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| Policy Title: | Family Support Services – OAR | | |
| Policy Number: | I-B.2.3.1 413-030-0000 thru 0030 | | Effective Date: 1-15-13 |

Approved By: *on file*

Date Approved:

Policy

Forms, etc.

Definitions

References

Contact

History

Reference(s):

- PL 95-608, Indian Child Welfare Act of 1978
- PL 105-89, Adoption and Safe Families Act
- ORS 418.015, Custody and Care of needy children by office; placement
- ORS 418.032, Child Support Application for children with disabilities
- ORS 418.312, When transfer of custody not required; voluntary placement agreement; review of children placed in certain institutions
- ORS 419B.476, Permanency Hearing Required, court determinations
- I-B.1.1 Authority to Provide Service
http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-b11.pdf
- I-B.1.3 Voluntary Custody Agreement
http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-b13.pdf
- I-B.1.3.1 Voluntary Placement Agreement
http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-b131.pdf
- I-B.2.3.5 Independent Living Programs
http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-b235.pdf
- I-G.3.2 Post Legal Adoption Services
http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-g32.pdf

Form(s) that apply:

- CF 304, Service Application
- CF 0333d, Family Support Services Case Plan – In Home (Available in FACIS)
- CF 0333e, Family Support Services Case Plan – Substitute Care (Available in FACIS)
- CF 496, DCS Referral for Non-Adversarial Support Agreement
http://dhsresources.hr.state.or.us/WORD_DOCS/CE0496.doc
- CF 498, Parental Request for Continuation of Voluntary Agreement
http://dhsresources.hr.state.or.us/WORD_DOCS/CE0498.doc
- CF 499, Voluntary Placement Agreement
http://dhsresources.hr.state.or.us/WORD_DOCS/CE0499.doc
- CF 1005 Voluntary Custody Agreement
http://dhsresources.hr.state.or.us/WORD_DOCS/CE1005.doc

- DHS 415H Medical Resource Report Form
<http://dhsforms.hr.state.or.us/Forms/Served/DE0415H.pdf>
- CF 75, ILP Funding Eligibility Checklist
http://dhsresources.hr.state.or.us/WORD_DOCS/CE0075.doc

Rules:

413-030-0000

Purpose

The purpose of these rules (OAR 413-030-0000 to 413-030-0030) is to describe the responsibilities of the Department in providing family support services, including:

- (1) Eligibility criteria;
- (2) Determination of service needs;
- (3) Development of the *family support services case plan*;
- (4) Development of Service Agreements;
- (5) Caseworker contact and monitoring requirements; and
- (6) Timelines for reviewing progress.

Stat. Auth.: ORS 409.050, 418.005

Stats. Implemented: ORS 418.005

413-030-0003

Definitions

The following definitions apply to OAR 413-030-0000 to 413-030-0030:

- (1) "Child" means a person under 18 years of age.
- (2) "Department" means the Department of Human Services, Child Welfare.
- (3) "Expert evaluation" means a written assessment prepared by a professional with specialized knowledge of a particular subject matter such as physical health, psychological health, mental health, sexual deviancy, substance abuse, and domestic violence. The assessment provides information regarding an individual's functioning in the area of the professional's specialized knowledge and when the expert is evaluating a parent or *guardian*, whether the individual's functioning impacts his or her protective capacity.
- (4) "Family support services case plan" means a goal-oriented, time-limited, individualized plan for a *child* and the child's family or a *former foster child*. The Department and the

family or *former foster child* jointly develop a "family support services case plan" that addresses the service goals and the identified needs of the *child* and the child's family or the *former foster child*.

