

Exhibit H.1



Arkansas Department of Human Services Division of Children and Family Services

700 Main Street, Donaghey Plaza South, 5th Floor

P.O. Box 1437, Slot S560

Little Rock, Arkansas 72203-1437

Telephone (501) 682-8008 TDD (501) 682-1442 FAX 501) 682-6968

October 17, 2012



Varnaria Vickers-Smith, Legislative Analyst
Senate Interim Children and Youth Committee and the
House Aging, Children and Youth, Legislative and Military Affairs Committee
Arkansas Bureau of Legislative Research
One Capital Mall, 5th Floor, Room R-516
Little Rock, AR 72201

RE: Initial Filing - Regular Promulgation

Dear Ms. Vickers-Smith:

Please place the Division of Children & Family Services on the Children & Youth Committee agenda for review of the Rules as listed on the Questionnaire. The public comment period is from October 17, 2012 to November 15, 2012, with an effective date of January 1, 2013.

Enclosed are copies of the Questionnaire, Summary of Changes, Financial Impact Statement and Rule.

If you have any questions or comments, please contact Christin Harper, Policy & Professional Development Administrator, Division of Children and Family Services, P.O. Box 1437, (Slot S570), Little Rock, Arkansas 72203-1437; phone 682-8541; email christin.harper@arkansas.gov or fax 682-6968.

Sincerely,

A handwritten signature in blue ink that reads "Cecile Blucker".
Cecile Blucker

Director, Division of Children and Family Services

BUREAU OF LEGISLATIVE RESEARCH

DEPARTMENT OF HUMAN SERVICES
Division of Children and Family Services
AMENDING ADMINISTRATIVE REGULATIONS

TITLE: **New Rule**

Revised Rule

- Procedure IX-A1: Internal Reviews of Adverse Action
- Procedure IX-A2: Appeals and Hearings of Unfavorable Decisions
- PUB-30: Foster Parent Handbook

Rescinded Rule

PROPOSED EFFECTIVE DATE: January 1, 2013

STATUTORY AUTHORITY: A.C.A. 9-28-103

NECESSITY AND FUNCTION: **New Rule**

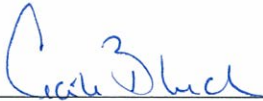
Revised Rule

- Procedure IX-A1: Internal Reviews of Adverse Action
 - Added closure of foster home as possible action subject to internal review (thereby aligning procedure with examples provided in Foster Parent Handbook).
 - Removed denial of placement of particular child in particular foster home as possible action subject to internal review as DCFS is the authority responsible for placement of children in DHS custody.
 - Clarified that denial of home studies as possible action subject to internal review includes Interstate Compact Placement of Children (ICPC) home studies.
 - Clarified that denial of a home study is a possible action subject to internal review only when resulting in a decision not to open a home of a relative within the third degree of kinship to the child (as DCFS is only required to notify relatives within the third degree of kinship).
- Procedure IX-A2: Appeals and Hearings of Unfavorable Decisions
 - Added denials or modifications of guardianship subsidies to actions that may be appealed through DHS Appeals and Hearing process.
 - Clarified ICPC home studies are comparable to all other types of home studies and, as such, are appealable through an internal review process.
- PUB-30: Foster Parent Handbook
 - Updated former foster parent grievance procedure to mirror current Internal Reviews of Adverse Action Procedure IX-A1 thereby allowing foster parents to contest any adverse action up to the level of the DCFS Director rather than requiring final disposition to be handled by the Assistant Director per the

former foster parent grievance procedure.

