



# **MDCPS Policies & Procedures**

## **Foster Care Licensure**

**Revised 1/27/20**



**Table of Contents**

Section 1: Foster Home Recruitment, Generally ..... 1

    1.1 Interest..... 1

    1.2 Working with Other Agencies..... 1

    1.3 Agency Employees as Foster Parents..... 2

Section 2: The Resource Inquiry.....2

    2.1 Initial Screening. .... 2

    2.2 Screening the Inquiry ..... 3

    2.3 Assignment of the Inquiry..... 4

Section 3: Orientation ..... 5

    3.1 Orientation Schedule..... 5

    3.2 Orientation Invitations..... 5

    3.3 Who Must Participate..... 5

    3.4 Orientation Curriculum. .... 6

Section 4: Background Checks ..... 6

    4.1 Background Checks, Generally..... 6

    4.2. Criminal History..... 7

    4.3 Agency History. .... 8

    4.4 Criminal History Justification. .... 8

    4.5 Confidentiality..... 9

Section 5: Closing the Application ..... 9

    5.1 Voluntary Withdrawal..... 9

    5.2 Failure to Comply.....10

Section 6: The Home Study Process..... 10

    6.1 Generally. .... 10



6.2 Home Environment Checklist .....	10
6.3 Safe Sleep Requirements.....	11
6.4 Interviews and Home Visits.....	12
6.5 References.....	13
<b>Section 7: Initial Licensure Training .....</b>	<b>13</b>
7.1 Initial Licensure Training Requirements.....	13
7.2 Training Invitations.....	14
7.3 Failure to Complete Training.....	14
<b>Section 8: Licensing Decision .....</b>	<b>14</b>
8.1 Case Staffing.....	14
8.2 Final Decision.....	15
8.3 Notice of Action.....	15
8.4 Monthly Contacts with the Foster Parents.....	16
8.5 Placement Limits.....	16
8.6 Travel Expenses.....	18
8.7 Prudent and Reasonable Parenting.....	19
8.8 Confidentiality and Photographing Foster Children.....	20
<b>Section 9: Ongoing Training.....</b>	<b>21</b>
9.1 Ongoing Training Requirements.....	21
9.2 Approved Ongoing Training.....	21
9.3 Proof of Training.....	222
9.4 Carryover Hours.....	222
<b>Section 10: Foster Home Re-Evaluation.....</b>	<b>222</b>
10.1 License Re-Evaluation.....	222
10.2 License Changes.....	233
<b>Section 11: Policy Violations and Adverse Actions.....</b>	<b>255</b>
11.1 Corrective Action Plans.....	255
11.2 Policy Violations.....	266



11.3. Revoking the License and Closing the Home .....	277
11.4 Appeals.....	288
11.5 Not Accepting Placement.....	29
11.6 Deferred Placements. ....	29
Section 12: Re-licensing a Closed Foster Home.....	30
12.1 Foster Home Closed for Less than One Year.....	30
12.2 Foster Home Closed Over One Year but Less than Two Years.....	30
12.3 Foster Home Closed Over Two Years. ....	30
Section 13: Relative Foster Homes.....	30
13.1 General Requirements. ....	30
13.2. Pre-Placement Activities.....	30
13.3 Post-Placement Activities. ....	31
13.4 Issuing the License.....	31
13.5 Barriers to Licensing the Relative Foster Home. ....	31
13.6 Limits to Expedited Placements.....	32
Section 14: Licensing Issues.....	32
14.1 Waivers.....	32
14.2 Exceptions. ....	33
14.3 Safety Issues.....	33
14.4 Child Specific Inquiries.....	33
Section 15: Unlicensed Foster Homes .....	355
15.1 Prohibition.....	355
15.2 Children Remaining in Unlicensed Placements.....	355
Section 16: Disclosure of Home Study.....	366
Section 17: Other Requests.....	366
17.1 General ICPC Guidelines. ....	366
17.2 Parent or Court-Ordered Home Studies.....	37



MDCPS is committed to protecting the health, safety, and well-being of all children in the state who are cared for by foster family homes until the child can be safely reunited with his or her family or adopted. All foster homes and facilities that care for children in MDCPS custody must be timely licensed.<sup>1</sup>

## **Section 1: Foster Home Recruitment, Generally**

### **1.1 Interest.**

- A. Individuals interested in becoming a foster parent should be directed to MDCPS Licensure Unit at 1-800-821-9157.
- B. MDCPS is expected to host recruitment activities weekly and a yearly recruitment plan should be created for guidance in activities to conduct in their community. Regional recruitment methods include, but are not limited to:
  - 1. Using media, including the internet, to create public awareness about the need for foster parents;
  - 2. Meeting with public groups and organizations to inform them of the need and criteria to become a foster parent;
  - 3. Engaging existing foster parents as part of the recruitment process;
  - 4. Engaging the faith-based community and business community; and
  - 5. Usage of recruitment brochures and MDCPS-approved promotional information.

### **1.2 Working with Other Agencies.**

Foster parent applicants are not allowed to work concurrently with another MDCPS contracted agency while working with MDCPS. If the foster parent applicants are already licensed with another agency, the other agency must terminate services before MDCPS will begin the licensure process. If the applicant plans to work with a private adoption agency, they will need to notify us of that as we are licensing families to foster children in MDCPS care.

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<sup>1</sup> Section 3.1 [MSA 2d](#) at 8, *Olivia Y. v. Bryant*, 351 F.Supp.2d 543 (5th Cir. Nov. 18, 2004).



### **1.3 Agency Employees/Court Personnel as Foster Parents.**

Employees of MDCPS and Youth Court personnel can be licensed as foster parents for a child who is related to them OR is legally freed for adoption. Criteria are:

- a. Employees cannot foster a child(ren) that is on their caseload. The child cannot be in the court jurisdiction in which they are employed, unless a relative.
- b. Court personnel wanting to foster cannot be in the same court jurisdiction of the child(ren) that they will foster or the siblings to that child(ren). A special judge would need to be brought in to hear the case should a relative come into care that is in the same jurisdiction.
- c. All employees/court personnel who are approved foster parents follow the same policies and procedures, regardless of their employment position.
- d. The child's MACWIS file will be restricted so the employee/court personnel can not access the case file.
- e. The COR worker/ASWS, Youth Court judge, and Director of Field Operations over the appropriate region will decide whether to place the child in the home of the MDCPS employee/court personnel.
- f. Any reports of maltreatment or concerns made while fostering will be addressed with no prejudice or special treatment of the employee/court personnel.
- g. MDCPS reserves the right to recommend closure of the home and removal of the child at any time due to reasonable suspicion of child abuse/neglect or questionable parenting practices.

## **Section 2: The Resource Inquiry**

### **2.1 Initial Screening.**

#### **A. For Non-Relative Foster Home Inquiries:**

1. Before an inquiry can be considered, the interested party must complete an application to become a licensed foster parent. The application is completed on the agency website: [mdcps.ms.gov website](http://mdcps.ms.gov). Permission for background checks must also be completed as part of the application process.
2. Once all signatures have been received, the application will be forwarded electronically to the State Office Licensure Unit. The MDCPS Licensure Unit will have three (3) business days from the date the application was received to enter the



application into MACWIS. Once submitted, it will automatically go to the appropriate county for assignment.

**B. For Expedited Relative Inquiries:**

1. The licensure process starts for Expedited Placements on the day the child is placed in the relative's home. On this day, an application must be completed along with the entire COR Expedited Placement Packet.
2. The COR Worker has three (3) business days from the date of placement to scan or hand deliver the COR packet to the Licensure Specialist/ASWS. All signatures should be on the application, completed background checks from local city and county law enforcement, and Initial Home Environment walk-through with signatures of the COR worker/ASWS must be included.
3. The COR Worker has three (3) business days from the date of placement to enter 1) the Expedited Inquiry for the Expedited Relative Placement as well as 2) to enter the Expedited Placement for that child(ren) in MACWIS.

