

## Licensing Waivers based on Executive Order 319

### Family Foster Homes:

- 10A N.C. Admin. Code 70E .0703, .0704, requires medical examinations for all members of the foster family to be dated within 12 months of submitting a new foster home application or foster home re-licensure. During the state of emergency, this requirement will be waived until the state of emergency has expired. Medical examinations must be submitted to the licensing authority within sixty (60) days following the expiration of the state of emergency, or the foster home license will immediately expire.
- 10A N.C. Admin. Code 70E .0707 states that foster home licenses terminate at the end of the two-year licensure period unless all relicensing materials have been received by the licensing authority prior to the license expiration date. During the state of emergency, foster home licenses that would have naturally expired during the state of emergency will be extended by the licensing authority with a new expiration date of January 1, 2025. Supervising agencies must subsequently submit a full relicense application with all required attachments to the licensing authority on or before December 31, 2024, to have the license fully extended for the normal two-year period.
- 10A N.C. Admin. Code 70E .1108 regulates fire and building safety of licensed foster homes. During the state of emergency, the fire and building safety inspection prior to re-licensure will be waived as long as the foster home has had a satisfactory fire and building inspection completed within the previous thirty (30) months and can attest to the standards set forth in 10A N.C. Admin. Code 70E 1108(b). Any foster parent re-licensed pursuant to this waiver must obtain required inspections within sixty (60) days of the executive order terminating or the license will immediately expire. Additionally, the following requirements will be waived during the state of emergency, telephone service, use of extension cords, and installation of carbon monoxide detectors.
- 10A N.C. Admin. Code 70E .1109 and .1110 provide the health and environmental regulations for licensed foster homes. During the state of emergency, the requirements that the home and yard shall be maintained and repaired, windows and doors used for ventilation shall be screened, household equipment and furniture shall be in good repair, and running water will be waived until 30 days after the expiration of the state of emergency.
- 10A N.C. Admin. Code 70E .1111 states the requirement for foster home room arrangements. During the state of emergency, the following requirements will be waived until 30 days after the state of emergency expires: bedrooms shall not serve dual function, no daybed, convertible sofa, or other bedding of temporary nature shall be used for the exclusive sleeping area of the child, and separate and accessible drawer space and closet space for personal belongings and clothing shall be available for each child.
- 10A N.C. Admin. Code 70E .1112, exterior setting and safety, will be waived as long as the health and safety of a child is not at risk and a safety plan has been developed to address how the foster parents will ensure the safety of the child.
- 10A N.C. Admin. Code 70E .1113 requires licensing compliance visits to be completed by the supervising agency at least quarterly. During the state of emergency, flexibility for compliance visits to occur via telephone or electronically is allowable. In addition, if a family has temporarily relocated or has limited or no access to phone or internet, compliance visits can be waived. If compliance visits are not possible, the licensing agency must document the reason in the foster parent file. Immediately following the expiration of the

state of emergency, compliance visits must occur as required according to 10A N.C. Admin. Code 70E .1113.

#### **Child Placing Agencies:**

- 10A N.C. Admin. Code 70G .0504 and .0505 waives the requirement for out-of-home family services agreements and person-centered plans within 30 days of placement. These documents must be in each child file within 30 days of the state of emergency expiration.
- 10A N.C. Admin Code 70G .0513(c) states, "Critical incident reports shall be submitted to the licensing authority by the executive director or his or her designee on a form provided by the licensing authority within 72 hours of the critical incident." During the state of emergency critical incident reports must be submitted to NC DSS within (7) calendar days. Once the state of emergency expires, critical incident reports will be required to be submitted within 72 hours of the critical incident.

#### **Residential Child-Care:**

- 10A Admin. Code 70 I .0203 requires residential child-care facilities to submit a corrective action plan to NC DSS within 30 days of a neglect substantiation. During the state of emergency, the 30-day timeframe to submit a corrective action plan will be extended to 60 days from the date of the case decision.
- 10A Admin. Code 70I .0502 outlines admission procedures for residential child-care facilities. During the state of emergency, the admission interviews and written intake study will not be required prior to admission. A written intake study must be completed by the agency that requested placement within 30 days of the expiration of the state of emergency.
- 10A Admin. Code 70I .0506 states the documents required for each client record. For children admitted to a residential child-care facility during the state of emergency, the following documentation will be waived until 30 days after the state of emergency expires: intake study, demographic information on the child and child's family, documentation that verifies the child's birth, pre-admission medical examination, immunization records, out-of-home family services agreement and reviews, court orders, visitation and contact plan, and medical reports.
- 10A Admin. Code 70I .0609, the requirement for recreation and leisure activities, will be waived for residential child-caring facilities during the state of emergency to ensure the safety and well-being of the children in facilities that have been impacted by Helene. The waiver will expire 30 days after the expiration of the state of emergency.
- 10A Admin. Code 70I .0614 (b) states "Critical incident reports shall be submitted to the licensing authority by the executive director or designee on a form developed by the licensing authority within 72 hours of the critical incident." During the state of emergency critical incident reports must be submitted to NC DSS within (7) calendar days. Once the state of emergency expires, critical incident reports will be required to be submitted within 72 hours of the critical incident.

#### **Emergency Shelter Care Program:**

- To reduce delays in placing a child in emergency shelter care programs, flexibility will be allowed regarding consent, pre-admission physicals, and other admission criteria timeframes that could delay child placement.

- 10A Admin. Code 70J .0202 outlines admission procedures and the timeframes paperwork is required. The following paperwork requirements will be waived until 30 days after the expiration of the state of emergency: parent's information, sibling's information, relative's information, information about prior placements, consent for family time/visitation, medical examination, and social summary.
- 10A Admin. Code 70J .0203 outlines admission criteria due within 72 hours of a child's admission into an emergency shelter care program. The following criteria will be waived until 30 days after the expiration of the state of emergency: Completed application for services, roles and responsibilities paperwork, expectations during the child's stay, anticipated length of child's stay, and projected goals.