TO: ALL OFFICES

SUBJECT: MANUAL MATERIAL

OAC 340:75-1-18 through 75-1-18.1; 75-1-18.4; 75-1-30; 75-1-44; 75-1-151; 75-1-152; 75-1-152.5; 75-1-154 through 75-1-155; 340:75-6, Table of Contents; 75-6-4; 75-6-31 through 75-6-31.1; 75-6-40.4; 75-6-48; 75-6-48.3; 75-6-50; 75-6-85 through 75-6-85.1; 75-6-85.6; 75-6-88; 75-8-6 through 75-8-9; 340:75-11, Table of Contents; 75-11-233.1; 75-11-238 through 75-11-239; 75-11-250; 75-11-265; 75-11-275; 75-11-289; 75-11-300 through 75-11-301; 75-11-320 through 75-11-322; 75-11-330; 75-11-350; 75-11-360; 75-13-10; 75-13-29; 75-15-5; 75-15-7 through 75-15-8; 75-15-41 through 75-15-43; 75-15-45; 75-15-61; 75-15-82 through 75-15-85; 75-15-87 through 75-15-89; 75-15-91; and 75-15-108.

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

The proposed revisions to Subchapters, 1, 6, 8, 11, 13, and 15 of Chapter 75 amend the rules to: (1) comply with Senate Bill (SB) 1525, SB 1421, House Bill (HB) 2958, and HB 2530 by clarifying that the judge presiding over the deprived case also has authority to make a final determination and preside over any separate action necessary to finalize a child's permanency plan; (2) permitting one face-to-face contact per quarter in a location other than the foster home; (3) specifying the age of an otherwise eligible individual is not a reason for denial of placement; (4) clarifying procedures for disclosure of information when a person responsible for a child has been criminally charged with the death or near-death of the child; and (5) update terminology and procedures to conform to current practice.

340:75-1-18 is amended to clarify that concurrent planning is considered in an ongoing manner for as long as the permanency plan for the child is not achieved.

340:75-1-18.1 is amended to specify that the judge presiding over the deprived action has the authority to make a final determination in the matter and preside over any separate action necessary to finalize a child's permanency plan, including an adoption, guardianship, or other custody proceeding.

340:75-1-18.4 is amended to update and rephrase information
used to determine whether a recommendation of reasonable efforts not required finding is appropriate.

340:75-1-44 is amended to update the procedure for disclosure of information upon the death or near-death of a child.

340:75-1-152.5 is amended to update the time frame for when Oklahoma Children's Services (OCS) contracted services are concluded.

340:75-6-4 is amended to include definitions for Family team meeting and Initial meeting.

340:75-6-31 is amended to update language.

340:75-6-48 is amended to clarify contact requirements with children in different types of placements.

340:75-6-50 is amended to: (1) update language; (2) restructure sentences; (3) delete reference to surrogate parent; and (4) clarify that a foster parent may act in place of a parent for educational reasons.

340:75-6-85 is amended to: (1) specify that OKDHS may not cite age of an otherwise eligible individual as a reason for denial of placement; and (2) correct spelling.

340:75-6-85.1 is amended to update Section tagline.

340:75-6-85.6 is amended to delete instructive language moved to Instructions to Staff (ITS).

340:75-6-88 is amended to update the time frame for obtaining an initial mental health or developmental screening.

340:75-8-6 is amended to: (1) clarify that the Child Welfare (CW) county of jurisdiction worker and the county of placement worker, if different, plan and coordinate each child's discharge from therapeutic foster care (TFC); and (2) update agency division name.

340:75-8-7 is amended to refine information regarding TFC services.

340:75-8-8 is amended to: (1) update TFC contractor requirements regarding training TFC parents; and (2) clarify that families are not approved as licensed family child care homes and TFC homes.

340:75-8-9 is amended to update the placement procedure for a child five years or younger in TFC.

340:75-11-233.1 is amended to update reference to inpatient reviewer provider.

340:75-11-250 is amended to update a form number.

340:75-11-275 is a new rule describing contracted substance abuse treatment services.


340:75-13-10 is amended to clarify conditions under which CW makes application for a Social Security number.
340:75-15-5 is revised to amend the phrase “resource family” to “Bridge resource family” in accordance with the integrated assessment and current Practice Model being used by OKDHS. This amendment will be found throughout the adoption rules submitted for revision.

340:75-15-7 is amended to add and update definitions relating to adoption.

340:75-15-41 is amended to: (1) detail adoption consultation particulars; (2) update time frames for criteria staffing tasks; (3) update consideration of sibling placement; and (4) delete geographic location information protecting foster parents from identification in accordance with the Bridge portion of the Practice Model.

340:75-15-43 is amended to update sibling placement procedures.

340:75-15-82 is amended to update terminology with current practice.

340:75-15-83 is amended to update terminology.

340:75-15-84 is amended to include a background check request from Family Advocacy for all active or retired military families.

340:75-15-87 is amended to: (1) update terminology; and (2) require a background check from Family Advocacy for all active or retired military families prior to adoption authorization.

340:75-15-88 is amended to update terminology.

340:75-15-89 is amended to: (1) update terminology; and (2) specify whether the adoption or resource specialist completes the re-assessment.

340:75-15-91 is amended to update terminology.
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 an "OKDHS" number, such as personnel policy at OKDHS:2-1 and personnel rules at OAC 340:2-1. The "340" is the Title number that designates OKDHS 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, OKDHS 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, OKDHS: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 405-521-4326.

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340:75-1-18. Dispositional hearing

Revised 5-15-09

(a) Dispositional hearing. After a child is adjudicated deprived, the court holds a dispositional hearing, per Section 7003-5.5 of Title 10 of the Oklahoma Statutes. The court must enter a dispositional order on the same day or within 40 days of adjudication, unless the court finds on the record that the child's best interests are served by granting a delay.

1. If the court grants a delay, the court must state why the delay is necessary and the minimum amount of time needed to resolve the reasons for delay.

2. If the child is removed from the parent(s)' custody, the court or the Oklahoma Department of Human Services (OKDHS), as applicable, immediately, and in an ongoing manner for as long as a permanency plan of reunification is not achieved, considers concurrent permanency planning to ensure permanency for the child at the earliest opportunity. Identification of appropriate in-state and out-of-state placement should be made so that if reunification fails or is delayed, the placement made is the best available placement to provide permanency for the child.

(b) Dispositional hearing purpose. The purpose of the dispositional hearing is to determine the service needs of the child and family and custody of the child during the deprived case. The court considers all evidence that is helpful in determining the disposition that is in the child's best interests.

1. At the hearing, the recommended treatment and service plan is presented to the court. The judge makes the final decision regarding whether the proposed treatment and service plan is accepted and whether a court order is issued regarding compliance with any or all recommendations. The family is ultimately responsible for only those recommendations that are court-ordered, per OAC 340:75-6-40.4.

2. The dispositional order includes a statement informing the child's parent(s) that the consequences of non-compliance with the court's requirements may include, as applicable, loss of custody of the child or termination of the parent(s)' rights to the child. If reasonable efforts are required for the return of the child to the child's home, the parent(s) of the child must be given at least three months to correct conditions that led to the adjudication of the child, prior to requesting termination of parental rights.
(3) The dispositional order is reviewed by the court at least once every six months until:

(A) conditions that caused the child's adjudication are corrected;

(B) the parent(s)' rights to the child are terminated and a final adoption is decreed;

(C) permanent care and custody of the child is awarded to another person or a kinship guardian is granted; or

(D) the court terminates jurisdiction.

(c) Special rules regarding custody orders. Before placing custody of a child with the parent(s), legal guardian, legal custodian, or other suitable person, the court must consider the order of custody preference and the person's background, per Sections 21.1 and 7003-8.1 of Title 10 of the Oklahoma Statutes.

(1) Order of custody preference. Every effort is made to place a child with a member of the child's family in a safe and appropriate home. When a child is removed from the custodial parent and the court, in the child's best interests, is unable to release the child to the custodial parent, or, as the next priority preference, give placement to the noncustodial parent, custody is awarded, per Section 21.1 of Title 10 of the Oklahoma Statutes, to a:

(A) grandparent;

(B) person indicated by wishes of a deceased parent;

(C) relative of either parent;

(D) person in whose home the child has been living in a wholesome and stable environment; or

(E) any other person deemed by the court to be suitable. If the court determines custody of the child cannot be made according to the order of preference, the court must document the reasons in the court record.

(2) Background considerations. The court is prohibited from placing custody of a child with a person who is subject to the Oklahoma Sex Offender Registration Act or with a person who is married to or living with a person who is subject to the Oklahoma Sex Offender Registration Act.
(A) "Person" does not include a parent, legal guardian, or legal custodian of a child.

(B) Before awarding custody, the court must inquire whether the person has been previously convicted of any felony, relevant misdemeanor, or has such charges pending. A person requesting custody must respond to the court’s inquiry by affidavit or sworn testimony and provide the court with an Oklahoma criminal history record.

(3) Presumptions against placement. Custody or visitation with a child is not granted to any person if the custody or visitation established will likely expose the child to a foreseeable risk of material harm. There is a rebuttable presumption that it is not in the child's best interests to have custody or visitation granted to a person who:

(A) is or has been subject to, or resides with anyone who is subject to the Oklahoma Sex Offender Registration Act;

(B) was convicted of or resides with a person who was convicted of a crime of child abuse, neglect, or of a sexual nature;

(C) was convicted of or resides with a person who was convicted of domestic abuse within the past five years; or

(D) is found alcohol or drug dependent by clear and convincing evidence and expected in the near future to inflict or attempt to inflict serious bodily harm to self or others as a result of dependency.

(d) Dispositional options. Subject to the conditions and restrictions per OAC 340:75-1-18(c), the court makes one or more dispositional orders, including:

(1) placing the child under supervision by OKDHS in the child's own home with the child's custodial parent, legal guardian, or legal custodian from whom the child was removed, or placement with the noncustodial parent. The court may specify conduct to be followed by the parent and any other adult in the home. Supervision by OKDHS may not exceed one year unless extended by the court;

(2) placing the child with a suitable person, including a grandparent, relative, or other person specified in OAC 340:75-1-18(c)(1);

(3) placement of the child in the custody of a private institution or agency;
(4) ordering the child to receive counseling or other community-based services;

(5) committing the child to the custody of OKDHS;

(6) ordering the parent, legal guardian, legal custodian, stepparent, or other adult living in the home, or other person or agency receiving custody of the child, to follow any treatment and service plan prescribed by OKDHS;

(7) ordering a child's permanent care and custody transferred to another person upon the written consent of the parent(s) of the child, per OAC 340:75-1-18.2;

(8) ordering a child's permanent care and custody transferred to a kinship guardian, per OAC 340:75-1-18.3; and

(9) dismissing the petition and terminating its jurisdiction at any time for good cause when in the child's best interests.