**2.2 Screening the Inquiry.**

**A. The Licensure Area Social Work Supervisor (ASWS) must ensure the applicant is:**

1. At least twenty-one (21) years old;
  - a. Exceptions may be considered for expedited placements with relatives only.
2. Able to show household income exceeds expenses;
3. Housing no more than four (4) children;
4. Married or single;
  - a. Unrelated adults are not permitted to live in the home.
  - b. Cohabiting persons who are not married will not be considered for licensure.
  - c. Exceptions for unmarried couples may be considered for expedited placements with relatives only.
5. Not a substantiated perpetrator in MACWIS;
  - a. Exceptions may be considered for expedited placements with relatives only.



6. A legal Mississippi resident;
    - a. Permanent legal residents may obtain a foster home license if all adult household members are legally in the United States.
  7. Willing to work toward the plan of reunification or any other plan that MDCPS and the Youth Court determine is in the best interest of the child.
  8. Able to communicate effectively with any child placed in the home
    - a. The expectation is that an applicant must be able to communicate with the agency, service providers, and a child in foster care.
    - b. At least one applicant in the home must have functional literacy to ensure at least one applicant reads and writes at the level necessary to assist in meeting the child's needs/communicating through training and licensing process.
- B. If these criteria are not met, the Licensure ASWS must screen the inquiry out. The ASWS must then send the applicant a Notice of Action letter through DocuSign or certified mail if an e-mail address is not on file. A Notice of Action letter must be sent within three (3) business days of the decision to screen out the inquiry. The Notice of Action letter must explain why the inquiry did not meet the screening qualifications. There is no appeal process for the screening out of an inquiry.

### **2.3 Assignment of the Inquiry.**

If the Licensure ASWS determines that the applicant may proceed in the Licensure process, the Licensure ASWS should assign the inquiry to a Licensure Specialist within three (3) business days.

The Licensure Specialist should make direct contact with the applicant within two (2) business days from the date assigned and schedule a date for the walk-through of their home. Before the walk-through of the home, the Licensure Specialist should send the needed packet to the family, through DocuSign, so they can begin gathering information for the licensure process.

During the walk through of the home, the following should be done:

- A. Complete the Initial Home Environment Checklist to address any safety or non-safety issues. If the family is an Expedited Relative Placement, the Licensure Specialist will complete Part 2 of the Initial Home Environment checklist. If safety or non-safety





issues are revealed, clear instructions and deadlines should be given for correcting the issue. If a child is already in the home, Licensure must notify the COR worker/ASWS so a resolution can be determined and documented.

- B. Schedule the family for Orientation or complete Orientation one-on-one while in the home.
- C. Schedule the family for fingerprints, making sure they are aware of what documents must be brought with them to be fingerprinted.
- D. Explain all documentation required and gather signatures on any forms needed for licensure.

Once all of these steps have been taken, the Licensure Specialist should convert the inquiry into a home study to begin documenting as items are addressed and completed.

### **Section 3: Orientation**

#### **3.1 Orientation Schedule.**

Orientation will be held at least twice each month in each MDCPS region. It may be taught in a classroom setting or with individual applicants, at MDCPS offices or in an applicant's home. Orientation is usually taught by a Licensure Specialist, Adoption Specialist, or Licensure Supervisor, but may also be taught by a contract provider as needed.

#### **3.2 Orientation Invitations.**

The Licensure Specialist must provide applicants with at least two (2) invitations to attend an Orientation meeting in their area over a period of one (1) month. The Licensure Specialist should reach out to the applicants by phone, e-mail, or in-person communication, prior to each scheduled Orientation session, to encourage attendance.

#### **3.3 Who Must Participate.**

- A. All adults residing in the home who will engage in the care of the child must attend an Orientation. When a married couple applies, both spouses must participate. If the applicant does not attend an Orientation within the first month of inquiry and has not discussed any extenuating circumstances with the Licensure Specialist, the inquiry must be closed. The Licensure Specialist or ASWS must then send a Notice of Action within three (3) working days to the applicants that their inquiry has been closed and why.



- B. If the home is an expedited home, the Licensure Specialist will work diligently to provide Orientation one-on-one, if necessary, so the family can proceed with licensing.

### **3.4 Orientation Curriculum.**

- A. The purpose of Orientation is to ensure the foster parent applicants understand the licensure process. During Orientation, the trainer must go over the licensure process with the family and give them information relating to:
1. Required background checks;
  2. Pre-service training requirements(Child Safety,Travel and Finance, Mississippi PATH Training: Trauma, Removal, Separation & Attachment, Developmental Stage, and Behavior Management);
  3. Cultural diversity;
  4. Home study requirements; such as pet immunizations, financials, medical/TB test, etc.
  5. The role of the Licensure Specialist; and
  6. The requirement that foster parents work with birth families.

## **Section 4: Background Checks**

### **4.1 Background Checks, Generally.**

Before an applicant can become licensed, the Licensure Specialist is required to conduct a screening of the applicant and all household members fourteen (14) years of age and older. **The Background Check must be done as early as possible in the Licensure Process.** The Licensure Specialist must:

- A. Obtain signed permission for background checks and verify forms of identification on the applicant and all household members age fourteen (14) and older;
- B. Fingerprint the applicant<sup>2</sup> and all household members age fourteen (14) and older;

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<sup>2</sup> The United States Department of Justice requires that fingerprint images must be submitted twice before a request can be made for the records to be checked using the applicant's name only. If an applicant's fingerprints cannot physically be obtained, follow the designated fingerprint procedures for that circumstance.



- C. Conduct local criminal background checks (local police department **AND** county sheriff's office) on the applicant and all household members age fourteen (14) and older where the applicant lived in the last five(5) years;
- D. Conduct a MACWIS check and identify any history with MDCPS on the applicant and all household members age fourteen (14) and older;
- E. Conduct a search of the paper MDCPS records in the county where the applicant resides on the applicant and all household members age fourteen (14) and older;
- F. Conduct a Social Media check on the applicant and all household members age fourteen (14) and older;
- G. Submit the Child Abuse Central Registry Check form through [DocuSign](#) on the applicant and all household members age fourteen (14) and older; and
- H. Check the United States Department of Justice Sex Offender Registry (<https://www.nsopw.gov/>) on the applicant and all household members age fourteen (14) and older.

#### **4.2. Criminal History.**

- A. Fingerprinting documentation must be routed to the Office of Criminal Background Checks within 45 calendar days of receiving the COR packet or Application.
- B. The results of applicants with no charges or arrests will be routed to the Fingerprint Operator and other designees via MDCPS e-mail. The results of applicants with charges or arrests will be routed to the Fingerprint Operator via DocuSign as soon as the dispositional information can be obtained.
- C. If a foster parent applicant or person residing in the home has a criminal conviction or pending indictment- misdemeanor or felony- that bears upon the individual's fitness to ensure the safety and well-being of a foster child, that person is not permitted to be licensed as a foster parent.<sup>3</sup>
- D. If a fingerprint check reveals that an applicant or person residing in the home has been convicted of one of the following offenses, the Licensure Specialist must deny the license:

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<sup>3</sup> Miss. Code Ann. § 43-15-6.



1. Felony offense against a partner;
  2. Felony offense against a child;
  3. Sexual assault;
  4. Rape;
  5. Murder;
  6. Felony physical assault or battery within the past five years; or
  7. Felony drug-related offense within the past five years.<sup>4</sup>
- E. If a foster parent applicant or a person residing in the home has a criminal conviction or pending indictment that does not bear upon the individual's fitness to ensure the safety and well-being of a foster child, then the Licensure Specialist must staff the case with their supervisor.
- F. At any point during the licensure process, Licensure staff can consult with the Office of Criminal Background Checks and/or seek MDCPS legal assistance to request additional information, guidance, or to make requests based on child safety needs or agency requirements.

