



North Carolina Department of Health and Human Services Division of Social Services

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January 16, 2002

DEAR COUNTY DIRECTOR OF SOCIAL SERVICES AND CHILD-PLACING AGENCY DIRECTOR

Subject: Rule Changes to Foster Home Rules

The purpose of this letter is to provide you with information regarding the recent changes to the foster home licensing rules that will become effective February 1, 2002. Foster homes must come into compliance with these rules at the time of their license renewal. A copy of the revised rules is attached for your information.

The Office of Administrative Hearings requires that these rule changes be shared immediately with all family foster parents (not including therapeutic foster parents). Consequently, we have mailed a copy of this letter and attachment to all foster families licensed by the Division of Social Services and are requesting that you assure that they have received it.

- 41F .0601 changes format of "Family Foster Home" definition and adds definition of "Agency".
- 41F .0602 updates reference to and other info about the Building Code and removes age range limitations of children placed in the home.
- 41F .0701 reconceptualizes "care of children" into the context of "client rights of children" and adds protections for children that are consistent with client rights rules found in 41S (residential child care facilities).
- 41F .0702 removes length of marriage requirement, upper age of foster parents requirement and prohibition of agency employees, Social Services Board members, County Commissioners serving as foster parents.
- 41F .0704 clarifies and updates Building Code requirements and references. Adds requirement for a smoke detector to be placed outside each bedroom within 10 feet of the bedroom door, adds requirement for home's heating, air-cooling or ventilating capacity to maintain home temperature between 65-85 degrees, adds requirement for toilets, baths and kitchens without operable windows to have mechanical ventilation to the outside and adds requirement that children have privacy dressing, bathing and using toilet facilities.
- 41F .0707 changes automatic ineligibility of licensure to potential ineligibility of licensure based on the criminal record check.
- 41F .0708 changes automatic revocation of a license to possible revocation of a license based on substantiations of abuse or neglect.

- 41N .0101 adds requirement for staff in child-placing agencies that intend to provide mental health treatment services to comply with mental health rules regarding competencies, supervision and training of staff, assessment of clients, having a treatment plan for each client and maintaining client records.
- 41N .0203 adds requirement for child-placing agency boards to maintain board minutes permanently.
- 41N .0212, .0213, .0214, .0215 and .0216 adds requirements for child-placing agencies to have policies addressing confidentiality, client rights, grievance procedures and searches that are consistent with rules found in 41S (residential child care facilities) and adds requirements for agencies to have policies addressing medication administration (SL 2001-424).

Thank you for your assistance in assuring that every foster parent has received a copy of this letter and the new rules. If you have questions about any of these changes, please contact Elsie D. Roane at (919)733-4622 or e-mail her at elsie.roane@ncmail.net.

Sincerely,



Charles C. Harris, Chief
Children's Services Section

CCH/edr

Attachments

CC:	Pheon Beal	Sherry Bradsher
	Paul Lesieur	Gary Fuquay
	Children's Services Program Representatives	Local Business Liaisons
	Austin Connors	Team Leaders

CS-04-2002

SECTION .0600 – DEFINITIONS

10 NCAC 41F .0601 DEFINITIONS

The following definitions shall apply to the rules in Subchapters 41F, 41N, 41O and 41P:

- (1) Family Foster Home means a place of residence of a family, person or persons licensed to provide full time foster care services to children under the supervision of a county department of social services or a licensed private child placing agency, and which meets the regulations regarding family foster home capacity set forth in Rule .0602 of this Section.
- (2) Agency means a county department of social services or a private child placing agency that is duly authorized by law to receive children for purposes of placement in family foster homes or adoptive homes.

*History Note: Authority G.S. 131D, Art. 1A; 143B-153;
Eff. July 1, 1982;
Temporary Amendment Eff. February 1, 2002.*

10 NCAC 41F .0602 FAMILY FOSTER HOME: QUALIFICATIONS

(a) Not more than seven children may be provided care in any family foster home at any given time. These seven children shall include the foster parent's own children, children placed for foster care, day care children or any other children.

