
POLICY TRANSMITTAL NO. 04-32	DATE: JUNE 23, 2004
CHILDREN & FAMILY SERVICES DIVISION	DEPARTMENT OF HUMAN SERVICES OFFICE OF PLANNING, POLICY & RESEARCH

TO: ALL OFFICES

SUBJECT: MANUAL MATERIAL

OAC 340:75-7, Table of Contents; 75-7-1 through 75-7-2; 75-7-8; 75-7-10; 75-7-12 through 75-7-20; 75-7-22 through 75-7-24; 75-7-36 through 75-7-38; 75-7-41 through 75-7-42; 75-7-48; 75-7-51 through 75-7-56; 75-7-58 through 75-7-60; 75-7-62; 75-7-64 through 75-7-66; 75-7-69 through 75-7-70; 75-7-86 through 75-7-94; and 75-7-260 through 75-7-269.

EXPLANATION: **Policy revisions were approved by the Commission and the Governor as required by the Administrative Procedures Act.**

The revisions to Subchapter 7 of Chapter 75 clarify Foster Care resource services and program procedures in chronological order, update statutory citations, improve readability, eliminate unnecessary language, conform to current formatting guidelines, and coordinate with KIDS.

340:75-7-1; 75-7-8; 75-7-12.1; 75-7-15.1 through 75-7-17; 75-7-20 through 75-7-23; 75-7-36; 75-7-41.1 through 75-7-48; 75-7-54 through 75-7-64; 75-7-66 through 75-7-93; 75-7-260 and 75-7-261; and 75-7-263 through 75-7-269 are revoked.

340:75-7-2 is revised to include information previously included in 75-7-1 and delete definitions no longer applicable to the resource assessment process.

340:75-7-10 is revised to reflect the current focus of recruitment efforts.

340:75-7-12 is revised to provide a comprehensive listing of requirements for foster applicants.

340:75-7-14 is revised to expound on pre-service and in-service training requirements and the process for the waiver of training requirements.

340:75-7-15 is revised to detail the assessment of background investigation results for all foster resources, including those conducted after-hours and on holidays.

340:75-7-18 is revised to reflect the chronological sequence of assessing resource families.

340:75-7-19 is revised to clarify that joint approval of a resource home is child-specific and approval is based on the child's needs.

340:75-7-24 is issued to provide comprehensive information specific to kinship care, placement requirements, and payment

options.

340:75-7-37 is revised to clarify the responsibilities of foster parents participating in the development and support of the child's permanency goal.

340:75-7-38 is revised to highlight the responsibilities, principles, teaching techniques, and behavior management of discipline.

340:75-7-41 is revised to specify placement considerations and requirements.

340:75-7-51 is revised to detail the procedures for foster care claims adjustments.

340:75-7-52 is revised to include information regarding the foster care contract provisions.

340:75-7-53 is revised to incorporate all difficulty of care (DOC) information in one section of policy and provide guidance on requesting, reviewing, and authorizing a DOC payment for a child.

340:75-7-65 is revised to incorporate foster care child care, formal and informal, and supportive services in one section of policy.

340:75-7-94 is issued to provide information regarding yearly contract performance reviews and the process afforded to foster parents regarding these reviews.

340:75-7-262 is revised to include roles and responsibilities of CW staff and emergency foster care (EFC) agencies regarding EFC. Additionally, information pertaining to discharge of the child and change of placement information accompanying the child is included.

Original signed on 6-9-04

Linda Smith, Director
Children & Family Services Division

Marilynn Knott, Administrator
Office of Planning, Policy & Research

WF # 04-02 (NAP)

INSTRUCTIONS FOR FILING MANUAL MATERIAL

OAC is the acronym for Oklahoma Administrative Code. If OAC appears before a number on an Appendix or before a Section in text, it means the Appendix or text contains rules or administrative law. Lengthy internal policies and procedures have the same Chapter number as the OAC Chapter to which they pertain following a “DHS” number, such as personnel policy at DHS:2-1 and personnel rules at OAC 340:2-1. The “340” is the Title number that designates DHS as the rulemaking agency; the “2” specifies the Chapter number; and the “1” specifies the Subchapter number.

The chronological order for filing manual material is: (1) OAC 340 by designated Chapter and Subchapter number; (2) if applicable, DHS numbered text for the designated Chapter and Subchapter; and (3) all OAC Appendices with the designated Chapter number. For example, the order for filing personnel policy is OAC 340:2-1, DHS:2-1, and OAC 340:2 Appendices behind all Chapter 2 manual material. Any questions or assistance with filing manual material will be addressed by contacting Policy Management Unit staff at (405) 521-3611.

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SUBCHAPTER 7. FOSTER HOME CARE**PART 1. GENERAL PROVISIONS**

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PART 1. GENERAL PROVISIONS

340:75-7-2. Purpose, legal base, and definitions

(a) **Purpose.** Foster family care is a planned, goal directed service that provides 24-hour a day substitute temporary care and supportive services in a home environment for any child, birth to 18 years of age, residing in Oklahoma and in the custody of Oklahoma Department of Human Services (OKDHS). Voluntary foster care is available for any child, birth to 21 years of age, per OAC 340:75-4-12.1 and 340:75-6-115.9.

(b) **Legal base.**

(1) The Oklahoma Foster Care and Out-of-Home Placement Act acknowledges that foster parents have a recognizable interest in the familial relationship they establish with a child who is placed in their care. The law recognizes that foster parents are essential participants in decision-making related to the child in their home.

(2) Sections 7203 and 7204.4 of Title 10 of the Oklahoma Statutes define and authorize foster family care.

(3) Titles IV-B and IV-E of the Social Security Act mandate and provide funding for certain child welfare services, including foster care.

(4) OKDHS implements recruitment and retention activities that support the:

(A) Multiethnic Placement Act of 1994 as amended by the Interethnic Adoption Provisions of 1996 (MEPA/IEP), per OAC 340:75-1-9;

(B) Federal Indian Child Welfare Act (FICWA), per Section 1901 et seq. of Title 21 of the United States Code, and Oklahoma Indian Child Welfare Act (OICWA), per Section 40 et seq. of Title 10 of the Oklahoma Statutes;

(C) Adoption and Safe Families Act of 1997 (ASFA) that amended Titles IV-B and IV-E of the Social Security Act, per Sections 620 through 679 of Title 42 of the United States Code; and

(D) regulations promulgated to implement each Act.

(c) **Definitions.** The following words and terms, when used in this Subchapter, shall have the following meaning, unless the context clearly indicates otherwise:

(1) **"Emergency foster care (EFC)"** means short-term substitute care for children in the custody of OKDHS from birth through five years of age. Care is provided by a contracted agency to meet the child's needs through service coordination and delivery in conjunction with OKDHS.

(2) **"Foster family care"** means an essential temporary Child Welfare (CW) service for a child and parent(s), legal guardian, or custodian when the child's safety cannot be ensured in his or her own home due to the risk of child abuse, neglect, or special circumstances necessitating out-of-home care on a temporary basis. A service of continuous care is provided for a child requiring out-of-home placement in a home environment, including, but not limited to, the care, supervision, guidance, and rearing of a child by a foster parent, who is approved by and under contract with OKDHS.

(3) **"House assessment"** means the evaluation of the prospective foster or kinship family's place of residence to determine whether the residence meets OKDHS physical requirements for safety.

(4) **"In-service training"** means instruction on a yearly basis that is required to maintain continued approval of a foster home.

(5) **"Inquiry"** means the first contact a prospective resource parent has with OKDHS. The prospective resource parent may ask the local OKDHS office staff about foster parenting, through a phone call, email, or personal contact.

(6) **"Kinship foster family care"** means continuous care provided for a child requiring out-of-home placement by a relative, stepparent, or other responsible adult who has a bond or tie with the child or a family relationship role with the child's parent(s) or the child prior to the child's entry into foster care.

(7) **"Mutual decision-making"** means the process by which the prospective resource family decides, given what they have learned about themselves and the children served by OKDHS, whether they want to become approved foster, kin, or adoptive parents. OKDHS, represented by the resource specialist, determines whether the family has the skills, willingness, and resources to foster or adopt an available child.

(8) **"Parental substitute authority"** means the ability of the foster parent to integrate the child requiring out-of-home placement into the family setting and to care for the child as the foster parent would his or her child, by:

- (A) meeting the child's physical and emotional needs;
- (B)

(B) teaching the child problem-solving, self-control, and responsibility; and

(C) building the foster parent-child relationship. This does not include the authority to use corporal punishment on any child in OKDHS custody.

(9) **"Pre-service training"** means instruction required of a foster parent applicant prior to approval.

PART 2. DEVELOPMENT OF RESOURCES

340:75-7-10. Recruitment of foster families

(a) **Foster families.** The recruitment of foster families is a crucial component for providing safe home environments for children requiring out-of-home placement due to child abuse, neglect, or other special circumstances. Diligent recruitment ensures children have access to foster families who:

- (1) live in close proximity to biological families;
- (2) can meet each child's unique needs;
- (3) allow sibling groups to remain together; and
- (4) reflect and understand the racial and ethnic diversity of local communities.

(b) **Recruitment and retention.** In order to impact the availability and diversity of resources, the Oklahoma Department of Human Services (OKDHS) implements recruitment and retention activities that are defined by each county. ■ 1

INSTRUCTIONS TO STAFF

1. Recruitment plan. Each county develops, implements, monitors, and refines a plan to increase the availability or diversity of resources to serve children in Oklahoma Department of Human Service (OKDHS) custody and retain current resources. The recruitment plan:

- (1) is integrated within the county Program Improvement Plan (PIP);
- (2) is developed with input from key stakeholders, including resource families and Child Welfare (CW) staff;
- (3) is based on an assessment and prioritization of need. Needs assessments consider the:
 - (A) proximity of available resources to families;
 - (B) language skills of resource families;
 - (C) racial and ethnic diversity of resources;

- (D) availability of tribal resources to serve Indian children who fall under the Indian Child Welfare Act (ICWA); and**
- (E) ability of available resources to provide care for sibling groups, older children, and children with special needs;**
- (4) includes at least one objective addressing local priorities for resource development based on the state PIP. County statistics of children in out-of-home care are used to develop the objective(s);**
- (5) incorporates strategies to retain current resources;**
- (6) is implemented under the direction of the county director;**
- (7) is monitored monthly by the county director. The results and status of implementation are reported in a prescribed format quarterly to the respective Field Operations Division services area office; and**
- (8) is modified as objectives are achieved or the need for different strategies is identified.**

340:75-7-12. Initial screening of foster family inquiries

(a) **Inquiries.** Any person, who is at least 21 years of age, may apply to become a foster parent by contacting the local Oklahoma Department of Human Services (OKDHS) office. ■ 1

(b) **Requirements.** Requirements described in OAC 340:110-5 serve as a framework for families and OKDHS in the mutual assessment process that assists in selecting the best home for children placed in foster family care. All applicants must:

(1) be at least 21 years of age and preferably no more than 55 years older than the child considered for placement;

(2) if married, be married one year or more. Applicants may be married, single, legally separated, or divorced;

(3) have the ability to manage personal and household financial needs without relying on the foster care reimbursement;

(4) provide appropriate sleeping arrangements for each child placed;

(5) provide verification that all members of the household are in sufficiently good physical and mental health to provide for the individual needs of each child placed;

(6) submit to a search of all OKDHS records, including Child Welfare (CW) records;

(7) ensure that each member of the household, 18 years of age or older, submits fingerprints for a state and national criminal history records search;

(8) submit to a search of Juvenile Justice Information System (JOLTS) records for any child older than 13 years of age in the household;

(9) ensure that no member of the household has a prior conviction of any sexual offense;

(10) provide references;

(11) complete 27 hours of pre-service training;

(12) complete 12 hours of in-service training each contract year;

(13) demonstrate the basic competencies that are to:

(A) protect and nurture children who have been abused, emotionally maltreated, or neglected;

(B) meet the medical and developmental needs of these children;

(C) support relationships between children and their parents, siblings, and kin, as specified by OKDHS;

(D) connect the child to a safe, nurturing relationship; and

(E) collaborate with OKDHS as a team member;

(14) have a house assessment completed;

(15) have extended family or friends to provide support and child care other than, or, in addition to, licensed child care paid by OKDHS;

(16) submit verification of employment when requesting paid child care services for a child in foster care;

(17) acknowledge and agree to abide by applicable State statutes and OKDHS rules regarding children in their care that include, but are not limited to:

(A) OKDHS, as the legal custodian of the child, has the right to move any child from any foster home at any time when in the child's best interests and in accordance with statutes governing movement of children;

(B) the necessity of maintaining and respecting the confidential nature of all information regarding a child placed in the foster home, and that a breach of confidentiality may be grounds for closure of the foster home and termination of the foster care contract; and

(C) the requirement that OKDHS investigate or assess allegations of abuse, neglect, or maltreatment of any child in OKDHS custody placed in an approved foster home in the same manner as any other abuse or neglect investigation or assessment conducted by OKDHS;

(18) notify OKDHS whenever any member of the foster family is seriously ill or hospitalized;

(19) provide a physician's statement, once approved as a foster parent:

(A) for any hospital stay;

(B) for ongoing outpatient medical or mental health care, including psychological counseling; or

(C) upon OKDHS request;

(20) agree to provide foster care as a planned, temporary placement for children with the goal of family reunification or other permanency plan;

(21) work as a member of a professional multidisciplinary team with OKDHS staff to develop a case plan for each child placed;

(22) share parenting of the child in care with the parent(s), who may have different values and lifestyles;

(23) treat all information regarding the child and family as confidential, only sharing such information necessary to obtain services for the child or with persons who are directly involved with the case;

(24) participate in the development of an effective parent and child visitation plan that may include contact with the parents and siblings, if siblings are separated;

(25) comply with OKDHS rules on discipline;

(26) maintain requirements necessary for continued approval as a foster home;

(27) participate in the re-assessment of the foster home and the evaluation of the OKDHS Foster Care program and services;

(28) utilize the foster care reimbursement for the care and maintenance of the child's basic needs, such as food, clothing, shelter, incidentals, non-prescription medications, including special activity fees, allowances, and recreational opportunities; and

(29) comply with all state statutes relating to the care and support of minors including those that prohibit the use of tobacco, alcohol, or non-prescribed medications.

(c) **Specific inquiries.** Temporary Assistance for Needy Families (TANF) recipients and OKDHS employees may apply to be OKDHS foster families. ■ 2

(d) Requests from other states. When former foster parents apply in another state to be a foster resource and that state requests information about the foster parents from OKDHS, Children and Family Services Division Foster Care Section responds to the request. ■ 3

INSTRUCTIONS TO STAFF

1. Response to inquiry. The Child Welfare (CW) staff:

(1) documents each inquiry in the KIDS Pre-Resource screen by noting the referral source;

(2) discusses with each potential applicant the basic responsibilities and requirements expected of a resource parent, the types of children requiring out-of-home placement, and the elements of the application and training process;

(3) discusses with the applicant his or her ability to meet the day-to-day needs of the child, such as providing a stimulating environment and ensuring the child the opportunity to participate in extracurricular activities.

(A) When the age difference between the applicant and the child considered for placement is more than 55 years, CW staff consults with the CW field liaison (CWFL) and county director. If the applicant does not have the ability or willingness to meet these responsibilities and requirements, CW staff explains that the application may be denied.

(B) If the applicant still wishes to make a formal application, the application is accepted and processed. Specific information obtained is used as the basis for denial of the application and is documented in the KIDS Pre-Resource screen;

(4) carefully considers the responses of each potential applicant to an explanation of the focus and goals of the Oklahoma Department of Human Services (OKDHS) programs;

(5) obtains information regarding the person's particular circumstances, motivation, and ability to be a resource parent; and

(6) makes a referral to other Children and Family Services Division (CFSD)

units, such as Adoption Services, or other divisions within OKDHS, such as Division of Child Care or Office of Volunteerism, when the applicant's needs or expectations are better met through these sources.

