

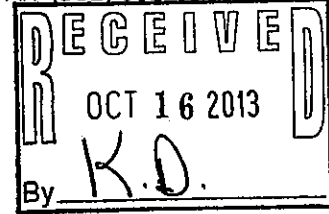
**Arkansas Department of Human Services
Division of Children and Family Services**

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 16, 2013

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 16, 2013 to October 14, 2013, with an effective date of January 1, 2014.

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,

Handwritten signature of 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:

Revised Rule

- **PROCEDURE II-E11: Protective Custody of Child in Immediate Danger**
- **PROCEDURE VI-A1: Initial Out-of-Home Placement Determination**
- **PROCEDURE VI-B1: Provisional Foster Home Placement for Children in Foster Care**
- **CFS-450: Prospective Provisional Foster Parent Information and Questionnaire**

PROPOSED EFFECTIVE DATE: January 1, 2014

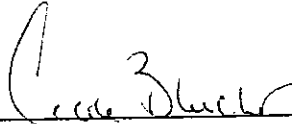
STATUTORY AUTHORITY: A.C.A. 9-28-103

NECESSITY AND FUNCTION:

Revised Rule

- **PROCEDURE II-E11: Protective Custody of Child in Immediate Danger**
 - Added requirement to notify area Resource Worker Supervisor within twenty-four hours that children have been removed and a potential provisional placement has been identified.
 - Updated to reference revised CFS-450: Prospective Provisional Foster Parent Information and Questionnaire.
- **PROCEDURE VI-A1: Initial Out-of-Home Placement Determination**
 - Added requirement to notify area Resource Worker Supervisor within twenty-four hours that children have been removed and a potential provisional placement has been identified.
 - Updated to reference revised CFS-450: Prospective Provisional Foster Parent Information and Questionnaire.
- **PROCEDURE VI-B1: Provisional Foster Home Placement for Children in Foster Care**
 - Revised to clarify that Resource Worker is responsible for initiating policy waiver and/or alternative compliance requests for foster homes.
 - Updated to reference revised CFS-450: Prospective Provisional Foster Parent Information and Questionnaire.
 - Revised to clarify that area Resource Worker Supervisor is responsible for ensuring completion of Prospective Provisional Foster Parent Information and Questionnaire.
- **CFS-450: Prospective Provisional Foster Parent Information and Questionnaire**
 - Revised to provide more consistent and thorough assessment of prospective provisional placements.

PAGES FILED:



Signature

Name: Cecile Blucker

Title: Director

Section: Division of Children and Family Services

Department of Human Services

PROMULGATION DATES:

October 16, 2013-November 14, 2013

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
 One Capitol Mall, 5th Floor
 Little Rock, AR 72201

1. What is the short title of this rule? Prospective Provisional Placement Referral Procedures

2. What is the subject of the proposed rule? To update procedures regarding prospective provisional foster home referrals in order to further expedite placement with appropriate relatives or fictive kin for children who are taken into DHS custody

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 the 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 II-E11: Protective Custody of Child in Immediate Danger
 - o Added requirement to notify area Resource Worker Supervisor within twenty-four hours that children have been removed and a potential provisional placement has been identified.
 - o Updated to reference revised CFS-450: Prospective Provisional Foster Parent Information and Questionnaire.
- PROCEDURE VI-A1: Initial Out-of-Home Placement Determination
 - o Added requirement to notify area Resource Worker Supervisor within twenty-four hours that children have been removed and a potential provisional placement has been identified.
 - o Updated to reference revised CFS-450: Prospective Provisional Foster Parent Information and Questionnaire.
- PROCEDURE VI-B1: Provisional Foster Home Placement for Children in Foster Care
 - o Revised to clarify that Resource Worker is responsible for initiating policy waiver and/or alternative compliance requests for foster homes.
 - o Updated to reference revised CFS-450: Prospective Provisional Foster Parent Information and Questionnaire.
 - o Revised to clarify that area Resource Worker Supervisor is responsible for ensuring completion of Prospective Provisional Foster Parent Information and Questionnaire.
- CFS-450: Prospective Provisional Foster Parent Information and Questionnaire
 - o Revised to provide more consistent and thorough assessment of prospective provisional placements.

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 14, 2013

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

January 1, 2014

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
TELEPHONE NO. (501)682-6248 **FAX NO.** (501)682-6968 **EMAIL:** greg.crawford@arkansas.gov

To comply with Ark. Code Ann. § 25-15-204(e), please complete the following Financial Impact Statement and file two copies with the questionnaire and proposed rules.

SHORT TITLE OF THIS RULE Prospective Provisional Placement Referral Procedures

1. Does this proposed, amended, or repealed rule have a financial impact? Yes No
2. Is the rule based on the best reasonably obtainable scientific, technical, economic, or other evidence and information available concerning the need for, consequences of, and alternatives to the rule? Yes No
3. In consideration of the alternatives to this rule, was this rule determined by the agency to be the least costly rule considered? Yes No

If an agency is proposing a more costly rule, please state the following:

(a) How the additional benefits of the more costly rule justify its additional cost;

(b) The reason for adoption of the more costly rule;

(c) Whether the more costly rule is based on the interests of public health, safety, or welfare, and if so, please explain; and;

(d) Whether the reason is within the scope of the agency's statutory authority; and if so, please explain.

4. If the purpose of this rule is to implement a federal rule or regulation, please state the following:

(a) What is the cost to implement the federal rule or regulation?

Current Fiscal Year

General Revenue _____
Federal Funds _____
Cash Funds _____
Special Revenue _____
Other (Identify) _____

Next Fiscal Year

General Revenue _____
Federal Funds _____
Cash Funds _____
Special Revenue _____
Other (Identify) _____

Total 0.00

Total 0.00

(b) What is the additional cost of the state rule?

Current Fiscal Year

Next Fiscal Year

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

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 private individual, entity and business subject to the proposed, amended, or repealed rule? Identify the entity(ies) subject to the proposed rule 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 state, county, and municipal government to implement this rule? Is this the cost of the program or grant? Please explain how the government is affected.

Current Fiscal Year

\$ 0.00

Next Fiscal Year

\$ 0.00

7. With respect to the agency's answers to Questions #5 and #6 above, is there a new or increased cost or obligation of at least one hundred thousand dollars (\$100,000) per year to a private individual, private entity, private business, state government, county government, municipal government, or to two (2) or more of those entities combined?

