

	<b>INDIANA DEPARTMENT OF CHILD SERVICES CHILD WELFARE MANUAL</b>	
	<b>Chapter 12: Foster Family Home Licensing</b>	<b>Effective Date: 3/1/07</b>
	<b>Section 1: Authority to License</b>	<b>Version: 1</b>

<b>POLICY</b>	<b>OLD POLICY: 601,602</b>
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The Indiana Department of Child Services (DCS) is responsible for issuing a license to all foster family homes and provides services to all resource family homes.

Resource family homes are categorized as:

- Foster family homes
- Pre-adoptive homes
- Homes with the intent of adoption only (not licensed)
- Unlicensed relative homes

Foster family homes are categorized as those who care for:

- Related children
- Non-related children OR
- Both related and non-related children

There are three categories of licenses:

- Foster Family Home
- Special Needs Foster Family Home
- Therapeutic Foster Family Home

Foster family homes caring for related children must begin the licensing process, by submitting an application, prior to the placement of a child. Refer to separate policy, Chapter 12, Initial Licensing Packet.

Foster family homes caring for non-related children must be licensed prior to the placement of a child. Refer to separate policy, Chapter 12, Initial Licensing Packet.

Foster family homes caring for both related and non-related children:

- Must begin the licensing process prior to the placement of a related child AND
- Must be licensed prior to the placement of a non-related child

Homes with the intent of adoption only are not required to be licensed. Next steps for adoption only homes, refer to separate policy, Chapter 12, Responding to Initial Inquiries.

DCS requires all potential resource parents to be individuals at least 21 years of age, capable of exercising and who do exercise good judgment in the handling of a child.

DCS will issue a license to an applicant who complies with all applicable statutes, regulations and rules. A foster family home license is issued for a period of four years.

All foster, therapeutic, and special needs homes must possess a license in order to operate in Indiana.

#### Code References

465 IAC 2-1-1: Definition of "foster parent" and "foster parents"

465 IAC 2-1-2: Definition of "boarding home for full-time care of children"

465 IAC 2-1-3: Foster family; full-time care; health; income; adult boarders; records and reports

465 IAC 2-1-4: Housing; full-time care; standards and requirements

465 IAC 2-1-5: Sanitation; full-time care

465 IAC 2-1-6: Health; full-time care; communicable diseases; medical treatment; health regulations

465 IAC 2-1-7: Food; full-time care

465 IAC 2-1-8: Personal care of child in boarding home for full-time care of children; supervision; education; religion

465 IAC 2-1-9: Definition of "intermediate boarding home for the care of children;" emergency placement

465 IAC 2-1-10: Foster family; intermediate care; requirements

465 IAC 2-1-11: Housing, intermediate care; standards and requirements

465 IAC 2-1-12: Sanitation; intermediate care

465 IAC 2-1-13: Health; intermediate care; physical examination

465 IAC 2-1-14: Food; intermediate care

465 IAC 2-1-15: Personal care of child; intermediate care; supervision; education; religion

465 IAC 2-1-16: Foster parent training

IC 31-9-2-9.3 "Applicant"

IC 31-9-2-46.9 "Foster family home"

IC 31-9-2-89 (c) "Person"

IC 31-9-2-99.3 (c) "Provider"

IC 31-9-2-117.5: "Special needs foster family home"

IC 31-27-2-1: Duties of department of child services

IC 31-27-4-1: License required for operation

IC 31-27-4-2: Therapeutic foster home licenses

IC 31-27-4-3: Special needs foster home licenses

IC 31-27-4-9: Licensing of applicants providing care and supervision to relatives

#### **PROCEDURE**

DCS local office directors or their designees are responsible for the:

1. Study of resource family homes
2. Completion of final review
3. Approval of licensing county resource family homes

The staff of local DCS offices may also accomplish items 1 and 2 outlined above by contracting with independent service providers.