2. Foster parent eligibility.

(1) TANF recipients. The assessment process explores the ability of the Temporary Assistance for Needy Families (TANF) recipient to provide for the child's needs pending receipt of the foster care reimbursement.

(2) OKDHS employees. An OKDHS employee interested in becoming a foster parent submits a written inquiry to the employee's supervisor. If the employee is assigned to CW, the written inquiry is also sent to the CWFL.

(A) Assessment of the request. Each applicant's request requires assessment on a case-by-case basis. The supervisor and county director or division director, as applicable, discuss the:

(i) potential for a conflict of interest; and

(ii) employee's understanding that employment with OKDHS is not used as a means to obtain information about the child's case or gain services.

(B) Memorandum. The county director or division director, as applicable, submits the application request in a written memorandum to the CFSD Foster Care Section. The memorandum documents the discussion of conflict of interest and the separation of job duties as an employee and foster parent.

(C) Written approval. The resource family assessment process for an OKDHS employee is initiated only after receiving written approval from the Foster Care Section.

(D) Placement considerations. When an OKDHS employee is an approved foster or tribal foster parent, placement of a child is not considered when the child is on the employee's caseload.

3. Inquiries from other states. Requests from other states, agencies, or persons regarding information from an active or closed resource are routed to the CFSD Foster Care Section for response. The Foster Care Section requests

information from the county, if necessary. The county office removes all reference information and child abuse or neglect information from the requested resource record before sending the information to the Foster Care Section.

340:75-7-14. Training

(a) Pre-service training. Applicants and adult household members complete a prescribed course of training that addresses the values and competencies essential to caring for children who are victims of maltreatment. ■ 1

(1) Each adult in a foster home identified as a provider for a child completes required training or is determined to possess required competencies as a result of prior foster care training and experience.

(2) Required pre-service training consists of approximately 27 hours of instruction addressing required competencies, including, but not limited to:

(A) protecting and nurturing children who have been abused, emotionally maltreated, or neglected;

(B) meeting the medical and developmental needs of these children;

(C) supporting relationships between children and parents, siblings, and kin, as specified by the Oklahoma Department of Human Services (OKDHS);

(D) connecting the child to safe, nurturing relationships; and

(E) collaborating with OKDHS as a member of a team.

(3) Applicants may request a waiver of training requirements by submitting to the resource specialist a list of subjects addressed in training as a result of prior service with Oklahoma, another state, or a private agency. Requests for training waivers are reviewed and acted on by Children and Family Services Division (CFSD) Foster Care and Training Sections programs managers.

(A) An applicant with a break in OKDHS service of less than five years meets the training requirements.

(B) Supplemental information or confirmation of training may be requested from another state or private agency identified by the applicant to aid in decision-making.

(C) The resource specialist notifies the applicant of the decision within 30 working days of the request for a training waiver.

(4) Resource families may be approved as placement resources before the

conclusion of classroom training.

(5) Resource families may request exception to training based on work schedule or disability.

(A) A self-study curriculum addressing the required competencies may be:

(i) requested by an adult in the applicant's home when the person's work schedule precludes the completion of training; and

(ii) approved by the Foster Care and Training programs managers. The assigned resource specialist supervises self-studies.

(B) A permanent training waiver may be approved by the Foster Care programs manager for adults in the applicant's home when verification is received that the person has a significant disability that precludes completion of classroom or self-study curriculums. Persons who are granted a permanent training waiver may not be considered as a provider for a child.

(b) **In-service training.** All foster parents complete 12 hours of continuing in-service training per year on subjects that promote their skills and interests as providers. ■ 2

(1) OKDHS offices provide free in-service training options to foster families, including conferences, video and taped instruction, and literature.

(2) Internet instruction through recognized state and private foster care agencies is accepted as meeting in-service training requirements. Certificates of completion listing approved hours are typically available from the training source upon completion of such training.

(3) Foster families have options in selecting classes, conferences, reading materials, or other learning opportunities that enhance their skills as providers and meet the in-service training requirement. Prior approval from the resource specialist is secured to ensure a common understanding of credit for each event.

(4) Foster families caring for children in OKDHS custody residing in another state must meet the requirements of that state for ongoing training to maintain approval.

INSTRUCTIONS TO STAFF

1. Pre-service training.

(1) Training schedule. A schedule for Foster Care pre-service training is maintained in KIDS. A schedule for in-service training is provided quarterly to Child Welfare (CW) staff by the Children and Family Services Division (CFSD) Training Section. The CW field liaison (CWFL) may request additional sessions in the current or subsequent quarter based on emerging need. Requests are honored as resources allow.

(2) Enrollment. The resource specialist enrolls the applicant in pre-service training on KIDS.

2. In-service training. The resource specialist documents all training completed by foster families in the KIDS resource or verifies the training tracked by KIDS.

340:75-7-15. Background investigation and assessment of results

(a) **Requirements.** A background investigation is conducted on all adults in the foster applicant's home as a safeguard for children placed in Oklahoma Department of Human Services (OKDHS) custody. Background investigations are conducted at the time of application and include:

(1) an Oklahoma State Bureau of Investigation (OSBI) name and records criminal history search, including the Department of Public Safety (DPS) and Sex Offenders Registry, of the applicant and any adult living in the applicant's household;

(2) a Federal Bureau of Investigation (FBI) national criminal history search, based on the fingerprints of the applicant and any adult members of the household;

(3) a search of all OKDHS records, including Child Welfare (CW) records, for past confirmation of child maltreatment involving the applicant and any adult living in the household; and

(4) a search of Juvenile Justice Information System (JOLTS) records for any child older than 13 years of age in the applicant's household. ■ 1

(b) **Criminal history search.** The applicant and adult members of the household provide consent for an OSBI and FBI criminal history search by signing Form ADM-130, Request for Background Check.

(c) **Exception to fingerprinting.** The Director of OKDHS or designee may authorize an exception to the fingerprinting requirement for any person residing in the home who has a severe condition that precludes such person being fingerprinted. ■ 2

(d) Residence time frame.

(1) If every person age 18 or older residing in the applicant's home has resided in Oklahoma for at least five years immediately preceding approval, the initial approval may occur upon completion of the entire home assessment process utilizing results per OAC 340:75-7-15(a).

(2) Fingerprints are submitted to the FBI for a national criminal history records search before initial approval. Final approval, per OAC 340:75-7-18(b)(3), is contingent upon receipt of the results of the national criminal history records search.

(e) **Occupancy of the household.** A criminal history search is completed for every adult who sleeps in the household more than 30 days per calendar year or engages in a pattern of overnight visitation that meets this test. Such persons are considered household members.

(f) **New occupants in the foster home.** The foster parent notifies OKDHS within 24 hours of any person taking up residence in the foster home. OKDHS completes a background investigation per OAC 340:75-7-15 for persons age 18 years or older. The foster parent's child who reaches age 18 is considered in this category. Adults in this category have no provider responsibility until the background investigation is complete. A foster family's failure to notify OKDHS of a new household member or refusal of a household member to consent to a background check is grounds for cancellation of the foster care contract.

(g) **Kinship applicant criminal background records search after normal business hours or on a holiday.** When OKDHS considers placement of a child with a prospective kinship foster family in an emergency situation, after normal business hours or on a holiday, OKDHS requests that local law enforcement conduct a criminal history search. This is based upon submission of the name, race, gender, date of birth, and Social Security number of each person age 18 or older living in the household. Each person completes and signs Form ADM-130 to initiate the search. ■ 3

(h) **Assessment of background investigation results.**

(1) **History of felony convictions.** OKDHS denies a resource home application if the applicant, or any person residing in the home of the applicant, has a criminal conviction record for any of the felony offenses listed in (A) through (E). The criminal conviction of an approved foster parent or any person residing in the foster home of any of the felony offenses listed in (A) through (E) requires the closure of the foster home, cancellation of the foster care contract, and removal of each child in OKDHS custody. The felony offenses are:

(A) physical assault, battery, or a drug-related offense within the five year period preceding the application date;

(B) child abuse or neglect;

(C) domestic abuse;

(D) a crime against a child including, but not limited to, child pornography; or

(E) a crime involving violence including, but not limited to, rape, sexual assault, or homicide, but excluding physical assault or battery. Homicide includes manslaughter.

(2) Exceptions to history of felony convictions.

(A) OKDHS does not grant exceptions regarding felony convictions per OAC 340:75-7-15(h)(1) of a prospective or approved foster parent or of anyone residing in the foster home. Approval may be granted by the county director on a case-by-case basis, per OAC 340:75-7-15(4), for any applicant who has, or is living with a person who has, a prior conviction or charges pending for any other felony or a relevant misdemeanor.

(B) A prospective adoptive parent or long-term placement provider for a specific child in OKDHS custody, who has not been approved as a placement provider due to a conviction of a felony offense specified in OAC 340:75-7-15(h)(1)(A) within five years preceding the application date, may be approved only by the court after:

(i) an evaluation is made and accepted by the court that considers the:

(I) nature and seriousness of the crime in relation to the long-term placement;

(II) time elapsed since the commission of the crime;

(III) circumstances under which the crime was committed;

(IV) degree of rehabilitation; and

(V) number of crimes committed by the person involved; and

(ii) a showing by clear and convincing evidence that the child will not be at risk by such placement.

(3) Sex related crimes. OKDHS denies the application of an applicant if the applicant, or any person residing in the applicant's home, has been convicted, whether upon a verdict or a plea of guilty or upon a plea of nolo contendere, for any crime specified per Section 582 of Title 57 of the Oklahoma Statutes. OKDHS denies the application of an applicant if the applicant is subject to, living with, or

married to a person who is subject to the Oklahoma Sex Offenders Registration Act.

(4) **History of crimes, charges, or other convictions.** Approval of any applicant who has, or is living with a person who has, a history of arrests, charges, or convictions for any felony other than those listed in OAC 340:75-7-15(h)(1) or a relevant misdemeanor may be approved on a case-by-case basis. A relevant misdemeanor includes, but is not limited to, assault and battery, alcohol or drug related offenses, crimes involving domestic abuse, and other such offenses. ■ 4

(5) **History of child abuse and neglect investigations.** OKDHS determines the approval of any applicant with a history of child abuse and neglect investigations on a case-by-case basis. The county director considers the:

(A) nature and seriousness of the CW history;

(B) time elapsed since the CW history;

(C) circumstances of the CW history;

(D) degree of rehabilitation; and

(E) risk, if any, to the child by such placement. ■ 5

(6) **JOLTS information.** The information obtained from a JOLTS search on the child older than 13 years of age living in the applicant's home is used to determine whether that child poses a risk to a child in OKDHS custody.

INSTRUCTIONS TO STAFF

1. Background check.

(1) **Authorization by signature.** Child Welfare (CW) staff advises the applicants that their signatures on Form ADM-130, Request for Background Check, authorize the Oklahoma Department of Human Services (OKDHS) to complete an investigation of the applicants.

(2) **Process.** The anticipated time frame for completion of the entire fingerprinting process is eight weeks. The process for obtaining, sharing, and recording an OSBI name and records search and FBI national criminal

history records search consists of CW staff:

- (A) submitting Form ADM-130 on each adult in the household to the Children and Family Services Division (CFSD) Fingerprint Processing Section;
 - (B) retaining a copy of Form ADM-130 in the resource record;
 - (C) submitting one Form ADM-130 for the OSBI name search and a separate Form ADM-130 with fingerprint cards for the OSBI records search and FBI national criminal history records search for every adult in the household;
 - (D) providing every person 18 years or older residing in the foster applicant's home with two fingerprint cards;
 - (E) providing the foster or adoptive home applicant with an automated fingerprinting authorization through Finance AS400;
 - (F) instructing the applicant to take the authorization and the fingerprint cards to local law enforcement or a fingerprinting agency for fingerprinting services and returning the cards to CW staff once fingerprinting is completed;
 - (G) checking the fingerprint cards for accuracy and forwarding all cards for the applicant's household, along with Form ADM-130 to the Fingerprint Processing Section;
 - (H) if the fingerprint cards are rejected and reprinting is necessary, returning the cards to and instructing the person to take the cards to the original vendor, who reprints the person at no additional charge; and
 - (I) entering the results of the search in the KIDS Criminal Background Check screen.
- (3) OKDHS records search. CW staff completes a search of all OKDHS records including CW history on all applicants and adults in the home. A search is completed using the Information Management System (IMS) and

KIDS with the adult's Social Security number and date of birth. The information is recorded on Form DCFS-109, Records Check, and filed in the resource record.

(4) JOLTS search. CW staff completes a search on JOLTS of all children in the home older than 13. The results are documented on Form DCFS-109 and filed in the resource record.

2. Exception. CW staff submits the request for an exception in writing to the Fingerprint Processing Section and places a copy of the request and response in the resource file.

3. Kinship applicant criminal background records search after normal business hours or on a holiday. CW staff:

(1) documents the criminal history search by local law enforcement after normal business hours and on holidays in the KIDS Resource Contacts screen;

(2) submits signed Form ADM-130 to the Fingerprint Processing Section the next working day, indicating that it is an after hours follow-up;

(3) submits the fingerprint cards to the Fingerprint Processing Section within five business days of the name-based after hours background records check, attached to a copy of the previously submitted Form ADM-130; and

(4) does not place a child in a kinship foster home if the prospective kinship applicant or person age 18 or older residing in the home refuses fingerprinting. A child already in placement is removed if the prospective kinship applicant or person age 18 or older residing in the home refuses fingerprinting.

4. Assessment of other related crimes, charges, and convictions. The resource specialist conducts a thorough assessment of the risk potential to the child placed in the home and obtains consultation and written approval of the county director and CW field liaison (CWFL) prior to approving the home. The approval is documented in the KIDS Pre-Resource or Resource Contacts screens, as applicable, and filed in the resource record.

(1) The resource specialist considers any other issues that may be relevant in assessing appropriateness of the applicant.

(2) According to Oklahoma law, a deferred sentence is not a conviction nor considered as such, but a finding or plea of guilty or nolo contendere to a charge may be considered even if the person has been granted a deferred sentence.

(3) Assessment of charges and convictions include, but are not limited to:

(A) type of crime committed;

(B) lapsed time since the crime or conviction;

(C) length of the deferment or length and type of sentence imposed;

(D) completion date of the sentence;

(E) assignment of a probation officer and the officer's information;

(F) positive changes the applicant has made in his or her lifestyle and a description of how and why the changes occurred;

(G) self-evaluation by the applicant regarding how the experience may help children or youth placed in the home; and

(H) provisions for the safety and well-being of a child in the home due to the applicant's criminal history.

5. CW history results. The resource specialist consults with the CW supervisor, CWFL, and county director about any CW history found on a case-by-case basis.

340:75-7-18. Resource family assessment

(a) **Resource family assessments.** Resource family assessments are completed by Oklahoma Department of Human Services (OKDHS) staff or by a contractor of OKDHS. The foster family assessment consists of an evaluation of the items listed in (1) through (7). ■ 1

(1) **Background investigation.** A completed and signed Form DCFS-26, Resource Family Assessment Application, and Form ADM-130, Request for Background Check, authorizes OKDHS to conduct an investigation into criminal and OKDHS records, including Child Welfare (CW) records, of the applicant and each adult member of the household, per OAC 340:75-7-15.

(2) **House assessment.** The resource specialist conducts an evaluation of the applicant's residence to assess the location, condition, and ability to accommodate children in foster care. The evaluation addresses requirements found in OAC 340:110-5.

