

Follow-up Document from the Webinar

Successful Foster Home Licensing

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Be sure to consult the handouts for this webinar, which contained valuable information. Presenters particularly emphasized the importance of looking at pages 3, 5, and 16 of the handouts. You will find these handouts at the following location:

http://www.ncswlearn.org/ncsts/webinar/handouts/5_Webinar%206-15-10%20Handouts.pdf

Questions and Answers from 6/15/10 Webinar

I. DSS-5015 Questions

What is the proper way to fill out the education field (page 2, item 10) on the 5015?

Post secondary years should not be added to the high school years. Put 2 years for an Associate degree or 4 years for a four year college degree.

If a sibling group is placed together and it goes over the capacity, do we need to change the capacity?

The action you are requesting is a change in capacity. If the capacity change goes over the maximum number of children allowed according to the administrative rules, a waiver is required. (See also the response below under the "Waivers" category.)

Do we hand write our 5015 for a transfer?

Yes, the agency receiving the foster home will need to type or write a new 5015. If you don't have the capacity to type it, then write legibly. The PDF form on the website can be typed, however it cannot be saved. <http://info.dhhs.state.nc.us/olm/forms/dss/dss-5015.pdf>

2. DSS-5157 Questions

Do you have to complete a 5157 if you are transferring agencies?

Typically, no. You only need to submit a 5157 with a transfer if there is a change as well.

If you don't have to send in a 5157 for a transfer, how do we show you that we know the family?

You must complete a brief mutual home assessment on any family that you request a transfer on. Please add that your agency has contacted the previous agency and discuss what the previous agency reported to you about the family.

Do we have to do the 12 skills assessment for transfers?

You are not required to document the 12 skills for a transfer. If you do submit that, please do not copy the previous agency's assessment. That is already in our files. Some agencies do the 12 skills according to their own policy at transfer; that is fine. Please send updated information such as the reason the family wants to transfer, what their fostering experiences have been since the last time they were licensed, their concerns, etc.

How do you handle a transfer when the previous agency has gone out of business and there is no way to obtain the required documentation?

Communicate with the Regulatory and Licensing Services office when this happens. When an agency goes out of business we are usually aware of it and are working toward assisting the families that are licensed to locate a new agency, especially when there are children in the home.

Do we have to send the mutual home assessment if we answer all of the questions on the 5157?

This question is unclear. The 5157 doesn't contain the same information as a mutual home assessment. If the action request is for a transfer yes, you need to do a mutual home assessment. If the action request is a relicensure you should do the biennial update for your files but you do not have to send this information to the Regulatory and Licensing Services office.

In therapeutic foster care, good agencies have relationships with kids based on gathering assessment information and providing treatment. Does the Division have thoughts on the effect of this child's treatment when a foster parent decides to transfer their license for reasons such as money?

We are very concerned when the primary motivation to foster is based on financial gain. This is the basis of the rules regarding the family's ability to show financial stability. However, foster parents have the right to choose their supervising agency. Parents, guardians, or custodians also have the right to choose the supervising they want to work with.

Is a transfer date retroactive? What is the length of time you are able to back-date a license transfer?

The transfer date may be retroactive for a short period of time. The key is that the two agencies agree on a date and that date needs to be on the first day of the month. The Regulatory and Licensing Services office will determine the date the transfer occurs if an agreed upon date is not stated in the cover letters from the two agencies involved. It is preferable if the date is a future date so that the current agency knows that they are responsible to supervise the home until it is actually transferred. Otherwise there may be a period of time that the home is not being supervised and no one is aware of that.

The 5157 is not an interactive form - it downloads as a PDF and we cannot type/edit it.

If anyone needs the Word format of the 5157 or 5016 please send an email request to Nicole.jensen@dhhs.nc.gov or Rhoda.Ammons@dhhs.nc.gov.

If adding a new adult to the household, do we submit a change form or wait to report it at relicensing?

You need to send a change form. You also need to send a fingerprint clearance letter, physical (5156), TB test results, Foster Home Medical History Form (5017), results of local criminal record checks, NC Department of Corrections Offender Information, NC Sex Offender and Public Protections Registry, Health Care Personnel Registry, NC Child Abuse and Neglect History, and Central Registry Checks (Child Abuse and Neglect) from other states if the adult household member has not lived in NC the past five years.

When do capacity change requests become effective?

