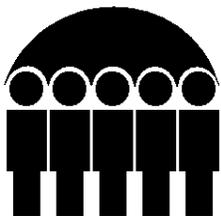


Revised August 20, 2010

Employees' Manual  
Title 12  
Chapter B



# FOSTER FAMILY HOME LICENSING



Iowa  
Department  
of  
Human Services



September 9, 1997

**MANUAL LETTER NO. XII-Zero-3**

ISSUED BY: Division of Adult, Children, and Family Services

SUBJECT: Retroactive Review of Child Abuse Reports on the Central Registry  
(Affects Chapters 12-A, 12-B, 12-C, 12-D, 12-E, 12-F, 12-H, and 12-I)

Effective July 1, 1997, some applicants for licensure, registration, employment, or approval are eligible for retroactive reviews of child abuse reports on the Central Registry. This applies to:

- ◆ Child day care providers.
- ◆ Foster families.
- ◆ Adoptive families.
- ◆ Employees of licensed or registered child care facilities, including child day care centers, registered day care homes, group foster care, psychiatric facilities for children, residential treatment facilities, shelters, and detention facilities.

A retroactive review is a review of a confirmed child abuse report which is on the Registry as of July 1, 1997, to determine if the report should continue to be on the Registry or if it should be expunged from the Registry and retained as a service record for five years from date of intake. Two types of reports are eligible for expungement from the Registry under retroactive review process:

- ◆ Physical abuse, where the injury was minor, isolated, and unlikely to reoccur.
- ◆ Denial of critical care through lack of proper supervision or lack of adequate clothing, where the risk to the child was minor, isolated, and unlikely to reoccur.

Conduct the review when the applicant returns a *Record Check Evaluation*, form 470-2310. Complete the *Checklist for Retroactive Review*, form 470-3416, to determine if the person is eligible for retroactive review and, if so, whether the report should be expunged.

If you determine that the report should be removed from the Central Registry, complete a cover letter indicating:

- ◆ The date of the review.
- ◆ The names of the reviewers.
- ◆ The ACAN or STAR incident number of the report.
- ◆ The identity of the person responsible for the abuse.
- ◆ The reason that you are recommending the report be removed from the Registry.

Submit the letter to Retroactive Review/Record Check Evaluation, DHS, ACFS, 5th Floor Hoover Building, Des Moines, Iowa 50319-0114, along with:

- ◆ The child abuse report.
- ◆ The copies of the *Child Abuse Notifications*.
- ◆ A copy of your checklist.

The Registry will notify you, the requester, and the other subjects of the report of the final decision.

If the Registry accepts your recommendation, proceed with licensing, registration, or adoption approval. The Registry will state the date that the report will be expunged from the Registry. This will be five years from the intake date of the report. Keep the case record as a service record if the report has been on the Registry less than five years. Access is limited to the family and to those who secure a release from the family. Destroy the record if the report has been on the Registry five or more years.

If the Registry does not accept your recommendation for removing the report from the Registry, proceed with the record check evaluation.

Legal reference: Iowa Code Sections 125,14/A(2); 135H.7(2); 232.71(7); 235A.15; 237.8(2);  
237A.5(2)

### **Effective Date**

Upon receipt.

### **Additional Information**

A copy of the *Checklist for Retroactive Reviews*, form 470-3416, is attached to this letter. An initial supply of this form will be mailed to county offices when the form is printed. Make copies of this sample until the form is available in print. Contact your regional office if you need additional information.

## CHECKLIST FOR RETROACTIVE REVIEW

### Eligibility For Retroactive Review

Legal reference: Iowa Code section 235.18 (as amended by 1997 Iowa Acts, House File 698, Section 11, effective July 1, 1997) and 441 Iowa Administrative Code 175.14(235A) and 175.40 (235A)

A. Determine whether the report is eligible for retroactive review.

- \_\_\_\_\_ 1. There is a request for a record check evaluation (you have received a 470-2310) **AND**
- \_\_\_\_\_ 2. The abuse report finding is physical abuse, denial of critical care through lack of proper supervision or lack of adequate clothing.

If **both** #1 and #2 apply to this report, proceed to Step B. If one or both circumstances do not apply, proceed with record check evaluation, because the report is not eligible for a retroactive review.

B. Determine if there are other reasons to keep this report on the Registry.

- \_\_\_\_\_ 1. The case was referred for juvenile or criminal court action, or the county attorney or juvenile court has initiated court action based on this report.
- \_\_\_\_\_ 2. The abuse took place in a licensed, registered, unregistered, or regulated facility or service.
- \_\_\_\_\_ 3. The STAR or ACAN system contains another report naming this person as responsible for the abuse of a child within 18 months before the intake date of the report being reviewed.

If #1, #2, or #3 apply to this report, proceed with record check evaluation, because the report is not eligible for retroactive review. If none apply, proceed to Step C

C. Determine whether the person responsible for the abuse poses a danger to the child named or to any other child that the person may come into contact with

If so, proceed with the record check evaluation because the report is not eligible for retroactive review. If not, proceed to the next step.

### Determining if Report Should Be Removed From the Central Abuse Registry.

To be removed from the Registry, a report must be determined to be a minor injury or risk of injury **and** be determined to be isolated and unlikely to reoccur.

A. Isolated. Check the STAR and ACAN system for other reports naming this person as responsible for the abuse of a child.

If there are no such reports, proceed to B. Unlikely to Reoccur. If there is another report, proceed with the record check evaluation because the report does not meet the criteria for removal from the Registry.

B. Unlikely to Reoccur. (Check the circumstances that apply to this incident of abuse.)

- \_\_\_\_\_ 1. The responsible caretaker's response to the incident of abuse and receptiveness to alternative methods of discipline, care or supervision indicate that incident is unlikely to reoccur.
- \_\_\_\_\_ 2. The contributing factors to the abuse no longer present.

If both #1 and #2 apply to this report proceed to C. Minor Injury or Risk of Injury. If one or both circumstances do not apply, proceed with record check evaluation, because the report does not meet the criteria for removal from the Registry.

C. Minor Injury or Minor Risk. (Check the circumstances that apply to this incident of abuse.)

*Injury* (For physical abuse reports)

- \_\_\_\_\_ 1. The nonaccidental injury was an injury such as red marks and faint bruising or was minor in size and location. The injury could be determined accidental when considering the minor nature of the injury.
- \_\_\_\_\_ 2. The nonaccidental injury did not occur to an infant or toddler.

If both #1 and #2 apply to this report, the physical abuse can be considered minor.

*Risk of injury* ( for denial of critical care by lack of proper supervision or lack of adequate clothing.)

If the length of time the endangerment occurred was brief, making the likelihood that the child would have been harmed remote then the report could be considered minor. Proceed to D. Recommendation

D. Recommendation

- \_\_\_\_\_ 1. The incident meets the criteria as specified in A. and B. and C, and therefore the recommendation is that the report be removed from the Central Abuse Registry. Follow the procedures below.
- \_\_\_\_\_ 2. The incident does not meet at least one of the criteria specified in A., or B, or C, and therefore the recommendation is that the report should not be removed from the Central Abuse Registry. Proceed with record check evaluation.

**Procedure for Recommending Removal of Report from the Central Abuse Registry**

Complete a cover letter indicating the date of the review, identifying the reviewers, the ACAN or STAR incident number of the report, the identity of the person responsible for the abuse and the reason that staff are recommending the report be removed from the Central Abuse Registry.

Provide the child abuse report, the copies of the Child Abuse Notifications and a copy of your checklist. Submit to Retroactive Review/Record Check Evaluation, DHS, ACFS, 5th Floor Hoover Building, Des Moines, Iowa 50319-0114.

The Registry will notify you and the requester and the subjects of the report of the final decision. The Registry will state the date the report will be expunged from the Registry. (This will be five years from the intake date of the report.)

Upon notification from Registry that your recommendation for removal has been accepted, proceed with licensing, registration, or adoption approval procedures. Retain the case record as a service record with access limited to the family and to those who secure a release from the family if the report has been on the registry less than five years. Destroy the record if the report has been on the Registry five or more years.

Upon notification from the Registry that your recommendation for removal has not been accepted by the Registry, proceed with record check evaluation.

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## **Overview**

When a child's parents cannot provide the care their child needs, it may be necessary to remove the child from the parental home and place the child in foster care. The foster care program provides 24-hour temporary substitute care for children unable to remain in their own homes due to abuse, neglect or other serious family problems.

The objectives of placing a child in foster care are:

- ◆ To protect the child.
- ◆ To provide care in a nurturing and stimulating environment on a temporary basis.
- ◆ To help the child cope with separation from the family.
- ◆ To repair any damage resulting from the events in the child's past.
- ◆ To develop and execute a permanent plan for the child's future.

The foster care program offers services to families and children to implement plans for permanent placement. Permanency goals for children in foster care include:

- ◆ Reunification with the family.
- ◆ Placement with a relative or guardian.
- ◆ Adoption.
- ◆ Independence.
- ◆ Long-term care (another planned permanent living arrangement).

Foster care settings include foster family homes, group care facilities, shelter care facilities, and supervised apartment living. Foster family care is the least restrictive, most family-like level of foster care. Foster family care shall be used for a child unless the child has problems that require specialized services that cannot be provided in a family living arrangement.

The licensing of a foster family home has one major goal: To determine if a specific family setting can provide adequate care for a child placed there. To accomplish this, a licensing worker serves both a *regulatory* and a *consultative* function.

The **regulatory** function involves:

- ◆ Determining whether the home complies with licensing requirements at the time of initial application and throughout the licensing period.
- ◆ Issuance of a license when the home is in compliance.
- ◆ Denial, suspension, or revocation of a license when serious noncompliance exists that is a hazard to a child's well-being.

The **consultative** function involves:

- ◆ Providing information.
- ◆ Giving advice and suggestions regarding training needs and opportunities.
- ◆ Assisting the foster parents in providing care that meets a child's needs.
- ◆ Helping to correct deficiencies identified in the foster family.
- ◆ Building on the foster family's strengths.

The Department has entered into a statewide contract with a network of private agencies to:

- ◆ Recruit and train foster and adoptive parents,
- ◆ Complete home studies for licensing,
- ◆ Locate available foster homes when a placement is needed, and
- ◆ Perform activities to support and encourage retention of foster and adoptive parents.

### **Legal Basis**

The following Iowa Code chapters address protection for children who are separated from the direct care of their parents or guardian:

- ◆ Chapter 232, "Juvenile Justice."
- ◆ Chapter 234, "Child and Family Services."
- ◆ Chapter 235, "Child Welfare."
- ◆ Chapter 236, "Domestic Abuse."
- ◆ Chapter 237, "Child Foster Care Facilities."
- ◆ Chapter 238, "Child-Placing Agencies."

Iowa Code Chapter 237 specifically gives the Department of Human Services responsibility for the licensing of foster family homes. Department rules affecting foster family homes are found in the following chapters of 441 Iowa Administrative Code:

- ◆ Chapter 108, "Licensing and Regulation of Child-Placing Agencies."
- ◆ Chapter 112, "Licensing and Regulation of Child Foster Care Facilities."
- ◆ Chapter 113, "Licensing and Regulation of Foster Family Homes."
- ◆ Chapter 117, "Foster Parent Training."
- ◆ Chapter 156, "Payments for Foster Care and Foster Parent Training."
- ◆ Chapter 202, "Foster Care Placement and Services."

## **When a License Is Required**

**Legal reference:** Iowa Code Sections 237.1, 237.4, 237.11

All foster family homes in Iowa shall obtain a license issued by the Department unless one of the following circumstances exists:

- ◆ A person receives the child of a personal friend as an occasional and personal guest in the person's home, free of charge and not as a business.
- ◆ A person provides child foster care for a total of not more than 20 days in one calendar year.
- ◆ Someone with whom a child has been placed for lawful adoption provides care, unless that adoption is not completed within two years after placement.
- ◆ A private boarding school provides care subject to approval by the State Board of Education pursuant to Iowa Code Section 256.11.
- ◆ A child care center or child development home (as defined in Iowa Code Section 237A) furnishes child care. (A licensed foster parent who provides paid child care must be registered as a child development home.)
- ◆ A child's relative or guardian provides the care. "Relatives" include brothers, sisters, aunts, uncles, grandparents, half-siblings, and cousins of the foster child. Relatives are not required to become licensed as a foster family, but may be licensed in order to qualify for foster care payments.

Except as noted above, any individual or family who provides care for a child without obtaining a license is guilty of a serious misdemeanor.

## **Definition of Terms**

**"Child foster care"** means the provision of parental nurturing, including, but not limited to, the furnishing of food, lodging, training, education, supervision, treatment, or other care, to a child on a full-time basis. See [When a License Is Required](#) for exceptions to this definition for purposes of licensing. Iowa Code section 237.1(4)

**"Contractor"** means the recruitment and retention provider with whom the Department contracts for recruitment and retention services.

**"CWIS"** is the acronym for the Child Welfare Information System, which encompasses the FACS and STAR data systems.

**“Department”** means the Iowa Department of Human Services (DHS).

**“FACS”** is the acronym for the Family and Children’s Service System, which provides the automated data collection and payment mechanism for many Department service programs.

**“Family foster care”** means the 24-hour care and supervision of a child provided by a licensed foster family. Care includes the provision of food, lodging, clothing, shelter, support, ordinary transportation, recreation, and training which is appropriate for the child’s age and mental and physical capacity. It also includes working with the child’s birth parents, contributing to the creation and updating of the child’s life book and personal history, and assisting the child in maintaining cultural and ethnic connections.

**“Foster family home”** means a home in which an individual person or married couple wishes to provide or is providing, for a period exceeding 24 consecutive hours, board, room, and care for a child in a single-family living unit. 441 IAC 112.2(237)

**“Licensing file”** means the official Department record for a particular foster family home. It shall include (but is not limited to) the application, the home study, and copies of all forms required for approval, denial, renewal, or any other foster home actions, as well as all narrative updates. (The official file must contain “hard” copies of information accessible to the applicant.)

**“Licensing worker”** means a Department employee or an employee of the contractor who is involved in doing the licensing study.

**“PS-MAPP”** means “Partnering for Safety and Permanence: Model Approach to Partnership in Parenting,” which is the approved foster parent preservice preparation and selection training developed by the Child Welfare Institute.

**“STAR”** means Statewide Tracking of Abuse Reports. This computer system tracks all child abuse reports that are received in counties participating in the child abuse assessment pilot project.

## **Chapter Organization**

This chapter addresses the specific policies and procedures for licensing and supervising family foster homes. It is divided into seven major sections:

- ◆ [Application and prescreening](#)
- ◆ [Assessing the home](#)
- ◆ [Assessing the family](#)
- ◆ [Licensing decision](#)
- ◆ [Monitoring and renewal](#)
- ◆ [Removing a license](#)
- ◆ [Other aspects of foster family care](#)

## **List of Requirements**

“Contractor” denotes the recruitment and retention contractor.

### **Actions**

### **Forms and Procedures**

#### **Intake/orientation**

Contractor: Provide basic licensing requirements and information.

#### **Application**

Family: *Foster Family Home License Application*, 470-0689  
*DHS Criminal History Record Check*, 595-1396

#### **Record checks**

Contractor: *Request for Child Abuse Information*, 470-0643  
Sex Offender Registry: [www.iowasexoffender.com](http://www.iowasexoffender.com)  
Assist in fingerprint applicants  
Out-of-state record check (when applicable)

Department: Review record checks when returned.  
If history of abuse or crime, involve a supervisor.  
Complete record check evaluation process:  
*Foster Family Record Check Letter*, 470-2369  
*Record Check Evaluation*, 470-2310  
Schedule record check staffing  
Recommend decision  
*Record Check Decision*, 470-2386

#### **Denial based on record**

Department: Consult with supervisor to assess noncompliance.  
*Recommendation for Denial of a Foster Family License*,  
470-0704

Contractor: Complete sections of home study narrative to summarize reasons for denial with IAC references.

Department: Process denial.  
*Notice of Action: Foster Family Home*, 470-0709

**Actions**

**Forms and Procedures**

**Preservice training**

Contractor: Register applicant for a PS-MAPP session (or refer for registration).

PS-MAPP leader & applicant: *PS-MAPP Family Profile Parts I & II*, 470-4019  
*Eco-Map*, 470-4086  
*Family Map*, 470-4087  
*Strengths/Needs Worksheet After Meetings 1 and 2*, 470-4021  
*Strengths/Needs Worksheet After Meetings 3 and 4*, 470-4089  
*Strengths/Needs Worksheet After Meeting 5*, 470-4090  
*Strengths/Needs Worksheet After Meetings 6 and 7*, 470-4091  
*Strengths/Need Worksheet for Fertility Issues*, 470-4024  
*Final Strength/Needs Worksheet*, 470-4022  
*PS-MAPP Family Profile Summary*, 470-4029  
*Partnership Development Plan*, 470-4020

Contractor: Obtain a copy of training completion certificates for file:  
*Universal Precautions Certificate of Completion*, 470-3378  
*PS-MAPP Parent Preparation Certificate of Completion*, 470-2066

**Family and home assessment** (home study)

Family: Prepare application materials:  
*Health Report for Foster and Adoptive Parents*, 470-0720  
*HIV General Agreement*, 470-3226  
*Foster Care Private Water Supply Survey*, 470-0693 (if needed)  
*Provisions for Alternate Water Supply*, 470-0699 (if needed)  
*Lead Paint Assessment*, 470-4819 (if needed)  
*Firearms Safety Plan*, 470-4657 (if needed)  
Floor plan  
Fingerprinting

Contractor: Conduct in-home interview with household members  
Assess home condition  
Collect application materials  
*Foster Family Survey Report*, 470-0695  
*Home Study Summary and Recommendation Outline*, (RC-0025)  
*PS-MAPP Family Profile Summary*, 470-4029

**Actions**

**Forms and Procedures**

Reference Checks

Contractor: Request three reference names and addresses.  
Identify three additional references.  
Mail out reference letters.

Home study packet  
submission

Contractor: *Foster Family Home License Application*, 470-0689  
*Foster Family Survey Report*, 470-0695  
*PS-MAPP Family Profile Summary*, 470-4029  
Home study summary and recommendation  
Include all forms obtained through record checks and  
assessment of the family  
*Recommendation for Provisional License*, 470-0698, if  
applicable

**Licensing decision** (new  
applications)

Department: Review *Home Study Summary and Recommendation  
Outline*, (RC-0025)  
*PS-MAPP Family Profile Summary*, 470-4029

Approval

Department: Send *Certificate of License*, 470-0727  
*Notice of Action: Foster Family Home*, 470-0709  
(complete according to service area practice)  
Send copy of *Notice of Action* to notify contractor to  
generate preservice stipend  
Complete FACS entries  
Review *Professional Development Plan*, 470-4023

**Activities during  
licensing year**

Provisional license  
upgraded to full license

Contractor: *Foster Family Survey Report*, 470-0695  
Department: Narrative update (FACS and paper file)  
*Notice of Action: Foster Family Home*, 470-0709  
FACS entry

In-service training  
compliance

Family: Medication Management Quiz from Comm. 315  
First Aid & CPR certification (every 3 years)  
*Foster Parent Training Plan*, 470-3341  
*Foster Parent Training Report*, 470-2540  
*Foster Parent Training History*, 470-2080

**Actions**

**Forms and Procedures**

Household member enters or leaves

Contractor: If a person aged 14 or over enters:  
*Foster Family Home License Application, 470-0689*  
*Request for Child Abuse Information, 470-0643*  
*DHS Criminal History Record Check, 595-1396*  
*Foster Family Survey Report, 470-0695*  
 Update home study:  
*PS-MAPP Family Profile Parts I & II, 470-4019*  
*Home Study Summary and Recommendation Outline, RC-0025*  
 Narrative entry

Department: Issue new license if parenting figure enters or leaves or entry of child causes change in license capacity.  
*Recommendation for Provisional License (if applicable)*  
*Notice of Action: Foster Family Home, 470-0709*  
 FACS entry

Request for variance to license capacity Complete 470-3342, *Licensing Capacity Variance Request*, for service area designee with explanation.

Change in license capacity

Contractor: Review floor plan and parenting ability  
 Department: Narrative update  
 FACS entry  
*Notice of Action: Foster Family Home, 470-0709*

Home remodeled

Contractor: Floor plan  
*Foster Family Survey Report, 470-0695, if needed*  
*PS-MAPP Family Profile Parts I & II, 470-4019*  
 Update home study  
 Home study summary and recommendation

Department: FACS entry

Move within county

Family: *Foster Family Home License Application, 470-0689*  
 New floor plan  
*Foster Care Private Water Supply Survey, 470-0693 (if needed)*  
*Provisions for Alternate Water Supply, 470-0699 (if needed)*  
*Lead Paint Assessment, 470-4819 (if applicable)*

Contractor: Make home visit  
*Foster Family Survey Report, 470-0695*

Department: New *Certificate of License, 470-0727*  
 FACS entry  
*Notice of Action: Foster Family Home, 470-0709 to reflect new address*

**Actions**

**Forms and Procedures**

Move out of county

Send letter to county of new residence  
Supervisory transfer via FACS  
(New county follows "Move within county" expectations.)

Child abuse assessment or  
criminal conviction

Department & Contractor: Assist child protective assessment worker  
Consult with supervisor or service area office  
*DHS Criminal History Record Check, 595-1396*  
*Request for Child Abuse Information, 470-0643*  
*Record Check Evaluation, 470-2310*  
*Record Check Decision, 470-2386*

Unannounced visit

Contractor: Make visit  
Narrative documentation

Department: FACS entry

Deficiencies identified in  
home

Deficiencies not directly affecting child care:

Contractor: Narrative/home study documentation  
*Recommendation for Provisional License, 470-0698*

Department: *Notice of Action: Foster Family Home, 470-0709*  
FACS entry

Serious deficiencies:

Contractor: Narrative/home study documentation

Department: *Recommendation for Suspension of License, 470-0710,*

**or**

*Request for Revocation of Foster Home License,*  
*470-0705*

*Record Check Decision, 470-2386 (if applicable)*

*Records Check Evaluation, 470-2310 (if applicable)*

Termination summary

*Notice of Action: Foster Family Home, 470-0709*

FACS entry

Voluntary withdrawal of  
license

Department: Narrative entry  
*Notice of Action: Foster Family Home, 470-0709*

FACS entry

Delete license

**Actions**

**Forms and Procedures**

**License Renewal**

If family declines renewal

Department: Narrative entry  
*Notice of Action: Foster Family Home, 470-0709*  
FACS entry  
Delete license

Application for renewal

Family: *Foster Family Home License Application, 470-0689*  
*DHS Criminal History Record Check, 595-1396*  
*Foster Parent Training History, 470-2080*  
*Health Report for Foster and Adoptive Parents, 470-0720*  
(if requested)  
*Foster Care Private Water Supply Survey, 470-0693* (if applicable)  
*Provisions for Alternate Water Supply, 470-0699* (if applicable)

Update foster home study:

Contractor: Have in-home interview with household members  
Assess home condition  
Floor plan (if changed)  
*HIV General Agreement, 470-3226*  
Document completed renewal visit  
*Request for Child Abuse Information, 470-0643*  
Sex Offender Registry ([www.iowasexoffender.com](http://www.iowasexoffender.com))  
*Record Check Evaluation, 470-2310* (as needed)  
Verify in-service training of six hours or verify the plan to complete the training before license expires  
Complete *Foster Family Survey Report, 470-0695* (except recommendation)  
Home Study Summary and Recommendation

Identify training needs for coming year

*Foster Parent Training Plan, 470-3341*

Forward home study packet to Department for approval

Contractor: *Foster Family Home License Application, 470-0689*  
*HIV General Agreement, 470-3226*  
*Foster Family Survey Report, 470-0695*  
*DHS Criminal History Record Check, 595-1396*  
*Request for Child Abuse Information, 470-0643*

**Actions**

**Forms and Procedures**

Forward home study packet  
(cont.)