(b) Not more than five children placed for foster care shall reside in a family foster home at any one time. With prior approval from the Children's Services Section, additional children may be placed if the agency submits to the licensing authority:

- (1) Written documentation that the family foster home meets the fire and building safety standards of the North Carolina State Building Code applicable for the number of children in the home. The North Carolina State Building Code is hereby incorporated by reference including subsequent amendments and additions. The North Carolina State Building Code may be obtained from the North Carolina Department of Insurance, Code Council Building, 410 North Boylan Avenue, Raleigh, North Carolina 27603 at a cost of one hundred eighteen (\$118.00) dollars.
- (2) Written documentation addressing the foster parents skill, stamina, and capacity to care for the children.

(c) Members of the household 18 years old and over are not included in capacity, but there must be physical accommodations for all persons in the home.

*History Note: Authority G.S. 131D, Art. 1A; 143B-153;
Eff. July 1, 1982;
Temporary Amendment Eff. February 1, 2002.*

SECTION .0700 – STANDARDS FOR LICENSING

10 NCAC 41F .0701 CLIENT RIGHTS AND CARE OF CHILDREN

The foster parents shall ensure that each child:

- (1) has clothing to wear that is appropriate to the weather;
- (2) is allowed to have personal property;
- (3) is encouraged to express opinions on issues concerning care;
- (4) is provided care in a manner that recognizes variations in cultural values and traditions;
- (5) is provided the opportunity for spiritual development and is not denied the right to practice religious beliefs;
- (6) is not identified in connection with the agency in any way that would bring the child or the child's family embarrassment;
- (7) is not forced to acknowledge dependency on or gratitude to the foster parents;
- (8) is encouraged to contact and have telephone conversations with family members, when not contraindicated in the child's treatment or service plan;
- (9) is provided training and discipline that is appropriate for the child's age, intelligence, emotional makeup and past experience;
- (10) is not subjected to cruel, severe, or unusual punishment;
- (11) is not subjected to corporal punishment;

- (12) is not deprived of a meal or contacts with family for punishment or placed in isolation time-out except when isolation time-out means the removal of a child to a separate unlocked room or area from which the child is not physically prevented from leaving. The foster parent may use isolation time-out as a behavioral control measure when the foster parent provides it within hearing distance and sight of another foster parent. The length of time alone shall be appropriate to the child's age and development;
- (13) is not subjected to verbal abuse, threats, or humiliating remarks about himself or his family;
- (14) is provided a daily routine in the home that promotes good mental health and provides an opportunity for normal activities with time for rest and play;
- (15) is provided training in good health habits, including proper eating, frequent bathing and good grooming. Each child shall be provided food with appropriate nutritional content for normal growth and health. Any special diets recommended by a physician must be provided;
- (16) is provided medical care in accordance with the treatment prescribed for the child;
- (17) of mandatory school age maintains regular school attendance unless the child has been officially excused by the proper authorities;
- (18) is encouraged to participate in neighborhood and group activities, to have friends visit the home and to visit in the homes of friends;
- (19) assumes some responsibility for himself and household duties in accordance with his age, health and ability. Household tasks shall not interfere with school, sleep, play or study periods;
- (20) is not permitted to do any task which is in violation of child labor laws or not appropriate for a child of that age;
- (21) is provided supervision in accordance with the child's age, intelligence, emotional makeup and past experience; and
- (22) if less than six years of age, is properly secured in a child passenger restraint system which is of a type and which is installed in a manner approved by the Commissioner of Motor Vehicles.

