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CHAPTER 63 - FOSTER HOME LICENSING

63.05 AGENCY RESPONSIBILITY

The Department of Social and Health Services, under RCW 74.020 and RCW 74.13.031, has the responsibility to provide adequate care of children away from their homes, in foster family homes, day care, or other child care agencies or facilities.

With respect to foster family care, this responsibility is seen as including providing a suitable foster home for each child to minimize the risks involved in placement through recruitment of an adequate number and variety of homes, selection of appropriate foster families on the basis of careful study and evaluation, and providing continuing help in promoting the competence of the foster parents.

63.10 RECRUITMENT OF FOSTER HOMES - See also 38.28

A LO will actively recruit according to its need for foster homes. In publicizing its need, the types of homes most urgently needed should be specified, (e.g., for teenagers, for handicapped, minority groups, etc.). Recruitment publicity should be positive in tone. If the need is for specialized foster homes which receive a higher rate, both the need and compensation should be mentioned. (See Chapter 66)
While the recruiting of foster homes is primarily an ongoing activity, recruiting campaigns administered by a local or regional office may be helpful at times.

Consideration should be given to:

1. Coordinting efforts with other agencies and groups having an interest in foster family care.

2. Enlisting the aid of currently licensed foster parents and foster parent groups to participate as speakers, to man booths, to distribute literature, and to use "word of mouth" publicity. Including foster parent groups in the planning of recruiting efforts should be considered.

3. Sponsoring regular informational meetings at which interested persons can secure general information about the program, utilizing both staff and successful foster parents.

Means of publicizing the need for foster family homes include:

1. Use of radio and television spot announcements and talk shows.

2. The use of billboards and posters, where available.

3. Talks and speeches by agency staff and foster parents at local churches and organizations.

4. Newspaper "ads" and feature stories.

5. Mailings and brochures.

6. Pictures or slides use in connection with publicity. (Signed--permission of anyone appearing in a picture--parent or guardian for a child--must be secured before using the picture. Permission of the court must be obtained if the child is a ward of the court.)

63.15 INQUIRIES CONCERNING LICENSING

1. Disposition of Inquiry and Orientation Inquiries received from a potential foster parent will be referred to the person responsible for the foster home finding. The worker will make an appointment with the inquirer for an individual orientation interview or a group orientation meeting. Orientation meetings will be scheduled at regular intervals, when volume of inquiries justifies, to acquaint persons, who inquire about foster care, with the program and permit them to make a decision about applying for a license after having an opportunity to ask questions about the program. If the person inquiring prefers not to attend a group meeting, individual contacts will be arranged.

   The local office shall not license for foster family care the home of an employee of the Department of Social and Health Services. The local office shall not place children in the home of an employee licensed on the recommendation of a voluntary agency. The Department, however, may make payment for a child placed and supervised by a voluntary agency in the home of an employee which has been licensed for foster family care on the recommendation of that agency.

2. Furnishing inquirers with applications--DSHS 10-11 should be made available at either the group meeting or in an individual interview if group meetings are not held. The homefinder should control the distribution of applications for the foster home license.

   The LO should establish a deadline for return of the DSHS 10-11 if it is not completed at the time of the meeting or interview.

63.20 APPLICATION FOR FOSTER HOME LICENSE

Application for a license or renewal is made on form DSHS 10-11. The date of application is the date on which the DSHS 10-11 is returned to or received in the LO. When the application has been made, the local office should proceed with the study of the home. Depending upon the number of applicants and other factors, the local office may employ a variety of methods in conducting the study in order to reach a decision as quickly as possible (within 90 days). Consideration shall be given to the use of group meetings with applicants and the use of volunteers or paraprofessional staff in carrying out identifiable tasks in the study process.

63.25 HOME STUDY

The adequate study and evaluation of prospective foster homes is an essential part of foster care services. The home must be evaluated in terms of its ability to meet minimum licensing requirements and in terms of its potential use if it should be licensed. Since the focus of the licensing requirements is chiefly on the protection of the child, each foster home study must establish whether:

1. The home and environment are physically safe and comfortable.

2. The foster parents can provide adequate care.

3. A child in this home will receive the discipline and stimulation necessary for healthy growth.

To achieve these ends, the foster home study shall consist of exploration of the following areas:

1. Physical standards and requirements (refer to WAC 388-75-174).

2. Health of family members.

3. Fire safety (See WAC 388-75-177).

4. Family composition.

5. Motivation of foster parents.

6. Personality and emotional qualities of foster parents and own children in home.

7. Acceptance of differing socioeconomic, racial and ethnic backgrounds.

8. Relevant background of parents.

9. Child rearing practices.

10. Family relationships.

11 Attitudes toward natural parents of child.

12. Attitudes about and understanding of behavior (both desirable and undesirable) of achildren.

13. Occupation - income (management of income).

14. Religious affiliation.

15. Recreational and cultural interests.

16. Discipline.

In individual cases the department, at its discretion, may waive specific requirements which because of the cultural patterns of the persons served or which for other reasons are inappropriate, and approve alternate methods of achieving the intent of specific requirements if such waiver or approval does not jeopardize the safety or welfare of the persons in care. Licenses issued under the provisions of this section may be limited or restricted by the department.

