

POLICY VII-H: PROVIDING INFORMATION TO AND GATHERING INFORMATION FROM RESOURCE~~FOSTER~~ PARENTS

015/202218

~~ResourceFoster~~ parents will be considered as team members working with other child welfare professionals for the family. Complete information, such as a child's health and education records, reasons for entering care, siblings, and probable length of placement, will be provided to ~~foster-resource~~ parents at the time of placement. Additional information, including, but not limited to, a complete copy of the Child and Adolescent Needs and Strengths (CANS) assessment and complete copy of the case plan for each child placed in the home, will be shared promptly with the ~~resourcefoster~~ parents. Resource-Foster parents are also allowed to receive a copy of substantiated child maltreatment report for the child in their care.

The child's ~~S~~social ~~s~~Security number may be given to the ~~foster-resource~~ parents, only if the ~~resourcefoster~~ parent must have the number to obtain services, care, or treatment for the child (e.g., to enroll the child in school or to obtain medical treatment when treatment is needed for a child who is not Medicaid eligible). The ~~resource foster~~ parent must keep the child's Social Security number confidential and use the Social Security number only for allowable purposes.

In addition, currently or previously licensed resource parents may receive records concerning a child who was previously placed in their resource home that are relevant to the period of time in which the child was placed in that resource home and for which the resource parent has a legitimate need as determined by the Division of Children and Family Services (DCFS). Examples may include providing the Social Security number of a child previously placed in the resource home for tax filing purposes.

~~Resource Foster~~ parents, ~~to include~~ pre-adoptive parents, and relative caregivers have the right to be heard in any proceeding held with respect to a child in their care and will be called as a witness to do so. DCFS staff are encouraged to support resource parents in sharing information with the court given that resource parents have a significant amount of knowledge about the child's daily functioning, strengths, and needs.

~~ResourceFoster~~ parents will not be made a party to any such proceeding while reunification remains the court ordered goal or solely on the basis that such persons are entitled to notice and the opportunity to be heard.

PROCEDURE VII-H1: Providing Information to Foster Parents

04/2018

The Family Service Worker will:

- ~~A. Provide foster parents with copies of the CFS-6010: Case Plan, CFS-368: Health Services Plan and CFS-6007: Placement Plan-Placement Plan Provider Information Report within five calendar days of completion or revision.~~
- ~~B. Provide the foster parent with the child's Social Security number, when it is required, to obtain services, care, or treatment for the child.~~
- ~~C. Review and update the child's health and education records and provide copies to the out of home care provider at the time of placement.~~
- ~~D. Provide any additional information, as it becomes available, such as a complete copy of the most recent CANS assessment and the child's case plan.~~
 - ~~E. Submit the CFS-343: Notification of Court Appearance to foster parents within 10 calendar days of any review hearing to be held with respect to a child in their care. Send the CFS-343 through certified mail for all Permanency Planning Hearings.~~
- ~~— Provide the foster parent with a copy of a substantiated child maltreatment report on the child in their care, if requested. within two (2) business days regarding if the resource parent has a legitimate need for that information.~~
 - ~~— If the FSW Supervisor agrees that the resource parent has a legitimate need for the information, he or she will send the request to the for review and approval within two (2) business days of receipt of the request~~
 - ~~— The DCFS will review the request to assess if the resource parent has a legitimate need for the information and:~~
 - ~~— Approve or deny the request accordingly; and,~~
 - ~~F. Inform the FSW Supervisor and FSW of the decision within two (2) business days of receipt of the request.~~

The foster parents will:

- ~~A. Maintain the information shared as confidential.~~
- ~~B. Use information contained in the case plan and other provided information to assist the child placed in the foster home in understanding the progress of the child's foster care case.~~

PROCEDURE VI-H9: ~~Other Travel Not Related to the Interstate Compact on the Placement of Children n-ICPC and Non-DCFS Children Not in DHS Custody~~

05/2022

Children in foster care may have the opportunity or need to travel for reasons not related to ICPC. These may include but are not limited to, vacationing with their resource family, an out-of-state visit with a family member, or attending a funeral of a family member. Any travel that promotes a sense of normalcy and connection for children in foster care is encouraged, as appropriate for a particular child and in accordance with the reasonable and prudent parent standard (see Policy VII-G for more information).

An out-of-state visit is thirty (30) days or less and is not subject to ICPC. However, if it is greater than thirty (30) days, it is a placement, which is subject to ICPC.

Because the Department of Human Services (DHS) is the appointed custodian of a child in foster care, DHS has the right to consent to the child's travel on vacation or similar trips as per A.C.A. § 9-27-353 (e). As such, resource parents must have prior written authorization to transport children in foster care for an overnight stay outside the State of Arkansas. Such requests will be made to the FSW as soon as travel planning begins, and at a minimum of two (2) weeks prior to scheduled travel dates, if possible.

Resource parents will not have to submit a request for out-of-state travel in order to cross the state border when travel plans do not require an overnight stay outside the State of Arkansas (for example: shopping or visiting with a relative in a nearby town over state lines).

When vacationing as a family, resource parents are encouraged to take any children placed in their home with them. However, DCFS will not pay for vacation expenses. As noted above, travel out of state involving an overnight stay or more requires prior written authorization.

