

Policy Title:	Responsibilities for Certification and Supervision of Foster Parents, Relative Caregivers and Approval of Potential Adoptive Resources – OAR			
Policy Number:	II-B.1.1 413-200-0270 thru 0296		Effective Date:	12-28-11

Approved By: *on file*

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Policy

Forms, etc.

Definitions

References

Contact

History

Reference(s):

- ORS 418.005
- ORS 418.640
- Title 42 USC 671(a)
- I-B.1, Monitoring Child Safety
http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-b1.pdf
- I-B.2.2.3, Assessment of Abuse Allegations in Family Foster Care, Family Group Homes and Family Shelter Homes
http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-b223.pdf
- I-B.3.4.2, Interstate Compact on the Placement of Children
http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-b342.pdf
- I-E.3.3.1, Psychotropic Medication Management
http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-e331.pdf
- I-G.1.4, Criminal Background Check Requirements for Relative Caregivers, Foster Parents, Adoptive Parents, and Other Persons in Household
http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-g14.pdf
- II-B.1, Certification Standards for Foster Parents, Relative Caregivers, and Pre-Adoptive Parents
http://www.dhs.state.or.us/policy/childwelfare/manual_2/ii-b1.pdf

Form(s) that apply:

- CF 117, Request for Management Approval for Specific Rules
http://dhsresources.hr.state.or.us/WORD_DOCS/CE0117.doc
- CF 261, DHS Child Welfare Placement Information Form
http://dhsresources.hr.state.or.us/WORD_DOCS/CE0261.doc
- CF 34, Report of Certified Caregiver Training for Credit
http://dhsresources.hr.state.or.us/WORD_DOCS/CE034.doc
- CF 979, Safety Assessment – Home and Surroundings
http://dhsresources.hr.state.or.us/WORD_DOCS/CE0979.doc

- CF 1001, Certified Family Certificate Renewal or Change of Status Application
http://dhsresources.hr.state.or.us/WORD_DOCS/CE1001.doc
- CF 1002W, Withdrawal of Application for Foster Home/Relative Caregiver Certificate Approval
http://dhsresources.hr.state.or.us/WORD_DOCS/CE1002w.doc
- CF 1011F, Consent for Criminal Records & Fingerprint Check
- CF 1255, Application Reference
http://dhsresources.hr.state.or.us/WORD_DOCS/CE1255.doc
- CF 1257A, Medical Report A
http://dhsresources.hr.state.or.us/WORD_DOCS/CE1257a.doc
- CF 1257B, Medical Report B
http://dhsresources.hr.state.or.us/WORD_DOCS/CE1257b.doc
- CF 1258, Mental Health Information
http://dhsresources.hr.state.or.us/WORD_DOCS/CE1258.doc
- CF 1260A, Application for Approval to Care for a Child in DHS Custody
http://dhsresources.hr.state.or.us/WORD_DOCS/CE1260a.doc
- CF 1291, Family Financial Report
http://dhsresources.hr.state.or.us/WORD_DOCS/CE1291.doc
- DHS 1011D, Criminal History Exception Request
http://dhsresources.hr.state.or.us/WORD_DOCS/CE1011d.doc

Rules:

413-200-0270

Purpose

- (1) The purpose of these rules (OAR 413-200-0270 to 413-200-0296) is to describe the activities of the Department related to --
 - (a) The certification of a *relative caregiver* or *foster parent*, and the assessment of a potential *adoptive resource*;
 - (b) Monitoring a certified family's compliance with the Certification Standards; and
 - (c) Recertification of a *certified family*.
- (2) Regardless of the nature of the relationship between a family and a *child* or *young adult*, a family must be assessed and certified prior to placement of the *child* or *young adult* in the home.
- (3) In these rules, unless otherwise indicated, a *child* or *young adult* refers to a *child* or *young adult* in the care or custody of the Department.
- (4) OAR 413-200-0276, 413-200-0278, 413-200-0281, 413-200-0283, 413-200-0285, 413-200-0287, 413-200-0289, 413-200-0292, 413-200-0294, and 413-200-0296 do not apply to a potential *adoptive resource*.

Stat. Auth.: ORS 409.050, 418.005, 418.640

Stats. Implemented: ORS 409.010, 418.005, 418.625 - 418.645

413-200-0272

Definitions

The following definitions apply to OAR 413-200-0270 to 413-200-0296:

- (1) "Adoptive resource" means an individual or individuals selected by the Department, another public child welfare agency, or a licensed adoption agency as the adoptive family for a *child* where no administrative review was requested within the timeframe allowed for such a request, or if a review was requested, the selection has been sustained by that review and the review is complete.
- (2) "Applicant" means an individual or individuals who apply:
 - (a) To become or remain a *certified family*;
 - (b) For approval as a potential *adoptive resource*.
- (3) "Certificate of Approval" means a document that the Department issues to approve the operation of a certified *relative caregiver* home or foster home.
- (4) "Certified family" means an individual or individuals who hold a *Certificate of Approval* from the Department to operate a home to provide care, in the home in which they reside, to a *child* or *young adult* in the care or custody of the Department.
- (5) "Certifier" means a Child Welfare employee who:
 - (a) Conducts assessments of applicants interested in providing relative or foster care to a *child* or *young adult* in the care or custody of the Department or conducts assessments of a potential *adoptive resource*;
 - (b) Determines whether or not to recommend approval of the operation of a *relative caregiver* or foster home or approval of a potential *adoptive resource*; and
 - (c) Monitors the compliance of a *caregiver* or foster care home with Child Welfare certification rules.
- (6) "Child" means a person under 18 years of age.
- (7) "Child-Specific Certificate of Approval" means a document authorizing an individual or individuals to operate a home to provide care for a specific *child* or *young adult* in the care or custody of the Department.
- (8) "Co-habiting" means the act of two adults, unmarried to each other, living together in an intimate relationship as if married.
- (9) "Criminal records check" means the process for obtaining and reviewing an individual's criminal offender information and may include a fingerprint-based criminal offender

records check of national crime information databases.