63.30 METHOD OF FOSTER HOME STUDY

The study should be carried out in planned interviews between homefinder and the prospective family. Such contacts may consist of both group meetings and individual interviews. Separate as well as joint interviews with husband and wife may be arranged, provided that both are seen at some point during the study. Children and other members of the household should be seen, and whenever feasible, should participate.

63.35 USE OF REFERENCES

Character references are required at the time of application for the initial license. References should be used to supplement the information obtained through interviews and observation regarding the foster family. References may be obtained via mail, telephone conversation, or face-to-face interviews.

63.40 EVALUATION PROCESS

1. INITIAL SCREENING OF APPLICATIONS

   At the time of the initial contact with the agency, a rough screening should be done to determine if the applicant is primarily interested in foster care or if his or her interests are really in day care or adoption, and to determine if there are any obvious disqualifying factors.

2. EXCHANGE OF INFORMATION

   Prospective foster parents should be informed about the services, policies, procedures, and expectation of the agency, so that they may weigh the responsibilities entailed in foster family care, decide whether they are able and wish to undertake such responsibilities, and be prepared for them if they become foster parents. Specifically, the areas discussed should include, but not necessarily be limited to the following:

   a. Placement procedures

   b. Caseworkers' responsibilities

   c. Medical care of children

   d. Natural parents

e. Visitiation

f. What to report and to whom

g. Payment procedures

h. Role of foster parent and agency

i. Confidentiality

j. Court wardship

k. Liability

l. Vacations

m. Amount for board, room, clothing, and incidentals

63.45 EVALUATION OF HOME

As a result of the interviews, group meetings, references, and such, an evaluation should be made of personality makeup of foster parents and the way in which they are likely to perform as foster parents, including:

1. Whether applicants have potential for meeting needs of children served by the department or some office within it.

2. Whether applicants possess personal characteristics necessary to provide continuity of care throughout child's need for placement.

3. Whether applicants have sufficient flexibility to meet needs of particular children as these change in the course of placement.

4. Whether applicants can identify with agency's program and goals, work within its policies, share responsibility appropriately with the agency, and use help and training opportunities as needed.

5. Whether applicants can accept child's relationship with his natural parents.

6. Kind and number of children they can best serve.

7. Areas in which ongoing help or training will be needed.

Evaluation of family should be presented and recorded in such a way that other members of agency staff can make optimum use of this family as a resource for children needing foster home care.

The physical standards of the home are also evaluated; the worker should have reasonable degree of assurance that the home meets physical and medical health standards. Where there are no routine fire safety inspections, the worker should,

where some factor might cause the safety of the home to be questionable, request such inspection of the local fire department. Similarly, the worker shall also evaluate the health standards as listed in the minimum licensing requirements.

If the applicant has had a history which includes an illness or injury which might result in impairment or contributing to poor health which would impair functioning as a foster parent, the worker may request a more complete physical examination.

This evaluation shall be recorded on the DSHS 10-51.

63.50 DOCUMENTATION

In cases where noncompliance with a requirement exists, either during the licensing process or subsequently, the record must contain documentation or explanation which will substantiate the action taken or planned. This documentation should include a record of the information given the applicant or licensee regarding the deficiency and the opportunities afforded to correct the deficiency.

Exceptions for children in the home in excess of the limit will be included.

Reports from Health or other offices on potential or present hazardous conditions shall appear with steps taken to remedy the deficiency.

63.55 RENEWAL OF LICENSE

Plans for renewal of license shall be made with foster families in advance of the expiration of their license. If information relating to the care of children and family functioning has been periodically recorded as set forth in the preceding, renewal of license may be handled routinely without special study.

If licensee desires to apply for the renewal of his license, a written or verbal request for renewal shall be filed with the department 90 days prior to the expiration date of the license. Responsibility for requesting renewal of license rests with the licensee. The department will mail an application for renewal approximately two months prior to expiration of license. If the department fails to act by the expiration date, the license shall continue in effect until the department shall act, provided that an application for renewal is on file.

63.60 LOCAL ORDINANCES

Each applicant for license shall be informed of local ordinances, such as zoning requirements, insofar as licensing staff is aware of such requirements. However, the enforcement of local ordinances is the responsibility of local officials. A license is issued or denied on the basis of the applicant's compliance with the department's minimum licensing requirements appropriate to the category of care to be rendered by applicant. A license shall not be denied for failure of applicant to comply with other laws and ordinances unless such failure constitutes direct evidence of nonconformity to a licensing requirement. Licensing staff are encouraged to become familiar with pertinent local ordinances and to work cooperatively with appropriate local officials.