When applicable:  
*Health Report for Foster and Adoptive Parents*, 470-0720  
*Foster Care Private Water Supply Survey*, 470-0693  
*Provisions for Alternate Water Supply*, 470-0699  
*Record Check Evaluation*, 470-2310  
*Record Check Decision*, 470-2386  
*Recommendation for Provisional License*, 470-0698

Department: *Foster Parent Training History*, 470-2080  
FACS entry (if not previously entered)

Notify family of approval

Department: Send *Certificate of License*, 470-0727  
*Notice of Action: Foster Family Home*, 470-0709 (Send copy to contractor to authorize payment of training stipend)  
FACS entry

**Application and Screening**

**Legal reference:** 441 IAC 112, 113.1(237), 113.3(237), 113.4(237), 113.8(237), 113.13(237)

Individuals or families enter the foster care system through a formalized recruitment and orientation process. The first step in the approval process is an intake or orientation for the family by the contractor. The recruitment and retention contractor shall refer persons expressing interest in fostering to an orientation.

The next step is for the family to complete an application for a foster home license and authorize checks for criminal, child abuse, and sex offender records. Any records discovered may end the licensing process or, after further investigation and evaluation, may be deemed not to preclude licensing.

After the screening is completed, the applicant attends the PS-MAPP preservice training. It is recommended that the prospective applicant attend all of the preservice training sessions. At any point during the home study process (preservice training and family consultations), a family may chose to withdraw the application.

### **Referral to Contractor**

**Legal reference:** 441 IAC 156.7(1), 156.7(4), and 108.8(238)

The Department contracts with the recruitment and retention contractor for foster family home studies and home study updates. Refer anyone interested in becoming a foster parent to the recruitment and retention contractor who will assist them in getting enrolled in orientation.

The contractor shall complete the home study in accordance with child-placing licensing standards, which address:

- ◆ Providing applications and information to prospective foster parents.
- ◆ Conducting face-to-face interviews with household members.
- ◆ Preparing a narrative evaluation reflecting a thorough study of the family.
- ◆ Maintaining foster family home records.
- ◆ Submitting to the Department all required documents and information.
- ◆ Making unannounced visits.
- ◆ Enforcing foster parent training requirements.
- ◆ Handling complaints.
- ◆ Submitting timely reapplications.

### **Orientation**

The contractor schedules and holds orientation for families interested in pursuing a foster family home license. The contractor shall explain the following common rules and expectations for licensed foster family homes when screening the potential applicant for eligibility and interest in fostering a special needs child:

- ◆ The Department's policy to accept applications only from persons interested in fostering or adopting "special needs" children and the definition of a "special needs" child.
- ◆ The general requirements for being approved, such as the requirements to work with birth families toward reuniting the child and the birth family and to work as a member of the care and treatment team.
- ◆ The process and sequence of events to become a licensed foster family home:
  - Child abuse, criminal history, and sexual offender record checks
  - Preservice training requirements
  - References
  - The elements of a home study
  - The roles of the contractor

- ◆ Requirements for completion of:
  - Health Report for Foster and Adoptive Parents
  - PS-MAPP Family Profile
  - HIV General Agreement
  - Foster Care Private Water Supply Survey
  - Floor plan
  - Universal Precautions training
  - Medication Management training
  - CPR and First Aid training

- ◆ Responses to any questions the applicant has regarding the process.

NOTE: Explain the foster home licensing process, including time frames, to the applicants. Receipt of an application does not guarantee that a license will be awarded or that a placement will be made. It is important to emphasize the review process required to approve a license and the matching necessary to prepare a family for a placement of a child.

### **Application for License**

**Legal reference:** 441 IAC 112.3(1), 113.3(237)

Any person 21 years of age or older has the right to apply for a foster family home license. The person may apply through the contractor.

Each applicant and any other adults residing in the home must sign form 470-0689, *Foster Family Home License Application*. This form gives the agency the right to study and evaluate the home and to conduct necessary record checks.

Refusal of any adult in the household to cooperate with the records check is grounds to deny the application, based on failure to comply with licensing standards.

NOTE: All approved adults living in the home who will be parenting are listed on one license. Only one license is granted per address. All adults in the household who will be co-parenting the child must participate in all aspects of the licensing process. When a married couple applies, both spouses must participate in all aspects of the process.

Other adults living in the household who will not be parenting the child are counted as members of the household and are checked for abuse and criminal records, but are not listed on the license.

A legal alien may obtain a foster family home license. If a married couple or cohabitating couple, both must be legally in the United States to obtain a license. If legal status is in question, ask to see immigration documents. You can verify permanent resident status by checking the applicant's Immigration and Naturalization Service form I-551 (green card). Check with an IM worker if you have questions.

**FACS ENTRY:** FACS entries are required throughout the licensing process to establish the foster home history. When completed, they give an overview of the foster family home. Currently only Department staff enter FACS information.

**NOTE:** Always search the Provider List to determine if a home has already been assigned a FACS provider number.

### **Employees of the Department**

**Legal reference:** 441 IAC 113.4(2)

An employee of the Department of Human Services may apply and be considered for a license as a foster family home unless engaged in the administration or provision of foster care services. However, an employee whose duties fall under the administration or provision of foster care services may request an exception to policy if the employee wishes to pursue foster family licensing.

### **Adoptive Parents**

Adoptive families may decide to foster children. The home study is the same for both program areas. The *Foster Family Home License Application*, form 470-0689, must be completed, as well as all other foster care forms not common to adoptions.

**NOTE:** An update to the adoptive home study is required, as well as Department entry in FACS to document the dual status of the home. Joint access to data must be available for both program areas.

### **Application Materials**

**Legal reference:** 441 IAC 113.3(1) and 113.11(237)

The contractor shall give the following materials to applicants at the time of application for completion and return:

- ◆ *PS-MAPP Family Profile Part I & applicable section in Part II, 470-4019*
- ◆ *Health Report for Foster and Adoptive Parents, 470-0720*
- ◆ *HIV General Agreement, 470-3226*

NOTE: The HIV agreement may require some discussion to dispel the perception that every child coming into care is at risk of HIV. Explain that if a child is known to be positive or at risk of HIV, the agency will obtain a release of information or court order so that the foster family can be advised of this and the special confidentiality expectations before the placement.

NOTE: The Iowa Foster and Adoptive Parent Association provides the booklet "Confidentiality: A Guide for Foster Parents" to applicants who become licensed foster parents. This booklet addresses confidentiality of HIV information, as well as other confidentiality issues.

At the time of application, the contractor can review the information covered in the following self-study training modules:

- ◆ "Universal Precautions in Foster and Adoptive Homes," required before licensure, and the
- ◆ "Medication Management," required within the initial training cycle.

### **Floor Plan**

**Legal reference:** 441 IAC 113.3(1)"e"

For new applications, the family shall submit a floor plan that displays the following:

- ◆ Identification of each room of the home, including the ground level, upstairs level (if applicable), and below ground level (basement) if applicable.
- ◆ Attached garage, if applicable.
- ◆ Each bedroom's size by length and width (e.g. 10 x 10), and the bedroom ceiling height.
- ◆ Location of the closet, wardrobe, or dresser in the bedroom.

- ◆ Where the bedroom door is and how it swings (into the bedroom or out),
- ◆ The location of any bedroom windows, noting:
  - How they open (e.g. “opens from the inside”), and
  - The actual size of the window (length, width, height).
- ◆ Location of smoke detectors and carbon monoxide detectors.
- ◆ For basement bedrooms, the direct exit to the outside and the stairway exit.

A new floor plan is not required at the time of license renewal unless there have been structural changes.

### **Foster Parent’s Handbook**

Make sure that each applicant has access to the ***Foster Parent’s Handbook***. The *Handbook* provides foster parents with information about Department policies and procedures. Its purpose is to assist foster parents in fulfilling their role in the foster care system.

### **Record Checks**

**Legal reference:** 441 IAC 108.8(238) and 113.13(237); Iowa Code Section 237.8

For a new license application, the contractor shall check criminal and child abuse records on people living in the home over the age of 14 to determine if they have founded abuse reports or criminal convictions. Record checks are not completed on children living in the home who turn 14.

At the time of relicensure, the contractor shall check criminal and child abuse record on all adults living in the home. If anyone over the age of 14 (other than a foster child) moves into the home during the licensing year, the person must complete the complete the *Foster Family Home License Application* to authorize the necessary child abuse and criminal record checks.

Except for fingerprinting, the contractor must complete all of the records checks before enrolling the family in preservice training or initiating a foster family home study. Out-of-state record checks and fingerprinting must be in process before the applicant attends preservice training.

The court is the only entity that can waive the home study. All record checks shall be completed and approved before requesting the waiving of the home study.

Record checks shall be made on maiden names and previous married names, as well as current names. Consult juvenile court records, Department records, courts on-line, and courthouse criminal and civil records.

Records checks are conducted in Iowa and also in any other state with a child abuse registry when the people living in the home have lived in that state in the past five years or live in a town close to the border of that state. Seek releases from the applicants and contact the local human services department in the other state.

Contact information for child abuse registries in other states can be found at:  
[http://www.childhelp.org/get\\_help/local-phone-numbers](http://www.childhelp.org/get_help/local-phone-numbers)

Fingerprinting must be completed on the applicants. The contractor shall explain the procedure to the applicants for obtaining fingerprinting.

Whenever you find that there is a new person living in the home, request the contractor to conduct a check for founded reports of child abuse, criminal history records, and sex offender registry records on that person within seven working days. Completion of the *Request for Child Abuse Information* is necessary when a referral is made to a private agency or to release the child abuse report.

Like any new person residing in the foster home, foreign exchange students residing in a foster home must have record checks completed. It is important to secure any information from the agency that coordinated the placement of the student concerning any record checks that may have been completed before the student came to the United States.

The contractor will inform the local office if someone living in the home has a founded abuse report or a criminal conviction. If so, the Department must evaluate the record to determine whether the crime or abuse warrants prohibition of a license. The family will not be referred to preservice training or for a home study until the evaluation is completed.

EXCEPTION: Under the Adoption and Safe Families Act of 1997, the application shall be denied without an evaluation when the applicant or any adult living in the applicant's home has been convicted of any of the following felony offenses:

- ◆ Domestic abuse.
- ◆ Child endangerment.
- ◆ Neglect or abandonment of a dependent person.
- ◆ A drug-related offense committed within five years of the application date.
- ◆ A crime against a child, including sexual exploitation of a minor.
- ◆ A forcible felony or a crime in another state that would be a forcible felony if committed in Iowa.

Every service area has a committee that reviews founded abuses or criminal convictions for applicants for foster and adoptive-home studies. Secure the applicant's input in completing the evaluation of the abuse or criminal conviction. (See [Evaluating Criminal or Abuse Records](#).)

The evaluation shall consider:

- ◆ The nature and seriousness of the abuse or crime.
- ◆ The time elapsed since commission of the abuse or crime.
- ◆ The circumstances under which the abuse or crime occurred.
- ◆ The degree of rehabilitation.
- ◆ The likelihood that the person will commit the abuse or crime again.
- ◆ The number of abuses or crimes committed by the person.

The service area manager or designee shall make the evaluation and decision within 30 days of receipt of form 470-2310, *Record Check Evaluation*. Notify the applicant of results of the evaluation, using the *Record Check Decision*, form 470-2386, which also requires a supervisory signature.

The following sections address procedures for conducting:

- ◆ [Criminal history record checks](#)
- ◆ [Sex offender registry checks](#)
- ◆ [Central abuse registry checks](#)
- ◆ [Evaluations of record check information](#)

### **Criminal History Record Check**

**Legal reference:** 441 IAC 113.13(1); Iowa Code Chapter 692

The contractor shall explain to the applicants the fingerprinting process for the national criminal records check.

The contractor shall obtain the signature of each person residing in the household who is aged 14 and over (except for foster children) on form 595-1396 or 595-1396(S), *DHS Criminal History Record Check*.

The contractor shall conduct the criminal records check using the SING repository of the Division of Criminal Investigations (DCI). If the SING response shows "further evaluation is needed," then the DCI sends the criminal record history to the contractor.

The contractor will inform the Department licensing worker if someone living in the home has a founded abuse report or a criminal conviction.

### **Follow-Up on Convictions**

If there is a criminal conviction for anyone living in the home, contact the person and share the results of the check and the possible effect on the license.

Do not give the person the actual transcript of the criminal record. If the person wants additional information about the criminal conviction, refer the person to the Iowa Division of Criminal Investigations or the local law enforcement agency.

NOTE: A "deferred judgment" is not a conviction either during the probationary period or afterwards. The statute on deferred judgments requires there first be either a plea of guilty or a verdict of guilty and then gives the judge the authority to impose probation upon conditions as well as the authority to pronounce judgment and impose a sentence if the conditions of probation are not met. (Iowa Code § 907.3)

Deferred judgments can be used in limited situations when the Department is conducting record checks. Note that you will not always be able to find evidence of a conviction because of the passage of time.

If you do find a deferred judgment within the deferral period you can use it during the evaluation process. You can evaluate a “deferred sentence,” which is also known as a “suspended sentence.”

For convictions where evaluation is required, offer the person the opportunity to complete and submit an evaluation, or to supply the information for the form verbally, within ten days of receipt. To document the information and the date, send the person by certified mail:

- ◆ Form 470-2369, *Foster Family Record Check Letter*. This letter advises of the importance of the evaluation and of the person’s right to obtain assistance in participating in the evaluation.
- ◆ Form 470-2310 or 470-2310(S) *Record Check Evaluation*. Sign this form as the person receiving and recording the information.

Also obtain additional information from the local agency identified on the transcript of the criminal history to verify the conviction. Determine if charges were reduced from a heavier charge through plea bargain agreement.

If the person fails to complete and return form 470-2310 or 470-2310(S), within ten days of receipt of the form and has not supplied information verbally, deny the license application.

### **Sex Offender Registry**

**Legal reference:** 441 IAC 113.13(237)

The contractor shall check the Sex Offender Registry for each person aged 14 and over listed on the *Foster Family Home License Application* by accessing the Sex Offender Registry at: [www.iowasexoffender.com](http://www.iowasexoffender.com)

- ◆ Enter the person’s last name.
- ◆ Do not choose a specific county: Select ALL under “county.”
- ◆ Select SEARCH.

NOTE: This site does not contain the entire list of sex offenders registered in Iowa. The list starts from July 1, 1995. It is a point in time list and may not include the sex offenders before this date. As directed on the sex offender website, contact your community law enforcement and county sheriff’s office who are aware that these subjects are in the community.

- ◆ If the search shows a conviction that occurred in Iowa, check form 595-1396 or 595-1396(S), *DHS Criminal History Record Check*, to make sure this conviction also appears there.
- ◆ If the search shows a conviction that occurred outside Iowa, add this conviction to form 470-2310 or 470-2310(S), *Record Check Evaluation*, sent to the applicant.

Document the result of the Sex Offender Registry check in the case file. It is recommended that this documentation be placed at the bottom of form 470-0643, *Request for Child Abuse Information*.

### **Central Abuse Registry**

**Legal reference:** 441 IAC 113.13(237)

The contractor shall check with the Iowa Central Abuse Registry to determine if a child abuse report exists on any person living in the home. This check is required to determine the suitability of the applicants and other people living in the home to provide foster family care.

When checks are being done for other adults living in the home, the signature of each adult is necessary on form 470-0689, *Foster Family Home License Application*. If that person refuses to cooperate with the check, this refusal is grounds for a negative action, based on failure to comply with licensing standards.

NOTE: There is no minimum established in rule or law about the age of the perpetrator of a founded abuse report. For licensing purposes, Abuse Registry checks generally do not need be done on children aged 13 or younger. The Iowa Registry maintains and checks abuse records for the past ten years.

Any person accessing Registry information may not re-disseminate information to anyone outside of the Department unless the Registry approves the re-dissemination. Completion of the *Request for Child Abuse Information* is necessary when a referral is made to a private agency or to release the child abuse report.

### **Follow-Up on Reports**

If there is a founded report on anyone living in the home, contact the perpetrator and inform the person of the results of the check and of the possible effect on the license. Offer the person the opportunity to complete and submit form 470-2310 or 470-2310(S), *Record Check Evaluation*, within ten days of receipt.

Send form 470-2369, *Foster Family Record Check Letter*, to the person along with the evaluation form. This letter advises the person of the importance of the evaluation and of the person's right to obtain assistance in participating in the evaluation.

If the person wishes additional information about the child abuse report, tell the person how to submit form 470-0643, *Request for Child Abuse Information*. If the person does not supply any additional information, have the founded report evaluated based on the contents of the report alone.

Failure to complete and return form 470-2310 within ten days of receipt of the form shall result in denial of licensure.

### **Evaluating Criminal or Abuse Records**

**Legal reference:** 441 IAC 113.13(1) and 113(2)

If there is a record of founded abuse, a criminal conviction, or placement on the Sex Offender Registry for the applicant or any other person living in the applicant's home, the home shall not be licensed as a foster home, unless an evaluation of the abuse or criminal conviction determines that the abuse or crime does not warrant prohibiting the license.

Evaluations are conducted at the service area level. The service area manager may designate a standing team or a rotating team to evaluate founded abuse or criminal convictions. Team evaluation contributes to a greater objectivity and greater consistency in the evaluation process.

Composition of the team must include a service area designee and two other people knowledgeable of licensing standards. (This may be the licensing worker and licensing supervisor.) The service area may also specify other members.

Forward copies of all information regarding the conviction or abuse to the designated Department staff for evaluation. The evaluation shall consider:

- ◆ The number of abuses and crimes committed by the person.
- ◆ The nature and seriousness of the founded abuse or crime.
- ◆ The circumstances under which the abuse or crime was committed.
- ◆ The time elapsed since the incident occurred.
- ◆ The degree of rehabilitation.
- ◆ The likelihood that the person will commit the abuse or crime again.

NOTE: A previous evaluation of the same record for a different purpose may not have the same conclusion as an evaluation for the purpose of foster family home licensing. Do a separate evaluation for foster care and for adoption, even if the same person is applying for both.

There may be a situation when there are arrests and allegations of criminal activity but there are no convictions. In these cases, contacts with references (which may include law enforcement) are necessary to document that conditions in the home would be harmful to a child. (See [Licensing Decision: Denial of License: Grounds for Denial: Just Cause.](#))

### **Guidelines for Evaluating Criminal Records**

When the criminal record indicates a juvenile conviction, do not use that conviction. To determine if a conviction is a juvenile conviction, you must first ascertain whether the person was under 18 years of age at the time of conviction. If the person was under 18 years of age but was waived to adult court, complete an evaluation.

You may want to consider each of the following areas when evaluating convictions for crimes. (The questions listed under each area are intended to assist you in completing an evaluation.)

- ◆ Nature and seriousness of the crime in relation to the position sought:
  - Did the crime involve property or people or both?
  - Was there potential danger to the victim?
  - Were there any injuries to people? If so, were they permanent?
  - Were weapons used? Was force used?
  - What was the age of the victim?
  - Was the victim vulnerable (a child, handicapped, or elderly)?
  - What was the age of the person committing the crime?
  - How does this information relate to the position sought?

- ◆ Time elapsed since the commission of the crime:
  - Convictions less than 5 years old indicate a higher risk.
  - Convictions 5 to 10 years old shall be considered with other factors.
  - Convictions older than 10 years are lower risk unless they involved serious injury or no rehabilitation is evident.
- ◆ Circumstances under which the crime was committed:
  - Was sexual activity involved?
  - What was the judgment used in committing the crime?
  - Why did the person commit the crime?
  - How does the person feel about it now?
  - Were other persons involved in the crime?
  - How was the crime discovered?
- ◆ Degree of rehabilitation:
  - What has been the opportunity to show rehabilitation?
  - Was any restitution made?
  - Was community service a part of rehabilitation?
  - Was there therapy, counseling, or any kind of treatment?
  - Did the person comply? What was the treatment prognosis?
  - What was the length of the jail term and parole?
  - Was there any remorse?
  - Was there acceptance of responsibility for the criminal behavior?
  - How would the person act differently now?
  - Has there been opportunity to commit the same or similar crimes?
- ◆ Number of crimes:
  - Was there recidivism?
  - Were the crimes committed the same or different?
  - Was there any increase in the seriousness of crimes?

### **Guidelines for Evaluating Child Abuse Records**

You may want to consider each of the following areas when evaluating founded child abuse reports. (The questions listed under each area are intended to assist you in completing an evaluation.)

- ◆ Nature and seriousness of report in relation to the role of a foster parent:
  - What was the type of abuse?
  - Were criminal charges filed, and was there a conviction?
  - Was there a CINA order?
  - What was the danger to the child?
  - Were there any permanent injuries?
  - Was this an act or an omission?
  - What was the age of the child?
  - What was the age of the perpetrator?
  - How does the information relate to being a foster parent?
  - What age does the person wish to care for?
  - Will there be supervision or other adults around or available, or will the person be alone with children?
- ◆ The time elapsed since the commission of the founded report:
  - Reports less than 5 years old indicate a higher risk.
  - Reports 5 to 10 years old need to be considered with other factors.
  - Reports older than 10 years are lower risk, unless they involve serious injury or no rehabilitation is evident.
- ◆ Circumstances under which the founded abuse was committed:
  - Was an object used in committing the abuse?
  - What was the judgment used in committing the abuse?
  - Why did the person commit the abuse?
  - How does the person feel about it now?
  - Were other persons involved in the abuse?
  - How was the abuse identified or discovered?
  - Did the abuse take place in a foster-care facility or in the child's or the perpetrator's home?

- ◆ Degree of rehabilitation:
  - Does the perpetrator accept responsibility?
  - How would the person handle the same situation now?
  - Has the person been in a responsible position since the abuse report?
  - How was this responsibility handled?
  - Was there therapy or any kind of treatment?
  - What was the treatment prognosis?
  - Were the recommendations of the Department, court, or therapists carried out?
- ◆ Number of founded abuse reports:
  - Was there recidivism?
  - Are the founded reports the same or different?
  - Did the founded reports become progressively worse?

### **Evaluation Decision**

The service area manager or designee completes the evaluation and makes the decision. Within 30 days of receipt of the completed form 470-2310, the service area manager or designee shall mail to the person on whom the evaluation was completed form 470-2386, *Record Check Decision*, that explains the decision reached regarding the evaluation.

The Department shall also issue form 470-2386 when an applicant fails to respond with the information for form 470-2310, *Record Check Evaluation*, after the ten calendar days of receipt time limit.

If the decision is to deny the application for license at this point, see [Licensing Decision: Denial of License](#) for further procedures.

Include sufficient information in either the home study format or narrative to document the reasons for a denial based on record checks. Describe the situation and the decision-making process leading to the denial. Be sure to identify the applicants.

### **Summary in Foster Family Home Study**

The suggested pertinent items to be completed on the *PS-MAPP Family Profile Summary, 470-4029*, and the home study summary and recommendation are:

- ◆ Identifying information:
  - Type of study (foster care).
  - Date study prepared.
  - Name of each applicant.
  - Date of birth of each applicant.
  - Social security numbers of each applicant.
  - Complete mailing address.
- ◆ Summary of contact:
  - Dates of contacts.
  - Description of contacts.
- ◆ References and record checks:
  - Summarize each reference response.
  - Summarize results of criminal records checks and child abuse checks.
  - Summarize evaluation information.
- ◆ Summary and recommendations:
  - Specific strengths and needs.
  - Reasons for recommending denial, including specific deficiencies, i.e., founded child abuse reports.
- ◆ Completed study:
  - Signature of worker.
  - Office location and phone number.
  - Signature of supervisor.

**FACS ENTRY:** If an application is denied, Department entries into FACS are required to ensure tracking of the applicant's status. Use the Text option to explain the circumstances surrounding the denial. Include enough detail to maintain an accurate picture of the applicant and the reasons for the denial.

