

Follow-up Document from the Webinar

Foster Home Licensing: What You Need to Know

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Be sure to consult the handouts for this webinar:

https://www.ncswlearn.org/ncsts/webinar/handouts/11_Webinar_1-25-11_Handouts.pdf

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Recommendations, Questions, and Answers from the Webinar

I. Tip: Use current forms and save them electronically

It is the responsibility of licensing workers to ensure that they are using up to date forms. The most recent version of all NC Division of Social Services forms, including those needed for all licensing actions, can be found on the Division’s website: <http://info.dhhs.state.nc.us/olm/forms/forms.aspx?dc=dss>

You can also reach this page through the link called “Manuals and Forms” on the left side of the Division’s homepage. The page includes all forms in chronological order.

Many forms have an “interactive” version available – you can click to enter information directly on the form, then save and print it from your own computer. These versions are indicated by “ia” in their title. The 5016 and 5157 are not currently available on this page as interactive forms. However use of these forms in their interactive forms is required and were made available in word format and emailed to all agencies. You can request these forms in word version from Rhoda Ammons (Rhoda.Ammons@dhhs.nc.gov) or Nicole Jensen (Nicole.Jensen@dhhs.nc.gov).

2. Tip: Be familiar with the rules for foster home licensing in North Carolina

North Carolina’s foster home licensing rules are found in Chapter 10A (Subchapters 70E, F, G, and H) of the NC Administrative Code. You can find links to each subchapter by selecting “Programs and Services” from the Division’s main website, and then selecting “Licensing Services”; or by using this link: http://www.ncdhhs.gov/dss/licensing/foster_care_rules.htm

Agencies should also review The Perfect Packet documents and the Supplemental Guide to Foster Home Licensing at this link: http://www.ncdhhs.gov/dss/licensing/foster_care_rules.htm

Please note that these documents were developed before the results of the RIL were required to be included in new licensure packets and in some cases at relicensure (addressed in questions below). The RIL results should be placed before the fingerprint clearance letters.

3. Income and Employment Questions

Foster parents need to have reliable, independent income, to ensure they are not dependent on the foster care stipend for their own expenses. For this reason, applicants who are unemployed should wait until they are employed before submitting an application. Rather than trying to apply a simple formula, you need to explore each family’s income, debt, and expenses individually. For example, if a family is making \$80,000 a year but they have bills each month that total \$85,000 per year, then they are not financially stable.

If a foster parent becomes unemployed and they have a foster child, does the child need to be moved or the parent's license need to be terminated?

NCDSS does not want children moved simply because foster parents experience loss of job. But it is an expectation in this situation that the agency will be more present and supportive in the family’s life, and that no additional children are placed in the home. Also once any foster child leaves the home, other foster children should not be placed in the home until the family member(s) is employed and they have sufficient income to meet their needs without the foster care stipend.

If it’s a two-parent family and only one is unemployed, will their application still be delayed?

If the employed parent’s regular income can meet the family’s expenses, then the application will not be delayed.

If prospective foster parent receives a stipend (\$1400/mo) to attend school, can this be included as income? Applicant is not employed but is attending school full time. Stipend is in addition to payment of school expenses (GI Bill).

You cannot include educational stipends as income. In general, full-time students need to be carefully assessed as foster parents, given the demands of classes and home-work. Unlike someone with a full-time job, school work often takes time in the evening and on weekends. In addition, many adults who go to school full-time also have part-time employment.

What about Work First?

After much consideration, the Licensing Authority has determined that Work First cannot be used as an income source. Exceptions can be made for relatives.

What about Disability?

It would depend on the disabling condition and whether the disability payment is likely to continue long-term. In addition to the financial consideration, applicants on disability have to be assessed for how their disability might make it difficult for them to care for children. Are there limitations in their movement, energy level, etc. that need to be explored?

4. Background Checks

See Section 10A NCAC 70-E.1114, 1115 and 1116 for information on background checks for foster home applicants.

Does a conviction or charge mean that you cannot be a foster parent?

All charges need to be listed with date, charge, and outcome (conviction, dismissal, etc.). There also needs to be an explanation of the charges, which should include the explanation given by the applicant, results of background checks, and the licensing worker's assessment.