- (5) "Former foster child" means a person under 21 years of age who was in *substitute care* at or after 16 years of age, including *substitute care* provided by federally recognized tribes, and had been in *substitute care* for at least 180 cumulative days after 14 years of age.
- (6) "Guardian" means an individual who has been granted guardianship of a *child* through a judgment of the court.
- (7) "ILP" means the Independent Living Program services provided by the Department to an eligible foster child or *former foster child*.
- (8) "Parent" means the biological or adoptive mother or the legal father of the *child*. A legal father is a man who has adopted the *child* or whose paternity has been established or declared under ORS 109.070, ORS 416.400 to 416.465, or by a juvenile court. In cases involving an Indian child under the Indian Child Welfare Act (ICWA), a legal father includes a man who is a father under applicable tribal law. "Parent" also includes a putative father who has demonstrated a direct and significant commitment to the *child* by assuming or attempting to assume responsibilities normally associated with parenthood unless a court finds that the putative father is not the legal father.
- (9) "Service Agreement" means a written document between the Department and a *parent, guardian, or former foster child* that identifies one or more of the service goals in a *family support services case plan*, and the services and activities that are necessary for the *parent, guardian, or former foster child* to achieve the goal.
- (10) "Service goal" means the observable, sustained change in behavior, condition, or circumstance that, when accomplished, achieves the desired effect.
- (11) "Short term services" mean actions or activities that are limited in duration to a maximum of 180 days.
- (12) "Substitute care" means the out-of-home placement of a *child* or *young adult* who is in the legal or physical custody and care of the Department.
- (13) "Substitute caregiver" means a relative caregiver, foster parent, or provider authorized to provide care to a *child* or *young adult* in the legal or physical custody of the Department.
- (14) "Young adult" means a person aged 18 through 20 years.

Stat. Auth.: ORS 409.050, 418.005

Stats. Implemented: ORS 409.010, 418.005, 418.312

Eligibility For Family Support Services

- (1) A *parent, guardian, or former foster child* may be eligible for family support services if the requirements of one of the following subsections are met:
 - (a) A *parent or guardian* requests out-of-home placement of a *child* due solely to the emotional, behavioral, or mental disorder or developmental or physical disability of the *child*, as described in Child Welfare Policy I-B.1.3.1, "Voluntary Placement Agreement", OAR 413-020-0060 to 413-020-0090.
 - (b) A *parent or guardian* requests that the Department take temporary custody of a *child* due to conditions described in Child Welfare Policy I-B.1.3, "Voluntary Custody Agreement", OAR 413-020-0000 to 413-020-0050.
 - (c) A *former foster child* eligible to receive Independent Living Program (ILP) services requests those services.
 - (d) A *parent or guardian* requests post adoption or post legal guardianship services in connection with an adoption or legal guardianship that occurred through the Department.
 - (e) A *parent or guardian* requests assistance with a *child* in the home, and all of the following paragraphs apply:
 - (A) Other community resources have been utilized and determined to be ineffective.
 - (B) Members of the extended family and other responsible adults who are well known to the *child* have been explored or utilized and determined to be unsafe, unavailable, unwilling, or ineffective as support for the family.
 - (C) The *parent or guardian* is temporarily or will be temporarily unable to fulfill parental responsibilities due to a diagnosed medical or mental health condition.
 - (D) The inability of the *parent or guardian* to fulfill parental responsibilities is temporary and immediate; and will be alleviated with *short term services* or *short term services* will transition the family to community services.
 - (E) A Child Welfare program manager approves the request for voluntary services.
- (2) Service eligibility requires the full and ongoing cooperation of the *parent, guardian, or former foster child* in:
 - (a) The determination of need;
 - (b) The preparation of the *family support services case plan*; and

- (c) The monitoring of the *family support services case plan*.
- (3) If the Department determines that funds for family support services are unavailable, the Department will not provide services for those who are eligible for services under subsection (1)(e) of this rule.
- (4) The Department must provide family support services when a court has ordered the Department to provide services to a pre-adjudicated delinquent.