### **4.3 Agency History.**

If a foster parent applicant or person residing in the home is found to be a substantiated perpetrator in an Abuse, Neglect, or Exploitation (ANE) assessment, the Licensure Specialist must obtain a copy of the ANE report, and criminal conviction (if convicted), and staff the case with their supervisor and the Licensure ASWS.

### **4.4 Criminal History Justification.**

- A. If the background check uncovers arrests or convictions, the Office of Criminal Background Checks must send the applicant the results of the background check along with a Criminal History Justification Form by U.S. mail, marked confidential and addressed only to the applicant. The justification must not be sent by e-mail. The applicant has ten

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<sup>4</sup> 42 U.S.C. 671.



(10) calendar days from the date they receive the justification form to complete it and return it to the Office of Criminal Background Checks.

- B. While the applicant is completing the justification form, the Licensure Specialist should discuss the results of the background check with that applicant only. The applicant should be encouraged to complete the justification within ten (10) calendar days so as not to delay the licensing/denial of the home.
- C. After the applicant has been given an opportunity to challenge or explain the results of the background check, the ASWS and Licensure Specialist must decide whether to proceed with licensure.

#### **4.5 Confidentiality.**

- A. Criminal history information can be shared only within MDCPS and directly with the applicant, but cannot be shared with MDCPS contractors, other states, spouses, or other household members.
- B. An applicant's criminal history must be kept in a locked area at all times.

### **Section 5: Closing the Application**

#### **5.1 Voluntary Withdrawal.**

The applicant has the right to withdraw their application at any point during the licensure process. When an applicant determines that they would like to withdraw their application, they must notify the Licensure Specialist within three (3) calendar days. The Licensure Specialist shall then:

1. Document the reason for the closure in the Licensure file;
2. Complete a Notice of Action - Licensure Decision;
3. Notify the Office of Criminal Background Checks within two (2) business days that the applicant has withdrawn their application so the Fingerprint Unit can stop processing the file;
4. The Licensure Specialist must upload all documents gathered on this family into the Sharepoint library in case they wish to apply at a later date.



## **5.2 Failure to Comply.**

If the applicant fails to participate in the licensure process for one (1) month, and the agency has made at least three attempts to contact the family by in person communication, phone, e-mail, or certified mail to determine whether the applicant is interested in continuing with the licensure process, MDCPS should close the application. If the applicant wishes to continue, the Licensure Specialist must discuss with the applicant the importance of completing all steps in the process and clear deadlines must be met. If the applicant does not meet given deadlines after that, the following steps must be made:

1. Document the reason for the closure in the Licensure file;
2. Complete a Notice of Action - Licensure Decision;
3. The Licensure Specialist must upload all documents gathered on this family into the Sharepoint library in case they wish to apply at a later date.

Section 5.1 does not apply to Expedited Relative Foster Parent Applicants.

## **Section 6: The Home Study**

### **6.1 Generally.**

If the applicant meets the minimum qualifications to be licensed, the Licensure Specialist should begin the process of assessing the home for licensure. This process is designed to evaluate and educate the Foster Family about how to care for foster children.

### **6.2 Home Environment Checklist.**

- A. MDCPS must complete the Initial Home Environment Checklist at the beginning of the home study, as well as complete the Final Home Environment Checklist before approval to show that any safety/non safety issues have been resolved. Documentation must be entered in MACWIS and uploaded to SharePoint in Supporting Documents.

If the home is an Expedited home, the COR worker/COR ASWS will complete Part 1 and the Licensure Specialist/ASWS will complete Part 2 of the Initial Home Environment Checklist. The Licensure Specialist/ASWS will complete the Final Home Environment Checklist to determine that any issues have been resolved before licensing the home. This should be clearly documented in a narrative in MACWIS and uploaded in Sharepoint in Supporting Documents.



- B. The Home Environment Checklist must be updated annually from the date the license is issued, within two (2) weeks of a reported change in a Foster Family's residence, or when the Licensure Specialist and ASWS determine that it is necessary. The completed Checklist must be documented in MACWIS and the SharePoint Library within thirty (30) calendar days of completion.

### **6.3 Safe Sleep Requirements**

- A. The Foster Home must provide safe sleeping arrangements which accommodate the privacy needs of the child(ren) they are caring for.
1. The bedrooms must have a finished ceiling, floor-to-ceiling permanent affixed walls, a door, finished flooring, and ventilation;
  2. The foster child must have access to a bathroom without going through another bedroom;
  3. All bedrooms in the home must have doors that open and close;
  4. No more than four children of the same sex shall share a bedroom;
  5. The foster family must provide each foster child with a standard bed appropriate to the child's age and needs. A standard bed does not mean a cot, couch, convertible couch, portable bed, sleeping bag, or mat.
  6. Each child shall be provided with:
    - a. A sanitary mattress with a waterproof protective mattress cover;
    - b. A clean pillow;
    - c. Bed linens;
    - d. Blankets or covers as appropriate to the weather;
    - e. Separate and accessible drawer space for personal belongings; and
    - f. Sufficient closet space.
  7. No foster child is permitted to sleep in a bunk bed of more than two tiers. Foster children younger than seven (7) are not permitted to sleep in the top bunk. Foster



children age seven (7) and above may only sleep in a top bunk with access to a ladder and protective railing on all open sides.;

8. Each child must have their own bed and place for their belongings;
  - a. Two siblings of the same sex may share a full-sized bed or larger if the Licensure Worker or COR Worker have documented that such sleeping arrangements are appropriate.
  - b. Two siblings of the opposite sex can share a room together (not a bed) until they reach the age of five(5). At which time they will need to be placed in separate rooms. If there are any sexual acting out behaviors or history, they will not be placed in the same room at any time. A proper assessment must be made before this determination can be made.
9. Children under eighteen (18) months of age must sleep in a crib.
  - a. Children who are eighteen (18) months of age or older but who have special needs that make a bed impractical should also sleep in a crib or other approved bedding.
10. Children over eighteen (18) months of age are not permitted to sleep in the same room as an adult who has reached their twenty-first (21<sup>st</sup>) birthday.
  - a. Exceptions will be considered when it has been documented that a child has a severe physical or emotional handicap that requires close attention and monitoring by the foster parent.
11. Notwithstanding any other provision of this section, a foster child who is a parent may share a room with their own child but separate and appropriate bedding must be in that room.

#### **6.4 Interviews and Home Visits.**

The Licensure Specialist is required to interview all household members, including age-appropriate children. These interviews may be completed during any one of the home visits required in the approved home study process. At least two home visits are required in order to complete the initial and final walk-through of the home.





## **6.5 References.**

- A. As part of the Home Study, the Licensure Specialist must contact references who can attest to the applicant's character and fitness to care for foster children. This may be done in an interview or through a written statement provided by the reference. The Licensure Specialist must:
1. Contact four (4) personal references provided by the applicant;
    - a. Only one (1) of these references can be a relative;
  2. If employed, the agency must contact the applicant's employer as one of these four references.
- B. The Licensure Specialist must inform the references that any information they provide may be discussed with the applicant without disclosing the reference's name. The Licensure Specialist is not permitted to share the specific comments given by the references and must redact any reference statements from the home study prior to sharing it with the court, ICPC, or any other authorized agency.

## **Section 7: Initial Licensure Training**

The Licensure Specialist must ensure that all applicants on their caseload successfully complete Initial Licensure Training. Applicants may begin the initial training once they have completed Orientation and a walk-through and background checks have been run on the household members.

### **7.1 Initial Licensure Training Requirements.**

- A. The Licensure Specialist must ensure that all caretakers in the home, including spouses, complete initial licensure training either online or in a classroom setting and pass all tests prior to becoming licensed. The hours must consist of:
1. Mississippi PATH (Parents as Tender Healers);
  2. Child Safety Course;
  3. Travel and Finance Training.
- B. The MDCPS-approved Trainer or Licensure Specialist must conduct the initial licensure training using the approved training curriculum at the pace deemed most effective for the



families in attendance. Parts of initial licensure training are delivered on line (P.R.E.P.- Parental Roles in Establishing Permanency) and the remainder of the training is delivered face-to-face (P.A.T.H.- Parents as Tender Healers).

