above.

The changes to this section also include the removal of the requirement for foster parents to provide allowances for foster children.

### **13 CSR 35-60.060 Records and Reports**

The changes to this section include requirements for the Division and its staff. These requirements include:

1. Develop a record on each foster child to be given to the foster parent(s) at the time of placement;
2. Provide additional information on the child to the foster parent(s) as it becomes available to the Division and outlines the content to be included in the record;
3. Provide an after hours contact number for the case manager; and
4. Provide all medical and dental information on the foster child including psychosocial and mental health history.

The contents of the record are listed in the Child Welfare Manual Section 6 Chapter 3 Attachment B.

### **RESOURCE HOME AND SAFETY CHECKLIST**

The Division has a responsibility to assure the safety of the children in division care and to do so, all homes providing care to our children will now have a Resource Home and Safety Checklist (CS-45) completed prior to licensure or the placement of a child. The CS-45 was previously the Kinship Home and Safety Checklist. This form has been adapted so it may be utilized for all of our resource homes and is attached along with instructions.

Changes have also been made to the CS-42 Application for Foster/Adopt Home Assessment which include

1. Reorganization of the form,
2. Removal of the statement regarding the release of the information contained in the form,
3. Changes the law violation section to Legal History, and
4. Addition of a Child Abuse and Neglect History,

### **NECESSARY ACTION:**

1. Review this memorandum with all Children's Division staff.
2. Review revised Child Welfare Manual chapters as indicated below.
3. Any questions regarding this e-mail should be sent through normal supervisory channels.
4. Share information from this memo with all licensed alternative care providers.

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<b>CHILD WELFARE MANUAL REVISIONS:</b> <a href="#">Section 4 Chapter 12.2</a> <a href="#">Section 6 Chapter 3.1</a> <a href="#">Section 6 Chapter 3 Attachment B</a>	
<a href="#">Section 4 Chapter 12.3</a> <a href="#">Section 6 Chapter 3 Attachment A</a> <a href="#">Section 6 Chapter 3 Attachment D</a>	
<b>FORMS REVISIONS:</b> Application for Foster/Adopt Home Assessment (CS-42) Resource Home and Safety Checklist (CS-45)	
<b>RELATED STATUTE:</b> <a href="#">RSMo 210.506</a>	
<b>ADMINISTRATIVE RULE:</b> <a href="#">State Code of Regulations Title 13 Division 35 Chapter 60</a>	
<b>COUNCIL ON ACCREDITATION (COA) STANDARDS:</b> <a href="#">S21.10</a> (Employee Access Only) <a href="#">G5.8</a> (Employee Access Only)	
<b>PROGRAM IMPROVEMENT PLAN (PIP):</b> N/A	

PN/SDW