Stat. Auth.: ORS 409.050, 418.005

Stats. Implemented: ORS 409.010, 418.005, 418.312

413-030-0009

Determination of the Service Needs

- (1) Within 30 days of receiving the family support services screening information, the caseworker must determine the service needs by completing the following actions:
 - (a) Provide the *parent, guardian, or former foster child* with a Service Application.
 - (b) Initiate the process to determine the child's ICWA status and notify the Indian child's tribe if ICWA applies. To initiate this process, the caseworker must:
 - (A) Complete a form CF 1270, Verification of ICWA Eligibility, to assist in determining ICWA eligibility.
 - (B) Contact the child's tribe when an Indian child's family is requesting placement of the *child* per the requirements of OAR 413-070-0160(1), "Placement of Indian Children."
 - (C) Consult with the local Child Welfare ICWA liaison or a supervisor if the caseworker has questions regarding the involvement of a tribe or the ICWA status of the *child*.
 - (c) Within five working days of receipt of the case, confirm there is no current reported safety threat to the *child* by reviewing the screening information and the child welfare case records for all family members living in the household.
 - (d) Within ten working days of receipt of the case, make initial face-to-face contact with the *parent, guardian, or former foster child* to assess current behaviors, conditions, and circumstances in the family and gather specific information on the needs of the *parent, guardian, or former foster child*.
 - (e) Within ten working days of receipt of the case, when the *child* is in the home of the *parent* or *guardian*, make initial face-to-face contact with the *child* to assess the identified needs of the *child*.
 - (f) When the *child* is in *substitute care*, make monthly face-to-face contact as

required under OAR 413-080-0054.

- (g) To determine service needs, the caseworker must, at a minimum, observe:
 - (A) The *parent, guardian, or former foster child* in the home environment;
 - (B) The *child or former foster child* in his or her home or *substitute care* placement; and
 - (C) The interactions between family members.
 - (h) Obtain from the *parent, guardian, or former foster child* the names of persons who can provide additional information on the needs of the *child, former foster child*, or the family, when appropriate.
 - (i) Ask the *parent, guardian, or former foster child* to sign an authorization to release information to enable the Department to obtain additional information from physicians, mental health providers, school employees, or other service and treatment providers, when appropriate.
 - (j) After obtaining the authorization to release information, contact service and treatment providers, when appropriate, to understand the past and current services and treatment of the family and the *child or former foster child*.
 - (k) Obtain expert evaluations when appropriate to determine specific service or treatment needs when a condition or behavior requires additional professional information regarding a person's functioning.
 - (l) Analyze the behaviors, conditions, and circumstances of the family to determine service or treatment needs based upon information gathered from the activities in subsections (a) to (k) of this section.
 - (m) Document the findings of the activities in subsections (a) to (k) of this section in the Department's electronic information system.
- (2) The caseworker must use the information and determination of service and treatment needs to develop an individualized *family support services case plan* that addresses the specific identified needs:
- (a) The caseworker must also refer to Child Welfare Policy I-E.2.1, "Placement of Indian Children", OAR 413-070-0100 to 413-070-0260 if the *child* is an Indian child.
 - (b) When a family is eligible for out-of-home placement due to the child's special needs or placement is ordered through the court, the caseworker must also refer to Child Welfare Policies I-E.3.1, "Placement Matching", OAR 413-070-0600 to 413-070-0645; I-B.1.3.1, "Voluntary Placement Agreement", OAR 413-020-0060 to 413-020-0090; I-E.2.1, "Placement of Indian Children", OAR 413-070-0100 to 413-070-0260 if the *child* is an Indian child, and I-B.1, "Monitoring Child Safety",

OAR 413-080-0040 to 413-080-0067.

- (c) When a *former foster child* requests *ILP* services, the caseworker must also refer to Child Welfare Policies I-B.2.3.5, "Youth Transitions", OAR 413-030-0400 to 413-030-0460 and I-E.2.1, "Placement of Indian Children", OAR 413-070-0100 to 413-070-0260 if the *child* is an Indian child.
- (d) When a family requests that the Department take voluntary custody of the *child*, the caseworker must also refer to Child Welfare Policies I-E.3.1, "Placement Matching", OAR 413-070-0600 to 413-070-0645; I-B.1.3, "Voluntary Custody Agreement", OAR 413-020-0000 to 413-020-0050; I-E.2.1, "Placement of Indian Children", OAR 413-070-0100 to 413-070-0260 if the *child* is an Indian child; and I-B.1, "Monitoring Child Safety", OAR 413-080-0040 to 413-080-0067.

Stat. Auth.: ORS 409.050, 418.005

Stats. Implemented: ORS 409.010, 418.005, 418.312

413-030-0013

Requirements when Obtaining Medical, Psychological, or Psychiatric Evaluations

- (1) The caseworker may secure an *expert evaluation* of the *parent, guardian, or child*, when appropriate, to determine treatment or service needs or to assist in assessing child safety when there is a specific condition or behavior that requires additional professional information regarding a person's functioning. Examples include, but are not limited to:
 - (a) The *parent, guardian, or child* is displaying unusual or bizarre behaviors that are indicative of emotional or behavioral problems;
 - (b) Physical illness, physical disability, or mental illness;
 - (c) Suicidal ideation; or
 - (d) Homicidal ideation.
- (2) The caseworker must obtain the consent of the *parent or guardian* prior to arranging an *expert evaluation* of the *parent or guardian*.