- (10) "Denial" means the refusal of the Department to issue an initial or renew a *Certificate of Approval* to operate a *relative caregiver* home or foster home to provide care for a *child* or *young adult* in the care or custody of the Department.
- (11) "Department" means the Department of Human Services, Child Welfare.
- (12) "Foster parent" means an individual who operates a home that has been approved by the Department to provide care for an unrelated *child* or *young adult* placed in the home by the Department.
- (13) "Home study" means a document containing an analysis of the ability of the *applicant* to provide safe and appropriate care of a *child* or *young adult*.
- (14) "Inactive Referral Status" means a period of time, not to exceed 12 months, during which neither the Department nor any other agency will place an additional *child* or *young adult* with a *certified family*.
- (15) "Member of the household" means any adult or *child* living in the home, including any caregiving employee or volunteer who may reside in the home.
- (16) "Placement support plan" means a documented set of actions or resources that is developed to assist a *relative caregiver* or *foster parent* to maintain conditions that provide safety and well-being for a *child* or *young adult* in the home.
- (17) "Relative caregiver" means an individual who operates a home that has been approved by the Department to provide care for a related *child* or *young adult* placed in the home by the Department.
- (18) "Respite care" means a formal planned arrangement to relieve a certified family's responsibilities by an individual temporarily assuming responsibility for the care and supervision of a *child* or *young adult* in the home of the respite provider or *certified family*. "Respite care" must be less than 14 consecutive days.
- (19) "Revocation" means an administrative act by the Department that rescinds an existing *Certificate of Approval*.
- (20) "Young adult" means an individual aged 18 through 20 years.

Stat. Auth.: ORS 409.050, 418.005, 418.640

Stats. Implemented: ORS 409.010, 418.005, 418.625 - 418.645

413-200-0274

Responsibilities for Assessment and Certification

- (1) Sections (2) to (5) of this rule cover Department responsibilities for an expedited process for certification of an *applicant* for a *Child-Specific Certificate of Approval*.

Sections (6) and (7) cover Department responsibilities for certification of all other applicants and assessment of a potential *adoptive resource*.

- (2) To complete the expedited process for assessment of an *applicant* for a *Child-Specific Certificate of Approval*, the *certifier* must:
 - (a) Review the completed application.
 - (b) Have face-to-face contact with the *applicant* and each *member of the household*. If a *member of the household* is unavailable when conducting face-to-face contact for a *Child-Specific Certificate of Approval*, the *certifier* must:
 - (A) Obtain the approval of the supervisor to delay face-to-face contact with that *member of the household*; and
 - (B) Determine a date and time for the face-to-face contact within one week of the date the *member of the household* becomes available.
 - (c) Explain the certification process.
 - (d) Discuss with the *applicant* the role and responsibilities of the Department.
 - (e) Assess the applicant's motivation for and interest in caring for the *child* or *young adult*.
 - (f) Complete a home visit.
 - (A) Observe and assess the safety of the physical environment;
 - (B) Walk through every room in the home and each surrounding building; and
 - (C) Complete a Safety Assessment of the home.
 - (g) Gather and analyze information, through interview and observation, as it relates to each applicant's personal qualifications and assess the conditions that appear to exist in the home that affect safety, health, and well-being for a *child* or *young adult*.
 - (h) Assure completion of a *criminal records check* through LEDS, which includes information compiled and maintained by OSP Bureau of Criminal Identification on each adult *member of the household* and initiate a *criminal records check*, including information compiled and maintained by OSP Bureau of Criminal Identification and a fingerprint-based criminal offender records check of national crime information as outlined in Child Welfare Policy I-G.1.4, "Criminal History", OAR 413-120-0400 to 413-120-0470.
 - (A) Assess the fitness of the *applicant* or *member of the household* pursuant to OAR 413-120-0450 and 413-120-0455; and

- (B) If appropriate, request an exception pursuant to OAR 413-120-0450(7) to complete certification of the *applicant* despite the criminal offender history of an *applicant* or *member of the household*.
- (i) At the Department's discretion and when there is reason to believe a *child*, not in the care or custody of the Department and living in the home, may pose a risk to a *child* or *young adult* placed in the home, initiate a fingerprint-based criminal offender records check of national crime information databases as outlined in Child Welfare Policy I-G.1.4, "Criminal History", OAR 413-120-0400 to 413-120-0470.
- (j) Assure initiation of child abuse history background checks for each adult *member of the household*.
 - (A) A child abuse history background check must be completed in the state of Oregon and requested from any other state where the individual has resided in the last five years;
 - (B) Assess any safety concerns regarding the *applicant* or *member of the household* raised by information learned from the child abuse history background check; and
 - (C) When appropriate, obtain approval from the District Manager or designee on a form approved by the Department to continue certification when a *member of the household* has been identified as the perpetrator or possible perpetrator of abuse or neglect in a Child Protective Services Assessment Founded Disposition, Unable to Determine Disposition, or a similar disposition from another state.
- (k) Within 24 hours, gather information from at least two personal references for the *applicant*.
- (l) Assure the *applicant* possesses a valid driver license and auto insurance if the *applicant* will transport a *child* or *young adult* in the care or custody of the Department.
- (m) Determine, with input from the *applicant*, the gender, ages, and maximum number of children and young adults who may be placed in the home by the Department.
- (n) When appropriate, obtain approval from the Child Welfare program manager or designee on a form approved by the Department when:
 - (A) The *applicant* or a *member of the household* is an in-home day care provider or foster care provider licensed by another program, unless placement is authorized under an agreement;
 - (B) The *applicant* or a *member of the household* is an adult foster care or in-home adult day care provider; or