Yes No

If YES, the agency is required by Ark. Code Ann. § 25-15-204(e)(4) to file written findings at the time of filing the financial impact statement. The written findings shall be filed simultaneously with the financial impact statement and shall include, without limitation, the following:

- (1) a statement of the rule's basis and purpose;
- (2) the problem the agency seeks to address with the proposed rule, including a statement of whether a rule is required by statute;
- (3) a description of the factual evidence that:
 - (a) justifies the agency's need for the proposed rule; and

- (b) describes how the benefits of the rule meet the relevant statutory objectives and justify the rule's costs;
- (4) a list of less costly alternatives to the proposed rule and the reasons why the alternatives do not adequately address the problem to be solved by the proposed rule;
- (5) a list of alternatives to the proposed rule that were suggested as a result of public comment and the reasons why the alternatives do not adequately address the problem to be solved by the proposed rule;
- (6) a statement of whether existing rules have created or contributed to the problem the agency seeks to address with the proposed rule and, if existing rules have created or contributed to the problem, an explanation of why amendment or repeal of the rule creating or contributing to the problem is not a sufficient response; and
- (7) an agency plan for review of the rule no less than every ten (10) years to determine whether, based upon the evidence, there remains a need for the rule including, without limitation, whether:
 - (a) the rule is achieving the statutory objectives;
 - (b) the benefits of the rule continue to justify its costs; and
 - (c) the rule can be amended or repealed to reduce costs while continuing to achieve the statutory objectives.

DCFS SUMMARY OF CHANGES FOR OCTOBER 2013 PROMULGATION

SUMMARY OF DCFS REGULAR PROMULGATION

The purpose of this regular promulgation is to update procedures regarding prospective provisional foster home referrals in order to further expedite placement with appropriate relatives or fictive kin for children who are taken into DHS custody.



Arkansas Department of Human Services
 Division of Children and Family Services

**Prospective Provisional Foster Parent
 Information and Questionnaire**

County: _____ Date: _____ Case Name: _____

Case Number: _____

Investigator/Caseworker: _____

Child(ren) Needing Placement:

NAME	AGE

Prospective Provisional Applicant(s): _____

Prospective Provisional Applicant Relationship to Child(ren): _____

Address: _____

Phone #: (____) _____ - _____ Work #: (____) _____ - _____ Cell #: (____) _____ - _____

List ALL Persons in the Prospective Provisional Foster Home:

NAME	RELATIONSHIP TO PROVISIONAL FOSTER PARENT APPLICANT	DOB	AGE

Does you or any other household member have a criminal history? Yes No

If yes, when and what were the charge(s)?

Have you or any other household member ever been the subject of a child or adult maltreatment investigation? Yes No

If yes, what was the outcome/finding?

How many people live in the home? _____

How many bedrooms are in the home? _____

Will you be able to support the child(ren) financially without DCFS assistance? Yes No

What is your primary source of income? _____

What is your household Income (monthly take home): _____

What are your working hours? _____

Will you be able to take the child to and from school, doctors' appointments, and other activities? Yes No

Are you willing to follow all protection protocols including, but not limited to, court orders and case plans? This includes instructions regarding visits with the child's parents. Yes No

Are you willing to attend foster parent training (it is a 30-hour training that generally occurs over several weeks)? Yes No

Do you understand that within six months of opening as a provisional foster parent, you must meet all other foster home requirements (e.g., completing training) because, if you do not, the child(ren) will be moved from your home? Yes No

Do you reside in the same school district of the school that the child attended prior to coming into care? Yes No

If no, in what school district do you reside? _____

How do you know the child(ren)?

When was the last time you saw the child(ren)?

Generally speaking, how often do you see the child?

Please describe your interactions and activities with the child(ren) when you spend time together.

Please describe the child(ren) (e.g., personality, interests, hobbies, school performance, friends, etc.).

Other Notes/Comments/Questions. Include information provided by the child (if age appropriate) to DCFS regarding how the child knows the prospective provisional applicant, how the child described his/her feelings about living with the prospective provisional applicant, etc.



Arkansas Department of Human Services
 Division of Children and Family Services

Prospective Provisional Foster Parent
 Information and Questionnaire

County: _____ Date: _____ Case Name: _____

Case Number: _____

Investigator/Caseworker: _____

Child(ren) Needing Placement:

<u>NAME</u>	<u>AGE</u>

Prospective Provisional Applicant(s): _____

Prospective Provisional Applicant Relationship to Child(ren): _____

Address: _____

Phone #: () - Work #: () - Cell #: () -
 List

ALL Persons in the Prospective Provisional Foster Home:

<u>NAME</u>	<u>RELATIONSHIP TO PROVISIONAL FOSTER PARENT APPLICANT</u>	<u>DOB</u>	<u>AGE</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Does you or any other household member have a criminal history? Yes No

If yes, when and what were the charge(s)?

Have you or any other household member ever been the subject of a child or adult maltreatment investigation? Yes No

If yes, what was the outcome/finding?

How many people live in the home?

How many bedrooms are in the home?

Will you be able to support the child(ren) financially without DCFS assistance? Yes No

What is your primary source of income?

What is your household income (monthly take home):

What are your working hours?

Will you be able to take the child to and from school, doctors' appointments, and other activities?

Yes No

Are you willing to follow all protection protocols including, but not limited to, court orders and case plans? This includes instructions regarding visits with the child's parents. Yes No

Are you willing to attend foster parent training (it is a 30-hour training that generally occurs over several weeks)?

Yes No

Do you understand that within six months of opening as a provisional foster parent, you must meet all other foster home requirements (e.g., completing training) because, if you do not, the child(ren) will be moved from your home?

Yes No

Do you reside in the same school district of the school that the child attended prior to coming into care?

Yes No

If no, in what school district do you reside?

How do you know the child(ren)?

When was the last time you saw the child(ren)?

Generally speaking, how often do you see the child?

Please describe your interactions and activities with the child(ren) when you spend time together.

Please describe the child(ren) (e.g., personality, interests, hobbies, school performance, friends, etc.).

Other Notes/Comments/Questions. Include information provided by the child (if age appropriate) to DCFS regarding how the child knows the prospective provisional applicant, how the child described his/her feelings about living with the prospective provisional applicant, etc.