Capacity changes are effective on the date that it is stamped as received in the Regulatory and Licensing Services office. If an emergency placement must be made during non-business hours you may call and discuss this at the earliest possible time after business hours resume.

3. DSS-1515 Questions

I have 4 new licenses to send in next week but did not have the new fire inspection form. Do I have to have the foster parent redo the whole form?

Please call and discuss this individually. The newest fire inspection forms have been available since February 2010. Workers need to assure that the fire inspectors have a supply of them and that they understand the changes that have been made to them, particularly the questions about use of extension cords and carbon monoxide detectors. Remember that an answer of “no” to any of the questions indicates that the license will not be approved. If the family does not use extension cords at all the appropriate answer is “N/A”.

Are there specific topics that need to be addressed concerning the building codes?

There are no additional requirements beyond the information on the 1515 and 5150.

If the inspector marks “no” on #1, how do we handle that prior to sending it in to you? We have had some difficulty getting fire inspectors to make corrections on this form.

You can document that this is an error and that the question was misunderstood, if you have personal knowledge that this is the case. You may have to make a home visit in order to verify that the foster home uses extension cords properly. Please do not ask the fire inspectors to change the forms. It is important to educate fire inspectors about rules and new forms. Be respectful of their time and schedules and develop a good working partnership with them. These are courtesy inspections and we want them to continue to do them for us.

Will you clarify for me the current requirement for fire extinguisher type and size?

A working, mounted “ABC” fire extinguisher(s), with a rating not less than 1-A shall be installed and readily available in the residence. Fire inspectors will make the determination that the foster home has acceptable fire extinguishers.

In some counties, foster parents are charged as much as \$75.00 for a fire inspector to return to the foster home to complete the form correctly.

We do not want you to have homes inspected again if a question is misunderstood. You can provide written documentation to show that those particular requirements have been met if you have knowledge of that yourself. If you do not have personal knowledge you must make a visit to the foster home and verify that the requirement has been met.

Do the fire inspectors get training on how to fill out the forms from the state?

Fire inspectors get training on many things from different sources. It is the responsibility of the supervising agencies to provide information to the fire inspectors related to completing the 1515. It is

also the supervising agency's responsibility to make sure the form is filled out correctly before sending the packet to the Regulatory and Licensing Services Office. This is also true of the medical forms and any other forms in the licensing request packets.

Telephone can be a cell phone, correct?

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.

What if a therapeutic foster parent is transferring and has a copy of the fire inspection form which was completed within the last 6 months? Must the home be re-inspected?

If the home is transferring and there is not a change in residence, there is no need to do a new fire inspection unless the previous agency has not kept this up to date.

4. DSS-5150 Questions

I have had at least one family that had an old home and did not have ventilation in their bathroom, so I was not able to check "yes" for #11. Would that cause a licensing problem?

Yes: if they don't have the proper ventilation they cannot be approved.

5. DSS-5017 Questions

When a foster child has been adopted by foster parents, do we submit 5017 & 5156 at that time, or at relicensure?

Please send a change adding the adopted children.

Is the 5017 required for re-licensing, or just initial licensing?

Form 5017 is required at initial licensing. Form 5156 is required at relicensing. The supervising agency should compare the 5156 and with the initial 5017 to determine if there have been changes. If changes have occurred, provide an explanation concerning the changes.

Can a family submit a physical on another form from their physician within the 12 months?

We prefer that our forms be used. If the family would have to pay for another physical you should check the form they have and highlight where the questions on the DSS form have been answered. If all the questions on the DSS form have been answered we may approve the form. Foster parent applicants should be encouraged to take the physicals seriously. When possible they should have these done at their regular physician's office rather than going to a medical provider who is not familiar with the applicant.

Sometimes it is hard to get the original form from the doctor but they will fax them to the agency. Will this fax copy cause the Consultant to return the application to us?

Try to get the original. We have to be able to read the information.

4. DSS-5156 Questions

Is it required to type the 5156?

No.

If a foster parent has a TB test prior to 1 year mark of licensing, is that acceptable?

The medical provider will need to make this determination.

When relicensing the parents do not need to have TB tests redone, correct?

Correct. TB tests are not required for relicensing.

At initial licensure, are children required to get TB skin tests?

Children are only required to get a TB test if someone in their home has tested positive.

We are having 5156's where the doctor is not putting the date of examination but has signed the physical form. In most cases it is the actual date of the exam. What is acceptable in that case?