*History Note: Authority G.S. 131D-10.5; 143B-153;
Eff. July 1, 1982;
Temporary Amendment Eff. February 1, 2002.*

10 NCAC 41F .0702 CRITERIA FOR THE FOSTER FAMILY

(a) **Personal Qualities.** Foster parents shall be selected on the basis of having personal characteristics and relationships which will permit them to undertake and perform the responsibilities of caring for children, in providing continuity of care, and in working with a social agency. Persons who have been found to have abused or neglected a child by any agency duly authorized by law to investigate allegations of abuse or neglect may not be eligible for licensure as foster parents. Foster parents shall be persons:

- (1) who give a feeling of caring about others and being responsive to them;
- (2) who are able to give affection and care to a child in order to meet the child's needs;
- (3) who can enjoy being parents;
- (4) who have the capacity to give, without expectation of return;
- (5) who have worked out between themselves a satisfactory and stable marital relationship, without severe problems in their sexual identification, or in their relationship with each other;
- (6) who are able to maintain meaningful relationships, free from severe conflicts, with members of their own families as well as with others outside the families;
- (7) who have reputable characters, acceptable values and ethical standards conducive to the well being of children;

(b) **Family Attitude Toward Foster Care.** All members of the foster family must be in agreement with the decision to provide foster care services.

(c) **Age.** A new family foster home license may be issued to persons 21 years of age and older.

(d) **Health.** The foster family shall be in good physical and mental health as evidenced by:

- (1) a physical examination completed by a physician, physician's assistant or a certified nurse practitioner on each member of the foster family household within at least three months prior to the initial licensing and every other year thereafter;
- (2) documentation that each member of the household has had a TB skin test or chest x-ray prior to initial licensure and a TB skin test annually thereafter, a medical history form must be completed on each member of the foster family at the time of the initial licensing and on any person who subsequently becomes a member of this household;
- (3) on years that a physical examination is not required a health questionnaire addressing the current physical and mental health of each household member must be completed by the foster family.

(e) Income. The foster family shall have a stable income sufficient for their needs without dependency upon board payments. The supervising agency shall discuss the family's income and expenditures and shall document on each licensing application/reapplication that this standard is met.

(f) Religion. The foster parents shall not deny the child the opportunity for spiritual development and the right to practice his religious belief.

(g) Employment of Foster Parent. Both foster parents may be employed if a suitable child care plan has been approved by the supervising agency.

(h) Adoption. With special permission from the Children's Services Branch Section, Foster Care Services, a foster home license may remain valid while foster parents are adopting a child:

- (1) Such permission must be obtained through a written request from the licensing agency and may include a request to continue placement of children in the home while the foster parents are adopting a child.
- (2) Written request for a foster home license to remain valid must document that the agency has given careful consideration to the effect new children will have on the child being adopted as well as how the new child or children will be affected.

(i) Agency Employees, Social Services Board Members, County Commissioners as Foster Parents. These persons may be licensed as foster parents if such licensure does not constitute a conflict of interest regarding supervision of children placed in the home. The agency decision shall be documented in the family's record.

(j) Foster Family Vacations Relative to Foster Children. Foster parents shall be allowed to take foster children on trips away from the foster home in accordance with the following:

- (1) If the foster child will be away from the home longer than overnight, the supervising agency must be notified.
- (2) If the child will be away longer than a week, permission must be given by the supervising agency.
- (3) In cases where natural parents remain in contact with their children, the parents are informed of the child's situation.

(k) Day Care and Baby Sitting Services in the Foster Home. With prior approval from the supervising agency, a licensed foster parent may keep day care children or provide baby-sitting services under the following conditions:

- (1) The foster home is not overcrowded according to the definition of capacity for family foster homes as set forth in Section .0600 of this Subchapter.
- (2) The foster parent continues to meet the requirements of Rule .0701 of this Subchapter.

(l) Day Care Centers Operated by Foster Parents. If a licensed foster parent operates or plans to operate a day care center, the following criteria must be met:

- (1) The foster family living quarters can not be part of the day care operation.
- (2) There must be a separate entrance to the day care operation.
- (3) Adequate staff in addition to the foster parents must be available to provide care for the day care children.
- (4) The foster parents continue to meet the requirements of Rule .0701 of this Subchapter.