Provisional Foster Home Referral

Please submit this form to the Resource Worker as soon as possible. Do not refer more than 2 provisional foster parent applicants at one time for a child (separate CFS 150 referrals must be used for each referral). Please keep the Resource Worker informed of any changes to the child's need for a provisional placement and any other relevant information.

County: _____ Date: _____ Case Name: _____

Case Number: _____

Caseworker: _____

Prospective Provisional Applicant(s): _____

Prospective Provisional Applicant Relationship to Child(ren): _____

Address: _____

Phone #: (____) _____ Work #: (____) _____ Cell #: (____) _____

Household Income (monthly take home): _____

Criminal Charges: YES NO (If yes, list charges in additional information section below.)

Name(s) and age(s) of Child(ren) Needing Placement: _____

Additional Information: _____

List ALL Persons in the Home:

NAME	RELATIONSHIP TO	DOB	AGE	SSN

Formatted: Centered

Formatted: Centered, Space After: 0 pt

Formatted: Centered, Indent: Left: 0", First line: 0", Space After: 0 pt

Formatted: Centered, Space After: 0 pt

Formatted: Centered, Space After: 0 pt, Tab stops: Not at 0.5"

Formatted: Centered, Space After: 0 pt

Formatted: Centered

PROVISIONAL FOSTER PARENT APPLICANT				

Formatted: Centered

Formatted: Centered

Formatted: Centered

Formatted: Centered

Formatted: Centered

Formatted: Centered

Formatted: Centered, Space After: 0 pt

Caseworker has completed initial home visit on applicant? *(This action is optional for caseworker.)*

YES NO

Applicant(s) Signature(s): _____ Date: _____

Caseworker Signature: _____ Date: _____

Approved Denied Resource Worker Signature: _____

If denied, reason: _____

Formatted: Centered, Indent: Left: 0"

Formatted: Centered, Space Before: 0 pt, After: 0 pt

PROCEDURE II-E11: Protective Custody of Child in Immediate Danger

01/2014

The FSW investigator will:

- A. Take the child into protective custody for up to 72 hours if:
 - a) The circumstances present an immediate danger to the child's health or physical well-being; or,
 - b) The child is neglected as defined under Garrett's Law 12-18-103, and the FSW investigator determines that the child and any other children, including siblings, are at substantial risk of serious harm such that the children need to be removed from the custody or care of the parent/legal guardian (see Appendix I: Glossary, for definition of "neglect"); or,
 - c) Any child who is dependent as defined by the Arkansas Juvenile Code of 1989, 9-27-301 et. seq. (see Appendix I: Glossary, for definition of "dependent").
- B. When a child upon whom a 72-hour hold has been placed is currently located in a school, residential facility, hospital, or similar institution, the FSW will notify the institution. The FSW shall be aware that the institution is obliged to do the following upon receiving notice, in accordance with A.C.A. §12-18-1005:
 - 1) Retain the child until the Division takes a hold on the child;
 - 2) Not notify the parent until the child has been removed by the Division; and,
 - 3) Provide the parent or guardian with the name and contact information of the Division employee regarding the hold on the child.
- C. Notify the OPLS attorney immediately that protective custody was exercised and request an ex parte emergency order from the court.
- D. If a minor child's safety is a concern, contact OPLS immediately to request that DCFS petition the court for an order of less than custody. Thoroughly review the Health and Safety Checklist and Investigation Risk Assessment and ensure that a protection plan is in place for a child before leaving a child in a home where an order of protection has been filed or DCFS has petitioned the court for an order of less than custody.
- E. Determine whether to recommend to the court that reunification services should or should not be provided to reunite the child with his family (see Policy VI-A).
- F. Determine whether the grandparents have the right to notice and right to be heard. In a child custody or dependency-neglect case, grandparents have this right if all the following conditions are present ("Grandparent does not mean a parent of a putative father of a child for the purpose of this determination):
 - 1) The grandchild resided with the grandparent for at least six consecutive months prior to the child's first birthday or lived with the grandparent for at least one continuous year regardless of age;
 - 2) The grandparent was the primary financial caregiver during the time the child resided with the grandparent; and,
 - 3) The continuous custody occurred within one year of the initiation of the custody proceeding.
- G. Provide the OPLS attorney with the name and address of any grandparent who is entitled to notice based on the above conditions.
- H. Prepare an affidavit immediately and submit it to the OPLS attorney (CACD shall prepare affidavits containing facts obtained during the course of their child maltreatment investigation).
- I. Arrange for a physician to examine the child thoroughly within 24 hours of removal for allegations of severe maltreatment under A.C.A. 12-18-602 or if the allegation is that a child has been subjected to neglect as defined in A.C.A. 12-18-103(13)(B) (Garrett's Law) and arrange for a physician to examine the child thoroughly within 72 hours of removal for all other children who enter the custody of DHS.
 - 1) The FSW or Health Services Specialist (HSS) must sign the consent for treatment prior to the child receiving medical and dental services during protective custody. The FSW or HSS may:
 - a) Go to the medical or dental office where treatment is to be provided and sign the consent for treatment forms; or,
 - b) Have the form faxed, sign the form, and fax it back to the service provider; or,
 - c) If the provider allows phone consent, they may provide consent via the telephone.

This should be completed prior to the foster parent accompanying the child for treatment. In emergency situations, the on-call FSW will be available to sign for medical or dental treatment.

- J. Place the child in an appropriate licensed or approved placement.
- K. If a provisional placement will be pursued:
 - 1) Notify the area Resource Worker Supervisor by email within twenty-four hours of removal that children have been removed and a potential provisional placement has been identified.
 - a) In the notification email provide the area Resource Worker Supervisor with:
 - i. Names and ages of the children who have been removed;
 - ii. Name(s) of potential provisional placement;
 - iii. Relationship of potential provisional placement to children;
 - iv. Contact information for potential provisional placement;
 - v. Any other information collected regarding potential provisional placement (see CFS-450 Prospective Provisional Foster Parent Information and Questionnaire for more information).
 - 2) Interview the child(ren), if age appropriate, to assess how the child may feel about placement with a specific relative.
 - 3) See Policy VI-B: Consideration of Relatives for Children in Foster Care for further information on provisional placements.
- L. Complete and route CFS-323: Protective Custody/Parental Notification.
- M. Open an Out-of-Home Placement case within twenty-four hours, excluding weekends and holidays.
- N. Return the child to the legal custodian if the emergency necessitating protective custody passes or if the judge does not grant custody to the Department. Protective custody cannot be extended.
- O. Complete the CFS-336: Expiration of Protective Custody/Parental Notification and provide to the parent.
- P. If the parent refuses to accept custody of the child, file an emergency petition.