(e) Additional court determinations. The court makes a determination whether:

(1) reasonable efforts:

   (A) have been made to reunite the child with his or her family;

   (B) are no longer feasible and are being made to secure an alternate permanent placement for the child;

   (C) have been taken to finalize the permanent placement of the child including, if appropriate, through an interstate placement; or

   (D) to reunite the child with the family are not required, per OAC 340:75-1-18.4;

(2) an out-of-home placement continues to be appropriate and in the child's best interests; and

(3) services provided to assist any youth, 16 years of age or older, in the transition from out-of-home care to independent living are appropriate.

(f) Notification of hearing. Prior written notice of the hearing, Form 04MP030E, Hearing Notification, is provided by OKDHS to the current foster parent of the child, any preadoptive parent or relative providing care for the child. A right to be heard is provided by the court to the current foster parent of the child, any preadoptive parent or
relative providing care for the child. A right to be heard is not construed as requiring any foster parent, preadoptive parent, or relative be made a party to such action. ■ 2

INSTRUCTIONS TO STAFF 340:75-1-18

Revised 5-15-09

1. Concurrent permanency planning. Concurrent planning provides for reunification services while simultaneously developing an alternative plan if reunification efforts fail or are no longer feasible. Concurrent planning is required in cases where current or historical familial circumstances indicate a poor prognosis for reunification, per Form 04MP040E, Concurrent Planning Determination Tool. Efforts are made early in the case process to determine the most appropriate placement for the child. When a petition to terminate parental rights is filed, the Child Welfare (CW) worker actively pursues either the previously determined concurrent plan or appropriate alternate permanency plan, as applicable. If the plan is adoption, the CW worker ensures the identification, recruitment, and processing of a qualified adoptive family for the child is completed in a timely manner. Questions to consider when determining the appropriateness of the placement are listed in (1) through (4).

(1) Are the siblings placed together?

(2) Is the child located in his or her own community, school district, or within close proximity of close family attachments?

(3) Are appropriate services available and readily accessible?

(4) Will this placement be able to provide permanency if efforts to reunite are unsuccessful?

2. Notice of hearing. The Child Welfare (CW) county of jurisdiction worker or the preadoptive parent’s adoption specialist:

(1) provides KIDS generated Form 04MP030E, Hearing Notification, to the current foster or preadoptive parent, or relative no later than 15 days after the hearing is set;

(2) if the child moves after the notification has been provided, prints Form 04MP030E from the Reports icon and provides to the current foster parent,
preadoptive parent, or relative no later than ten working days prior to the court hearing;

(3) if the hearing date changes, updates the Court Hearing Detail screen and provides the KIDS generated Form 04MP030E to the current foster parent, preadoptive parent, or relative no later than ten working days prior to the hearing; and

(4) documents in KIDS Contacts screen when and how Form 04MP030E was delivered.
340:75-1-18.1. Permanency hearings

Revised 5-15-09

(a) Permanency hearing. State and federal law determine the requirements for permanency hearings. The judge conducts the hearing and makes determinations, per Section 7003-5.6d of Title 10 of the Oklahoma Statutes. Oklahoma Department of Human Services (OKDHS) Child Welfare (CW) workers are responsible for providing the court with the necessary information to conduct the hearing. A permanency hearing is held for any case regarding a child alleged or adjudicated deprived no later than:

(1) six months from the date of the child's placement in out-of-home care and every six months thereafter; and

(2) 30 days after a determination that reasonable efforts are not required and every six months thereafter.

(b) Permanency report.

(1) Prior to a permanency hearing, the CW worker prepares a report regarding the child for the court's review by contacting:

   (A) the child's current foster parent;

   (B) the parent(s) or parent(s)' attorney;

   (C) a post adjudication review board (PARB) member;

   (D) the child's guardian ad litem, if applicable; and

   (E) the child's attorney.

(2) Information gathered from these persons is used by the CW worker to assist in the preparation of Form 04KI009E, Court Report, or 04KI014E, Individualized Service Plan (ISP) Progress Report, as applicable. The applicable court report includes, at a minimum, the:

   (A) efforts and progress demonstrated by the child's parent(s) to complete an individual treatment and service plan;

   (B) extent to which the parent(s) or legal guardian cooperated and used the services provided;
(C) status of the child, including the child's mental, physical, and emotional health;

(D) permanency plan for the child and, if the child is age 16 or older, the independent living plan; and

(E) in and out-of-state placement options considered for the child.

(c) **Notification of hearing and right to be heard.** Prior written notice of the hearing, Form 04MP030E, Hearing Notification, is provided by OKDHS to the current foster parent of the child, any preadoptive parent or relative providing care for the child. A right to be heard is provided by the court. Such notice and right to be heard is not construed as requiring any foster parent, preadoptive parent, or relative be made a party to such action.

(d) **Court jurisdiction to finalize child's permanent plan.** The judge presiding over the deprived case also has authority to make final determination in the matter and preside over any separate action necessary to finalize a child's permanency plan, including an adoption, guardianship, or other custody proceeding.

**INSTRUCTIONS TO STAFF 340:75-1-18.1**

Revised 11-1-07

1. Permanency hearing.

   (1) Oklahoma statutes. The exact wording of the statute regarding permanency hearings is found in Section 7003-5.6d of Title 10 of the Oklahoma Statutes online at www.oscn.net.

   (2) Requests. The Child Welfare (CW) worker requests on Form 04KI009E, Court Report, or Form 04KI014E, Individualized Service Plan (ISP) Progress Report, as applicable, in the Recommendations section, that the court set a permanency hearing no later than six months from the child's placement in out-of-home care. This recommendation is made on Form 04KI009E or Form 04KI014E for any hearing held prior to the permanency hearing due date.

   (3) Court orders. Within 30 days after the permanency hearing, the CW worker provides the court order to the custody specialist to ensure continuation of the child's Title IV-E eligibility.
2. Placement options. In the case of a child who will not be returned to a parent, the CW worker informs the court of the in-state and out-of-state placement options that have been considered.

3. Hearing notification. The CW county of jurisdiction worker or the preadoptive parent’s adoption specialist:

   (1) completes Form 04MP030E, Hearing Notification, and mails or hand-delivers to the current foster parent, preadoptive parent, or relative caring for the child no later than 15 days after the hearing is set;

   (2) if the child moves after the notification is provided, copies Form 04MP030E completed for the hearing and mails or hand-delivers the copy to the current foster parent, preadoptive parent, or relative no later than seven days prior to the court hearing;

   (3) if the hearing date changes, updates the Court Hearing Detail screen and provides the KIDS generated Form 04MP030E to the current foster parent, preadoptive parent, or relative no later than ten working days prior to the hearing; and

   (4) documents in KIDS Contacts screen when and how Form 04MP030E was delivered.
340:75-1-18.4. Reasonable efforts not required

Revised 5-15-09

The court may make a determination that reasonable efforts to reunite the child with the family are not required. When any of the conditions in (1) through (3) exist, the Child Welfare (CW) worker provides documentation to assist the court in determining whether finding of reasonable efforts not required and immediate termination are appropriate. ■ 1. Reasonable efforts to provide for the return of the child to the child's home or preserve the family are not required if the court determines that the:

(1) parent(s), legal guardian(s), or custodian(s), has committed specific acts of a criminal nature, including:

(A) conviction for the murder of any child, aided or abetted, attempted, conspired, or solicited to commit murder of any child;

(B) conviction for voluntary manslaughter of another child of the parent(s), legal guardian(s), or custodian(s), or aided or abetted, attempted, conspired, or solicited to commit voluntary manslaughter of another child of the parent(s), legal guardian(s), or custodian(s) or another child within the household where the child resides;

(C) conviction and subject to the registration requirements of the Oklahoma Sex Offender Registration Act or any similar act in any other state or who has been convicted of a sexual felony offense pursuant to Section 1024.2, 1031, 1040.52, 1040.53, 1081, 1085, 1086, 1117, 1118, 1119, 1192, or 1192.1 of Title 21 of the Oklahoma Statutes;

(D) child has been adjudicated deprived as a result of a single incident of sexual abuse, severe neglect, or a felonious assault resulting in serious bodily injury to the child, a sibling, or a child within the household where the child resides, by a parent, legal guardian, or custodian of the child; or

(E) child was conceived as a result of a rape. This applies only to the parent who committed the rape and whose child has been placed outside the home.

(2) parent(s) has committed certain acts of abandonment:

(A) parent(s) has abandoned a child under the age of two;
(B) parent(s) has abandoned the child without good cause or excuse and such abandonment continues for a period of at least six months immediately prior to the filing of a petition adjudicating the child deprived or a petition to terminate parental rights; or

(C) parent(s) has willfully abandoned the child without regard to age or length of abandonment and the court finds that the abandonment itself constituted a serious danger to the health and safety of the child.

(3) current or historical circumstances of the family's involvement with child welfare indicate the parent is unwilling or unable to safely care for the child, including:

(A) parent(s), legal guardian(s), or custodian(s) has inflicted chronic abuse, neglect, or torture on the child, a sibling, or another child within the household where the child resides;

(B) child or a sibling:

   (i) has been previously adjudicated deprived in this or another state due to sexual abuse or severe physical abuse;

   (ii) following adjudication, has been removed from the custody of the parent, legal guardian, or custodian;

   (iii) has been returned to the custody of the parent, legal guardian, or custodian from whom the child had originally been taken; and

   (iv) has been removed from the custody of the parent, legal guardian, or custodian of the child pursuant to the Oklahoma Children's Code due to sexual abuse or severe physical abuse.

(C) parent(s) failed to correct the conditions which led to the initial court intervention with any sibling of the child after the sibling had been removed from the parent and the court ordered a permanent plan of adoption, guardianship, or other permanent out-of-home placement for any sibling of the child;

(D) child has resided out of the child's home under court supervision for a cumulative period of more than one year within a three year period following a deprived child adjudication; or

(E) parent(s), legal guardian(s), or custodian(s) of the child has a history of extensive, abusive, and chronic use of drugs or alcohol and has resisted
treatment for this problem during a three year period immediately prior to the filing of the deprived petition which brought that child to the court's attention.