### **Withdrawal of an Application**

**Legal reference:** 441 IAC 112.3(3)

Whenever a prospective foster home desires to withdraw an application for a license:

- ◆ Document the withdrawal in the file.
- ◆ Complete a *Notice of Action: Foster Family Home, 470-0709*.
- ◆ Obtain a written statement of withdrawal whenever possible.

**FACS ENTRY:** Document withdrawal with a text entry to reflect the family's reasons and to show that the home is no longer available for placements.

### **Confidentiality of Foster Family Home Information**

**Legal reference:** Iowa Code 217 and 237

Information about the foster family (see also 1-C, [AVAILABILITY OF RECORDS: Foster Care Information](#)) which is considered open to the public is limited to:

- ◆ Name.
- ◆ Address.
- ◆ Licensed capacity.
- ◆ Terms of the license (full or provisional).

Other information would require a signed authorization from the foster parent. This would include inquiries from other state agencies unless access is specifically allowed by statute.

NOTE: A foster parent may request review of the foster parent's own licensing file. Access would be permitted, but third party information will be excluded.

All information about children in foster family placements and their families is protected by the Department's confidentiality standards. "A person who receives information from or through the Department concerning a child who has received or is receiving foster care, or a relative or guardian of the child, shall not disclose the information directly or indirectly, except as authorized."

## **Assessing the Home**

**Legal reference:** 441 IAC 113.4(237), 113.5(237), 113.6(237), 113.7(237)

In preparing the home study:

- ◆ Conduct at least one interview in the applicant's home so that you can personally observe and document its condition.
- ◆ Use the floor plan submitted by the family to establish the bedroom arrangements: where the family's biological or adopted children sleep and where a foster child will sleep.
- ◆ Determine whether the home meets the standards described in the following sections (listed in the order of form 470-0695, *Foster Family Survey Report*):
  - [Physical and safety standards](#)
  - [Water supply](#)
  - [Waste disposal](#)
  - [Physical care of children](#)
- ◆ Document your findings in the home study. Your documentation shall discuss all the relevant considerations of the setting.

On a case-by-case basis, the service area manager or area social work administrator may waive any standard unless:

- ◆ The requirement is set in state or federal law, or
- ◆ The waiver could have a negative impact on the safety and well-being of a child placed in the foster family home.

## **Physical and Safety Standards**

**Legal reference:** 441 IAC 113.5(237) and 113.7(237)

Determine whether the home complies with the safety standards relating to:

- ◆ [General conditions](#)
- ◆ [Room standards](#)
- ◆ [Toilet facilities](#)
- ◆ [Heating, ventilation, and combustible materials](#)
- ◆ [Safety plans](#)
- ◆ [Firearms and weapons](#)
- ◆ [Supervision of hazardous equipment](#)
- ◆ [Medications and poisonous substances](#)
- ◆ [Smoking](#)
- ◆ [Household pets](#)

### **General Conditions**

**Legal reference:** 441 IAC 113.5(1)

Determine whether the foster family home is safe, clean, well-ventilated, properly lighted, properly heated, and free from vermin and rodents.

### **Outdoor Space**

**Legal reference:** 441 IAC 113.5(2)

Determine whether the home provides safe outdoor space to allow for active play according to the child's age and developmental needs.

The area available shall be documented in the case record. It is necessary to consider the age of the child, the developmental needs of the child, public play areas in the vicinity, and recreational services offered through day-care facilities, schools, etc., when evaluating this area.

### **Outdoor Safety Precautions**

**Legal reference:** 441 IAC 113.5(2) "b"

Determine whether the family protects the foster child against hazards including but not limited to:

- ◆ Traffic.
- ◆ Pools.
- ◆ Railroads.
- ◆ Waste material.
- ◆ Contaminated water.

Except for pools, it is not required that play areas be fenced, but the foster family should make provisions to ensure the child's safety.

The age and self-sufficiency of the child are critical elements in determining what precautions need to be taken, if any. A young or severely retarded child requires much more protection than a normally developed adolescent. This protection may be in the form of supervision or physical boundaries.

### **Room Standards**

**Legal reference:** 441 IAC 113.5(4) and 113.5(5)

Determine whether all rooms above ground have:

- ◆ Adequate window area or mechanical artificial ventilation.
- ◆ Ceiling heights are adequate for the child.

NOTE: The presence of smoke or odors may indicate that the ventilation is inadequate. If there appears to be a health hazard, the county health department may have staff available to evaluate conditions and provide documentation of noncompliance.

Determine whether all rooms below ground are free from:

- ◆ Excessive dampness.
- ◆ Noxious gases.
- ◆ Objectionable odors.

Determine whether all rooms and bedrooms for foster children located below ground:

- ◆ Have access to at least one direct exit to the outside on that level
- ◆ Have one inside stairway exit on that level and
- ◆ Conform to the standards listed in bedrooms where foster children sleep.

Document the condition of the downstairs. If you consider the conditions undesirable, your documentation must show that:

- ◆ The condition was more than a one-time occurrence, **and**
- ◆ The foster parents were aware of the problem, **and**
- ◆ The foster parents did not or could not correct the problem.

### **Lead-Based Paint Assessment**

**Legal reference:** 441 IAC 113.5(7)

If the applicant lives in a home built before 1960, determine whether the applicant has submitted form 470-4819, *Lead Paint Assessment*, certifying that the applicant:

- ◆ Has conducted a visual assessment for lead hazards that exist in the form of peeling or chipping paint; and
- ◆ Has applied interim controls using safe work methods if the presence of peeling or chipping paint is found, unless an inspector certified by the Department of Public Health has determined that the paint is not lead-based.

“Interim controls” are measures designed to temporarily reduce human exposure or likely exposure to lead-based paint hazards, such as repairing deteriorated lead-based paint, specialized cleaning, maintenance, painting, and temporary containment.

### **Bedrooms for Foster Children**

**Legal reference:** 441 IAC 113.5(3) 113.5(6)

Determine whether all bedrooms for foster children:

- ◆ Have been constructed for the purpose of providing sleeping accommodations or remodeled for sleeping to provide proper heat and ventilation. Bedrooms or bedroom additions to a home shall meet building code requirements.
- ◆ Have:
  - Permanent walls,
  - A door that closes,
  - A working window that opens from the inside, and
  - A closet, wardrobe, armoire, or dresser for the child's clothing. Boxes or garbage bags are not acceptable containers for the child's clothing.
- ◆ Provide at least 40 square feet of area per child, unless a smaller room size has written approval by the service area manager or designee when it is in the best interest of specific children placed to be placed in the home. The approval shall:
  - Be in writing.
  - Contain the names and birth dates of the children affected.
  - Be reviewed at each license renewal.

When bedrooms meet only the minimum space requirements, additional space in other parts of the home shall be provided for study and play.

(See also [Fire Protection for Bedrooms](#).)

NOTE: Bedroom space and grouping considerations have a direct bearing on the foster home's licensed capacity. See [Licensing Decision: Approval of License: Number of Foster Children](#).

### **Fire Protection for Bedrooms**

**Legal reference:** 441 IAC 113.7(1)

Determine whether every floor of the house where foster children sleep (including the basement) has the following:

- ◆ A working smoke detector approved by the Underwriters Laboratory (UL). The home must have a minimum of one unexpired, operable 2A 10BC or ABC rated fire extinguisher
- ◆ A working carbon monoxide detector, installed and maintained according to manufacturer instructions.
- ◆ Hallways that allow unrestricted access to an exit.
- ◆ A window exit that:
  - Opens from the inside.
  - Is large enough to allow the foster child to pass easily through it.
  - Has a minimum opening height of at least 24 inches.
  - Has a minimum width of at least 20 inches.
  - Has a finished sill height of not more than 44 inches above the floor.

Determine whether the family has made provisions to ensure that the foster child:

- ◆ Is aware of the window exit and how to use it;
- ◆ Can easily reach, open, and climb through the window; and
- ◆ Can safely reach the ground from the window (by secure steps or stairs, if necessary).

Steps may be needed inside leading up to the window to ensure the child can easily reach and climb through the window. NOTE: An infant, toddler, or handicapped child would not be able to exit the home without the assistance of an adult or older child.

The child should be able to use the exit to safely reach the ground outside. Steps may be needed outside the window for the child to safely reach the ground level from the window. Document the size of the window and document demonstration of a child's ability to exit.

To cite noncompliance of this standard requires documentation that the foster parents:

- ◆ Are aware of the deficiency.
- ◆ Are unable or unwilling to comply.

### **Toilet Facilities**

**Legal reference:** 441 IAC 113.5(9)

Determine whether the home's toilet facilities (including privies):

- ◆ Have natural or artificial ventilation.
- ◆ Are maintained in a clean and working condition.

A finding of noncompliance with this standard requires documentation that:

- ◆ The unacceptable condition is a frequent occurrence, **and**
- ◆ The foster parents are aware of the unacceptable condition, **and**
- ◆ The foster parents are unable or unwilling to correct it.

### **Heating**

**Legal reference:** 441 IAC 113.5(10)

Determine whether:

- ◆ The home's heating plant has a capacity to:
  - Maintain a temperature of approximately 65 degrees Fahrenheit during the day in severe weather at a point 24 inches from the floor.
  - Maintain bedroom temperature of approximately 65 degrees Fahrenheit with the door closed.
- ◆ Fireplaces and water heaters are vented to the outside atmosphere. Kerosene heaters shall not be used to heat any space in the home.

The intent of this standard is to provide a basis for determining and documenting conditions in foster homes that may not be providing adequate warmth for the physical health and safety of the child.

When a home is remodeled to add a bedroom, the bedroom must meet building code requirements such as running the heat runs to the bedroom to provide heat to the room.

A finding of noncompliance requires documentation that:

- ◆ This is not a one-time occurrence, **and**
- ◆ The foster parents are aware of the problem, **and**
- ◆ The foster parents are unable or unwilling to correct the problem.

### **Ventilation**

**Legal reference:** 441 IAC 113.5(11)

Determine whether the home:

- ◆ Provides ventilation in all rooms where foster children eat, sleep, and play, either by:
  - Windows which can be opened or
  - Mechanical venting systems.
- ◆ Has screens on windows and doors used for ventilation.

To cite noncompliance that the ventilation is insufficient or screens are not provided, document that:

- ◆ The foster parents are aware of the problem, **and**
- ◆ The foster parents are unable or unwilling to correct the problem.

### **Combustion Hazards**

**Legal reference:** 441 IAC 113.7(2)

Determine whether:

- ◆ The family keeps combustible materials away from furnaces, stoves, space heaters, and water heaters.
- ◆ Explosives and flammable substances are stored securely and are inaccessible to a child.
- ◆ The home has at least one operable 2A-10BC-rated or ABC-rated fire extinguisher.

This standard involves common sense practice to avoid fires or explosions. As part of the in-home inspection, observe whether there are any safety issues regarding a heating stove or heating element to prevent burns.

NOTE: According to the State Fire Marshall, combustible materials should be at least three feet away from electrical panels, water heaters, and furnaces. If a furnace or water heater is in a small room, flammable liquids should not be stored there, since the air temperature can rise, causing combustion.

A finding of noncompliance requires documentation of the condition, discussion with the foster parents and a corrective action plan if this is a reapplication.

### **Safety Plan**

**Legal reference:** 441 IAC 113.7(3)

Determine whether the foster family has a safety plan to be used in case of fire, tornado, blizzard, flood, other natural or man-made disasters, accidents, medical issues, and other life-threatening situations for children in out-of-home placements.

In the case of a disaster requiring evacuation of the home, the foster parents shall notify the Department of the address and telephone number of their temporary residence within 48 hours.

NOTE: It is not enough for the family to say they have safety plans. There should be a written plan which is available for review. The floor plan with the exits marked in case of fire and the location of where to go for tornadoes shall be posted and available to any child placed in the home.

It is important that the foster children be aware of what to do in case of a fire, tornado, or blizzard. Safety plans shall be documented for fire and tornado and reviewed with the foster children at the time of placement and practiced throughout the year with the children to help them personalize the safety plan.

Ask the foster children in the home or, if there are none, the foster parent's children, if any, to share their understanding of the fire and tornado plan and, when applicable, the blizzard plan.

### **Fire Arms and Weapons**

**Legal reference:** Iowa Code Section 724.22, 441 IAC 113.7(5)

Determine whether:

- ◆ All weapons, firearms, and ammunition are inaccessible to a child of any age.
- ◆ Weapons and firearms are maintained in a separate locked place, such as a gun case.
- ◆ Ammunition is maintained in a locked place separate from the weapons and firearms.
- ◆ Any ammunition in a motor vehicle is kept in a separate, locked container. No vehicle used to transport foster children shall contain a loaded gun.

Foster parents who are employed by law enforcement and required to carry a firearm or who have a permit to carry a firearm shall sign Form 470-4657, *Firearms Safety Plan*.

NOTE: If special precautions are necessary to protect a particular child, the placing worker should compile these and document them in an agreement which is signed by the agency worker and the foster parent. The foster parent and the licensing file should have a copy of this agreement.

Prospective foster parents need to be aware that it is a licensing expectation that the child be protected. It is a requirement of the criminal code that no child aged 14 or older can be given access to fire arms or ammunition without the express permission and direct supervision of the parent or guardian of the child.

Iowa Code Section 724.22 specifically addresses that anyone who provides (through sale, loan, gift) or makes available rifles, shotguns, pistols, revolvers or ammunition to anyone under the age of 21 is guilty of a serious misdemeanor for the first offense and a Class "D" felony for the second and subsequent offenses.

### **Supervision of Hazardous Equipment**

**Legal reference:** 441 IAC 113.7(3)

Foster parents shall provide reasonable supervision of foster children to ensure their safety. Foster parents shall monitor foster children while the children are using hazardous items. Determine whether:

- ◆ Dangerous objects or equipment are inaccessible to a child. Such items include but are not limited to trampolines, recreational vehicles, and power tools.
- ◆ Foster parents obtain parental or guardian permission for children to use hazardous equipment or vehicles.
- ◆ Foster parents provide reasonable supervision to ensure their safety while hazardous items are in use.

Foster parents shall monitor foster children while they are using the Internet. Computers should not be in the foster child's bedroom.

### **Medication and Poisonous Substances**

**Legal reference:** 441 IAC 113.7(4)

Determine whether:

- ◆ All prescription medications and poisonous substances are kept in a locked storage container out of the reach of children.
- ◆ All prescription medication is administered as prescribed and documented in a prescription medication log. (An example of a medication log is found in the ***Foster Parent Handbook***.)
- ◆ All over-the-counter medications are administered according to label directions or as directed by a physician.

Medication that needs to be disposed of should either be taken back to the pharmacy for disposal or mixed with a substance such as kitty litter and put in the trash to prevent anyone from taking it out of the trash and using the medication. Do not flush the medication, as it contaminates the water.

### **Smoking**

**Legal reference:** 441 IAC 113.5(6)"j"

Determine whether smoking is prohibited in the foster home or vehicle when the foster child is present. Document in the *Foster Home Survey Report* if anyone in the home smokes and where the person smokes when the foster child is present.

### **Household Pets**

**Legal reference:** 441 IAC 113.7(8)

Determine whether household pets and any outdoor animals accessible to foster children have a current veterinary health certificate that verifies the animal's routine immunizations as required by local ordinances.

The foster family shall provide supervision to foster children when household pets or any outdoor animals are present to ensure the safety of the children.

The presence of animals in the home or outside may be a licensing or placement issue. Even if protected from rabies, household pets may be carriers for diseases which could be a hazard to a healthy child and especially dangerous for a child with a depressed immune system.

### **Water Supply**

**Legal reference:** 441 IAC 113.6(3) and 113.6(4)

Determine whether the home's water supply is safe. Approve the water supply when the water is obtained from a public water supply system. All public water supply systems are checked for safety and are assumed to provide safe water.

If a private well is the source of the water supply:

- ◆ Collect water samples for testing. (See [Water Testing](#).)
- ◆ Evaluate the well and septic system annually for obvious deficiencies. Walk around the outside of the home and look for:
  - Open or loose well tops or platforms.
  - Poor drainage around the well.
  - Any seepage which could be hazardous to a child.
- ◆ Complete form 470-0693, *Foster Care Private Water Supply Survey*.

The following are guidelines for a safe water supply:

- ◆ All wells should be protected against contamination by the entrance of water on or near the ground surface.
- ◆ A one-piece concrete platform, sloped to provide drainage away from the well, should be provided at the top of the well when the casing extends above the ground level.
- ◆ Where the pump is not mounted directly over the well, the upper terminal of the well should be sealed watertight to exclude contamination.
- ◆ All water pumps, whether hand-or-power operated, should:
  - Be sealed watertight at the base.
  - Have no openings which would permit contamination to enter the well.
  - Not require hand priming to operate.
- ◆ A septic tank, concrete vault privy, sewer of tightly jointed tile or equivalent material, or a sewer connected to the foundation drain should be located at least 50 feet from the well.
- ◆ Well-drained barnyards and such sources of contamination as barn gutters, animal pens or stalls having concrete floors, and silos should be located at least 50 feet away and down slope from a well.
- ◆ Poorly drained barnyards and accumulations of manure should be at least 100 feet away and down slope from a well.

If you have questions about the safety of a well, septic system or grounds, you may contact your county health department or county board of health for assistance in the evaluation.

NOTE: The prospective foster parent may object to contact with health department officials if very obvious deficiencies are identified, because they are aware of the possible environmental hazards. The family may choose to withdraw if there are obvious deficiencies.

### **Water Testing**

**Legal reference:** 441 IAC 113.6(4)

Water testing is mandatory for private well systems. When the water supply is obtained from more than one well, proof of the quality of the water from each well is required. The applicant's refusal to have the water tested could be reason to cite noncompliance.

Submit water samples to the University Hygienic Laboratory (or another laboratory certified by the Hygienic Laboratory) and have them analyzed for coliform bacteria. If the foster home serves foster children under age two, also have water analyzed for the nitrate (NO<sub>3</sub>) content.

NOTE: Most Iowa counties participate in a grant program to provide free water testing to their residents. Local health departments should be aware of this. The county department of health may be available to draw the water sample and submit it directly for testing.

If there is a problem identifying the counties participating, contact the Department of Natural Resources (DNR) at 515-281-5918.

When the water sample results show the water to be safe, the license can be granted.

When the water sample is not approved, the foster parents shall provide a written statement that:

- ◆ The foster children will be provided safe water,
- ◆ Where water will be obtained, and
- ◆ How it will be transported and stored in order to qualify for licensing.

Annual testing of water may be waived after three consecutive years when the family has made ongoing alternative arrangements for the use of safe, potable water.

NOTE: Foster parents may use form 470-0699, *Provisions for Alternate Water Supply*, to meet these requirements. A written statement by the foster parents outlining that foster children will be provided potable water, where it will be obtained and how it will be transported and stored shall be on this form.

A finding of noncompliance with this standard requires documentation that:

- ◆ The water sample has not been approved, **and**
- ◆ The foster parents refuse to provide the written statement regarding provision of safe water.

### **Waste Disposal**

**Legal reference:** 441 IAC 113.6(6)

Determine whether the home provides:

- ◆ Covered garbage and rubbish containers that are:
  - Fly tight.
  - Watertight.
  - Rodent-proof.
  - Maintained in a sanitary condition.
- ◆ Sufficient number of containers to properly store all material between collections.

Since a garbage bag is not "rodent proof," garbage bags alone do not constitute a garbage or rubbish container. Recyclable should be stored in a safe, sanitary manner so as not to present a hazard to the foster child.

A finding of noncompliance in this area requires documentation of:

- ◆ The existence of a problem, **and**
- ◆ The discussion with foster parents, **and**
- ◆ The continuation of the problem in spite of the discussion.

### **Sewage Treatment**

**Legal reference:** 441 IAC 113.6(5)

Determine whether the home's sewage disposal system meets sanitation requirements.

Wherever possible, foster homes shall be connected to public sewer systems. Public sewer systems are assumed to meet sanitation requirements.

Private disposal systems shall be designed, constructed and maintained so that no unsanitary or nuisance conditions exist, such as surface discharge of raw or partially treated sewage or failure of the sewer lines to convey sewage properly. If sewage is visible or strong odor is noted, contact the county health department for assistance.

NOTE: The prospective family may choose to withdraw their request for a license rather than have the health department inspect their system.

## **Physical Care**

**Legal reference:** 441 IAC 113.5, 113.6(237)

Determine whether the home meets the standards relating to:

- ◆ [Sleeping arrangements.](#)
- ◆ [Isolation of an ill child.](#)
- ◆ [Individual space.](#)
- ◆ [Food supply.](#)
- ◆ [Food preparation.](#)
- ◆ [Transporting foster children.](#)

### **Sleeping Arrangements**

**Legal reference:** 441 IAC 113.5(6) "a," "b," "e," "f" and "i"

Determine whether the family's sleeping arrangements:

- ◆ Provide foster parents a designated bedroom (i.e., not a room that has another use, such as a den or living room).
- ◆ Provide that children under the age of 1 year are placed on their backs when sleeping unless otherwise authorized in writing by a physician.
- ◆ Provide children who are 2 years or older bedroom space other than in the foster parents' bedroom. Foster children under the age of 2 may share a bedroom with the foster parent.
- ◆ Do not require a foster child to share a bed with any other child. NOTE: Pac N Plays cannot be used for sleeping accommodations as they are unsafe.
- ◆ Keep children 6 years of age or older from sharing a bedroom with a child of the opposite sex.
- ◆ Do not allow any person age 18 or over to share a bedroom with a foster child unless approved by the social work administrator or designee.
- ◆ Provide for a change of linens:
  - At least weekly, or
  - More frequently for children with bladder or bowel control problems.
- ◆ Provide waterproof mattress covers for:
  - Children under three years of age, and
  - Any child who lacks bowel or bladder control.

### **Isolation of an Ill Child**

**Legal reference:** 441 IAC 113.5(6)"c"

Determine whether the structure of the foster home allows for the isolation of a child who is ill or suspected of having a contagious disease from other children.

Noncompliance with this standard means that even with the rearranging of rooms and furniture, no way exists to isolate one child from other children.

### **Universal Precautions**

**Legal reference:** 441 IAC 113.5(6)"h"

Determine whether the foster parents follow universal precautions to reduce the risk of exposure to blood-borne pathogens and other infectious materials.

Failure to comply with this standard could lead to serious infection. It is expected that the foster parent will instruct all family members in universal hygiene practice.

### **Individual Space**

**Legal reference:** 441 IAC 113.5(6)"g"

Determine whether the home provides individual space for the foster child's clothes and personal possessions. This space should be easily accessible to the foster child.

### **Food Supply**

**Legal reference:** 441 IAC 113.5(6)"d" and 113.6(2)

Determine whether the home provides:

- ◆ Food with good nutritional content.
- ◆ Food in sufficient quantity to meet the individual needs of the child.
- ◆ Fluid or powdered milk sufficient to meet the needs of the foster child.

Some children entering care may have a particular nutritional need which requires a special diet. Foster parents are expected to meet this requirement according to the case permanency plan. To determine if nutritional needs are being met, the child's physician could evaluate the child's development and growth.

If food is insufficient to meet the child's needs, take immediate action to protect the child's health and safety. A finding of noncompliance in this area requires documentation that:

- ◆ The food was insufficient in nutritional content or quantity to meet the child's needs, **and**
- ◆ The foster parents were made aware of this problem, **and**
- ◆ The problem continued in spite of the discussions with the foster parents.

NOTE: If special dietary needs for a child were identified in the child's case permanency plan, and the family was aware of the dietary needs and did not meet them, noncompliance would be failure to meet standards by not following the child's case permanency plan.

### **Food Preparation**

**Legal reference:** 441 IAC 113.6(1)

Determine whether the home has:

- ◆ Clean food preparation areas.
- ◆ Facilities to store cold food.
- ◆ Storage areas for other food supplies.