PROCEDURE II-E11: Protective Custody of Child in Immediate Danger

0198/20143

The FSW investigator will:

- A. Take the child into protective custody for up to 72 hours if:
 - a) The circumstances present an immediate danger to the child's health or physical well-being; or
 - b) The child is neglected as defined under Garrett's Law 12-18-103, and the FSW investigator determines that the child and any other children, including siblings, are at substantial risk of serious harm such that the children need to be removed from the custody or care of the parent/legal guardian (see Appendix I: Glossary, for definition of "neglect"); or
 - c) Any child who is dependent as defined by the Arkansas Juvenile Code of 1989, 9-27-301 et. seq. (see Appendix I: Glossary, for definition of "dependent").

- B. When a child upon whom a 72-hour hold has been placed is currently located in a school, residential facility, hospital, or similar institution, the FSW will notify the institution. The FSW shall be aware that the institution is obliged to do the following upon receiving notice, in accordance with A.C.A. §12-18-1005:
 - 1) Retain the child until the Division takes a hold on the child;
 - 2) Not notify the parent until the child has been removed by the Division; and
 - 3) Provide the parent or guardian with the name and contact information of the Division employee regarding the hold on the child.

- C. Notify the OPLS attorney immediately that protective custody was exercised and request an ex parte emergency order from the court.

- D. If a minor child's safety is a concern, contact OPLS immediately to request that DCFS petition the court for an order of less than custody. Thoroughly review the Health and Safety Checklist and Investigation Risk Assessment and ensure that a protection plan is in place for a child before leaving a child in a home where an order of protection has been filed or DCFS has petitioned the court for an order of less than custody.

- E. Determine whether to recommend to the court that reunification services should or should not be provided to reunite the child with his family (see Policy VI-A).

- F. Determine whether the grandparents have the right to notice and right to be heard. In a child custody or dependency-neglect case, grandparents have this right if all the following conditions are present ("Grandparent does not mean a parent of a putative father of a child for the purpose of this determination):
 - 1) The grandchild resided with the grandparent for at least six consecutive months prior to the child's first birthday or lived with the grandparent for at least one continuous year regardless of age;
 - 2) The grandparent was the primary financial caregiver during the time the child resided with the grandparent; and
 - 3) The continuous custody occurred within one year of the initiation of the custody proceeding.

- G. Provide the OPLS attorney with the name and address of any grandparent who is entitled to notice based on the above conditions.

- H. Prepare an affidavit immediately and submit it to the OPLS attorney (CACD shall prepare affidavits containing facts obtained during the course of their child maltreatment investigation).

- I. Arrange for a physician to examine the child thoroughly within 24 hours of removal for allegations of severe maltreatment under A.C.A. 12-18-602 or if the allegation is that a child has been subjected to neglect as defined in A.C.A. 12-18-103(13)(B) (Garrett's Law) and arrange for a physician to examine the child thoroughly within 72 hours of removal for all other children who enter the custody of DHS.
 - 1) The FSW or Health Services Specialist (HSS) must sign the consent for treatment prior to the child receiving medical and dental services during protective custody. The FSW or HSS may:
 - a) Go to the medical or dental office where treatment is to be provided and sign the consent for treatment forms; or
 - b) Have the form faxed, sign the form, and fax it back to the service provider; or
 - c) If the provider allows phone consent, they may provide consent via the telephone.

This should be completed prior to the foster parent accompanying the child for treatment. In emergency situations, the on-call FSW will be available to sign for medical or dental treatment.

J. Place the child in an appropriate licensed or approved placement.

K. If a provisional placement will be pursued:

1) Complete CFS-450: Provisional Foster Home Referral and provide to Notify the area local Resource Worker Supervisor by email within twenty-four hours of removal that children have been removed and a potential provisional placement has been identified ASAP.

a) In the notification email provide the area Resource Worker Supervisor with:

i. Names and ages of the children who have been removed;

ii. Name(s) of potential provisional placement;

iii. Relationship of potential provisional placement to children;

iv. Contact information for potential provisional placement;

v. Any other information collected regarding potential provisional placement (see CFS-450: Prospective Provisional Foster Parent Information and Questionnaire for more information).

2) Interview the child(ren), if age appropriate, to assess how the child may feel about placement with a specific relative.

3) See Policy VI-B: Consideration of Relatives for Children in Foster Care for further information on provisional placements.

L. Complete and route CFS-323: Protective Custody/Parental Notification.

M. Open an Out-of-Home Placement case within twenty-four hours, excluding weekends and holidays.

N. Return the child to the legal custodian if the emergency necessitating protective custody passes or if the judge does not grant custody to the Department. Protective custody cannot be extended.

O. Complete the CFS-336: Expiration of Protective Custody/Parental Notification and provide to the parent.

P. If the parent refuses to accept custody of the child, file an emergency petition.

Formatted: No underline

Formatted: No underline

Formatted: List Paragraph, Numbered + Level: 1 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 1" + Indent at: 1.25"

Formatted: List Paragraph, Numbered + Level: 1 + Numbering Style: i, ii, iii, ... + Start at: 1 + Alignment: Right + Aligned at: 1.5" + Indent at: 1.75"

Formatted: No underline

Formatted: Font: Calibri

PROCEDURE VI-A1: Initial Out-of-Home Placement Determination

01/2014

The Family Service Worker (FSW) will:

- A. Contact the OPLS Attorney immediately if there is any indication that the child is a member of an Indian tribe.
- B. Consider placement with appropriate relatives and/or fictive kin. The child is in the custody of the Division, therefore, the child shall remain in an approved foster home or licensed shelter or facility until a relative or fictive kin's home is opened as a provisional home.
 - 1) If the worker makes the removal and potential relative and/or fictive kin placements for foster care are identified, notify the area Resource Worker Supervisor by email within twenty-four hours of removal that children have been removed and a potential provisional placement has been identified.
 - a) In the notification email provide the area Resource Worker Supervisor with:
 - i. Names and ages of the children who have been removed;
 - ii. Name(s) of potential provisional placement;
 - iii. Relationship of potential provisional placement to children;
 - iv. Contact information for potential provisional placement;
 - v. Any other information collected regarding potential provisional placement (see CFS-450: Prospective Provisional Foster Parent Information and Questionnaire for more information).
 - 2) Assist with completion of Prospective Provisional Foster Parent Information and Questionnaire as appropriate to the specific case and/or local county procedures.
 - 3) Refer to Policy VI-B: Consideration of Relatives and Fictive Kin for Children in Foster Care and related procedures for more information.
- C. Consider appropriate relatives and/or fictive kin who are interested in obtaining legal custody of the juvenile if identified relatives and/or fictive kin are not interested in becoming a provisional foster home.
 - 1) If potential relatives and/or fictive kin are identified as potential temporary custody relative placements, refer to Policy VI-B: Consideration of Relatives and Fictive Kin for Children in Foster Care and related procedures for more information.
- D. If identified relatives and/or fictive kin are not interested in becoming provisional foster parents or obtaining legal custody of the child, talk with them about otherwise maintaining contact with the child (e.g., visits, transporting).
- E. If there are no viable placements with appropriate relatives or fictive kin at the time placement is needed, select an available foster home or other out-of-home placement that will serve the child's best interest (see Policy III: Services Case Opening and related procedures for information regarding opening an out-of-home services placement case).
- F. Continue to discuss with and/or support appropriate relatives' and/or appropriate fictive kin's interest in maintaining connections with the child and/or becoming a DCFS foster home throughout the life of the case if such actions are in the child's best interests.

PROCEDURE VI-A1: Initial Out-of-Home Placement Determination

018/20143

The Family Service Worker (FSW) will:

- A. Contact the OPLS Attorney immediately if there is any indication that the child is a member of an Indian tribe.
- B. Consider placement with appropriate relatives and/or fictive kin. The child is in the custody of the Division, therefore, the child shall remain in an approved foster home or licensed shelter or facility until a relative or fictive kin's home is opened as a provisional home.
 - 1) If the worker makes the removal and if potential relative and/or fictive kin placements for foster care are identified, notify the area Resource Worker Supervisor by email within twenty-four hours of removal that children have been removed and a potential provisional placement has been identified.
 - a) In the notification email provide the area Resource Worker Supervisor with:
 - i. Names and ages of the children who have been removed;
 - ii. Name(s) of potential provisional placement;
 - iii. Relationship of potential provisional placement to children;
 - iv. Contact information for potential provisional placement;
 - v. Any other information collected regarding potential provisional placement (see CFS-450: Prospective Provisional Foster Parent Information and Questionnaire for more information).
 - 2) complete CFS-450: Prospective Provisional Foster Home Referral Assist with completion of Prospective Provisional Foster Parent Information and Questionnaire as appropriate to the specific case and/or local county procedures, submit to the appropriate Resource Worker.
 - B-3) Refer to Policy VI-B: Consideration of Relatives and Fictive Kin for Children in Foster Care and related procedures for more information.
- C. Consider appropriate relatives and/or fictive kin who are interested in obtaining legal custody of the juvenile if identified relatives and/or fictive kin are not interested in becoming a provisional foster home.
 - C-1) If potential relatives and/or fictive kin are identified as potential temporary custody relative placements, refer to Policy VI-B: Consideration of Relatives and Fictive Kin for Children in Foster Care and related procedures for more information.
- D. If a potential placement with an appropriate relative or fictive kin is identified (as either a potential provisional foster home/approved foster home or as a relative who is interested in obtaining legal custody of the juvenile), refer to Policy VI-B: Consideration of Relatives and Fictive Kin for Children in Foster Care and related procedures.
 - 1)
 - E-D. If identified relatives and/or fictive kin are not interested in becoming provisional foster parents or obtaining legal custody of the child, talk with them about otherwise maintaining contact with the child (e.g., visits, transporting).
- F-E. If there are no viable placements with appropriate relatives or fictive kin at the time placement is needed, select an available foster home or other out-of-home placement that will serve the child's best interest (see Policy III: Services Case Opening and related procedures for information regarding opening an out-of-home services placement case).
- G-F. Continue to discuss with and/or support appropriate relatives' and/or appropriate fictive kin's interest in maintaining connections with the child and/or becoming a DCFS foster home throughout the life of the case if such actions are in the child's best interests.

Formatted: Underline

Formatted: Font: Calibri

Formatted: Font: Calibri, Underline

Formatted: Font: Calibri

Formatted: Font: Calibri, Underline

Formatted: Font: Calibri

Formatted: Font: Calibri, Underline

Formatted: Underline

Formatted: Underline

Formatted: Underline

Formatted: Font: Calibri

Formatted: List Paragraph, Indent: Left: 0.5", Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 2 + Alignment: Left + Aligned at: 1.5" + Indent at: 1.75"

Formatted: Underline

Formatted: Underline

Formatted: Font: Calibri, Underline

Formatted: Font: Calibri

Formatted: Font: Calibri

Formatted: Font: Calibri, Underline

Formatted: Font: Calibri

Formatted: List Paragraph, Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.75" + Indent at: 1"

Formatted: Font: Calibri

Formatted: List Paragraph, Indent: Left: -0.25", Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.75" + Indent at: 1"

Formatted: List Paragraph, Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.75" + Indent at: 1"

PROCEDURE VI-B1: Provisional Foster Home Placement for Children in Foster Care

01/2014

The Family Service Worker will:

- A. Ask the child's parent(s) or legal guardian(s) from whom custody was removed to provide information on appropriate relatives and fictive kin to include, as available (if not already provided at time of removal):
 - 1) The names, addresses, and phone numbers of any relatives or fictive kin who may serve as appropriate placement resources for the child;
 - 2) The names, addresses, phone numbers, and other identifying information of any putative father(s) of the child.
- B. Assist with completion of CFS-450: Prospective Provisional Foster Parent Information and Questionnaire as appropriate to the specific case and/or local county procedures.
- C. Keep the Resource Worker informed of any changes to the child's need for a provisional placement and any other relevant information.
- D. Ensure that the Resource Worker conducts a review of the prospective provisional home to include:
 - 1) An expedited Child Maltreatment Central Registry Check (via CFS-316: Request for Arkansas Child Maltreatment Central Registry Check);
 - 2) An expedited State Police Criminal Record check (via CFS-342: State Police Criminal Record Check);
 - 3) A vehicle safety check; and,
 - 4) Submission of the FBI Criminal Record Check (FBI results do not have to be received in order to open the provisional foster home, but results must be received and clear within six months in order to make a determination as to whether to approve as a regular DCFS foster home).
 - 5) A visual inspection of the home (via CFS-446: In Home Consultation Visit Report).
- E. If the provisional foster home placement appears viable, interview the child, if age appropriate, to assess how the child may feel about placement with the relative and make individualized placements on a case-by-case basis in the best interest of the child.
- F. Collaborate with the Resource Worker to evaluate:
 - 1) How the other children and adults in the home will affect the successful development of a child in foster care; and,
 - 2) How the child in foster care will impact the other members of the home.
- G. If, after the Resource Worker has completed all necessary steps to open the family as a provisional home (see below for more information), it is determined that placement with the family is in the best interest of the child:
 - 1) Arrange at least one pre-placement visit for the child before the initial placement and before any subsequent changes in placement if possible and appropriate.
 - 2) Contact the OPLS Attorney immediately if child is being moved from one Out-of-Home Placement to another (see Procedure VII-K1) if that placement was not considered to be a temporary placement (see Appendix I: Glossary).
 - 3) Provide the child's parent(s) with PUB-11: What Happens When Your Child and Family Are Involved with DCFS?
 - 4) Provide the prospective provisional foster family with PUB-15: A Relative's Guide to the Arkansas Child Welfare System.
 - 5) Place the child in the provisional home and:
 - a) When a child is placed in a provisional foster home for a 72 hours hold, ensure that the provisional foster parents acknowledge they will not allow the alleged perpetrator access to the child that is not supervised by the Division until the investigation is complete and will not allow any contact with the alleged offender that is not approved or authorized by the Division or the court after the investigation is completed (if found true).
 - b) Ensure that the provisional foster parents understand that they must work with their Resource Worker to complete any corrective actions necessary to bring the home into

- compliance with Minimum Licensing Standards and DCFS Policy within six months or their home will be closed and the child removed.
- c) Document placement selection on the CFS-6010: Case Plan by keying the "Plan Goals" and the "Needs/Svc" screens in the "Treatment" portion of the "Case Plan" section of CHRIS.
 - d) Assist the provisional foster parents in applying for benefits if appropriate. Until the provisional foster home is opened as a regular foster home, the relative/fictive kin may apply for and receive benefits for which the provisional foster parents may be entitled due to the placement of the child in the home, such as benefits under the Temporary Employment Assistance (TEA) Program or the Supplemental Nutrition Assistance Program (SNAP).
 - e) Assess the situation with the Resource Worker and Supervisor(s) if the family does not come into compliance within six months of the placement of the child in the home and recommend to OPLS on how the case should proceed (i.e., remain in foster care or have a completed approved home study and recommend custody to the relative).
 - f) Collaborate with the Resource Worker to ensure that the relative(s) is completing the process for foster home approval. If the relative's home is not fully licensed as a foster home within 6 months of the placement of the child in the home:
 - i. The Department shall remove the child from the relative's home and close the relative's provisional foster home and place child in an approved or licensed placement; or,
 - ii. The court shall remove custody from the Department and grant custody of the child to the relative.
 - I. Complete the CFS-6024: Permanency Planning Hearing Court Report and submit to the FSW Supervisor for review and approval.
 - J. If approved by the FSW Supervisor, submit CFS-6024: Permanency Planning Hearing Court Report to the OPLS attorney, CASA, and all other required parties within 14 days prior to any Permanency Planning Hearing scheduled for the case.
 - K. Hold staffings, as needed, in accordance with Procedure IV-B1: Case Staffings and update the CFS-6009: Family Strengths, Needs, and Risk Assessment (FSNRA) and CFS-6010: Case Plan.
 - L. Invite the Adoption Specialist to the staffing when appropriate.
 - M. Conduct a staffing to discuss closure when appropriate.

The Resource Worker will:

- A. Assist with completion of CFS-450: Prospective Provisional Foster Parent Information and Questionnaire as appropriate to specific case and/or local county procedures.
- B. Process all necessary background checks by (see Procedure VII-C1: Background Check Processing for more information):
 - 1) Conducting an expedited Child Maltreatment Central Registry Check (via CFS-316: Request for Arkansas Child Maltreatment Central Registry Check);
 - 2) Conducting an expedited State Police Criminal Record check (via CFS-342: State Police Criminal Record Check);
 - 3) Conducting a Vehicle Safety Program (DMV) Check (driving record points will be computed in DCFS Central Office, and the results, including qualification or disqualification, will be forwarded to the Resource Worker for inclusion in the applicant file; see Procedure VII-C1 for forms which must be completed); and
 - 4) Submitting the FBI Criminal Record Check (FBI results do not have to be received in order to open the provisional foster home, but results must be received and clear within six months in order to approve as a regular DCFS foster home).
 - 5) Completing a visual inspection of the home (via CFS-446: In Home Consultation Visit Report). See Procedure VII-C2: In Home Consultation Visit for more information.
- C. Based on the results of the background checks listed above, begin the process for requesting any necessary Alternative Compliances or DCFS Policy Waivers, if applicable.