(3) **Total number of children in placement.** The total number of children in OKDHS custody placed in a kinship or foster home may not exceed five. The total number of all children in the home, which includes biological, adoptive, foster, and other children not in OKDHS custody, cannot exceed six.

(4) **Children younger than two years of age.** No more than two children younger than two years of age, including the foster family's own children, are placed in the same home.

(5) **References.** The resource specialist solicits and reviews the comments of personal, employer, and school references identified by the applicant regarding the applicant's parenting strategies and skills. Information obtained through references is confidential.

(A) Three personal references are interviewed by phone or in person.

(B) The applicant's current or most recent employer is contacted by letter, phone, or in person.

(C) School teachers, counselors, or administrators who have recently served the applicant's child are contacted by letter, phone, or in person to assess the applicant's involvement in educational concerns, if applicable.

(D) All adult children of the applicant are interviewed in person, by letter, or by

phone, if applicable.

(E) A total of at least six references are required. ■ 2

(6) **Military discharge.** If an applicant has been discharged from the armed forces, a copy of DD Form 214, Certificate of Release of Discharge From Active Duty, is required to determine the type of discharge. Any discharge other than honorable must be specifically addressed in the assessment as a consideration in the applicant's ability to attend to the safety and well-being of a child requiring foster care services. ■ 3

(7) **Previous foster care experience.** Applicants who have previously served as foster parents in another state or with a private agency provide or authorize release of all previous foster home assessments, reports, and training records from the state or agency. ■ 4

(b) **Disposition of foster home assessments.** ■ 5 Upon completion of the foster home assessment, a decision regarding disposition is made assessing all the information gathered. The assessment process is completed and the determination regarding disposition is made no later than 90 days after receipt of Form DCFS-26. The resource specialist confirms in writing all decisions made concerning the assessment and application with the applicant. The resource specialist shares with the applicant Form DCFS-69, Guidelines for Resource Family Assessment, or Form DCFS-69-A, Resource Family Assessment, as applicable, for the applicant's input prior to deciding to select in or out of the Foster Care program. Disposition of the assessment may result in:

(1) the postponement of the assessment. The applicant is advised of any condition that does not conform to Foster Care rules, per OAC 340:75-7, during the assessment. When determined appropriate, the resource specialist postpones the assessment to afford the applicant the opportunity to resolve issues of concern;

(2) a voluntary withdrawal of the application. If the resource specialist determines that the applicant does not meet the requirements for becoming a foster parent, the reasoning for the determination is explained, and the resource specialist gives the applicant the option to voluntarily withdraw the application;

(3) the approval of the assessment.

(A) The resource specialist reviews and discusses the assessment with the applicant, except for the Juvenile Justice Information System (JOLTS) review, CW records search, and reference information.

(B) The resource specialist, CW supervisor, and applicant sign Form DCFS-69-A, and a copy is provided to the applicant. The home is not considered approved until the CW supervisor approves the family assessment in KIDS and signs Form DCFS-69-A.

(C) Prior to initiation of reimbursement, the applicant signs the foster care contract with the exception of a kinship placement, per OAC 340:75-7-24.

(D) The resource specialist provides the family OKDHS Publication No. 99-17, Foster Parent Handbook. Each foster parent signs verification of the receipt of OKDHS Publication No. 99-17.

(E) The foster parent signs Form OCA-GR-4, Notice of Grievance Rights - Foster Parents; or

(4) the denial of the assessment. ■ 6 The decision to deny requires an explanation to the applicant by the resource specialist regarding the reasons the assessment is denied. If a kinship home is denied, the child in OKDHS custody in the home is moved immediately. Reasons for denying an assessment may include, but are not limited to:

(A) the lack of stable, adequate income to meet the applicant's own or total family needs;

(B) inadequate physical facilities to accommodate the addition of children to the home;

(C) a history of confirmed child abuse or neglect; or

(D) the home is determined unsuitable for the child requiring placement.

(c) **Re-application to provide foster care.** Persons who desire to re-open their foster home must re-apply. ■ 7

(d) **Dissolved marriage or other relationships.** If foster parents divorce or the relationship is dissolved, the person who continues to foster retains the existing resource number and information. ■ 8

(e) **Contract foster home assessments.** Children and Family Services Division (CFSD) may contract with licensed child-placing agencies or a qualified person to provide a range of CW services that include conducting resource family assessments. OKDHS makes the final decision regarding the disposition of all resources assessed by

contractors. ■ 9

INSTRUCTIONS TO STAFF

1. Resource family assessment.

(1) Initial family assessment. The resource specialist conducts the initial consultation with the family in the family's home. This is an opportunity to answer questions, explain the mutual assessment process and training requirements, and assess the safety of the home. Observations are documented on Form DCFS-11, House Assessment. The resource specialist assesses:

(A) location. The home must be accessible to school, medical, and recreational resources;

(B) play space. Adequate and safe indoor and outdoor space for play activities must be available;

(C) equipment. Age appropriate child care equipment, such as beds, high chairs, and toys must be available and in good repair;

(D) communications. A working phone must be maintained in the home;

(E) automobiles. The applicant must maintain an automobile in working order, carry the statutorily mandated automobile liability insurance of 10/20/10 minimum, and possess a valid Oklahoma driver license. The resource specialist observes passenger restraints and advises the applicant that proper automobile restraints are used at all times when a child in Oklahoma Department of Human Services (OKDHS) custody is riding in an automobile.

(i) Every driver must use a child passenger restraint system that meets federal standards when transporting a child who is younger than six years of age.

(ii) Every child age six through 12 years who is transported in an automobile must be protected by a passenger restraint system or seat belt.

(iii) The provisions in (i) and (ii) do not apply to the:

(I) driver of a school bus, taxicab, moped, motorcycle, or other vehicle not required by law to be equipped with safety belts;

(II) driver of a vehicle in which all seat belts are in use;

(III) transportation of a child for whom medical reasons prohibit the use of a passenger restraint system or seat belt; or

(IV) transportation of a child who weighs more than 40 pounds and is transported in the back seat using only a lap seat belt when the back seat of the vehicle is not equipped with combination lap and shoulder belts or when the combination lap and shoulder belts are used by other children weighing more than 40 pounds. The back seat includes all seats located behind the front seat of a vehicle; and

(F) sleeping arrangements and privacy.

(i) The applicant's home has a separate bed provided for each child with the exception of siblings younger than six years of age who exhibit a need for mutual support. A separate bedroom is provided for a child who acts out sexually.

(ii) Preferably, no more than two children share a bedroom. Primary consideration is given to the child's safety according to age and emotional needs.

(iii) The applicant's home provides separate bedrooms for children older than six years of age who are of the opposite sex.

(iv) A child in OKDHS custody, with the exception of an infant who is younger than 24 months of age, does not share a bedroom with an adult in the household.

(v) The applicant's home provides space for the child's personal possessions and for a reasonable degree of privacy.

(vi) The applicant may not designate a room, such as the living room, utility room, den, dining room, pantry, or unconverted garage, as a bedroom unless the room is specifically designed as a bedroom.

(2) Review of resource assessment forms. During the initial consultation the resource specialist provides dates for pre-service training and reviews Forms:

(A) DCFS-26, Resource Family Assessment Application;

(B) DCFS-20, Resource Family Financial Assessment;

(C) DCFS-38, Medical Examination Report, which is received by the resource specialist as soon as possible or prior to the final consultation visit, and includes, if applicable, a statement from the family physician for all children in the home to verify that the children are free from communicable diseases and are current on immunizations;

(D) DCFS-42, Family Health History;

(E) DCFS-63, Child Needs Information List;

(F) DCYFS-8, Consent for Release of Information, signed by the applicant; and

(G) DCFS-102, Notice to Foster Parent Applicant(s), signed by the applicant.

(3) Tribal membership. The resource specialist verifies tribal membership or tribal affiliation of the applicant in order to identify valid placement resources for children who meet the definition of Indian under the Indian Child Welfare Acts, per OAC 340:75-19.

2. References.

(1) The resource specialist documents all information provided by voluntary and applicant specified references regarding the applicant. A total of at least six references is required. The resource specialist explains to each person contacted as a reference program expectations and the needs of children who come into care. The resource specialist uses Forms:

(A) DCFS-64, Resource Family Personal Reference Letter, as a guide to conduct interviews and document phone interviews of personal references. In the event a reference is not well enough acquainted with

the applicant to provide pertinent information or when the person declines to serve as a reference, this is documented in the assessment and the applicant is asked for another reference;

(B) DCFS-48, Resource Family Reference Letter for an Employer, to document contact by mail, phone, or face-to-face with the employer or direct supervisor of the applicant. The resource specialist assesses the information given by the applicant and the present employer or supervisor and decides if contact with past employers or supervisors is necessary;

(C) DCFS-43, Resource Family Reference for School Personnel, when the applicant has a school-age child, to contact by letter the school principal, counselor, or teacher for each child of the applicant; and

(D) DCFS-39, Resource Family Reference Letter for Adult Children, to document contact by mail, phone, or face-to-face with all adult children of each applicant, if applicable. The resource specialist requests consultation with the Child Welfare (CW) supervisor, CW field liaison (CWFL), and the county director to determine the significance of the information provided by an adult child who:

(i) has a history of abuse and neglect;

(ii) disagrees with his or her parent(s)' desire to foster; or

(iii) has other concerns about his or her parent(s).

(2) OKDHS does not deny the continuation of the foster application process based solely on information provided by a reference. When a reference provides information requiring further explanation from the applicant, the resource specialist discusses the nature of the information without revealing the source.

3. **Military history.** The resource specialist requests consultation with the CW supervisor, CWFL, and the county director to determine the significance of the information provided by military history, if needed.
4. **Previous foster care information.** The resource specialist uses Form DCYFS-8 to secure a copy of the applicant's foster home assessment, related information, and training record from other states or agencies, if applicable.

(1) OKDHS secures the applicant's record from the other state or agency and provides the information to the contractor, if applicable.

(2) The resource specialist sends via mail or fax the training record to Children and Family Services Division (CFSD) Training Section to determine further training requirements.

(3) A copy of an assessment and training record presented by an applicant from another state during the application and assessment process in Oklahoma is acceptable, but requires verbal verification from the state of the presented assessment and training record.

(4) The resource specialist documents the verbal verification in the KIDS Pre-Resource or Resource Contacts screens, if applicable.

5. Disposition process. The assessment and approval process must be completed no later than 90 days after receipt of Form DCFS-26 utilizing Form DCFS-69, Guidelines for Resource Family Assessment, or Form DCFS-69-A, Resource Family Assessment. The resource specialist consults with the CW supervisor, CWFL, and county director for assistance in reaching a decision regarding the disposition of the assessment, if needed. Foster Care Section staff is available for consultation.

(1) Postponing a disposition. The disposition of an assessment is postponed when the applicant and the resource specialist make a decision to postpone the process. The resource specialist requests an exception to the 90-day assessment completion time frame from the CW supervisor and CWFL. The reason for the exception is documented in the KIDS Resource Contacts screen. The assessment is denied when resolution is not possible.

(2) Voluntary withdrawal. If the applicant withdraws the application, the resource specialist follows up with a letter of confirmation of the withdrawal.

(3) Approving a family assessment. Before the assessment is discussed with the family, the CW supervisor reviews the assessment.

(A) The resource specialist files the original Form DCFS-69-A with signatures in the resource record.

- (B) The resource specialist copies the KIDS Pre-Resource to a Resource for all approved applications, except when the child in OKDHS custody is in a kinship placement. The resource specialist then end-dates the KIDS Pre-Resource after conversion to a Resource.**
- (C) The resource specialist enters the request for approval of the assessment in the KIDS Resource Status screen with the date that Form DCFS-69-A is sent to the CW supervisor for approval. The CW supervisor approves the assessment in the KIDS Resource Status screen and signs Form DCFS-69-A with the same date.**
- (D) The resource specialist files the verification in the resource record and documents the receipt of Publication No. 99-17 in the KIDS Resource Contacts screen.**
- (E) The resource specialist provides a signed copy of Form OCA-GR-4 to the foster parent and files the original in the resource record with documentation of the signature in the KIDS Resource Contacts screen.**

(4) Denying a family assessment.

- (A) The resource specialist staffs the information with the CW supervisor.**
- (B) The resource specialist documents all information obtained in the resource record and KIDS Pre-resource or Resource Contacts screens. The resource specialist documents the disposition decision in the KIDS Resource Status screen.**
- (C) Denial of the assessment is documented by the resource specialist in summary form with detailed information in the KIDS Pre-resource or Resource Contacts screen and a copy of the written summary is filed in the resource record.**
- 6. Exceptions. The resource specialist submits a written request for an exception of the requirements in OAC 340:75-7-18 to the CW supervisor. The CW supervisor sends the request to the CFSD Foster Care Section with a copy to the county director. Upon receipt of the request, Foster Care Section staff responds in writing with a decision. A copy of the response to the request is retained in the resource and child's record. The resource specialist documents the request and the response in the KIDS Resource Contacts screen.**

7. Re-opening a foster home.

(1) The resource specialist reviews the resource record to determine the foster parent's performance history with OKDHS. The review includes:

(A) any OKDHS policy or foster care contract violations or concerns;

(B) the outcomes of any written plans of compliance and recommendations regarding continued use of the home; and

(C) the training record, to ensure that pre-service training was completed and documented.

(2) After the review, the resource specialist and CW supervisor determine the disposition of the re-application. Consultation is available with the CWFL, county director, or the Foster Care Section, if needed.

(3) Re-opening a foster home requires:

(A) completion of:

(i) Form DCFS-26;

(ii) Form DCFS-38 unless completed within the last 12 months;

(iii) Form ADM-130 and fingerprints for all adult members of the household, unless completed within the last 12 months;

(iv) an OKDHS records search, including CW history in KIDS and the Information Management System (IMS), and the JOLTS review of any child older than 13 years of age residing in the home. This information is recorded on Form DCFS-109, Records Check, and filed in the resource record; and

(v) the resource family assessment, including an updated recommendation, if the home was closed for two years or more. If the home was closed for less than two years, an addendum to Form DCFS-69-A is completed;

(B) contact with three current references if the home was closed more than six months;

(C) additional references, if new reference information is not consistent with previous references or with the requirements per OAC 340:75-7-18;

(D) re-opening the closed resource as pending in the KIDS Resource Status screen and entering a new family assessment line for the new assessment or the addendum; and

(E) re-activating the contract. Upon approval, the resource specialist contacts the CFSD Administrative Service Unit to re-activate the contract.

8. Dissolved marriage or relationships. If foster parents divorce or the relationship dissolves, the person who continues to foster retains the existing resource number and information. The Out of House Date and Reason is entered in the KIDS Resource Homes screens to reflect this information. An addendum is completed and documented in the KIDS Resource Contacts screens to reflect the change in the household.

(1) If both foster parents wish to continue to foster, the primary foster parent maintains the original KIDS resource number, and another resource is opened cross-referencing the original resource number.

(2) If the primary foster parent does not wish to continue fostering and the designated Head of Household 2 elects to foster, he or she becomes Head of Household 1 in the existing KIDS resource. The person wishing to continue to foster signs a new foster care contract, per OAC 340:75-7-52.

(3) If neither foster parent wishes to foster, the KIDS resource is closed.

9. Contracted home assessments.

(1) The contractor completes an application packet on each foster home referred by the CWFL or contract gatekeeper.

(2) At a minimum, the contractor meets with the foster or kinship applicant and resource specialist assigned to the assessment prior to the initiation of and at the conclusion of the resource assessment. The identification of issues and concerns during the assessment process requires additional meetings.