Your decision about whether to recommend licensing, and the Division's decision on whether to grant a license, is based on case-specific factors such as the date and seriousness of the charges, the applicant's openness with the licensing worker (i.e., is the applicant's explanation complete and accurate based on the background check?), and his or her personal history (for example, age at time of offense, evidence of rehabilitation and change in life style). Again, you need to "paint the picture" in order to make your own decision about the family and to provide a comprehensive picture for the staff reviewing the application in Black Mountain.

What are the conviction charges that you can't have?

From **10A NCAC 70E .1114** "An applicant or any member of the applicant's household is not eligible for licensure if the applicant or any member of the applicant's household has [at any time] been convicted of a felony involving:

- (1) child abuse or neglect;
- (2) spouse abuse;
- (3) a crime against a child or children (including child pornography); or
- (4) a crime involving violence, including rape, sexual assault, or homicide but not including other physical assault or battery.

An applicant or any member of the applicant's household is not eligible for licensure if the applicant or any member of the applicant's household has ***within the last five years*** [emphasis added] been convicted of a felony involving:

- (1) physical assault;
- (2) battery; or
- (3) a drug-related offense."

What If I have a foster family with an adult child that they want to bring back into the home who has a recent felony?

If the felony is one of the above offenses the foster family would have to relinquish their license. With any other crime the situation would have to be considered on a case by case basis. The total family situation should be assessed with respect to the reasons the family wants to allow their adult child to live with them after committing a felony and their expectations as to what their foster child will need from them in terms of support. Consider whether it is a good time for them to foster. Look at how they

plan to supervise any contact between their adult child and a foster child. What would be the potential for inappropriate role modeling? What are the safety/risk factors for the foster child?

When listing and explaining record check findings on a relicense application (DSS-5157), do we only list/explain charges that occurred within the most recent licensure period (the past 2 years) if other/earlier charges were reported on a previous application, or do we have to re-explain older charges/violations again with each application? How far back should we report/explain?

In a relicense application you need to include all charges, not just those that took place during the licensing period. You need to go back as far as there are criminal charges.

Can fingerprint clearances be returned to the counties in a more timely manner? We have had issues with the applicants having to have them redone (at their expense) because they are lost by the processors or somebody.

Sheryl McNeill at the DHHS Criminal Record Check Unit can assist with this issue. She can be reached at (919) 773-2856 or 1-800-859-0829. Please note that the processing time for fingerprints is about 15 work days.

Can we use FBI fingerprint clearance letters that were not processed by Sheryl McNeill?

No. All fingerprints for foster home licensing purposes have to be processed by Sheryl McNeill. Some agencies have foster care applicants who previously worked in Level II, III, IV group homes. These individuals were required to be fingerprinted for employment purposes. However their fingerprint results are not in the database for foster parent fingerprints and at this time cannot be transferred to the foster parent fingerprint database. Therefore these individuals have to be fingerprinted again and processed by Sheryl McNeill.

I have heard that we no longer have to check the Nurse's Aide Registry when screening applicants for licensure. Is that true, and if so, why the change?

It is OK to be on the Nurse's Aide Registry, but not OK to be on the Healthcare Personnel Registry. The current version of the 5016 on the Division's website no longer includes a question about the Nurse's Aide Registry. Please note that it was an error to have initially included a check of the Nurse's Aide Registry. This should not have been in our rule and was subsequently removed.

Can't we do some sort of web-based criminal record check as opposed to local criminal record checks? It is cost prohibitive for the agency to pay \$25 for each local criminal record check. (The answer to this question has been updated since the last webinar).

Agencies can use private companies for criminal background checks for employees and foster parents as long as the company is listed on the North Carolina Administrative Office of the Courts website. The link for this website is (<http://www.nccourts.org/Citizens/GoToCourt/Documents/cbccompanies.pdf>). County departments of social services will need to send the waiver request to the Black Mountain Licensing Office. Private agencies will need to send the waiver request to the licensing consultant assigned to your agency (<http://www.ncdhhs.gov/dss/licensing/docs/cpalistfostercare.pdf>).

5. RIL Process and DSS-5268

The 5268 contains instructions on the first page for how to complete. You can find an interactive version of the form on the Division's Forms page:

<http://info.dhhs.state.nc.us/olm/forms/dss/dss-5268-ia.pdf>

When is the DSS-5268 completed?