- (C) An *applicant* applying to become a *relative caregiver* is 18, 19, or 20 years of age.
 - (o) When appropriate, obtain approval from the Child Welfare program manager or designee on a form approved by the Department, when the *applicant* is assessed as a *Child-Specific Certificate of Approval* through an office other than the office in the county in which the *applicant* resides.
 - (p) When appropriate, obtain the approval of the Child Welfare program manager when the number of children or young adults placed in the home will exceed the maximum number of children or young adults as described in OAR 413-200-0276.
 - (q) After completing the activities in subsections (2)(a) to (p) of this rule, the Department may issue a *Child-Specific Certificate of Approval* for up to 180 days.
- (3) As soon as possible and no later than the 180-day period beginning the date the *Child-Specific Certificate of Approval* is issued, the *certifier* must complete all of the following actions:
- (a) Gather information from at least two additional references. No more than two of the four required references may be provided by the applicant's relatives.
 - (b) Contact the caseworker of the *child* or *young adult* placed in the home regarding the adjustment of the *child* or *young adult* in placement and the certified family's ability to meet the needs of the *child* or *young adult*.
 - (c) Conduct a home visit at least every 90 days, and when necessary, additional home visits.
 - (d) Gather personal, family social history information sufficient to assess the conditions that appear to exist in the home that affect safety, health, and well-being of a *child* or *young adult* through a series of questionnaires and interviews completed by applicants, members of the household, and others.
 - (e) Assure completion of the fingerprint based *criminal records check* as described in Child Welfare Policy I-G.1.4, "Criminal History", OAR 413-120-0400 to 413-120-0470.
 - (f) Assure completion of the child abuse history background checks for each adult *member of the household* as required in paragraph (2)(j)(A) of this rule and request a child abuse history background check for each adult *member of the household* who has lived in another country in the five years preceding the applicant's dated application for a *Certificate of Approval* from the Department.
 - (g) Verify that the *certified family* --
 - (A) Has completed Orientation within 30 days after the expedited *Child-*

Specific Certificate of Approval was issued; and

- (B) Has a plan --
 - (i) To complete Foundations training before or within 12 months after the date on which the *Certificate of Approval* was issued; or
 - (ii) Has a written, individualized training plan, approved by a supervisor, specific to meeting the needs of the *child* or *young adult* placed with a *certified family* holding a child-specific certificate. The individualized training plan must:
 - (I) Include training on mental and emotional problems that occur in *child* victims of abuse and neglect, including sexual abuse and rape of a *child*; and
 - (II) Be developed within 90 days after a *Child-Specific Certificate of Approval* has been issued by the Department.
 - (h) Discuss and develop a training plan for each certified adult in the family.
 - (i) Document the assessment of the certified family's ability to provide safety, health, and well-being for the *child* or *young adult* in a *home study* on a form approved by the Department.
- (4) After completing the activities in section (3) of this rule, the Department may approve the *certified family* for the two-year certification period and issue a *Child-Specific Certificate of Approval*. The effective date of an approval issued under this section will be the day on which the activities in section (3) of this rule were completed. The expiration date of an approval issued under this section will be two years from the effective date on the first expedited *Child-Specific Certificate of Approval*.
- (5) When the activities described in subsections (3)(a) to (3)(i) of this rule have not been completed within 180 days:
- (a) The District Manager or designee may extend the *Child-Specific Certificate of Approval* for no longer than 30 days; or
 - (b) The Foster Care Program Manager or designee may extend the *Child-Specific Certificate of Approval* for over 30 days if an activity has not been completed due to circumstances beyond the control of the Department.
- (6) To complete the assessment for the certification of all other applicants other than those being assessed for an expedited *Child-Specific Certificate of Approval*, the *certifier* must:
- (a) Review the completed application.
 - (b) Have face-to-face contact with the *applicant* and each *member of the household*.

- (c) Explain the process for certification of a *relative caregiver* or *foster parent* and approval of a potential *adoptive resource*.
- (d) Discuss with the *applicant* the role and responsibilities of the Department.
- (e) Assess the applicant's motivation for and interest in caring for a *child* or *young adult*.
- (f) Complete a minimum of two home visits.
 - (A) Observe and assess the safety of the physical environment;
 - (B) Walk through every room in the home and each surrounding building; and
 - (C) Complete a Safety Assessment of the home.
- (g) Gather social history information through a series of questionnaires approved by the Department, interviews, and observations in which the Department staff gathers personal information about the *applicant* and the household. Analyze information as it relates to each applicant's personal qualifications and assess the conditions that appear to exist in the home that affect safety, health, and well-being for a *child* or *young adult*.
- (h) Assure completion of a *criminal records check* including information compiled and maintained by the OSP Bureau of Criminal Identification and a fingerprint-based *criminal records check* of national crime information databases on each adult *member of the household* and, at the Department's discretion, on any *child* under 18, as outlined in Child Welfare Policy I-G.1.4, "Criminal History", OAR 413-120-0400 to 413-120-0470.
 - (A) Assess the fitness of the *applicant* or *member of the household* pursuant to OAR 413-120-0450 and 413-120-0455; and
 - (B) If appropriate, request an exception pursuant to OAR 413-120-0450(7) to complete certification of the *applicant* despite the criminal offender history of an *applicant* or *member of the household*.
- (i) At the Department's discretion and when there is reason to believe a *child*, not in the care or custody of the Department and living in the home, may pose a risk to a *child* or *young adult* placed in the home, initiate a fingerprint-based criminal offender records check of national crime information databases as outlined in Child Welfare Policy I-G.1.4, "Criminal History", OAR 413-120-0400 to 413-120-0470.
- (j) Assure completion of child abuse history background checks for each adult *member of the household*.
 - (A) If the *applicant* or an adult *member of the household* has lived outside the state of Oregon and within the United States in the previous five years,

obtain a child abuse history background check from each state where the individual resided in the five years preceding the applicant's dated application for a *Certificate of Approval* from the Department;