Have your foster parents request the physician write in the date of exam.

Do foster parents have to list all of their medications?

No. Foster parents are not required to list their medications.

What specific types of diagnosis (medical or mental health) require a follow up letter from the doctor/therapist, etc.?

There is not a definitive answer for this question. Good social work judgment on the part of the licensing worker is essential. Does the medical or mental health condition affect the safety and well being of a child? What is your agency's liability if you do not have a complete understanding of the medical or mental health condition?

5. DSS-5016 Questions

For TFC, do both parents have to have a GED or high school diploma?

North Carolina foster parents are not required to have a GED or high school diploma. North Carolina's licensing rule (10A NCAC 70E .1104 Criteria for the Family, *Amended Eff. November 1, 2009*) states: "Foster parent applicants shall have graduated from high school or received a GED (Graduate Equivalency Diploma) or shall have an ability to read and write as evidenced by their ability to administer medications as prescribed by a licensed medical provider, maintain medication administration logs and maintain progress notes."

Doesn't DMA require that therapeutic foster parents have a high school degree?

The proposed Therapeutic Family Services definition states that therapeutic foster families shall meet the requirements of 10A NCAC 70E. This means the TFC family does not have to have a high school degree or GED but has the ability to read and write as evidenced by their ability to administer medications as prescribed by a licensed medical provider, maintain medication administration logs and maintain progress notes. The final approval for the new definition has not been received from CMS; however, most LME's have accepted this criterion.

Can you clarify the rule on the safe guarding of swimming pools and ponds?

We think 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.

If in the past foster parent applicants have had many traffic violations and we are unable to list them all on the form—what do you do then?

The form is interactive. You can list them all. If you have multiple offenses you need to take this into consideration when deciding to recommend the family for licensing. Multiple traffic violations usually demonstrate lack of judgment and a basic disregard for obeying laws, rules, and regulations.

When listing the criminal record, do we list everything, or only charges/convictions in the past 10 years?

List everything. Put dates of charges and convictions.

Must we justify why we are recommending someone for licensure if they have a conviction for something in the distant past? Even if the conviction is for something minor?

Even long-ago, “minor” convictions can be relevant to child safety and well-being. The Licensing Office needs sufficient information to be assured that issues in the past have been addressed and this person is now a safe, appropriate person to care for a child.

Do new adults in the home need to be MAPP trained?

New adults are not required by our Rules to have MAPP training unless they will be licensed as foster parents. However, each adult in the home has the capacity to serve as a foster parent and you need to make a careful determination regarding their care and supervision of foster children. If they have responsibilities for the care and supervision of foster children they will need preservice training and will need to be licensed as a foster parent.

If a person gets married after they are licensed, will the spouse have to be licensed?

Yes, see 10A NCAC 70E.1104 (e). Whether married or not, when a new adult moves into the home consideration needs to be given to whether they are going to be fostering. If it is a new spouse or significant other it is assumed that they will be fostering. It is important to discuss this issue when training foster families, especially single foster parents. They should be making plans prior to the marriage for the future spouse to have criminal record checks and other eligibility requirements. Even when other adults are spending significant amounts of time with the foster children such as when a single foster parent is dating, the agency should know about this and should advise the family about what processes need to occur. The risks of unknown backgrounds of people spending significant periods of time with children are obvious and should be taken seriously by agencies. Often substantiated CPS reports on foster parents involve someone in the home other than the foster parent who was the actual perpetrator.

How long can an adult visit before background checks are needed and they are considered a member of the household? Do you count college-age children who visit on weekends and summer? What about medicals for them?

The answer to this question depends on the situation and who the adult visitors are. There is not a rule or policy that gives a definitive answer. Good social work judgment on the part of the licensing worker is essential. Foster parents should be able to be like any other parent and have family members and friends visit for periods of time. It is important to emphasize to foster parents that they are responsible for the protection of foster children and they should be cautious about whom they allow in their homes. Boyfriends, girlfriends, significant others who stay at the foster home on a regular basis should have criminal record checks, fingerprint checks, medicals, etc. If this occurs with multiple people, perhaps this is not the appropriate period of their life to be foster parents. College-age children home for weekends and summers should be listed on the 5015 under Other HH members 18 years of age or older and have fingerprint checks, criminal record checks, medicals, etc.

If a family has an in-home daycare that is licensed for five, but do not take that many children, can they still be licensed as a foster home?

