**NORTH CAROLINA DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**DIVISION OF SOCIAL SERVICES**

**REQUEST FOR WAIVER**

(This form should be e-mailed to the consultant assigned to your agency).

Name of Agency:

Type of Agency:

Child Placing Agency—Adoption

Child Placing Agency—Foster Care

Residential Child Care (Group Home)

Maternity Home

Name/Title of Individual Requesting Waiver:

Address of Agency:

Phone Number:

Is the Executive Director aware the waiver is being requested?

|  |
| --- |
| Cite Rule Number and exact wording of rule you asking to be waived:  10A NCAC 70G .0503 PLACEMENT SERVICES  (m) 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.  (q) The agency shall give foster parents assistance, training, consultation, and emotional support in caring for children and in resolving problems related to their role as foster parents. Foster parents shall have one face-to-face contact per month 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 for each foster child placed in the home. Phone support and 24-hour on-call support shall be provided to foster parents. 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 unless the person centered plan indicates a different schedule of supervision for each therapeutic foster child placed in the home. At least 50 percent of the supervision shall be face-to-face in the foster home unless specified differently in the person-centered plan. Therapeutic foster parents providing treatment to children or youths with substance abuse treatment needs shall receive supervision from a qualified substance abuse professional as defined in 10A NCAC 27G .0104. The agency shall provide each foster parent with a Foster Parent Handbook that outlines agency procedures, requirements and expectations.  10A NCAC 70E .1113 LICENSING COMPLIANCE VISITS  Quarterly Visits. Licensing social workers of supervising agencies shall visit with the foster family on at least a quarterly basis for the specific purpose of assessing licensing requirements. Two of the quarterly visits each year shall take place in the foster home. The licensing social worker may require the remaining visits to occur at a location of the licensing social worker's preference.  10A NCAC 70G .0510 HEALTH SERVICES  (e) The agency shall ensure that each child shall have a current medical examination. Medical examinations completed by a licensed medical provider (physician, physician's assistant or nurse practitioner) (in this Rule, "licensed medical provider") within 12 months prior to the admission of the child in foster care shall be considered current. If a child has not had a medical examination by a licensed medical provider within 12 months prior to admission, the agency shall arrange a medical examination for the child within two weeks after admission or sooner if indicated by the child's health condition. The medical examination report shall include a signed statement by a licensed medical provider specifying the child's medical condition and medications prescribed and indicating the presence of any communicable disease which may pose a risk of transmission in the foster home. If a child is in the custody of a county department of social services, is already scheduled to have a medical examination completed annually and is entering a foster home the schedule of annual medical examinations is not required to be changed. A copy of the most recent medical examination report shall be obtained from the responsible county department of social services by the agency.  (g) Children shall have had a dental examination by a licensed dentist within one year prior to admission or arrangements shall be made for an exam within six weeks after admission and annually thereafter. The agency shall document dental services in the child's record. |

|  |
| --- |
| Why are you asking for the above rule to be waived? NC state of emergency issued on March 10, 2020 due to Coronavirus public health emergency. |

|  |
| --- |
| What is your alternative plan to the above rule? Requirements for face-to-face contacts will be accomplished through the use of virtual video technology including Skype, Zoom and FaceTime. Medical and dental exams may need to be postponed or rescheduled due to the current restrictions placed on these providers due to the Coronavirus. |

|  |
| --- |
| When do you anticipate complying with the rule you are asking to be waived? Upon the lifting of the NC state of emergency, face to face visits will resume. Medical and dental exams will be completed as soon as possible upon lifting of the NC state of emergency and availability of medical and dental services. |

|  |
| --- |
| State Office Use Only  Decision: |

Program Consultant:

Date:

Please note that if you request a waiver of rules in 10A NCAC 70I Section 900 (Buildings, Grounds and Equipment) you will need a letter/e-mail of support from the Construction Section of the Division of Health Service Regulation.

|  |
| --- |
| 10A NCAC 70L .0102 WAIVER OF LICENSING RULES  The North Carolina Department of Health and Human Services, Division of Social Services is the licensing authority and shall allow a waiver to a licensing rule or rules to persons subject to licensure pursuant to G.S. 131D, Article 1A in accordance with the following criteria:  (1) Persons seeking a waiver shall submit a written request on a form developed by the licensing authority, to the licensing authority showing that another way of meeting a rule maintains the health, safety, and well-being of individuals being served at or above the level required by the rule.  (2) No waiver shall be allowed by the licensing authority to any rule based on a standard adopted by the Building Code Council and subject to the general supervision and enforcement of the Commissioner of Insurance.  (3) No waiver shall be allowed by the licensing authority to any rule governing fire safety.  (4) No waiver shall be allowed by the licensing authority to any rule based upon a standard adopted by the Commission for Public Health.  (5) The waiver when allowed remains in effect for the term of the license and may be renewed if the licensing authority determines that the health, safety and well-being of individuals being served are not threatened.  (6) Upon receipt of the waiver request form, a decision to grant or deny the waiver shall be made by the licensing authority within 10 business days of its receipt. |