Complete the 5268 for each new licensing applicant. The form is completed and sent to Raleigh. The fastest way to get a reply is to fax the form to (919) 715-6714, Attn: RIL. The fax number is also provided

on the first page of the form. It can also be sent by mail with a self-addressed, stamped envelope (SASE) which will be used to mail the results back to you. The mailing address is provided on the form.

Was the 5268 updated or is the form we were using prior to stoppage of checking the registry still okay?

The 5268 has been updated and you must use the updated form.

Do you want the original RIL letter or copies?

We prefer originals.

Do we have to do a RIL for re-licensure?

Usually you do not have to do a RIL for re-licensure. However you will need complete a RIL if a new adult has moved into the home or a birth child has turned 18. You will also need to do RIL's for re-licensure if there has been a lapse in the license for more than 30 days.

Do we need to obtain RIL clearance on families that have already been licensed/were licensed when RIL was not required?

No, unless you are re-licensing a family whose license has lapsed for more than 30 days.

Is the RIL needed for transfers?

Not unless there is a new adult in the home or a biological child has turned 18.

6. Applicants from Other States or Countries

What information do we need to get if the applicant recently moved to North Carolina from other states?

If the applicants have not resided in NC for the last 5 years in addition to the North Carolina required checks (Local Court Record, NC Dept. of Correction, NC Sex Offender and Public Protection Registry, Healthcare Personnel Registry) they will also need child central registry child abuse/neglect checks from the other states. Safety considerations for children and good social work practice dictate that criminal record checks should be obtained from the states where the applicants resided for the past five years.

How do we get RIL information on child abuse and neglect from different States?

Go to: http://www.dfps.state.tx.us/child_care/other_child_care_information/abuse_registry.asp

How do we get RIL information on child abuse and neglect if the prospective foster parent is from another country?

RIL's are not required for applicants who have lived in another country.

7. Children Not in DSS Custody

The rule says the social worker must visit children in DSS custody once a month and document on a monthly report form. What is the rule for a child NOT in DSS custody and what needs to be documented in their file?

This information is found in 10A NCAC 70G .0503. Requirements for children in DSS custody and those children not in DSS custody are the same.

“Children in family foster homes and therapeutic foster homes shall have a monthly face-to-face contact by the social worker or case manager or more if specified in the out-of-home family services agreement or person-centered plan. The parents or guardian of children in family foster care and therapeutic foster care shall have a monthly face-to-face contact by the social worker or case manager unless the out-of-home family services agreement or person-centered plan indicates a different schedule of face-to-face contacts.

The agency social worker or case manager shall meet with the children and the parents, guardian or legal custodian, either separately or together based on the out-of-home family services agreement or person-centered plan to assess and work on the following:

- (1) progress in resolving problems which precipitated placement;
- (2) parent and child relationship difficulties;
- (3) adjustment to separation;
- (4) adjustment to placement; and
- (5) achievement of out-of-home family services agreement goals or person-centered plan goals.”

Please note that therapeutic foster care parents shall have at least 60 minutes of supervision by a qualified professional as defined in 10A NCAC 27G .0104 on a weekly basis for each therapeutic foster child placed in the foster home.

If a child is NOT in DSS custody, do they require out-of-home family service agreements?

Yes. See 10A NCAC 70G .0504. All children in family foster care must have an out-of-home family services agreement. All children in therapeutic foster care must have a person-centered plan. If a child in DSS custody is in a therapeutic foster home, the child must have an out-of-home family services agreement and a person-centered plan.

Do you have to do treatment team meetings with kids that are in DSS custody?

Yes.

8. Communication with Black Mountain

When is it OK to ask for a status check from the Black Mountain Office?

Status checks are performed only if you have had no response from Black Mountain within 50 work days. If 50 work days have passed with no info from Black Mountain, email your status check to Sandy Craig (Sandy.Craig@dhhs.nc.gov). Please note that resubmitted packets start the 50 working days again.

How can an agency be assured that the Black Mountain Office has received its licensing action?

If you want to know when a licensing packet has been received at the Black Mountain office, you can send it certified mail.

9. Electronic Correction Form

Can you please explain about the new correction form Black Mountain is using?

Black Mountain has an electronic correction form: they will send it to you via email asking about a specific error in an application. When you receive it, you correct the error on the correction form and return it to Black Mountain. Make sure the foster parent is aware of the correction, since it means their file has changed somewhat. It is important that you make this correction within five work days. If you need longer to make the correction put this information in the electronic correction form and email it to the consultant.