- (B) If the *applicant* or an adult *member of the household* has lived outside of the United States in the previous five years, a child abuse history background check must be requested from each country where the individual lived within the five years preceding the applicant's dated application for a *Certificate of Approval* from the Department;
 - (C) Assess any safety concerns regarding the *applicant* or *member of the household* raised by information learned from the child abuse history background check; and
 - (D) When appropriate, obtain approval from the District Manager or designee on a form approved by the Department to continue certification when a *member of the household* has been identified as the perpetrator or possible perpetrator of abuse or neglect in a Child Protective Services Assessment Founded Disposition, Unable to Determine Disposition, or a similar disposition from another state.
- (k) Gather information from at least four personal references for the *applicant*, no more than two of which may be provided by the applicant's relatives.
 - (l) Obtain authorization from the *applicant* prior to contacting any individual in completing a thorough background check, other than the applicant's adult children and references provided by the *applicant*.
 - (m) Assure the *applicant* possesses a valid driver license and auto insurance if the *applicant* will transport a *child* or *young adult*.
 - (n) Determine, with input from the *applicant*, the gender, ages, and maximum number of children and young adults who may be placed in the home by the Department.
 - (o) When appropriate, obtain approval from the Child Welfare program manager or designee on a form approved by the Department under the following circumstances:
 - (A) The *applicant* or a *member of the household* is an in-home day care provider or foster care provider licensed by another child-caring agency, unless placement is authorized under an Interagency Agreement;
 - (B) The *applicant* or a *member of the household* is an adult foster care or in-home adult day care provider; or
 - (C) An *applicant* applying to become a *relative caregiver* is 18, 19, or 20 years of age.

- (p) When appropriate, obtain approval from the Child Welfare program manager or designee on a form approved by the Department when the *applicant* applies for a *Certificate of Approval* through an office other than the office in the county in which the family resides.
 - (q) When appropriate, obtain the approval of the Child Welfare program manager when the number of children or young adults placed in the home will exceed the maximum number of children or young adults as described in OAR 413-200-0276.
 - (r) Verify that the *applicant* has completed Orientation and Foundations training before or within 12 months after the date on which the *Certificate of Approval* was issued, or has written documentation of completion of equivalent training content from another licensed child-caring agency within two years of an applicant's dated application for a *Certificate of Approval* from the Department.
 - (s) Discuss and develop a training plan with each *applicant*.
 - (t) Document the assessment of the applicant's ability to provide safety, health, and well-being for the *child* or *young adult* in a *home study* on a form approved by the Department.
- (7) After completing the activities in section (6) of this rule, the Department may:
- (a) Issue a *Certificate of Approval* for a two-year period for individuals applying to become a *certified family*; or
 - (b) Send written notice of the status of the application for a potential *adoptive resource* pursuant to OAR 413-120-0240.

Stat. Auth.: ORS 409.050, 418.005, 418.640

Stats. Implemented: ORS 409.010, 418.005, 418.625 - 418.645

413-200-0276

Responsibility to Determine the Maximum Number of Children or Young Adults in a Certified Family Home

- (1) Unless special circumstances exist, a supervisor may not issue a *Certificate of Approval* that, when the home is fully occupied, exceeds the following maximum number of children or young adults living in the home:
 - (a) A total of four children or young adults to one certified adult living in the home;
 - (b) A total of seven children or young adults to two certified adults living in the home; or
 - (c) A total of two children under the age of three.

- (2) When making the determination of the maximum number of children or young adults in the home as described in section (1) of this rule, the supervisor includes all children and young adults residing in the home, not only the children or young adults in the care or custody of the Department.
- (3) The Child Welfare program manager may approve placing additional children or young adults in the home in special circumstances.
 - (a) Special circumstances include, but are not limited to:
 - (A) Placing siblings together; or
 - (B) Placing a special needs *child* or *young adult* with a family that has demonstrated extraordinary ability in meeting the safety, health, and well-being needs of a *child* or *young adult*.
 - (b) In these special circumstances, the *certifier* must assess:
 - (A) The skills, abilities, willingness, and training of the *certified family* related to the quantity of services that are required for each *child* or *young adult*;
 - (B) The skills, abilities, safety, health, and well-being needs of each *child* or *young adult*;
 - (C) The amount of Departmental supervision the *certified family* requires and the certified family's network of support to the *child* or *young adult* related to the needs of the *child* or *young adult*;
 - (D) The maximum safe physical capacity of the home, including sleeping arrangements; and
 - (E) The plan for each individual to escape from the home in case of fire or other emergency.
- (4) The *certifier* must document the assessment described in subsection (3)(b) of this rule on a form approved by the Department and obtain Child Welfare program manager approval prior to permitting the home to exceed the maximum number of children or young adults specified in section (1) of this rule.
- (5) When a Child Welfare program manager approves placing additional children or young adults in a certified home, the *certifier* must:
 - (a) Visit the home every 90 days;
 - (b) Assess during each visit the certified family's compliance with certification standards; and
 - (c) Document the certified family's compliance with certification standards after each visit.

Stat. Auth.: ORS 409.050, 418.005, 418.640

Stats. Implemented: ORS 409.010, 418.005, 418.625 - 418.645

413-200-0278

Responsibilities for Issuing a Certificate of Approval

- (1) The Department must complete the assessment activities described in OAR 413-200-0274, and issue a *Certificate of Approval* or provide notice of intent to deny a *Certificate of Approval* within 180 days of receipt of an application to become a *foster parent* or *relative caregiver*, unless the application is withdrawn or the assessment period is extended by the District Manager or designee.
- (2) The supervisor must --
 - (a) Review all assessment activities;
 - (b) Ensure all safety components of the certification standards are met; and
 - (c) Ensure any required exception or approval as provided in these rules (OAR 413-200-0270 to 413-200-0296) has been obtained prior to the Department issuing a *Certificate of Approval*.
- (3) A supervisor may approve and the Department may issue the following Certificates of Approval:
 - (a) An expedited *Child-Specific Certificate of Approval* for up to 180 days when all activities required in OAR 413-200-0274(2) have been completed;
 - (b) A two-year *Child-Specific Certificate of Approval* to provide *relative caregiver* or foster care after all activities required in OAR 413-200-0274(3) have been completed.
 - (c) A *Certificate of Approval* for two years when all the activities required in OAR 413-200-0274(6) have been completed.
- (4) A *Certificate of Approval* must include the following information:
 - (a) The name of each primary adult, including married couples, individuals in a domestic partnership (as defined in ORS 106.310), and *co-habiting* individuals, approved as the *certified family*;
 - (b) The address to which the certificate applies;
 - (c) The age range (birth to 20) and gender of the children or young adults for whom the *certified family* is approved to provide care;
 - (d) The maximum number of children or young adults who can be placed in the

home;

- (e) The provider number that the Department has given the home;
 - (f) The effective and expiration dates of the certificate; and
 - (g) The signature of the Child Welfare program manager or designee.
- (5) The Department may at its discretion modify the *Certificate of Approval* to increase or decrease the maximum number of children or young adults, the age range, or the gender of the children or young adults for whom the family is certified within the limits prescribed in OAR 413-200-0276.