340:75-7-19. Joint approval of foster homes

(a) Joint approval of resource homes. Resource families may be jointly approved to provide foster care services to children in the custody of Oklahoma Department of Human Services (OKDHS) while approved by other agencies, OKDHS divisions, or tribes. Joint approval decisions follow assessment by all involved that the child's needs are best met in a jointly approved home. While the home is jointly approved, any changes or concerns are shared between all involved with the joint-approved home. Joint approval is child specific and occurs when:

(1) a child's need for specialized services, treatment, or placement changes;

(2) a child re-enters the Child Welfare (CW) system and has a previous relationship with the placement provider;

(3) siblings need to be placed together;

(4) an infant of a child in OKDHS custody requires placement; and

(5) a child in OKDHS custody requires specialized services or treatment in a kinship placement. ■ 1

(b) Joint use of kinship homes. Using a kinship foster home as a CW foster home requires that the kinship family continue to meet all the requirements of a CW foster home. ■ 2

(c) Joint use of adoptive home. OKDHS advises the family of the differences in the goals of foster care and adoptive services and the differences in the roles and responsibilities that the family has to the child in foster care and the child's family. OKDHS advises the family that a child in foster care is not moved in order to place a child for adoption and considers the needs of all children in the home when making decisions about adoptive placements. ■ 3

(d) Joint use of licensed family child care homes. Joint approval of a licensed family child care home as a CW foster home occurs after a case-by-case assessment. ■ 4

INSTRUCTIONS TO STAFF**1. Joint approval of foster homes.**

(1) Process for joint approval of a therapeutic foster care (TFC) home as a foster family home.

(A) The child's Child Welfare (CW) worker contacts the county of placement resource specialist before placement of a child.

(B) The resource specialist then contacts the Children and Family Services Division (CFSD) TFC programs manager and verifies the TFC agency agreement to share the resource.

(C) Following verification by the TFC agency that the resource may be shared, the CFSD TFC programs manager or designee notifies the resource specialist and the CFSD Foster Care programs manager to proceed with the assessment of the home.

(D) The resource specialist contacts the TFC agency and requests the resource record and recommendation.

(E) Upon reviewing the resource record and recommendation, the resource specialist:

(i) updates all required information, including training;

(ii) assesses the home utilizing Form DCFS-11, House Assessment;

(iii) completes an addendum; and

(iv) submits this information to the CW supervisor for approval.

(F) Upon approval, the resource specialist creates a KIDS resource and notifies the child's CW worker that placement may be made and payments may begin.

(G) Additional placements of children in Oklahoma Department of Human Services (OKDHS) custody are not permitted without written approval from TFC and Foster Care programs managers.

(2) Process for joint approval of a foster family home as a TFC home.

(A) The child's CW worker, following consultation and approval from the CW supervisor and CW field liaison (CWFL), contacts the county of placement resource specialist with the request and documentation of previous services before placement of a child.

(B) The resource specialist then contacts the Foster Care programs manager with all related information, verification that the foster family has adequately met the needs of the child placed, and a recommendation for joint approval.

(C) The Foster Care programs manager provides written approval to the resource specialist and the TFC programs manager. A copy of the written approval is given to the family for attachment to the TFC application.

(D) Upon TFC agency approval, the contract liaison creates a KIDS resource and the CW worker completes the KIDS Placement screens.

(E) Additional placements of children in OKDHS custody are not permitted without written approval from TFC and Foster Care programs managers.

(3) Process for joint approval of a tribal home as a foster family home.

(A) The child's CW worker contacts the CFSD tribal coordinator, county of placement resource specialist, and the tribal liaison before placement of a child.

(B) The tribal coordinator contacts the tribe to verify the tribe's agreement to share the resource.

(C) Following verification by the tribe that the resource may be shared, the tribal coordinator notifies the resource specialist and Foster Care programs manager to proceed with the assessment of the home.

(D) The resource specialist contacts the tribe and requests the resource record and recommendation.

(E) Upon reviewing the resource record and recommendation, the resource specialist:

(i) updates all required information, including training;

(ii) assesses the home utilizing Form DCFS-11;

(iii) completes an addendum; and

(iv) submits this information to the CW supervisor for approval.

(F) Upon approval, the resource specialist creates a KIDS resource and notifies the child's CW worker that placement may be made and payments may begin.

(G) Additional placements of children in OKDHS custody are not permitted without written approval from the tribal coordinator and Foster Care programs manager.

(4) Process for joint approval of a foster family home as a tribal home.

(A) The tribe contacts the CFSD tribal coordinator with the request before placement of a child.

(B) The tribal coordinator contacts the Foster Care programs manager and the county of placement resource specialist.

(C) The Foster Care programs manager provides written approval to the resource specialist and tribal coordinator. The tribal coordinator gives a copy of the written approval to the tribe.

(D) Upon CFSD approval, the tribe completes and submits a foster home study to the tribal coordinator.

(E) The tribal coordinator creates a KIDS resource.

(F) The tribe notifies the tribal liaison of placement of the child in tribal custody in the tribal resource.

(G) Additional placements of children in tribal custody are not permitted without written approval from the tribal coordinator and Foster Care programs manager.

(5) Process for joint approval of a Developmental Disabilities Services Division (DDSD) home as a foster family home.

(A) The child's CW worker contacts the county of placement resource specialist before placement of a child.

(B) The resource specialist then contacts the CFSD DDSD liaison and

verifies the DDSD agreement to share the resource.

(C) Following verification by the DDSD liaison that the resource may be shared, the DDSD liaison or designee notifies the resource specialist and Foster Care programs manager to proceed with the assessment of the home.

(D) The resource specialist contacts the DDSD resource specialist and requests the resource record and recommendation.

(E) Upon reviewing the resource record and recommendation, the resource specialist:

(i) updates all required information;

(ii) assesses the home utilizing Form DCFS-11;

(iii) completes an addendum; and

(iv) submits this information to the CW supervisor for approval.

(F) Upon approval, the resource specialist creates a KIDS resource and notifies the child's CW worker that placement may be made and payments may begin.

(G) Additional placements of children in OKDHS custody are not permitted without written approval from the DDSD liaison and Foster Care programs manager.

(6) Process for joint approval of a foster family home as a DDSD home.

(A) The child's CW worker, following consultation and approval from the CW supervisor and CWFL, contacts the county of placement resource specialist with the request and documentation of previous services before placement of a child.

(B) The resource specialist then contacts the Foster Care programs manager with all related information, verification that the foster family has adequately met the needs of the child placed, and a recommendation for joint approval.

(C) The Foster Care programs manager provides written approval to the resource specialist and DDS liaison. A copy of the written approval is given to the family for attachment to the DDS specialized foster care application.

(D) Upon DDS approval, the resource specialist creates a KIDS resource and the CW worker completes the KIDS Placement screens.

(E) Additional placements of children in OKDHS custody are not permitted without written approval from the DDS liaison and Foster Care programs manager.

(7) Process for joint approval of an Office of Juvenile Affairs (OJA) home as a foster family home.

(A) The child's CW worker, following consultation and approval from the CW supervisor and CWFL, contacts the county of placement resource specialist before placement of a child.

(B) The resource specialist then contacts the OJA staff and Foster Care programs manager and verifies OJA's agreement to share the resource.

(C) Following verification by OJA that the resource may be shared, the resource specialist contacts OJA to request the resource record and recommendation.

(D) Upon reviewing the resource record and recommendation, the resource specialist:

(i) updates all required information, including training;

(ii) assesses the home utilizing Form DCFS-11;

(iii) completes an addendum; and

(iv) submits this information to the CW supervisor for approval.

(E) Upon approval, the resource specialist creates a KIDS resource and notifies the child's CW worker that placement may be made and payments may begin.

(F) Additional placements of children in OKDHS custody are not permitted without written approval from the Foster Care programs manager and OJA.

(8) Process for joint approval of a foster family home as an OJA home.

(A) The child's CW worker, following consultation and approval from the CW supervisor and CWFL, contacts the county of placement resource specialist with the request before placement of a child.

(B) The resource specialist then contacts the Foster Care programs manager with all related information, verification that the foster family has adequately met the needs of the children, and a recommendation for joint approval.

(C) The Foster Care programs manager provides written approval to the resource specialist. A copy of the written approval is given to the family for attachment to the OJA application.

(D) OJA initiates its own contract with the CW foster family.

(E) If CW decides to close the home, the reason is shared with OJA.

(F) Additional placements of children in OKDHS custody are not permitted without written approval from the Foster Care programs manager and OJA.

2. Process for joint approval of a kinship home as a CW foster home. The CW worker creates a separate KIDS resource prior to any placements, with the resource type as CW Foster Family Care. A new contract number is not needed.

3. Process for joint approval of an adoptive home as a CW foster home. The resource specialist:

(1) initiates a foster home assessment update, consisting of, but not limited to:

(A) updating Form DCFS-26, showing any new changes since the original application. The family must provide references, per OAC 340:75-7-18;

- (B) obtaining a copy of the adoptive home assessment and reviewing and updating any information;**
 - (C) completing a Juvenile Justice Information System (JOLTS) review of all child older than 13 years of age residing in the home;**
 - (D) conducting an FBI national criminal history records search of all adults in the home, including submission of fingerprints, if not done previously;**
 - (E) documenting pre-service training;**
 - (F) explaining Form DCFS-102, Notice to Foster Parents Applicant(s); and**
 - (G) obtaining a copy of all required verification, such as driver license and liability insurance;**
- (2) attaches the addendum to the adoptive home assessment documenting updated information and making a recommendation regarding the approval as a foster home; and**
- (3) has the family sign the foster care contract after completion of the entire foster home update.**

4. Process for joint approval of a child care home as a foster family home.

(1) When the licensed family child care home requests joint approval as a CW foster home, the county of placement resource specialist and Licensing staff assigned to the child care home gather data which includes:

- (A) information about the child considered for placement in the child care home;**
- (B) the number of children, and their ages, approved in the child care home;**
- (C) the number of children of their own;**
- (D) the history of licensing compliance that includes a description of**

any problems;

(E) information regarding the child care home from the assigned Licensing staff; and

(F) determination of the abilities of the child care provider to handle the needs of all the children.

(2) The Licensing staff assigned to the child care home and CWFL make the final decision for joint approval of the home.

(3) OKDHS does not pay child care benefits to a child care provider for a child in the custody of OKDHS placed in the child care provider's home.

(4) The child care home is continually monitored by CW and Licensing staff and all relevant information is shared.

340:75-7-24. Kinship placements

(a) Kinship care. Kinship care is considered as the first option in providing care for the child requiring out-of-home placement, provided the child's needs are met and safety is reasonably ensured in the kinship placement. A kinship placement is assessed as a potential permanent placement for the child if reunification is not achieved. Kinship relationships do not require a blood relationship. The types of kinship relationships are identified in (1) through (6).

(1) Related by blood. Blood relatives considered as kinship, including half-blood, are:

(A) siblings;

(B) grandparents, including those denoted by prefixes of great and great-great;

(C) aunts and uncles, including those denoted by prefixes of great and great-great;

(D) nieces and nephews, including those denoted by prefixes of grand and great-grand; and

(E) cousins.

(2) Related by marriage. Per OAC 340:75-7-24(a)(1), relationships by marriage, whether common-law or ceremonial, including step-relations and even after the marriage is terminated by death or divorce, are considered kinship.

(3) Related by adoption. Relatives by adoption, per OAC 340:75-7-24(a)(1) and (2), are considered kinship.

(4) Paternal relatives. Paternal relatives, per OAC 340:75-7-24(a)(1) through (3), of children born out of wedlock, are kinship.

(5) Related by emotional tie or bond. An emotional tie or bond exists when a child or the child's parent acknowledges and accepts a person as part of the extended family or in the family's close network of friends and relationships. The family relationship role exists prior to the necessity for out-of-home placement of the child.

(6) Non-custodial parent. A child returned to or placed with a non-custodial parent or a parent whose rights were terminated is not a kinship placement. Biological parents are not kinship resources and are not eligible for foster care reimbursement.

(b) **Initial kinship placement.** A child may be placed in a kinship foster home prior to completion of the resource family assessment and pre-service training, provided:

(1) Form DCFS-10, Initial Kinship Placement Agreement, is completed and signed;

(2) Form DCFS-26, Resource Family Assessment Application, and Form ADM-130, Request for Background Check, are completed and signed, per OAC 340:75-7-15 and 340:75-7-18;

(3) Form DCFS-11, House Assessment, is completed and approved; and

(4) three personal references, only one of whom is a family member, are interviewed by phone. ■ 2

(c) **Kinship reimbursement option.** The kinship applicant may opt for payment by the Oklahoma Department of Human Services (OKDHS) or a money payment for which the child is eligible instead of the foster home reimbursement. Payment may include:

(1) Supplemental Security Income (SSI);

(2) Social Security for a deceased or disabled parent (SSA);

(3) other financial resources, per OAC 340:75-13-28; or

(4) Temporary Assistance for Needy Families (TANF) benefits, per OAC 340:10-9. ■ 3

(d) **Kinship requirement.** All kinship foster homes, paid or non-paid, must meet the same requirements as all other CW foster homes.

INSTRUCTIONS TO STAFF

1. Kinship. Every effort is made to place a child in a kinship placement. The resource specialist carefully considers the child's physical and emotional health and safety in identifying potential kin providers.

2. Initial kinship placement. An Oklahoma Department of Human Services (OKDHS) records search, including Child Welfare (CW) records, is completed first on potential kinship providers and documented on Form DCFS-109, Records Check. The resource specialist:

(1) copies the KIDS Pre-Resource screen to a Resource after the child is

placed in a kinship foster home and the initial placement requirements are completed, per OAC 340:75-7-24;

(2) documents the relationship of the kinship provider in the KIDS Resource General Information screen. When requesting an out-of-county kinship placement, a KIDS Pre-Resource is assigned to the county in which the kinship provider resides with the information from the CW records search;

(3) end-dates the KIDS Pre-Resource after the conversion to a Resource; and

(4) completes:

(A) Form DCFS-10, Initial Kinship Placement Agreement;

(B) the criminal records search, OKDHS records review, background checks, and Juvenile Justice Information System (JOLTS) review for any child older than 13 years of age residing in the home, per OAC 340:75-7-15;

(C) Form DCFS-11, House Assessment, and submits to the CW supervisor for review; and

(D) the interview with three personal references, only one of whom is a family member, by phone.

3. Kinship reimbursement.

(1) The resource specialist refers relative kinship providers to the local OKDHS office for the application of Temporary Assistance for Needy Families (TANF) benefits pending completion of the assessment process as a paid foster family.

(2) To avoid an overpayment, the resource specialist informs the Family Support Services worker within one day when the requirements are met for foster care.

(3) At the initial consultation, the resource specialist has the kinship provider sign a contract, per OAC 340:75-7-52 Instructions to Staff 1 and 2.

(4) The resource specialist enters a training stipend adjustment of \$375 in KIDS for a kinship foster family at the time of enrollment in training and a

final stipend adjustment of \$375 upon completion of training requirements. The stipend request is made in the KIDS Resource Claims screen. Stipends are entered as a claim adjustment.

(5) Exceptions for payments made before requirements are completed are considered on a case-by-case basis. The resource specialist consults with the CW supervisor and determines whether an exception is necessary. A request for a waiver is made only after all efforts by the county to expedite training or the home study are exhausted, and the efforts are documented in the KIDS Resource Contacts screens. A written request and a waiver request on KIDS is submitted to the Children and Family Services Division (CFSD) Foster Care Section by the CW supervisor.

(A) The types of training waivers are a:

(i) temporary waiver when pre-service training is not available and all other requirements are met; and

(ii) permanent waiver when a spouse is incapacitated, available only after the primary kinship provider completes the pre-service training.

(B) A home assessment waiver is requested when:

(i) the resource specialist has not completed the home assessment timely; or

(ii) any required documentation is not received.