Rescinded Rule

PAGES FILED:



Signature

Name: Cecile Blucker

Title: Director

Section: Division of Children and Family Services

Department of Human Services

PROMULGATION DATES:

October 17-November 15, 2012

CONTACT PERSON:

Christin Harper

DHS-DCFS Policy Unit

Phone: (501) 682-8541

Fax: (501) 683-4854

Email: christin.harper@arkansas.gov

**QUESTIONNAIRE FOR FILING PROPOSED RULES AND REGULATIONS
WITH THE ARKANSAS LEGISLATIVE COUNCIL AND JOINT INTERIM COMMITTEE**

DEPARTMENT/AGENCY Department of Human Services
DIVISION Division of Children and Family Services
DIVISION DIRECTOR Cecile Blucker
CONTACT PERSON Christin Harper, Policy & Professional Development Administrator
ADDRESS P. O. Box 1437, Slot S570, Little Rock, AR 72203-1437
PHONE NO. (501) 682-8541 **FAX NO.** (501) 683-4854 **E-MAIL** christin.harper@arkansas.gov
NAME OF PRESENTER AT COMMITTEE MEETING Christin Harper
PRESENTER E-MAIL christin.harper@arkansas.gov

INSTRUCTIONS

- A. Please make copies of this form for future use.**
- B. Please answer each question completely using layman terms. You may use additional sheets, if necessary.**
- C. If you have a method of indexing your rules, please give the proposed citation after "Short Title of this Rule" below.**
- D. Submit two (2) copies of this questionnaire and financial impact statement attached to the front of two (2) copies of the proposed rule and required documents. Mail or deliver to:**

Donna K. Davis
Administrative Rules Review Section
Arkansas Legislative Council
Bureau of Legislative Research
Room 315, State Capitol
Little Rock, AR 72201

1. What is the short title of this rule? Revisions to Internal Review of Adverse Action and Appeals and Hearings of Unfavorable Decisions

To update foster parent grievance procedure to more closely mirror other DCFS internal review processes and allow foster parents to contest any adverse action up to the level of the DCFS Director; to include guardianship subsidy terminations and modifications as action to be heard by Office of Appeals and Hearings to align with existing DCFS Policy VIII-L: Subsidized Guardianship.

2. What is the subject of the proposed rule? Subsidized Guardianship.

3. Is this rule required to comply with a federal statute, rule, or regulation? Yes No
 If yes, please provide the federal rule, regulation, and/or statute citation.

4. Was this rule filed under the emergency provisions of the Administrative Procedure Act? Yes No
 If yes, what is the effective date of the emergency rule? _____

When does the emergency rule expire? _____

Will this emergency rule be promulgated under the permanent provisions of the Administrative Procedure Act? Yes No

5. Is this a new rule? Yes No

If yes, please provide a brief summary explaining the regulation.

Does this repeal an existing rule? Yes No
If yes, a copy of the repealed rule is to be included with your completed questionnaire. If it is being replaced with a new rule, please provide a summary of the rule giving an explanation of what the rule does.

Is this an amendment to an existing rule? Yes No
If yes, please attach a mark-up showing the changes in the existing rule and a summary of the substantive changes. **Note: The summary should explain what the amendment does, and the mark-up copy should be clearly labeled "mark-up."**

6. Cite the state law that grants the authority for this proposed rule?
If codified, please give Arkansas Code citation.

A.C.A. § 9-28-103

7. What is the purpose of this proposed rule? Why is it necessary?

Revised Rule:

- Procedure IX-A1: Internal Reviews of Adverse Action
 - o Added closure of foster home as possible action subject to internal review (thereby aligning procedure with examples provided in Foster Parent Handbook).
 - o Removed denial of placement of particular child in particular foster home as possible action subject to internal review as DCFS is the authority responsible for placement of children in DHS custody.
 - o Clarified that denial of home studies as possible action subject to internal review includes Interstate Compact Placement of Children (ICPC) home studies.
 - o Clarified that denial of a home study is a possible action subject to internal review only when resulting in a decision not to open a home of a relative within the third degree of kinship to the child (as DCFS is only required to notify relatives of children in care within the third degree of kinship).
- Procedure IX-A2: Appeals and Hearings of Unfavorable Decisions
 - o Added denials or modifications of guardianship subsidies to actions that may be appealed through DHS Appeals and Hearing process.
 - o Clarified ICPC home studies are comparable to all other types of home studies and, as such, are appealable through an internal review process.
- PUB-30: Foster Parent Handbook
 - o Updated former foster parent grievance procedure to mirror current Internal Reviews of Adverse Action Procedure IV-A1 thereby allowing foster parents to contest any adverse action up to level of the DCFS Director rather than requiring final disposition to be handled by the Assistant Director per the former foster parent grievance procedure.

