



Administrative Policies and Procedures: 16.16

DRAFT

Subject:	Denial, Closure, or Suspended Admissions of Foster Homes
Authority:	TCA 36-1-126, 37-5-105 (3), 37-5-106, 37-4-201 et seq, Adoption and Safe Families Act P.L. 96-272, TCA 37-4-2-1 ET SEQ, Safe and Timely Interstate Placement Act of Children in Foster Care Act of 2006 - P.L. 109-239
Standards:	DCS Practice Standards: 501, 2-502, 2-503, 2-602, 3-102, 3-200, 3-201, 3-204, 6-100, 6-200, 6-301, 6-504B, 6-505B, 6-513B, 6-509C, 6-510C, and 6-513B;PA-FC 17.
Application:	DCS Foster Care and Supervisory Employees, and Contract Provider Employees
Policy Statement:	
<p>The Department of Children's Services (DCS) may deny any application for foster parenting, close an existing approved foster home, or suspend admissions if the foster parents cannot meet the minimum approval requirements, or are not promoting the DCS Standards of Professional Practice.</p> <p>Any identified Tennessee foster parent serving as an approved placement for a child/youth under the jurisdiction of another state pursuant to the Interstate Compact on the Placement of Children (ICPC) who meets the criteria described in this policy may be denied application, foster home closed or admissions suspended in accordance to this policy.</p>	
Purpose:	
The procedures outlined in this policy identify issues that serve as grounds for denial of application or closure of a foster home and describe the Supervisory Review and foster home closure process.	
Procedures:	
A. Potential reasons for denial of a foster parenting application	<ol style="list-style-type: none"> 1. An application for foster parenting <u>may</u> be denied if the family does not meet all the requirements for an approved foster home. The reasons for denial of the foster parent application will be addressed with the foster parent applicant, documented in writing, entered into TFACTS and maintained in the Regional Foster Home record. 2. Appropriate reasons for denial of application include, but are not limited to: <ol style="list-style-type: none"> a) Failure to complete Parents as Tender Healers (PATH) pre-service training; b) Failure or refusal to furnish completed forms or required documentation within time frames requested or beyond two (2) weeks after the completion of PATH; c) Unresolved concerns from the foster home study and training process. (Refer to DCS Policy 16.4, Foster Home Selection and Approval, and the PATH Mutual Selection Criteria.) These concerns are documented and are behaviorally specific; d) Failure to meet minimum requirements for foster parents or residence;

	<ul style="list-style-type: none"> e) Insufficient income to meet financial obligations; f) Medical problems (physical or mental) that inhibit the ability to care for the child; g) Lifestyle not conducive to mental, ethical, and emotional development; h) Criminal charges or convictions, particularly those that may include crimes involving children, are drug related or are felony crimes against persons as outlined in Policy 16.4, Foster Home Selection and Approval, Section J.; i) History of inadequate parenting of biological or adopted children; j) Child Protective Services case history with an indication of abuse or neglect; or k) A voluntary withdrawal of the application by the applicant. <p>12. The reasons for denial of the foster parent application will be addressed with the foster parent applicant and documented in writing.</p> <p>13. Results of the foster home application and the reason for denial is entered in TFACTS and maintained in the Regional Foster Home record.</p> <p>Note: As appropriate, a copy of the denial of a foster parent application is forwarded to the TN DCS State ICPC office and entered into TFACTS/ICPC/ICJ screens by the Regional DCS Placement Services Division (PSD), or Foster Parent Support (FPS) staff.</p>
<p>B. Potential reasons for closure of an existing foster home</p>	<ul style="list-style-type: none"> 1. An existing foster home <u>may</u> be closed if the family fails to maintain all the requirements for an approved foster home. Appropriate reasons for denial of an application and/or closure of an approved home include, but are not limited to: <ul style="list-style-type: none"> a) Failure to maintain the requirements for foster parents or residence; b) Demonstrated inability to effectively parent children in state custody; c) Inability to cooperatively participate in Permanency Plans for children; d) Inability to meet the special needs of children; e) Failure to accept placement of a child for nine (9) or more months; f) Insufficient income to meet financial obligations; g) Medical problems (physical or mental) that inhibit the ability to care for the child; h) Lifestyle not conducive to mental, ethical, and emotional development; i) Conflict or instability due to family crisis or personal hardship; j) Failure to preserve the continuity and value of the child’s spiritual, racial, ethnic, and/or cultural identity; k) Failure to complete in-service training or requirements outlined in DCS Policy 16.8. Responsibilities of Approved Foster Homes; l) Criminal charges or conviction, particularly those that may include crimes involving children, are drug related, or are felony crimes against persons; m) Special Investigations Unit (SIU) investigation case which substantiated