Stat. Auth.: ORS 409.050, 418.005, 418.640

Stats. Implemented: ORS 409.010, 418.005, 418.625 - 418.645

413-200-0281

Respite Care Providers and Babysitters

- (1) The *certifier* must undertake all of the following activities when applicable:
- (a) Discuss with the *certified family* the plan for providing care to a *child* or *young adult*, when the *certified family* will be unavailable to provide care.
 - (b) Assure completion of *criminal records check* through LEDS which includes information compiled and maintained by OSP Bureau of Criminal Identification as outlined in Child Welfare Policy I-G.1.4, "Criminal History", OAR 413-120-0460 on any individual the *certified family* has identified to as a prospective *respite care* provider.
 - (c) Assure completion of a fingerprint-based criminal offender records check of national crime information databases whenever:
 - (A) The *criminal records check* conducted under subsection (b) of this section indicates the prospective *respite care* provider has a criminal history; or
 - (B) The prospective *respite care* provider has lived in Oregon less than five years.
 - (d) Conduct child abuse history background checks on any individual the *certified family* has identified as a prospective *respite care* provider.
 - (e) Analyze information gathered under subsections (a) and (b) of this section prior to determining the individual is safe and appropriate to provide *respite care* and approving the individual to provide *respite care*.
 - (f) Document the analysis under subsection (e) of this section in the certification record.

- (g) Notify the *certified family* of the approval for the individual identified to provide *respite care* within one business day of the approval.
 - (h) Verify that any *certified family* identified to provide *respite care* for another *certified family* has a current *Certificate of Approval*.
 - (i) When the analysis under subsection (e) of this section results in a determination that the individual is either not a safe or appropriate individual to provide *respite care*, notify the *certified family* that the individual is not authorized to provide *respite care* within one business day of the decision.
- (2) The Department has the discretion to request a *criminal records check* of a babysitter.
 - (3) When a *certified family* notifies the Department of their intent to provide *respite care* for another *child* or *young adult*, the certifier must approve the request prior to the *certified family* providing *respite care*.

Stat. Auth.: ORS 409.050, 418.005, 418.640

Stats. Implemented: ORS 409.010, 418.005, 418.625 - 418.645

413-200-0283

Responsibilities to Monitor Certification Compliance

- (1) A *certifier* must conduct the following home visits:
 - (a) A minimum of one home visit every 90 days during the period an expedited *Child-Specific Certificate of Approval* is effective;
 - (b) A minimum of one home visit to any *certified family* every 180 days; and
 - (c) A minimum of one home visit every 90 days when a *certified family* has been approved to exceed the maximum number of children or young adults as prescribed in OAR 413-200-0276(1), as long as the approval is applicable.
- (2) To monitor a certified family's compliance with Child Welfare Policy II B.1, "Certification Standards for Foster Parents, Relative Caregivers, and Approval of Potential Adoptive Resources", OAR 413-200-0301 to 413-200-0396, a *certifier* must complete the following activities when applicable:
 - (a) Assess the certified family's ability to maintain conditions in the home that provide safety, health, and well-being for the children and young adults whenever it becomes known that the *certified family* wishes to become an in-home child care, an adult foster care, or in-home adult day care provider, and, when appropriate, obtain approval from the Child Welfare program manager or designee on a form approved by the Department.
 - (b) Obtain approval from the Child Welfare program manager or designee on a form

approved by the Department prior to placement of the *child* or *young adult* whenever it becomes known that another agency wishes to place a *child* or *young adult* in a certified home.

- (c) Assure completion of a *criminal records check* and child abuse history background checks whenever it becomes known that another adult is living in the household or the *certified family* identifies another *respite care* provider.
- (d) Seek input from the caseworkers of each *child* and *young adult* placed or living in the home during the past 180 days and assess the conditions that appear to exist in the home that affect safety, health, and well-being for the *child* or *young adult*;
- (e) Assess the information that the *certifier* learns from the home visit, the *certified family*, members of the household, and caseworkers to determine whether conditions appear to exist in the home that affect safety, health, and well-being for the *child* or *young adult* placed in the home by the Department;
- (f) Review and assess the conditions that appear to exist in the home that affect safety and well-being for the *child* or *young adult* when any special circumstances described in OAR 413-200-0276(3)(a) exist; and
- (g) Document the contacts with the *certified family* and the assessment information obtained under this rule in the certification record.

Stat. Auth.: ORS 409.050, 418.005, 418.640

Stats. Implemented: ORS 409.010, 418.005, 418.625 - 418.645

413-200-0285

Responsibilities When Developing a Placement Support Plan

- (1) When a *certifier* determines that a *certified family* needs additional support to maintain conditions that provide safety, health, and well-being in the home, the *certifier* must develop a *placement support plan*. A *placement support plan* is appropriate when one or both of the following circumstances apply:
 - (a) The *certified family* needs additional training or instruction to improve the care giving practices to meet the needs of the children or young adults placed in the certified family's home.
 - (b) The *certified family* is not in compliance with one or more of the Department's certification standards, and the non-compliance does not result in a safety threat to a *child*.
- (2) When a *placement support plan* is appropriate to support a *certified family*, the *certifier* must gather information regarding current circumstances from --
 - (a) The *certified family*;