Stat. Auth.: ORS 409.050, 418.005

Stats. Implemented: ORS 409.010, 418.005, 418.312

413-030-0016

Requirements for the Family Support Services Case Plan

- (1) The caseworker must analyze the information gathered during the determination of service needs to develop a *family support services case plan*. The *family support services case plan* must include all of the following information:

- (a) Family composition, which includes identifying information for --
 - (A) Each *parent* or *guardian*, and the children of the *parent* or *guardian*; or
 - (B) The *former foster child* who is 18 years or older and his or her *child*, if the *former foster child* is parenting a *child*.
- (b) Conditions identified in the screening or intake referral information.
- (c) Determination of service need.
- (d) Service goals and activities.
- (e) Services, related to a *child* in *substitute care*, which include:
 - (A) Placement information;
 - (B) Routine and specialized medical, dental, and mental health services;
 - (C) Education services, including the child's school and any special educational needs; and
 - (D) A plan for visitation and contact with the parents or guardians.
- (f) Services the Department will provide, including:
 - (A) Case oversight and routine contact with the *parent* or *guardian* and the *child* or the *former foster child*.
 - (B) When the court has ordered the Department to provide services to a pre-adjudicated delinquent, routine contact with juvenile department staff, parents or guardians, and the *child*.
 - (C) When the *child* is in *substitute care*, arranging visitation for the parents or guardians and the *child*.
 - (D) Timely referral, access to, and use of culturally appropriate services and service providers to address the identified needs, to the extent that resources are available.
 - (E) Timely preparation of reports to the court or other service providers that may be required.
- (g) A statement of the conditions for which the Department will close the family support services case.
- (h) Review date. The *family support services case plan* is reviewed with the *parent*, *guardian*, or *former foster child* every 90 days; however, the caseworker and the

parent, guardian, or former foster child may agree on a review date at any time within the 90-day period.

- (2) The persons involved with the Department in the development of the *family support services case plan* must include the *former foster child* or the *parent* or *guardian*; and may include the *child*, other relatives, *substitute caregiver*, and other professionals, as appropriate.
- (3) The *family support services case plan* must include the signature of the caseworker and each *parent, guardian, or former foster child*.
- (4) Approval and distribution of the family support services case plan.
 - (a) The Child Welfare supervisor must approve and sign the *family support services case plan*.
 - (b) The caseworker must give a copy of the *family support services case plan* to the parents, guardians, or *former foster child* as soon as possible but no later than seven days after the *family support services case plan* is approved by the supervisor.
- (5) Timeline for family support services case plan development.
 - (a) Except as provided in subsection (b) of this section, the caseworker must develop the *family support services case plan* within 30 days of the completion of the determination of service needs.
 - (b) The supervisor may authorize an extension of the time for developing the *family support services case plan* when information essential to the development of the *family support services case plan* is not yet available due to circumstances beyond the control of the Department.

Stat. Auth.: ORS 409.050, 418.005

Stats. Implemented: ORS 409.010, 418.005, 418.312

413-030-0019

Developing Service Agreements

- (1) The caseworker may develop a *Service Agreement* with a *parent, guardian, or former foster child* with a *family support services case plan*. The *Service Agreement* is a time-limited agreement that documents the services and action steps that will occur under the agreement.
- (2) When used, the *Service Agreement* must include all of the following:
 - (a) One of the service goals in the *family support services case plan*.
 - (b) Specific activities or services that will occur to achieve the *service goal*.

- (c) Participants and responsibilities.
 - (d) Anticipated start and completion dates.
 - (e) Treatment services for the *child* or *former foster child* (if applicable).
 - (f) Method of measuring progress.
 - (g) Timeline for review.
- (3) The caseworker must give a copy of the *Service Agreement* to the parents, guardians, or *former foster child* no later than seven days after the agreement is signed.