This standard ensures that the risk of infection and disease are minimized by preventing the growth of bacteria. A finding of noncompliance in this area requires documentation of:

- ◆ The existence of the problem, **and**
- ◆ The discussion with the foster parents, **and**
- ◆ The continuation of the problem after the discussion.

### **Transporting Foster Children**

Determine whether foster parents have a valid Iowa driver's license and adequate motor vehicle insurance when they transport foster children in a motor vehicle.

Foster parents shall ensure that appropriate child safety restraints, according to Iowa law, are used when transporting foster children in a motor vehicle.

Any motor vehicle used to transport foster children shall not contain a loaded gun and any ammunition in the vehicle shall be kept in a separate, locked container. Any motor vehicle used to transport foster children shall be smoke free when foster children are being transported.

## **Assessing the Family**

**Legal reference:** 441 IAC 112.3(4), 108.8(1)“c,” 113.12(237)

In addition to passing the criminal history, child abuse record checks, and sex offender registry check, the foster family home applicants must meet detailed requirements as to their personal character, parenting ability, and ability to carry out the responsibilities of a foster parent.

Personal characteristics of applicants are much less concrete and more difficult to measure than the physical standards of the home. Personal observations and discussion with the family and the family references will ensure a more accurate assessment.

The PS-MAPP preservice training is the main avenue for assessing the family. To assist with information collection, ask the prospective foster parents to complete *PS-MAPP Part I and II Family Profile*, 470-4019.

Other information gathered through PS-MAPP to assist with evaluating the family includes:

- ◆ *Strengths/Needs Worksheet - After Meetings 1 and 2*, form 470-4021
- ◆ *Strengths/Needs Worksheet - After Meetings 3 and 4*, form 470-4089
- ◆ *Strengths/Needs Worksheet - After Meeting 5*, form 470-4090
- ◆ *Strengths/Needs Worksheet - After Meetings 6 and 7*, form 470-4091
- ◆ *Strengths/Need Worksheet for Fertility Issues*, form 470-4024
- ◆ *Final Strength/Needs Worksheet*, form 470-4022
- ◆ *Eco-Map*, form 470-4086
- ◆ *Family Map*, form 470-4087
- ◆ *PS-MAPP Family Profile Summary*, form 470-4029
- ◆ *Partnership Development Plan*, form 470-4020

Evaluate each application to ensure that all standards are met. Explore the characteristics of prospective foster parents through:

- ◆ Observation of the family.
- ◆ Interviews with family members on visits to their home and your office.
- ◆ References.

While the contractor is visiting the applicant's home and gathering information about the prospective foster parents, the contractor will discuss the foster parent role and expectations.

A joint assessment of the prospective foster parent's ability to fulfill the expectations is one of the goals of the interview and assessment process. While the family may have preferences for a foster child, the foster child is matched to the family to provide foster care to meet the needs of the child.

Use the information obtained from interviews with the family members (including the biological and adoptive children) and the reference checks to assess the personal characteristics of the prospective foster parent accurately. Document at least:

- ◆ **Two** face-to-face interviews with the prospective foster family.
- ◆ **One** face-to-face interview with each member of the household.

The contractor will report observations and conclusions about the family in a narrative home study report, organized according to the *Home Study Summary and Recommendation Outline*, reference card RC-0025.

### **Characteristics of Foster Parents**

**Legal reference:** 441 IAC 113.11(237) and 113.12(237)

Obtain information on:

- ◆ Family background (parents, siblings, relationship, location).
- ◆ Education (level, value of, knowledge in community, experience, special education).
- ◆ Occupation (work history, work hours, job satisfaction, child care plan, finances).
- ◆ Marriages and children (time available to provide care, equal treatment).
- ◆ Religion or faith (importance, attendance, acceptance).
- ◆ Health and mental health.
- ◆ Strengths/needs summary.

Determine whether the applicants are:

- ◆ Stable.
- ◆ Mature.
- ◆ Responsible.
- ◆ Physically able to care for the type of children who may be placed with them.

Evaluate applicants to determine whether they meet the following standards relating to:

- ◆ [Age](#).
- ◆ [Finances](#).
- ◆ [Relationships](#).
- ◆ [Ability to accept foster children](#).
- ◆ [Ability to meet foster parent responsibilities](#).
- ◆ [Physical and mental health](#).

### **Age**

**Legal reference:** 441 IAC 113.12(1)

Ensure that the applicants are at least 21 years of age. Consider the age of the applicants as it affects their ability to care for a specific child and function in a parental role.

Many children entering care have significant health or behavior problems that require a mature parenting approach. It is important that the applicant is aware that placement decisions are based on the child's needs.

### **Finances**

**Legal reference:** 441 IAC 113.12(2)

Determine whether the applicants have sufficient income and resources to provide adequately for their own needs. Since the basic foster family care program is not designed to provide an income to the foster parents, it is essential that the foster parents are able to provide for the basic needs of their family.

NOTE: People receiving public assistance are not prohibited from becoming licensed. However, out-of-pocket expenses are common, and the foster care payment is considered as a "reimbursement" for basic care expenses.

### **Relationships**

**Legal reference:** 441 IAC 113.12(5)"a"

Determine whether the applicants have provided evidence of marital adjustment and stability. The foster child may be coming from a very unstable home setting. Foster families may be subject to the same stresses as the biological family, so stability and commitment in the relationship is vital to the success of the child.

Placement for a child in a new setting is traumatic enough without the child being thrown into discord or possible separation of the foster parents. Foster children may also exploit the situation by playing the parent figures against each other.

Foster families may be families created by marriage or commitment. It is important that you explore the stability and commitment of a coparenting situation and document this in the study. The length of the commitment or marriage may provide a clue to the stability of the relationship. References may also provide insight.

### **Conduct**

**Legal reference:** 441 IAC 113.12(4)

Persons who exhibit stability and responsibility in situations before licensing are more likely to be able to parent an unrelated child successfully. Determine whether the applicants have the capacity to exercise good judgment in caring for children.

Make sure that applicants are not unsuited by reason of:

- ◆ Substance abuse.
- ◆ Lewd or lascivious behavior.
- ◆ Other conduct likely to be detrimental to the child's physical or mental health or morals.

### **Time Available**

**Legal reference:** 441 IAC 113.12(5) "c"

Determine whether the applicants have time available to parent foster children. This does not mean that if both parents work, the prospective foster home should be excluded. However, when determining if sufficient time remains to parent a foster child, consider the existing time commitments of the foster parents to:

- ◆ Each other.
- ◆ Other family members.
- ◆ Their jobs.
- ◆ Religious and social activities.

You can use conversations regarding daily activities and leisure time to explore this area. For single foster parents, it is important to discuss supports and alternative care arrangements. Families and individuals who readily accept change may more easily adapt to the responsibilities of fostering.

### **Ability to Accept Foster Children**

**Legal reference:** 441 IAC 113.12(5) "f"

Determine whether the applicants have the ability to be accepting and loving toward a foster child entering the home.

Many times foster children have been hurt and are withdrawn and suspicious of people. It is important that the foster parents show acceptance and caring as soon as the foster child enters the home. A child entering care needs to feel the unconditional acceptance of the parenting figures from the beginning of the placement.

Once the child is placed, the foster parents should not allow the child's behaviors to influence their acceptance of the child. The foster parents need to be able to separate the child from the behaviors and to reject the behaviors but still accept the child.

### **Ability to Deal With Acting-Out Behavior**

**Legal reference:** 441 IAC 113.12(5) "d"

Determine whether the applicants are able to accept and deal with acting-out behavior.

Foster children often engage in acting-out behaviors. Applicants need to be aware of this fact and prepared to deal with such behavior appropriately. Previous experiences with their own children and others may or may not prepare the applicants for the behaviors and needs of a child coming into foster care.

Discussing the ways that the applicant has handled difficult situations in the past may give some insight. Ask applicants to describe how they have handled defiant behavior in their own or a relative's child. These discussions will increase their understanding of some of the behaviors they may face.

How would you handle a child who refuses to take a bath?

- If the child is 4 years old.
- If the child is 16 years old.

How would you handle a child who breaks a living room lamp?

- If the child is 7 years old.
- If the child is 14 years old.

How would you handle a child who breaks your child's favorite toy?

- If the child is 5 years old.
- If the child is 12 years old.

How would you handle a child who wets the bed?

- If the child is 4 years old.
- If the child is 9 years old.

This type of exercise not only provides insight about methods of training and discipline but also provides the prospective foster family with examples of some of the situations they may encounter during a placement.

NOTE: Some children may exhibit behaviors after placement that were not demonstrated before placement, such as sexual acting out, stealing, self-harm, or attachment disorders. Applicants need to be able to describe to the placing worker the specific behaviors that the child manifests during the placement.

### **Realistic Expectations**

**Legal reference:** 441 IAC 113.12(5)“b”

Determine whether the applicants have realistic expectations of foster children.

Address the reasons the applicant gives for deciding to foster. Record your discussion of the applicants' attitudes regarding children and their families in the home study.

Fostering is not just caring for a child. Emphasize the importance of working with biological and adoptive families. Following the child's permanency plan may require the foster family to work with the birth or adoptive family on that family's issues while they work through their own anticipatory separation issues.

It is especially important that for applicants who wish to adopt understand that when a child is placed in their home, the primary goal will be to reunify the child with the child's parents.

For applicants wanting to become a foster parent for a relative, explore the dynamics that can occur when a relative's child is placed in their home that can lead to a disrupted placement.

Applicants who expect children to behave appropriately at all times, to treat the applicants as their own parents, to be grateful to the foster parents, to be honest and trustworthy, or to show some other type of idealistic behavior are heading towards disappointment for themselves and, more importantly, failure of the foster child's placement.

### **Family Awareness and Agreement**

**Legal reference:** 441 IAC 113.12(5)“h”

Determine whether all family members are aware of and in agreement with having foster children in the home. Actively include the biological and adopted children of the applicants in the assessment interviews. The children need to be aware of the changes that may occur in their home situation and understand that they will be considered when matching a child to be placed.

During the assessment process, explore with the children what they understand about fostering and how they feel about the prospect of becoming a foster family. The best way to learn about the children’s acceptance and understanding is to meet with the children apart from the parents.

How these children perceive their parents being foster parents will influence the success of any foster child’s placement. Generally, the prospective foster family’s children will not be opposed, but merely be noncommittal. If the children express strong opposition to the placement of a foster child in their family home, the placement will likely fail.

### **Ability to Meet Foster Parent Responsibilities**

**Legal reference:** 441 IAC 113.12(5)“g”

During the visits to the home and the gathering of information about the applicants, share the foster parent role and expectations with the applicants. A joint assessment of the applicants’ ability to fulfill the expectations is one of the goals of the interview and assessment process.

During the initial study, you are evaluating the applicants’ understanding of and agreement with these standards. On a home study update for relicensing, you will have information from placing workers and the unannounced visit about the family’s actual practices.

NOTE: One aspect of care that is not clearly spelled out in the standards is the ability of the family to carry out the requirements of the child's case permanency plan. For all case permanency plans, this requires:

- ◆ Meeting necessary appointments for the child.
- ◆ Keeping the placing agency informed of the child's needs in a timely manner.

Two ways that these requirements can be met are to have reliable transportation and a working telephone. If the applicants do not have a vehicle or a telephone, discuss how they plan to meet these requirements.

### **Acceptance of Supervision**

**Legal reference:** 441 IAC 113.12(5)

The role of the foster parent requires the ability to make good care decisions in the absence of agency supervision, but also to accept agency direction and supervision regarding the foster child. Determine whether the applicants have the capacity to accept agency supervision.

During the initial study, applicants are evaluated on their understanding of and agreement with these standards. On a home study update for renewal of the foster parent license, information shall be gathered and used along with the findings garnered from the unannounced visit about the family's actual practices.

### **Willingness to Work With Birth Family**

**Legal reference:** 441 IAC 113.9(237)

Determine whether the applicants support the involvement of the child's parents or other relatives, and are willing to work with them. If possible, the applicants should be able to attend family team meetings to assist in the plan for the family interaction to maintain the parent-child relationship and other family attachments.

Family interaction contributes to the development or special needs of the child that will assist in achieving the permanency of the child. The caseworker shall determine the extent and nature of this involvement if there is no pre-removal conference or family team meeting, in consultation with the child's parents, the foster parents, and others involved with the child and family.

The level of foster parent involvement with the child's family is established in the case permanency plan. Consideration is given to the safety of the child and the foster parent and the permanency goal for the child.

The foster family will be asked to follow the child's case permanency plan regarding family contact and reunification efforts. Generally the goal is to return the child to the parental or a relative's home.

The foster parents have the opportunity to provide input in the permanency planning process but do not make the final decision regarding the parental involvement. Refusal or failure to accept the involvement of the biological or adoptive parents and follow the case permanency plan may be sufficient grounds to deny, revoke, or suspend a license.

Foster parents should be involved in parental visits. Children may experience all the stages of grief and loss repeatedly. Even though parental visits may appear to negatively affect the child's behavior in the foster home, they are still important for the child and maintaining the family attachments.

Parental visits help children work through their feelings and support and strengthen the parent-child bond. They are also important for children to have on-going connections with their siblings.

NOTE: In rare situations where there is undue risk to the child or family, the location of the child may not be disclosed. In these situations, the foster family is expected to share information about the child with the child's parents through pictures, and other material provided to the social work case manager.

### **Support for Concurrent Planning**

**Legal reference:** 441 IAC 113.12(5) "g"

Determine whether the applicants are able to separate from the foster child and not hamper return to the birth family or a move to another permanent placement.

Since the goal of most foster care placements is to reunite the child with the child's family, it is important that the foster parents are able to let the child go. Helping the child to transition back into the parental home may be accomplished through:

- ◆ Frequent parental visitation (family interaction).
- ◆ Adding to the child's life book.
- ◆ Identifying positive ways to say good-bye.

If the applicants are pursuing foster care primarily with the motivation of eventually adopting, be certain they have thoughtfully considered the decision to foster. The needs of the child and the treatment goal are the primary factors in determining the foster parents' relationship with the child.

Applicants must be able to accept, support, and assist with reunification effort honestly and with enthusiasm, as long as reunification is the case permanency plan for the child.

If there is doubt about the applicants' ability to do so, it would be best that they not pursue foster home licensure. Counsel the family to withdraw the foster home license application. Applying to adopt a special needs child through the Department may be an alternative.

### **Discipline**

**Legal reference:** 441 IAC 113.18(237)

Determine whether the applicants will:

- ◆ Handle foster child training and discipline with kindness and understanding of the child's age, development, and past experiences.
- ◆ Not deprive a foster child of food as a punishment. (A child could be denied dessert or another treat, but meals shall not be withheld as a punishment.)
- ◆ Not subject a foster child to verbal abuse, threats, or derogatory remarks about the child or the child's family. Children entering care may have esteem issues. Foster parents must not make demeaning remarks about the child or the child's family that have a direct impact on the child's self-esteem and identity.

- ◆ Not use corporal punishment. Restraints shall not be used as a form of discipline. Reasonable physical force may only be used to restrain a child in order to prevent:
  - Injury to the child.
  - Injury to others.
  - The destruction of property.

NOTE: Corporal punishment is against the law and cannot be used as discipline for a foster child. "Corporal punishment" includes (but is not limited to):

- ◆ Shaking a child.
- ◆ Spanking a child.
- ◆ Slapping a child.

If therapeutic holdings or restraints are required, the foster parent needs additional training in the proper use and the appropriate procedures for these techniques. The foster parent shall receive training that has been approved as part of the treatment plan by the licensed practitioner of the healing arts (a physician, psychologist or psychiatrist working with the child) on the safe and appropriate use of restraints.

The Department placing worker shall be informed by the treating professional of the treatment plan that would include any use of restraints on the child. The treatment provider and the Department placement worker must be kept apprised of any use of restraints.

The placing worker is responsible for ensuring that the training is obtained for the care of a specific child before placement. Document the completion of this training in the licensing file and reference it in the child's file. Caution must be taken in the use of restraints as it may re-traumatize the child.

The home study must include an assessment and written documentation of the foster parent's methods of training, educating, and disciplining a child. Discuss with the prospective foster parents the ways they have trained and disciplined their own or relatives' children.

The expectations the applicants hold for their own children may or may not be applied to a foster child placed with them. Discuss family rules that the foster child would be expected to follow and record them in the home study.

It is helpful to ask for specific descriptions of parenting behaviors in past real-life situations. If the applicants can give no specifics, give them examples and ask how they would handle each situation.

### **Physical and Mental Health**

**Legal reference:** 441 IAC 113.11(237)

Make sure that the applicants provide a health report on all family members. The report must be completed no more than six months before the application for license is made. It must include statements from the health practitioner that:

- ◆ There are no health problems which would be a hazard to foster children placed in the home, and
- ◆ The applicants' health would not prevent them from providing care to a foster child.

The applicants are responsible to have form 470-0720, *Health Report for Foster and Adoptive Parents*, completed. Complete Part A, and the family completes Part C and the signature at the end. For minor children, the parents complete and sign the same sections.

If all family members are under the care of one health practitioner, one form is sufficient. If the primary care practitioner is different, a separate form is needed for each family member.

NOTE: A "health practitioner" means a person who is licensed to practice medicine and surgery or osteopathy under Iowa law (including physician's assistants and nurse practitioners) or who is similarly licensed in another state.

If there is evidence that the applicant is unable to provide necessary care for the child, you or the health practitioner may request additional medical assessment and reports.

### **Children's Activities**

**Legal reference:** 441 IAC 113.16(237), 113.18(237), 113.19(237)

In evaluating the quality of care the applicants will provide, determine whether they can meet the standards for a foster child's:

- ◆ [Family life](#)
- ◆ [Daily routine](#)
- ◆ [Social relationships](#)
- ◆ [Spiritual development](#)
- ◆ [Educational opportunity](#)
- ◆ [Work assignments](#)

During the initial study, evaluate the applicants' understanding of and agreement with these standards.

### **Family Life**

**Legal reference:** 441 IAC 113.12(5)"e"

Determine whether the applicants will treat foster children in the same manner as birth or adoptive children in the home insofar as participation in normal family life is concerned. Foster children need to feel that they are accepted into the family and not treated differently than the foster parents' biological or adoptive children in family life.

It would be unrealistic to require foster parents to treat foster children exactly like their biological or adoptive children in every respect. It is realistic to require them to treat foster children similar to their own children in terms of family participation.

This standard is not intended to prohibit the establishment of rules and consequences for the foster child, as required in the child's permanency plan. Rules should be similar in nature to the rules and consequences for the biological and adopted children.

### **Daily Routine**

**Legal reference:** 441 IAC 113.16(1)

Determine whether the daily routine of the applicants' home promotes good health and allows for time for rest, education, and play. The time should not be so structured that a child is denied age-appropriate activities. Discuss with the applicants the daily activities of the home and any changes that might be required if a child were placed in the home.

### **Social Relationships**

**Legal reference:** 441 IAC 113.16(5)

Determine whether the applicants will give every child:

- ◆ The opportunity to develop healthy social relationships through participation in neighborhood, social, and other community or group activities.
- ◆ The opportunity to have friends come into the foster home and to visit in friend's homes.

If the children in the community participate in social groups such as Scouts, then the foster child should be given the same opportunity. All children need opportunities to practice social skills and to develop healthy social relationships.

The foster parent plays a role in assisting the foster child to develop healthy social relationships by providing opportunities to practice their social skills while the foster parent is available to provide support and offer direction.

### **Spiritual Development**

**Legal reference:** 441 IAC 113.12(3) and 113.16(4)

Determine whether the applicants will:

- ◆ Respect the foster child's religious background and affiliation.
- ◆ Give children the opportunity to attend religious services and religious instruction.
- ◆ Not require children to participate in any religious training or observances contrary to their wishes or the wishes of their parents.

NOTE: Whenever it is practical, the child shall be placed with foster parents of the child's own religious faith, or in accordance with the wishes of the biological or adoptive parents.

As far as possible, the child should have the opportunity to attend religious services when the child so desires. However, some minority religious groups may not be available near the foster home. In those situations, the child may be able to attend services only when visiting in a parent or relative's home.

It is important that foster parents are able to accept and respect the child's background and religious practices. Foster parents may hold religious beliefs which are different than those of the foster child.

During the foster home interview, discuss the need for religious acceptance and flexibility. Applicants should be able to discuss how they would meet this requirement, including transportation.

The child's family identity may be compromised if the foster parents are unwilling or unable to give the child opportunities to practice the child's religious faith.

This caution also extends to sensitivity to the child and birth family's right to not participate in the foster family's practices or beliefs. Some children may have no religious affiliation, and foster parents must respect this also.

Foster parents have no authority to consent to or arrange for a foster child's baptism or becoming a member of a church.

### **Educational Opportunity**

**Legal reference:** Iowa Code chapter 299; 441 IAC 113.16(3)

Determine whether the applicants will give every child the opportunity to complete high school or vocational training in accordance with the child's aptitude.

Foster parents who foster adolescents are required to encourage and provide opportunities for youth to complete their academic education according to their ability and to provide opportunities for the youth to develop independent living skills.

Foster parents are generally not allowed to home-school foster children. Iowa Code §299 allows only a parent, guardian or legal custodian to home school the person's own children. This would not include foster children.

Home-schooling may be possible if a foster parent is a licensed teacher in Iowa qualified to teach all necessary subjects, the curriculum is approved by AEA or the school district, and the foster parent has the permission of the guardian, parent, or legal custodian.

NOTE: Transition planning specialists may be available to provide specialized training and care planning direction for youth and foster parents.

### **Work Assignments**

**Legal reference:** 441 IAC 113.16(6)

Determine whether the applicants will give every child work assignments within the foster home which are in keeping with the healthy development of the child.

Exploitation of the child is prohibited. The purpose of work assignments is to help the child learn and practice responsible behaviors in a family home. They cannot solely benefit the needs of the foster parent.

No child shall be permitted to do hazardous tasks or engage in any work which is in violation of child labor laws of the state.

Each child shall have the opportunity to learn to assume some responsibility for self and for household duties in accordance with the child's age, health, and ability. However, assigned tasks shall not deprive the child of school, sleep, play, or study periods.

For example, giving age-appropriate responsibility to the foster child to perform the routine cleaning of the child's room in the foster home may be beneficial. If the child is of an age and has the ability to perform these tasks, this can benefit the child in giving opportunities to practice responsible behavior.

### **Information on Children in Placement**

**Legal reference:** 441 IAC 113.10(2) and (3)

Determine whether the applicants will maintain accurate records for each child placed in their care. In addition to the information provided by the placing agency, the foster home shall have:

- ◆ The names and addresses of doctors and other health practitioners who have treated the child.
- ◆ The type of medical, dental, vision, and mental health treatment the child received while in the foster home.
- ◆ School reports, including report card and pictures.
- ◆ The date of the child's discharge from the foster home.
- ◆ The name and address of the person to whom the child is discharged.

Foster parents shall keep this information in a folder or notebook. The placement worker should review this information at least quarterly. When the child leaves the foster home, the foster parents give the notebook or folder to the agency supervising the child's placement.

NOTE: Additional life book information such as school papers, pictures of the foster family and the child, pets, and the foster home should be kept in a separate notebook.

Because foster children have been removed from their own home and may even experience multiple placements, it is vital that the foster parents put each placement in perspective for the child. This book should include a short narrative or caption with each picture. The life book follows the child and belongs to the child.

All information regarding the child and the child's family is to be kept confidential. This confidential information shall not be shared or discussed. Foster parents cannot consent to any publicity (written or photo) of the child in their care nor place a picture or information of the child on the internet.

### **Reporting Child Abuse**

**Legal reference:** 441 IAC 112.10(1)

Determine whether the foster parents will make a report any time they reasonably believe a child in their care has suffered abuse. (This includes respite placements.)