## **7.2 Training Invitations.**

The assigned Licensure Specialist must provide the applicant invitations verbally, by e-mail or U.S. mail to attend initial Licensure training in their area on at least three (3) occasions.

Each region has twice monthly training opportunities on nights or weekends so applicants who work can attend. If an applicant has a special circumstance (work schedule or medical issue) that keeps them from attending local trainings, they can be offered opportunities in other regions and possibly provided one-on-one training.

Each invitation will be documented in the Inquiry, under Training, and should detail the location and times of the training.

## **7.3 Failure to Complete Training.**

- A. If the applicant has not started initial licensure training classes within two (2) months of attending Orientation or discussed extenuating circumstances with the Licensure Specialist, the Licensure Specialist may—with Supervisor approval—close the application. The Licensure ASWS must then send a Notice of Action within three (3) business days to the applicant. The Licensure Specialist is not permitted to close an Expedited Relative Foster Home for this reason, but must discuss the appropriate course of action with their supervisor.

If, after completing the initial licensure training, the applicant is unable to complete the licensure process, their training will be valid for a period of two (2) years from the date their certificate shows they completed training.

## **Section 8: Licensing Decision**

### **8.1 Case Staffing.**

For all Expedited Placements where children are already placed in the home, the Licensure Specialist or ASWS must provide updates to the child's COR Worker and ASWS at thirty (30) calendar days, forty-five (45) calendar days, sixty (60) calendar days, seventy-five (75) calendar



days, and eighty-five (85) calendar days to get assistance with any barriers to licensing the expedited home. These homes will be staffed with the Licensure ASWS every week until licensed.

Non-Relative Homes should be staffed monthly with the ASWS to assure timely and quality home study decisions are made. Narratives will be entered in each case to show staffing has occurred.

## **8.2 Final Decision.**

The assigned Licensure ASWS, with input and recommendations from the assigned Licensure Specialist, must make the decision to license the home or deny the application. A decision to deny the application may be made after any step in the licensure process.

A. A written final decision must be given to the applicant within:

1. One hundred-twenty (120) calendar days of the initial intake for Non-Relative Home Studies; or
2. Ninety (90) calendar days of the date the child was placed in the home for Expedited Relative Foster Homes.

B. A Licensure certificate will be mailed, emailed or hand delivered to the foster family once approved and must state the full names of the foster parents, the date the license was issued and if the license is child specific, must include the child's name. The certificate will also show the dates the home is licensed, which will be a two year period of time. This must also be uploaded to SharePoint.

## **8.3 Notice of Action.**

A. If the Licensure Specialist and Licensure ASWS deny the home study, the Licensure Specialist must send a Notice of Action-Licensing Decision that includes a reason for the denial to the family within three (3) business days. A copy of the Notice of Action must also be sent to the Bureau Director of Licensure.

B. The applicant does not have the right to appeal the agency's decision.

C. A copy of the Notice of Action, as well as all other documents created during the licensure process, must be uploaded to SharePoint.



#### **8.4 Monthly Contacts with the Foster Parents.**

- A. Prior to placing a child in the home, the COR Worker must get approval from the Licensure Specialist and Licensure ASWS.
- B. MDCPS will make monthly contact with foster parents if children are placed in the home to assess the child's safety and well-being and ensure the child is receiving appropriate services.<sup>5</sup>
- C. The Licensure Specialist assigned to the home must make weekly contact by phone or in person with the newly licensed foster parent for the first two months of the first placement. If the Licensure Specialist identifies issues, the Licensure Specialist must staff the case with their ASWS as well as the COR Worker/COR ASWS within 24 hours. The Worker must document the case staffing in MACWIS.

#### **8.5 Placement Limits.**

- A. Foster Homes are not permitted to care for more than five (5) children, including foster, biological, and adoptive children, at any given time, in accordance with the following:<sup>6</sup>
  - 1. Foster Homes may provide care for more than three (3) foster children, up to a total of five (5), only with the documented approval of the Licensure Bureau Director determining that the foster children can be safely maintained in the foster home.<sup>7</sup>
  - 2. No more than two (2) children in the foster home may be under the age of two (24 months) or have therapeutic needs, including the biological and/or adoptive children<sup>8</sup> without prior approval of the Licensure Bureau Director.
  - 3. Notwithstanding the above, a sibling group may be placed together in the same foster home in excess of these limits, but only if they are the only children in the home, and only upon the written approval of the Licensure Bureau Director determining that the foster children can be safely maintained in the home.<sup>9</sup>

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<sup>5</sup> Section 5.1.d [MSA 2d](#) at 14.

<sup>6</sup> Section 4.1 [MSA 2d](#) at 9.

<sup>7</sup> Section 4.1.a [MSA 2d](#) at 9.

<sup>8</sup> Section 4.1.b [MSA 2d](#) at 9.

<sup>9</sup> Section 4.1.c [MSA 2d](#) at 9.



- B. If MDCPS determines that a child needs to be placed in a home that exceeds the acceptable limits, the following process must be followed:
1. The COR Worker or ASWS must call the Licensure Worker to request a home for a specific child after utilizing the Placement Matching Tool.
  2. The Licensure Worker will then give the COR Worker or ASWS information about homes that have space available and can accept placement.
  3. If the COR Worker or ASWS wants to place a child in a foster home that is already at the limit or close to it, they must call or e-mail the Licensure Worker and ask for permission to place the children in that home. They must specify:
    - a. The child is part of a sibling group that is already placed in the home;
    - b. The foster parent is a relative to the child;
    - c. The foster parent has fostered the child in the past and has an established relationship with the child;
    - d. The foster parent has special training that would allow the child to receive specialized care that they can't receive in another foster home; or
    - e. To allow a parenting youth in care to remain with their child.
  4. If the Licensure Worker determines that the home a) has shown themselves to be able to handle the additional children in their home, b) the placement will not disrupt the children already in the home, and c) there is appropriate bedroom and bed space for the child, the Licensure ASWS will elevate the request to the Licensure Bureau Director for approval. Verbal approval can be given after-hours, if necessary, so the child can be moved into the home prior to any MACWIS changes.
  5. The Licensure Worker/ASWS must email the written request to the Licensure Bureau Director for approval or denial.
    - a. If the request is verbally approved, the Licensure Worker or ASWS will complete a Licensure Change in MACWIS within three (3) business days. The ASWS and Bureau Director must approve the Licensure Change in MACWIS. At that point, the COR can place the child in the home and enter the placement in MACWIS.



- b. If the request is denied, the COR Worker is prohibited from placing the child in that home and must work with the Licensure Unit to find an appropriate placement for the child.
6. If the child is removed from the home, due to a placement change or exit from foster care, the COR Worker must let the Licensure Worker or ASWS know within five (5) business days of the move. The Licensure Worker will then change the available slots of the home to the originally approved number of slots by completing a licensure change in MACWIS.
7. When a COR Worker or ASWS places a child in a licensed foster home without consulting with Licensure and then submits a request for the home's license to be changed, the Licensure Worker or ASWS must notify the Bureau Director to determine if the placement can be approved. Within 24 hours of being notified of this placement, the Bureau Director will:
  - a. Recommend that the child be removed from the home; or
  - b. Approve the licensure change, in writing, after the placement.

### **8.6 Travel Expenses.**

Reimbursement for any travel expenses is at the sole discretion of the Mississippi Department of Child Protection Services:

- A. Routine daily transportation is the responsibility of the foster parent and is not reimbursable by MDCPS. Routine daily transportation includes transportation that would be considered "typical parental responsibility." Examples of routine daily transportation include, but are not limited to, transportation to and from the following: school, day care, extra-curricular activities, and community activities.
- B. Reimbursement for transportation expenses incurred on behalf of a foster child may be sought when it is beyond 50 miles one way from the address of the foster parents. For example, a foster child has an appointment that is 75 miles one way from the foster home. The foster parent(s) would be able to seek reimbursement for 25 miles for the transportation expense incurred on behalf of the foster child. However, a foster parent may be reimbursed for any travel regardless of distance if the foster parent is transporting the child to Youth Court, or for any task – such as visitation – that is required to fulfill the child's permanent plan.