- (b) The children or young adults placed in the certified family's home, when appropriate;
 - (c) The caseworkers of the children or young adults currently placed in the home; and
 - (d) Other collateral contacts that may have information regarding the characteristics of the care provided in the certified family's home.
- (3) The *certifier* must schedule a meeting with the *certified family* to discuss the current circumstances that require a *placement support plan* and the appropriate supports and services to assist the *certified family*.
- (4) The *certifier* must prepare a written *placement support plan* that specifies:
- (a) The actions or services in which the *certified family* will participate;
 - (b) The actions or services the Department will provide to support the *certified family* in maintaining conditions that provide safety, health, and well-being for the children or young adults placed in the home by the Department;
 - (c) Agreement that the *certified family* is willing and able to participate in the actions or services;
 - (d) Agreement to review the *placement support plan* on a specified date, which is within at least 90 days; and
 - (e) The anticipated end date of the *placement support plan*.
- (5) A supervisor must approve the *placement support plan*.
- (6) When the *placement support plan* has been approved, the *certifier* must:
- (a) Provide a copy to the *certified family*;
 - (b) File a copy in the certification file;
 - (c) Document the *placement support plan* in the Department information system; and
 - (d) Provide written notification to the caseworkers of each *child* or *young adult* placed in the home of the *placement support plan*.
- (7) The *certifier* must contact the *certified family* prior to the anticipated end date of the *placement support plan* to assure that all activities and services have been completed, or the *certified family* can meet the needs of the children or young adults placed in the home by the Department and is in compliance with Department certification standards.

- (8) The *certifier* must document the end of a *placement support plan* in the certification file, in provider case notes, and notify the caseworkers of each *child* or *young adult* placed in the certified family's home.

Stat. Auth.: ORS 409.050, 418.005, 418.640

Stats. Implemented: ORS 409.010, 418.005, 418.625 - 418.645

413-200-0287

Responsibilities Regarding Two-Year Renewal of the Certificate of Approval

- (1) A *certified family* must be assessed every two years. The Department must complete the assessment and provide written notice of the decision to renew a certificate approval or intent to deny the renewal of the certified family's *Certificate of Approval*. To renew a *Certificate of Approval*, the *certifier* must complete all of the following:
- (a) Conduct a minimum of one home visit, have face-to-face contact with each *member of the household*, and complete the questionnaires and interviews necessary to complete a *home study* update.
 - (b) Review the completed Certified Family Certificate Renewal or Change of Status Application.
 - (c) Confirm completion of required hours of training, and develop a training plan for the new certification period.
 - (d) Contact the caseworkers who have had children or young adults placed with the *certified family* during the past 180 days.
 - (e) Assure completion of criminal records checks on each adult *member of the household*; and, at the Department's discretion, any *child*, when there is reason to believe the *child* may pose a risk to children placed in the home, as described in Child Welfare Policy I-G.1.4, "Criminal History", OAR 413-120-0400 to 413-120-0470. A fingerprint-based criminal offender records check of national crime information databases is not required for an application for renewal of a *Certificate of Approval*, unless an *applicant* or *member of the household* has lived outside of Oregon for more than 60 consecutive days within the two-year certification period or has been arrested or convicted during the two-year certification period.
 - (A) Assess any safety concerns regarding the fitness of the *applicant* or *member of the household* pursuant to OAR 413-120-0450 and 413-120-0455; and
 - (B) If appropriate, request an exception pursuant to OAR 413-120-0450(7) to complete certification of the *applicant* despite the new criminal offender history of an *applicant* or *member of the household*.
 - (f) Assure completion of child abuse history background checks for each adult

member of the household.

- (A) When the *applicant* or an adult *member of the household* has lived outside the state of Oregon in the previous five years, and an out-of-state child abuse history background check has not been completed, a child abuse history background check must be requested from each state or country where the individual resided in the five years preceding the applicant's dated application for renewal of a *Certificate of Approval* from the Department.
 - (B) Assess any safety concerns regarding the *applicant* or adult member of the applicant's household raised by information learned from the child abuse history background check.
 - (C) When appropriate, obtain approval from the District Manager or designee, on a form approved by the Department, to proceed with an application when a *member of the household* has been identified as the perpetrator or possible perpetrator of abuse or neglect in a Child Protective Services Assessment Founded Disposition, Unable to Determine Disposition, or a similar disposition from another state.
- (g) Review and assess whether conditions appear to exist in the home that jeopardize the safety, health, or well-being of the *child* or *young adult*.
 - (h) Review and analyze the certified family's skills and abilities in maintaining conditions in the home that provide safety, health, and well-being for the *child* or *young adult*, maintaining relationships with the community and the Department, and supporting the case plan of the *child* or *young adult*.
 - (i) Update the *home study* on a form approved by the Department, including results of the assessment activities completed in subsections (a) to (h) of this section, and submit to the supervisor for approval.
- (2) The supervisor reviews the updated *home study* and may approve or deny the *home study*. If the supervisor approves the *home study*, the Department will issue a new two-year *Certificate of Approval*. If the supervisor does not approve the *home study*, the Department will proceed as outlined in OAR 413-200-0296.
 - (3) Pursuant to ORS 183.430, if the *certified family* has submitted a timely Renewal Application and the Department does not complete the activities in sections (1) and (2) of this rule before the stated expiration date on the certified family's *Certificate of Approval*, the certified family's *Certificate of Approval* may not be deemed to expire until the Department has issued a new *Certificate of Approval* or there is a final order denying renewal.