INSTRUCTIONS TO STAFF 340:75-1-18.4

Issued 5-15-09

1. Recommendation for termination. The Child Welfare (CW) worker and supervisor staff the need for termination. When appropriate, the CW worker recommends a finding of reasonable efforts not required and prayer for termination on Forms 04KI003E, Report to District Attorney, 04KI013E, Individualized Service Plan (ISP) Dispositional Report, or 04KI014E, Individualized Service Plan (ISP) Progress Report. The CW worker documents the request for termination in the KIDS/Court/Par Rights/Recommend screen within five working days.
340:75-1-30. Address Confidentiality Program

Issued 5-11-06

The Address Confidentiality Program (ACP) provides services to residents of Oklahoma who are victims of domestic violence, sexual assault, and stalking. The goal of ACP is to help victims keep their location confidential by providing them with a substitute address and a mail forwarding service for use when interacting with state and local agencies. Section 60.14 of Title 22 of the Oklahoma Statutes governs ACP. This statute, when applicable, guides the actions of the Child Welfare worker.

INSTRUCTIONS TO STAFF 340:75-1-30

Revised 5-15-09

1. Address Confidentiality Program (ACP) protocol. When a participant provides the Child Welfare (CW) worker with an ACP authorization card, the CW worker:

   (1) makes a photocopy of the ACP authorization card and files the copy in the CW paper case record;

   (2) enters the ACP code and substitute address, P.O. Box 60189, Oklahoma City, OK 73146-0189, for the participant into KIDS Client/Demo/Address screen and deletes the participant's actual finding address, if this address has already been entered;

   (3) creates a separate paper case record for any document with the participant's actual finding address which is kept in a locked file cabinet in the CW supervisor's office.

   (A) When the participant declines to provide a finding address, the CW worker determines with the participant an alternate meeting location for the CW worker's monthly, face-to-face contact.

   (B) If there is a need to evaluate the residence for safety issues and the actual location of the participant is unknown, the ACP allows state and local agencies to petition the Attorney General for the participant's actual address when there is a bona fide statutory or administrative requirement for the use of the address or pursuant to a court order.
(i) The CW worker immediately staffs the case with the CW supervisor and CW field liaison (CWFL).

(ii) The CWFL contacts, when needed, Children and Family Services Division Child Protective Services (CPS) or Permanency Planning (PP) programs manager for consultation on related issues and actions necessary to obtain the actual address;

(4) updates the KIDS Client/Demo/Characteristics screen by selecting the Sensitive Information on File checkbox to notify CW staff who are involved in the case of the separate paper case record;

(5) sends all correspondence for the participant to the ACP substitute address; and

(6) does not include the participant’s actual location in any report sent to the district attorney or court. The CW worker must not disclose a participant's actual address unless disclosure is permitted by law.
340:75-1-44. Disclosure of client information and records without a court order

Revised 5-15-09

(a) Authorized persons. Client information or records are, upon request and with verification of the requester's credentials, disclosed without a court order to the persons or entities listed in this subsection. \[1\]

1 (1) Courts. Information and records are disclosed to:

(A) the court having the child currently before it in any proceeding pursuant to Title 10 of the Oklahoma Statutes;

(B) any district court or tribal court to which the proceedings may be transferred;

(C) employees and officers of the court in the performance of their duties, including but not limited to the guardian ad litem appointed by the court;

(D) court-appointed special advocates;

(E) post-adjudication review boards; and

(F) any district court that has ordered a home study by the Oklahoma Department of Human Services (OKDHS) in a divorce, annulment, custody matter, guardianship, or any subsequent proceeding. OKDHS may limit disclosure to summaries or information directly necessary for the purposes of the disclosure.

(2) OKDHS employees. OKDHS employees acting in the course of their official duties performed in connection with the implementation or administration of any program for children, youth, and families. The administration of programs includes:

(A) any activity relating to the review, audit, or monitoring of Child Welfare (CW) service, program, or fiscal performance; and

(B) any activity in connection with potential or actual criminal, civil, or administrative proceedings relating to CW services and programs.

(3) Office of Juvenile System Oversight employees. Any employee of the Office of Juvenile System Oversight acting in the course of his or her official duties performed in connection with any investigation, inquiry, audit, or inspection conducted pursuant to Section 601.6 of Title 10 of the Oklahoma Statutes.
(4) **DHHS employees.** Any employee of the United States Department of Health and Human Services (DHHS) or the Comptroller General of the United States acting in the course of his or her official duties performed in connection with any investigation, inquiry, audit, or inspection conducted pursuant to federal law.

(5) **Office of the District Attorney employees.** Any employee of the Office of the District Attorney acting in the course of his or her official duties performed pursuant to Title 10 of the Oklahoma Statutes or in connection with the prosecution of crimes against children or in the capacity of advisor to a grand jury.

(6) **Office of the Attorney General or United States Attorney employees.** Employees of the Office of the Attorney General or United States Attorney when acting in the course of their official duties performed pursuant to Section 7002-3.1 of Title 10 of the Oklahoma Statutes.

(7) **Attorneys.** The attorney representing a child who is the subject of a proceeding conducted pursuant to the provisions of Title 10 of the Oklahoma Statutes or the attorney representing a child in a domestic, guardianship, or juvenile action filed under Section 7115 of Title 10 of the Oklahoma Statutes.

(8) **Law enforcement officers.** Any law enforcement officer of Oklahoma or another state, with proper identification, who is:

   (A) conducting an investigation of a report of known or suspected child abuse or neglect or crimes against children; or

   (B) determining whether to place an alleged deprived child in protective custody.

(9) **Child protective services agency employees.** Employees of child protective services agencies in other states, with proper identification, who are:

   (A) conducting an investigation of a report of known or suspected child abuse or neglect or crimes against children; or

   (B) determining whether to place a child in protective custody.

(10) **Indian tribes.** Pursuant to the Federal Indian Child Welfare Act, Section 1901 et seq. of Title 25 of the United States Code, and the Oklahoma Indian Child Welfare Act, Section 40 et seq., of Title 10 of the Oklahoma Statutes, a federally recognized Indian tribe:

   (A) with proper identification;
(B) in which the child who is the subject of the records filed with the court is a member or is eligible to become a member and is the biological child of a member of an Indian tribe; and

(C) who is performing the official duties of:

(i) investigating a report of known or suspected child abuse or neglect or crimes against children;

(ii) determining whether to place a child into protective custody;

(iii) providing or supervising services to or for the benefit of the child, including but not limited to protective, emergency, medical, and social services; or

(iv) the tribe, tribal court, or tribal CW program by:

(I) taking jurisdiction or intervening in the child's case; or

(II) being a party to the juvenile court proceedings pursuant to the authority provided in the Oklahoma Indian Child Welfare Act.

(11) **Employees of a statutorily established juvenile bureau.** Employees of a statutorily established juvenile bureau with proper identification in the course of their official duties pursuant to Sections 7305-1.1 et seq. of Title 10 of the Oklahoma Statutes.

(12) **Child Death Review Board.** The Child Death Review Board upon the Board's request pursuant to Section 1150.2 of Title 10 of the Oklahoma Statutes.

(13) **Physicians.** Any physician examining a child whom the physician suspects is a victim of child abuse or neglect.

(14) **Health care or mental health professionals.** Any health care or mental health professional involved in the evaluation or treatment of the child, the child's parents, legal guardian, foster parent, custodian, or other family members.

(15) **Multidisciplinary child abuse team.** Any multidisciplinary child abuse team designated by the administrator of OKDHS Field Operations Division or Children and Family Services Division as authorized to review confidential information to:

(A) investigate a report of known or suspected child abuse or neglect; or
(B) provide services to a child or family who is the subject of the report.

(16) **Public or private agency.** Any public or private agency or person authorized by OKDHS to diagnose or provide care, treatment, supervision, or other services to a child who is the subject of a report or record of child abuse or neglect. OKDHS may limit the disclosure of information and records to a summary of or the information directly necessary for the purpose of the disclosure.

(17) **OHCA.** Any employee of the Oklahoma Health Care Authority (OHCA) acting in the course of his or her official duties.

(18) **OJA.** Any employee of the Office of Juvenile Affairs (OJA) acting in the course of his or her official duties.

(19) **The Governor of Oklahoma.** The Governor or any person the Governor designates in writing.

(20) **Legislators.** Any member of the legislature approved in writing by the Speaker of the House or the President Pro Tempore of the Senate.

(21) **Persons or agencies engaging in research.** Persons or agencies engaging in research, provided that the person or agency:

   (A) is employed by or under contract with the State of Oklahoma and is authorized by OKDHS to conduct the research; and

   (B) ensures that:

   (i) all documents containing identifying information are securely maintained to prohibit unauthorized access;

   (ii) identifying information is not included in any document generated for the research; and

   (iii) identifying information is deleted from documents when the research is completed.

(22) **Foster parents.** Information and records concerning the social, medical, psychological, or educational needs of a child currently placed with or being considered for placement with foster parents are disclosed to the foster parents. Foster parents with whom a child is currently placed are provided a copy of the court-approved treatment and service plan and progress reports.
(23) **Schools.** A summary of or the information directly necessary for the school to know regarding a child enrolled in the school is disclosed upon the request for the information by the school. Any information disclosed to the school is kept confidential.

(24) **Department of Corrections employees.** An employee of any federal or state corrections or law enforcement agency in the performance of official duties concerning pre-sentence investigations or supervision of a parent of an alleged or adjudicated deprived child or the legal guardian, custodian, or any other adult member of the child's home who is responsible for the health, safety, or welfare of the child.

(25) **OCARPA.** Persons authorized by and in the manner provided by the Oklahoma Child Abuse Reporting and Prevention Act.

(26) **Adoptions.** Any person or agency authorized to receive any paper record pursuant to the Oklahoma Adoption Code pertaining to a child who is the subject of an adoption proceeding or relatives who are related to the child within the third degree of consanguinity.

(27) **Child support enforcement employees.** Employees of the Oklahoma or any other state child support enforcement agency in the performance of their official duties concerning the establishment of paternity or the establishment or enforcement of a child support order or other entitlement for the benefit of a child. Disclosure is limited to information related directly to the purpose of the disclosure.

(28) **Parent, legal guardian, or custodian.** A parent, legal guardian, or custodian of the child who is the subject of the records, provided that the records disclosed are limited to juvenile court records that are records filed with the court. All other agency records pertaining to or related to any alleged or adjudicated abuse or neglect of the child may not be inspected or disclosed. ■ 3

(A) Information about the child is withheld from the parent only when a court order is in effect that prohibits the parent from obtaining information about the child.