- C. If the child is covered by Magnolia Health, transportation assistance is available through their program. If reimbursement is needed, prior notice must be made with Magnolia as they will be the first step in being reimbursed for medical appointments that are covered by Magnolia Health. They should be called at **1-866-331-6004**. Only after Magnolia has denied payment for such travel can MDCPS be requested to reimburse travel for medical appointments. *See Travel training offered in PREP pre-service training.*
- D. Reimbursement for transportation expenses incurred on behalf of the foster child cannot be sought when a foster child and the foster parent’s biological child (if applicable) have the same transportation expense. For example, if both children attend the same school then reimbursement for transportation expenses from MDCPS must not be sought.
- E. To seek reimbursement for transportation expenses, the following must occur:
  - 1. The foster parent(s) must be set up as a vendor in the state accounting system. A W-9, complete with phone number and email address, must be submitted to MDCPS State Office.
  - 2. Travel must be approved by the foster child’s County of Responsibility Caseworker.
  - 3. The “Non-Employee Travel Voucher” must be submitted with a description of travel on behalf of a foster child, starting and ending points of travel (physical addresses), and odometer readings. The voucher must identify each foster child and the associated travel.
- F. Reimbursement requests must be submitted monthly from the foster parent to the caseworker by the 10th of the next month. For example, the reimbursement request for January 1st through January 31st must be submitted to the caseworker by the close of business on February 10th. The caseworker must review, approve, (or disapprove) the request and submit it to MDCPS State Office by the 15th of the month of submission.
- G. MDCPS can only pay reimbursement for transportation expenses occurring within the current state fiscal year (July 1 – June 30) and within the timelines for submission.

### **8.7 Prudent and Reasonable Parenting.**

The standard of “careful and sensible parenting” is expected of any relative or non-relative foster parent. The licensed foster parent must communicate decisions made on the child’s behalf with their COR worker but the expectation is that the foster parent will make decisions for children in care as they would for their own children. Foster children should be allowed to participate in



extracurricular activities that are in their best interests. Foster parents should provide for the safety and health of the child and encourage the emotional and developmental growth of the child. Visitation with their parents or other family members must be cleared and staffed with their COR worker to keep an account of said visits.

### **8.8 Confidentiality and Photographing Foster Children.**

MDCPS employees must ensure caution is used in allowing photographs of foster children to be taken when those photographs will be accessible to the general public. Care and assessment should be taken to determine when this is feasible and appropriate due to the safety concerns it can create for the child, worker, or placement provider.

All children in foster care should have the opportunity to experience their lives in care as would any child living in their family home and not in the foster care system. However, the family, the child's worker, the placement provider, the courts and others must work together to determine when this is or is not the best interest of the child(ren). The following standards should be followed:

- A. Placement providers and MDCPS employees should agree to maintain personal information regarding the foster children and birth families confidential in accordance with MDCPS Policy and state statute.
- B. Authorization by the Youth Court and MDCPS is explicitly required before any placement provider uses or discloses any confidential information in any manner.
- C. Placement providers shall not post photographs of foster children or any other information, no matter how vague, regarding the foster child(ren) or their families on the internet or any type of public or private social networking website such as Facebook, Twitter, Instagram, Snapchat, Pinterest, etc without permission of the Youth Court and/or the child's biological parents/caregiver from whom they were removed. The agency will decide, with the court's input, if this is allowed when parental rights have been terminated and the child is freed for adoption.
- D. Children in foster care should, however, be allowed to sit for school photographs just as any child not in foster care and living with their birth families is able to do. A school photo in a yearbook is perfectly acceptable.
- E. Foster children who are participating on teams or in extracurricular activities should also be allowed to be photographed in team photos or group pictures.
- F. In situations in which there is ongoing positive engagement and coordination between MDCPS, the placement provider and the birth parent, the birth parent can give their





consent to MDCPS for their child's photographs to be used on a foster parent or facility's social networking website. Documentation of this consent should be placed in the child's narrative in MACWIS.

- G. Discussion about photographing of children in foster care, when deemed to be safe and appropriate, can be held with parents, foster parents/residential staff in the regular Family Team Meetings and the parent's wishes should be documented.

## **Section 9: Ongoing Training**

### **9.1 Ongoing Training Requirements.**

All licensed Foster Parents are required to receive ten (10) hours of ongoing annual training, five (5) of which must be in a classroom setting. The Licensure Specialist shall ensure that the Foster Parents on their caseload are notified of the availability of home-based and online training opportunities, as well as dates, times, and locations of classroom-based classes.

### **9.2 Approved Ongoing Training.**

- A. Foster parents are permitted to receive training, with approval of the Licensure Specialist, through participation in the following:
  - 1. Training sessions, seminars, workshops, or conferences specifically dealing with children or parenting issues that have been approved by the National Association of Social Workers, Mississippi Chapter or the Child Welfare Training Institute (CWTI);
  - 2. Training provided by a MDCPS Licensure or Adoption Specialist; and
  - 3. Individual training sessions conducted as part of a home visit.
- B. The Licensure Specialist has the authority to approve other training events. Foster parents who wish to participate in any other training event must get permission from the Licensure Specialist/ASWS prior to registering for and attending the training event.
- C. Each ongoing training should impart new skills or knowledge necessary to care for the children in the foster parent's home. The foster parent cannot seek training on the same subject unless new and updated material is being presented.



### **9.3 Proof of Training.**

Foster Parents are required to provide a certificate and agenda or other proof of completion to the Licensure Specialist within three (3) months of the training. The Licensure Specialist must place documentation of completion of ongoing training hours in the paper file and in MACWIS.

### **9.4 Carryover Hours.**

Foster Parents who exceed the required number of ongoing training hours may roll over up to three (3) training hours to the next year. The Licensure Specialist must document the total number of hours completed and indicate in the paper file and in MACWIS that the family is eligible to roll hours over to the next year.

## **Section 10: Foster Home Re-Evaluation**

### **10.1 License Re-Evaluation.**

- A. The full re-evaluation process must take place every two (2) years, with the following requirements due every year:
  - 1. The Home Environment Checklist; and
  - 2. Verification of ongoing training hours (see **Section 9.1**).
- B. The Licensure Specialist must begin the re-licensing process at least ninety (90) calendar days prior to expiration. This includes:
  - 1. Contacting the foster parents by phone or email
  - 2. Conducting home visits
  - 3. Delivering or mailing the Re-licensure packet; and
  - 4. Completing any other activities to ensure the home will not expire prior to relicensure.
- C. If the renewal process is not complete by the date the license is set to expire, board payments will stop and the home will not be permitted to take any children until they are fully licensed. Children in the home may be removed.



