

Kansas Department for Children and Families

Foster Care and Residential Facility Licensing Division

Policy Advisory

2016-1

I. Summary

- 1) Policy Advisory 2016-1 informs Child Placing Agencies of an upcoming change in policy concerning temporary permits for family foster homes.
- 2) Temporary permits for family foster homes will no longer be issued for routine applications. Temporary permits will only be issued for non-related kin applications and applications when a foster family with children in care applies for a new license because of a move.
- 3) The change in policy will be effective as to any application received on or after September 1, 2016. Temporary permits issued up to and including August 31, 2016, will not be affected.

II. Discussion

- 4) Effective July 1, 2015, the responsibility for licensing family foster homes was transferred from the Kansas Department of Health and Environment to the Kansas Department for Children and Families. *See*, Executive Reorganization Order 43.
- 5) DCF's review of the overall system for licensing family foster homes, the licensing division, CPAs, policies, foster homes, statutes, regulations, administrative efficiency, and most importantly, child safety, all indicate that longstanding policies related to issuing temporary permits need to be revised.
- 6) Past policies allowed family foster home applicants to receive a temporary permit and accept the placement of children in foster care before the homes met statutory and regulatory standards designed to protect the health, safety, and welfare of children.
- 7) Kansas law states that no license to operate a family foster home is to be issued until after careful inspection has been made and not until all regulatory requirements have been met. However, the law also provides that a temporary permit may be issued for up to 180 days upon receipt of an application for a license. *See*, K.S.A. 65-504(a).

- 8) Significantly, the law does not require that a temporary permit be issued. Furthermore, the purpose of temporary permits is not stated. The decision to issue temporary permits is discretionary. This discretion rests with the Secretary.
- 9) Under past policies, a temporary permit was routinely issued for an application even though the foster home was not yet in compliance with all statutory and regulatory requirements for the license. For example, fingerprint background check results or out-of-state abuse and neglect registry results may not yet have been submitted by the CPA. Or the foster parents may not yet have completed training.
- 10) Past policies also allowed a temporary permit to be issued based only on the inspection of the foster home conducted by the CPA home worker and not based upon the inspection by the surveyor from the licensing division.
- 11) The stated rationale for this practice was that it is necessary so that children can be placed quickly. The policy has had quite the opposite effect. Routinely issuing temporary permits for the majority of family foster home applications results in significant practical inefficiencies and confusion, increases stress upon the system, leads to administrative error, causes placement disruptions, causes foster parent frustration, and ultimately increases the overall time to license family foster homes.
- 12) Of significant concern is that because of the high rate of turnover in foster homes (estimated to be in excess of 30% per year), at any given point in time a large proportion of children in care are not in homes which meet regulatory standards. Safety of children in foster care is of overriding importance. Ending the policy of routinely placing children in homes that do not meet statutory and regulatory standards will increase the safety of the foster care system.

III. Policy Summary

- 13) Effective as to any application for a license to operate a family foster home received on or after September 1, 2016, said application shall not be accepted for processing, nor shall a survey of the home be scheduled, unless and until the following documents are received, in full and completed. **Please note: items in BOLD represent a change in current policy.**

Item	Description
CCL 401	Application
Fingerprint background check results	Background check results must be obtained prior to application.
CCL 002	KBI/SRS Background Check Request (complete with all residents 10 yrs. and older, volunteers, and employees)

Out-of-State Registry results	Applicable if any household member, 18yrs. and older, resided outside the state of Kansas during the last 5 yrs. If applicable, results must be obtained prior to application.
CCL 653	Recommendation for Use by CPA & Intent to Place
Floor Plan	Floor plan must be complete with all appropriate linear measurements, distances, locations of regulated features, and room purposes.
Training Certifications	All training certifications must be submitted with the application: MAPP or DT, First Aid, Universal Precautions, and Medication Administration.
Safety Plans	If there are any necessary safety plans (e.g., outdoor safety plan, fireplace safety plan, etc.), they must be included for approval.
Family Assessment and MAPP Assessment	The Family Assessment and MAPP Assessment must now be submitted with the application to facilitate the evaluation of Caregiver qualifications pursuant to K.A.R. § 28-4-811(a).

14) The Licensed & Approved Family Foster Home Survey Instrument will no longer be submitted. **CPA workers will no longer conduct surveys for initial licensure.** This is a significant and important change of policy. There is no reason to inspect a foster home twice in a short time frame (first by the CPA home worker and then again by the DCF surveyor) and many important reasons not to. Later policy statements will further explain the reason for this decision.

15) For applications received on or after September 1, 2016, temporary permits will still be issued for non-related kin applications and applications when a foster family with children in care applies for a new license because of a move.

IV. Further Information

16) To facilitate transition from the current policy of routinely issuing temporary permits, the Foster Care and Residential Facility Licensing Division will be providing further detailed explanation, information, and guidance materials as follows:

- (a) Statements of Procedure
- (b) Policy Statements
- (c) Teleconferences
- (d) Q&As
- (e) Fact Sheets
- (f) Compliance Guides
- (g) Forums

17) Online information related to this change of policy will be accessible at:

<http://www.dcf.ks.gov/Agency/GC/FCRFL/Pages/default.aspx>