(B) The parent may not inspect the case record, but information may be disclosed in accordance with this Section.

(C) If the child is removed from the child's home or placement, the child's parent(s) is informed of the child's general location, but not the specific address.
(D) With the foster parent’s consent, the foster parent’s name and address are disclosed when requested as part of the family reunification effort.

(b) Disclosure when child is in need of treatment or supervision. Any client information or record may be disclosed without a court order to any person or agency when the disclosure of confidential information is necessary to secure appropriate care, treatment, or supervision for a child and as may be necessary in conducting any investigation to determine whether a child is taken into protective custody or may otherwise come within the jurisdiction of the juvenile court. Disclosure pursuant to this subsection is limited to information reasonably necessary for the purpose of securing needed services or conducting an investigation.

(c) Disclosure of court records.

(1) Any record filed with the court by OKDHS, or obtained from the court and maintained by OKDHS, upon written request is disclosed without a court order to those persons identified in this Section and to:

(A) the child who is the subject of the record and the parents, guardian, legal custodian, or foster parent; and

(B) any public or private agency or individual having court-ordered custody or custody by virtue of OKDHS placement of the child who is the subject of the record.

(2) Any youth leaving out-of-home placement at or after the age of 18, or adult who was in OKDHS custody as a child, is entitled to information from the case record at no cost.

(d) Disclosure limited.

(1) Request for disclosure of information must be made in writing to OKDHS per OAC 340:75-1-46 and Sections 620.1 through 620.4 of Title 10 of the Oklahoma Statutes.

(2) Authorized persons receiving information are notified at the time of disclosure that the information remains confidential by law and may not be further disclosed.

(3) Information disclosed is limited to the specific information or record relevant to the need of the person offered or requesting confidential information.
(4) OKDHS does not disclose the identity or location of any person who has reported child abuse or neglect, unless specifically ordered by the court.

(e) **Media inquiries.** The confidentiality rules for inquiries govern case-specific information and requests from the public and the media. Inquiries may provide opportunities to discuss CW programs and services, in general, with the public or media representatives.

(f) **Disclosure in cases of death or near death of a child.** When the person responsible for the child is charged with committing a crime resulting in the child's death or near death, as defined in OAC 340:75-3-2, the best interests of the public are served by public disclosure of information concerning the investigation of the death or near death of the child and any other investigations concerning the child or other children living in the same household.

(1) Any disclosure of information does not identify or provide, other than the identity of the person criminally charged:

(A) an identifying description of any complainant or reporter of child abuse or neglect;

(B) the name of the child victim's siblings or other children living in the same household;

(C) the parent or other person responsible for the child; or

(D) any other member of the household.

(2) At any time seven days after the date the person responsible for the child is criminally charged, OKDHS, the Oklahoma Commission on Children and Youth, the district court clerk, the judge having jurisdiction over the case, or the district attorney may upon request, release to the public:

(A) confirmation that a report has been made concerning the alleged victim or other children living in the same household and whether an investigation has begun;

(B) confirmation as to whether previous reports were made and the dates and a summary of the previous reports, including:

   (i) the dates and outcomes of any investigations or actions taken by OKDHS in response to any report of child abuse or neglect;
(ii) the specific recommendation made to the district attorney by OKDHS; and

(iii) any action taken by the district attorney after submission of any investigative report; and

(C) the dates of any judicial proceeding prior to the child's death or near death, including:

(i) specific recommendations made by OKDHS in any progress reports submitted to the court;

(ii) a summary of each participant's recommendations made at the judicial proceedings, including recommendations made at the hearing as they relate to the custody or placement of the child; and

(iii) the rulings of the court.

INSTRUCTIONS TO STAFF 340:75-1-44

Revised 6-1-07

1. Disclosure procedures.

   (1) All disclosures are documented in the case record.

   (2) Confidential information is not released solely on the basis of a telephone contact because Oklahoma Department of Human Services (OKDHS) staff cannot be assured of the identity of the caller.

   (3) Necessary discussion of case information, personally or by telephone, is allowed between authorized OKDHS staff.

2. A summary of Child Welfare (CW) information about a client is shared with the client's attorney in juvenile proceedings only. Before sharing information, the CW worker must verify that the attorney is the legal representative for the client. Any information shared with the client, such as child abuse or neglect allegations, findings, and treatment plan recommendations, may be shared with the legal representative of the client.

   (1) To verify that the attorney requesting the information is representing the client, the CW worker checks the court file or asks the attorney to put the request for information in writing.
(2) The client may provide verification to the CW worker that the attorney is the client’s legal representative.

3. Confidentiality. CW staff:

(1) discusses with all clients why information is gathered, the purpose for the information, and the circumstances under which the information will be released. The client is advised that:

(A) information about the client may be shared with the client's counselors or therapists for treatment purposes and in the context of assisting the client to resolve problems; and

(B) counselors must observe confidentiality requirements.

(2) protects the privacy of the client when contacting a collateral reference. The CW worker explains the reason for the contact, the need for information in a specific area of concern, and how the information received will be used, and does not reveal any other information about the client's situation.

4. Any youth leaving out-of-home placement at or after the age of 18, or adult who was in the custody of OKDHS as a child, is entitled to information from the case record at no cost. The youth or adult is not given the case file to read, but is provided a summary of information regarding the youth's or adult's own CW involvement, medical, and social history. The youth or adult is given any health or education records, birth certificate, and Social Security card, if the original is in the case record. Copies are kept for the file. The county of jurisdiction at the time the youth exits care or when the adult requesting the information reached the age of majority is responsible for providing this information to the youth at exit from care or to the adult upon request.

5. Protocol for media contact.

(1) Media inquiries to field staff are referred to the county director for determination of the appropriate OKDHS spokesperson, and the Office of Communications is advised of the inquiry at 405-521-3027.
(2) Media inquiries to CFSD are referred to the programs manager responsible for the particular program(s) under inquiry and the Office of Communications is advised of the inquiry.

(3) Media inquiries regarding the person responsible for the child who is criminally charged with the child's death or near death are referred to the designated OKDHS spokesperson per OAC 340:75-1-44.

(4) When case-specific information obtained by the media from district attorneys, court records, attorneys for the parents of the child, or the parents is made public, confidentiality is still maintained by OKDHS.

(5) Media recruitment for specific program needs, such as foster home and adoptive home recruitment, is preplanned in conjunction with the CFSD program areas and the Office of Communications.

6. Staff contacts OKDHS Child Protective Services Section before disclosing any information regarding a child's death or near death. The OKDHS Legal Division ascertains that the person responsible for the child has been criminally charged and contacts the designated OKDHS spokesperson regarding disclosure of information.
340:75-1-151. Referral procedure

Revised 5-11-06

Oklahoma Children's Services (OCS) referrals are made by a primary or secondary Child Welfare worker and authorized by the OCS contract liaison in the OCS service area where the child or family resides. Guidelines for selecting appropriate services, whether Comprehensive Home-Based Services (CHBS) or Parent Aide Services (PAS), are provided in this Section and OAC 340:75-4-12. ■ 1 through 4

INSTRUCTIONS TO STAFF 340:75-1-151

Revised 5-15-09

1. (a) Referral focus for CHBS. Form 04MP019E, Referral for Service, is accessed via KIDS Service Log. The referring Child Welfare (CW) worker chooses the focus of service that corresponds to the case plan. Comprehensive Home-Based Services (CHBS) include:

   (1) voluntary services to prevent a child's removal from the home due to abuse or neglect;

   (2) maintenance of trial adoptive placement;

   (3) maintenance of kinship placement;

   (4) maintenance of out-of-home permanent placement;

   (5) reunification; and

   (6) maintenance of post legal adoption.

(b) CHBS OCS contract liaison referral guidelines. Oklahoma Children's Services (OCS) contract liaisons use guidelines outlined in (1) through (11) in determining appropriate referrals for CHBS.

   (1) Physical abuse.

   (A) A referral is appropriate in a physical abuse case when:

   (i) a child has been injured, but the injury is not serious per OAC 340:75-3-10.3, and the child is safe to remain in the home if in-home
services are provided; or

(ii) an older child refuses to return home due to a conflict with a parent(s) that escalated to physical injury, and family members agree to work together with CHBS to resolve the issues of conflict.

(B) A referral is not appropriate in a physical abuse case when:

(i) physical abuse to a child is considered serious or life-threatening per OAC 340:75-3-2;

(ii) there is a history of physical abuse and no person responsible for the child (PRFC) has been willing or able to protect the child;

(iii) the person responsible for the injury to the child remains in the home and does not accept responsibility or demonstrate a desire to change the abusive behavior; or

(iv) there is any intentional injury to an infant.

(2) Sexual abuse.

(A) A referral is appropriate in a sexual abuse case when:

(i) the perpetrator has left the home, in the case of sexual abuse by a family member;

(ii) the perpetrator does not have access to the child either through incarceration or court order; or

(iii) the non-abusive PRFC verbalizes and demonstrates his or her willingness to protect the child and accepts CHBS.

(B) A referral is not appropriate in a sexual abuse case when:

(i) the PRFC(s) continually puts the child at risk of sexual abuse by allowing access by a known perpetrator;

(ii) sexual abuse involves multiple members of the family jointly engaging in sexual activity;
(iii) the PRFC(s) denies the existence of risk to the child and does not agree that treatment is necessary;

(iv) the perpetrator returns to the home; or

(v) the PRFC(s)' lifestyle places the child at continued risk of sexual abuse through activities, such as prostitution, extensive involvement with pornography, or association with those who participate in those activities.

(3) Neglect.

(A) A referral is appropriate in a serious neglect case when the PRFC(s) or family is willing and able to participate in CHBS. Examples include:

(i) a child younger than 12 years of age is left alone to care for self or in the care of an inappropriate caregiver on a regular basis;

(ii) the PRFC(s) is overwhelmed and neglects the child's physiological needs;

(iii) the child is diagnosed as underweight or potentially failure to thrive but the condition is not considered serious or life-threatening and is best addressed by educating the PRFC(s) about proper nutrition and feeding techniques;

(iv) there is medical neglect, or failure to follow through on health needs of an ill child. The child may remain safely in the home if intensive in-home services are provided;

(v) the PRFC(s) refuses to allow a child with adolescent acting-out behaviors to stay or return home due to serious parent and child conflict that required a Child Welfare (CW) response; or

(vi) housing conditions pose a threat to the health and safety of the child and relocation or prompt repairs are needed to avoid removal of the child.