## 10.2 License Changes.

The Licensure Specialist must conduct a new Home Environment Checklist annually or if any of the following occur:

- A. If the foster family relocates within Mississippi, the family must notify the Licensure Specialist and the child's Worker as soon as they know about the move or at least sixty (60) calendar days prior to the move, whichever is earliest. The Licensure Specialist shall:
  - 1. Complete a transfer summary in MACWIS, as well as e-mail the county to which the foster family will be moving to set up the case transfer;
  - 2. The new county Licensure Specialist will complete the Home Environment Checklist within fourteen (14) calendar days of the foster family's move;
  - 3. Complete a Licensure Change to show the new address, change the number of slots and/or ages for children in the new home, and complete all screens that show any changes to the newly relocated home; and
  - 4. Complete a relocation summary in MACWIS.
- B. If the foster family relocates outside of Mississippi, the family must notify the Licensure Specialist and the child's Worker as soon as they know about the move or at least ninety (90) calendar days prior to the move, whichever is earliest. The Licensure Specialist shall:
  - 1. Discuss the process with the foster parents and inform them that they must:
    - a. Sign a release of confidential information so their file can be forwarded to another state; The COR Worker will complete the remainder of the needed paperwork to have the ICPC Unit refer this home study to the other state.
    - b. The Foster Parent will complete the process to become licensed in the other state, going through ICPC to complete this process.
    - c. Become licensed in their new state.
  - 2. If the Foster Parent's Mississippi license is due to expire within ninety (90) calendar days of the move, they must complete a license renewal prior to the move.
- C. If the foster family expresses a desire to care for more or fewer foster children, the Licensure Specialist shall, as soon as possible or within thirty (30) calendar days:



1. Ensure the family has appropriate sleeping arrangements by conducting a walk-through of the home; and
  2. Discuss with the family their physical and emotional capacity for additional children and document that conversation in MACWIS; and
  3. Complete a license change and get approval by the Licensure Bureau Director before an additional child can be placed in that home.
- D. If the foster family experiences a divorce, the Licensure Specialist shall:
1. Work with the county CPS Worker to evaluate the circumstances of the divorce;
  2. Make a determination regarding in-home placement of the children;
  3. Determine, with the family, whether the licensed father or licensed mother should retain placement of the children; and
  4. Inform the foster family that they must obtain counseling for the foster children.
- E. If the foster family experiences a marriage, the Licensure Specialist shall:
1. Document the change in MACWIS;
  2. Interview the additional household member(s) and enter that information into a MACWIS license change narrative;
  3. Complete a full background check on the new spouse, prior to the marriage if possible, but no later than fourteen (14) days after the new spouse enters the foster home; and
  4. Inform the new spouse that he or she must fully participate in the licensure process and complete the training described in **Section 7** within two (2) months.
- F. If a foster parent dies, the Licensure Specialist shall:
1. Discuss with the widow(er) the services he or she needs because of the loss;
  2. Remove the deceased foster parent from the license in MACWIS; and
  3. Ensure the foster children in the home receive counseling.
    - a. The agency shall not place any additional children in the home until the Licensure Specialist completes an assessment that shows the family has had an adequate



period of adjustment. The family will be placed on Deferred status until a suitable period has passed to allow for grief and loss.

- G. If the foster family experiences a change in household members (children through marriage, elderly relatives, etc.), the Licensure Specialist shall:
1. Complete criminal background checks, including fingerprinting and local background checks, on all new household members age fourteen (14) and older within fourteen (14) calendar days of the change;
  2. Ensure that any additional household members who will provide any care for the foster child are required to attend and complete all in-service training; and
  3. Complete a re-evaluation if an unrelated adult moves into the home to determine whether the home may remain open.
- H. If a relative foster parent decides they want to be a foster parent to an unrelated child, they must:
1. Have a Non-Relative Home Study completed on their home; and
  2. Have no waivers or exceptions for their home as these might have been offered when licensed as a Relative Home.
  3. The Licensure Change must reflect that the family is being changed to Foster Home instead of Relative Home.

## **Section 11: Policy Violations and Adverse Actions**

### **11.1 Corrective Action Plans.**

- A. If the Licensure Specialist identifies a safety or non-safety deficiency that needs to be addressed by the foster Family, the Licensure Specialist must work with the family to develop a Corrective Action Plan (CAP) or request removal of the child/closure of home.

The Corrective Action Plan is:

1. A formal documentation of needs that must be addressed by the foster family.
2. Tasks the foster family or other participants must complete to reach the desired solution and a timeframe for completion of said tasks must be given.



3. Cannot extend beyond six (6) consecutive months unless renewal is in the best interest of the child placed in the home. The Licensure Specialist shall not renew the plan more than once and shall not allow the plan to extend beyond one (1) year.
- B. The following people must review and approve the CAP or any extensions within fourteen (14) calendar days of identifying the issue (COR staff must approve if a child is placed in the home):
1. Licensure Specialist;
  2. Foster Family;
  3. Licensure ASWS;
  4. COR Worker;
  5. COR Supervisor; and
  6. Bureau Director of Licensure/Regional ASWS of Licensure
- C. If the family refuses to agree with a CAP, the Licensure Unit has cause to close the home. Steps should be taken to find alternate placement for any foster child in the home and the Court should be notified of the issues. A Notice of Action letter will be sent to the family within thirty (30) calendar days of this decision. If the child is allowed to remain in the home by way of court ordered placement, the placement will be changed, the home will be closed and the family will no longer receive any board payment for that child.

## **11.2 Policy Violations.**

- A. If the Licensure/Adoption Specialist becomes aware of a foster family's violation of agency policy, the Licensure Specialist shall make a report to Mississippi Centralized Intake (MCI). MCI must screen the policy violation to the Special Investigations Unit (SIU). If there is no allegation of abuse, neglect, or exploitation, the SIU Supervisor must screen the report out and send the report to the Licensure/Adoption ASWS and the Licensure/Adoption Bureau Director for that county for them to address within fourteen (14) calendar days.
1. If the home is licensed or in the licensure process and not yet licensed, the Licensure or Adoption Unit will receive the report for corrective action.



2. If the home is an unlicensed court-ordered Expedited Relative Foster Home (the home was denied or the child is on a trial home placement), the report must be screened out and e-mailed to the child's COR Worker and ASWS for corrective action.
- B. The Licensure Specialist/ASWS must further assess any screened-out policy violation on an Expedited or Non-Relative home or in the case of a court ordered placement/trial home placement, the COR worker for the child in that home will further assess. The Specialist or COR Worker must interview the child within twenty-four (24) hours of the intake (excluding holidays and weekends) to ensure the child is safe. The Specialist or COR Worker must interview all children and adults in the home separately.
- C. Regardless of the findings of this assessment, the Specialist must coordinate with the family to develop a CAP or address the issues thoroughly in a narrative. This narrative or CAP must state how the issue was resolved/will be resolved with deadlines for completion clearly stated. Copies of the narrative or CAP must be sent for inclusion on the Foster Parent Investigation Log that tracks any screened in or out reports of maltreatment in care.
1. If there is a second violation of the same policy in a Licensed Home within a six (6) month period, the home could be closed.
  2. If there is a second violation of a different policy in a Licensed Home within a six (6) month period, the Specialist may recommend a CAP and home closure.
- D. If the allegations are found to be untrue, the home could remain licensed and not be subjected to a CAP. The Specialist must enter a narrative for that home to explain the findings. Refer to C for how to file this narrative.

### **11.3. Revoking the License and Closing the Home**

- A. If the Specialist identifies serious concerns regarding the quality of care provided by the foster family or if the foster family has repeatedly violated agency policy, the Specialist must discuss the situation with the Supervisor. They must then determine whether the foster family's home should be closed.
- B. If the ASWS determines the home should be closed, the Specialist shall make a recommendation for closure in MACWIS and send a Notice of Action to the foster parents within three (3) business days. If any children are placed in the home, a Notification of Closure letter is sent via DocuSign to the COR Worker/ASWS to specify why the home needs to be closed. The COR Worker/Supervisor should present the facts to the court and determine whether the children should be immediately removed.



- C. The Licensure Specialist must consider each case individually, but may recommend that the home be closed for the following reasons:
1. The family requests their home be closed;
  2. The family moves out of state;
  3. The family refuses to cooperate with the regulations and policies of MDCPS;
  4. The family moves adults or children into the home without notifying the Licensure staff;
  5. Failure to complete a Corrective Action Plan;
  6. The family cannot or will not act to meet MDCPS licensing requirements;
  7. There is a substantiated report of child maltreatment;
  8. The family fails to take a child after MDCPS requests two (2) placements and they are unable to offer a valid reason for denying such placement; or
  9. The family has gone without any child in the home for at least six (6) consecutive months.

#### **11.4 Appeals.**

- A. Foster parents are permitted to appeal closure of their home if their home was licensed/approved. If their home was denied at any point prior to obtaining a license, they are not eligible to appeal.
- B. Regional Appeal Hearing: The foster family has thirty (30) calendar days from the date they receive the Notice of Action to appeal the closure of their home. If they do not respond to the Notice of Action by requesting a hearing, the Specialist and ASWS will complete with closure of the home in MACWIS.