8. Please provide the address where this rule is publicly accessible in electronic form via the Internet as required by Arkansas Code § 25-19-108(b).

AR Secretary of State Website

DHS/DCFS CHRIS public:

<https://ardhs.sharepointsite.net/CW/Notice%20of%20Rule%20Making/Forms/AllItems.aspx>

9. Will a public hearing be held on this proposed rule? Yes No

If yes, please complete the following:

Date: _____

Time: _____

Place: _____

10. When does the public comment period expire for permanent promulgation? (Must provide a date.) November 15, 2012

11. What is the proposed effective date of this proposed rule? (Must provide a date.) January 1, 2013

12. Do you expect this rule to be controversial? Yes No

If yes, please explain. _____

13. Please give the names of persons, groups, or organizations that you expect to comment on these rules? Please provide their position (for or against) if known.

We do not know of any specific groups of persons who would comment.

FINANCIAL IMPACT STATEMENT
PLEASE ANSWER ALL QUESTIONS COMPLETELY

DEPARTMENT: Department of Human Services

DIVISION: Division of Children and Family Services

PERSON COMPLETING THIS STATEMENT: Greg Crawford

PHONE NO.: (501) 682-6248 / **FAX NO.:** (501) 682-6968 / **E-MAIL:** greg.crawford@arkansas.gov

To comply with Act 1104 of 1995, please complete the following Financial Impact Statement and file copies with the questionnaire and proposed rules.

SHORT TITLE OF THIS RULE: Internal Review and Appeals

1. Does this proposed, amended, or repealed rule or regulation have a financial impact?
Yes No
2. Does the proposed, amended, or repealed rule affect small businesses?
Yes No If yes, please attach a copy of the economic impact statement required to be filed with the Arkansas Economic Development Commission under Arkansas Code § 25-15-301 et seq.
3. If you believe that the development of a financial impact statement is so speculative as to be cost prohibited, please explain.
4. If the purpose of this rule or regulation is to implement a federal rule or regulation, please give the incremental cost for implementing the regulation. Please indicate if the cost provided is the cost of the program.

Current Fiscal Year

General Revenue _____
Federal Funds _____
Cash Funds _____
Special Revenue _____
Other (Identify) _____
Total \$0.00

Next Fiscal Year

General Revenue _____
Federal Funds _____
Cash Funds _____
Special Revenue _____
Other (Identify) _____
Total \$0.00

5. What is the total estimated cost by fiscal year to any party subject to the proposed, amended, or repealed rule or regulation? Identify the party subject to the proposed regulation, and explain how they are affected.

Current Fiscal Year

\$ 0.00

Next Fiscal Year

\$ 0.00

6. What is the total estimated cost by fiscal year to the agency to implement these regulations? Is this the cost of the program or grant? Please explain.

Current Fiscal Year

\$ 0.00

Next Fiscal Year

\$ 0.00

DCFS SUMMARY OF CHANGES FOR OCTOBER 2012 PROMULGATION

SUMMARY OF DCFS REGULAR PROMULGATION

The purpose of this regular promulgation is to:

- Update foster parent grievance procedure to more closely mirror other DCFS internal review processes and allow foster parents to contest any adverse action up to the level of the DCFS Director (rather than requiring final disposition to be handled by the Assistant Director per the former foster parent grievance procedure).
- Provide examples of adverse actions relating to foster homes that would be considered for internal review.
- Clarify ICPC home studies are comparable to all other types of home studies and, as such, are appealable through an internal review process.
- Clarify that denial of home studies is a possible action subject to internal review only when resulting in a decision not to open a home of a relative within the third degree of kinship to the child (as DCFS is only required to notify relatives of children in care within the third degree of kinship).
- Add guardianship subsidy terminations and modifications as action to be heard by Office of Appeals and Hearings to align with existing DCFS Policy VIII-L: Subsidized Guardianship.