(B) A referral is not appropriate in a neglect case when:

(i) neglect is long-term and chronic, and CW has provided many
intervention services including CHBS, but the situation has not been resolved;

(ii) the PRFC(s) does not acknowledge there is a problem, does not want assistance, appears to be seriously mentally ill, or exhibits evidence of significant substance abuse; or

(iii) when neglect is considered life-threatening.

(4) Substance abuse.

(A) A referral is appropriate in a substance abuse case when:

(i) the PRFC(s) acknowledges that his or her drug abuse or dependency places the child at risk, and is willing to enter outpatient treatment for the substance abuse problem and work with CHBS to address the child's needs;

(ii) a child in a family is chemically dependent and the family is willing to work with CHBS to initiate treatment options for the child and improve family communication and interaction;

(iii) a PRFC gives birth to a drug-exposed infant who does not have significant health problems and the PRFC is willing to participate in a drug abuse treatment program and work with CHBS to receive parenting education and skills development; or

(iv) a PRFC who has completed substance abuse treatment services needs help in reconnecting to a healthy support system and overcoming family issues caused by his or her chemical dependency.

(B) A referral is not appropriate in a substance abuse case when the PRFC(s):

(i) is not available for substance abuse treatment;

(ii) is not willing to enter treatment for a substance abuse problem;

(iii) has a chronic history of not following through with substance abuse treatment;
(iv) requests that his or her child with a substance abuse problem be placed outside the home and the PRFC(s) does not verbalize a sense of commitment and responsibility to the child; or

(v) has mental health issues or developmental delays that make treatment and cooperation impossible.

(5) Mental health.

(A) A referral is appropriate in a case where the PRFC(s) or child has a mental or emotional impairment that may be stabilized by appropriate medication or therapy, and the PRFC(s) is willing to comply with recommended treatment, such as:

(i) an impairment is present in the PRFC(s):

(I) but does not significantly impede the PRFC(s)' potential to make necessary changes; or

(II) and there is evidence that the child's needs are minimally met; or

(ii) a child has a serious mental illness but treatment is expected to stabilize the child within the family.

(B) A referral is not appropriate in a case where the PRFC(s) or child has a mental or emotional impairment when:

(i) it is determined that the PRFC(s) or the child with mental illness requires hospitalization;

(ii) the PRFC(s) is impaired to the extent that the PRFC(s) is unable to learn to provide minimal care for the child and no other family member or person is available to provide long-term support or care;

(iii) the PRFC(s) has a history of chronic mental illness with little treatment success; or

(iv) the sole purpose of the referral is to purchase a psychological evaluation of the PRFC(s).
(6) Physical illness or limitation.

(A) A referral is appropriate in a case involving physical illness or limitation of the PRFC(s) or child when the:

(i) child has a life-threatening illness and the PRFC(s) needs support to learn to provide the necessary health care to prevent out-of-home placement; or

(ii) the PRFC(s) has a severe physical illness or limitation that threatens his or her ability to meet minimal needs of the child but could provide such care if help were available.

(B) A referral is not appropriate in a case involving physical illness or limitation of the PRFC(s) or child when:

(i) the child has a life-threatening illness, the PRFC(s) does not have the intellectual capacity to learn to provide necessary health care, and no homemaker or public health nurse or family member is available to provide the care; or

(ii) there is no possibility that resources can be obtained to ensure safety and care of the child.

(7) Domestic violence.

(A) A referral is appropriate in a case involving domestic or intimate partner violence when:

(i) the person responsible for physical violence has left the home or is willing to participate in all services to address the issue;

(ii) the victim is willing to take action to protect himself or herself and ensure safety of the child; or

(iii) all parties to the violence acknowledge there is a problem and are willing to engage in services to address the problem.

(B) A referral is not appropriate in a case involving domestic or intimate partner violence when:
violence has been a long-term and chronic dynamic in the relationship with a repeated pattern of separation and reconciliation;

(ii) the parties deny that violence is an issue that is detrimental to them or the child; or

(iii) violence intervention services were provided in the past, but the violence continues.

(8) Voluntary services.

(A) A family who receives voluntary services commonly exhibits issues of parental neglect or a combination of environmental factors that, if unresolved, are likely to result in removal of the child. To determine priority for service, the OCS contract liaison may hold or decline a referral to CHBS, particularly when the family has failed to cooperate with CHBS services in the past.

(B) A CHBS referral is not appropriate in a voluntary case when risk to the child is moderate or may be controlled with the use of contingency funds or other community services.

(9) Reunification. Refer to OAC 340:75-6-31.

(A) A referral is appropriate in a case of reunification when:

(i) the child can safely return to the home if intensive in-home services are made available, and the PRFC(s) has made or will have made the changes that provide the safety and stability prescribed on Form 04KI012E, Individualized Service Plan (ISP); or

(ii) the family is highly motivated to work through numerous barriers to have the child returned and willing to work intensively with CHBS; and

(iii) the family is willing to collaborate in goal setting and treatment with the OCS contract case manager (CCM) to affect the rapid, safe return of the child; and

(iv) at least one PRFC is available to participate with the CCM.
(B) A referral is not appropriate in a case of reunification when:

(i) the permanency plan is something other than reunification;

(ii) no family member is willing to work with the CCM;

(iii) other, less intensive services are sufficient to enable the PRFC(s) to complete the requirements set forth on Form 04KI012E, Individualized Service Plan (ISP) and achieve family reunification; or

(iv) the referral is prompted by a need for a single focus service, such as a mentor, tutor, psychological evaluation, drug testing of a PRFC(s), or a similar service.

(10) Permanent placement.

(A) A referral is appropriate in a case involving a child in a permanent placement when:

(i) the permanent placement is at risk of disruption and the child has established ties to the family that afford the child a permanent connection;

(ii) the kinship or trial adoptive family or the child needs assistance in learning behavior management techniques; or

(iii) the kinship or trial adoptive family is willing to address the social behavioral issues that are creating conflict with supportive assistance from CHBS.

(B) A referral is not appropriate in a case involving a child in a permanent placement when:

(i) the resource family refuses to accept services;

(ii) the resource family is a therapeutic foster family;

(iii) the child has not bonded with the resource family, but no other placement is available; or

(iv) CW determines that the permanent placement no longer meets
the child's needs and the child will be moved.

(11) Adoption disruption.

(A) A referral is appropriate in a case involving a post adoption disruption when:

(i) the child is placed in substitute care and the goal is to reunify the child with the adoptive family;

(ii) the child presents emotional or behavioral problems that the adoptive parent(s) believes poses a risk of disruption;

(iii) the child is experiencing grief or loss issues that have not been addressed;

(iv) the adoptive family may benefit from enhanced parenting skills to deal with the child's special needs; or

(v) there are situational stressors to the family, such as death, divorce, or the addition of a new family member.

(B) A referral is not appropriate in a case involving a post adoption disruption when the:

(i) adoptive family does not want the child returned to the home;

(ii) adoptive family refuses to accept services; or

(iii) child has threatened family members with physical harm.

(c) CHBS reunification referrals.

(1) Timing of the referral is important. The referral is timed in order that the child in out-of-home care will be returned no later than midpoint in the CHBS service period to allow for safe reintegration.

(2) The CCM develops the plan for return in conjunction with the CW worker, including the tentative date of return and a schedule for overnight, unsupervised visitation prior to the actual return. Reintegration of siblings is strategically planned.
(3) If, at the court hearing, the child is not returned home as anticipated, and the permanency plan is reunification, the CHBS case may be put in suspended status for six months or closed and a new referral made when reunification is imminent.

(4) Reunification is selected as the focus of service if services are required when the court grants custody to a parent who was not previously the custodial parent, or an intact family requires safety services and a court case exists.

d) CHBS maintain kinship placement referrals. The child's CW worker consults with the resource specialist when foster parent behavior is the reason the placement is at risk. Prior to submitting Form 04MP019E, the child's CW worker determines whether another course of action is more appropriate to correct any issues with the foster parent's behavior. The resource specialist initials Form 04MP019E to signify to the OCS contract liaison that the specialist concurs with the referral decision.

e) Completion of Form 04MP019E. Required elements of Form 04MP019E are:

(1) identifying information for CHBS referrals. Referrals for CHBS require identifying information on the parent(s) or placement provider, as applicable, and oldest child participating in services. The CW worker prints a copy of the referral before submitting to the supervisor for approval to ensure that the address and other populated information is correct.

(2) reason for the CHBS referral. A request for CHBS must identify the specific reason for the referral, such as prevent the child's removal from the home, child's behavior, or environmental conditions.

(3) documentation that CHBS is the most appropriate type of service for the family. The CW worker documents the:

(A) specific conditions that put the child at risk of:

(i) out-of-home placement; or

(ii) potential disruption of the placement;

(B) reasons for the child's placement;
(C) areas of greatest risk;

(D) outcomes expected;

(E) tentative date, for reunification cases, that the child will be returned to the family or the date the child was returned. The CW worker selects a date prior to that of the referral to signify the child resides in the home. Reunification is selected as the focus of service when:

(i) the child will be or was returned home in OKDHS custody or supervision; or

(ii) services are required when the court grants custody to a parent who was not previously the custodial parent or for a court supervision case.

(4) Supporting documentation required for CHBS referrals. Current Forms 04KI006E, Family/Child Strengths and Needs Assessment, and Form 04KI012E, Individualized Service Plan (ISP), are attached to Form 04MP019E. For voluntary Family-Centered Services cases, Form 04MP025E, Voluntary Family Service Agreement, and Form 04MP020E, Safety Assessment, are attached.

2. (a) Referral for PAS. Form 04MP019E is accessed via KIDS Service Log. The referring CW worker selects the services needed as indicated on Form 04MP019E.

(b) Parent Aide Services (PAS) OCS liaison referral guidelines. A family who receives PAS commonly exhibits issues of parental neglect or a combination of environmental factors that are low to moderate risk. To determine the levels of service or intervention a family needs, the CW worker uses the Levels of Service protocol per OAC 340:75-4-12.1. The OCS contract liaison reviews the Levels of Service protocol and determines whether PAS will adequately meet the needs of the family. Referrals that may not be appropriate for PAS include:

(1) most court-involved cases;

(2) history of previous court involvement;

(3) previous termination of parental rights;
(4) children who reside in out-of-home placements;

(5) serious physical abuse;

(6) out-of-control teens or truancy issues;

(7) sexual abuse; and

(8) ongoing issues involving domestic violence or substance abuse in which treatment was not sought.