- D. Explain to the relative/fictive kin that, if opened as a provisional foster home, they will not receive a board payment until they are opened as a fully approved DCFS Foster Home which must occur within six months of being opened as a provisional foster home.
- E. Explain to the relative/fictive kin other processes related to becoming a provisional and, ultimately, a regular DCFS foster home (see Policy VII: Development of Foster Homes and related procedures).
- F. Keep the child's FSW informed of progress and/or any challenges to opening the relative as a provisional foster home.
- G. Collaborate with the child's FSW to evaluate:
 - 1) How the other children and adults in the home will affect the successful development of a child in foster care; and,
 - 2) How the child in foster will impact the other members of the home.
- H. If the relative/fictive kin and relative/fictive kin's home are appropriate to open as a provisional foster home, complete CFS-452: Provisional Foster Home Verification and CFS-474: Provisional Foster Home Checklist with the family and file in the provider record.
- I. Enter a relative into CHRIS as a Provider opening two placement services: Provisional (Relative) Placement (No Board) Service, and Foster Family Home Service. The Provisional (Relative) Placement (No Board) Service must be quickly approved (once the necessary requirements are received), while the Foster Family Home Service has Applicant Status awaiting compliance (all required checks, certifications and training) for approval. In CHRIS, the relative will have only one Provider Number showing two services provided by the family.
- J. Enter fictive kin into CHRIS as a Provider opening two placement services: Provisional (Fictive Kin) Placement (No Board) Service, and Foster Family Home Service. The Provisional (Fictive Kin) Placement (No Board) Service must be quickly approved (once the necessary requirements are received), while the Foster Family Home Service has Applicant Status awaiting compliance (all required checks, certifications and training) for approval. In CHRIS, the fictive kin will have only one Provider Number showing two services provided by the family. Provisional (Fictive Kin) will mirror the same Board Rate as Provisional (Relative) which carries the payment scale status of "None."
- K. Request any necessary policy waivers and/or alternative compliances to waive non-safety standards for the relative/fictive kin prior to referring to training.
- L. Refer to Policy VII: Development of Foster Homes, to continue with the process of opening the provisional foster home as a regular DCFS foster home.
- M. Support the relative/fictive kin throughout the process of becoming a provisional and regular DCFS foster home.
- N. Assess the situation with the FSW and Supervisor(s) if the relative does not come into compliance within six months of the placement of the child in the home.

The FSW Supervisor will:

- A. Conference with and support the FSW on the case as necessary.
- B. Review and approve CFS-6024: Permanency Planning Hearing Court Report.

The Resource Worker Supervisor will:

- A. Upon receipt of a notification email from a worker who has removed children and identified a prospective provisional placement (see Procedure II-E11 for more information), be responsible for ensuring completion of CFS-450: Prospective Provisional Foster Parent Information and Questionnaire within 48 hours of receipt of notification.
- B. Conference with and support the Resource Worker as necessary regarding opening the provisional foster home.

PROCEDURE VI-B1: Provisional Foster Home Placement for Children in Foster Care

018/20143

The Family Service Worker will:

- A. Ask the child's parent(s) or legal guardian(s) from whom custody was removed to provide information on appropriate relatives and fictive kin to include, as available (if not already provided at time of removal):
 - 1) The names, addresses, and phone numbers of any relatives or fictive kin who may serve as appropriate placement resources for the child;
 - 2) The names, addresses, phone numbers, and other identifying information of any putative father(s) of the child.
- B. ~~Complete CFS-450: Assist with completion of CFS-450: Prospective Provisional Foster Parent Information and Questionnaire as appropriate to the specific case and/or local county procedures Provisional Foster Home Referral and provide to the local Resource Worker immediately.~~
Formatted: Underline
Formatted: Underline
- C. Keep the Resource Worker informed of any changes to the child's need for a provisional placement and any other relevant information.
- D. Ensure that the Resource Worker conducts a review of the prospective provisional home to include:
 - 1) An expedited Child Maltreatment Central Registry Check (via CFS-316: Request for Arkansas Child Maltreatment Central Registry Check);
 - 2) An expedited State Police Criminal Record check (via CFS-342: State Police Criminal Record Check);
 - 3) A vehicle safety check; and,
 - 4) Submission of the FBI Criminal Record Check (FBI results do not have to be received in order to open the provisional foster home, but results must be received and clear within six months in order to make a determination as to whether to approve as a regular DCFS foster home).
 - 5) A visual inspection of the home (via CFS-446: In Home Consultation Visit Report).
- ~~E. Based on the results of the background checks listed above, begin the process for requesting any necessary Alternative Compliances or DCFS Policy Waivers, if applicable.~~
- F-E. If the provisional foster home placement appears viable, interview the child, if age appropriate, to assess how the child may feel about placement with the relative and make individualized placements on a case-by-case basis in the best interest of the child.
- G-F. Collaborate with the Resource Worker to evaluate:
 - 1) How the other children and adults in the home will affect the successful development of a child in foster care; and,
 - 2) How the child in foster care will impact the other members of the home.
- H-G. If, after the Resource Worker has completed all necessary steps to open the family as a provisional home (see below for more information), it is determined that placement with the family is in the best interest of the child:
 - 1) Arrange at least one pre-placement visit for the child before the initial placement and before any subsequent changes in placement if possible and appropriate.
 - 2) Contact the OPLS Attorney immediately if child is being moved from one Out-of-Home Placement to another (see Procedure VII-K1) if that placement was not considered to be a temporary placement (see Appendix I: Glossary).
 - 3) Provide the child's parent(s) with PUB-11: What Happens When Your Child and Family Are Involved with DCFS?
 - 4) Provide the prospective provisional foster family with PUB-15: A Relative's Guide to the Arkansas Child Welfare System.
 - 5) Place the child in the provisional home and:
 - a) When a child is placed in a provisional foster home for a 72 hours hold, ensure that the provisional foster parents acknowledge they will not allow the alleged perpetrator access to the child that is not supervised by the Division until the investigation is complete and will not

allow any contact with the alleged offender that is not approved or authorized by the Division or the court after the investigation is completed (if found true).