For children placed out-of-state by an Arkansas court and who are not in DHS custody as the result of a dependency-neglect or dependency case, the sending party is responsible for arranging transportation rather than DHS.

For ~~n~~Non-ICPC travel of a child in DHS custody, the Family Service Worker will:

- A. Ensure that all parties to the case are made aware of and have input regarding the child in foster care traveling out of state (for example: to attend a funeral, go on vacation with a resource parent, or attend camp).
- B. Request prior agency approval, ~~by submitting~~using the DHS-1010 for ~~the~~a child and ~~for~~ an escort, as appropriate, to the FSW Supervisor who, if approved, will continue to request approval and associated signatures through the following chain of command:
 - 1) Area Director or designee;
 - 2) Assistant Director of Community Services or designee; and
 - 1)3) DCFS Director or designee. ~~-(e.g., to attend a funeral, go on vacation with a foster parent or go on a visit of less than 30 days.)~~

~~A. Direct requests and questions to the Foster Care Unit.~~

~~B. Exception: For children placed out of state by an Arkansas court, the sending party is responsible for arranging transportation (DHS does not have legal custody).~~

~~Forward the DHS 1010 to the Assistant Director of Community Services and then the DCFS Director for signatures.~~

~~Attach the child's court order giving authority to travel and written documentation from the attorney ad litem.~~

Notes:

~~An out of state visit is thirty (30) days or less and is not subject to ICPC. However, if it is greater than thirty (30) days, it is a placement, which is subject to ICPC.~~

~~Exception: For children placed out of state by an Arkansas court, the sending party is responsible for arranging transportation (DHS does not have legal custody).~~

C.

State of Arkansas

As Engrossed: S3/2/21

93rd General Assembly

A Bill

Regular Session, 2021

HOUSE BILL 1359

By: Representative Barker

By: Senator G. Stubblefield

For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING THE RELEASE OF
CONFIDENTIAL INFORMATION UNDER THE CHILD WELFARE
AGENCY LICENSING ACT; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE LAW CONCERNING THE RELEASE
OF CONFIDENTIAL INFORMATION UNDER THE
CHILD WELFARE AGENCY LICENSING ACT.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 9-28-407(h)(1)(H)(i), concerning licenses
required and issued under the Child Welfare Agency Licensing Act, is amended
to read as follows:

(H)(i) To foster parents, the foster care record for
~~foster~~ children in foster care currently placed in their home.

SECTION 2. Arkansas Code § 9-28-407(h)(1), concerning licenses
required and issued under the Child Welfare Agency Licensing Act, is amended
to add an additional subdivision to read as follows:

(Z)(i) To a currently or previously licensed foster
parent.

(ii) A foster parent shall only receive records:

(a) Concerning a child who was previously
placed in the home of the foster parent and that are relevant to the period
of time in which the child was placed in the home of the foster parent; and



1 (b) For which the foster parent has a
2 legitimate need as determined by the licensee or department.

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5 */s/Barker*
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8 **APPROVED: 3/10/21**
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State of Arkansas
93rd General Assembly
Regular Session, 2021

A Bill

HOUSE BILL 1814

By: Representative Gazaway

For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING THE OPPORTUNITY TO
BE HEARD IN CERTAIN HEARINGS HELD UNDER THE ARKANSAS
JUVENILE CODE OF 1989; TO AMEND THE DEFINITION OF
"PARENT" UNDER THE ARKANSAS JUVENILE CODE OF 1989;
AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE LAW CONCERNING THE
OPPORTUNITY TO BE HEARD IN CERTAIN
HEARINGS HELD UNDER THE ARKANSAS JUVENILE
CODE OF 1989; AND TO AMEND THE DEFINITION
OF "PARENT" UNDER THE ARKANSAS JUVENILE
CODE OF 1989.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 9-27-303(41), concerning the definition of
"parent" under the Arkansas Juvenile Code of 1989, is amended to read as
follows:

(41) "Parent" means:

(A) a A biological mother;

(B) ~~an~~ An adoptive parent; or

(C) a A man;

(i) ~~to~~ To whom the biological mother was married at
the time of conception or birth;

(ii) ~~or who~~ Who has signed an acknowledgment of
paternity pursuant to § 9-10-120;



1 ~~(iii) or who~~ Who has been found by a court of
2 competent jurisdiction to be the biological father of the juvenile or to have
3 otherwise established paternity; or

4 (iv) Who is listed as the parent on the birth
5 certificate of the child;

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7 SECTION 2. Arkansas Code § 9-27-325(1)(3)(A), concerning hearings held
8 under the Arkansas Juvenile Code of 1989, is amended to read as follows:

9 (3)(A) The court shall allow foster parents, preadoptive
10 parents, and relative caregivers an opportunity to be heard in any proceeding
11 held with respect to a child in their care but only as a witness.

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13 SECTION 3. Arkansas Code § 9-27-325(1)(3), concerning hearings held
14 under the Arkansas Juvenile Code of 1989, is amended to add an additional
15 subdivision to read as follows:

16 (D) A foster parent, adoptive parent, preadoptive parent,
17 or relative caregiver may not offer evidence to be considered by the court
18 unless he or she is called as a witness.

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21 **APPROVED: 4/21/21**
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