	<p>abuse or neglect; or</p> <p>n) At the request of the foster parent.</p> <p>2. The reasons for closure of an existing foster home will be addressed with the foster parent and documented in writing.</p> <p>3. Reasons for closure of an existing foster home will be entered in TFACTS and maintained in the Regional Foster Home record.</p> <p>Note: As appropriate, a copy of the closure of an existing foster home is forwarded to the TN DCS State ICPC office and entered in TFACTS/ ICPC/ICJ screens by the Regional DCS Placement Services Division (PSD) or the Foster Parent Support (FPS) staff.</p>
<p>C. Potential reasons for suspended admission or on-hold status of a foster home</p>	<p>1. Suspended Admissions An approved or expedited foster home managed by a Contract Agency, DCS, or is a shared resource home, may be placed on suspended admissions for reasons that include:</p> <ul style="list-style-type: none"> a) The home is at maximum capacity; b) The household is not approved according to IV-E eligibility requirements; c) License Compliance Violations; d) Performance – Safety & Well Being Issues; e) Foster Home Under SIU Investigation; or f) Utilization. (To be used by Central Office only, usually during special circumstances with a provider) <p>2. Foster Home Eligibility staff place homes on suspended admissions that do not meet IV-E eligibility requirements and this is ended when requirements are met according to the <u>Protocol for Resource Eligibility Team (RET)</u>.</p> <p>3. Foster Homes Under SIU Investigation</p> <ul style="list-style-type: none"> a) Foster homes that have an open SIU investigation are placed on suspended admissions. b) Quality Control staff is responsible for documenting all suspensions in TFACTS. <p>Note: Suspensions are entered in TFACTS upon initial notification from the Special Investigations Unit (SIU) of Child Protective Services.</p> <ul style="list-style-type: none"> c) Upon notification of a case closed with no concerns noted by neither SIU nor a Foster Home Quality Team Panel member, the suspended admission is ended. If there are concerns noted by SIU or a member of the panel, the suspended admissions remain in place until a decision is made to end the suspended admissions. d) The Regional Foster Parent Support representative and Contract Agency must receive notification that the suspended admissions has ended before additional children can be placed in a suspended admissions foster home or an adoption/permanent guardianship placement can be finalized.