No, as long as they are licensed for day care the number of children stated on their day care license will be counted in capacity. Therefore, if their license is for 5 day care children they are not eligible to be foster parents.

A home cannot be licensed for TFC if they have an in-home daycare, correct?

Correct.

Can a daycare home be approved for weekend respite care when they do not have daycare children?

No, it is the total number of children in the home that determines the capacity, not the period of time that they are present. It is important to note that there are no specific rules or regulations relating to respite care. Children receiving respite care are considered foster children and the foster home must meet all the requirements for a licensed foster home.

Can you give some direction regarding previous agencies sharing information to the new agency when a parent transfers? What is their obligation? What should the new agency do if the old agency is not willing to share information?

Rule 10A NCAC 70E .0805 requires all agencies to complete a biennial reassessment of the foster home. This reassessment shall include a mutual assessment with the foster parents of their skills and abilities to provide care for children, including ways in which they have been able to meet the needs of children placed in their home and areas in which they need further development. The reassessment also documents changes in physical set up as well as the foster parents' capacities for providing foster care since the original home assessment or previous reassessments. The previous agency should provide the latest reassessment to the new agency.

Is there anything that will let us know that the foster parent has been with five other agencies if the family is not forthcoming?

There is nothing automatic that would show that. You should be clear with the family that the information exists. Encourage them to be up front about this because the Regulatory and Licensing Services office will have that information. If you strongly suspect that they have been with multiple agencies you can request this information from us. Please don't request this unless you are seriously considering the family for transfer and you suspect they are not forthcoming.

Is contact information available for other supervising agencies, so that if a foster parent has been licensed before the previous agency can be contacted?

You can find contact information for all private, licensed, child-placing agencies in North Carolina at the following URL: <http://www.dhhs.state.nc.us/dss/licensing/docs/cpalistfostercare.pdf>

Is it OK for providers to share drug screening results with each other if that foster parent has been terminated by your agency for a positive drug screen?

The family will need to sign a release that specifically gives authority to share information about drug screens.

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.

Local clerks of court records are required.

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

Go to this web site:

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

Physical Restraints questions 1-4. Single parents cannot physically restrain children. Is the answer to these questions N/A?

Single foster parents can restrain children if there is a second trained adult available. See 10A NCAC 70E .1103 (e)(6)(A) for waiver information. If a second trained adult is not available and the supervising agency does not request a waiver, you will still check “Yes” to Item C (Physical Restraints), statement (3) because you are stating foster parents understand they cannot use physical restraints unless there is a second trained adult available or a waiver has been granted. Please remember that this answer applies only to supervising agencies that utilize physical restraints. If your agency does not use physical restraints the answer is “N/A”.

Can we do 3 visits in the home and one visit in the office, as opposed to 2 in the office and one in the home?

Yes. See 10A NCAC 70E .0802 for requirements related to office and home visits.

Can the agency make foster parents pay for their own criminal background checks?

The supervising agency has the discretion to require foster parents to pay for criminal background checks. However, if I was applying to be a foster parent I would find an agency that does not require me to pay for criminal background checks.

If we are using an adoptive home assessment, do we include that instead of filling in the MHA info on the 5016?

The preplacement assessment (adoptive study) can only be substituted for the Family History. You must address all 28 items that are required in a preplacement assessment (10A NCAC 70H .0405). Number each of these items 1—28.

It says background checks need to be dated within 180 days of receiving the packet at the Licensing Office. Is this referring to the Fingerprint letters?

No. This does not refer to the fingerprint letter.

Do we do a complete Mutual Home Assessment for relicensure or just the 12 skills with any updates?

At relicensure please complete a two-year summary and keep it in your files.

If a family lives in public housing and/or receives public assistance (unemployment, Work First, Food Stamps, Medicaid and Section 8 vouchers), can they be foster parents?

Yes. You need to make an assessment of all applicants regarding the amount of their income each month as compared to their monthly expenses. Are they financially stable without the foster care payment?

Is there a rule number stating foster parents have to be working? What if they are therapeutic and this is their main source of income?

Applicants have to show financial stability without the foster care payment. Foster care payments are not guaranteed monthly income and therefore cannot be the family’s sole income. Be cautious that foster parents do not sabotage reunification efforts in order not to lose their funding.

Can we find out if child support is owed if it's not reported by the applicant?

The Child Support Enforcement Section within the Division of Social Services is researching this question.