Stat. Auth.: ORS 409.050, 418.005

Stats. Implemented: ORS 409.010, 418.005, 418.312

413-030-0023

Contact and Monitoring Requirements for a Family Support Services Case Plan

- (1) The caseworker must monitor the *family support services case plan* and terminate Department involvement in a timely manner.
- (2) The caseworker is responsible for all of the following actions:
 - (a) Monthly face-to-face contact and communication with each *parent, guardian, or former foster child* about progress toward achieving service goals unless an exception to *parent* or *guardian* contact as described in OAR 413-080-0054(3)(b) is approved.
 - (b) Monthly face-to-face contact with the *child* required under OAR 413-080-0054.
 - (c) Regular contact with service providers a minimum of once every 90 days, including monitoring the services provided through the *family support services case plan*.
 - (d) Monitoring the visitation and contact plan when the *child* is in *substitute care*.
 - (e) Monitoring progress toward achieving service goals.
 - (f) Ensuring completion of the actions and activities that are the responsibility of the Department.
 - (g) Timely response to issues that may impact the safety of the *child* that become known to the caseworker.
- (3) The caseworker must document in the Department's electronic information system:

- (a) Observations made by the caseworker during each visit, and behaviors, conditions, or circumstances of the family or *former foster child* that support the continuation of the *family support services case plan*; and
- (b) Reports from each service provider on progress of the family, *child*, or *former foster child* in meeting the service goals of the *family support services case plan*.

Stat. Auth.: ORS 409.050, 418.005

Stats. Implemented: ORS 409.010, 418.005, 418.312

413-030-0026

Family Support Services Case Plan Review

- (1) The *family support services case plan* must be reviewed a minimum of every 90 days. This review must take place in a face-to-face meeting with the parents, guardians, or *former foster child*. The meeting may include the *child*, service providers, attorneys, family members, and the *substitute caregiver* when the *child* is in *substitute care*.
- (2) During the case plan review, the caseworker assesses and determines the progress that has been made in achieving the service goals of the case plan.
- (3) If a *parent, guardian, or former foster child* is not available for the review, the reason must be documented in the Department's electronic information system.
- (4) Within 30 calendar days of receiving an *expert evaluation* requested by the Department, the caseworker must consider revising the *family support services case plan* to include the recommendations of the *expert evaluation*. If the caseworker does not implement the recommendations of the *expert evaluation*, the caseworker must document the reasons for not implementing the recommendations.
- (5) Subsequent to the face-to-face meeting, the caseworker documents all of the following in the Department's electronic information system:
 - (a) The services currently provided and the progress of the parents, guardians, or *former foster child* in achieving service goals.
 - (b) Observations of improved behaviors, conditions, or circumstances that have measurably changed.
 - (c) Written or verbal reports from the *child*, service providers, attorneys, family members, and the *substitute caregiver* when the *child* is in *substitute care* regarding services currently provided and the progress of the *parent, guardian, or former foster child* in achieving service goals.
- (6) The Child Welfare supervisor approves and documents approval of the *family support services case plan* review.

Stat. Auth.: ORS 409.050, 418.005

Stats. Implemented: ORS 409.010, 418.005, 418.312

413-030-0030

Closing a Family Support Services Case Plan

The caseworker closes a *family support services case plan* when:

- (1) The *parent, guardian, former foster child*, or the Department indicates the service objectives have been achieved;
- (2) The *parent, guardian, or former foster child* states that he or she is withdrawing the request for voluntary family support services;
- (3) The caseworker has unsuccessfully attempted to contact the *parent, guardian, or former foster child*, after diligent efforts, as documented in the Department's electronic information system;
- (4) The Department, the *parent, guardian, or former foster child* determines that the *family support services case plan* is no longer appropriate or effective;
- (5) The *child*, who had been voluntarily placed in *substitute care* because a *parent or guardian* had requested voluntary placement of the *child*, has returned to the home;
- (6) The court dismisses a pre-adjudicated delinquent *child* from Department custody; or
- (7) Another community service resource accepts responsibility for providing services to the *child, former foster child, or family*.

Stat. Auth.: ORS 409.050, 418.005

Stats. Implemented: ORS 409.010, 418.005, 418.312

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Policy History

- [01/02/96](#)
- [03/20/07](#)