If the foster family appeals the closure, a Regional Appeal hearing will be scheduled and held within thirty (30) calendar days of their request in writing. This meeting will include the foster family, any County of Responsibility worker for a child that was in that home, the Licensure Specialist/Licensure ASWS, Regional ASWS and the Bureau Director of Licensure, when possible. The home will be placed on Deferred status and cannot receive any further placements until a final decision is made.





- C. Attorney General Appeal Hearing: Within thirty (30) calendar days of their Regional Appeal Hearing, a second Notice of Action is sent to the family to notify them of the decision made. If the family is not satisfied with that decision, they will be given the opportunity to appeal with the Attorney General’s office. Once that request is received by State Office Licensure Unit, it is forwarded to the Attorney General’s office. The Attorney General’s office will notify the family of a date and time for their scheduled appeal hearing in Jackson, MS. The Attorney General will notify all relevant parties and make a final ruling after hearing all of the facts. Their decision will be forwarded to the Commissioner of MDCPS and the Commissioner will make a determination if the AG’s decision will stand or be overruled. This decision is final and no further appeals will take place.

If it is determined that the home will remain open, the Licensure Specialist and ASWS will place the home back on Active status in MACWIS within ten (10) business days of receiving notice.

### **11.5 Not Accepting Placement.**

When a foster family is under investigation for a policy violation, ANE, or appealing the closure of their home, their home must be put into “Not Accepting Placement” status in MACWIS. Under no circumstances should a child be placed in a home that is listed in MACWIS as “Not Accepting Placement.”

### **11.6 Deferred Placements.**

- A. Deferred Placement can be used if a foster parent does not want to close their home, but needs a break from being a foster parent due to personal issues.
- B. A family may only be placed on Deferred status, not to exceed six (6) months, consecutively or over a certain period. If at the end of six (6) months, the home cannot be placed in Active status, the Specialist will close the home.
- C. The status of a home cannot be changed to “Deferred” if there is a pending placement.
- D. If the home expires while in Deferred status, the home will show as Expired. The home must be placed back in Active status before closing or it will forever show as Expired.



## **Section 12: Re-licensing a Closed Foster Home**

### **12.1 Foster Home Closed for Less than One Year.**

The Licensure Specialist must update the Home Study in MACWIS (Home Study Addendum) and explain why the foster home was closed, and why the family wants to become licensed again. The Licensure Specialist must also complete a Home Environment Checklist and a background check.

### **12.2 Foster Home Closed Over One Year but Less than Two Years.**

The Licensure Specialist must enter a new Resource Inquiry in MACWIS and complete a new Home Study. The family must have completed at least five (5) hours of in-service training and provide an updated Medical Form.

### **12.3 Foster Home Closed Over Two Years.**

The Foster Parents must repeat the entire licensure process and pre-service training.

## **Section 13: Relative Foster Homes**

### **13.1 General Requirements.**

The Expedited Relative Foster Home licensure process enables a child to be quickly placed with biological relatives, fictive kin, or court-ordered non-relatives upon entering foster care. The content and requirements of the Expedited Relative Foster Home process are the same as those for regular foster homes, except the entire licensure process must be completed within ninety (90) days. MDCPS does make a few exceptions for Relative Homes. Those are found in **Section 14.2**.

### **13.2. Pre-Placement Activities.**

- A. No child can be placed in an Expedited Relative Foster Home until the child's Worker has:
1. Completed the Home Environment checklist while doing a walk-through of the home;
  2. Completed local city and county background checks on any adult age fourteen (14) and over who is in the home; and
  3. Checked MACWIS for history of any of those household members.



- B. If this occurs after-hours, verbal confirmation that the background checks have been completed must be documented on the form that is included in the COR packet. The COR Worker must run the official background check on the next business day so the Licensure Unit has the final background check for both city and county law enforcement and the COR Worker must include those in the COR packet. All parts of the COR packet must be completed prior to leaving the child in the home as the packet covers safety issues.

### **13.3 Post-Placement Activities.**

- A. Within three (3) business days of a child entering MDCPS custody and being placed with an Expedited Relative Foster Parent:
  - 1. The COR Worker must enter the Expedited Relative Inquiry in MACWIS;
  - 2. The COR packet must be scanned/mailed to the Licensure Specialist/ASWS as well as the Regional ASWS to ensure it is received and can be uploaded into Sharepoint by the Licensure Worker.
  - 3. The COR Worker must enter the child's placement into MACWIS as Expedited Pending Relative Resource; and
  - 4. The Licensure ASWS or Licensure Specialist shall initiate the home study.
- B. The Licensure Specialist must ensure that the entire expedited licensure process is completed within ninety (90) calendar days of the child's placement in the home.

### **13.4 Issuing the License.**

Once the expedited relative has been licensed, the Licensure Specialist must indicate in MACWIS and on the License that the family is approved for a specific child or sibling group. The Licensure Specialist must notify the COR Worker, the COR ASWS, and Regional Director that the home is licensed and is eligible for a board payment from the date of licensure.

Once the child's COR Worker receives notification that the home is licensed, they have two (2) business days to update the child's placement in MACWIS from "Expedited Pending Placement" to "Relative Home." A Board Payment should only be paid for the dates the home was licensed.

### **13.5 Barriers to Licensing the Relative Foster Home.**

If after working together with the COR worker/ASWS, the home cannot be licensed and/or the child is unsafe, action must be taken to deny the home. The Licensure Specialist should complete



a “Notice of Home Not Being Licensed” form. This form should clearly state all barriers to licensure. This form is completed through DocuSign and it requires the COR to decide if the child needs another placement or they wish to request a court hearing. Once a response is received, this form is uploaded to Sharepoint and a narrative is entered in MACWIS. The child’s COR Worker must notify the court of the Licensure Unit’s recommendation well before the ninety (90) day deadline so an alternate placement can be located.

### **13.6 Limits to Expedited Placements.**

A child may only be placed in two Expedited Relative Foster Homes. If the second Expedited Relative Foster Home does not work out, the Licensure Specialist must work with the Licensure ASWS, the COR Worker, and the COR ASWS to place the child in a Licensed Foster Home.

## **Section 14: Licensing Issues**

### **14.1 Waivers.**

- A. A waiver is a time-limited waiving of non-safety related deficiency that must be corrected through a Corrective Action Plan (CAP).
- B. The Licensure Specialist may waive non-safety related standards for foster home licensure.<sup>10</sup> Waivers must be considered on a case-by-case basis<sup>11</sup> and must be submitted in writing to the Licensure Bureau Director as part of a CAP with a reasonable deadline for the waiver to expire.
- C. The Licensure ASWS must issue the initial approval or denial of the waiver request, and the Bureau Director of Licensure has two (2) business days to respond to the request. The Bureau Director of Licensure has the final authority over whether to approve or deny the waiver.
- D. In the event the Bureau Director of Licensure approves a waiver, the Licensure Specialist and Licensure ASWS must make every effort to bring the Foster Family into full compliance with the waived standard(s). A CAP must be initiated and reviewed no more than three (3) months from the date of the waiver approval. If the issue has not been resolved within that period, all parties involved must determine whether the child will remain in the placement.

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<sup>10</sup> 42 U.S.C. 671.

<sup>11</sup> 42 U.S.C. 671.



## 14.2 Exceptions.

- A. Exceptions may be provided to Expedited Relative Foster Parents for the age requirement and for the married or single requirement, but only if the Licensure Specialist discusses the reason for the exception with the Licensure ASWS. The Licensure Bureau Director must approve the exception request through a Corrective Action Plan. Exceptions are done one time and do not require evaluation unless the situation changes.
- B. This exception shall only apply if the unrelated adult residing in the home has lived there for at least one (1) year.