NOTE: A foster parent becomes a mandatory reporter on the date that the foster family license is effective. Newly licensed foster parents must complete two hours of mandatory reporter training before the end of their initial licensing training cycle. All foster parents must complete two hours of mandatory reporter training every five years. (See [Assessing the Family: Training and References: In-Service Training: Child Abuse Reporting.](#))

Foster parents by virtue of their daily contact with the children in their care are in an excellent position to observe signs of possible abuse. Inform prospective foster parents of this responsibility. (The role of the foster parent as a mandatory reporter of child abuse is thoroughly explained in the *Foster Parent Handbook*.)

### **Supervision, Release, and Cooperation**

**Legal reference:** 441 IAC 113.19(237)

Determine whether the applicants will:

- ◆ Provide supervision and care to the child placed according to the child's case permanency plan and the policies of the supervising agency.
- ◆ Release the foster child only to the agency, parent, or guardian from whom the child was received into care or to the person specifically designated by the agency, parent, or guardian.
- ◆ Make arrangements to place the child with other licensed foster parents (preferably) or a designated, responsible person if an emergency requires the foster parent's temporary absence from the home.

NOTE: Make applicants aware of their responsibility to protect the child placed in their care and the need to ask for specific guidelines about the release of the child. These guidelines should include the names of any persons to whom the child may or may not be released.

Whenever alternative care is needed, the foster parent is responsible to provide the child's placement worker with the name of the person providing care, the phone number, and the length of time the child will be in the temporary placement.

NOTE: Respite care placement may be an option in these circumstances.

### **Training and References**

**Legal reference:** 441 IAC 113.8(3)

Foster parent preservice training is required by law as a condition of initial licensure. This preservice training is important for prospective foster parents because:

- ◆ It ensures that they experience a realistic view of foster care and the needs of children in foster care and their families.
- ◆ It assists them in understanding before being licensed:
  - The expectations and role of the foster parent.
  - The role of the child's worker.
  - The impact of fostering on their own family.
- ◆ It prepares them for the challenges and stresses of fostering.
- ◆ It aids them in the licensing process by exploring the various areas of foster family home care with other prospective foster parents.
- ◆ It helps them make a more knowledgeable decision about pursuing licensing and identifying the types of children for whom they could provide care.

Each individual foster parent shall complete six credit hours of pre-approved in-service training annually, before each renewal of a license. The first training cycle will be from the effective date of the license to 60 days before the expiration of the license. Subsequent training cycles will be from the last date of the previous training cycle to 60 days before the expiration of the license.

#### **Example: Training cycles for a license effective June 1.**

Initial training cycle:



Renewal license training cycle:



**FACS ENTRY:** This entry is required for each foster parent completing training.

### **Preservice Training**

**Legal reference:** 441 IAC 112.7(237), 113.8(237), 117.1(237)

All adults in the household who will be co-parenting the foster child are expected to complete:

- ◆ The entire 30 hours of the approved preservice training (PS-MAPP).
- ◆ The one-hour individual study module, "Universal Precautions in Foster and Adoptive Homes."

Each individual foster parent shall complete both training programs before receiving a license for the first time.

NOTE: It is expected that the PS-MAPP curriculum will be completed within 24 months of beginning the preservice training. If the completion of the PS-MAPP curriculum is delayed or postponed beyond the 24 months, the potential foster parent must retake the PS-MAPP curriculum.

### **PS-MAPP Training**

**Legal reference:** 441 IAC 117.1(2) "a"

The PS-MAPP curriculum developed by the Child Welfare Institute meets the Department's preservice training requirements. PS-MAPP shall be taught by a team of:

- ◆ At least one licensed foster parent with two or more years of actively parenting foster children or an adoptive parent of a child with special needs who has been in the home at least two full years, and
- ◆ One social worker with at least two years of experience working as a foster home licensing worker or working as a special needs adoption worker.

Foster parents must work together with a child's parents and social worker to provide good care for the child to achieve the permanency goal. The Department has chosen to offer this preservice program because it accomplishes these goals and its effectiveness has been demonstrated in research studies.

Team training by a foster parent and a social worker allows prospective foster parents to learn about foster care and their role from both perspectives. It also emphasizes that foster parents are important and active members of the foster care team.

The training is provided in a group setting. Group training provides prospective foster parents an opportunity to share their ideas and questions with each other. It assists them to begin to form supportive relationships that can be beneficial later.

In some rural areas, there may not be enough applicants to form a group, and training may need to be offered individually. Use a foster parent and social worker training team even when training is offered to an individual foster family.

### **PS-MAPP Waiver**

**Legal reference:** 441 IAC 117.1(1)“c”

The area social work administrator may waive PS-MAPP for an applicant in whole or part when:

- ◆ The applicant has completed relevant training or has a combination of relevant training and experience that is an acceptable equivalent to all or a portion of the required preservice training; or
- ◆ There is good cause for the waiver based upon the circumstances of the child and the applicant.

A waiver is not required when PS-MAPP is still current for an applicant who:

- ◆ Has withdrawn and is reapplying for a foster care license or an adoption approval; or
- ◆ Has either a current foster care license or a current adoption approval and is applying to become licensed or approved.

Use form 470-4873, *Request for Waiver of PS-MAPP or Licensing Standards*, to present a waiver request to the area social work administrator.

If a family that was a licensed foster home in another state moves to Iowa and, all information to verify the preservice training of that foster family must be provided to the Department licensing worker. Preservice training completed outside of Iowa must be at least 30 hours and must include these topics:

- ◆ Characteristics of children placed in foster care, including their backgrounds, needs, and rights.
- ◆ The grief and loss issues that children who enter foster care go through and their impact on the birth family and foster family.
- ◆ Characteristics of families whose children enter foster care, including the parents' rights and responsibilities.
- ◆ The caseworker's role.
- ◆ Exploration of the foster parents' motivations.
- ◆ Helping children who are in care develop healthy attachments.
- ◆ Self-assessment of applicants' strengths and needs as potential foster parents.
- ◆ The team effort among:
  - The foster parent.
  - The caseworker.
  - The birth or adoptive parent.
- ◆ The impact of foster care placement on:
  - The foster child.
  - The foster child's family.
  - The foster family.
- ◆ The purpose and importance of the child's contact with the child's family.
- ◆ Communication skills and behavioral management.
- ◆ The importance of permanency planning for the child.
- ◆ The reasons placements may be terminated and the feelings involved in this process.

Questions regarding the hours and content can be directed to the service help desk.

### **Universal Precautions**

**Legal reference:** 441 IAC 113.8(4)

Each foster parent shall complete one hour of training related to the use and practice of universal precautions before licensure in addition to the 30 hours of classroom instruction. Completion of this module helps foster parents understand and minimize the risk of the spread of blood-borne pathogens in the foster home.

Give foster parents the self-study module on "Universal Precautions in Foster and Adoptive Families" to be completed and returned by the end of the last PS-MAPP class.

### **Documentation**

**Legal reference:** 441 IAC 113.8(3)"c"

Each person who completes the entire 30-hour preservice training curriculum receives form 470-2066, *PS-MAPP Parent Preparation Certificate of Completion*.

Those who complete and return the self-study module on "Universal Precautions in Foster and Adoptive Family Homes" also receive a separate certificate of completion, form 470-3378.

Certificates for completion of both courses are issued by the recruitment and retention contractor. File a copy of each certificate in the applicant's licensing file.

**FACS ENTRY:** A Department staff person can document PS-MAPP completion in FACS. See [Application for License](#) for opening a new foster family license in FACS.

### **In-Service Training**

**Legal reference:** 441 IAC 113.8(2), 117.5(1), 117.7(2)

Each individual foster parent shall complete six hours of approved in-service training before each renewal of a license. At least three hours of each year's training shall be group training. A group is considered as six or more participants. The content of in-service training shall relate to:

- ◆ The foster parent's role in providing foster care.
- ◆ The skills needed by the foster parent.

The plan for meeting the foster parent's training needs shall be based upon an assessment by the foster parent and the contractor in collaboration with the Department licensing worker. The training plan shall be documented using the *Foster Parent Training Plan*, 470-3341.

Certain specific training is required, including training in:

- ◆ identification and reporting of child abuse. (See [Child Abuse Reporting.](#))
- ◆ Medication management. (See [Medication Management.](#))
- ◆ Cardiopulmonary resuscitation. (See [CPR.](#))
- ◆ First Aid. (See [First Aid.](#))
- ◆ Caring for children with HIV (before placement of an infected child).

Training credit hours are assigned as follows:

<u>Type of Training</u>	<u>Amount of Credit</u>
Group training	One credit hour for each face-to-face contact hour
Written materials	One credit hour for each 100 pages (limit of 3)
DVDs or videotapes	One credit hour for each two program hours
College courses	One credit hour for each college credit hour

In-service training may be offered by the Department or by any of the following with an approved training program:

- ◆ A licensed child-placing agency.
- ◆ A licensed child-caring agency.
- ◆ An agency, institution, or association with expertise in training applicable to increasing skills of foster parents in providing care to foster children.

Except for approved trainings offered through the Iowa Foster and Adoptive Association and [www.fosterparents.com](http://www.fosterparents.com), training must be approved **before** it is completed. (NOTE: CPR, first aid, and mandatory reporter training cannot be taken on line.) Training shall meet Department requirements for content, method, and documentation. (See [Approval of In-Service Training](#).)

Foster parents are responsible for keeping documentation of their own training on for annual renewal requirements. The contractor supplies form 470-2080, *Foster Parent Training History*, to foster parents at initial licensing and at every renewal for this purpose.

Also, each foster parent shall submit form 470-2540, *Foster Parent Training Report*, or its equivalent, to the home study worker within 30 days of the completion of the training and before the expiration date of the license. This form evaluates the effectiveness of the training to guide future decisions. The form must explain what the foster parent learned from the training.

If foster parents take training hours that exceed the required annual hours, those hours cannot be carried over to the next licensing year.

### **Medication Management**

**Legal reference:** 441 IAC 117.8(1)

Within the initial training cycle, each individual foster parent shall complete one hour of training related to the use and practice of medication management. (Foster parents who are already licensed have until October 1, 2010, to complete the training.)

Training shall be completed through the approved individual self-study course, "Medication Management." (See 12-B-Appendix, [Medication Management, Comm. 315](#).) One hour of training credit shall be allowed for completion of this course. This course cannot be repeated for in-service training credit.

### **CPR**

**Legal reference:** 441 IAC 117.8(2)

Foster parents shall be certified in infant and child first aid cardiopulmonary resuscitation (CPR) by a nationally recognized training organization or an equivalent trainer and curriculum approved by the Department. On-line training is not accepted.

Certification shall be repeated every three years, beginning in the initial training cycle. Foster parents shall maintain a certificate indicating the date of training and expiration.

### **First Aid**

**Legal reference:** 441 IAC 117.8(3)

Foster parents shall be certified in first aid every three years, beginning in the initial training cycle (or by October 10, 2010, for foster parents already licensed). Foster parents shall maintain a certificate indicating the date of training and expiration. On-line training is not accepted.

### **Child Abuse Reporting**

**Legal reference:** 441 IAC 112.10(2)

Each foster parent shall complete two hours of training on child abuse identification and reporting:

- ◆ Within one year of becoming a mandatory reporter (starting from the effective date of the license), and
- ◆ Every five years thereafter.

Child abuse identification training shall include physical and behavioral signs of:

- ◆ Physical abuse.
- ◆ Denial of critical care.
- ◆ Sexual abuse.

Child abuse reporting training shall include:

- ◆ Reporting requirements.
- ◆ Reporting procedures.

This two-hour training requirement is in addition to the 30 hours of preservice training required. It can count towards the six-hour in-service requirement for basic licensing. On-line training is not accepted.

The foster parent is responsible for obtaining the required mandatory reporter training from providers approved by the Department of Public Health. (See [http://www.idph.state.ia.us/bh/abuse\\_ed\\_review.asp](http://www.idph.state.ia.us/bh/abuse_ed_review.asp).) Assist foster parents in locating acceptable training if they have difficulty in doing so.

The foster parent shall:

- ◆ Secure documentation of the training content, amount and provider.
- ◆ Forward it to the licensing worker for inclusion in the family's file.

**FACS ENTRY:** Record completion of mandatory reporter training in FACS.

### **Approval of In-Service Training**

**Legal reference:** 441 IAC 117.4(237)

Child-placing agencies, community colleges, or individual foster parents can arrange other training opportunities that must be approved by the service area unless the training is statewide and is approved by central office. The training may be provided through:

- ◆ Face-to-face training to a group.
- ◆ Face-to-face training to an individual foster family.
- ◆ Written materials.
- ◆ DVDs or video tapes.

The following training programs are approved to meet the in-service training requirements:

- ◆ Workshops offered at the Iowa Association of Foster and Adoptive Parents' annual state conference.
- ◆ Workshops offered at the National Foster Parent Association's annual conference.
- ◆ Identified Department core courses.

- ◆ Internet training offered by the Iowa Foster and Adoptive Parent Association ([www.IFAPA.org](http://www.IFAPA.org)).
- ◆ Except for CPR, first aid, and mandatory reporter training, courses on the Internet web site [www.fosterparents.com](http://www.fosterparents.com) are approved for a maximum of three hours of training credit every 12 months. Internet classes cannot be repeated for training credit.

For approval of written material, DVDs, or videotapes, the foster parent must complete form 470-2541, *Foster Parent Training Application*, and submit it to the recruitment and retention contractor.

Child-placing agencies, training providers, or foster parents may apply for approval for other training. Submit applications on form 470-2541, *Foster Parent Training Application*. Along with the application, submit a detailed program description relative to a foster parent, including the agenda, objectives, content, names of program instructors, and their qualifications to provide the training.

Submit the application to the service area training person at least 35 days before training for individual training, college credit, written material, DVDs, or videotapes.

EXCEPTION: If the training is to be offered statewide, submit the application to the family foster care program manager in central office. Applications submitted after training is completed shall not be approved.

Credit is given in whole numbers only as the Department's data system does not accept other increments of time. Credit is not given for breaks and meal times.

After a foster parent reads a book or views a DVD or videotape, the foster parent shall submit a written or typed report that describes what the foster parent learned from the material. The Department licensing worker shall ask the foster parent to submit additional information if the report is not sufficient to show what the foster parent learned.

The Department shall notify the applicant of its decision within 30 days of receipt of the training materials. Service area staff shall approve the request if it will assist the foster parent to understand the foster parent role and develop the skills required of a foster parent.

The program manager shall maintain a list of all group in-service training that is approved by the service area and make this information available to the foster parents and others by notifying the Iowa Foster and Adoptive Parent Association. The list will include:

- ◆ Title of training.
- ◆ Location of training.
- ◆ Date of training.
- ◆ Number of credit hours.

### **References**

**Legal reference:** 441 IAC 113.14(237), 108.8(1)"c"(16)

Obtain the names and addresses of three references from the applicants. In addition, seek out three additional references not designated by the applicant. References not named by the applicants may give a more realistic assessment of the applicants' past parenting experience and ability to parent a foster child.

References provided by the applicant will generally provide only favorable comments about the applicant. The additional references should give a more objective perspective. Additional references may include:

- ◆ School personnel.
- ◆ Law enforcement staff.
- ◆ Clergy.
- ◆ The preservice trainer.
- ◆ Other currently licensed foster families.

You may discuss information received from references with the applicant, but you must inform the reference. When you request a reference from a person, tell the person that information may be shared with the applicant but the name of the person giving the information will not be shared. The actual references shall be kept separate from the home study document and are placed in the licensing file.

References who express strong feelings but refuse to be specific or to allow their comments to be used may not be useful in the decision. You may need to check with numerous people before you find three additional references who are willing to share their candid comments. It is significant when people are unwilling to give a reference.

Negative comments from references cannot be the sole reason for denial of a license. You must translate a reference's concerns and negative comments into issues of noncompliance with minimum licensing standards in order to build a case for denial. A lack of sufficient or positive references may contribute to a decision to deny.

See [Denial of License: Just Cause](#) for more information on documenting your recommendation.

### **Information Requested**

**Legal reference:** 441 IAC 113.14(4)

Ask references to address the applicant's ability to care for children, including the following areas:

- ◆ How long and in what capacity the reference has known the applicant.
- ◆ Personal qualities of the applicant, including:
  - General character.
  - Ability to get along with others (especially children).
  - Ability to tolerate acting-out behavior.
  - Ability to give affection and care.
  - Use of drugs and alcohol.
  - Personal difficulties that could be detrimental to a child in foster care.
- ◆ Marital adjustment and stability.
- ◆ Whether the reference feels comfortable leaving a child in this home for a time.
- ◆ How the applicant handles:
  - Anger.
  - Problems.
  - Crises.
  - Discipline.
  - Disappointments.
- ◆ Any areas of general concern not previously mentioned.
- ◆ Recommendations regarding licensing.

If the reference recommends the home not be licensed, ask if the reference is willing to submit a written statement of concerns. Written statements are needed if the prospective foster parent appeals the decision.

### **Records Check for Renewal**

**Legal reference:** 441 IAC 113.13(4)

Except for fingerprinting, foster parents applying for renewal of their license and individuals other than foster children living in the foster home shall be subject to the same record checks as new applicants. Specific policies and procedures regarding these checks are discussed in previous sections under [Record Checks](#).

The record check evaluation shall be conducted using the same record check evaluation process as for new applicants. You may complete a record check on the foster parents and other adults in the home during the licensing year if you have knowledge of child abuse or a criminal conviction.

This policy also requires that the checks be done on persons new to the home. If a person (other than a foster child) residing in the home at the time of renewal has not had a record check before, conduct a check before renewing the license.

Checks on new household members may be done at any time before license renewal. National criminal record checks may be conducted if an evaluation warrants it.

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## **Licensing Decision**

**Legal reference:** 441 IAC 112.3(7)"a"(1), 113.3(5)

The final decision regarding the licensing of a foster parent rests with the Department's service area manager, with input and recommendations from the contractor home study worker. The application may be:

- ◆ [Withdrawn by the applicant.](#)
- ◆ [Denied by the Department.](#)
- ◆ [Approved by the Department.](#)

All new applications must be processed and a written decision given to the applicant within:

- ◆ 140 days of the date the applicant begins preservice training (PS-MAPP); or
- ◆ 120 days of the date that a waiver of pre-services training is granted.

For reapplication, a written decision of the approval or denial must be given to the applicant within 90 days of reapplication.

NOTE: If the licensing and decision-making process exceeds the 140 days, the reasons for delay must be clear from case activities and specified in the licensing file.

The contractor shall document the home study findings and recommendations in the format of the *Home Study Summary and Recommendation Outline*, RC-0025. The contractor shall submit to the Department the packet of licensing information as outlined on the checklist.

Reapplications shall be denied for the same reasons as original applications and as listed in the grounds for revocation.

The service area manager or designee shall make the licensing decision for all applications for a foster family home license. Notify all applicants of the decision using form 470-0709, *Notice of Action: Foster Family Home*. Local procedures may vary. However, always send form 470-0709 to the applicant and cite the legal reference for the action.

If the decision is to deny the license, always state the reasons on the form. If the notice involves the denial of a license, send form 470-0709 by restricted certified mail, with a copy of the notice and the documentation used for the denial decision to the family foster care program manager in the Division of Adult, Children and Family Services.

**FACS ENTRY:** Enter all licensing decisions into FACS, including the decision to withdraw the application or to deny the license.

Information on the procedures for licensing decisions is organized into the following sections:

- ◆ [Survey report and home study.](#)
- ◆ [Denials.](#)
- ◆ [Approvals.](#)

### **Survey Report and Home Study**

**Legal reference:** 441 IAC 108.8(1)"c," 112.3(4), and 156.7(4)

The recruitment and retention contractor shall complete form 470-0695, *Foster Family Survey Report*, for all foster parent applicants:

- ◆ For the initial study;
- ◆ When the family moves or remodels their home; and
- ◆ For renewal of the license.

The contractor shall complete a written home study to focus and document the evaluation of each prospective foster parent in relation to the standards under [Assessing the Family](#) and [Assessing the Home](#). A completed home study shall be comprised of:

- ◆ Form 470-4029, *PS-MAPP Family Profile Summary*, completed by the contractor home study worker based on information collected at family meetings during the training.
- ◆ Form 470-4019, *PS-MAPP Family Profile*, completed by the applicant family.
- ◆ A narrative report addressing the topics listed in reference card RC-0025, *Home Study Summary and Recommendation Outline*.

The contractor home study worker shall document in the home study the information the worker has gained from:

- ◆ The prospective foster parents.
- ◆ Home visits.
- ◆ References.
- ◆ Other contacts.

The home study shall summarize the following:

- ◆ Dates of PS-MAPP training
- ◆ Sessions that the home study worker attended PS-MAPP with the family
- ◆ First consultation date
- ◆ Final consultation date
- ◆ Dates of additional consultations (if applicable)
- ◆ Date of criminal record check
- ◆ Date of sex offender registry check
- ◆ Date of child abuse registry check
- ◆ Date of fingerprinting of the applicants
- ◆ Date the *Foster Home Survey Report* was completed
- ◆ Family pet vaccinations check (if applicable)

Discuss your evaluation with the family. If you identify deficiencies that the applicant is unable or unwilling to correct, counsel the family about the probability of denial or their option to withdraw.

### **Placement Recommendation**

The contractor shall review with the family the expectations of a foster parent and the matching process before placing a child, and assess the family's ability and desire to meet a child's need.

A family may indicate a preference for a specific child but demonstrate no ability to meet that particular need. Discuss this with the family and advise them of your concerns. This may be a future training issue. Families who want to limit their preferences for specific children or to provide respite only should reconsider pursuing their application to foster care.

NOTE: The placement of a child into foster care may not be delayed or denied because of race, color, or national origin of the foster parent or the child. Placement shall be consistent with the best interest needs of the child.

## **Denial of License**

**Legal reference:** 441 IAC 112.5(237)

The Department shall deny a license to an applicant who does not meet requirements established in the Iowa Code and the Iowa Administrative Code when a provisional license is inappropriate or disapproved.

Each service area has been delegated the responsibility for making a licensing decision on all applications for a foster family home license.

When one or more of the conditions listed under [Grounds for Denial](#) exists, complete form 470-0704, *Recommendation for Denial of a Foster Family Home License*.

- ◆ Indicate all reasons for requesting denial of the application. Provide specific factual information to ensure that the denial is based on law and rule requirements.
- ◆ Complete every section except the denial decision. If the applicant appeals a denial, no additional information can be added to support the original decision.
- ◆ Attach this form to the front of the application packet.
- ◆ Submit the packet to the service area manager for the licensing decision.

The Division of Adult, Children and Family Services will provide consultation and shall receive a copy of all letters of denial and forms 470-0704 along with all supporting documentation for denying the license. See [Notice of Adverse Action](#) and [Appeal Process for Licensing Decisions](#) for more information.

NOTE: Applicants denied a license cannot re-apply for a license for one year after the date of the *Recommendation for Denial of a Foster Family Home License*, form 470-0704.

### **Grounds for Denial**

**Legal reference:** 441 IAC 112.5(1)

When the results of the licensing investigation prove the existence of any of these conditions, the Department is required to deny the license:

- ◆ A person residing in the foster family home has been convicted of a crime that merits prohibition of licensure.
- ◆ A person residing in the foster family home has a record of founded child abuse reports that merits prohibition of licensure.
- ◆ The minimum standards are not met, and a provisional license is inappropriate or disapproved.
- ◆ There is just cause to deny the license.

In order to uphold the denial, include all supporting information with the recommendation.

It is of utmost importance to identify all violations of minimum requirements, citing the specific Iowa Administrative Code (rule) and Iowa Code (law) sections in the *Notice of Action* and *Notice of Decision*. The necessary findings for support of each condition are outlined in the following sections.

After the service area manager or designee signs form 470-0704, *Recommendation for Denial of a Foster Family Home License*, send a copy to the foster family program manager in the Division of Adult, Children and Family Services. Attach all supporting documentation.