(m) Relationship to Responsible Agency. Foster parents must agree to work constructively with the supervising agency in the following ways:

- (1) Work with the child and the child's natural family in the placement process when appropriate, return to natural family, adoption, or replacement process;
- (2) Work with direct service social worker in developing plans, and meeting the needs of the child and the child's family;
- (3) Accept consultation from social workers, mental health personnel and physicians and other authorized persons who are involved with the foster child;
- (4) Use staff development opportunities effectively;
- (5) Maintain confidentiality regarding children and their natural their parent(s);
- (6) Keep records regarding foster child's illness, behavior, social needs, school, family visits, etc.; and
- (7) Report to the agency immediately any significant changes in their and/or child's situation.

*History Note: Authority G.S. 131D-10.5; 143B-153;
Eff. July 1, 1982;
Amended Eff. May 1, 1990; July 1, 1983;
Temporary Amendment Eff. February 1, 2002.*

10 NCAC 41F .0704 PHYSICAL FACILITY

(a) Fire and Building Safety.

- (1) Each home shall be in compliance with all applicable portions of the NC Building Code in effect at the time the home was constructed or last renovated. The NC Building Code is hereby incorporated by reference including subsequent amendments and additions. The NC Building Code may be obtained from the North Carolina Department of Insurance, Code Council Building, 410 North Boylan Avenue, Raleigh, North Carolina 27603 at a cost of one hundred eighteen dollars (\$118.00), at the time of adoption of this Rule. Where strict conformance with current requirements would be impractical, or because of extraordinary circumstances or unusual conditions, the licensing authority may approve alternative methods or procedures, addressing criteria and functional variations for the physical plant requirements, when it can be effectively demonstrated to the licensing authority that the intent of the physical plan requirements are met and that the variation does not reduce the safety or operational effectiveness of the home.
- (2) All homes shall be reasonably protected from all fire hazards, included but not limited to the following:
 - (A) All hallways, doorways, entrances, ramps, steps and corridors shall be kept clear and unobstructed at all times;
 - (B) an evacuation plan shall be developed, and all persons in the home shall be knowledgeable of the plan;
 - (C) all homes shall have one smoke detector outside each bedroom that is within 10 feet of each bedroom door, with at least one smoke detector on each level and at least one five pound ABC type fire extinguisher;
 - (D) all homes shall have a telephone that functions without use of electric power.
- (3) Before a home is fully licensed, and annually thereafter, it must be inspected and receive a satisfactory rating on the fire and building safety inspection report completed by the local jurisdiction.

(b) Health Regulations.

- (1) All homes must meet the minimum sanitation standards for a residential care facility as set forth by the North Carolina Health Services Commission and codified in 15A NCAC 18A .1600 which is incorporated by reference including all subsequent amendments and editions. Copies of this Rule may be obtained from the Office of Administrative Hearings (OAH) Post Office Drawer 27447, Raleigh, NC 27611-7447, (919) 733-2678, at a cost of two dollars and fifty cents (\$2.50) for up to ten pages and fifteen cents (\$0.15) for each additional page at the time of adoption of this Rule.
- (2) Before a home not on public water and sewer systems, is fully licensed, and annually thereafter, it must be inspected by the county sanitarian and receive a satisfactory rating on the inspection form for residential care facilities.

(c) Environmental Regulations.

- (1) The home and yard shall be maintained and repaired so that they are not hazardous to the children in care.
- (2) The house shall be kept free of uncontrolled rodents and insects.
- (3) Windows and doors used for ventilation shall be screened.
- (4) The kitchen shall be equipped with an operable stove and refrigerator, running water and eating, cooking and drinking utensils to accommodate the household members, which are cleaned and stored after each use.
- (5) Household equipment and furniture shall be in good repair.
- (6) Flammable and poisonous substances, medications and cleaning materials shall be stored out of the reach of children placed for foster care.
- (7) Explosive materials, ammunition and firearms shall be stored separately in locked places.
- (8) Documentation that household pets have been vaccinated for rabies shall be maintained by the foster parents.
- (9) Comfort Zone: each home shall have heating, air-cooling or ventilating capability to maintain a comfort range between 65 and 85 degrees F.
- (10) Rooms including toilets, baths, and kitchens, without operable windows must have mechanical ventilation to the outside.