(c) Identifying information for PAS referrals. Referrals for PAS require identifying information on the parent(s) and oldest child participating in services.

(d) Reason for PAS referral. A request for PAS must identify the specific reason for the referral, such as prevent the child's removal for specific conditions of risk or, in the exceptional circumstance, that a referral is submitted from a court-involved case.

(e) Supporting documentation for PAS referrals. Voluntary Family-Centered Services cases require Forms 04MP025E and 04MP020E. For court-involved cases, Form 04KI006E, 04KI012E, or 04KI024E is required.

3. Supervisory responsibility for CHBS and PAS referrals. Referrals for CHBS and PAS are approved via KIDS by the CW supervisor after the CW supervisor ensures that each referral is complete, with supporting documentation per OAC 340:75-1-151 Instructions to Staff 1(e)(4), and appropriate for referral. OCS referrals are transmitted via KIDS to the contractor by means of the supervisor's approval.

4. Authorizations for CHBS and PAS. The OCS contract liaison authorizes or rejects CHBS and PAS referrals approved by the CW supervisor. An authorized referral is forwarded to the primary contractor for acceptance. A rejected referral is returned by the OCS contract liaison for additional information, suspended, or denied, with reasons cited. CW supervisors and OCS contract liaisons determine the priority of referrals based on greatest need.
340:75-1-152. Waiting list

Revised 5-11-06

When referred cases exceed service capacity, waiting lists are maintained by both the contractor and Oklahoma Children's Services (OCS) contract liaison. The contractor provides weekly updates to the OCS contract liaison on the status of the waiting list.

(1) The OCS contract liaison is responsible for prioritizing referrals for Comprehensive Home-Based Services (CHBS) and Parent Aide Services (PAS) when the contractor is at maximum service capacity and unable to accommodate the referrals received. ■ 1

(2) If determined necessary by the Child Welfare (CW) worker, CW supervisor, and OCS contract liaison, a CHBS or PAS case nearing completion may be terminated or suspended so that a contractor may accommodate a crisis referral. This is approved only when the family considered for termination or suspension of services has received adequate services to protect the safety of the child in the home.

INSTRUCTIONS TO STAFF 340:75-1-152

Issued 5-15-09

1. A referral of lower priority that has been on the waiting list for two months or longer based upon assignment of higher priority cases is subject to reassessment by the contract liaison. The contract liaison contacts the referring worker to ascertain the current level of risk in the home and whether or not the family continues to require CHBS.
340:75-1-152.5. Request for extended OCS services

Revised 5-15-09

Generally, contracted services are concluded before the standard service period expires at six months for Comprehensive Home-Based Services (CHBS) and Parent Aide Services (PAS).

(1) If the family is in crisis or new safety concerns arise as the case is terminating, an extension may be warranted.

(2) In open Permanency Planning cases, the request for extension is considered and discussed at CHBS case staffings as the final month of service approaches. If it is determined by the Child Welfare (CW) worker and contract case manager (CCM) that a service extension is warranted, and the decision is supported by the CW supervisor, a request for extension is made to the Oklahoma Children's Services (OCS) contract liaison.

(3) If an extension is warranted for voluntary cases, the OCS contract liaison and contract staff determine how much time is needed to accomplish the remaining goals.

INSTRUCTIONS TO STAFF 340:75-1-152.5

Revised 5-11-06

1. Extension requests.

   (1) Extension request for CHBS.

   (A) Request for extension. A request for extension of Comprehensive Home-Based Services (CHBS) is made in writing no later than 45 calendar days prior to the end of the service by the Child Welfare (CW) worker and must include:

      (i) case name and KK number;

      (ii) beginning and ending dates of services;

      (iii) specific services received by the family to date;

      (iv) purpose of the extension request;
(v) expected outcome for the extension that is not possible within the standard service period; and

(vi) number of months requested.

(B) Supervisor responsibility in approving extensions. The CW supervisor discusses the extension request with the contract supervisor to confirm the contractor's support for the extension. The CW supervisor then transmits the extension request to the Oklahoma Children's Services (OCS) contract liaison with the documented case information in (1)(A) of this Instruction and the contractor's recommendation. If the contractor's recommendation is for no extension, the CW supervisor cites the reason.

(C) CHBS extension authorizations. The OCS contract liaison is authorized to approve or deny extension requests unless a freeze is placed on extensions. Under a freeze, approval of Children and Family Services Division (CFSD) OCS programs staff is required.

(i) The OCS contract liaison informs the CW supervisor of the outcome of the extension request and forwards information regarding the approved extension to the primary contractor and CFSD OCS programs staff.

(ii) The CW worker or CW supervisor re-enters beginning and ending CHBS service dates on KIDS Service screen for all approved extension requests.

(2) Extension requests for voluntary PAS and CHBS.

(A) Approval of request. If family circumstances result in increased risk to a child during the final months of Parent Aide Services (PAS) or voluntary CHBS services, the contract supervisor may discuss the need for continuing services with the OCS contract liaison.

(i) With concurrence of the primary contractor, the OCS contract liaison may approve an extension request for CHBS, unless a freeze is in effect. If a CHBS extension freeze is in effect, the OCS contract liaison forwards the extension request to CFSD OCS programs staff.

(ii) For a PAS extension, the OCS contract liaison forwards the
extension request to CFSD PAS programs manager.

(B) Extension request outcomes. The OCS contract liaison notifies the primary contractor of the authorization or denial of extended PAS or CHBS.

(C) Updating PAS and voluntary CHBS service dates. The OCS contract liaison re-enters beginning and ending service dates on KIDS Service screen for authorized extensions of PAS and voluntary CHBS cases.
340:75-1-154. Special funding

Revised 5-11-06

Special funding is available for the purchase of concrete goods and services that are necessary for the family participating in Oklahoma Children's Services (OCS). Each contractor has special funds budgeted in the contract for utilization only when assistance from other community resources is not available or cannot be accessed in a timely manner to resolve family crisis situations.

INSTRUCTIONS TO STAFF 340:75-1-154

Revised 5-15-09

1. Special funding. Up to $500 is provided for families and children receiving Comprehensive Home-Based Services (CHBS) and $400 for Parent Aide Services (PAS). The contract case manager (CCM) or parent aide, in consultation with the contract supervisor, determines how to best utilize special funding to facilitate successful completion of the family’s goals.
340:75-1-155. Role of the OCS contract liaison

Revised 5-11-06

The Oklahoma Children's Services (OCS) contract liaison reports to the area director in the respective Oklahoma Department of Human Services (OKDHS) Field Operations Division area. The OCS contract liaison:

(1) works closely with the Child Welfare (CW) field liaisons to gatekeep all referrals to the OCS contractor;

(2) monitors OCS contractor case records;

(3) enhances coordination and communication between OKDHS county offices and OCS contract staff;

(4) provides oversight for the transfer of case responsibility of voluntary services to the OCS contractor; and

(5) ensures, through case monitoring, that families participating in voluntary cases receive the services they need to protect their children, including further action by CW, if actual or threatened harm to a child's safety or well-being occurs during the service period. The duties of the OCS contract liaison include:

(A) gatekeeping; ■ 1

(B) training of OKDHS staff and contract staff; ■ 2

(C) consultation for all voluntary services cases; ■ 3

(D) case monitoring and auditing of active OCS contracted cases; and ■ 4

(E) contract data maintenance and tracking. ■ 5

INSTRUCTIONS TO STAFF 340:75-1-155

Revised 5-15-09

1. Gatekeeping. The Oklahoma Children's Services (OCS) contract liaison screens and authorizes referrals to Comprehensive Home-Based Services (CHBS) and Parent Aide Services (PAS) to ensure that all referrals submitted to the OCS contractor are complete and appropriate.
(1) Deficiencies and concerns regarding completion and submission of referrals are addressed by the OCS contract liaison with the referring Child Welfare (CW) worker and CW supervisor.

(2) The OCS contract liaison regulates priority for service based on each family's circumstances and risks in a manner that is consistent throughout the area and conserves the area's resources for optimal utilization of contract services.

2. Training for OKDHS and contract staff. Training is provided individually, in groups, or through written communications to Oklahoma Department of Human Services (OKDHS) staff and contract staff on referral criteria and procedures, role expectations, and OCS policy and contract requirements. Training is specific to OCS issues.

3. Voluntary services cases consultation and staffing. Case consultation and staffing of voluntary cases are critical roles of the OCS contract liaison since no CW worker is assigned. Contract staff requests consultation or staffing with the OCS contract liaison as needed. The OCS contract liaison:

   (1) and contract administrators address any issue or concern resulting from case monitoring; and

   (2) provides problem resolution for conflicts that may develop between contract staff and OKDHS staff pertaining to any case or task related to OCS.

4. Case monitoring and auditing. Active OCS contracted cases are monitored and audited by the OCS contract liaisons while cases are active to improve practice and identify training needs of OKDHS and OCS contract staff. Findings are provided to area directors, CW field liaisons, and Children and Family Services Division programs staff as appropriate.