The Black Mountain office sent notices to all private child-placing agencies in the state asking for a single name and contact information for each agency to receive electronic correction forms. This individual should be a manager or supervisor in the agency. In some agencies this request may not have been given to the correct person. If you need to provide an agency contact for this purpose, send it to cindy.norton@dhhs.nc.gov. Indicate that this is the contact person for your agency for electronic corrections, and be sure to provide the person's address, email address, and phone number. Public agencies did not receive this notice. The Licensing Office has access to contact persons for county departments of social services.

10. Transfers

If foster parents are being transferred from another agency, how many agencies do we need to go back to get information about their ability to care for children and their reason for leaving their last agency?

You need to go back to all of the previous agencies. If an applicant has had multiple previous agencies, that should be a red flag to be explored. Why have they changed agencies so many times? What problems came up, and how or why would it be different with your agency?

I have a home trying to transfer to our agency and it states she was a foster parent and wants to add the therapeutic component. Her license capacity is for 3 children. Is it true foster parents have to be either family foster care or therapeutic, not both?

That is correct. Foster parents have to be licensed for either family foster care or therapeutic foster care. They cannot be licensed for both. In order to qualify for therapeutic foster care the capacity has to be reduced to two and the additional training requirements have to be met.

If a foster parent is transferring their license and they are unemployed at the time of the transfer, do we have to wait to license her until she is employed?

The question did not include information about whether there is a foster child in the home. If there is a foster child in the home, this would need to be taken into consideration and discussed with the Black Mountain office. If there is not a child in the home and the parent or parents are unemployed, they should be encouraged to focus on their own financial situation. This is not a good time for a transfer.

11. Capacity Questions

What if a child is already in the home with another therapeutic child and his or her siblings need placement?

This situation is not eligible for a waiver. Capacity can be waived for siblings if all of the foster children are siblings.

What is the rule for babysitting/sleepovers?

Please refer to 70E .1001 a and b for rules about babysitting. Babysitting is not allowed for therapeutic homes. Becoming licensed as a therapeutic home means that the family is agreeing to focus their time and energy on meeting the therapeutic needs of the foster children. This does not mean the foster parents could not have relative children visit. Family foster parents can provide babysitting services. However the children the foster parents babysit for is counted in the capacity. Foster children and birth children of the foster parents can have friends over for sleepovers without this affecting the capacity.

If a foster home is licensed for 2 therapeutic foster children, I am assuming they cannot do respite for any additional children as long as their beds are full. Is that right?

Respite is no different than other foster care. If they have 2 foster children they can not have additional consumers.

If a family is licensed as therapeutic with a capacity of 2, and I placed 2 family foster care children, would I have to change their license to basic?

No, therapeutic homes can have two therapeutic children, two family foster children OR one therapeutic foster child and one family foster child. The capacity it still two.

What if the foster parent is babysitting for their grandchild and not for income? Is all babysitting not allowed or just not for income?

70E 1001 a and b does not distinguish between babysitting for relatives vs. non-relatives. Family foster parents can babysit for relatives or non-relatives and it does not matter if it is an income source or not.

However the children the family foster parents babysit for are counted in the capacity. Therapeutic foster parents cannot babysit for other children regardless of relationship or whether it produces income or not. This does not preclude visits from grandchildren (but not for babysitting purposes).

12. DSS-5016

If an applicant has any health or mental health issue, like high blood pressure or depression, that is managed appropriately with medication, should we check “no” on “good mental or physical health” on this form and then explain?

Health issues are another area where you need to “paint the picture” of how the health or mental health issue is treated and how it might be affected by caring for children. Whether “yes” or “no” is checked for good physical or mental health is not as important as whether the issue is explored and explained. You also need to have consistent information on medical or mental health conditions across all documents. For example, the same issue should be listed on the 5016 that you complete, the 5017 that the applicant completes, and the 5156 that the medical provider completes. Please note that on Item X of the 5016, you will need to explain any mental health or physical health issues identified by the medical provider or the applicant. Even if you check “Yes” to Good Physical Health and Good Mental Health, you will need to provide an explanation in the space provided under the grid if the medical provider or applicant identified physical or mental health issues.