	<p>4. On-Hold</p> <p>a) An approved or expedited home can be considered for placement on-hold for any reason noted above or at the foster parent’s request. Any Foster Parent Support Team Leader or Placement Services Team Coordinator may place DCS homes on-hold or end the on-hold status in TFACTS.</p> <p>b) In the event that a home is placed on-hold, no additional children may be placed in the foster home (including all respite placements), until the on-hold status is ended in TFACTS, and notification is received.</p> <p>5. Resolving Suspended Admission or On-Hold Status</p> <p>a) The reason(s) for determination of suspended admissions or “on-hold” status of an approved or expedited home is addressed with the foster parent and documented in writing.</p> <p>b) Results of the foster home suspended admission or “on-hold” status, including notice of the lifting of that status, is entered in TFACTS and maintained in the Regional Foster Home record.</p> <p>c) As appropriate, a copy of the notice of suspended admissions or “on-hold” status, including notice of the lifting of that status will be forwarded to the TN DCS State ICPC office and entered in TFACTS ICPC/ICJ screen(s) by the Regional DCS PSD or FPS staff.</p> <p>Note: For procedures on conducting reviews on SIU notices and case closures of foster homes, refer to the Protocol for Foster Home Quality Team.</p>
<p>D. Performance Improvement Plan (PIP)</p>	<p>1. If problems arise in an approved foster home, the PSD or FPS staff member may develop a Performance Improvement Plan (refer to form CS-0909, Foster Home Performance Improvement Plan) with the foster parents. The Foster Home PIP defines the areas to be improved and includes specific action steps to achieve improvement within specific timeframes.</p> <p>2. The PIP is reviewed and signed by the Team Leader, PSD/FPS staff, the foster family and Contract Agency staff. The plan is entered in TFACTS, tracked during monthly visits monitored by FPS staff and cannot exceed a 90-day time frame.</p> <p>3. In cases of ICPC, a PIP is developed with appropriate personnel in the sending state who retain the responsibility to plan for the child/youth. The TN DCS TL is responsible coordinating reviews and obtaining signatures of appropriate personnel in the sending state. A copy of the PIP, and any subsequent summary of the outcome of that Plan, is forwarded to the TN DCS State ICPC office by the Regional DCS PSD or FPS staff.</p> <p>4. If a PIP is utilized, a summary of the outcomes are attached to the Plan and added to the foster home case file to document the completion of the required Plan.</p> <p>5. Performance Improvement may also be used when a family fails to meet the training requirements outlined in this policy and those outlined in DCS Policy 16.8, Responsibilities of Approved Foster Homes.</p> <p>6. During reassessment of approved foster homes, form CS-0909, Foster Home Performance Improvement Plan is developed if not all areas of compliance</p>

	<p>have been met. If the PIP does not remedy the problems, Foster Parent Support or Placement Services Division staff members initiate the closure process as outlined in Sections B & C of the procedural portion of the policy and close the foster home in TFACTS.</p>
<p>E. Home Study Process</p>	<ol style="list-style-type: none"> 1. If a justification for denial or closure appears to be present, the home study writer discusses the concerns with the TL/supervisor as soon as concerns are identified. 2. The home study writer/PSD or RPS staff member can schedule a conference with existing foster families and the Team Leader/supervisor or a discussion of areas of concern may be discussed during a home visit for families still in home study process. For unapproved homes that are in the home study process, the writer and supervisor contact the regional FPS TL to discuss homes that have concerns with denial being considered. In the instance a fully approved or licensed home has concerns and is undergoing re-assessment, a CFTM is convened to address those concerns prior to closure or being considered for on hold or suspension status. 3. During the conference/discussion CFTM, the home study writer/PSD or FPS staff member, TL/supervisor, and Contract Agency designated staff should: <ol style="list-style-type: none"> a) Recognize the family’s strengths in as positive a manner as possible; b) Review information which has created a concern; c) Allow the family to offer clarity; d) Attempt to identify possible solutions to discuss whether the family could benefit from a PIP; e) Inform the family of possible next steps; and f) In cases of ICPC, the DCS Team Leader/supervisor will make every effort to include equivalent personnel from the sending state in this meeting. 4. The home study writer/PSD or FPS staff member, the TL/supervisor and/or Contract Agency designated staff will: <ol style="list-style-type: none"> a) Within five (5) calendar days of the conference CFTM, consider all information gathered in cases where no other alternative is possible, and reach a decision on the homes status; b) If decided, mail a letter to the family that details the reasons for denial or closure. This letter is documented in TFACTS. The letter will also contain information regarding the family’s right to a supervisory review and information about requesting that review. 5. In ICPC cases, a copy of the letter is provided to the TN DCS State ICPC office and the equivalent personnel in the sending state immediately by the acceptable method for expedited communication, including electronic transmission including scan or email, fax or overnight mail. The Team Leader and the sending state personnel will determine alternate placements for ICPC child/youth placed in the home including but not limited to: <ol style="list-style-type: none"> a) Return to the jurisdiction of the sending state; b) Re-placement in Tennessee with another approved foster home; or