Licensed Child Placing Agencies are responsible for the:

1. Study of resource family homes
2. Making a recommendation to Central Office Licensing Unit regarding issuing a license to a LCPA foster family home

## PRACTICE GUIDANCE

- N/A

## FORMS AND TOOLS

- N/A

## RELATED INFORMATION

### **Foster Family Home (IC 31-9-2-46.9) (IC 31-27-4-9)**

A place where an individual resides and provides care and supervision on a twenty-four (24) hour basis to a child who is:

- Separated from the child's parent, stepparent, guardian, custodian, or other relative
- Receiving care and supervision under an order of a juvenile court for the purposes of placement

AND

- Not the child, stepchild, grandchild, niece, nephew, or sibling of the individual providing care and supervision

OR

- Related and providing care and supervision under an order of a juvenile court to a niece, nephew, sibling, or grandchild

### **Special Needs Foster Family Home (IC 31-9-2-47.5)**

A home that provides care for a child who:

- Has a mental, physical, or emotional disability
- Will require additional supervision or assistance in behavior management, activities of daily living, or management of medical problems

IC 31-27-4-3 states that DCS may only issue a license for a special needs foster family home that meets:

- All of the licensing requirements of a foster family home and
- The additional requirements described in separate policies, Chapter 12, Pre-Service Training Requirements and Foster Family Home Capacity

### **Therapeutic Foster Family Home**

A home:

- That provides care for a child who is seriously emotionally disturbed or developmentally disabled
- In which the child receives treatment in a family home through an integrated array of services supervised and supported by qualified program staff from:
  - The office[s] of the Department of Child Services and
  - A managed care provider that contracts with the department of mental health or
  - A licensed child placing agency

IC 31-27-4-2 states that DCS may only issue a license for a therapeutic foster family home that meets:

- All of the licensing requirements of a foster family home and

- The additional requirements described in separate policies, Chapter 12, Pre-Service Training Requirements and Foster Family Home Capacity

### **Licensure of Non-Citizens**

DCS may issue a foster family home license to an applicant or licensee with legal status of permanent resident or who possess a permanent resident card (form I-551). DCS may issue a foster family home license with prior written approval from the DCS Central Office General Council of an applicant or licensee with the legal status of qualified alien.

DCS should not issue a foster family home license to an applicant or licensee who is an illegal or non-documented alien. However, these individuals may be considered a placement or resource home for a relative. Critical decision making skills should be utilized when assessing the appropriateness for placement.

### **Pre-Adoptive Homes**

A resource family home that has been approved to adopt a specific child at an Adoption Staffing.

### **Dually Licensed Home**

These homes are licensed to provide both foster care and licensed child care. Licensing of child care homes is done by FSSA Division of Family Resources. In the event that a dually licensed home is a foster family home and a child care home, licensing workers from each agency are to coordinate the licensing process.

### **Foster Care for Related Placements**

If a child alleged to be a CHINS is taken into custody under an order of the court, the court is required to consider placing the child with a suitable and willing blood or adoptive relative caregiver before considering any other placement resource. Such a caregiver may include a grandparent, aunt, uncle or adult sibling, as mandated IC-31-27-4-9. The local DCS office should issue a foster family home license to the relative upon completion of all licensing requirements. DCS does not mandate the removal of related children from homes of relatives who are denied licensure, voluntarily withdraw their application or who do not complete the licensing requirements.

In this re-conceptualized system, care within a resource family home is viewed as a temporary extension of the child's family, not as a replacement for it. Care in a resource family home is aimed at preserving the original family unit and allowing maximum opportunity for the child to return to live with his or her family. The resource parents do not replace the parental authority of the child's family, but rather become reunification partners; supporting and maintaining the child's connection to the birth family.

In the new approach, resource and birth families are teammates with the family services case workers in caring for the children. The goal is to protect the children in a continuum of care, bridging what may be a major division between the important people in the lives of children at risk.

In addition to Pre-Service and In-Service Training for foster parents, the State of Indiana, recognizing the critical role that resource parents play in the well-being of our children, provides and encourages other supportive services for them. These supportive services include resource parent recognition events and enabling Indiana to have representation at the *National Foster Parent Conference*.

Across the state, local DCS offices should encourage communities to recognize exceptional resource families. In addition, the local DCS offices should plan and implement activities such as luncheons, banquets and dinners for resource parents and participate in community social events for the recognition of foster parents.

All licensed resource family homes will follow the same licensing procedures and documentation requirements regardless if licensed by a local DCS office or a Licensed Child Placing Agency (LCPA).

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