63.65 REVIEW

Applications for a license to maintain a foster home, submitted by unmarried persons who are cohabiting or by others whose style of living is of such a nature as to raise serious question or criticism from the community, shall be reviewed and approved by the local office administrator and, if appropriate, by a properly designated person in the regional office.

63.70 ISSUING LICENSE

Home is licensed, and DSHS 10-10 is sent. DSHS 10-10 is completed to reflect licensing of the home and terms of the license, i.e., number, sexes, and age range of children to be cared for. An initial license is dated effective the date that the evaluation is completed.

63.75 REGISTRY OF FOSTER HOMES

A central registry of foster homes will be maintained by the homefinder. This will be kept current as to openings or closings of homes and also vacancies in licensed homes.

The LO is responsible for completing and maintaining foster home card, the DSHS 10-07, which serves as a desk card for homefinder and is also used in preparation of vouchers (see instructions for DSHS 10-07, Chapter 99).

63.80 SUPERVISION

Visits to any active home licensed by the LO shall be made at least quarterly to assess compliance with licensing requirements and to consult with foster parents about the care provided children under care. Generally those visits will be made by the service worker for a child placed in the home. If the home is not in use, contacts, when necessary, will generally be made by the homefinder. Contacts with these homes will be made on an as needed basis.

The home study will be periodically updated as a result of these visits to reflect any significant changes in the family makeup and functioning.

Information about the agency will be shared with the foster parents.

63.85 DENIAL OR REVOCATION OF LICENSE

Although it is the intent of the licensing statute and the policy of the department to encourage and assist the development of needed child care facilities, cases will arise in which a license must be denied or revoked. Before beginning denial or revocation procedures, the applicant or licensee shall be told what deficiencies threaten his privilege to retain this license. He shall be given

consultation as to ways in which deficiencies may be overcome and the opportunity to make necessary corrections. If the applicant or licensee remains unable to conform with minimum licensing requirements, he shall be encouraged to withdraw his application or surrender his license voluntarily. The local office may request consultation from the SO foster care consultant on the best way to handle a particular case.

Upon decision to deny, suspend, revoke or not renew a license, the applicant or licensee shall be informed in writing by certified mail of the reasons for the intended action. The letter shall be signed by the local administrator after his review of the case and assurance that the evidence is sound and based on factual observations of staff or witnesses willing to testify at a hearing, should a hearing occur.

The letter of denial or revocation shall:

1. State that the department proposes to deny the application for license or proposes to suspend, revoke or not renew a license, for a specified category of care, e.g., family day care home, under authority of Chapter 74.15 RCW.

2. Specify the reasons the action is taken and cite by WAC number the particular licensing requirements which have been violated or not met.

3. State that if no written request by certified mail is made for a hearing in accordance with RCW 74.15.130 within thirty dats of receipt of this notice, the license shall be deemed denied, suspended, revoked or not renewed, as the case may be, and that:

   a. In the case of applicant not currently licensed, children (or expectant mothers) may not be received or retained in foster care until such time as the facility is properly licensed.

   b. In the case of revocation or suspension of a current license, foster care must be terminated by the end of the thirty day period unless a hearing is requested, in which case foster care must be terminated immediately following the hearing if such sustains the department's action.

63.90 DISCRIMINATION PROHIBITED

1. The department shall not license, make referrals to, payment to, nor include in its directories the names of agencies which discriminate in the provision of services or employment practices because of race, creed, color or national origin.

2. Sectarian agencies established primarily to serve members of a particular religious denomination shall not be deemed to practice discrimination unless they specifically exclude from the benefits of their program the members of specified other demoninations, or if they discriminate based on race, color, or national origin.

3. Evidence of prohibited discriminatory practices shall serve as grounds for denial, revocation, suspension or nonrenewal of license.

4. In addition to appropriate action regarding licensing, cases involving discrimination shall be reported to the state office for referral to the State Board Against Discrimination.

Guidelines in relation to discriminatory practice:

1. Chapter 49.60 RCW prohibits discriminatory practices by places of public accommodation in relation to:

   a. Employment practices because of race, creed, color or national origin, sex or age, and

   b. Provision of services because of race, creed, color or national origin.

2. Guidelines to be followed by the local office are:

   a. To be licensed as a foster or day care home, the foster parents must sign the application form DSHS 10-11 which contains an agreement not to engage in prohibited discriminatory practices.

   b. The department's foster home or day care case file shall contain a yearly summary report or annual review of practices including the following listed data:

      i. Does foster or day care home have an open admission policy with regard to race, creed, color, or national origin?

      ii. Do the foster parents arrange for the child to receive religious training in his own faith?

3. If abuse of civil rights is evident, the department will notify the State Board Against Discrimination.

4. The department will have the right, at its option, to terminate payment and withdraw the license of any foster or day care home engaged in prohibited discriminatory practices. Prior to exercising such right, the Secretary of the department shall furnish the foster parents an opportunity for a fair hearing according to the provision of Chapters 388-08 and 388-09 WAC.