PROCEDURE IX-A1: Internal Review of Adverse Action

01/2013

The internal review process is as follows:

- A. The individual who is the subject of an adverse action may request verbally or in writing an Internal Review from the appropriate ~~manager, or administrator. Administrator or Manager.~~
- B. The ~~manager or administrator Administrator or Manager~~ will review the request and forward it with a recommendation to the appropriate Assistant Director for review within 10 business days of receipt of request and any supporting materials a final disposition.
- C. The Assistant Director will notify the applicant in writing of the decision of the review within 10 ~~businessworking~~ days of receiving the request.
- D. If the decision is unfavorable to the individual, the Assistant Director will inform the individual that he or she has 15 ~~businessworking~~ days in which to submit a written appeal to the DCFS Director.

The DCFS Director will notify the individual within 10 ~~businessworking~~ days of the appeal decision. This is a final action and is not appealable.

Actions subject to Internal Review are:

- A. Closure of a foster home due to any circumstance;
- B. Removal of a child from the foster home without appropriate cause and/or or without appropriate notice;
- C. Failure by DCFS to share appropriate information with foster parents;
- D. Failure by DCFS to provide necessary support to foster parents;
- E. Failure by DCFS to keep the terms of the initial written agreement with the foster home (CFS-462: Initial Foster Home Agreement and CFS-462A: Foster Home Agreement Addendum);
- A. ~~Closure of a foster home due to any circumstance~~
- B. Denial of a home study, including ICPC, which results in a decision not to open the home
- C.F. Denial of placement of a particular child in a particular foster home Denial of a home study, including ICPC, which results in a decision not to open the home of any relative within the third degree of kinship;
- D.G. ~~Denial of an adoption application;~~
- E.H. Denial of name removal from Child Maltreatment Central Registry after one year; or,
- F.I. Additionally, an age-appropriate child or his attorney ad litem on his behalf, may appeal a change in his out-of home placement, according to Policy VII-K.

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PROCEDURE IX-A22: Appeals and Hearings of Unfavorable Decisions

01/2013

Certain unfavorable decisions may be appealed through the Appeals and Hearings process. Actions which may be appealed are:

- A. True child maltreatment determinations
- B. Denials of adoption subsidies
- B-C. Denials or modifications of guardianship subsidies
- C. ~~ICPC home study denial of approval~~

An individual must request an Administrative Hearing within 30 calendar days of receiving a notice of an unfavorable decision from DCFS. The appeal must be made in writing to Department of Human Services, Office of Chief Counsel, Appeals and Hearings Administration Section, P.O. Box 1437, Slot N401, Little Rock, AR 72203-1437.

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The Appeals and Hearing Section will notify DCFS when an appeal has been filed. Upon receiving notice of an appeal, the following entities will immediately prepare a file and make it available to the petitioner, any representative, the OCC Attorney, and the Appeals and Hearings Section:

- A. In Child Maltreatment-related appeals: Central Registry
- B. In adoption subsidy denials: Adoptions Unit
- C. In guardianship subsidy denials or modifications: Foster Care Unit (Permanency Specialist)

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At least 10 days prior to the administrative hearing, the alleged offender and the department will share any information with the other party the party intends to introduce into evidence at the hearing that is not contained in the record.

The Appeals and Hearings section will send a notice of hearing which contains the time, date, and place of the hearing and the name of the hearing officer who will conduct the hearing. -The hearing will be held by telephone if neither party requests that the hearing be conducted in person.- If the hearing is held in person, the location will be in an office of the department nearest to the petitioner's residence unless the Administrative Law Judge determines that the hearing will be conducted via video teleconference.

PROCEDURE IX-A1: Internal Review of Adverse Action

01/2013

The internal review process is as follows:

- A. The individual who is the subject of an adverse action may request verbally or in writing an Internal Review from the appropriate manager or administrator.
- B. The manager or administrator will review the request and forward it with a recommendation to the appropriate Assistant Director for review within 10 business days of receipt of request and any supporting materials.
- C. The Assistant Director will notify the applicant in writing of the decision of the review within 10 business days of receiving the request.
- D. If the decision is unfavorable to the individual, the Assistant Director will inform the individual that he or she has 15 business days in which to submit a written appeal to the DCFS Director.