PART 4. FOSTER PARENTS' ROLES AND RESPONSIBILITIES

340:75-7-37. Responsibilities of foster parents

As members of a professional team with the Oklahoma Department of Human Services (OKDHS) staff, foster parents assume responsibility both to OKDHS and to the children and families served. A clear understanding of the roles, abilities, and requirements of the foster parents is necessary for effective coordination with OKDHS staff and the children and families served.

(1) Responsibilities of the foster parent to the child in OKDHS custody and the child's family. Responsibilities of the foster parent include:

- (A) integrating the child into the foster family setting and caring for the child as the foster parent would for the foster parent's own child;
- (B) providing mentoring services to the child's parent(s) and coordinating visitation and contact whenever possible to facilitate timely reunification, including phone and mail contact when appropriate;
- (C) working as a multidisciplinary team member with the Child Welfare (CW) worker and the child's parent(s) toward family reunification or other permanency plan;
- (D) helping the child understand why he or she is in foster care and to deal with the grief caused by the separation;
- (E) cooperating and assisting in sibling contact or visitation, including phone and mail contact, when siblings are separated;
- (F) cooperating and assisting the CW worker in the placement of siblings;
- (G) helping the child develop a positive identity and self-esteem by feeling lovable, capable, worthwhile, and competent;
- (H) helping the child learn appropriate behavior without using physical punishment;
- (I) utilizing appropriate behavior management, parent-child conflict resolution, and stress management techniques in a manner appropriate to the age and development of the child in foster care;

(J) enrolling the child in an accredited school, if applicable, and ensuring that the child attends;

(K) advocating for the child to obtain appropriate educational testing and placement in a timely manner which may include becoming a surrogate parent volunteer for participation in the child's Individualized Education Plan (IEP). To serve as a surrogate parent volunteer, the foster parent must complete the Oklahoma State Department of Education SoonerStart Form EI-12, Surrogate Parents Verification of Training;

(L) attending school conferences;

(M) ensuring the child participates in extracurricular and other recreational activities as appropriate;

(N) ensuring the child's necessary medical, dental, and counseling needs are met by:

(i) making appointments;

(ii) providing transportation to appointments and sibling and parent visits; and

(iii) obtaining prescription medications or over-the-counter medications as necessary and administering the medication as directed;

(O) maintaining records of all medical, dental, and counseling appointments and notifying the CW worker of the time and place of the appointments, all medications prescribed for the child, and over-the-counter medications given to the child;

(P) notifying the CW worker of all medical and educational problems and progress;

(Q) ensuring the child's opportunity to participate in the religious practices of the child's family's choice, including the provision of transportation to worship services other than those of the foster parent, if necessary, and ensuring a child in foster care is not made to attend religious services against the child's wishes;

(R) providing transportation for the child to meet with legal counsel upon reasonable request, attending court hearings as desired or required, submitting to the court written reports or presenting testimony concerning the strengths, needs, behavior, important experiences, and relationships of the child, in

addition to other information the court requests;

(S) providing from the foster care reimbursement:

(i) essentials such as food, shelter, non-prescription medical needs, clothing, shoes, and toiletries;

(ii) clothing and fees for special activities;

(iii) school pictures;

(iv) athletic and band instrument fees;

(v) cap and gown rental and prom clothing; and

(vi) birthday and holiday gifts;

(T) providing federally mandated independent living services to youth who are at least 16 years of age and assisting other children in learning basic life skills that allow the opportunity to improve self-concept and strengthen identity in preparation for life after foster care;

(U) allowing the child access to mail from family members and the child's attorney; and

(V) allowing the child overnight stays with friends of the child whom the foster parent knows and approves while ensuring the safety of the child.

(2) Responsibilities of the foster parent in the development and support of an appropriate permanency goal for each child. Responsibilities of the foster parent include:

(A) informing the CW worker and other team members of each child's strengths, needs, progress, and development;

(B) participating in the development of an effective parent and child visitation plan that defines contact with the parent(s) and siblings, if siblings are separated;

(C) collaborating with the child's CW worker prior to visits with the birth parents unless part of a specific plan;

(D) advising the CW worker of all pertinent information about the child and

family;

(E) participating in meetings and case staffings when appropriate;

(F) completing all required training hours annually, including annual policy training when offered; and

(G) maintaining current medical and education records for each child in foster care. A Life Book is maintained for each child placed in the home to support the child's sense of family continuity. These records accompany the child when he or she leaves the foster home.

340:75-7-38. Discipline for children in foster family care

(a) Primary responsibility. A primary responsibility of foster families is to help children learn behaviors that promote their self-regard, personal ability, and socialization skills. The rules governing these efforts are outlined in OAC 340:75-7-38(b) through (d).

(b) Positive interactions. Foster family interactions with a child:

(1) protect and nurture the child's physical and psychological well-being;

(2) advance the child's development;

(3) meet the child's needs;

(4) teach the child ways to prevent and solve problems;

(5) maintain and build the parent and child relationship;

(6) build the child's self-control and responsibility; and

(7) comply with the Oklahoma Department of Human Services (OKDHS) rules on discipline to provide a safe, nurturing environment that allows the child to experience security and positive self-esteem.

(c) Teaching techniques.

(1) Positive behavior management. Positive behavior management techniques include, but are not limited to:

(A) rewards. Rewards may be small gestures of approval, such as treats, toys, and symbols of recognition such as stickers, stars, happy faces, or money. Rewards are for the interest, desire, and effort the child displays, not for performance, talent, or ability. This technique must not be used all the time;

(B) privileges. Privileges allow the child to experience greater freedom or opportunity and an increased responsibility. Privileges are used to encourage the child's interest and talents by supporting the child's efforts in pursuing interests; and

(C) praise. Praise may be communicated with a smile or nod of approval, expressing to the child how pleased the person is with him or her.

(2) **Self-control.** To promote the child's self-control, foster parents clearly communicate expectations and provide structured, safe environments. The foster parent's use of planning and preparation prevents confrontation, acting-out, and negative behaviors by:

(A) establishing expectations. Children in out-of-home care experience varied expectations of foster parents in every placement setting. Since each placement setting is different, the foster parent must communicate expectations to the child. Expectations are communicated through setting rules, telling the child what to expect, and modeling. Clearly communicated expectations provide structure for the child and a structure for building and maintaining self-control; and

(B) modifying the environment. Structured, safe environments allow children to succeed at identified tasks. Foster parents structure environments by removing sources of stimulation for the child and establishing routines and consistency in day-to-day schedules.

(3) **Direct intervention.** When the child does not have sufficient self-control to ensure acceptable behavior, the foster parent uses direct intervention and techniques, per OAC 340:75-7-38(c)(1) and (2). Techniques used are dependent upon the child's developmental needs and anticipated outcomes. Techniques appropriate for responding to lack of self-control include:

(A) rules. Rules are established guidelines that:

(i) allow the child to know what can and cannot be done;

(ii) help the child know right from wrong;

(iii) communicate to the child how something is done and help prevent problems; or

(iv) provide a way to respond to a problem;

(B) time-out. Time-out provides space between the child and a situation where the child exhibits behavior that is not acceptable or where the situation is dangerous. Recommended time-out is one minute per age of the child;

(C) restricting privileges. Privileges are restricted when a child is not allowed to do something for a specified period of time, such as not playing with a particular toy, watching television, playing the stereo, playing computer games, having phone privileges, or engaging in some other pleasant activity. Talking to parents

or siblings is not included in restricting phone privileges;

(D) grounding. Grounding involves imposing restriction on a child's interaction and involvement with friends or activities outside of the placement setting, such as restriction to the house or leaving the premises to attend parties, movies, or visit friends. Grounding is typically used for the older child;

(E) logical consequences. Logical consequences require the family to impose a response to the child's behavior consistent with and connected to the unacceptable behavior exhibited; and

(F) natural consequences. Natural consequences occur in response to the behavior. This technique is most appropriately used with adolescents and for those who tend to get in power struggles. Natural consequences are never allowed when a child's safety or well-being is in question.

(4) **Physical discipline.** OKDHS prohibits the use of any form of physical discipline for any child in OKDHS custody in an out-of-home placement or any act or omission that would emotionally, physically, or psychologically harm the child.

(A) The foster parent contacts the child's Child Welfare (CW) worker or the resource specialist if he or she cannot discipline the child through appropriate non-physical means. ■ 1

(B) OKDHS does not authorize any school personnel to administer corporal punishment to any child in OKDHS custody. The foster parent does not sign such authorizations, but refers school personnel to the child's CW worker to establish alternative discipline methods.

(C) The developmental needs of a child and the desired outcomes define the discipline techniques used to modify the behaviors of the child. Some of the circumstances that may affect the technique used include:

(i) the behavior the child is exhibiting;

(ii) the foster parent's feelings about the behavior;

(iii) the purpose assigned to the behavior;

(iv) where the behavior occurs; and

(v) who is present at the time of the behavior.

(5) **Punishment.** Unacceptable behavior management methods and techniques promote negative behavior, are punitive, and do not promote self-control. Unacceptable behavior management techniques for a child include, but are not limited to:

(A) the use of the hand or any object, such as a board, fly swatter, paddle, belt, switch, electrical cord, hair brush, or wooden spoon, to hit, strike, swat, or physically discipline;

(B) deprivation of food;

(C) deprivation of family visits;

(D) slapping, pinching, shaking, biting, pushing, shoving, thumping, or rough jerking;

(E) cursing or other verbal abuse;

(F) private or public humiliation or any act that degrades;

(G) derogatory remarks about the child, the child's biological family, race, religion, or cultural background;

(H) solitary confinement in areas such as closets, cellars, and rooms with locked doors;

(I) threatening to move the child from the foster home;

(J) use of any chemical agent, such as mace, sleeping pills, or alcohol;

(K) physical force or threat of physical force;

(L) assuming and maintaining an unnatural position, that may include holding arms out-stretched from the body, placing the nose against a wall, or forced squatting;

(M) tying with a rope, cord, or other object;

(N) ordering, allowing, or encouraging physical discipline or hitting by other children or anyone else in the home;

(O) washing the mouth out with soap, eating certain foods, which may include

peppers or hot sauce for punishment; and

(P) forced physical exertion, such as running laps and push-ups.

(d) **Physical restraint.** The use of physical restraint is only justified as an emergency safety measure in response to imminent danger to the child or others and when no alternative means are sufficient to accomplish the purpose. The foster parent completes and submits to the child's CW worker or resource specialist Form DCFS-53, Restraint Report for Foster Family Care, when restraint is used.

(e) **OKDHS rules.** The foster family must abide by OKDHS rules for discipline of a child in OKDHS custody even if there is a difference between OKDHS discipline rules and the methods used to discipline the family's own children.

INSTRUCTIONS TO STAFF

1. **Assisting in non-physical methods of discipline.** The child's Child Welfare (CW) worker or resource specialist is available to offer assistance in finding non-physical methods of discipline that are effective with the specific child. The CW worker intervenes to assist in defusing the situation. All persons are dealt with reasonably and calmly to avoid a confrontation that may lead to personal injury.

(1) Consultation with community resources or a mental health professional may assist in the development of appropriate discipline or behavior management techniques, per OAC 340:75-7-38.

(2) The CW worker makes referrals to parent training classes or in-service training.

340:75-7-41. Placement considerations and requirements

(a) Approved foster family homes. Approved foster family homes serve as out-of-home placements for children in Oklahoma Department of Human Services (OKDHS) custody. Cooperation between Child Welfare (CW) workers and foster families is required to ensure the effective and appropriate use of foster families to serve the best interests of the children. ■ 1

(b) Number and ages of children placed. To determine the number and ages of children placed in a kinship or foster home, consideration is given to:

(1) capabilities and skills of the foster family;

(2) number and ages of the foster family's own children;

(3) accommodations of the home;

(4) known behavioral patterns of the foster family's own children and the children in foster care; and

(5) the anticipated effect of the placements upon the family as a unit. The needs of the child placed in the home may restrict the capacity of the home regardless of the approved number of children for the home. ■ 2

(c) Tribal foster homes. Each tribe determines the number of children in OKDHS and tribal custody allowed for placement in a tribal foster home. OKDHS makes every attempt to place Indian children in OKDHS custody in compliance with the placement preferences of the Indian Child Welfare Act, per OAC 340:75-19.

INSTRUCTIONS TO STAFF

1. (a) Placement location. If a kinship placement is not identified, the resource specialist and child's Child Welfare (CW) worker make every effort to place a child with a foster family who resides in close proximity to the child's family and who can best meet the child's needs.

(1) If a foster home is not available for a child in the child's county of jurisdiction, a search for a foster home in the adjoining counties is initiated, then statewide, if necessary.

(2) The responsibility of transporting the child is coordinated between the county of jurisdiction and the county of placement. The child is

accompanied by an adequate supply of clothing, a sufficient amount of a prescribed medication to allow for uninterrupted treatment, and Form DCFS-92, Receipt and Release of Prescription and Over-the-Counter Medication(s), and Form CWS-KIDS-7, Placement Provider Information, that includes:

- (A) a schedule of the child's daily routine;**
- (B) immunization records; and**
- (C) education information.**

(3) If a disruption occurs in an out-of-county placement, joint information sharing occurs between the county of placement and county of jurisdiction regarding the best alternative placement for the child. Ultimate placement planning and responsibility rests with the county of jurisdiction. Factors considered in determining the placement are the child's:

- (A) length of stay in the placement;**
- (B) connection to the community;**
- (C) connection to the school; and**
- (D) extracurricular activities.**

(b) Assessing the foster family for placement. The CW worker, in coordination with the county of placement resource specialist, assesses each placement decision with careful consideration of the skills and abilities of the foster family. The willingness of the foster family to accept the placement of a child is not the major criterion for placement decisions.

(c) Primary responsibility. The primary responsibility of the resource specialist is to find placements for children and to coordinate and cooperate with other CW workers and specialists to meet the goals for timely, safe, and informed placements.

(d) Oklahoma Schools for the Deaf and Blind. Coordination with the counties of placement for Oklahoma Schools for the Deaf and Blind are listed in (1) through (3).

(1) Murray County is the liaison county for the Oklahoma School for the Deaf. Muskogee County is the liaison county for the Oklahoma School for the Blind.

(2) The county of jurisdiction is responsible for notifying Murray or Muskogee County of a child's placement in either school. Murray and Muskogee County CW workers are secondary workers on the KIDS case.

(3) Inquiries or replies to inquiries about the child in OKDHS custody are sent to Murray or Muskogee County and not directly to the individual schools.

(e) Out-of-county moves. Prior to the movement of the child in OKDHS custody out-of-county with the foster parent, the approval of the CW supervisor of the child's CW worker and resource specialist is required.

(1) Approval requires a written request stating the reasons for the request and why remaining in the current resource home is in the child's best interests.

(2) The CW worker notifies the court and the child's attorney of the move.

(3) The resource specialist files copies of the request and approval in the resource and child's record, and documents the date and general content of the results of the request in the KIDS Resource Contacts screen.

(4) The resource specialist sends a copy of the authorization for the movement of the child to the receiving county.

(f) Non-transferring case to a new county. A request to not transfer a resource case by the resource specialist is submitted in writing to the resource specialist's supervisor. The supervisor forwards the request with a recommendation to the county directors of the counties concerned. The request and county director's decision is documented in the KIDS Resource Contacts screen.

(g) Out-of-state moves. Movement of the child in OKDHS custody out-of-state with the foster parent requires the approval of the county director. The county director considers such a move when family reunification is no longer the goal for the child and family.

(1) The child's CW worker's supervisor, with consultation from the child's worker, resource specialist, and supervisor of the resource specialist of the relocating foster parent, requests approval by memorandum to the county director with a copy to the CW field liaison (CWFL).