Stat. Auth.: ORS 409.050, 418.005, 418.640

Stats. Implemented: ORS 409.010, 418.005, 418.625 - 418.645

413-200-0289

Responsibilities Regarding Voluntary Termination of an Application or an Existing Certificate of Approval

- (1) When an *applicant* requests to withdraw his or her application for a *Certificate of Approval*, the *certifier* must document his or her communication regarding the applicant's request.
- (2) When a *certified family* requests that the Department terminate the *Certificate of Approval* or does not wish to renew a *Certificate of Approval*, the *certifier* must document his or her communication regarding the certified family's request.
- (3) The Department terminates a Child-Specific Certificate of Approval within 10 business days of the departure of the *child* or *young adult*, unless at least one of the following subsections applies:
 - (a) The child-specific *certified family* submits a written request to continue their *Certificate of Approval* as a *foster parent* under section (4) of this rule within 10 business days of the departure of the *child* or *young adult* from the home;
 - (b) The Department has determined the *child* or *young adult* is removed because the *certified family* cannot meet the safety, health, and well-being needs of the *child* or *young adult* and has violated one or more rules under Child Welfare Policy II B.1, "Certification Standards for Foster Parents, Relative Caregivers, and Approval of Potential Adoptive Resources", OAR 413-200-0301 to 413-200-0396; or
 - (c) OAR 413-200-0395(6) applies.
- (4) When the Department has determined that subsection (3)(b) of this rule applies, the Department will notify the *certified family* of the decision and issue a notice of intent to revoke the *Certificate of Approval* pursuant to OAR 413-200-0395(2).
- (5) When a child-specific *certified family* requests to become certified as a *foster parent*, the *certifier* must:
 - (a) Provide the family with a "Certified Family Certificate Renewal or Change of Status Application"; and
 - (b) Assess the family's ability to meet the safety, health, and well-being needs of a non-related *child* or *young adult* placed in the home pursuant to the requirements of OAR 413-200-0274.
- (6) After the *certifier* has completed the assessment pursuant to subsection (5)(b) of this rule, a supervisor will approve the assessment and send a *Certificate of Approval* to the family, or send a notice of intent to deny the application, unless the family has withdrawn their request pursuant to OAR 413-200-0296.

413-200-0292

Responsibilities Regarding Recertification of a Previously Certified Home

- (1) When a *certified family* has been closed less than six months, the previous *Certificate of Approval* would not have expired during the months the home was closed (if the *Certificate of Approval* was not revoked), the *certified family* continues to live in the same residence, and the *certified family* requests that the Department reopen the *Certificate of Approval*, the *certifier* must undertake the following actions:
 - (a) Provide the family with a Certified Family Certificate Renewal or Change of Status Application.
 - (b) Assure completion of criminal records checks on each adult *member of the household*; and, at the Department's discretion, when there is reason to believe a *child*, not in the care or custody of the Department and living in the home, may pose a risk to a *child* or *young adult* placed in the home, initiate a fingerprint-based criminal offender records check of national crime information databases as described in Child Welfare Policy I G.1.4, "Criminal History", OAR 413-120-0400 to 413-120-0470. A fingerprint-based criminal offender records check of national crime information databases is required when an *applicant* or *member of the household* has lived outside of Oregon for more than 60 consecutive days or has been arrested or convicted during the two-year certification period.
 - (A) Assess any safety concerns regarding the fitness of the *applicant*, *child*, or *member of the household* pursuant to OAR 413-120-0450 and 413-120-0455; and
 - (B) If appropriate, request an exception pursuant to per OAR 413-120-0450(7) to complete recertification of the previously *certified family* despite the new criminal offender information history of an *applicant*, *child*, or *member of the household*.
 - (c) Assure completion of child abuse history background checks for each adult *member of the household*.
 - (A) When the *applicant* or an adult *member of the household* has lived outside the state of Oregon, a child abuse history background check must be requested from each state or country where the individual resided.
 - (B) Assess any safety concerns regarding the *applicant* or adult member of the applicant's household raised by information learned from the child abuse history background check.
 - (C) When appropriate, obtain approval from the District Manager or designee, on a form approved by the Department, to proceed with an application when a *member of the household* has been identified as the perpetrator

or possible perpetrator of abuse or neglect in a Child Protective Services Assessment Founded Disposition, Unable to Determine Disposition, or a similar disposition from another state.

- (d) Conduct a home visit to identify and assess any changes in the environment or family:
 - (A) Observe and assess the safety of the physical environment;
 - (B) Walk through every room in the home and each surrounding building; and
 - (C) Complete a Safety Assessment of the home.
 - (e) Document in the certification file the circumstances under which the Department reopened the *Certificate of Approval*.
- (2) When a *certified family* has been closed for six months or more or the previous *Certificate of Approval* would have expired during the months the home was closed, and the previously *certified family* contacts the Department to become certified again, the *certifier* must:
- (a) Provide to the *certified family* for completion the necessary documents for an initial application for a *Certificate of Approval* to provide care;
 - (b) Complete the assessment process as described in OAR 413-200-0274;
 - (c) Update the family's *home study* and document any changes in the family's circumstances since the most recent closure of the *Certificate of Approval*; and
 - (d) Submit the updated *home study* to the supervisor for approval.
- (3) The supervisor reviews the updated *home study* and may approve or deny the updated *home study*. If the supervisor approves the updated *home study*, the Department will issue a new two-year *Certificate of Approval*. If the supervisor does not approve the *home study*, the Department will proceed as outlined in OAR 413-200-0296.
- (4) A family previously certified by the Department must complete Foundations training if the family has not been certified within the last two years unless the supervisor either:
- (a) Approves an individualized training plan for a *certified family* who has been issued a *Child-Specific Certificate of Approval*; or
 - (b) Waives the training requirement based on the family's documented knowledge and skills in caring for a *child* or *young adult* placed in the home by the Department.
- (5) When the *certified family* moves to another residence in the State of Oregon, the Department terminates the *Certificate of Approval* automatically. The Department may issue a new *Certificate of Approval* for the new residence after the activities described

in this section have been completed. Within 10 business days, the *certifier* must complete the following actions:

- (a) Provide the *certified family* a Certified Family Certificate Renewal or Change of Status Application.
 - (b) Review the completed Certified Family Certificate Renewal or Change of Status Application.
 - (c) Conduct a home visit.
 - (A) Observe and assess the safety of the physical environment;
 - (B) Walk through every room in the home and each surrounding building; and
 - (C) Complete a Safety Assessment of the home.
 - (d) Document in the certification file the circumstances of the family's relocation.
- (6) When a *certified family* has been initially certified by the local Child Welfare office in the county in which the family resides and the family moves to another county, all of the following actions are required:
- (a) The issuing Child Welfare office's certification supervisor must notify the certification supervisor in a Child Welfare office in the county to which the *certified family* is moving;
 - (b) The certification file and ongoing Department responsibilities are transferred to a Child Welfare office in the county to which the *certified family* is moving, unless the Child Welfare program manager or designee in the county to which the *certified family* is moving has approved that Department certification responsibilities remain in the Child Welfare office in the county from which the *certified family* is moving.
 - (c) Complete the actions described in section (5) of this rule.
- (7) When a *certified family* wishes to move outside the State of Oregon with a *child* or *young adult*, refer to Child Welfare Policy I-B.3.4.2, "Interstate Compact on the Placement of Children", OAR 413-040-0200 to 413-040-0330.