(d) Room Arrangements.

- (1) Family Room. Each home shall have a family room which shall be large enough to meet the needs of the family including children placed for foster care.
- (2) Kitchen and Dining Area. The kitchen shall be large enough for preparation of food and cleaning of dishes. The dining area shall be large enough to seat all members of the family including children placed for foster care.

- (3) Bedrooms. Bedrooms shall be clearly identified on a floor plan as bedrooms and shall not serve dual functions.
- (A) Space. Children shall not be permitted to sleep in an unfinished basement or in an unfinished attic.
- (B) Sleeping Arrangements.
- (i) No child two years of age or older shall share a bedroom with an adult.
- (ii) Each child shall have his own bed except:
- (I) siblings of same sex may share a double bed;
- (II) two children of the same sex and near the same age may at the discretion of the foster parents and supervising agency share a double bed, but only if the children so desire.
- (iii) Each bed shall be provided with a comfortable mattress, proper support, two sheets, blanket, and bedspread, and be of a size to accommodate the child.
- (iv) No day bed, convertible sofa, or other bedding of a temporary nature shall be used except for temporary care of up to two weeks.
- (v) Sleeping room shall not be shared by children of opposite sex. If exceptions are necessary, these shall be only for children age five and under.
- (vi) Sleeping arrangements shall be such that space is provided within the bedroom for the bed, the child's personal possessions and for a reasonable degree of privacy.
- (vii) When children share a bedroom, consideration shall be given to the ages of the children. It is recommended that a child under six should not share a room with a child over 12. No more than 4 children shall share a room.
- (C) Storage. Separate and accessible drawer space for personal belongings and sufficient closet space for indoor and outdoor clothing shall be available for each child.
- (4) Bathrooms. The home shall have indoor, operable sanitary toilet, hand washing, and bathing facilities. Homes shall be designed in a manner that will provide children privacy while bathing, dressing and using toilet facilities.

*History Note: Authority G.S. 131D-10.5; 143B-153;
Eff. July 1, 1982;
Amended Eff. May 1, 1994; May 1, 1990; July 1, 1983;
Temporary Amendment Eff. February 1, 2002.*

10 NCAC 41F .0707 CRIMINAL HISTORIES

- (a) An applicant shall not be eligible for licensure if the applicant, or any member of the applicant's household 18 years of age or older, refuses to consent to any criminal history check required by G.S. 131D, Art. 1A.
- (b) An applicant may not be eligible for licensure if the licensing authority determines based on the criminal history, that the applicant or any member of the applicant's household 18 years of age or older is unfit to have responsibility for the safety and well-being of children.

*History Note: Authority G.S. 131D-10.5; 143B-153;
Temporary Adoption Eff. January 1, 1996;
Eff. April 1, 1997;
Temporary Amendment Eff. October 28, 1997;
Amended Eff. April 1, 1999;
Temporary Amendment Eff. February 1, 2002.*

10 NCAC 41F .0807 REVOCATION

- (a) Licenses may be revoked when an agency duly authorized by law to investigate allegations of abuse or neglect finds the foster parent has abused or neglected a child.
- (b) Revocation of a license may occur when the foster family home is not in compliance with minimum licensing standards, and it is determined that compliance cannot be accomplished within established time limits.
- (c) Foster parents must be made aware of the reasons for the agency's decision to revoke a license.
- (d) Foster parents must submit their license to the agency for it to be returned to the Division of Social Services, Children's Services Section.

(e) Appeal procedures specified in 10 NCAC 41A .0107, WAIVER OF LICENSING RULES AND APPEAL PROCEDURES, shall be applicable for persons seeking an appeal to the Department's decision to revoke a license.