## 14.3 Safety Issues.

- A. If the Licensure Specialist or Licensure ASWS determines that an unlicensed Expedited Relative Foster Home cannot be licensed due to a safety issue, the Licensure Unit will notify the COR Worker/ASWS and the county shall make all reasonable efforts to immediately ensure the child's safety and to remove the child, including, if required, seeking an emergency court order.<sup>12</sup>
  - 1. If the child is not in imminent danger, the Licensure Specialist/ASWS will implement a Corrective Action/Safety Plan and within five (5) calendar days either cure the licensing deficiency or ask the COR worker/ASWS to move the child to a licensed foster home or facility, or one time only, an appropriate expedited relative placement.<sup>13</sup>
- B. If the Licensure Specialist or Licensure ASWS determines that an unlicensed Expedited Relative Foster Home cannot be licensed due to a non-safety issue, the Licensure Specialist shall, within thirty (30) calendar days of that determination, cure the licensing deficiency or ask for removal of the child to a licensed foster home or facility, or one time only, an appropriate expedited relative placement.<sup>14</sup>

## 14.4 Child Specific Inquiries

- A. There are times when a family asks to be licensed for a specific child, but the county did not choose to place the child in that home as an Expedited Relative Foster Home, or the child is already in a licensed home and the county/courts do not wish to move that child from the licensed placement. In those instances, MDCPS defines those families as Child

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<sup>12</sup> Section 3.2.b [MSA 2d](#) at 8.

<sup>13</sup> Section 3.2.b [MSA 2d](#) at 8.

<sup>14</sup> Section 3.2.c [MSA 2d](#) at 8.



Specific homes. When a family member/fictive kin requests licensure for a specific child, the following should take place:

1. The COR Worker/ASWS will determine if this person should proceed with licensure for future placement in their home. Prior to asking the family to call an inquiry in, the COR worker will complete the Child Specific packet, making sure to do the Home Environment walk-through of the home and completing all background checks on that family. If that family is deemed appropriate for placement of that child (and this is the intention of the county/court), the completed Child Specific packet will be sent to the Licensure Unit.
2. The Licensure Specialist/ASWS will call in an Inquiry to the Foster Home Hotline. The Licensure Unit will confirm that the Child Specific packet has been uploaded to Sharepoint and that the COR plans to place the child in this home, once licensed. Once the inquiry is entered, the home will be assigned to a Licensure Specialist.
3. The family will be asked to complete all requirements for a Non-Relative Home Study (as the child is not already placed in this home).

**Note:** The Non-Relative Home Study will not allow for any exceptions based on age or marital status. Once the home study is completed, the home will then be considered a Relative Home for that specific child and the child can be placed in that Relative Home. If the placement is not made with that child, the family will be asked to foster other children and will be changed to a Foster Home. If they do not want to foster any other children, their home will be closed.

B. There are times when unlicensed families inquire about children that are found on Adopt US Kids or on our MDCPS Heart Gallery website. Since MDCPS does not license families to adopt only, we will treat these families much like the Child Specific inquiries:

1. When a family inquires about a specific child that is freed for adoption, their information will be forwarded to the COR Worker and ASWS for that child as well as the Adoption Worker/ASWS for that child. They should work together to screen the family to see if they are a good match for the child in care.
2. The COR worker will complete a Child Specific packet, making sure to do the Home Environment walk-through of the home and completing all background checks on that family. The COR Worker/ASWS and Adoption Worker/ASWS



for the child will determine, during the monthly Adoption Status Meeting, if this family is a good match for this child and if they can proceed with licensure for future placement in their home. If placement in this home is desired, the Child Specific packet should be sent to the Licensure Unit.

3. The Licensure Specialist/ASWS will call in an Inquiry to the Foster Home Hotline. The Licensure Unit will confirm that the Child Specific packet has been uploaded to Sharepoint and that the COR plans to place the child in this home. Once the inquiry is entered, the home will be assigned to a Licensure Specialist.
4. The family will be asked to complete all requirements for a Non-Relative Home Study (as the child isn't already placed in this home).

**Note:** The Non-Relative Home Study will not allow for any exceptions due to age or marital status. Once the home study is completed, the home will then be considered a Non-Relative Foster Home for that specific child and the child can be placed in that Foster Home. If the placement is not made with that child, the family will be asked to foster other children. If they do not want to foster any other children, their home will be closed. These homes will be required to foster that child for up to 6 months before finalizing the adoption.

## **Section 15: Unlicensed Foster Homes**

### **15.1 Prohibition.**

No child shall remain in a foster home or facility that cannot meet MDCPS licensing standards.<sup>15</sup>

### **15.2 Children remaining in unlicensed homes.**

- A. If a court orders a child into a specific unlicensed placement that cannot meet MDCPS licensing standards, the COR Worker must tell the court that the foster home has not met licensing standards and explain the reasons why the foster home has not and cannot meet licensing standards. The MDCPS agent must also tell the court if there is a licensed foster home or facility is available, or one time only, an appropriate expedited relative placement.<sup>16</sup> The Licensure Worker will provide a written notice of why the home cannot be licensed to the COR Worker to help them better inform the courts.

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<sup>15</sup> Section 3.2.a [MSA 2d](#) at 8.

<sup>16</sup> Section 3.2 [MSA 2d](#) at 8.



- B. MDCPS employees are prohibited from asking the court to place a child in any unlicensed placement that cannot be licensed.
- C. Should the court order the child to remain in that unlicensed home, the COR worker will provide a copy of the court order to Licensure for filing.

### **Section 16: Disclosure of a Home Study**

MDCPS will not share copies of the home study with the foster family/applicant, any other individual, agency, or state unless the home study has been requested as part of an ICPC Placement.

### **Section 17: Other Requests**

#### **17.1 General ICPC Guidelines.**

- A. Incoming children must be placed in a licensed foster home. All ICPC requests are routed to the Licensure Unit for assignment. The Relative ICPC must be coded as ICPC Incoming and Relative Home. Once approved, the home must remain open for six (6) consecutive months or until the child is placed in that home. Once the child is placed, two cases will be open on the family: one for a COS Worker for the child and one for a Licensure Specialist for the relative foster home. The child's case will be transferred to the COS Worker to monitor the home.
- B. The child's ICPC case cannot be closed unless the child is no longer in that home or the child is adopted. Monthly visits are required and all parties must be notified if a child is removed or moved from the licensed relatives home.
- C. If after six (6) consecutive months the child has not been placed in that home, the ICPC Incoming/Relative Home will be closed.
- D. Parent Home Studies requested through ICPC will not be licensed as foster parents, must be completed within thirty (30) calendar days, and should not have fingerprints completed on any household members.
  - 1. If the state requests fingerprints, these must be done at the expense of the parent or other household member and not through our agencies Fingerprint Unit.
  - 2. The Parent Home Study Template must be used for Parent Home studies.





## **17.2 Parent or Court Ordered Home Studies.**

- A. If a court orders a home study on a family not currently involved with MDCPS, the Licensure ASWS will notify the court and the applicants of the MDCPS fee for court-ordered home studies.
- B. If the home study request is made by a court (other than the youth court) or a private attorney, the requesting party must be informed that the request must include the home study fee prior to MDCPS completing the home study.
- C. The standard fee is \$350 to cover the cost of the home study.
  - 1. Checks must be made payable to the Treasurer, State of Mississippi, and sent directly to the Licensure ASWS prior to the home study being assigned or initiated.
  - 2. Once payment is received, the Licensure ASWS must forward the payment to the MDCPS Finance Unit.
- D. The Parent/Court-Ordered Home Study format will be used as these homes are not being licensed so therefore, no training or fingerprinting is done on these homes. This will be the responsibility of the agency or state who is requesting that service.
- E. If the court orders an adoptive home study on a child not in care, the Adoption Unit will conduct any home study for adoption purposes using the Parent/Court Ordered Home Study format.
- F. The Specialist must submit the completed home study and all supporting documents to their ASWS within sixty (60) calendar days for review prior to submitting the home study to the court.