Stat. Auth.: ORS 409.050, 418.005, 418.640

Stats. Implemented: ORS 409.010, 418.005, 418.625 - 418.645

413-200-0294

Responsibilities Regarding Inactive Referral Status

- (1) The *certified family* or the Department may initiate an *Inactive Referral Status*. When a *certified family* is on *Inactive Referral Status*, no additional *child* or *young adult* may be

placed in the home.

- (2) A *certified family* may ask the Department to place their home on *Inactive Referral Status* for any reason for up to 12 months. The *Inactive Referral Status* begins immediately upon the request of the family.
- (3) When either a *certified family* or the Department indicate an *Inactive Referral Status*, the *certifier* must immediately notify Department staff responsible for placement that the *certified family* is unavailable for placement of a *child* or *young adult*.
- (4) Within 30 days of a *certified family* requesting *Inactive Referral Status*, the *certifier* must send a letter to the *certified family* that documents the inactive status, the reasons for the status, and the requested length of the *Inactive Referral Status*.
- (5) The Department may place a *certified family* on *Inactive Referral Status* for one or more of the following reasons:
 - (a) The special needs of a *child* or *young adult*, who is currently in the home, require so much of the certified family's care and attention that no agency should place an additional *child* or *young adult* in the home.
 - (b) The family or members of the household are experiencing significant family or life stress.
 - (c) The *certified family* does not currently meet one or more of the certification standards.
- (6) The Department must place a *certified family* on *Inactive Referral Status* when the Department is assessing an allegation of child abuse or neglect in the home.
- (7) Within 14 days of the Department's initiating *Inactive Referral Status*, the *certifier* must send a letter to the *certified family* that documents the beginning date of *Inactive Referral Status*, the reason for the *Inactive Referral Status*, and any specific certification standards that have been violated, if any.
 - (a) The *certifier* and the *certified family* may collaborate to develop a *placement support plan* to address the concerns precipitating the *Inactive Referral Status*; and
 - (b) The certification supervisor reviews and approves the *placement support plan*.
- (8) The Department may revoke a *Certificate of Approval* if a *certified family* is unable to remedy a violation of a certification rule within the time frame of the *Inactive Referral Status*.
- (9) When the *certified family* initiates *Inactive Referral Status*, the inactive status ends at the request of the *certified family*.
- (10) When the Department initiates *Inactive Referral Status*, the Department determines,

within the time frame of the *Inactive Referral Status*, when the conditions that warranted the *Inactive Referral Status* have been resolved.

- (11) When the *Inactive Referral Status* ends, the *certifier* must:
 - (a) Document removal of the *Inactive Referral Status* in the certification file;
 - (b) Send written notification to the family within 30 days; and
 - (c) Notify Department staff responsible for placement that the *certified family* is available for placement of a *child* or *young adult*.

Stat. Auth.: ORS 409.050, 418.005, 418.640

Stats. Implemented: ORS 409.010, 418.005, 418.625 - 418.645

413-200-0296

Responsibilities Regarding Denial or Revocation of a Certificate of Approval

- (1) The Department may deny an application for a *Certificate of Approval* or revoke a *Certificate of Approval* when the *applicant* or *certified family* does not meet one or more of the certification rules in Child Welfare Policy II-B.1, "Standards for Certification of Foster Parents and Relative Caregivers and Approval of Potential Adoptive Resources", OAR 413-200-0301 to 413-200-0396.
- (2) The Department must provide the *applicant* a written notice of the intent to deny a *Certificate of Approval*, which must state the reason or reasons for the *denial* and comply with OAR 413-010-0510.
- (3) The Department must revoke a *Certificate of Approval* when, at the conclusion of a CPS assessment, the Department determines there is a safety threat in the certified family's home, unless the *certified family* voluntarily requests that the Department terminate the *Certificate of Approval* and provides written documentation of the request to terminate the *Certificate of Approval*.
- (4) The Department may deny an application or revoke a *Certificate of Approval* if the Department discovers an *applicant* or *certified family* has falsified information (by act of commission or omission) before or after the *Certificate of Approval* has been issued or if a *certified family* fails to provide information or inform the Department of any disqualifying condition that arises after the Certificate of Approval has been issued.
- (5) The Department must provide an *applicant* or *certified family* a written notice of intent to deny or revoke a *Certificate of Approval*, which must state the reason or reasons for the *revocation* and comply with OAR 413-010-0510.
- (6) When the Department has issued a notice to revoke a *Certificate of Approval* before the stated expiration date on the *Certificate of Approval*, the *Certificate of Approval* will not be deemed to expire until there is a final order on the notice to revoke the *Certificate of Approval*.

- (7) The Department must remove from the home all the children and young adults in the care or custody of the Department upon making the decision to revoke the certified family's *Certificate of Approval*.
- (8) When the Department has revoked a family's *Certificate of Approval* or denied an application for a *Certificate of Approval*, the Department may require a waiting period of up to five years from the date of *revocation* of the family's *Certificate of Approval* before the Department accepts a new application from the family.

Stat. Auth.: ORS 409.050, 418.005, 418.640

Stats. Implemented: ORS 409.010, 418.005, 418.625 – 418.645

Contact(s):

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