- b) Ensure that the provisional foster parents understand that they must work with their Resource Worker to complete any corrective actions necessary to bring the home into compliance with Minimum Licensing Standards and DCFS Policy within six months or their home will be closed and the child removed.
- c) Document placement selection on the CFS-6010: Case Plan by keying the "Plan Goals" and the "Needs/Svc" screens in the "Treatment" portion of the "Case Plan" section of CHRIS.
- d) Assist the provisional foster parents in applying for benefits if appropriate. Until the provisional foster home is opened as a regular foster home, the relative/fictive kin may apply for and receive benefits for which the provisional foster parents may be entitled due to the placement of the child in the home, such as benefits under the Temporary Employment Assistance (TEA) Program or the Supplemental Nutrition Assistance Program (SNAP).
- e) Assess the situation with the Resource Worker and Supervisor(s) if the family does not come into compliance within six months of the placement of the child in the home and recommend to OPLS on how the case should proceed (i.e., remain in foster care or have a completed approved home study and recommend custody to the relative).
- f) Collaborate with the Resource Worker to ensure that the relative(s) is completing the process for foster home approval. If the relative's home is not fully licensed as a foster home within 6 months of the placement of the child in the home:
 - i. The Department shall remove the child from the relative's home and close the relative's provisional foster home and place child in an approved or licensed placement; or,
 - ii. The court shall remove custody from the Department and grant custody of the child to the relative.
 - ii.
- I. Complete the CFS-6024: Permanency Planning Hearing Court Report and submit to the FSW Supervisor for review and approval.
- J. If approved by the FSW Supervisor, submit CFS-6024: Permanency Planning Hearing Court Report to the OPLS attorney, CASA, and all other required parties within 14 days prior to any Permanency Planning Hearing scheduled for the case.
- K. Hold staffings, as needed, in accordance with Procedure IV-B1: Case Staffings and update the CFS-6009: Family Strengths, Needs, and Risk Assessment (FSNRA) and CFS-6010: Case Plan.
- L. Invite the Adoption Specialist to the staffing when appropriate.
- M. Conduct a staffing to discuss closure when appropriate.

Formatted: Don't add space between paragraphs of the same style, Numbered + Level: 1 + Numbering Style: i, ii, iii, ... + Start at: 1 + Alignment: Right + Aligned at: 1.44" + Indent at: 1.69"

The Resource Worker will:

- A. Assist with completion of Prospective Provisional Foster Parent Information and Questionnaire as appropriate to specific case and/or local county procedures.
- A.B. Process any received CFS-450: Provisional Foster Home Referral by Process all necessary background checks by (see Procedure VII-C1: Background Check Processing for more information):
 - 1) Conducting an expedited Child Maltreatment Central Registry Check (via CFS-316: Request for Arkansas Child Maltreatment Central Registry Check);
 - 2) Conducting an expedited State Police Criminal Record check (via CFS-342: State Police Criminal Record Check);
 - 3) Conducting a Vehicle Safety Program (DMV) Check (driving record points will be computed in DCFS Central Office, and the results, including qualification or disqualification, will be forwarded to the Resource Worker for inclusion in the applicant file; see Procedure VII-C1 for forms which must be completed); and
 - 4) Submitting the FBI Criminal Record Check (FBI results do not have to be received in order to open the provisional foster home, but results must be received and clear within six months in order to approve as a regular DCFS foster home).

5) Completing a visual inspection of the home (via CFS-446: In Home Consultation Visit Report). See Procedure VII-C2: In Home Consultation Visit for more information.

5)

C. Based on the results of the background checks listed above, begin the process for requesting any necessary Alternative Compliances or DCFS Policy Waivers, if applicable.

B-D. Explain to the relative/fictive kin that, if opened as a provisional foster home, they will not receive a board payment until they are opened as a fully approved DCFS Foster Home which must occur within six months of being opened as a provisional foster home.

G-E. Explain to the relative/fictive kin other processes related to becoming a provisional and, ultimately, a regular DCFS foster home (see Policy VII: Development of Foster Homes and related procedures).

D-F. Keep the child's FSW informed of progress and/or any challenges to opening the relative as a provisional foster home.

E-G. Collaborate with the child's FSW to evaluate:

- 1) How the other children and adults in the home will affect the successful development of a child in foster care; and,
- 2) How the child in foster will impact the other members of the home.

F. If the relative/fictive kin and relative/fictive kin's home are appropriate to open as a provisional foster home, complete CFS-452: Provisional Foster Home Verification and CFS-474: Provisional Foster Home Checklist with the family and file in the provider record.

G-H. ~~Return a copy of the completed CFS-450 to the child's FSW regardless of whether or not the relative/fictive kin's home is opened as a provisional foster home.~~

H-I. Enter a relative into CHRIS as a Provider opening two placement services: Provisional (Relative) Placement (No Board) Service, and Foster Family Home Service. The Provisional (Relative) Placement (No Board) Service must be quickly approved (once the necessary requirements are received), while the Foster Family Home Service has Applicant Status awaiting compliance (all required checks, certifications and training) for approval. In CHRIS, the relative will have only one Provider Number showing two services provided by the family.

I-J. Enter fictive kin into CHRIS as a Provider opening two placement services: Provisional (Fictive Kin) Placement (No Board) Service, and Foster Family Home Service. The Provisional (Fictive Kin) Placement (No Board) Service must be quickly approved (once the necessary requirements are received), while the Foster Family Home Service has Applicant Status awaiting compliance (all required checks, certifications and training) for approval. In CHRIS, the fictive kin will have only one Provider Number showing two services provided by the family. Provisional (Fictive Kin) will mirror the same Board Rate as Provisional (Relative) which carries the payment scale status of "None."

J-K. Request any necessary policy waivers and/or alternative compliances to waive non-safety standards for the relative/fictive kin prior to referring to training.

K-L. Refer to Policy VII: Development of Foster Homes, to continue with the process of opening the provisional foster home as a regular DCFS foster home.

L-M. Support the relative/fictive kin throughout the process of becoming a provisional and regular DCFS foster home.

M-N. Assess the situation with the FSW and Supervisor(s) if the relative does not come into compliance within six months of the placement of the child in the home.

The FSW Supervisor will:

- A. Conference with and support the FSW on the case as necessary.
- B. Review and approve CFS-6024: Permanency Planning Hearing Court Report.

The Resource Worker Supervisor will:

- A. Upon receipt of a notification email from a worker who has removed children and identified a prospective
provisional placement (see Procedure II-E11 for more information), be responsible for ensuring
completion of CFS-450: Prospective Provisional Foster Parent Information and
Questionnaire within 48 hours of receipt of notification.
- B. Conference with and support the Resource Worker as necessary regarding opening the provisional foster

Formatted: Numbered + Level: 1 +
Numbering Style: 1, 2, 3, ... + Start at: 1 +
Alignment: Left + Aligned at: 0.75" + Indent
at: 1"

Formatted: Add space between paragraphs of
the same style

Formatted: No underline

Formatted: Indent: First line: 0", Numbered
+ Level: 1 + Numbering Style: A, B, C, ... +
Start at: 1 + Alignment: Left + Aligned at: 0"
+ Indent at: 0.25"

Formatted: Indent: Left: 0.5", No bullets or
numbering

Formatted: Indent: Left: 0.5", First line: 0"

home.