(2) The memorandum includes:

(A) the reasons for the request;

(B) the benefits to the child;

(C) a medical plan that includes a manner of payment for necessary and expected services; and

(D) conditions or orders of the court or recommendations of the child's attorney regarding the request that the child relocate to another state with the foster parent, such as the court requiring the child's presence at the court hearings.

(3) Upon approval for the move by the county director, the CW worker initiates a request for a foster home assessment per OAC 340:75-1-86.

2. Exception to the number or age limit of children. The placement of a child in a foster or kinship home that causes the home to exceed the number or age limit, per OAC 340:75-7-41, requires an exception request and approval prior to placement.

(1) The CW worker consults with the resource specialist concerning the feasibility of an exception for a foster or kinship family to exceed the number or age limit for placements.

(2) The CW worker makes an exception request to the CW supervisor that includes:

(A) the search and results for an alternate, appropriate placement for the child;

(B) the name and resource number of the foster family considered for the exception;

(C) the number, gender, and ages of children;

(i) for which the foster home is currently approved;

(ii) currently placed in the home;

(iii) for whom the request is made; and

(iv) of the foster family;

(D) the date and overall results of the last assessment;

(E) the number of in-service training hours completed by the foster family in the last contract year;

(F) a summary of the behaviors, treatment needs, and placement and permanency plans of each child currently placed and each child included in the exception request;

(G) the specified time frames for the exception;

(H) the effect of the exception on sibling placement, if any;

(I) a summary of previous placements and exception requests for the children included in the request;

(J) a plan for the transportation needs of all children placed in accordance with state automobile child safety restraint requirements;

(K) the sleeping arrangements for all children in the foster home;

(L) the effect the exception may have on the placement of children currently in the home; and

(M) the recommendation of the resource specialist regarding the exception request.

(3) The needs of the specific child included in the exception request and the specific needs of the children currently in the placement are the basis for consideration of the exception.

(4) The CW worker documents the exception request and date of the request in the child's case KIDS Contacts screen, and the resource

specialist documents this information in the KIDS Resource Contacts screen.

(5) The CW supervisor submits the request information and documentation to the county director for an exception decision and documents the date of submission in the child's case KIDS Contacts screen. The county director makes the determination on the request and notifies the CW supervisor of the decision.

(6) The CW supervisor notifies the CW worker and resource specialist of the county director's decision. The decision is documented in the child's and resource case KIDS Contacts screens.

PART 5. ELIGIBILITY AND PAYMENTS

340:75-7-51. Foster care claims

Reimbursement for foster care claims requires the completion and approval of a foster home assessment, pre-service training, and a signed foster care contract. Reimbursement may not precede the date of the contract signatures.

(1) Foster care claims adjustments. Foster parents are responsible for ensuring the accuracy of claims upon receipt. When errors occur, the procedures for adjustments listed in (A) through (D) must be completed.

(A) The foster parent immediately notifies the resource specialist upon discovery of an error in reimbursement.

(B) The Oklahoma Department of Human Services (OKDHS) authorizes reimbursements upon discovery for previously unclaimed services, underpayments. When an overpayment coincides with the underpayment, the overpayment is recouped before payment of the underpayment. ■ 1

(C) OKDHS authorizes repayment schedules when foster parents are paid for services not rendered or at an amount greater than authorized. The county office and foster family establish an agreed upon repayment plan.

(i) Foster parents are responsible for reimbursing OKDHS for any overpayment, regardless of the party responsible for the initial error, per OAC 340:75-1-27. Each monthly payment toward resolving the overpayment must equal at least ten percent of the overpayment.

(ii) The resource specialist authorizes overpayment reimbursement schedules. The foster parent is sent a notice of overpayment on Form DCFS-8, Notification of Overpayment in Foster Home. ■ 2

(iii) The Foster Care Section refers the overpayment to the Legal Division if the foster family does not respond to the county or abide by the agreement.

(iv) Payments must be made by check or money order with payment assigned to OKDHS. Cash is not accepted from the foster family.

(v) When the foster family chooses to reduce the foster family claim by an agreed upon amount until the overpayment no longer exists. A signed and notarized statement from the foster family authorizing the reduction of the

claim in reimbursement is sent to OKDHS.

(I) Payments are made by the day fixed by the repayment schedule each month.

(II) Payments may be deducted from claims for current services, or the foster parent may make payments to the Finance Division by check or money order. Reference to the payment purpose is listed in the memo section of the check or transmittal letter to ensure proper credit.

(D) OKDHS may authorize the issuance of a warrant when the foster care reimbursement is late or lost.

(i) The contract for services affords OKDHS 20 days to process each claim. Late claim adjustments are not made during this interval. The foster family may verify the status of the warrant by calling the automated phone number provided to each family. ■ 3

(ii) OKDHS cancels the reimbursement warrant per state statutes when a foster parent reports the warrant lost after 90 days. ■ 4

INSTRUCTIONS TO STAFF

1. Assistance with claims. For assistance with underpayment adjustments, county office staff calls the KIDS Help Desk.

2. Overpayment notice. The county office staff completes and sends Form DCFS-8, Notification of Overpayment in Foster Home, to the foster parent. The Children and Family Services Division (CFSD) Foster Care Section is notified by the resource specialist of the payment plan or the non-responsiveness of the foster family. The county office submits payments immediately to the Finance Division, attention Revenue Processing.

3. Phone claims number. The county office utilizes the Host Command Facility (HCF) Finance Warrant Control Tracking system to determine the status of a warrant. The county office furnishes the foster family with the phone number of 1-888-328-6551 and password of 000 to check the warrant status. The county office advises the foster family not to contact the Finance Division directly.

4. Warrants.

(1) Canceled warrants. If the foster family possesses the canceled warrant, county staff sends the warrant under cover memorandum to the Finance Division - Warrant Control requesting the warrant be re-issued and includes the mailing address for the new warrant.

(2) Lost warrants. If the original warrant is not available, county staff assists the foster family in completing Form ADM-44, Affidavit of Lost or Destroyed Warrant. Form ADM-44 is completed and sent under cover memorandum to the Finance Division - Warrant Control requesting re-issuance of the warrant.

(3) Forgery. If the warrant has been cashed, a copy of the endorsed warrant is returned to the county for the foster family to view the endorsement. In the event of forgery, the Finance Division - Warrant Control provides further instructions.

340:75-7-52. Foster care contracts and rates of reimbursement

(a) Foster care contracts. The rules in OAC 340:75-7-52 and the provisions of a contract for services define the responsibilities of foster parents and the Oklahoma Department of Human Services (OKDHS) regarding the care of children in a foster home. Foster care contracts are signed when all conditions for approval are met, per OAC 340:75-7-18.

(1) Foster care contracts are perpetually renewed and considered in effect unless a specific action by one of the parties to the contract terminates the contract. Foster parents are eligible for foster care reimbursement effective the date the contract is signed. Kinship parents are eligible for foster care reimbursement effective the date the home is approved.

(2) Reimbursements are authorized for intervals of care provided to a child in foster care placed through OKDHS or a tribe with an approved Tribal State Agreement with OKDHS.

(3) Kinship families may be approved for expedited reimbursements, per OAC 340:75-7-24.

(4) Kinship families who meet the degree of relationship may file for assistance through Temporary Assistance for Needy Families (TANF) at the local OKDHS office pending foster home approval and entry into a contract, per OAC 340:75-7-52(a)(1) through (3) and OAC 340:10-9.

(b) Foster care reimbursement. The foster care contract authorizes reimbursement to offset the cost of each child's care and a difficulty of care (DOC) adjustment to address the additional expense of caring for a child with extraordinary needs. The OKDHS Committee on Rates and Standards authorizes the amount of reimbursement available through the foster care reimbursement and the DOC adjustment, per OAC 340:75-7-53.

(1) Foster care payments correspond to the child's age:

(A) birth through 5 years, the monthly rate is \$300 and the daily rate is \$10;

(B) 6 through 12 years, the monthly rate is \$360 and the daily rate is \$12; and

(C) 13 years and older, the monthly rate is \$420 and the daily rate is \$14.

(2) Foster care payments are provided to address the costs of room, board, and incidentals.

(3) Foster parents receive a monthly and quarterly clothing allowance for each child, per OAC 340:75-13-45.

(4) The medical expense of a child in foster care is covered through Medicaid, if private insurance is not available to the child, per OAC 340:75-13.

(5) Reimbursement received through the foster care contract is not considered income pursuant to Section 131 of Title 26 of the United States Code Annotated and the foster family does not receive Form 1099 from OKDHS at year's end. Foster parents should consult their own tax advisor for advice.

(6) Foster care reimbursement and DOC rates are a fixed monthly amount.

(7) When a partial month of foster care service is provided, reimbursement begins on the child's date of entry to the home and concludes on the day before the child's departure from the home. A prorated sum is paid based on the number of days of service provided multiplied by the daily rate, per OAC 340:75-7-52(b)(1).

(8) When a change in the child's age qualifies for a new rate, the new rate becomes effective on the first day of the month following the child's birthday.

(9) When a child is out of the foster home for family reunification purposes or is absent without leave (AWOL) for up to seven consecutive days, the foster parent receives reimbursement if the child is expected to return to the foster home.

(10) The foster parent is eligible for prorated foster care reimbursement and DOC payments when the child attends an Indian boarding school, Oklahoma School for the Deaf, Oklahoma School for the Blind, or a similar residential program and returns to the foster home for weekends or school vacations. When the child returns to the foster home for a summer vacation, the monthly rate is used.

(11) The standard rate includes room, board, clothing, care, and incidental expenses.

(12) The foster parent is eligible for foster care reimbursement and DOC payment for up to 20 days of each event of hospitalization for the child's treatment of health or mental health concerns when there is no evidence of foster parent misconduct contributing to the event.

(13) The foster care reimbursement is an automatic electronic filing system based on the child's placement episode in the KIDS system.

(14) A foster care contract is signed for approved Interstate Compact on the Placement of children (ICPC) foster families residing in another state providing care for children in OKDHS custody, per OAC 340:75-1-86. No foster care contract is signed for ICPC foster families living in Oklahoma caring for children in the custody of another state. ■ 1 & 2

(c) **Cancellation of the foster care contract.** Cancellation of the foster care contract occurs when:

(1) the foster family fails to meet the terms and conditions of the contract. Cancellation of the contract results from:

(A) a criminal felony conviction, per OAC 340:75-7-15(h)(1);

(B) the receipt of findings of the Oklahoma State Bureau of Investigation (OSBI) records search and Federal Bureau of Investigation (FBI) national criminal history records search when a child has been placed through kinship or in the home initially approved; or

(C) a serious and significant violation of the foster care contract, OKDHS rule, or law. Serious and significant violations include, but are not limited to, behaviors by the foster parent or other person in the foster home that place the child at significant risk of harm;

(2) OKDHS closes a foster family home that no longer meets OKDHS requirements, per OAC 340:75-7-12; or

(3) the foster parent fails to implement provisions of Form DCFS-115, Written Plan of Compliance, per OAC 340:75-7-94, designed to resolve conditions that present a risk to the child and do not conform with the requirements of the foster care contract or rules, per OAC 340:75-7-52. ■ 3

(d) **Termination of the foster care contract.** A foster parent requests termination of the foster care contract verbally or in writing. Verbal requests are witnessed whenever possible.

(1) Contract termination occurs subsequent to a request by the foster family only if there are no pending issues of concern.

(2) When the relationship between the foster parents is dissolved, and the person who wishes to continue providing foster care services, per OAC 340:75-7-18, is not the primary foster parent, that foster parent signs a new foster care contract.

Removal of the child from the home is not necessary during contract transition when the foster parent is determined fit and continued placement is in the child's best interests.

INSTRUCTIONS TO STAFF

1. Foster care contract. Upon approval of the home, the resource specialist:

(1) explains the contract to the foster family;

(2) has the foster family sign two original contracts with the name listed on the contract;

(3) ensures both contracts have original signatures and attaches a legible copy of the primary contractor's Social Security card to each contract. The name on the contract must be the same as the name listed on the Social Security card;

(4) provides a copy of the signed contract to the foster family at the time of signing;

(5) submits two contracts with original signatures to Children and Family Services Division (CFSD) Administrative Services Unit for OKDHS signature and assignment of the contract number. The Administrative Services Unit returns one of the two contracts to the county within ten working days; and

(6) files the contract in the resource record.

2. Claims. Foster care claims are generated automatically through KIDS when the child's placement is updated. Child Welfare (CW) staff approves the claims for foster families, kinship foster families, and tribal foster families. The claim must include:

(1) the payee's Social Security number;

(2) the payee's name and address the same as on the signed foster care contract; and

(3) a vendor update sent to the Finance Division for any change of address.

- 3. Cancellation of the foster care contract. When a foster family verbally requests closure of the foster home, the resource specialist confirms the verbal request in a letter to the foster family. The resource specialist closes the KIDS resource within two working days of the contract cancellation. There is no reimbursement after the effective date of cancellation or termination of the contract.**

340:75-7-53. Difficulty of care**(a) Difficulty of care payments.**

(1) Difficulty of care (DOC) payment rates are available to reimburse Oklahoma Department of Human Services (OKDHS), tribal, and contracted emergency foster care (EFC) foster families for the additional care and supervision required due to the child's extraordinary physical, mental, or emotional needs.

(2) DOC reimbursement is not available to children in specialized community homes, specialized foster care through Developmental Disabilities Services Division, therapeutic community homes, and therapeutic foster care placements.

(b) DOC rates and descriptions. DOC payments are made in addition to foster care reimbursement, per OAC 340:75-7-52, or adoption assistance payments, per OAC 340:75-15-128.1.

(1) **DOC Rate I:** \$50 per month or \$1.67 per day. A child approved for DOC Rate I has one or more of the needs, conditions, or behaviors described in (A) through (D). The child:

(A) requires ongoing scheduled medical or psychological appointments that routinely occur more than twice weekly;

(B) displays emotional difficulties that result in destruction of property;

(C) requires medical or educational supplies on a routine basis that are not compensable through Medicaid; or

(D) requires daily physical therapy performed by the foster family.

(2) **DOC Rate II:** \$100 per month or \$3.33 per day. A child approved for DOC Rate II has one or more of the needs, conditions, or behaviors described in DOC Rate I and, in addition:

(A) requires 24-hour intensive supervision due to severe medical or emotional needs;

(B) requires special food preparation and feeding due to a condition that restricts normal eating;

(C) requires special equipment for transportation that results in restricted mobility

for the child and foster family;

(D) displays incontinence of the bladder and bowel that is not age appropriate;

(E) displays multiple disabilities, birth defects, or brain damage that prevents normal intellectual or physical functioning;

(F) requires strict monitoring of medication;

(G) requires assistance in movement that is very difficult due to the child's size;

(H) requires post-hospitalization care, such as frequent changing of bandages, tubes, and special hygiene techniques; or

(I) displays emotional disturbances, developmental delay, or mental retardation that results in behavior, such as constant difficulties in school, aggressive and delinquent activities, destructiveness, resistance to authority, and sexual disturbances.

(3) **DOC Rate III:** \$150 per month or \$5.00 per day. A child approved for DOC Rate III has one or more of the needs, conditions, or behaviors described in DOC Rates I and II and, in addition, requires:

(A) medical supplies, special equipment, or educational supplies on a routine basis that are not compensable through Medicaid; or

(B) specialized substitute care.