	<p>c) An emergency placement pending return to the sending state.</p> <p>6. Supervisory reviews are conducted by the Team Coordinator upon request of the family. Copies of reviews/results of reviews conducted by the Team Coordinator are sent to the sending state in cases of ICPC.</p> <p>◆ Approved foster homes are eligible for a Supervisory Review; unapproved homes are not.</p> <p>Note: Foster parents are not recipients of a service from DCS and, therefore, are not eligible for an administrative appeal.</p>
<p>F. Supervisory Review</p>	<ol style="list-style-type: none"> 1. Upon request for a supervisory review, the Team Coordinator (TC) or Contract Agency designated staff complete an in person review within fifteen (15) days. The foster family and up to three other people to act on their behalf may attend the review. One of the additional people may be an attorney, but the review is not to be considered an adversarial legal proceeding in nature. The home study writer and any other supervisory staff may attend at the discretion of the TC or Contract Agency designated staff. 2. The TC, in collaboration with the Regional Administrator (RA)/designee, make the final decision regarding denial or closure after reviewing DCS information and allowing the family to discuss their concerns. 3. Within ten (10) calendar days of the review, the TC sends a letter to the family advising them of the outcome of the review. 4. Copies of reviews/results of review conducted by the TC are processed to the Sending State and the TN ICPC office for ICPC cases. 5. The Central Office Review Committee is available to provide assistance in cases where the decision is in question at the regional level. 6. These activities are documented in TFACTS as a Foster Home Concern in the Activity Log.
<p>G. Documentation and case file disposition</p>	<ol style="list-style-type: none"> 1. The home study writer/PSD or FPS staff member clearly documents in the foster home file and TFACTS case recordings the reasons a foster home application is denied, a foster home is closed, or on suspended or admissions to a foster home are suspended and maintains a copy of the written denial/closure letter that was mailed to the family. 2. Foster parent exit surveys are completed according to the established <u>Protocol for Conducting Exit Surveys of Foster Parents</u> and maintained in the foster home file. 3. 2. The Foster Home Section of TFACTS is updated and the home closed. 3. FPS worker prepares the foster home file for storage and includes: foster family name, Resource Home (RH) ID#, date of closure and county of closure. A copy of the closed foster home study file is maintained in the area office closed files for twenty-five (25) years in accordance with the <u>Records Disposition Authority (RDA) 2877.</u> 4. Foster parent exit surveys are completed according to the established <u>Protocol for Conducting Exit Surveys of Foster Parents.</u>

	<p><u>For Finalized Foster Home Adoptions:</u></p> <p>5. In cases where an adoption has finalized in a foster home, The adopted child's original foster care case file information is sealed, which includes a copy of the foster home study. A copy of the child's adoption decree remains in the foster home case file stored at the Regional Office.</p> <p>6. In cases where the foster parent makes a decision to close their home following the adoption of a child, any required court documents related to the adoption of that child should be filed in the child's record in the "adoption" tab.</p>
--	--

<p>Forms:</p>	<p><u>CS-0692, Foster Home Assessment or Re-Activation</u></p> <p><u>CS-0909, Foster Home Performance Improvement Plan</u></p> <p><u>Note: Contract Agencies may use equivalent forms, provided the content of the forms capture the content of the forms listed above.</u></p>
----------------------	--

<p>Collateral documents:</p>	<p>Performance Improvement Plan (If Applicable)</p> <p>Any Training Verification</p> <p><u>Protocol for Conducting Exit Surveys of Foster Parents</u></p> <p><u>Foster Parent Exit Survey Letter</u></p> <p><u>Protocol for Foster Home Quality Team</u></p> <p><u>Foster Parents Bill of Rights (Foster Parent Handbook)</u></p> <p><u>16.7 Attachment-Resolution, Resolution of Disagreements and/or Conflicts Between Foster Parents and DCS</u></p>
-------------------------------------	---