When the service area manager or designee makes the decision to deny, complete form 470-0709, *Notice of Action: Foster Family Home*, citing the standards and conditions not met and citing the specific Iowa Administrative Code and Iowa Code sections. Send it to the applicant by restricted certified mail.

### **Crime**

**Legal reference:** 441 IAC 112.5(1) "c"

The service area manager or designee shall deny the license when the foster parent or any person residing in the foster family home (other than a foster child) has been convicted of a crime, unless the Department has made an evaluation of the crime and concluded that the crime does not merit prohibition of licensure of the foster home.

The important elements are that:

- ◆ The evaluation of the crime has included the required components listed under [Evaluating Criminal or Abuse Records](#).
- ◆ The conclusion reached after the evaluation is that the crime merits prohibition of licensure.

Include the following information in the application packet:

- ◆ Verification of the conviction from the local law enforcement agency.
- ◆ Form 470-2310, *Record Check Evaluation*, if the person has provided additional information about the person's criminal record.
- ◆ Any additional information used in evaluating the criminal history.
- ◆ Form 470-2386, *Record Check Decision*, summarizing the evaluation of the criminal history.
- ◆ 470-0704, *Recommendation for Denial of a Foster Family Home License*.

### **Child Abuse**

**Legal reference:** 441 IAC 112.5(1) "d"

The service area manager or designee shall deny the license when any person residing in the foster family home (other than a foster child) has a record of founded child abuse reports, unless the Department has evaluated the founded abuse and concluded that the abuse does not merit prohibition of licensure of the home.

The important elements are that:

- ◆ The evaluation of the founded abuse report has included the required components listed under [Evaluating Criminal or Abuse Records](#).
- ◆ The conclusion reached after the evaluation is that the abuse merits prohibition of licensure.

Include the following in the application packet:

- ◆ Documentation of the child abuse reports from the Central Abuse Registry.
- ◆ Form 470-2310, *Record Check Evaluation*, if the person has provided additional information about the child abuse record.
- ◆ Any additional information used in evaluating the child abuse record.
- ◆ Form 470-2386, *Record Check Decision*, summarizing the evaluation of the child abuse check.
- ◆ 470-0704, Recommendation for Denial of a Foster Family Home License.

### **Minimum Standards**

**Legal reference:** 441 IAC 112.5(1)“a”

The service area manager or designee shall deny the license if:

- ◆ A prospective foster parent fails to meet the minimum standards set forth in this chapter, and
- ◆ A provisional license is inappropriate or is disapproved.

The minimum standards were established to safeguard the well-being of any child placed in a foster home. Provisional licenses allow for the temporary licensing of some foster homes when not all requirements have been met, but the deficiencies do not pose an immediate threat to the child's safety. When an immediate threat to the child's safety exists, the foster home shall not be licensed.

Include the following information and the information listed in the check list in the application packet:

- ◆ A list of all standards that are not being met and their legal references.
- ◆ Documentation of the deficiencies.
- ◆ A discussion of why a provisional license is inappropriate or a copy of the disapproval signed by the service area manager or designee.
- ◆ 470-0704, *Recommendation for Denial of a Foster Family Home License*.

### **Just Cause**

**Legal reference:** 441 IAC 112.5(1)“b”

The service area manager or designee shall deny the license when there is just cause to believe that conditions exist in the home that would or could be detrimental to the physical or mental well-being of a foster child placed there.

Use this reason for denial only when you believe that:

- ◆ The conditions in the home would or could be physically, mentally or emotionally harmful to a child placed in the home, and
- ◆ No other violation of the rules is sufficient to justify the denial.

Feelings are not sufficient. They must be supported by observed conditions, statements made by the applicant, the applicant's family or references, etc., and documented in the study.

It may be that none of the conditions would individually prohibit licensing, but together they give evidence of a hostile environment or parenting style that would be detrimental to a child. For example:

- ◆ The applicant has an arrest record without convictions. References cite personal knowledge of illegal activity. (You need to document references' statements and obtain copies of arrest records.)
- ◆ The applicant has a history of alcohol or drug use without successful treatment or follow-through. (Document history of use, treatment attempts, and statements from treatment providers.)

- ◆ During the study process, the applicant makes racial or ethnic slurs about certain groups or displays militant or survivalist paraphernalia in the home. (Document your observations and comments from references about the family or individual in the file.)
- ◆ The applicant shows an inability to work with the Department or recruitment and retention contractor staff.

Include the following information in the summary and application:

- ◆ A list of the conditions existing in the home or family that provide the basis for "just cause."
- ◆ Supporting documentation of the existence of these conditions.
- ◆ A discussion of how the conditions or conduct of the applicant would or could be detrimental to the physical, emotional, or mental well-being of a child placed in foster care there.
- ◆ Documentation of discussions with the applicants regarding:
  - The existence of the conditions,
  - What corrective actions might be taken, if any, and
  - Why denial is being recommended.
- ◆ 470-0704, Recommendation for Denial of a Foster Family Home License.

NOTE: In order to apply "just cause," you must include thorough documentation of any and all conditions or conduct with the recommendation to deny.

### **Approval of License**

**Legal reference:** Iowa Code Section 237.5; 441 IAC 112.4(237), 113.4(1)

When a foster home is approved, issue form 470-0727, *Certificate of License*, with the following completed:

- ◆ The name of each licensee.
- ◆ The type of license (full or provisional).
- ◆ The particular home address for which the license is issued.
- ◆ The number of foster children who may be cared for in the home at one time.
- ◆ The beginning date.
- ◆ Any special limitations.

Unacceptable nitrate (NO<sub>3</sub>) content in the water supply would be a special limitation to be included on a license, limiting the licensee to care for children over the age of two only.

NOTE: In the case of co-foster parents, list each co-parent name in the section "granted to \_\_\_\_\_." If the individuals represent themselves as co-parents in the study and agree to support and nurture a child mutually, they are listed on one license for the household.

In some cases, individuals do not co-parent but merely live at the same address. In these situations, complete separate studies and issue separate licenses. However, the total licensing capacity for the dwelling must not be exceeded.

Foster home licensing files are retained for 20 years after closure of the foster home license.

**FACS ENTRY:** Whenever an application for a foster home license is studied and approved, the Department shall enter demographic information and license status into FACS to enable matching of foster children with appropriate care providers.

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### **Number of Foster Children**

**Legal reference:** 441 IAC 113.4(1)

A foster family home shall be licensed for the care of only **five** children, including the family's biological and adoptive children. The license shall be issued for at least one child.

Base the capacity and actual licensing decision on the assessment of the family and the living arrangement. A child who has reached the age of 18 and remains eligible for foster family care shall be included in the license capacity.

Physical space, including beds and sleeping arrangements for the children, must meet licensing standards. In evaluating the home, if the number of people leaves no room for an additional person, then there is no capacity available.

NOTE: When child care is provided overnight, including respite or urgent care placements, consider the children cared for as foster children in the home when determining the number of children for the licensed capacity of the home and space available for the children.

Child care provided overnight affects the time and ability of the foster parents to care for foster children. You may take it into consideration in recommending licensed capacity. Respite placements cannot exceed approved licensed capacity.

NOTE: It is not recommended that a foster parent who is a child care provider send the foster child to another child care provider, as it has an emotional impact upon the foster child.

When unmarried adults live together, one or all of them may apply for a license. If they consider themselves a "family," all should apply, and all children within the household will be counted for licensing purposes.

If only one adult applies and that applicant:

- ◆ Provides “care” for the other adult’s children, those children shall be considered children of the applicant for licensing purposes.
- ◆ Does not provide “care” for the other adult’s children, those children should be considered “others in the household.” Those children:
  - Shall not be counted as the applicant’s children when determining the number of foster children for which the home can be licensed.
  - Shall be considered when assessing physical space and the number of beds.

NOTE: Carefully consider such situations. The need of the child for stability and commitment from the parenting figures is critical. If the living arrangement appears unstable during the study process, it is unlikely that a foster child will receive the consistent positive nurturing needed. Specifically address these issues with the applicant and record them in the study.

Any denial of a license because of the number of children in the home shall be based on the lack of demonstrated ability to parent a large number of children, some of whom may have special needs. In this case, the foster parents are responsible to provide the proof of ability.

### **Variance to License Capacity**

**Legal reference:** 441 IAC 113.4(1)

The contractor will always try to find a suitable foster home placement that does not require a variance for capacity. If the contractor is unable to do so, the contractor will seek a variance.

Generally, placements may need variances when:

- ◆ Siblings are already placed in the foster home; or
- ◆ A child has previously resided with the foster family and a return to that foster home is appropriate for the child.

Variances may be requested for a child-specific placement when the family has the skills and space to accept children over their licensed capacity.

The service area manager or designee may approve a variance to the license capacity standard which meets one of the following criteria:

- ◆ The variance is necessary to keep a sibling group together. No variance shall be granted if the foster home is at licensed capacity and there are no members of the sibling group in the home.
- ◆ The variance allows for care of up to three foster children by parents who:
  - Have three or more biological and adoptive children at home, **and**
  - Have shown the ability to parent a large number of children.

The following chart summarizes the maximum possible license capacity for various-sized families with and without this variance. Respite paid by the Department is considered as a placement.

Number of birth, adoptive, and relative placements	Maximum License Capacity:	
	Without variance	With variance
0 children	5	N/A
1 child	4	N/A
2 children	3	N/A
3 children	2	3
4 children	1	3
5 or more children	NA	3

- ◆ A variance beyond the maximum capacity of the foster home is needed for the placement of a specific child. A child-specific variance shall end when that child leaves the placement or any other changes bring the family into licensed capacity.

Document the reason for granting the variance on form 470-3342, *Licensing Capacity Variance Request*. For variances to be approved by the service area manager, the foster home must comply with all other licensing standards, including space and ability to care for more children.

If the variance is for a specific child or is requested to keep siblings together, the variance is limited to that child or sibling. For these situations, do not change the license capacity on the *Certificate of License* or in FACS.

If the variance is requested so that the family can take additional children at any time during their licensing year, that variance will be effective until the family's renewal date and will be reflected in the licensing capacity. Show the increased capacity on the *Certificate of License* and on the FACS Licensing Detail screen.

This standard establishes general guidelines for the number of children that can adequately be "parented" at five, but also allows for variances. The critical element in granting a variance is to ensure that any foster child placed in the home will receive adequate parenting from the foster family. Pay special attention to:

- ◆ The time the prospective foster parents have available to parent.
- ◆ Any special needs of biological or adoptive children.
- ◆ The demonstrated parenting ability of the foster parents.

References should address parenting abilities and may make recommendations about the number of children parents can handle.

1. Family B has two children. They can be licensed for up to **three** foster children if they have the bedroom space and the ability to parent three more children, are financially able to do so, etc. The family's license will reflect no more than **three** foster children.

No variance will be granted for this family, except to keep a sibling group together. If the family wishes to foster additional children who are not siblings, they must request an exception to policy from Central Office.

2. Family C has three children of their own. They can be licensed for up to **two** foster children, if they have the bedroom space and the ability to parent two children, are financially able to do so, etc.

If they wish to foster more children, they may request a variance to their licensing capacity for **one** additional child. The service area manager or designee may grant the variance if they have the bedroom space, parenting ability, financial ability, etc. The family's license will reflect no more than **three** foster children.

If the family wishes to foster additional children, they must request a variance to policy from the service area manager or designee.

3. Family D has four children of their own. They can be licensed for up to **one** foster child if they have the bedroom space and the ability to parent one child, are financially able to do so, etc.

If they wish to foster more children, they may request a variance to their licensing capacity for up to **two** additional children. The service area manager may grant the variance if they have the bedroom space, parenting ability, financial ability, etc. The family's license will reflect no more than **three** foster children.

If the family wishes to foster additional children, they must request a variance to policy from the service area manager or designee.

4. Family E has five children of their own. They can be licensed as a foster family **only** with a variance. Then they can be licensed for up to **three** foster children (if they have the bedroom space, ability to parent three children, financial ability, etc.). The family's license will reflect no more than three foster children.

If the family wishes to foster additional children, they must request a variance to policy from the service area manager or designee.

NOTE: It is critical to confront the prospective family's expectations. Some families view the licensing process and licensing capacity as a right. Each applicant has only the right to apply.

All other exceptions to licensing standards must go through Central Office as an exception to policy. See 1-B, [EXCEPTIONS TO POLICY](#), for procedures.

During the renewal process, reassess the family's ability to care for children over their licensing capacity. Request another variance from the service area manager or designee if the family requests a larger capacity and you are in agreement.

### **Effective Period of a Full License**

**Legal reference:** 441 IAC 112.4(237)

A **full** license shall be in effect for **one year** from the date of issuance unless:

- ◆ There are changes in the circumstances of the licensee necessitating re-issuance.
- ◆ The license is revoked.
- ◆ The license is invalid for other reasons such as a suspension or withdrawal by the family.

When the licensee has made timely and sufficient application for renewal of a license, the existing license does not expire until the licensing decision on the new application becomes effective.

### **Provisional License**

**Legal reference:** 441 IAC 112.7(1) and (2), 45 CFR 1355.20

The Department may grant a provisional license for the period needed for the family to meet the standards, up to a maximum of one year, when the following conditions are met:

- ◆ The foster family fails to meet all the licensing requirements.
- ◆ A provisional license has not previously been issued to the foster family for the same deficiencies.
- ◆ The deficiencies do not present an immediate danger to a foster child's physical or mental health.
- ◆ The deficiencies do not directly affect the quality of care to be provided to a foster child.
- ◆ The applicant has signed a written commitment, *Recommendation for Provisional License*, 470-0698, which includes the following:
  - The deficiencies necessitating the provisional license.
  - The specific standards that are not met (referring to law or rules).
  - A plan for correcting the deficiencies.
  - The date by which the standards will be met.

Review all applications that do not meet licensing requirements to determine if the applicant can be eligible for a provisional license. If the deficiencies are such that when considered altogether they negatively impact the care to a child, deny the application. (See [Denial of License](#).)

NOTE: When a family foster home is in provisional status, IV-E funds cannot be claimed for a child placed in that home. Whenever possible, a corrective action plan not tied to a provisional license should be implemented.

The family, the Department, and the recruitment and retention contract worker participate in completing the corrective action plan. See [Corrective Action Plans](#) for further guidance.

If the applicant meets all the criteria, submit form 470-0698, *Recommendation for a Provisional License*, with all of the licensing information to the service area manager. This form includes the applicant's plan of correction for the deficiencies.

**FACS ENTRY:** Indicate the home's provisional status on the FACS PRLL screen. Go to TEXT to explain reasons.

If you need to make an entry to indicate the foster home license will be in provisional status, the Department licensing worker will need to contact FACS personnel to enter that information.

When the corrective action is completed on or before the date specified in the *Recommendation for a Provisional License*, issue a full license for the balance of the licensing year. (See [Resolution of a Provisional License](#).)

### **Initial Training Stipend**

**Legal reference:** 441 IAC 156.18(1)

Each fully licensed foster family and provisionally licensed foster family who completes the required preservice training program shall receive a \$100 stipend from the Department on or after the date the license is issued. The stipend is issued to help defray some of the foster parents' training related expenses, such as registrations, mileage, meals, child care, and lodging.

The recruitment and retention contractor administers the foster parent training allocation. The contractor responsibilities include:

- ◆ Paying stipends to foster parents for preservice and in-service training.
- ◆ Paying foster parent trainers.

Send a copy of form 470-0709, *Notice of Action: Foster Family Home*, to the contractor indicating that the license is either new or a renewal.

The contractor will then issue stipends to foster parents who are issued a foster home license and those eligible for annual in-service stipends. Only one stipend is issued per licensed foster home.

### **Monitoring and Renewal**

Once a foster parent is issued a license, the parent needs regular ongoing supervision, monitoring, and consultation. These licensing functions run concurrently with placement activities. Workers monitoring child placements in the home may take part in these activities.

The referral and retention contractor support worker develops a support plan with foster families and provides post adoption support services to adoptive families receiving an adoption subsidy. The support worker is responsible to:

- ◆ Participate in the planning and implementation of the family interaction plan to contribute to successful permanency.
- ◆ Assist the family team by providing on-going, proactive support to foster families to strengthen placements and prevent disruptions.
- ◆ Encourage foster families' active involvement in the family team process and the successful implementation of the family interaction plan.

In order to provide support to licensed foster parents, the Department also contracts with the Iowa Foster and Adoptive Parent Association (IFAPA) to provide foster parent peer liaisons in all service areas. Peer liaisons are part time IFAPA employees who:

- ◆ Provide assistance to local support groups,
- ◆ Mentor best practices,
- ◆ Serve as a resource for training needs specific to the service area,
- ◆ Answer policy and procedure questions which foster parents may ask,
- ◆ Assist foster parents in problem solving and conflict resolution,
- ◆ Provide support when foster parents are stressed, and
- ◆ Serve as an advocate for foster parents.

Each peer liaison is assigned to specific counties. All liaisons are available by phone with toll-free access and a local phone number, and each has an e-mail address.

This section addresses the following activities and events:

- ◆ [Corrective action plans.](#)
- ◆ [Changes in a foster family home that affect licensing.](#)
- ◆ [Unannounced visits.](#)
- ◆ [Concerns regarding quality of care.](#)
- ◆ [Renewal of a license.](#)

### **Corrective Action Plans**

**Legal reference:** 441 IAC 112.7(2)

A formal corrective action plan is required when:

- ◆ A provisional license is requested; or
- ◆ Deficiencies observed during an unannounced visit raise concern as to the quality of care provided.

A formal corrective action plan should be an option for the foster family when:

- ◆ The family has identified needs that can be corrected without risk to the safety of the foster child; and
- ◆ The family's identified needs do not require a provisional license.

The purpose of the corrective action plan is to assist the family in meeting all the standards of licensing and become a foster home that can better meet the needs of the children that may be placed in the home.

Corrective action plans are best developed with the family, the Department, the recruitment and retention contractor, and any other providers who may be a support to the foster parents. Family input into the conditions of the plan helps to assure compliance.

The corrective action plan requires the signatures of the foster parents, the Department licensing worker and supervisor and the contractor home study worker.

The corrective action plan lists the conditions that need to change so the foster family will improve their parenting skills, enhance their abilities to parent foster children, and maintain their license. The plan may include action steps such as:

- ◆ Training classes for the foster parents, or
- ◆ Mental health evaluation, counseling, or individual therapy for specific family members.

The corrective action plan is formal documentation of the identified needs to be addressed by the foster family if there is a need to take negative action on the foster family license.

### **Resolution of a Provisional License**

**Legal reference:** 441 IAC 112.4(3), 45 CFR 1355.20

Provide ongoing monitoring and support to foster parents with a provisional license to help them meet the goals. Reevaluate the provisional license at the end of the designated period listed on the provisional license form to determine whether the family successfully completed the corrections stated in the plan.

When the corrective action is completed on or before the date specified on a provisional license, issue a full license for the remainder of the year. To show that the license is a full license, issue a new form 470-0727, *Certificate of License*, with dates through the end of the licensing year.

**FACS ENTRY:** When a foster family leaves provisional status, IV-E funds can be claimed for children in the home. Contact FACS personnel to update FACS entries to reflect the status of the license.

NOTE: This assumes that the other conditions in the home remain in compliance. If other deficiencies are identified, another provisional license with corrective actions and time frames may be issued.

### **Uncompleted Corrective Action Plan**

**Legal reference:** 441 IAC 112.4(4)

When the corrective action is not completed by the specified date on a provisional license, a full license shall be denied. Document any support provided to the family in the licensing file and send it with the *Recommendation for Denial of a Foster Family License*, form 470-0704, to the service area manager. (See [Denial of License](#).)

**FACS ENTRY:** Update FACS to reflect current status of the license and enter TEXT to describe the situation.

### **Changes in Foster Family Home That Affect Licensing**

**Legal reference:** 441 IAC 113.20(237)

Foster parents shall notify the recruitment and retention contractor and the Department within seven working days of:

- ◆ Any change in the number of persons living in or moving out of the home,
- ◆ A move to a new home, or
- ◆ Any circumstances in the home that could negatively affect the health, safety or welfare of a child in their care.

Foster parents are notified of this requirement on form 470-0709, *Notice of Action: Foster Family Home*. See [Optional Revocation](#) for information regarding revoking a family's license if the family fails to comply with this requirement.

NOTE: Foster families who have a foster child in their home at the time of the move have the responsibility to notify their Department and contractor licensing workers and the child's worker of the change of residence before the move. The foster family shall provide their new address and telephone number to them.

Timely notification of changes in the foster family home is needed to enable the Department to make the necessary response to the change. These changes may include completing a new *Foster Family Survey Report*, form 470-0695; conducting required child abuse and criminal record checks if a new adult is living in the foster family home, and issuing a new license.

NOTE: Changes in the number of children or persons in the parenting role may require a new license.

**FACS ENTRY:** Enter all contacts, training, licensing actions, changes in client type preference, address changes, home study renewals, person changes, etc., into FACS as soon as you become aware of them.

Some rural addresses are changed arbitrarily due to 911 access. These changes must be recorded in the licensing file and entered into FACS.

The sections that follow address specific procedures for the following changes:

- ◆ [The foster family requests to change its licensed capacity.](#)
- ◆ [A new person \(other than a foster child\) enters the foster family household.](#)
- ◆ [The foster family remodels its house.](#)
- ◆ [The foster family moves to a new house in Iowa.](#)
- ◆ [The foster family moves out of state.](#)

#### **Request to Change License Capacity**

**Legal reference:** 441 IAC 112.4(2)

A new foster family home license is required when the foster family wishes to be licensed for a different number of children than indicated on the license.

Providing that all requirements are met, issue the new license based on the previous licensing study, with the new licensed capacity and the same expiration date as the previous license.

**FACS ENTRY:** FACS entry is required for all changes affecting the license.

### **New Person Enters Household**

**Legal reference:** 441 IAC 113.13(237); Iowa Code Section 237.8

When a new person enters the foster home:

- ◆ Obtain the new person's signature on the *Foster Family Home License Application*, 470-0689, if the person is an adult.
- ◆ Obtain the person's signature and submit *DHS Criminal History Record Check*, 595-1396, if the person is aged 14 or over.
- ◆ Complete a *Request for Child Abuse Information*, 470-0643, if the person is aged ten or over.
- ◆ Check the Sex Offender Registry.
- ◆ Make a narrative entry summarizing your assessment of the changes within the family structure.

If the person entering the home will be parenting the foster child, also do the following:

- ◆ Have the person complete the 30-hour PS-MAPP preservice training, Medication Management, "Universal Precautions in Foster and Adoptive Homes," and, within 90 days of entering the home, "CPR and First Aid."
- ◆ Have the person obtain a *Health Report for Foster and Adoptive Parents*, 470-0720.

See [Record Checks](#) for information regarding conducting required child abuse and criminal record checks. This includes child abuse registry checks in other states that have a registry if the person has resided in another state in the last five years.

- ◆ If the checks are favorable, issue a new license that includes the name of the new person who will be parenting.
- ◆ If the checks are unfavorable, proceed with the evaluation and with suspension or revocation of the license, if necessary.

Entry of more children into the household may affect the license capacity. If necessary, issue a new license with the revised capacity.

### **Home Remodeling**

**Legal reference:** 441 IAC 112.4(1)

A new foster family home license is required when the foster family remodels their home. The contractor home study worker shall complete a home inspection of the remodeled part of the home and do a new floor plan if it has changed. The remodeling shall meet building code requirements.

A new license can be issued with the same expiration date as the previous license based on:

- ◆ The previous home study and
- ◆ An updated home study narrative regarding any changes the remodeling makes in the licensing study.

### **Family Moves to New Home**

**Legal reference:** 441 IAC 112.4(1)

A new foster family home license is required when the foster family moves to a new home. If the foster family moves out of the county, contact the new county by letter. Make a FACS entry for supervisory transfer.