Are we to write the name of each child in the home and answer the physical/mental health question, or just answer the last question that says for all children in the home?

You don’t need to list the names of their children in this block. Of course if one child is not healthy and others are you can explain this.

We had a potential foster parent that had TB in 1995, thus she tests positive in all future test. What is the appropriate form to send in for her medical clearance? She was screened by the Health Dept., but they would not send her for x-rays due to law prohibiting it.

Her medical doctor simply needs to document this fact on the medical form (5156).

What needs to be done when a biological child in the home turns 18?

Fingerprint clearances, RIL’s and TB tests need to be completed. At relicensure, the 18 year old needs all the same paperwork as any other adult in the home.

Can you clarify the rule on the safe guarding of swimming pools and other bodies of water?

The rule is clear. Rule 10A NACA 70E .1112 states access to such hazards shall be avoided by either a fence at least 48 inches high with a locked gate around the hazard, or by a fence at least 48 inches high with a locked gate around the yard and exterior space of the home while still providing play space for children. Access to water in above ground swimming pools shall be prevented by locking and securing the ladder in place or storing the ladder in a place inaccessible to the children. The supervising agency shall observe and document that the foster parents have taken measures to protect foster children from having unsupervised access to swimming pools, beaches, rivers, lakes, streams, other water sources, or other hazards.

With regards to family information, do you want names of siblings of foster parents etc.?

The point is to provide a picture of the family, including extended family relationships. While you don’t necessarily need to list all sibling names, you should address the general nature of the applicant’s relationship with his or her own family.

How far in advance before submitting the 5016 can we check the DOC, Health Care Registry, etc? I ask because I typically do these when first working with an applicant and end up needing to do them again before submitting the packet.

Background checks need to be done within 180 days of the application being submitted to Black Mountain.

For any of the 12 skills, is it acceptable for the needs to answer "none noted at this time?" We may not have noted any need at this time.

Yes, it is possible that you cannot professionally identify a need at a point in time. However, no one is perfect, so they should have self-identified needs in most if not all areas. If an applicant says they have no needs, they either aren't being completely honest or they need help considering ways to develop their skills.

If you have a husband and wife, do you need to show a strength and need for both parents under each skill, or can you pick one person?

Both applicants need to be addressed in the 12 skills since they both will be parenting.

Please clarify skills number 3 and 4.

See page 20 of *A Supplemental Guide to Foster Home Licensing*:

<http://www.ncdhhs.gov/dss/licensing/docs/Guide-03-16-09.pdf>

Refer to the MAPP curriculum and the 12 Skills for successful foster parents' description sheet.

Can toddler beds be approved for a child, since they use the same mattress as a crib?

Yes.

What about trundle beds since they are attached permanently to the bed?

No.

13. DSS-5157

For a relicensure, where should we write to "paint a picture" of the changes in the home? Should we write explanations in the change section of the 5157 or write it on the cover letter?

Begin with the 5157 but if you need to explain further you may certainly do so in your cover letter.

14. DSS-1515

Do foster parents need to have a land line if they have a cell phone?

Land lines are not a necessity. Cell phones can be used. They must work throughout the house. The family must have a reliable way to get emergency assistance when they need it. If fire inspectors do not feel that cell phones are reliable in certain locations and they check "no" to Question 4 on the 1515, the foster home will not be approved.

How often does the fire inspection need to be completed?

The 1515 was updated 2/1/10. The new 1515 has no expiration date, so it needs to be completed at relicensure.

15. Visits Required for Licensure

How many visits are required for licensure?

From 10A NCAC 70E.0802: "The family shall be seen by the social worker in the family's home and in the supervising agency's office. For two-parent homes, separate as well as joint discussions with both parents shall be arranged." See the rule for a full description. Talking with the applicant's birth children

alone is also STRONGLY encouraged. You need to assess how all family members will be affected by, and how they might affect, children being placed in the home.

The licensing worker can use her professional judgment to decide when and where individual and group visits take place, and how many additional visits might be needed for each family. (For example, you might meet with a mother at 4 pm, then with the father when he comes home at 5. Or you may have each parent spend time alone with you in your office while the other fills out paperwork or reviews literature.) Different and important issues and impressions arise when a family is seen in the comfort of their own home versus in an office setting. You need enough information to make a decision about whether you can vouch for the family as a safe and appropriate home for children in foster care.