5. OCS contract liaison tracking. The OCS contract liaison maintains detailed tracking systems for OCS referrals, service quotas, and waiting lists for both the area and counties in the area. Information is communicated to OKDHS and contract staff as needed to ensure timely and appropriate services.
SUBCHAPTER 6. PERMANENCY PLANNING

PART 1. GENERAL PROVISIONS

Section
340:75-6-1. Purpose and philosophy
340:75-6-2. Legal base and authority [REVOKED]
340:75-6-3. Values and goals [REVOKED]
340:75-6-4. Definitions

PART 3. PROGRAM OVERVIEW [REVOKED]

340:75-6-10. Program responsibilities [REVOKED]
340:75-6-12. Provision of casework treatment services [REVOKED]
340:75-6-13. Relative placement [REVOKED]
340:75-6-14. Service delivery system [REVOKED]

PART 5. PERMANENCY PLANNING SERVICES

340:75-6-24. Scope of court involved permanency planning services [REVOKED]
340:75-6-24.1. Multidisciplinary teams in the permanency planning process [REVOKED]
340:75-6-25. Purpose of treatment planning [REVOKED]
340:75-6-26. Development of treatment needs [REVOKED]
340:75-6-27. Prioritization of treatment needs [REVOKED]
340:75-6-28. Client involvement in treatment planning [REVOKED]
340:75-6-29. Consequences [REVOKED]
340:75-6-30. Child's visitation with parents and siblings
340:75-6-31. Permanency planning for children in custody
340:75-6-31.1. Permanency Planning Review (PPR) System
340:75-6-31.2. Reunification services for Temporary Assistance for Needy Families (TANF) recipients
340:75-6-31.3. Court supervision of cases after reunification - Aftercare
340:75-6-31.4. Supported Permanency
340:75-6-31.5. Establishment of paternity

PART 7. CASE PLANS

340:75-6-40. Case plan
340:75-6-40.1. Placement Plan
340:75-6-40.2. Placement provider information
340:75-6-40.3. Family/Child Strengths and Needs Assessment
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340:75-6-40.5. Court reports
340:75-6-40.6. Case contacts
340:75-6-40.7. Family visitation screen
340:75-6-41. Treatment Plan Report, CWS-KIDS-10 [REVOKED]
340:75-6-42. Court reports (CWS-KIDS-11) [REVOKED]
340:75-6-43. Case planning for heinous and shocking cases or reasonable efforts not required
340:75-6-44. Case planning for incarcerated parents
340:75-6-45. Services to Child Welfare (CW) youth involved in the juvenile justice system

PART 8. ROLE OF THE CHILD WELFARE WORKER

340:75-6-47. Role of the Child Welfare worker
340:75-6-48. CW worker contacts with child, placement providers, parents, and service providers
340:75-6-48.1. Role of the child's attorney
340:75-6-48.2. Role of the child's court-appointed special advocate or guardian ad litem
340:75-6-48.3. Protocol for missing, abducted, or runaway children in OKDHS custody or supervision
340:75-6-49. Religious and cultural observation
340:75-6-50. Education
340:75-6-51. Travel outside the county or state [REVOKED]

PART 9. MATERNITY SERVICES [REVOKED]

340:75-6-54. Provision of services to expectant parents [REVOKED]
340:75-6-55. Counseling services [REVOKED]
340:75-6-56. Protection and confidentiality [REVOKED]
340:75-6-57. Medical services [REVOKED]
340:75-6-58. Living arrangements [REVOKED]
340:75-6-59. Termination of pregnancy [REVOKED]
340:75-6-60. Planning for the child [REVOKED]
340:75-6-61. Transfer of case record [REVOKED]
340:75-6-62. Coordination with Juvenile Services unit [REVOKED]
340:75-6-63. Coordination with Institutional Services [REVOKED]
340:75-6-64. Coordination with Family Support Services [REVOKED]
340:75-6-65. Use of community service providers [REVOKED]
340:75-6-66. Referrals to service providers [REVOKED]
340:75-6-67. Community Based Services [REVOKED]
340:75-6-68. Case evaluation and case closure [REVOKED]
340:75-6-69. Divorce Home Studies [REVOKED]

PART 11. PERMANENCY PLANNING AND PLACEMENT SERVICES

340:75-6-85. Placement responsibilities
340:75-6-85.2. Diligent search for relatives and kin
340:75-6-85.3. Child Welfare (CW) worker placement responsibilities for siblings
340:75-6-85.4. CW worker placement responsibilities for child with permanency plan of adoption
340:75-6-85.5. CW worker responsibilities for supervision only cases
340:75-6-85.6. Voluntary placement for a child born to a youth in custody
340:75-6-86. Changes in child's living arrangements
340:75-6-87. Placement of an Indian child [REVOKED]
340:75-6-88. Medical services to children in custody
340:75-6-89. Travel outside the county, state, or country
340:75-6-90. Community-based services [REVOKED]
340:75-6-91. Child care services for Child Welfare (CW) clients
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PART 13. INDEPENDENT LIVING

340:75-6-110. Independent Living program
340:75-6-111. Preparation for adult life/independent living initiative [REVOKED]
340:75-6-112. Administration [REVOKED]
340:75-6-113. Eligibility [REVOKED]
340:75-6-114. Requirements
340:75-6-115. Independent living support services
340:75-6-115.1. Community contracted services
340:75-6-115.2. Oklahoma Children's Services (OCS) [REVOKED]
340:75-6-115.3. Independent living contingency funds
340:75-6-115.4. Independent living incentive payments
340:75-6-115.5. Educational and scholarship assistance
340:75-6-115.6. Youth Advisory Board
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340:75-6-115.8. Special Independent Living (IL) funding
340:75-6-115.9. Voluntary placement after age 18
340:75-6-115.10. Independent living specialized community homes
340:75-6-116. Oklahoma Children's Services (OCS) [REVOKED]
340:75-6-117. Matrix of independent living services [REVOKED]
340:75-6-4. Definitions

Revised 5-15-09

The following words and terms when used in this Subchapter, shall have the following meaning unless the context clearly indicates otherwise:

"Alleged father" means a man who alleges himself to be, or is alleged to be, the genetic father or a possible genetic father of a child, but whose paternity has not been determined. The term does not include a presumed father. [10 O.S. § 7700-102]

"Alternate permanent plan" means a permanent living arrangement for a child in Oklahoma Department of Human Services (OKDHS) custody, other than reunification with the parent(s), and requires an assessment of the child's needs and a treatment and service plan that addresses the child's permanent plan, per OAC 340:75-6-31.

"Case plan" means the overall plan for the placement of the child and treatment needs of the child and the child's family, per OAC 340:75-6-40.

"Child Advocacy Center" means an entity that is an associate or full member in good standing of the National Children's Alliance.

"Close proximity" means placement of a child in OKDHS custody in the nearest geographical location to the child's own home that will meet the child's needs.

"Concurrent planning" means the provision of reunification services while simultaneously developing an alternative plan, in case reunification efforts fail or are no longer feasible.

"Family Team Meeting" means a structured, facilitated meeting among all possible family members and a case specific multidisciplinary team to collaboratively create plans that effectively address safety, permanency and well being; also referred to as family group decision making, family group conferencing, or team decision making.

"Independent Living program" means a program specifically designed to assist a child in the custody of OKDHS or an Indian tribe in developing and enhancing the skills and abilities necessary for successful adult living, per Part 13 of OAC 340:75-6.

"Initial Meeting" means a meeting between foster and birth parents, occurring within seven days of placement, for the purpose of holding a facilitated discussion regarding the needs of the child and to begin the process of creating a professional
relationship between foster and birth parents.

"Kinship care" means full-time care of a child by a kinship relation.

"Kinship guardian" means a judicially created relationship between a child and a kinship relation of the child.

"Kinship relation" means relatives, stepparents, or other adults who have a bond or tie with the child and to whom have been ascribed a family relationship role with the child's parent(s) and the child.

"Least restrictive" means the placement of a child in OKDHS custody in the most home-like situation that meets the child's needs, per OAC 340:75-6-85.

"Movement" means changing a child in OKDHS custody from one living arrangement to another.

"Multidisciplinary team" means any team of three or more persons involved in the provision of services, treatment, or both, to a child and the child's family and who meet to assess the progress on the treatment and service plan.

"Out-of-home placement" means a living arrangement for a child other than the home of the child's parent(s), legal guardian, or legal custodian from whose custody the court has removed the child.

"Presumed father" means a man who, by operation of law under Section 7700-204 of Title 10 of the Oklahoma Statutes, is recognized as the father of a child until that status is rebutted or confirmed in a judicial proceeding. A man is presumed the father of a child if:

(A) he and the mother of the child are married to each other and the child is born during the marriage;

(B) he and the mother of the child were married to each other and the child is born within three hundred (300) days after the marriage is terminated by death, annulment, declaration of invalidity, dissolution of marriage, or after decree of separation;

(C) before the birth of the child, he and the mother of the child married each other in apparent compliance with law, even if the attempted marriage is or could be declared invalid, and the child is born during the invalid marriage or within three hundred (300) days after its termination by death, annulment, declaration
of invalidity, a decree of separation, or dissolution of marriage;

(D) after the birth of the child, he and the mother of the child married each other in apparent compliance with law, whether the marriage is or could be declared invalid, and he voluntarily asserted his paternity of the child; and:

(i) the assertion is in a record with the Oklahoma State Department of Health, Division of Vital Records or OKDHS;

(ii) he agreed to be and is named as the child's father on the child's birth certificate; or

(iii) he promised in a record to support the child as his own; or

(E) for the first two years of the child's life, he resided in the same household with the child and openly held out the child as his own.

"Reasonable efforts" means the reasonable exercise of diligence and care, with regard to a child who is in out-of-home placement or who is at imminent risk of harm, to:

(A) refer to, arrange for, or develop reasonable supportive and rehabilitative services for the child's family that are required both to prevent unnecessary placement of the child outside of the home and to foster, whenever appropriate, the safe reunification of the child with the child's own family; or

(B) place a child who cannot return home into a permanent placement.

"Residual parental rights" means those rights and responsibilities that remain with a parent after a transfer of legal custody of the child to another, other than in connection with an action for termination of parental rights, a relinquishment of parental rights, a consent to termination of parental rights, or an adoption. Residual parental rights:

(A) include, but are not limited to, the:

(i) right of visitation with the child;

(ii) right to determine the child's religious faith;

(iii) right to consent to the child's adoption;

(iv) duty to support the child and pay for the child's medical care;
(v) right to consent to termination of parental rights; and

(vi) right to permanently relinquish parental rights; and

(B) do not include the right to consent to the marriage of any child who is in OKDHS custody.

"Reunification" means a permanent plan for the child that involves the return of the child to any person who retains parental or legal rights to the child after removal for child abuse, neglect, or both, regardless of the custody arrangement prior to the child entering out-of-home care, per OAC 340:75-6-31.

"Risk" means the conditions in the child's home that put the child in danger of abuse, neglect, or both.
340:75-6-31. Permanency planning for children in custody

Revised 5-15-09

(a) **Permanency planning.** Permanency planning begins immediately after a child is placed in Oklahoma Department of Human Services (OKDHS) custody and continues until the child is living in a permanent home and the Child Welfare (CW) case is closed. Once a child is removed from the custody of the child's parent(s), OKDHS immediately assesses the need for concurrent permanency planning so that permanency occurs at the earliest opportunity. Careful planning and consideration of the initial placement is given so that if reunification fails or is delayed, the placement made is the best available placement to provide permanency for the child. The first permanency hearing is held as required by Section 7003-5.6d of Title 10 of the Oklahoma Statutes, and in accordance with OAC 340:75-1-18.1.

(1) The permanency plan preferences are:

   (A) reunite the child with the child's family;

   (B) terminate parental rights and place the child for adoption;

   (C) establish guardianship; or

   (D) provide a planned alternative permanent placement.