The contractor home study worker shall complete:

- ◆ A home inspection.
- ◆ A floor plan.
- ◆ An assessment of sleeping arrangements for the foster child.
- ◆ A new *Foster Family Survey Report*, form 470-0695.
- ◆ Updated narrative in the home study to reflect changes to the home.
- ◆ Necessary water testing when the home is in a rural location with a private water supply

Providing that all requirements are met, issue a *Notice of Action* with a new license to reflect the new address with the same expiration date as the previous license, based on *Foster Family Survey Report* changes and the updated home study.

**FACS ENTRY:** Enter the change of address on FACS.

When a foster home moves from one county to another, the provider number is not changed. Do not close FACS if family wishes to continue to be licensed. This is critical if a foster child is placed in the home. Make necessary changes in the county number on the address list too.

### **Family Moves Out of State**

A family that moves out of state is no longer eligible for an Iowa foster home license.

**FACS ENTRY:** Close the home in FACS. Use TEXT to complete narrative detail.

**NOTE:** An Iowa foster parent has the responsibility to discuss the intended move with the placement worker to determine whether a child's possible move with the foster family is consistent with the child's permanency plan.

If the placing worker, the court, guardian ad litem, the parents, the foster parents, etc. are in agreement with the move, the child may move with the foster family. Arrangements for out-of-state placement must be approved through the Interstate Compact process.

The foster family must apply for a foster home license in the other state within 30 days of the move. The family should be licensed by the other state within 90 days of relocation.

Keep the Iowa license in effect for up to 90 days to allow payments during the interim. If the Iowa foster home license will expire before the license can be completed by the new state, update the Iowa license before the move.

The Smith foster family moves to Illinois on October 15. The Iowa foster home license expires November 30. The Smiths have a child in their care and Illinois will not complete the licensing process until January 1. Iowa completes the renewal before the family's move to ensure that the home continues in licensed status.

The child's placement worker shall ensure that the home is licensed by the other state and supply the licensing information necessary to the service area office for out-of-state placement approval and interstate compact processing. Out-of-state payment rates are subject to the same limits as in-state payments. See 17-E, [Foster Family Maintenance Payments](#).

**FACS ENTRY:** The home should be entered into FACS as a provider of foster family care.

NOTE: If you are contacted by another state regarding the foster parent, see [Confidentiality of Foster Family Home Information](#) for details on the information which is public. The family will need to sign a release for Iowa to share the contents of the foster home licensing file beyond what is deemed public information.

### **Unannounced Visits**

**Legal reference:** 441 IAC 113.15(237)

The contractor shall ensure that at least one unannounced visit is conducted for each licensed foster family home each year.

The unannounced visit is not intended to be another licensing study. It is intended to provide a glimpse at an average day in the foster family home when they are not expecting a visit from the worker. The interaction and quality of care in the home is of major importance.

The visit shall occur during periods of the day when the child and the foster parents would normally be at home and awake, unless there is a specific complaint about the family and care of the child. The unannounced visit cannot be completed at the same time as the license renewal visit. Unannounced visits cannot be waived as they are required by the Code of Iowa.

The specific complaint must justify the need to visit at "unusual" hours of the day or night and be documented in the file before such a visit can occur. The person conducting the unannounced visit shall explain the rationale for visiting at the "unusual" hour.

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### **Areas to Assess During the Unannounced Visit**

**Legal reference:** 441 IAC 113.15(2)

The purpose of the unannounced visit is to:

- ◆ Assess the quality of the living situation.
- ◆ Determine compliance with licensing standards, as outlined in this chapter.

The unannounced visit may include, but shall not be limited to, assessment of the following areas:

- ◆ Cleanliness of the home.
- ◆ Cleanliness and appropriateness of the child's clothing.
- ◆ Interaction between the foster child and foster family.
- ◆ The foster child's perception of:
  - The foster parents.
  - Other children and adults in the home.
  - The behavioral expectations of foster parents.
  - The discipline used by foster parents.
  - Religious training.
  - School.
  - Contact with birth or adoptive parents.
  - The purpose of the child's placement in foster care.
- ◆ The foster parents' view of:
  - The foster child.
  - The foster child's problems.
  - The plan for the foster child.
  - The placement worker's involvement.
  - The involvement of birth or adoptive parents.
  - Additional services that either the foster child or foster parents need.
- ◆ Any previously cited deficiencies.
- ◆ Recommended action.

These general areas may be explored during the unannounced visit. Observations and the family's responses may indicate other areas that need to be addressed in a particular case.

If the foster home does not have a foster child in placement, assess the environment and activity of the parents and other household members at the time of the visit.

### **Conducting the Visit**

**Legal reference:** 441 IAC 113.15(3)

Conduct the visit in a warm, friendly manner. The visit should not be threatening or disruptive to either the foster child or the foster family. Use judgment and common sense when talking to a foster child.

Remember that the foster children in the home may have issues which should be discussed with their placing or supervising worker without the foster parent's presence. Keep the placing worker's role separate from the licensing and monitoring role.

Share your impressions of the unannounced visit with the foster parents. Most foster parents are concerned about "what the workers think of them." If the home visit was favorable, try to alleviate any fears the foster parents may have. If some areas of concern exist, state the general concerns and allow the foster parents a chance to respond.

Regardless of the impressions, advise the family that you will make a written report to the Department regarding the unannounced visit.

### **Written Report**

**Legal reference:** 441 IAC 113.15(4)

Within two weeks of making the visit, prepare a written report and send it to the service area manager or designee, with a copy to the foster parent's file. The report should include:

- ◆ All the areas explored during the visit,
- ◆ The impressions that were shared with the foster parents, and
- ◆ Their reaction to the impressions.

If the conditions in the foster home present an **immediate threat** to the physical or mental well-being of a foster child placed in the home:

- ◆ Immediately notify child abuse intake and the service area manager or designee of these conditions, and
- ◆ Follow with the written report within **five** working days. Address any deficiencies with the foster family and note this in the written report.

If the visit report expresses any concerns about the quality of care, forward a copy of the report to the placing worker for each child in the home.

**FACS ENTRY:** Unannounced visits are documented in FACS. Go to TEXT to enter narrative findings.

#### **Follow-Up After the Visit**

**Legal reference:** 441 IAC 113.15(5)

If there are **no** deficiencies, no further action needs to be taken.

When the unannounced visit report cites only **minor** deficiencies which do not appear to affect the quality of care provided, the contractor shall make an additional visit to see if the deficiencies have been addressed.

If the report raises questions about the quality of care provided, see [Concerns Raised in Unannounced Visits](#) for follow-up procedures.

#### **Concerns Regarding Quality of Care**

**Legal reference:** Iowa Code Section 237.2

Evaluate all concerns that arise about the quality of care in a foster family home to ensure that foster care is adequately provided by competently staffed and adequately equipped homes.

Immediate danger to the foster child requires immediate action on the part of placement workers to determine if removal is necessary, based on the child's best interests. Adverse licensing actions may take time, while the needs of the child may require immediate action.

The following sections address:

- ◆ [Concerns raised in unannounced visits.](#)
- ◆ [Complaints received about care in a foster home.](#)
- ◆ [Reports of mistreatment or abuse of a child.](#)
- ◆ [Founded child abuse or conviction of a crime.](#)

### **Concerns Raised in Unannounced Visits**

**Legal reference:** 441 IAC 113.15(5)“b” and “c” and 113.15(6)

When the reported deficiencies raise questions regarding the quality of care (but do **not** appear likely to cause immediate physical or mental harm to the foster child), the contractor shall ensure that:

- ◆ The licensing worker and any worker with a foster child in placement in the home are made aware of these conditions.
- ◆ The foster parents are provided the opportunity to meet with Department and contractor licensing staff and the person who conducted the unannounced visit to discuss the deficiencies and suggestions for improving them.

Following the discussion, obtain a written commitment with time frames from the foster parents to correct the deficiencies by completing a corrective action plan. If the foster parents refuse to make a written commitment to improve the deficiencies, inform the foster parents their license may be suspended or revoked.

If the reported deficiencies in the foster home present an **immediate threat** to the physical or mental well-being of a foster child placed in the home, the Contractor shall inform the social work administrator who shall:

- ◆ Ensure that any worker with a child in placement in the home is notified of the existence of these conditions, so that possible removal is considered.
- ◆ The foster home is evaluated to determine if the home should:
  - Receive a provisional license, or
  - Have its license suspended, or
  - Have its license revoked.

### **Complaints Received by Child-Placing Agencies**

**Legal reference:** 441 IAC 108.8(5)

When a licensed child-placing agency receives a written or verbal complaint which may indicate possible violation of the foster care licensing rules, the agency shall, within five working days of receiving the complaint, either:

- ◆ Conduct an investigation to assess compliance with applicable rules, or
- ◆ Refer the complaint to the Department for investigation.

If the agency conducts the investigation, the agency shall submit a written report of the investigation to the Department within ten working days of receiving the complaint. The report shall contain:

- ◆ A statement of rule violation, and
- ◆ A recommendation regarding the license of the foster family home.

File the written report in the foster parents' Department file.

The intent of this standard is to encourage the correction of deficiencies so that no capable foster homes are lost and the foster care services provided are improved. If a child-placing agency is involved with the foster family, their staff may be the appropriate people to work with the foster family about correcting the deficiencies.

The responsibility rests with the service area manager to ensure that either child placing agency staff or Department staff meet with the foster family. The worker who conducted the unannounced visit is included to answer any questions that may arise regarding the deficiencies or the report.

If the foster parents deny that the deficiencies exist or refuse to make a commitment to improve them, a Corrective Action Plan must be done before adverse action can be taken unless to do so would compromise the safety and well-being of a foster child placed in the home.

### **Reports of Mistreatment or Abuse**

**Legal reference:** 441 IAC 113.18(3)

All incidents of mistreatment of the foster child coming to the attention of the contractor shall be investigated promptly and reported to the proper authorities.

Immediate danger to the foster child requires immediate action on the part of placement workers. They need to evaluate each case individually and determine if removal is necessary based on the child's safety needs and best interest.

If the mistreatment is believed to constitute child abuse, make a report to the Department's child protection assessment unit for assessment of the allegation. (See [Chapter 17-A](#) for more information.)

When an allegation of child abuse is made on a licensed foster home, the child protective worker will notify the Department licensing worker (even if the study was completed by a private agency) as soon as possible for assistance in conducting the assessment.

NOTE: The contractor licensing worker cannot participate in the child abuse assessment but may be involved in developing a corrective action plan.

The contractor is entitled to receive the child abuse assessment report regardless of the outcome of the assessment. The contractor support worker can provide support to the family after the child abuse assessment though cannot be present during the assessment. (See 17-Appendix, [Dissemination Desk Aid, RC-0049](#).)

The Department licensing worker's role during the assessment is:

- ◆ To aid in ensuring the safety of the children being provided care.
- ◆ To provide relevant information regarding the foster home.
- ◆ To assist in gathering information, when possible.
- ◆ To provide support to the foster parents, as appropriate.

It is important that you:

- ◆ Treat the foster parent with honesty and respect.
- ◆ Tell them what to expect as the assessment continues.
- ◆ Cooperate fully with the protective worker.
- ◆ Do not impede the assessment.

NOTE: Discuss the assessment process with the prospective foster parent during the in-home interviews. The possibility of abuse complaints is part of the preservice training. The study process is a time to discuss this again.

### **Founded Child Abuse or Conviction of a Crime**

**Legal reference:** 441 IAC 113.13(237)

If the result of a protective investigation or assessment in a foster home is a founded or substantiated report put on the registry, proceed with a request for an evaluation of the abuse report.

If you have reason to believe that someone in the foster home has been convicted of a crime, obtain a copy of the criminal conviction record and follow the evaluation process. (See [Evaluating Criminal or Abuse Records.](#))

NOTE: Initiate the evaluation immediately. Do not wait for the review and appeal process if the person contests the child abuse report.

If the service area determines that the crime or abuse merits prohibition of licensure, proceed to take action on the license. See [Removing a License](#) for procedures.

### **Renewal of License**

**Legal reference:** 441 IAC 112.3(6), 113.3(1)"f," 113.7(6)"a"

A foster family shall apply for renewal of its foster family home license on form 470-0689, *Foster Family Home License Application*. The family shall submit the application to the contractor at least 30 days, but not more than 90 days, before the expiration of the license.

When the licensee has made timely and sufficient application for renewal of a license, the existing license does not expire until the licensing decision on the new application becomes effective. Although the license remains in effect, the license shall be considered "delinquent" if the licensing decision is not made before the expiration of the license.

If the licensee does not make timely and sufficient application for renewal, the license expires and the licensee shall be deleted. *Notice of Action: Foster Family Home*, form 470-0709, is sent to the family advising that the license is no longer in effect. Any subsequent application by the foster parents shall be considered a new application and the licensing study must address all areas required for new applications.

Foster parents may make application for renewal through the contractor but need to ensure that the contractor submits all relevant information, including the application for renewal, to the Department at least 45 days before the expiration of the license.

Refer to the Renewal Home Study Checklist for a complete list of materials needed for the completion of a foster home license renewal. At a minimum the following must be completed for all renewals:

- ◆ *Foster Family Home License Application*, 470-0689
- ◆ *Foster Family Survey Report*, 470-0695
- ◆ *Foster Parent Training History*, 470-2080
- ◆ *Foster Parent Training Report*, 470-2540, and training certificates
- ◆ *Foster Parent Training Plan*, 470-3341
- ◆ *HIV General Agreement*, 470-3226
- ◆ Unannounced visit narrative report
- ◆ Verification in the home study narrative of required vaccination records for all animals, a valid driver's license for foster parents who drive, and current vehicle insurance
- ◆ *Home Study Summary and Recommendation Outline*, RC-0025
- ◆ *Notice of Action: Foster Family Home*, 470-0709

Other forms which may be needed include:

- ◆ *Health Report for Foster and Adoptive Parents, 470-0720*
- ◆ *DHS Criminal History Record Check, 595-1396*
- ◆ *Request for Child Abuse Information, 470-0643*
- ◆ *Foster Care Private Water Supply Survey, 470-0693*
- ◆ Provisions for Alternate Water Supply, 470-0699
- ◆ Updated floor plan (if any changes)

See also [In-Service Training](#) and [Records Check for Renewal](#).

The following sections contain information on:

- ◆ [Approving a reapplication](#).
- ◆ [Denying a reapplication](#).

### **Approval of Reapplication**

When all requirements for renewal are met, issue a license in the same manner as for the initial approval.

**FACS ENTRY:** Entry into FACS is required to update the license. Make a TEXT entry to reflect the action.

### **Renewal Training Stipend**

**Legal reference:** 441 IAC 156.18(4)

When the family's license is renewed, each licensed foster family who completes the in-service training requirement shall receive a \$100 stipend for per diem expenses related to meeting the in-service training requirement. Only one stipend is issued for each licensed foster home.

The Department has entered into a contract with the contractor to administer the foster parent training allocation. The contractor responsibilities include paying stipends to foster parents for in-service training and paying foster parent trainers.

Send a copy of form 470-0709, *Notice of Action: Foster Family Home*, to the contractor at the same time it is sent to the foster family.

Whenever a provisional license is issued, attach form 470-0698, *Recommendation for a Provisional License*, to form 470-0709 and send both to the contractor to document the provisional status. No provisional license can be issued if foster parents have not met the required in-service training hours. (Do not send this form for denials.)

NOTE: Do not batch these forms. The date on the notice of action is the date at which the "obligation" to pay begins. As with all other claims, payment must be made within 90 days of the obligation.

### **Denial of Reapplications**

**Legal reference:** 441 IAC 112.5(2)

A reapplication for a foster family home license:

- ◆ Shall be denied for any reason that would require denial of an initial application.
- ◆ Shall be denied for any reason that would require revocation of a license.
- ◆ May be denied for any reason which could cause a license to be revoked.

Refer to other sections of this chapter for discussions of the reasons for denial of an application, reasons for mandatory revocation of a license, and reasons for optional revocation of a license.

NOTE: Complete necessary FACS entries to reflect denial.

## **Removing a License**

**Legal reference:** 441 IAC 112.6(237), 112.8(237), 112.9(237)

Serious concerns regarding quality of care, such as criminal convictions, founded abuse, or other conditions posing a danger to a child may result in the suspension or revocation of a license during the licensing year.

Identify and document specific violations of minimum requirements and the specific administrative rules and Code sections violated. When these violations meet the threshold for removing a family's license, forward your recommendation for suspension or revocation and supporting information to the service area manager or designee.

The more factual and detailed the data that support your request, the more likely it is that your recommendation will be approved and will be upheld, if appealed.

The foster family has the right to appeal any adverse action the Department takes regarding the license.

A **denial** of a reapplication or a **revocation** of a license allows the family to continue to be licensed to provide child foster care until a final decision is made regarding the appeal.

The **suspension** of a license has the effect of discontinuing the foster family home license on the date the notice of suspension is delivered. This makes it illegal for the family to provide child foster care. Notify the contractor of the suspension or revocation of the foster family license.

Although Department staff can decide to remove children they have placed in a foster family home (for whom they have custody or a voluntary agreement) because of unsafe conditions, the Department does not have the authority to remove children placed by other agencies or private citizens. The home may legally be used as long as the license remains in effect.

The service area manager shall ensure that all children placed by the Department are removed when a license is suspended, denied, or revoked.

Request that the foster family return the license when it has been suspended or rescinded, unless the license has expired. The foster family cannot be compelled to return the license, so changes in the FACS are imperative to prevent further placements in the home.

### **Suspending the License**

**Legal reference:** 441 IAC 112.9(237)

At times immediate action is necessary to protect children from persons or families providing child foster care. The following sections discuss two types of suspension:

- ◆ [Emergency suspensions](#), which are intended to prevent foster families from providing foster care by suspending their license until the license can be revoked or denied.
- ◆ [Time-limited suspensions](#), which are intended to prevent foster families from providing foster care by suspending their license until a deficiency in the home is corrected.

The administrator of the Division of Adult, Children, and Family Services makes the decision as to whether a license shall be suspended.

The service area manager shall submit requests for suspension of a license on form 470-0710, *Recommendation for Suspension of a License*, to the Division of Adult, Children, and Family Services, 5th Floor, Hoover State Office Building, 1305 East Walnut Street, Des Moines, Iowa 50319-0114. (See [12-B-Appendix](#).)

If the seriousness of the conditions requires the suspension to become effective as soon as possible, the service area manager may call the Division and provide the needed information, with form 470-0710, *Recommendation for Suspension of a License*, to follow. This will allow the notice of suspension to be generated the same day. Use this procedure only when the license must be discontinued within the next two days.

The licensee has the right to appeal a suspension, but the initiation of an appeal does not alter the suspension of the license.

Suspensions require that the “health, safety and welfare of any child placed in the home requires immediate action.” To allow the initiation of an appeal and to continue the license would defeat the purpose of the suspension. If the licensee does win the appeal, the Department will reinstate the license.

### **Emergency Suspension**

**Legal reference:** 441 IAC 112.9(2)

When a reapplication is denied or a license revoked, the licensee has the option of appealing the adverse action. The license remains in effect until the licensee has exhausted or failed to pursue the appeal options.

Emergency suspensions allow the Department to prevent the licensee from providing child foster care until the license is actually rescinded. Request the emergency suspension of a foster family home license only when all of the following conditions exist:

- ◆ The foster family fails to meet licensing requirements.
- ◆ There are sufficient grounds for revocation or denial of the license.
- ◆ The health, safety, and welfare of any child placed in the home requires **immediate** action.
- ◆ The existence of the condition requiring suspension is **documented** in the licensee’s record.

Emergency suspensions require proof of existence of the condition that is sufficient to deny or revoke the license, such as:

- ◆ Verified sexual abuse reports.
- ◆ Registered or founded child abuse reports.
- ◆ Observed actions of the foster parents.
- ◆ Signed statements.

### **Time-Limited Suspension**

**Legal reference:** 441 IAC 112.9(3)

Conditions may exist in a foster family home that threaten the health, safety and welfare of a child placed in the home, but that can be corrected by the licensee. Rather than denying or revoking the home's license, the Department has the option of suspending the license for a specific period.

Request a time-limited suspension of a foster family home license only when all of the following conditions exist:

- ◆ The licensee fails to meet licensing requirements.
- ◆ The health, safety, and welfare of any child placed in the home requires immediate action.
- ◆ The existence of the condition requiring suspension is documented in the licensee's record.
- ◆ The licensee can correct the condition requiring the suspension to meet licensing requirements.
- ◆ If the conditions were corrected, a full license would be issued.
- ◆ The foster parent signs a written statement which:
  - Acknowledges the existence of the threatening conditions citing the law or rule violated, and
  - Makes a commitment to correct the condition within a time frame not to exceed the period of the license.

Remember that:

- ◆ The threat to a foster child's health, safety, and welfare must be clearly identified and documented in the record.
- ◆ The existence of the conditions must be acknowledged by the licensee.

If the licensee fails to acknowledge the existence of the threatening condition and to sign a commitment to correct the condition, initiate action to deny or revoke the license and consider an emergency suspension.

### **Notice of Suspension**

**Legal reference:** 441 IAC 112.9(5)

The administrator of the Division of Adult, Children and Family Services shall send the family a notice of suspension by restricted certified mail or personal service. The notice shall include the following:

- ◆ The condition requiring suspension.
- ◆ The specific laws or administrative rules violated.
- ◆ The type of suspension.
- ◆ For an emergency suspension, the adverse action being sought by the Department.
- ◆ For a time-limited suspension, the duration of the suspension.
- ◆ The right to appeal the suspension.

In most cases, the Division will send the notice of suspension by restricted certified mail. When immediate action is required to protect a foster child placed in the home by another agency, the Division may choose to have the notice of suspension delivered by personal service.

**FACS ENTRY:** Update FACS to reflect current licensing status. Enter TEXT to document narrative details.

### **Effective Period**

**Legal reference:** 441 IAC 112.9(4)

A suspension shall be effective on the date the notice is received by the licensee and shall remain in effect until one of the following occurs:

- ◆ The **Department withdraws** the suspension due to a change in conditions in the foster family home. The Department can withdraw a suspension at any time that conditions in the foster family home no longer pose a threat to health, safety, or welfare of a child placed there.
- ◆ The **action is reversed** by a final appeal decision. See [Appeal Process for Licensing Decisions](#). A decision of an administrative law judge or the Director can reverse a suspension. Ensure that all relevant information is documented and available to these decision makers.
- ◆ A **court orders** the license reinstated. If the family appeals the decision to district court, the court may order the license reinstated. Ensure that all relevant information is provided to assist the court in making an appropriate decision.
- ◆ For emergency suspensions, a **revocation or denial** becomes effective and the license is rescinded. The purpose of the emergency suspension is met when the license is revoked or denied, since the family can no longer legally provide family foster care.
- ◆ The licensing period **expires**. If the license expires, the family is no longer licensed and cannot legally provide foster care. The suspension is no longer needed. (If the family reapplies and conditions remain unchanged, deny the reapplication. See [Denial of License](#).)
- ◆ For time-limited suspensions, the period of the suspension **ends**.
  - If the condition necessitating the suspension has been corrected, the license continues in effect until the end of the licensing period.
  - If the condition has not been corrected and the license has not expired, pursue revocation of the license and an emergency suspension.

The existence of any of the above conditions shall cause the suspension to end immediately.

## **Revoking the License**

**Legal reference:** 441 IAC 112.6(237)

The revocation decision rests with the administrator of the Division of Adult, Children and Family Services. To initiate revocation of a license,

1. Complete form 470-0705, *Request for Revocation of a Foster Family License*.
2. Attach all information pertinent to the recommendation to this form.
3. Submit this packet through the service area office to the administrator of the Division of Adult, Children and Family Services for the final decision.

EXCEPTION: Do not request revocation of a license when there are 30 days or less until the license expires. See [License Expires in 30 Days or Less](#).