You will also need to document on Part V of the 5016 where the visits occurred and who was present. You can also list visits with children on Part V. Do not include training contacts, phone contacts, etc.

Do we need to ask the parent for permission to speak with their child alone correct?

It is best practice to ask parents' permission as a sign of respect. However, if a parent refuses to let you speak privately with their children, or seems overly concerned about it, this is serious red flag that suggests they may not be appropriate foster parents.

What age is appropriate for interviewing a child?

Each child needs to be assessed based on his or her developmental level. 10A NCAC 70H .0405 (adoption preplacement assessment requirements) states: "There shall be separate face-to-face interviews with each member of the household ten years of age or older."

Exactly where do we document on the application that we have talked with the children?

It fits well under skill 12 and in the section about parenting. You can include notations such as, "During a conversation with Tommy separate from his parents, he noted that he is excited to have a new brother or sister." You need to list visits on Part V of the 5016.

16. Training Questions

Does CPR need to stay up-to-date or only before initial placement?

70E .1117 (4): "Training in first-aid, cardiopulmonary resuscitation (CPR) and universal precautions such as those provided by the American Red Cross, the American Heart Association, or equivalent organizations shall be provided to foster parents before a foster child is placed with the foster family. Training in CPR shall be appropriate for the ages of children in care. **First-aid, CPR, and universal precautions training shall be updated as required by the American Red Cross, the American Heart Association, or equivalent organizations** {emphasis added}. The supervising agency shall ensure that family foster parents and therapeutic foster parents are trained in medication administration before a child is placed with the foster family."

If an employee has taken MAPP as a train the trainer, are they required to take MAPP to get licensed as a foster parent?

No.

17. Lapsed Licenses and Liability for Payment

If a license expires before the paperwork is returned to the worker to complete and sent to Black Mountain, does the license become retroactive? How is payment handled?

If a license expires before a new license has been issued, the placement becomes an unpaid placement and is not eligible for any state or federal foster care or Medicaid funding. Depending on the terms of the placement contract, a private agency provider may be held liable for any payments made by the county DSS agency. From 10A NCAC 70E .0704(d): "If materials are submitted after the foster home

license expires, a license, if approved, shall be issued effective the date the licensing materials are received by the licensing authority.”

18. Family Configuration

If a family is a blended family and one of the parents share custody of their child(ren) with their former spouse are they considered an appropriate parent for fostering?

This individual is not automatically ruled in or out. The licensing worker will need to do a careful assessment reflected in the Mutual Home Assessment (Family History and 12 Skills). What does sharing custody mean? How often are the children with the applicant? What is their relationship? How involved is the applicant with the children?

I have a new parent that is married and the husband is a long distance truck driver. What is the process for completing that license?

The husband has the same licensing requirements as his wife, so all of the licensing elements will have to be coordinated when he is available.

What about a spouse who is on an extensive deployment. Are they required to apply as an additional household member or should we submit a waiver?

List as a household member.

If a couple is separated, can one of them go through the process and be licensed, and then we do the licensing process with the other spouse if he or she returns to the home?

If a couple separates, you need to wait at least a year before considering either of them as foster parent applicants. Hopefully within a year they will have made final decisions about their marital status.

If an engaged couple is living together who is licensed in the home as the primary foster parent?

There is not a designation of primary foster parent. Both individuals will have to go through the licensing process and be listed as foster parents in the 5015. The male is listed in Block 7 and the female is listed in Block 14.

19. Miscellaneous

Can DSS employees who work in other parts of the agency be licensed?

It is especially important to show that a conflict of interest does not occur in situations such as your describe. We can consider this on a case-by-case basis depending on the size of the agency and the position held by the employee. We advise that you contact one of the licensing consultants to discuss specific situations.

What was the guidance provided about special situations with potential foster parents?

Agencies should wait at least one year before considering applicants for foster care if the applicants have experienced some major changes or crises in their lives. This includes but is not limited to death of a spouse, death of a child, death of someone they were really close to, divorce, separation, marriage, birth of a child, loss of a job, arrests, criminal convictions (including traffic violations, DWI, etc.,). Good social work judgment is essential in discussing life changing situations with applicants and helping them understand the decision about being a foster parent needs to be delayed for at least a year or longer depending on the situation.