The DCFS Director will notify the individual within 10 business days of the appeal decision. This is a final action and is not appealable.

Actions subject to Internal Review are:

- A. Closure of a foster home due to any circumstance;
- B. Removal of a child from the foster home without appropriate cause and/or or without appropriate notice;
- C. Failure by DCFS to share appropriate information with foster parents;
- D. Failure by DCFS to provide necessary support to foster parents;
- E. Failure by DCFS to keep the terms of the initial written agreement with the foster home (CFS-462: Initial Foster Home Agreement and CFS-462A: Foster Home Agreement Addendum);
- F. Denial of a home study, including ICPC, which results in a decision not to open the home of any relative within the third degree of kinship;
- G. Denial of an adoption application;
- H. Denial of name removal from Child Maltreatment Central Registry after one year; or,
- I. Additionally, an age-appropriate child or his attorney ad litem on his or her behalf, may appeal a change in his out-of home placement, according to Policy VII-K.

PROCEDURE IX-A2: Appeals and Hearings of Unfavorable Decisions

01/2013

Certain unfavorable decisions may be appealed through the Appeals and Hearings process. Actions which may be appealed are:

- A. True child maltreatment determinations;
- B. Denials of adoption subsidies; or,
- C. Denials or modifications of guardianship subsidies

An individual must request an Administrative Hearing within 30 calendar days of receiving a notice of an unfavorable decision from DCFS. The appeal must be made in writing to Department of Human Services, Office of Chief Counsel, Appeals and Hearings Administration Section, P.O. Box 1437, Slot N401, Little Rock, AR 72203-1437.

The Appeals and Hearing Section will notify DCFS when an appeal has been filed. Upon receiving notice of an appeal, the following entities will immediately prepare a file and make it available to the petitioner, any representative, the OCC Attorney, and the Appeals and Hearings Section:

- A. In Child Maltreatment-related appeals: Central Registry

- B. In adoption subsidy denials: Adoptions Unit
- C. In guardianship subsidy denials or modifications: Foster Care Unit (Permanency Specialist)

At least 10 days prior to the administrative hearing, the alleged offender and the department will share any information with the other party the party intends to introduce into evidence at the hearing that is not contained in the record.

The Appeals and Hearings section will send a notice of hearing which contains the time, date, and place of the hearing and the name of the hearing officer who will conduct the hearing. The hearing will be held by telephone if neither party requests that the hearing be conducted in person. If the hearing is held in person, the location will be in an office of the department nearest to the petitioner's residence unless the Administrative Law Judge determines that the hearing will be conducted via video teleconference.

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Foster Parent Grievance Procedures Internal Review of Adverse Action Involving Foster Parents

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Foster parents have the right to appeal decisions affecting them and the operation of their home. Most problems can be solved at the local level if the foster parents and FSW keep each other informed about matters of interest and importance pertaining to the child. It is most important for foster parents and Family Service Workers to discuss and work out issues and problems as they occur.

All complaints may not be grievable and appropriate for an internal review, while the County Office will make every effort to reconcile every disagreements or other issues, some situations may not be reconcilable such as those decisions made. Such situations result in decisions being made by the county office based on current policy and procedure (e.g., for example closing the foster home due to the advancing age of the foster parents).

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Examples of issues that to take through the Grievance Procedure are:

- Closure of a foster home due to any circumstance;
- Removal of a child from the foster home without appropriate cause and/or without appropriate notice;
- Visits without preparation and/or notice;
- Failure by DCFS to share appropriate information;
- Failure by DCFS to provide necessary support (failure to return phone calls or habitually being unavailable when needed, failure to help with initial clothing or problems with the child, medical/Medicaid coverage and/or providers); or,
- Failure by DCFS to keep the terms of the initial written agreement with the foster home (CFS-462: Initial Foster Home Agreement and CFS-462A: Foster Home Agreement Addendum).