(4) **DOC Rate IV:** \$225 per month or \$7.50 per day. A child approved for DOC Rate IV has one or more of the needs, conditions, or behaviors described in DOC Rates I, II, and III and requires such specialized care that normally the child would be in institutional or inpatient psychiatric care. The child:

(A) requires special equipment, such as apnea monitor, suction machine, gastrostomy tube, oxygen, tracheotomy tube, and shunt;

(B) requires special feeding or nursing care around-the-clock;

(C) requires frequent nighttime supervision and care that is not age appropriate;

(D) displays frequent seizures or other abnormal physical reactions that require 24-hour monitoring;

(E) displays bizarre, socially unacceptable behavior, violent tendencies, potentially harmful behavior to self or others, or sexually predatory behavior to others or animals;

(F) required previous inpatient mental health treatment or was recently discharged from an inpatient facility;

(G) requires such intensive care that the foster family is severely restricted in normal daily activities and is frequently homebound;

(H) requires frequent 24-hour awake supervision; or

(I) requires post-hospitalization care for severe burns.

(5) **DOC Rate V:** \$400 per month or \$13.33 per day. A child approved for DOC Rate V has one or more of the needs, conditions, or behaviors described in DOC Rates I, II, III, and IV and has a significant number of intense needs. The child's level of need is likely to become more severe over time and is likely at some time to require personal attendant care or specialized care outside of the home, when prescribed by a professional. A current medical or psychological report within the last six months is required from a qualified physician. This report must include a diagnosis, prognosis, and recommended treatment. Conditions considered in the determination of DOC Rate V include a child who has:

(A) been diagnosed by a qualified physician as having severe mental illness, such as child schizophrenia, severe developmental disabilities, brain damage, or autism;

(B) severe physical disabilities or medical conditions that are not expected to improve over time and adversely impact life expectancy when compared with others who have similar physical disabilities or medical conditions;

(C) severely inhibiting diagnosed mental health conditions, defined by the Diagnostic and Statistical Manual of Mental Disorders (DSM), diagnosed within the past year, that severely limit normal social and emotional development and require ongoing outpatient behavioral health services;

(D) severe mental retardation as determined by the Social Security Administration and defined by the DSM;

(E) been waiting for organ transplant or is up to one year post transplant; or

(F) a physical condition uncontrolled by medication or treatment, such as Tourette's syndrome or epilepsy.

(c) **DOC request.** A foster parent, a Child Welfare (CW) worker, or an adoption specialist may initiate a request for DOC.

(1) Requests are made in the child's KIDS case.

(2) The relevant CW supervisor reviews and may authorize DOC Rates I through IV based on the criteria per OAC 340:75-7-53.

(3) Requests for DOC Rate V are forwarded to the Children and Family Services Division (CFSD) Foster Care programs manager.

(4) A CFSD committee reviews and makes the determination for DOC Rate V.

(5) Actions by each party in the DOC review process occur within ten calendar days of receiving all necessary information for a determination.

(6) Each DOC authorization is limited to one year. ■ 1

INSTRUCTIONS TO STAFF

1. (a) Requesting difficulty of care (DOC).

(1) The Child Welfare (CW) worker requests a DOC increase immediately in the child's KIDS case:

(A) upon determining the child's special needs utilizing the rate descriptions as a means to justify the rate increase; or

(B) when a request is made by a foster family, after a discussion about the rate descriptions to determine the rate increase.

(2) The CW worker includes statements from medical or psychological reports that describe the child's condition and diagnosis in the request.

(3) For DOC Rates I through IV, the CW supervisor approves or denies based on the documentation within ten working days from the date of the request on KIDS.

(4) For DOC Rate V, the CW worker makes a request in the child's KIDS

case and faxes supporting documentation to the Children and Family Services Division (CFSD) Foster Care Section for approval or denial.

(5) To make a DOC request in the child's KIDS case, the CW worker:

(A) selects the Placement screen and placement client;

(B) selects a new or continued request;

(C) enters specific details in the recommendation text box that justify the need and appropriate DOC level;

(D) documents the information and clicks on Add to electronically send to the designated person; and

(E) receives a tickler that is generated to notify the worker of a status change when the designated person approves or denies the DOC request.

(b) DOC review. KIDS generates a tickler for the review date one month before the DOC approval end date. Termination of the approval occurs when the child's placement status changes to an above foster care placement or when the child returns to own home or other non-paid placement. The CW worker requests termination of DOC at any time the determination is made that the child no longer requires DOC. On the review date, the CW worker determines the status of the child's special needs and the continuing utilization of DOC. The CW worker determines whether the child's special needs:

(1) meet the criteria, then either requests continuation of DOC or terminates the DOC request; or

(2) have changed, requiring a DOC rate change, and, if so, requests a rate change with detailed information.

PART 6. FOSTER HOME CARE SUPPORT SERVICES**340:75-7-65. Foster care child care and supportive services**

Child Welfare (CW) staff arranges services that address the needs of foster parents as well as children in foster care. Foster parent needs are assessed as a component of treatment planning for each child in foster care and appropriate services are recorded on Form CWS-KIDS-8, Placement Plan. Service delivery and effect are monitored monthly to ensure intended effects. Form CWS-KIDS-8 is modified as necessary to address the evolving needs of foster parents.

(1) Child care paid by OKDHS.

(A) Foster care. Services available to foster families include child care when both foster parents in a foster home are employed 20 hours a week or more or when only one foster parent works and the other foster parent has a significant disability that precludes employment. ■ 1

(i) Child care must be provided:

(I) in a licensed and contracted child care center or home; or

(II) by a registered caregiver in the foster parent's home, per OAC 340:40-13-1 and 340:40-13-2.

(ii) The foster parent may request approval for child care by contacting the child's CW worker.

(iii) Child care paid by OKDHS must be approved before payment may occur. ■ 2

(iv) The foster parent provides written verification of gainful employment that includes the number of hours and days the foster parent works. When the foster parent operates a child care home, refer to OAC 340:40-7-8(a). In a foster family, when one foster parent works days and the other works nights, refer to OAC 340:40-7-7(b).

(B) Family Support Services Division (FSSD). If the foster parent is not receiving a foster payment through OKDHS, the family is referred to local OKDHS FSSD staff for child care, per OAC 340:40. Child care may be available to:

- (i) tribal foster homes providing care for tribal custody children;
- (ii) foster parents who have finalized an adoption on a foster child;
- (iii) non-paid foster parents receiving training or attending school; and
- (iv) children in the custody of another state placed in a kinship home through the Interstate Compact on the Placement of Children (ICPC).

(2) Foster care child care not paid by OKDHS. Foster care child care is not paid when the:

- (A) child is placed in contracted emergency foster care;
- (B) child is placed in therapeutic foster care;
- (C) foster parent attends school or participates in training;
- (D) foster parent chooses child care providers per OAC 340:40-5-1(g); ■ 3
- (E) foster parent's hours of employment interfere with the provision of suitable family life; or
- (F) foster parent makes informal arrangements for child care.

(3) Child care services for a child with disabilities. Refer to OAC 340:75-6-91.

(4) Electronic benefit transfer (EBT) responsibilities. Refer to OAC 340:40-13-4 for information regarding the EBT system that includes the manual claim process. Foster parent responsibilities include:

- (A) watching the EBT training video;
- (B) signing Form K-2, Application for Child Care Services;
- (C) swiping the EBT card every day the child attends child care;
- (D) not swiping the EBT card for any day the child does not attend child care;
- (E) checking the message on the point of service (POS) machine for correct times of attendance and approval;

(F) not giving the EBT card or personal identification number (PIN) to anyone, including the child care provider; and

(G) paying for care that OKDHS refuses to pay because:

(i) the EBT card was not swiped for the correct days and times the child attended child care;

(ii) swipes were denied and corrected within ten days; and

(iii) the provider loses the weekly rate payment for absent days because the correct attendance for every day the child attended that month was not swiped.

(5) Therapeutic child care services. Therapeutic child care services are paid by OKDHS when recommended by a mental health professional and supporting documentation is provided. Prior authorization from the Administrative Services Unit (ASU) of Children and Family Services Division (CFSD) is required. ASU makes the determination of the availability of funds. ■ 4

(6) Overpayment of child care. OKDHS seeks repayment for any child care paid in error to a licensed child care center, child care home, or licensed child care professional in the foster parent's own home. The foster parent is responsible for reimbursing these costs to the child care provider when overpayment occurs due to the foster parent's ineligibility for child care paid through OKDHS. ■ 5

(7) Informal arrangements or baby-sitting. Foster parents may make informal care arrangements with friends, neighbors, or relatives for the occasional care of children, including before and after school hours.

(A) The foster parent ensures that informal care providers possess the maturity and skills to address the needs of the child in foster care.

(B) The foster parent secures prior authorization for informal care from the child's CW worker.

(C) The resource specialist considers whether the needs of the child can be met in informal care.

(D) Prior authorization may apply to multiple events using the same informal provider.

(E) A person younger than 18 years of age living outside of the home may not be an informal provider.

(F) An informal provider living in the home must be at least 16 years of age and related to the foster parent.

(G) Informal providers must know how to reach the foster parent and other emergency contacts.

(H) The foster parent does not utilize a child in OKDHS custody to baby-sit a younger child, unless approved by the child's CW worker. ■ 6

(8) **Alternate care.** The foster family is encouraged to develop a relationship with another family as an alternate provider who can serve as respite in case of family emergencies, family vacations, or when the family needs a break. The foster family is responsible for identifying an alternate provider and reimbursing the alternate provider. The alternate provider must be at least 21 years of age and willing to: ■ 7

(A) submit to a background assessment by the Oklahoma State Bureau of Investigation (OSBI);

(B) submit to a CW records search for past confirmations of child maltreatment involving the alternate provider;

(C) submit to a search of Juvenile Justice Information System (JOLTS) records for any child older than 13 years of age living in the house;

(D) engage in an evaluation of the home to assess the locale, repair, and ability to accommodate the child in foster care;

(E) provide one reference; and

(F) comply with discipline policy, per OAC 340:75-7-38.

(9) **Insurance for foster homes.** Liability insurance is provided for foster families for damages incurred by children in OKDHS custody.

(10) **Foster care associations.** OKDHS cooperates with and promotes the development of foster care associations for foster parents in each county. OKDHS provides names and addresses of foster families, who have provided written authorization for the release of this information, to persons who are developing a local foster care association. ■ 8

(11) **Foster parent hotline.** The foster parent hotline number, 1-800-376-9729, is maintained by the CW foster parent liaison in the Office of Information and Referral. The foster parent liaison assists with problem resolution, policy clarification, and grievance information.

(12) **Foster parents' rights.** Foster parents' rights are found in Section 7206.1 of Title 10 of the Oklahoma Statutes. Information shared among CW staff, foster parents, and parents includes, but is not limited to:

(A) the child's legal status;

(B) upcoming court hearings;

(C) reason for foster care placement;

(D) the child's and parent(s)' prior and present living experiences; and

(E) the child's medical, psychological, and behavioral information, current pictures, and educational records.

(13) **Foster care grievance procedures.** Foster parents and children in foster care have access to OKDHS grievance procedures through the Office of Client Advocacy, per OAC 340:2-3.

(14) **Timely response to questions or needs.** OKDHS staff commits to responding to foster families' questions and inquiries within one working day. The resource specialist is the key person to provide necessary information to the foster family.

(15) **Information relevant to fostering.** Pre-service and in-service training is provided to enhance the foster family's skills, ability to foster, and interests. A quarterly newsletter is sent to all foster families informing of OKDHS, related issues, and articles with relevant information.

INSTRUCTIONS TO STAFF

1. **Foster parent with a significant disability.** Medical documentation from the primary physician regarding the foster parent's disability is required and documented in the child's KIDS case and resource record. The Child Welfare (CW) worker and supervisor evaluate the need for child care every six months and document the need in the child's KIDS case and resource record.

2. Approval process for child care. When the foster parent contacts the resource specialist to request child care:

(1) the resource specialist notifies the child's Child Welfare (CW) worker of the need for child care and provides information about local resources;

(2) the child's CW worker assesses the child to determine whether the child's needs can be met in a child care setting;

(3) the child's CW worker refers to the Child Care and Child Care EBTU How To's in KIDS/Help/How To's;

(4) the CW worker enters the request for child care in the KIDS Child Care screens within 48 hours of the request, no exceptions allowed;

(5) the child's CW worker prints rights and responsibilities listed on Form K-2, Application for Child Care Services, from the child's KIDS Child Care screen, reviews with the foster family, and secures the foster parent's signature; and

(6) the child's CW worker files Form K-2 in the resource record.

3. Child care in a one star center.

(1) The child's CW worker documents in the KIDS Child Care screen and the CW supervisor approves the child care request when there are no one star plus, two, or three star centers in the community.

(2) The exceptions for child care, per OAC 340:75-7-65 are documented by the child's CW worker and approved by the CW supervisor in the KIDS Child Care screen.

(3) Exceptions may be granted on a case-by-case basis by the CW supervisor. Prior to granting an exception, (A) through (G) are completed.

(A) The child's CW worker gives the foster parent a list of all contracted one star plus, two star, and three star centers and all contracted child care homes that meet the foster parent's search criteria.

(B) The child's CW worker uses Child Care Locator, available on the Infonet under OKDHS Tools, to generate this list.

- (C) The child's CW worker may also print a list of all military base or out-of-state contracted providers bordering the county from the Outlook Public Folder/All Public Folders/STO.Child Care/Subsidy/Out of State/Military folder.
- (D) The child's CW worker instructs the foster parent to contact all providers on the Child Care Locator list to see if care is available during the hours needed.
- (E) The foster parent notes on the list why care is not available at any of these locations or why they did not meet the foster parent's needs.
- (F) If the foster parent does not find a provider from those on the list, the CW supervisor reviews the foster parent's notes on this list to determine whether to grant an exception.
- (G) The CW supervisor documents in the KIDS Child Care screen whether an exception was granted and the reasons for the exception.
- (4) Exceptions may be granted when none of the providers on the foster parent's list:
- (A) has an opening during the times care is needed. For example, the foster parent works during the evening or overnight and no one else provides care during those hours;
- (B) is willing to meet the special needs of the child. For example, the provider is unable to meet the needs of a child with disabilities or provide transportation to and from the child's school; or
- (C) is within a reasonable distance from the foster parent's home.
- (5) If the CW supervisor agrees that an exception is warranted per OAC 340:75-7-65 Instructions to Staff 3(4), the child's CW worker gives the foster parent a list of one star center providers. If the foster parent finds a one star center that meets the foster family's needs, payment may be approved for child care at that facility.

4. Therapeutic child care.

- (1) The child's CW worker requests approval for therapeutic child care on a

case-by-case basis when:**(A) a letter from a mental health professional provider documents:****(i) the goal for the child;****(ii) the therapy needed to reach the goal; and****(iii) the expected time frame for this treatment; and****(B) the child's CW worker staffs the case with the CW supervisor and the resource specialist, and all agree that therapeutic child care is required.****(2) the child's CW worker provides a memo to the Children and Family Services Division (CFSD) Administrative Services Unit (ASU), along with the letter from the mental health professional. The memo includes:****(A) the name of the child requiring the service and case name;****(B) the name of the child care facility;****(C) the number of hours to be used per day;****(D) the number of days to be used per week;****(E) the name of the mental health professional recommending therapeutic child care;****(F) the name of the foster parent; and****(G) the reason for therapeutic child care.****(3) Upon determination, CFSD ASU, sends a memo notifying the child's CW worker of the approval, with specific instructions regarding payment of services.****(4) The child's CW worker documents all circumstances and actions in the KIDS Contacts screen. No service line is entered in the KIDS Child Care screen.**

5. Repayment of child care services. The Oklahoma Department of Human Services (OKDHS) seeks repayment for any child care paid for in error. The child's CW worker writes a memo to the Finance Division. The memo includes:

(1) the child's case name and number;

(2) the names and birth dates of all children who received care;

(3) a short summary of the circumstances that led to the potential overpayment, including the original and new family share co-payment amounts, if applicable;

(4) the time period covered by the overpayment; and

(5) whether the overpayment was caused by agency, client, or provider error, per OAC 340:40-15-1 and 340:75-1-27.