*History Note: Authority G.S. 131D-10.5; 143B-153;
Eff. July 1, 1982;
Amended Eff. July 1, 2002; May 1, 1990; February 1, 1986;
Temporary Amendment Eff. February 1, 2002.*

SECTION .0100 – GENERAL

10 NCAC 41N .0101 SCOPE

The rules in this Subchapter apply to persons defined in 10 NCAC 41N .0202(b) who receive children for the purpose of placement in family foster homes, adoptive homes, and who operate residential maternity homes. In addition, if the persons defined in 10 NCAC 41N .0202(b) provide behavioral mental health treatment services, the rules in 10 NCAC 14V .0203, .0204, .0205 and .0206 shall apply.

*History Note: Authority G.S. 131D-1; 131D-10.3; 131D-10.5; 143B-153;
Eff. February 1, 1986;
Amended Eff. January 1, 2002; July 1, 1990;
Temporary Amendment Eff. February 1, 2002.*

10 NCAC 41N .0203 RESPONSIBILITIES OF THE GOVERNING BODY

- (a) The governing body shall provide leadership for the agency and shall be responsible for establishing the agency's policies, programs, and guiding its development.
- (b) The governing body shall assure the employment of an administrator and delegate responsibility to that person for the administration and operation of the agency, including the employment and discharge of all agency staff.
- (c) The governing body shall annually evaluate the administrator's performance except a sole proprietor or partner is exempt from this Rule if he serves as administrator.
- (d) The governing body shall approve the annual budget of anticipated income and expenditures necessary to provide the services described in its statement of purpose. The governing body shall provide for an annual audit of agency financial records.
- (e) The governing body shall establish and utilize personnel practices for selection and retention of staff which are sufficient to operate the agency.
- (f) The governing body shall establish and utilize policies and procedures for periodic evaluation of the agency's services. This evaluation must include the agency's interaction with other community agencies to serve its clients.
- (g) The governing body or their appointed advisory boards or committees shall meet as often as necessary with a minimum of four meetings a year. A quorum of its members shall be present at all meetings at which decisions with respect to the agency are made. Meeting minutes of the governing body shall be permanently maintained.
- (h) The governing body shall establish in writing the policies and procedures for control and access to or receipt, use, and release of information about its clients.
- (i) The governing body, in the event of the closing of the agency, shall develop a plan which is appropriate to the program for the retention and long term storage of case records. The specifics of this plan must be submitted to the licensing authority before the actual closing of the agency.

*History Note: Authority G.S. 131D-1; 131D-10.5; 143B-153;
Eff. February 1, 1986;
Amended Eff. January 1, 2002; July 1, 1990;
Temporary Amendment Eff. February 1, 2002.*

10 NCAC 41N .0212 CONFIDENTIALITY

- (a) The agency's policy on confidentiality shall:
 - (1) identify the individuals with access to or control over confidential information;
 - (2) specify that persons who have access to records or specified information in a record be limited to persons authorized pursuant to law. These persons shall include the client; the birth parent or legal custodian when the client is a minor; agency staff; auditing, licensing, or accrediting personnel; and those persons for whom the agency has obtained a signed consent for release of confidential information; and
 - (3) require that a consent for release form is signed when client information is disclosed.

- (b) The agency shall:
- (1) provide a secure place for the storage of records with confidential information;
 - (2) inform any individual with access to confidential information of the provisions of this Rule;
 - (3) ensure that, upon employment and whenever revisions are made to the policy, staff sign a compliance statement which indicates an understanding of the requirements of confidentiality;
 - (4) permit a child to review his case record in the presence of agency personnel on the agency premises, in a manner that protects the confidentiality of other family members or other individuals referenced in the record, unless agency personnel determines the information in the child's case record would be harmful to the child.
 - (5) in cases of perceived harm to the child, document in writing any refusals to share information with the child, birth parent or legal custodian;
 - (6) maintain a confidential case record for each child;
 - (7) maintain confidential personnel records for all employees; and
 - (8) maintain confidential records for all volunteers.
- (c) The agency may destroy in office the closed record of a child who has been discharged for a period of three years or may destroy in office a record three years after a child has reached age 18, unless included in a federal fiscal or program audit that is unresolved, then the agency may destroy the record in office when released from all audits.