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Prior to filing a grievance requesting an internal review at the Central Office level, foster parents should request an informal discussion of the problem with the FSW and the FSW's immediate supervisor. If the problem is not resolved at this point and the issue is grievable, then the foster parents may file a grievance according to the procedures listed below. Any time frame specified within the grievance procedures may be modified by mutual consent and notification to all involved parties.

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If, after the foster parents have discussed their issue(s) related to the grievance adverse action with the FSW and FSW supervisor, and if the foster parents believe that DCFS failed to uphold its policies and/or philosophies, then, the foster parents must state the grievance submit in writing their request for the Area Director of the area where the foster parents live to review their case as it relates to the adverse action. This request must be submitted in writing and submit it to this Area Director within of the area where the foster parents live 30 calendar days from the date the adverse grievable action occurred. The Area Director will schedule a meeting with the foster parents within 10 businessworking days of the receipt of the written grievance request and attempt to resolve the problem.

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If the foster parents are not satisfied with the results of their meeting with the Area Director, and if the foster parents have additional information that pertains to their case that was not previously presented to the FSW, supervisors, and Area Director, the foster parents may appeal request an internal review from to the Foster Care Unit Manager or designee in Central Office to present their case supported by the new information. A copy of the grievance request and written reports of the previous two meetings will be forwarded to the Foster Care Unit Manager or designee. The Foster Care Manager or designee will review the request and forward it with a recommendation to the Assistant Director of Community Services or designee within 10 businessworking days of receipt of the request and written reports.

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~~for a final disposition.~~

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~~The Assistant Director of Community Services or designee will notify the foster parents in writing of the decision of the review within 10 businessworking days of receiving the recommendation and other materials from the Foster Care Manager or designeequest.~~

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~~If the decision is unfavorable to the foster parents, the Assistant Director of Community Services or designee will inform the foster parents that they have 15 businessworking days in which to submit a written appeal to the DCFS Director. The DCFS Director will review the request as well as the previous reports and dispositions. The DCFS Director will then notify the individual within 10 businessworking days of the appeal decision. This is a final action and is not appealable to any other person or entity.A Grievance Committee hearing will be scheduled within 10 working days. The hearing will be held in the county where the foster parents live.~~

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~~The Grievance Committee will be composed of three personspeople: a representative selected by the county officeFSW supervisor, a representative selected by the foster parent, and a representative selected by Central Officethe Foster Care Manager or designee. The foster parents may also select an individual (such as an attorney, friend, or relative) to present the case (however, this person will not serve on the Grievance Committee itself). The Grievance Committee member selected by the county officeFSW supervisor will not be from the county where the foster parents live or any individual who is within the direct chain of authority for the resident county. During the hearing, all parties will be given an opportunity to present their case.~~

~~The Grievance Committee will submit their findings and recommendations within 20 working days from the date of the Grievance Hearing to the Assistant Director of Community Services or designee.~~

~~The foster parents and the county office will be notified, in writing, by the appropriate decision-making personnel of the decisionAssistant Director of Community Services within 10 working days from the date the Grievance Committee's findings and recommendations are submitted.~~

~~If corrective action is required by the county office, the corrective action will begin no later than 10 working days after the county office and foster parents are notified of the decision. A written report of completed action will be submitted by the FSW supervisor to Central Officethe Assistant Director of Community Services or designee e no later than 30 days after corrective action has commenced. If corrective action has not been finalized within the 30 day time frame, an interim report will be submitted by the DCFS county officeFSW supervisor every 30 days until completed.~~

~~If corrective action is required by the foster parents, the Assistant Director of Community Services or designee must indicate the steps necessary to correct the deficiency in the findings and recommendations documentwithin 10 days after notification from the appropriate decision-making personnel. This corrective action plan must receive the approval of the county office supervisor. The foster parents will notify the FSW supervisorir local county office and Central OfficeFoster Care Manager or designee within 60 days of the original findings being received, that all corrective steps have been completed. In the absence of said notification from the foster parents, it will be presumed that the foster parents have elected not to comply with the findings of the appropriate decision-making personnel.~~

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~~The decision of the appropriate decision-making personnel will be considered final, and no other appeal procedure within DHS is appropriate.~~