6. Baby-sitting. The CW worker and the foster parent discuss in-depth the situation before a person, particularly a teen, baby-sits a child in OKDHS custody. The discussion helps assess the appropriateness of the person assuming responsibility for the child and ensures that the child's needs and well-being are considered.

7. Alternate care. When the foster parent requests alternate care for the child, the resource specialist completes the tasks listed in (1) through (3).

(1) When the foster parent identifies a resource to provide temporary care, such as a relative or close friend, who must be at least 21 years of age, the resource specialist makes personal contact to determine the person's ability and willingness to provide temporary short-term care. The resource specialist identifies the alternate provider at the time of the initial assessment to facilitate future placement if a need is identified.

(2) Approval of the alternate provider may occur upon completion of the Oklahoma State Bureau of Investigation (OSBI) name search, Department of Public Safety check, Sex Offenders Registry check, OKDHS records review, including CW records, and Juvenile Justice Information System (JOLTS) of all children older than 13 in the home. The results are documented on Form DCFS-109, Records Check, and filed in the resource record.

(3) The resource specialist obtains sufficient information, including a recommendation from one reference for the provider. All information obtained is recorded in the KIDS and paper resource record.

8. Foster care associations. The foster parent's written permission is filed in the resource paper record and documented in KIDS Resource Contacts screen.

PART 8. CONTINUOUS QUALITY ASSESSMENT OF A RESOURCE HOME**340:75-7-94. Foster care reviews**

(a) **Concerns in a foster home.** Child Welfare (CW) staff evaluates concerns with discipline practices or other issues including, but not limited to, foster parent's judgment or supervision, at the time of observation or upon receipt of the information. CW staff evaluates and determines the need for a referral, per OAC 340:75-3-8.1. When the situation does not meet the criteria for abuse, neglect, or both, per OAC 340:75-3, the resource specialist documents the information on Form DCFS-117, Report of Violation of Rules in an OKDHS Resource Home.

(b) **Non-compliance issues.** When non-compliance issues or rule violations in the foster home require remediation for continued use of the home, Form DCFS-115, Written Plan of Compliance, is initiated. Form DCFS-115 is a joint effort between OKDHS and the foster family to identify the action steps for the foster family and OKDHS to ensure continued compliance of the foster home.

(1) The resource specialist initiates Form DCFS-115:

(A) with the foster family to address issues identified as a result of an assessment or investigation, per OAC 340:75-3, or a rule violation and concern, per OAC 340:75-7-94(a); and

(B) within ten working days of the completed investigation, if no appeal is requested, per OAC 340:75-1-12.2, or, if appealed, within ten working days after a final determination of the findings is made by Children and Family Services Division (CFSD) Appeals Section. ■ 1

(2) When new non-compliance issues are identified, Form DCFS-115 is reviewed to determine whether additional action is warranted. If so, the action steps are added to the current Form DCFS-115.

(3) If the foster family disputes the identified issues and refuses to sign Form DCFS-115, the CW supervisor forwards Form DCFS-115 to CFSD Foster Care Section for review. The Foster Care Section reviews and responds in writing to the CW supervisor within ten working days.

(c) **Yearly re-assessments.** The foster parent's performance is formally assessed yearly to evaluate accomplishments and to identify areas needing improvement. The resource remains approved, regardless of the timeliness or findings of assessments, until there is a specific action by either party to terminate the foster care contract or

close the home. ■ 2

(1) Re-assessments. Resource reviews:

(A) are conducted yearly by the assigned resource specialist following initial approval of the home using Form DCFS-9, Resource Home Annual Assessment, via KIDS Resource Re-Assess screen;

(B) are arranged at a time of convenience to foster families and conducted in the foster home. The resource specialist:

(i) reviews the resource record;

(ii) completes Form DCFS-11, House Assessment, with the foster family;

(iii) reviews with the foster family OKDHS Publication No. 99-17, Foster Parent Handbook, and Form DCFS-116, Verification of Receipt of OKDHS Rules;

(iv) explains Form OCA-GR-4, Notice of Grievance Rights – Foster Parents. The foster parent verifies the review of Form OCA-GR-4 by signing;

(v) asks the foster parent to complete, every three years, Forms:

(I) DCFS-20, Resource Family Financial Assessment; and

(II) ADM-130, Request for Background Check; and

(vi) provides Form DCFS-38, Medical Examination Report, every three years or more often if circumstances warrant; and

(C) conform to rules per OAC 340:75-7.

(2) Review results.

(A) The resource specialist and CW supervisor discuss any concerns identified in Form DCFS-9.

(B) The resource specialist and the foster family review Form DCFS-9, and the foster parent signs.

(C) The CW supervisor signs and approves Form DCFS-9.

(D) Signed copies of Forms DCFS-9 and OCA-GR-4 are provided to the foster family.

(E) A signed copy of Form DCFS-9 and attachments are filed in the resource record.

(3) Placement of children. CW workers and resource specialists:

(A) do not place additional children until Form DCFS-9 is completed;

(B) do not move children currently placed in the home, even when the foster family fails to submit the required forms timely, per OAC 340:75-7-94(c)(1); and

(C) suspend or close the home until the forms per OAC 340:75-7-94(c)(1) are received, if there are no children currently placed.

(d) Closure of a foster home.

(1) The foster home is closed when services are no longer needed, including a:

(A) kinship home when kinship children are no longer placed in the home; or ■
3

(B) jointly approved foster home for a specific child when the child leaves the home. ■ 4

(2) The resource specialist contacts the foster family in person or by phone to discuss closure of the foster home and provides a copy of Form DCFS-17, Notice of Closure to OKDHS Foster Parents, that explains the reason for closure. ■ 5

(3) Foster parents retain the right to appeal closure of the home through the fair hearing process, per OAC 340:75-1-12.6. When the local OKDHS office receives a copy of the appointment letter for the fair hearing, the resource specialist distributes one copy of Form H-1-A, Hearing Summary, with attachments, to the appellant and authorized representative, if any, prior to the hearing date. ■ 6 through 8

(4) The foster care contract is either cancelled or terminated per OAC 340:75-7-52.

INSTRUCTIONS TO STAFF

1. Written plan of compliance (WPC). When preparing Form DCFS-115, Written Plan of Compliance, the resource specialist:

- (1) identifies action steps that are measurable;
 - (2) identifies a time limit geared toward the action steps. Generally, the time frame does not extend beyond 90 days;
 - (3) reviews the progress on the action steps at least once during the specified time frame;
 - (4) signs and dates Form DCFS-115, along with the foster family. A signed copy is provided to the foster family;
 - (5) adds action steps to the original Form DCFS-115 when new issues of concern are identified. Signatures and dates are updated; and
 - (6) evaluates Form DCFS-115 for completion and makes a recommendation for continued use of the foster home. The foster family and resource specialist sign and date the resolution. The original is provided to the foster family and a signed copy is filed in the resource record.
2. Untimely re-assessments. The resource specialist and Child Welfare (CW) supervisor document the reasons for the untimely re-assessment in the KIDS Resource Contacts screen.
 3. Kinship resources. The resource specialist explores with the kinship family if they wish to continue as a foster home, if applicable, per OAC 340:75-7-19. If they wish to continue as a foster home, a new resource is opened in KIDS as Type - CW Foster Family.
 4. Joint approved resources. Personal contact allows the resource specialist an opportunity to assess the joint approval process again. The resource specialist places no other children in the home unless a child meets the criteria, per OAC 340:75-7-19.
 5. Reason for closure. The resource specialist documents the action in KIDS and the resource record.
 - (1) Personal contact with the foster family may clarify the reason for the closure.
 - (2) The resource specialist discusses the reason for closure and makes every effort to resolve any concerns or misunderstandings of the foster

family and the circumstances are fully and truthfully explained to the foster family.

6. Closure process. The resource specialist completes Form DCFS-17 by:

(1) describing the reason for closure of the home in clear and concise language;

(2) detailing any Oklahoma Department of Human Services (OKDHS) requirements that the foster home does not meet and attaching copies of the relevant OKDHS rules, laws, or foster care contract; and

(3) mailing or hand-delivering the original Form DCFS-17 to the foster family and filing a copy in the resource record.

7. Closure summary. The resource specialist writes in clear and concise language a summary outlining the reason(s) for closure that includes the foster family's performance history and a recommendation regarding future consideration of the foster family providing care.

8. Fair hearing. The resource specialist prepares a fair hearing summary by completing Form H-1-A, Hearing Summary, per OAC 340:2-5. When preparing Form H-1-A, the resource specialist:

(1) clarifies the issue. Why is the home being closed?;

(2) briefly describes the action taken, the facts supporting the action, and the information relied upon in taking the action;

(3) documents:

(A) number of children the family has cared for since certification;

(B) number, type, and outcome of referrals and rule violation episodes that occurred during the foster family's tenure or association with OKDHS; and

(C) whether the foster family requested an appeal of the findings of any investigation and, if so, the outcome;

(4) describes the WPC history and results;

(5) lists all training the foster family has completed and dates of completion;

(6) attaches supporting documentation, such as the foster care contract, Form DCFS-17, and Form DCFS-116, Verification of Receipt of OKDHS Rules, to support the OKDHS decision to close the foster home;

(A) Form CWS-KIDS-3, Report to District Attorney, is not used in the fair hearing process unless the administrative hearing officer (AHO) presiding over the hearing orders it disclosed, after an in camera review and based upon a finding of compelling reasons.

(B) If Form CWS-KIDS-3 is disclosed, redact the name of the reporting party prior to giving Form CWS-KIDS-3 to the AHO;

(7) submits the original Form H-1-A to the Appeals Unit of the Legal Division;

(8) reviews OAC 340:2-5 regarding the administrative hearing process; and

(9) informs the CW worker who completed the child abuse or neglect investigation and the CW supervisor of the hearing. The CW worker must attend the fair hearing. If the CW worker is no longer employed by OKDHS, the CW supervisor or county director must attend the hearing.

PART 25. EMERGENCY FOSTER CARE PROGRAM**340:75-7-262. Emergency foster care****(a) Admissions.**

(1) Shelters. The Pauline E. Mayer Shelter, Laura Dester Shelter, and J. Roy Dunning Children's Shelter are the primary points of admission to emergency foster care (EFC).

(A) Children eligible for EFC.

(i) A child younger than six years of age may not remain in an Oklahoma Department of Human Services (OKDHS) operated shelter longer than 24 hours. A child who reaches age six while in EFC remains eligible for the service.

(ii) When it is appropriate, per OAC 340:75-6-30, and in the best interests of the child younger than six years of age to have his or her sibling between the ages of six through nine years or minor parent placed in the same placement, a plan is negotiated with the contractor and OKDHS.

(iii) The placement of a child older than six years of age occurs only after written approval from Children and Family Services Division (CFSD) Foster Care Section.

(B) Admission from shelter. Shelter staff contacts the contract agency by phone and provides available information about the child's medical, educational, social, routine, and special care needs as required to select an appropriate placement. This information is provided to the contract agency upon discharge from the shelter and includes:

(i) the shelter intake sheet with all available information;

(ii) all personal possessions;

(iii) medications and equipment;

(iv) Form DCFS-EFC-11, Authorization for Foster Parent Consent for Medical Services – Emergency Custody, or Form DCFS-EFC-12, Authorization for Foster Parent Consent for Medical Services; and

(v) Form OCA-GR-2, Notice of Grievance Rights - Minors in OKDHS Custody. Shelter and contract agency staff coordinate admission.

(2) **Hospitals.** When a child in inpatient hospital care for treatment of medical conditions related to abuse, neglect, or illness requires EFC placement, relevant background and care information is provided to the contract agency to assist in identifying an appropriate placement. Priority for placement into EFC is given to children discharged from hospitals. The contract agency identifies an appropriate EFC placement and coordinates the hospital discharge date, time, and any special training required with the provider and notifies OKDHS. ■ 1

(3) **Other EFC admissions.** A child who is diverted to a non-OKDHS operated shelter or remains in current placement pending admission into EFC is placed on a waiting list maintained by the OKDHS liaison. Admissions occur as beds become available. ■ 2

(b) Roles and responsibilities. ■ 3

(1) **CW worker.** The Child Welfare (CW) worker remains the primary connection among the child, parent(s), EFC agency, EFC provider, OKDHS liaison, other service providers, and court while the child is in EFC. At the time of admission or as soon as possible after placement, the CW worker provides the necessary information about the child to the EFC provider, including:

- (A) behavioral, psychological, and social history;
- (B) previous medical care;
- (C) legal documentation verifying OKDHS custody status;
- (D) religious affiliation; and
- (E) Form CWS-KIDS-7, Placement Provider Information.

(2) **OKDHS liaison.** The OKDHS liaison assists the EFC agency, staff, and providers in maintaining effective working relationships with OKDHS staff by providing support and consultation regarding respective roles and responsibilities.

(3) **EFC agency.** The EFC agency ensures the availability of qualified, trained staff and EFC providers 24 hours a day for the placement and care of eligible children. The EFC agency coordinates with the CW worker to afford the child all services that promote the child's progress and ensures that the child's total care needs are met

while in placement. To facilitate movement of children from EFC to another placement, weekly staffings occur between the CW worker and the contract agency.

■ 4

(c) Discharge from EFC.

(1) **Notice.** When discharge from EFC to another type of placement is made, the contract agency is given as much advance notice as possible, but not less than two hours.

(A) The CW worker notifies the contract agency of the planned move in writing, using the Client Movement Authorization Form provided by the contract agency, and coordinates the date and time for placement.

(B) The CW worker shares information to assist the EFC provider in preparing the child for the move.

(C) The contract agency transports the child to the county office or site designated for pick-up by the CW worker or staff responsible for completing the new placement.

(2) **Change of placement information accompanies the child.** All forms completed by the EFC provider while the child is in care assist the new provider in helping the child adjust to the new placement, provide information needed for continuity of care, and alert the new provider of the child's special needs and strengths. These forms are not given to the parent(s) if the child is returning home. Required information and items include:

(A) all medications, with instructions for dosage and use;

(B) equipment or supplies required for the child's special care;

(C) dates of any follow-up appointments;

(D) personal items, unused OKDHS clothing vouchers, and clothing purchased by OKDHS, including disposable diapers;

(E) Women, Infants and Children (WIC) vouchers, non-perishable food and other items obtained through WIC; and

(F) at least a 24-hour supply of formula, baby food, and other items for immediate use by the new provider.

INSTRUCTIONS TO STAFF

- 1. Hospital discharge. When no Oklahoma Department of Human Services (OKDHS) foster home or other appropriate placement is available pending a hospital discharge, the CW worker notifies the OKDHS liaison of the need for EFC placement, providing all relevant background and care information. Upon discharge, the CW worker, CW supervisor, or OKDHS liaison completes Form DCFS-EFC-5, Authorization for Hospital Discharge, to authorize release of the child into the care of the provider or contract agency.**
- 2. Other EFC admissions. The CW worker provides the OKDHS liaison information about the child who requires placement in EFC. The liaison adds the child's name to the waiting list and forwards the information to the contract agency.**
- 3. Additional information. The CW worker advises the new provider to contact the OKDHS liaison for information from the EFC provider. The OKDHS liaison notifies the contract agency of the need for additional information. The contract agency gathers the needed information and provides it to the new provider or contacts the former EFC provider to contact the new provider directly.**
- 4. Search for placement. After the child is admitted into EFC, the Child Welfare (CW) worker determines the needs of the child and the type of placement that best serves the child. All known kinship resources within Oklahoma are explored immediately as potential placements for the child. A request for foster care is made simultaneously to ensure the timely identification of a placement resource. Adjoining counties and statewide searches are initiated when local resources are explored without success. The placement may not be declined based solely on distance. When it is determined that a kinship or foster home cannot meet the child's needs, other levels of care are pursued.**