*History Note: Authority G.S. 131D-10.5; 143B-153;
Temporary Adoption Eff. February 1, 2002.*

10 NCAC 41N .0213 CLIENT RIGHTS

- (a) The agency shall develop and implement policies and procedures to protect the individual rights and dignity of children or residents and families who are provided services by the agency.
- (b) The agency shall have a client's and family's rights policy, which includes that each child or resident has the right to:
- (1) privacy;
 - (2) be provided adequate food, clothing, and shelter;
 - (3) have access to family time and have telephone conversations with family members, when not contraindicated in the child's intervention plan or individualized service plan;
 - (4) have personal property and a space for storage;
 - (5) express opinions on issues concerning the child's or resident's care or treatment;
 - (6) receive care in a manner that recognizes variations in cultural values and traditions;
 - (7) be free from coercion by foster parents or staff with regard to religious or cultural decisions. The agency shall have a process to assure that, whenever practical, the wishes of the birth parents with regard to a child's or resident's religious and cultural participation are ascertained and followed;
 - (8) not be identified in connection with publicity for the agency which shall bring the child or resident, or the child's or resident's family embarrassment; and
 - (9) not be forced to acknowledge dependency on or gratitude to the agency.
- (c) The agency shall have a policy that prohibits direct involvement by a child or resident in funds solicitation for the agency.
- (d) The agency shall have a policy, which prohibits the child's or resident's participation in any activities involving audio or visual recording and research without the voluntary signed, time-limited consent of the child or resident and the child's legal custodian.

*History Note: Authority G.S. 131D-10.5; 143B-153;
Temporary Adoption Eff. February 1, 2002.*

10 NCAC 41N .0214 GRIEVANCE PROCEDURES

- (a) The agency shall provide to each child or resident and birth parents or legal custodians, upon placement:
- (1) a written description of policies and procedures that the child or resident and his birth parents or legal custodians follow to register complaints;
 - (2) information about client's and family's rights;
 - (3) the process for appealing a decision or action of the agency; and
 - (4) the process of resolution of a complaint.
- (b) Upon resolution of a grievance, the agency shall maintain a copy of the complaint and the resolution in the case record.

History Note: Authority G.S. 131D-10.5; 143B-153;

Temporary Adoption Eff. February 1, 2002.

10 NCAC 41N .0215 SEARCHES

(a) The agency shall have written policies and procedures regarding foster parents or staff conducting searches of children's or residents' rooms and possessions that shall be discussed with each child or resident, their birth parents or legal custodians prior to or upon placement.

(b) The search policies and procedures shall include:

- (1) Circumstances under which searches are conducted;
- (2) Persons who are allowed to conduct searches; and
- (3) Provision for documenting searches and informing the agency of searches.

*History Note: Authority G.S. 131D-10.5; 143B-153;
Temporary Adoption Eff. February 1, 2002.*

10 NCAC 41N .0216 MEDICATION ADMINISTRATION

(a) The agency shall have written policies and procedures regarding foster parents or staff administering medications to children placed in their home or residents that shall be discussed with each child or resident, and the child's birth parents or legal custodians prior to or upon placement.

(b) These policies and procedures shall address medication:

- (1) Administration;
- (2) dispensing, packaging, labeling, storage and disposal;
- (3) review;
- (4) education and training; and
- (5) documentation, including medication orders, Medication Administration Record (MAR); orders and copies of lab tests; and, if applicable, administration errors and adverse drug reactions.

*History Note: Authority G.S. 131D-10.5; 143B-153;
Temporary Adoption Eff. February 1, 2002.*