CLOSING A FOSTER HOME

Division's Decision

If it is deemed necessary by the cCounty oOffice to close a foster home, a written summary will be prepared documenting past and present reasons for closure as well as all efforts by the cCounty oOffice to ~~eliminate~~ rectify the problem. The final assessment and determination of closure will be made by the Resource Worker in collaboration and with ~~assistance from~~ designated county staff, the Area Director and Central Office staff, as if appropriate. The closure process will include a mandatory face-to-face conference with the foster parents at which time reasons for the closure will be explained. The cCounty oOffice will provide written notification of the closure including the reasons for the closure and the foster parents' right to request an internal review of the adverse action ~~appeal the decision by filing a grievance~~. (For additional information, see section on Internal Review of Adverse Actions Involving Foster Parents ~~Grievance Procedure~~.)

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Internal Review of Adverse Action Involving Foster Parents

Foster parents have the right to appeal decisions affecting them and the operation of their home. Most problems can be solved at the local level if the foster parents and FSW keep each other informed about matters of interest and importance pertaining to the child. It is important for foster parents and Family Service Workers to discuss and work out issues and problems as they occur.

All complaints may not be appropriate for an internal review, while the county office will make every effort to reconcile disagreements or other issues, some situations may not be reconcilable such as those decisions made by the county office based on current policy and procedure.

Examples of issues that to take through the Grievance Procedure are:

- Closure of a foster home due to any circumstance;
- Removal of a child from the foster home without appropriate cause and/or without appropriate notice;
- Failure by DCFS to share appropriate information with foster parents;
- Failure by DCFS to provide necessary support (failure to return phone calls or habitually being unavailable when needed, failure to help with initial clothing or problems with the child, medical/Medicaid coverage and/or providers); or,
- Failure by DCFS to keep the terms of the initial written agreement with the foster home (CFS-462: Initial Foster Home Agreement and CFS-462A: Foster Home Agreement Addendum).

Prior to requesting an internal review at the Central Office level, foster parents should request an informal discussion of the problem with the FSW and the FSW's immediate supervisor. If, after the foster parents have discussed their issue(s) related to the adverse action with the FSW and FSW supervisor, and believe that DCFS failed to uphold its policies and/or philosophies, then, the foster parents must submit in writing their request for the Area Director of the area where the foster parents live to review their case as it relates to the adverse action. This request must be submitted to this Area Director within 30 calendar days from the date the adverse action occurred. The Area Director will schedule a meeting with the foster parents within 10 business days of the receipt of the written request and attempt to resolve the problem.

If the foster parents are not satisfied with the results of the meeting with the Area Director, the foster parents may request an internal review from the Foster Care Manager or designee in Central Office to present their case. A copy of the request and written reports of the previous two meetings will be forwarded to the Foster Care Manager or designee. The Foster Care Manager or designee will review the request and forward it with a recommendation to the Assistant Director of Community Services or designee within 10 business days of receipt of the request and written reports.

The Assistant Director of Community Services or designee will notify the foster parents in writing of the decision of the review within 10 business days of receiving the recommendation and other materials from the Foster Care Manager or designee.

If the decision is unfavorable to the foster parents, the Assistant Director of Community Services or designee will inform the foster parents that they have 15 business days in which to submit a written appeal to the DCFS Director. The DCFS Director will review the request as well as the previous reports and dispositions. The DCFS Director will

then notify the individual within 10 business days of the appeal decision. This is a final action and is not appealable to any other person or entity.

CLOSING A FOSTER HOME

Division's Decision

If it is deemed necessary by the county office to close a foster home, a written summary will be prepared documenting past and present reasons for closure as well as all efforts by the county office to rectify the problem. The final assessment and determination of closure will be made by the Resource Worker in collaboration with designated county staff, the Area Director and Central Office staff, as appropriate. The closure process will include a mandatory face-to-face conference with the foster parents at which time reasons for the closure will be explained. The county office will provide written notification of the closure including the reasons for the closure and the foster parents' right to request an internal review of the adverse action. (For additional information, see section on Internal Review of Adverse Actions Involving Foster Parents.)