The following sections discuss:

- ◆ [The conditions that \*\*mandate\*\* revocation.](#)
- ◆ [The conditions that \*\*allow\*\* the Department to use its discretion in deciding if revocation is the best course of action.](#)

The specific requirements of each condition are included.

Remember that if the foster family appeals the revocation, the license continues to be active throughout the appeal process. If immediate action is needed, see [Suspending the License](#).

When a license is revoked, the Division sends notice to the foster family; then the service area requests the return of the license.

When the foster family does not appeal the revocation, or the Department's decision is upheld on appeal:

- ◆ Remove the family from the computer list of licensed foster family homes.
- ◆ Make a FACS entry to delete the home.
- ◆ Notify the contractor of the license revocation.

**FACS ENTRY:** Update FACS to reflect current status. Use TEXT to document narrative detail.

### **Mandatory Revocation**

**Legal reference:** 441 IAC 112.6(1)

The Department **shall** revoke a foster family home license when:

- ◆ Any person residing in the foster family home (other than a foster child) has been convicted of a crime, unless the Department has evaluated the crime and concluded that it does not merit prohibition of licensure.
- ◆ Any person residing in the foster family home (other than a foster child) has a record of founded child abuse reports, unless the Department has evaluated the founded abuse and concluded that it does not merit prohibition of licensure.
- ◆ The foster parents are operating without due regard for the health, sanitation, hygiene, comfort, or well-being of the children in foster care.
- ◆ The foster parents are misusing the funds furnished by the Department.

The recommendation shall include the following specific information:

- ◆ For a criminal conviction:
  - Verification of the conviction of a crime from the local law enforcement agency or county clerk of court.
  - Form 470-2310, *Record Check Evaluation*.
  - Any additional information used in evaluating the criminal history.
  - Form 470-2386, *Record Check Decision*, summarizing the evaluation of the criminal history.
- ◆ For a founded child abuse:
  - Documentation from the Central Abuse Registry of any child abuse reports.
  - Form 470-2310, *Record Check Evaluation*, if the person has provided additional information about the child abuse record.
  - Any additional information used in evaluating the child abuse record.
  - Form 470-2386, *Record Check Decision*, summarizing the evaluation of the child abuse check.

- ◆ For lack of due regard for foster child:
  - Direct observation of the family's disregard for a child's health, sanitation, hygiene, comfort, or well-being and the negative impact on the child.
  - Observations by a placement worker, including the effect on the child of the inadequate care and supervision. (Submit a signed statement by the worker.)
  - Pertinent information gained from talking with the foster parents, the child, or other members of the household.
  - Other sources of supporting information.
  - A summary of the discussion of this problem with the foster parents, including time, dates, and the response of the foster parents.
- ◆ For misuse of funds:
  - Direct observations and specific data regarding the misuse of funds.
  - Relevant observation of placement workers of the effect on the child of the misuse of funds. (Include a signed statement by the worker.)
  - Pertinent information gained from talking with the foster parents, the child, or other members of the household.
  - Other sources of supporting information.
  - A summary of the discussion of this problem with the foster parents, including times, dates, and the response of the foster parents.

### **Optional Revocation**

**Legal reference:** 441 IAC 112.6(2)

The Department **may** revoke a foster family home license when the family:

- ◆ Fails to continue to comply with all the licensing requirements in law and regulation;
- ◆ Fails to meet one or more requirements in the placement agreement;
- ◆ Fails to notify the licensing worker of a move to another home within seven working days after the date of the move; or
- ◆ Refuses to cooperate with an unannounced visit.

When one or more of the above conditions exist, review the situation with your supervisor to determine if revocation should be pursued. Consider the specific circumstances of the foster family. Courses of action other than revocation may be more appropriate.

A provisional license or a time-limited suspension may be appropriate for a family that fails to comply with all the rules but promises to improve this situation. If possible, a corrective action plan should be used as a first step without changing to a provisional license. The family may be able and willing to take corrective action to eliminate the problem.

If the foster family fails to meet some requirements of the placement agreement, but makes a commitment to improve, a corrective action plan may be more appropriate than revocation. Improving the services and care provided by the foster family to meet standards is preferable to losing a trained, experienced foster parent.

Either revocation or provisional status must be reported to and approved by the service area manager or designee.

If your decision is that revocation of the license would **not** be the best course of action, document the rationale for the recommendation by sending a memo to the service area manager which specifies the following:

- ◆ The condition that exists which would allow revocation.
- ◆ The course of action chosen by you and your supervisor.
- ◆ Your rationale for choosing the alternative action rather than recommending revocation.

Keep a copy of this memo in the foster family's file.

If your decision is that revocation of the license **would** be the best course of action, include the following information in your request for each specific condition:

- ◆ For failure to meet licensing requirements:
  - A list of the rules or sections of the law with which the foster family fails to comply.
  - A summary of your discussions of these violations with the foster parents. (Be as specific as possible regarding dates of discussions and violations.)
  - A summary of the responses of the foster parents.
  - A summary of the subsequent actions of the foster parents.
  - The reasons to believe the license should be revoked.
- ◆ For failure to meet requirements of placement agreement:
  - A copy of the placement agreement.
  - A list of the requirements not met by the foster family.
  - A summary of your discussions with the foster parents regarding their failure to meet the requirements and their responses.
  - The placement worker's signed statement, when that worker has noted and discussed the deficiencies with the family.
  - What actions you took to secure compliance.
  - The reasons to believe the license should be revoked.
- ◆ For failure to report move:
  - The date of the move.
  - How you became aware of the move.
  - When the foster parents contacted a worker, if at all.
  - The foster family's explanation for the failure to report.
  - The reasons to believe the license should be revoked.
- ◆ For failure to cooperate with visit:
  - Documentation of attempts to conduct an unannounced visit.
  - Documentation of the family's refusal to cooperate with the visit.
  - Documentation of the reason for noncompliance given by the foster parents.

### **License Expires in 30 Days or Less**

**Legal reference:** 441 IAC 112.6(3)

Do not revoke the license for a foster family home when there are 30 or fewer days until the date the license expires. Since the revocation process takes a minimum of 30 days, the license will expire before it can be revoked. In such a case, the appeal period will actually extend the license.

If you do not recommend revocation because there are 30 or fewer days until the license expires:

- ◆ Send a memo to the service area manager and the foster family program manager in the Division of Adult, Children and Family Services explaining:
  - The condition which otherwise could have been grounds for revocation.
  - The fact that the license will expire in 30 or fewer days.
- ◆ Recommend emergency suspension of the license if immediate action to prevent the family from providing child foster care is necessary. See [Suspending the License](#) for procedures.
- ◆ Notify the contractor of the Department's plans with regard to suspension and denial.
- ◆ Advise the foster home in writing that their reapplication may be denied and give your reasons for recommending denial.
- ◆ File a copy of all of this information in the licensing file.
- ◆ Make FACS entry to show the home is no longer licensed once the action is approved.

The Division of Adult, Children and Family Services and the area social work administrator need to be informed of these actions in order to track:

- ◆ The revocation grounds which most frequently occur.
- ◆ The use of this exception.
- ◆ The foster family's licensing history.

### **Notice of Adverse Action**

**Legal reference:** 441 IAC 112.8(237)

Give the licensee or the applicant written notice of any adverse action with regard to the license, including:

- ◆ Denial of a license application.
- ◆ Suspension of a license.
- ◆ Revocation of a license.

The notice shall state:

- ◆ The reason for the adverse action.
- ◆ The legal basis for the adverse action, citing specific Iowa Code sections or administrative rules violated.
- ◆ The specific actions of the foster family which violate the Code or rules.
- ◆ Information on the family's right to appeal.

The service area manager or designee shall send form 470-0709, *Notice of Action: Foster Family Home*, by restricted certified mail for all denials. The service area may choose to send a cover letter with this form.

The Division of Adult, Children and Family Services will issue the notice for revocations and suspensions.

### **Notice to the Recruitment and Retention Provider**

The service area manager or designee shall notify the contractor by telephone or personal conversation when any of the following occur:

- ◆ The service area manager has approved denial of the family's reapplication.
- ◆ The administrator of the Division of Adult, Children and Family Services has approved revocation or suspension of the family's license.
- ◆ There are grounds for revocation, but the Department is not revoking the license because there are 30 or fewer days until the license expires.
- ◆ The license is rescinded after a revocation or denial becomes final.

Inform agencies providing services in the foster home of adverse action being taken against the home and notify the juvenile court officer, if applicable, of this action if there were any placements in the foster home. Document this notification in the foster family record.

Do not share with other agencies confidential information used as the basis for the adverse action. You may tell the agency that an evaluation of a criminal history or child abuse record check has concluded that the crime or child abuse merits prohibition of licensure.

See [Confidentiality of Criminal Records](#) and [Confidentiality of Abuse Reports](#) for more information.

In most cases, the placement worker will have removed children before the adverse action, especially for a suspension. If this has not occurred, the service area manager shall cause all children under the care of the Department to be removed immediately when the license is suspended or rescinded.

### **Confidentiality of Criminal Records**

**Legal reference:** 680 IAC 11.3(692)

If an adverse action is taken on the basis of confidential information about an applicant or licensee which was obtained from the Department of Public Safety, inform only the applicant or licensee of the exact reasons for the adverse action.

Inform the contractor that upon evaluation of the criminal record, the Department has concluded that the criminal history merits prohibition of licensure.

Do not share the actual transcript of the criminal record obtained from Public Safety with anyone, including the person to whom the information applies. You can share information obtained from a local law enforcement agency with the person to whom it applies.

### **Confidentiality of Abuse Reports**

**Legal reference:** 441 IAC 175.8(4)

If an adverse action is taken on the basis of confidential information about an applicant or licensee which was obtained from the Central Abuse Registry, inform only the applicant or licensee of the exact reasons for the adverse action.

Inform the contractor that upon evaluation of the child abuse record of the applicant or licensee, the Department has concluded that the founded abuse merits prohibition of licensure.

If an adverse action is taken on the basis of confidential information about a person living in the home which was obtained from the Central Abuse Registry, inform only the person to which the information applies of the exact reasons for the adverse action.

Inform the applicant or licensee and the contractor that upon evaluation of the person's child abuse record, the Department has concluded that the abuse merits prohibition of licensure.

Share the actual transcript of the child abuse report only with those people approved by the Central Abuse Registry.

### **Appeal Process for Licensing Decisions**

**Legal reference:** 441 IAC Chapter 7

The foster family has the right to appeal any adverse action the Department takes regarding the license. Employees' Manual 1-E, [APPEALS AND HEARINGS](#), deals with the Department's appeal process. (Numbered sections in the process description correspond to areas on the [Adverse Action Chart](#) which follows.)

1. Whenever a foster family home license is denied, revoked, or suspended, the applicant or licensee has the right to appeal the decision.

#### Effective Period of the License

2. If an appeal of denial of a reapplication or a revocation of a license is filed within 30 days of the date of notice of decision, the license remains in effect until the appeal process is completed. For the denial of a new application, the license was never in effect. For a suspension, the license is not in effect during the suspension.
3. If no appeal of denial of a reapplication or a revocation of a license is filed within 30 days of the date of notice of decision, the license is considered denied or revoked effective 30 days after the notice. (For the denial of a new application, the license was never in effect. For suspensions, the license is not in effect during the suspension.)

#### Decision to Hear Appeal

4. If an appeal is filed within 30 days of the date of the notice of decision, the Appeals Section decides whether the appeal is appropriate and should be heard.

If the appeal is based on the appellant's belief that the information on which the licensing decision was based was incorrect or that the licensing rules were incorrectly applied, the appeal is appropriate and shall be heard.

5. If the appeal is filed more than 30 days but less than 90 days after the date of the notice of decision, the Department has discretion in deciding whether to hear the appeal, depending on whether the appellant has good cause for late filing.
6. If an appeal is not filed within 90 days of the date of the notice of decision, the appeal is not heard.
7. If the appeal is appropriate and timely (or with good cause for filing late) an administrative law judge from the Department of Inspections and Appeals shall hear the appeal and formulate a proposed decision. The administrative law judge's proposed decision may:
  - ◆ Uphold the Department's decision.
  - ◆ Modify the Department's decision.
  - ◆ Reverse the Department's decision.

#### Dissatisfaction with the Proposed Decision

8. If the appellant is dissatisfied with the proposed decision, the appellant may request a review of the proposed decision within ten days of the proposed decision. The Department director or designee will review the appeal if the appellant makes a timely request.

If the Department's Appeals Advisory Committee is dissatisfied with the proposed decision, the Committee may request a review within ten days of the date of the proposed decision. Report field concerns regarding the proposed decision to the Appeals Advisory Committee through the chain of command.

The Department director or designee has the option of choosing whether to review the proposed decision if the Department staff request the review.

9. If a request for review is not made within ten days of the date of the proposed decision or if the Department director or designee chooses not to review the proposed decision as requested by the Appeals Advisory Committee, the proposed decision becomes the final decision, effective ten days after the date of the proposed decision.

#### Director's Review

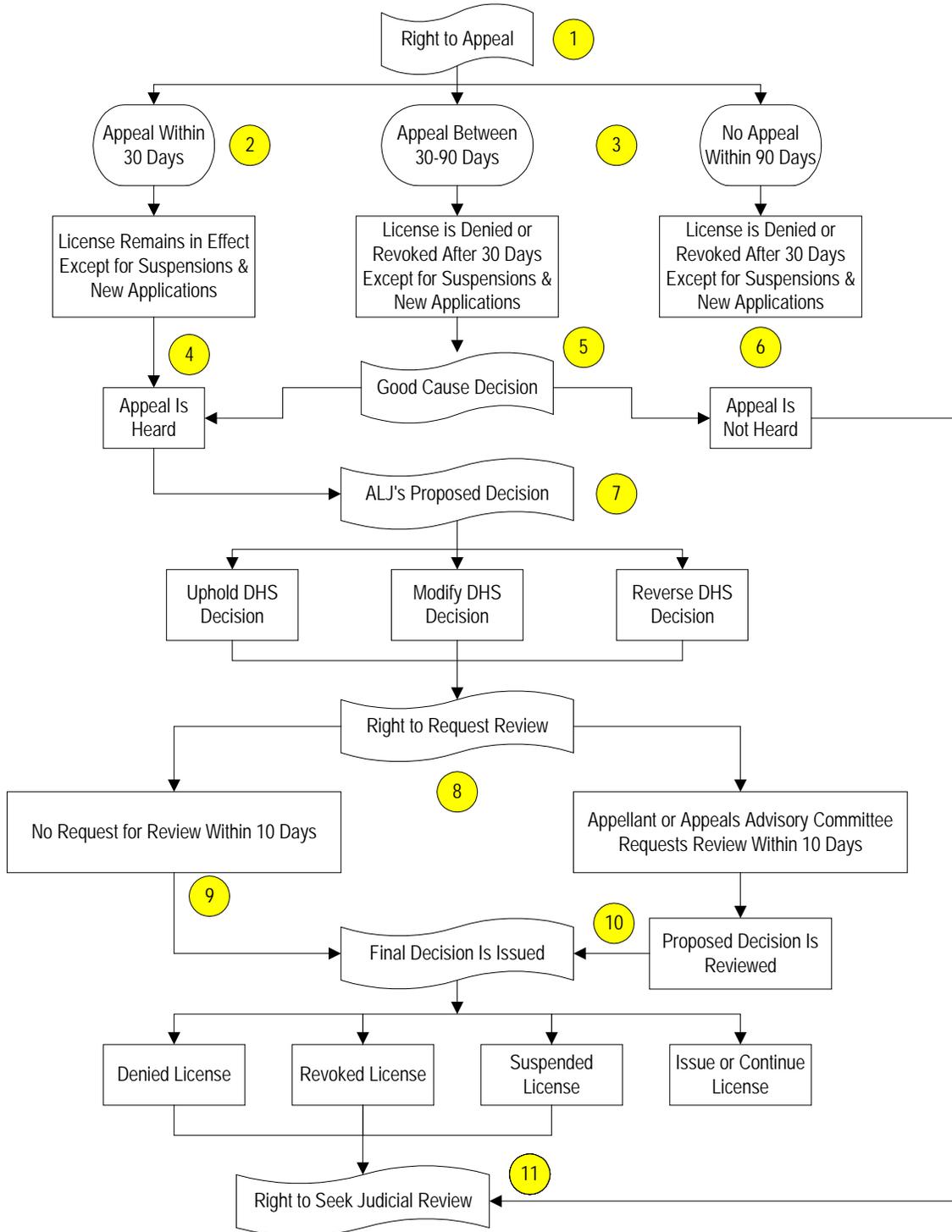
10. If the appellant requests review of the proposed decision, or the director chooses to review at the request of the Appeals Advisory Committee, the director may deny, revoke, suspend, issue or continue the license. The effective date of this action is the date of the final decision.

#### Additional Appeal Option: Judicial Review

11. When the appellant has exhausted the appeals options of the Department, the appellant may request judicial review of the licensing decision.

If the client seeks judicial review, the licensing worker shall immediately notify the Appeals Section, the Attorney General's Office and the foster family program manager in the Division of Adult, Children and Family Services so that they may prepare for the judicial review.

### Adverse Action Chart



## **Other Aspects of Foster Family Care**

There are several areas related to foster care that do not readily fit with the previously addressed topics. These areas are:

- ◆ [Foster home insurance fund.](#)
- ◆ [Income taxes.](#)
- ◆ [Placing agency requirements.](#)

### **Foster Home Insurance Fund**

**Legal reference:** 441 IAC 158.1(1)

A foster parent insurance fund is established to provide liability coverage to licensed foster parents who have a child placed in their home. The foster home insurance fund shall pay:

- ◆ Valid and approved claims of family foster care children, their parents, guardians, or guardians ad litem.
- ◆ Compensation to licensed foster families for property damage, at replacement cost, or medical care for bodily injury as a result of the activities of a family foster care child.
- ◆ Reasonable and necessary legal fees incurred by licensed foster families in defense of civil claims against them and any judgment, awarded as a result of these claims. The Department or its contract agent shall determine the reasonableness and necessity of legal fees.

### **Payment Limits**

**Legal reference:** 441 IAC 158.2, 441 IAC 158.4

The foster parent liability insurance has the following exclusions:

- ◆ A loss arising out of a foster parent's dishonest, fraudulent, criminal, or intentional act.
- ◆ An occurrence which does not arise from the foster care relationship.
- ◆ Bodily injury arising out of the operation or use of a motor vehicle, aircraft, recreational vehicle, or watercraft owned, operated by, rented, leased, or loaned to a foster parent.

- ◆ A loss arising out of a foster parent's lascivious acts, indecent contact, or sexual activity.
- ◆ Claims for occurrences before July 1, 1988.
- ◆ Exemplary or punitive damages.
- ◆ A loss or damage arising out of conduct which is in violation of administrative rules.

The foster parent is responsible for the first \$100 for claims arising out of one or more occurrences during a fiscal year.

The fund is not liable for damages in excess of \$300,000 for a single foster home for all claims arising out of one or more occurrences during a fiscal year.

NOTE: State law requires that all persons who drive a vehicle in Iowa must be able to show proof of vehicle insurance.

### **Claim Procedures**

**Legal reference:** 441 IAC 158.4(237)

Foster parents filing claims against the fund have two years after the occurrence to file the claim.

Claims will be handled directly by EMC Underwriters, 1454 30th Street, Suite 209, West Des Moines, IA 50266. Their phone numbers are 515-362-7650 and 1-800-437-6005. Their FAX number is 515-362-7665. Foster parents are to contact EMC Underwriters to report an incident.

### **Income Taxes**

The Department cannot give tax advice to foster parents. Some foster parents may qualify to claim foster children on their income taxes and should consult their income tax preparer or the Department of Revenue for guidance.

While the Department can release the social security number of the foster children to the foster parents, the foster parents cannot release the social security numbers to their tax preparer unless a release of information from the child's parents has been requested and secured.

### **Placing Agency Requirements**

**Legal reference:** 441 IAC 113.10(237)

Whenever it is decided by the Department and the foster parent that placement will be made, the foster parent can expect to receive the following information about the child:

- ◆ The child's full name, birth date, and date of placement.
- ◆ The name and addresses of significant relatives of the child, including parents, grandparents, brothers and sisters, aunts and uncles, and any other significant people. In the case of an adopted child, these will be the adopted relatives.
- ◆ The name, address and telephone number of the child's physician, parents or guardian, and the supervising agency, including a 24-hour contact number.
- ◆ Information about immunizations received, physical limitations, allergies, medical recommendations including HIV status and the need to be alert for opportunistic infections related to HIV.
- ◆ A *Foster Family Placement Contract* signed by both foster parents and Department.

NOTE: The contractor must obtain the *Release of Confidential HIV Information*, 470-3234, signed by the parent or guardian or an order of the juvenile court in order to share HIV information. When the foster parent receives confidential HIV information, they must sign form 470-3227, *Receipt of HIV Information*.

Foster parents cannot give consent to have a child tested for HIV. Foster parents are not allowed to share this information with others unless the parent or guardian gives specific written release for the foster parent to share the HIV information.

If a child who is HIV positive is placed with the foster family, they may be asked to take additional training on the topic of caring for an HIV child to learn how to care for and protect the child from opportunistic infections.

All information regarding the child, the child's family and the circumstances surrounding the reasons for placement are confidential. Foster parents are not permitted to share this information with others unless expressly permitted by the Department or court order.

NOTE: All information regarding the child may not be available at the time of placement; however, both the provider and the foster family need to agree to share information as it becomes available. The immediate needs of the child must be met and the gathering of information continues throughout the placement.

### **Physical Examination**

**Legal reference:** 441 IAC 113.17(1)

Each child should have a physical examination before placement in the foster home to address any immediate medical needs of the child. When the examination cannot be given before placement, it must be completed within 14 calendar days after placement.

The physician shall complete a preliminary screening for dental and mental health and refer the child on to a dentist or mental health professional if appropriate.

Children in care receive annual physical examinations. If the child has been in continuous care and moves to another home within the year, no new examination is given until the annual exam is due unless recommended by the physician.

NOTE: HIV testing is not routinely done unless the child is considered high risk for the disease and a physician identifies symptoms that may indicate presence of disease. HIV testing of children in foster care is done in accordance with the expectations of "HIV Testing of Children in Foster Care." (See [17-F\(3\), Topic 9.](#))

### **Medical, Vision, Hearing, and Dental Supervision**

**Legal reference:** 441 IAC 113.17(2)

Each child in foster care shall receive annual medical, vision and hearing exams and dental supervision and shall be provided more often if the medical professional prescribes the exams more often.

Foster parents are responsible for keeping the Department informed of any health problems. In the case of sickness or accident, the foster parents are to obtain immediate emergency care according to the directions of the Department's worker or supervisor.

Foster parents are responsible for following through with the routine medical, vision, hearing, and dental care required by the child.

### **Exemption From Medical Care**

**Legal reference:** 441 IAC 113.17(3)

A child in foster care may come from a family whose religious practices include avoidance of some or all conventional medical treatment. In this situation, the placement worker obtains a signed, notarized statement from the parent or guardian that specifies the religious beliefs regarding medical care. This statement is maintained in the child's record.

The foster parent will be advised of the foster parent's responsibilities in these situations. In potentially life-threatening circumstances, the agency supervising the placement will refer the situation to the medical and legal authorities.

### **Training Enhancement**

**Legal reference:** 441 IAC 156.8(8)

Some foster parents may require specialized training to meet needs of a particular child who is placed in their home. When funds are available, the service area manager may authorize reimbursement for the foster parent to attend specialized classes to meet the needs of a specific child as required by the child's case permanency plan.

NOTE: This training and other ancillary services are child-specific, and funds cannot be accessed unless the child's case permanency plan requires the specialized care. (See 17-E, [Tangible Goods, Child Care and Ancillary Services.](#))