Please clarify skills number 3 and 4. Number 3 says “identify” and 4 says to build on them.

See page 20 of *A Supplemental Guide to Foster Home Licensing*:
<http://www.ncdhhs.gov/dss/licensing/docs/Guide-03-16-09.pdf>

Should we be asking how serious a dating relationship is so that we can do a criminal background check?

Yes. If the foster parent and/or foster children are spending significant amounts of time with someone background checks should be done. Although we don't want to be unnecessarily intrusive, it is important to remember that our children are living in these homes and questions need to be asked that will protect them. Foster parents should understand that up front. We have a right to know who is in regular contact with foster children. If foster parents are uncomfortable with this, perhaps it is not a good time for them to be foster parents.

Can you write in "no findings" if there were no findings under the criminal history?

Yes, if there are no findings, write "no findings" for each adult in the home.

What are you looking for in the emotional stability and maturity question?

How the individual has handled adversity in their lives, how they have handled conflicts, how long their marriage has lasted, how long they remained employed in a job unless moves were upgrades, how they deal with stress—all these are examples of issues that can be described behaviorally. There are many others.

Is just a "yes" OK for the ability to give and receive affection?

No. We want examples of how they give and receive affection.

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 identified needs in some areas or there is no ability to grow, or someone isn't being completely honest.

Please clarify when we put a comment on Section X, Item A (under the grid).

Review the 5017 and 5156 to determine whether the foster parent or medical provider has indicated a medical or mental health problem. All mental health issues need to be addressed in this section on the 5016. Major/significant medical problems will need to be addressed.

6. Waiver Questions

Have you seen any correlation between substantiations and waivers?

No. We consider waivers carefully and ask for specific information. We put the supervising agency in the position to do the same and to show how they will support the family. We have not seen waivers adversely affecting children.

When are waivers necessary?

Waivers should be viewed as rare and temporary. The vast majority of waivers are done to keep sibling together or to place children with relatives. They will only be granted for non-safety issues. Two rules that cannot be waived are criminal record checks and training. These are in state statutes. We might give a provisional license for training to occur within a certain period of time not to exceed 6 months, but this would only be approved for a relative or kinship placement.

Please talk about waiver requests related to capacity for sibling groups.

The rule related to this is clear. See Item C of 10A NCAC 70E .1001.

7. Miscellaneous Questions

Where can I find NCDSS forms so I am sure to use the latest version?

The NCDSS forms site URL is: <http://info.dhhs.state.nc.us/olm/forms/forms.aspx?dc=dss>

Will child placement agencies ever be able to bill directly for Level II services without going through the LME / having to get a Medicaid pass-through?

LME's need to answer this question.

Is there any way we can get around the fact that a foster parent is a relative of a DSS employee? In small counties, everyone is related!

DSS employees can be licensed by another agency. 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.

Any word on when the new therapeutic foster care service definition goes into effect?

No.

I have been told that Bloodborne Pathogens and Nonviolent Crisis Intervention are one-time trainings, as long as ongoing training is continued in a child specific manner. Is that your understanding as well?

Please review 10A NCAC 70E.1117 (3) through (8) and 10A NCAC 70E.1103 regarding training for physical restraints. North Carolina Interventions has requirements about how often this training should be obtained and these must be followed. The following website should be helpful:

<http://www.dhhs.state.nc.us/mhddsas/training/rscurricula/agencylist10-18-06web.pdf>

The Administrative Rules do not require that Bloodborne Pathogens training be repeated, but agencies should always continue to assess their foster parents' retention of information and particularly any information that can affect the foster children's or their own health.

Keeping updated with CPR and First Aid training is challenging; is there a grace period when this expires?

Planning ahead is always important with training, relicensing, and other parts of the licensing process.

When agencies are monitored for compliance for training the spirit of the law is more important than the letter of the law in relation to dates that these trainings have taken place. However, they should be completed as closely as possible to the expiration dates.

When a therapeutic foster family goes on vacation with their foster child, how do we handle the supervision requirement?

Review 10 A NCAC 70G.0503(s) regarding supervision requirements. When there are extenuating circumstances you may not be able to provide this supervision in the home. Case scenarios will be different and agencies should plan how they will meet the supervision requirements while taking into consideration the needs of the child and the foster family. There will not be any problems from a licensure perspective as long as there is documentation in the child's record that reflects the child was on vacation with the family. You may want to check with your LME to see how they handle these situations.