(2) The purpose of permanency planning is to ensure the child has a plan that addresses the child's immediate and long-term needs for safety, well-being, and permanency.

(3) The CW worker informs the parent(s) of all of the alternatives from the outset to assist in choosing what is best for the child and parent(s).

(b) **Sources for determining the child's permanency plan.** Sources that assist the CW worker and supervisor in determining the best permanency plan for the child are:

   (1) Form 04KI008E, Treatment Plan, or Form 04KI014E, Individualized Service Plan (ISP) Progress Report, containing current documentation of the parent(s)' progress, correspondence, consultations, or conferences with service and placement providers and professionals who interact with the child and parent(s);
(2) KIDS Contacts and Visits screens, containing pertinent information gained from visits and CW worker contacts with the child, parent(s), placement provider, and service providers;

(3) statements by the parent(s) that indicate the parent(s)' perceptions of:

   (A) the child;

   (B) parenting the child; and

   (C) abuse and neglect issues that required corrections;

(4) statements by the child, obtained from the CW worker's monthly visitation with the child, placement provider, and service providers, regarding the parent(s)' and child's desire to reunite;

(5) staffing with the CW supervisor;

(6) recommendations by the post adjudication review board (PARB);

(7) conclusions or recommendations by a multidisciplinary staffing;

(8) consultation with Children and Family Services Division (CFSD) Adoption Section;

(9) the permanency planning review process, per OAC 340:75-6-31.1;

(10) coordination with tribal officials, for a child who falls under the Indian Child Welfare Act, to explore the tribe's interest and ability in providing for the child's permanency placement; and

(11) Form 04KI024E, Ongoing Safety Assessment, which reflects whether the level of risk has increased or decreased compared to the risk identified on Form 04KI023E, Safety Assessment, completed at the time of the investigation resulting in the child's removal.

(c) **Reunification.** In most situations, the initial permanency plan is to reunite the child with the family. These services are implemented until:

   (1) the child is returned home, the family home has stabilized, and the court case is dismissed; or
(2) it is determined the conditions that necessitated intervention have not been corrected even though sufficient time and services have been provided.

(d) **Exceptions to reunification as the initial permanency plan.** Situations that require an alternative permanency plan to reunification as the initial permanency plan include:

1. voluntary relinquishment of parental rights by all parents, natural, legal, presumed, and alleged;
2. a Petition for Termination of parental rights is filed; or
3. the court finds that reasonable efforts to reunite are not required, per OAC 340:75-1-18.4.

(e) **Reunification services.** Prior to reunification with a parent(s) who has contributed to the abuse, neglect, or both, of the child, a court order granting approval is required. In preparation for reunification and to provide to the court for consideration, the CW worker ensures the activities in (1) through (7) occur.

1. Visitation is increased in frequency and duration with reduced supervision as described in OAC 340:75-6-30.
2. The age appropriate child is made aware that the parent(s) has progressed in treatment to the point that reunification may occur, with the court's approval.
3. Any issues involving the child's apprehensions, indecisiveness, or reluctance to return home are managed through family consultation, counseling, or both.
4. Support services are utilized, including, but not limited to:
   
   A. temporary child care;
   
   B. community service providers;
   
   C. in-home services; and
   
   D. continued Temporary Assistance for Needy Families (TANF) eligibility, if applicable, per OAC 340:75-6-31.2.
(5) The CW worker informs the placement provider of the possibility of the child's reunification, provides information to the placement provider regarding the child, and includes the placement provider in permanency planning.

(6) The CW worker obtains supporting information from service providers about the degree of safety in the family home.

(7) The case is staffed with the CW supervisor and the requirements for the permanency planning review process are met, per OAC 340:75-6-31.1.

(f) **Criteria for reunification.** Indications for reunification are listed in (1) through (6).

   (1) The risk that necessitated the intervention is minimized, a plan is in place to address the child's safety, and the plan is documented on Form 04KI024E.

   (2) The parent(s) has complied with the treatment and service plan in such a manner that those conditions the court determines essential and fundamental to the child's health, safety, and welfare are met.

   (3) Visitation is successful and has increased in length and frequency.

   (4) The child has dealt with the feelings about the separation through counseling or some other effective means.

   (5) The child is prepared for the reunion and received support in handling his or her feelings about returning home and separating from the current placement.

   (6) The court gives prior approval of the return of the child to the parent(s)' home in accordance with OAC 340:75-6-31(e).

(g) **Reunification with the custodial parent.** When the child's parents do not live together, the priority for reunification relates primarily to the custodial parent; however, the noncustodial parent is assessed for the possibility of placement or custody, if appropriate, per OAC 340:75-1-13. Prior to dismissal of the court case, modification of a divorce decree or other custody order may be required if the noncustodial parent is granted placement or custody of the child during the deprived case and the plan is for custody with the noncustodial parent after dismissal.

(h) **Indicators to proceed with an alternate permanency plan.** The conditions in (1) through (8) may be indicators of the need to expedite an alternate permanency plan for the child.
(1) Completion of the treatment and service plan is irregular or sporadic, and has not eliminated the risk to the child's safety in the home, which may indicate a lack of interest in or commitment to reunification.

(2) Family visitation indicates the parent(s):

   (A) lacks a close and positive relationship with the child;
   
   (B) visits irregularly;
   
   (C) frequently misses scheduled visits; or
   
   (D) arrives late and leaves early.

(3) Indications of maltreatment during unsupervised visitations are reported. Examples of maltreatment include, but are not limited to, referrals regarding the reoccurrence of abuse or failure of the parent(s) to comply with any recommended treatment for the child.

(4) The child was returned to the home and removed again for safety reasons.

(5) The parent(s) receives negative reports from service providers or other entities, such as permanency planning review members, PARB members, and court-appointed special advocate (CASA).

(6) The length of time reunification has been the permanency plan.

(7) The finding of the permanency hearing.

(8) A judicial finding that reasonable efforts to reunite are not required.

(i) **Adoption.** When a child cannot return safely to his or her own home, adoption is the preferred permanency plan in most cases. Consultation about adoptive placement for the child is initiated with the adoption specialist to discuss permanency planning options when reunification appears no longer feasible. This consultation is held regardless whether termination of parental rights has been recommended to the court.

(j) **Legal guardianship or permanent custodian.** A guardianship or permanent care and custody transferred to another person or kinship guardian may be the permanency plan for a child, per OAC 340:75-1-18.2 and 340:75-1-18.3, when a child is placed with a person who is reluctant to adopt due to extenuating circumstances.
(1) Guardianship or a permanent custodian is not preferred over adoption because this option does not provide the same level of family permanency.

(2) Subject to the availability of funds, financial assistance is available to the legal guardian or legal custodian, provided the eligibility requirements are met, per OAC 340:75-6-31.4.

(k) Planned alternative permanent placement. A plan for planned alternative permanent placement may be appropriate for a child when OKDHS documents a compelling reason for the court to determine that to return home, be placed for adoption, or guardianship is not in the child's best interests. Long-term out of home care is only an option when:

(1) all other permanency plans have been explored and are not feasible or in the child's best interests; or

(2) the child chooses not to be adopted after adoption has been thoroughly explored, explained, and the opportunities demonstrated.

(l) Emancipation. The federal definition of emancipation is the age at which the child reaches majority. In Oklahoma this age is 18.

INSTRUCTIONS TO STAFF 340:75-6-31

Revised 5-15-09

1. Permanency plan selections.

(1) Concurrent planning. Concurrent planning provides for reunification services while simultaneously developing an alternative plan, if reunification efforts fail or are no longer feasible. Concurrent planning is required in cases where current or historical familial circumstances indicate a poor prognosis for reunification. The Child Welfare (CW) worker completes Form 04MP040E, Concurrent Planning Determination Tool, within 30 days of the child's removal to establish whether concurrent planning is appropriate.

(A) When concurrent planning is appropriate, the CW worker:

(i) initiates activities to select the most appropriate concurrent plan. Within 30 days of determination that concurrent planning is appropriate, meets with all possible family members and the child,
as appropriate, to discuss concurrent planning and gain the family’s input on the most appropriate plan for the child;

(ii) selects either adoption or guardianship as a concurrent plan, consistent with the best interests of the child;

(iii) develops activities and establishes time frames in order to make progress towards achievement of the concurrent plan. Examples of concurrent planning activities include, but are not limited to:

(I) diligent search for absent parents and relatives immediately and in an ongoing manner;

(II) early identification of a resource family who is willing to be a permanent placement if reunification fails;

(III) ongoing efforts to place siblings together; and

(IV) addressing any identified barriers to achievement of the concurrent plan;

(iv) documents concurrent planning activities on Form 04MP040E, Concurrent Planning Determination Tool, and files in the case within 60 days of determination that concurrent planning is appropriate.

(B) When concurrent planning is not initially appropriate, the CW worker and supervisor review the poor prognosis indicators per Form 04MP040E, a minimum of every 90 days or whenever family circumstances may dictate the need to initiate a concurrent plan.

(2) Selecting the appropriate permanency plan. To establish an appropriate plan, a plan is selected on Form 04KI008E, Treatment Plan, or 04KI012E, Individualized Service Plan (ISP), and Form 04KI014E, Individualized Service Plan (ISP) Progress Report, as applicable, that best serves the child’s interests and long-term needs, including safety, well-being, and permanence. The CW worker reassesses the appropriateness of this plan at each update of Form 04KI008E or Form 04KI014E. Permanency planning is directed toward one of the permanency plans listed in (A) through (G).

(A) Maintain in own home. The child’s own home is determined by CW to be the appropriate, safe, and permanent living situation.
(i) The child is in the home of the parent(s) and the short-term risk of abuse or neglect is under control.

(ii) The family is working with CW to reduce the long-term risk of abuse or neglect.

(B) Return to own home. The child's own home is determined by CW as the appropriate, safe, and permanent living situation.

(i) The child was removed from the home for protection from abuse or neglect. CW is providing services to the family to reduce the risk of abuse or neglect enough for the child to return home and live there safely.

(ii) The family, with CW assistance, is willing and able to reduce the risk of abuse or neglect enough for the child to return home, per OAC 340:75-6-31(c).

(C) Guardianship. The home of a relative, kin, or another person is determined by CW as the appropriate, safe, and permanent living situation.

(i) The child was removed from the home for protection from abuse or neglect and the child's parent(s) is unwilling or unable to reduce the risk of abuse or neglect for the child to safely return home.

(ii) The relative, kin, or another person is willing and able to protect the child, assume responsibility for the child's care and upbringing, and assume guardianship of the child. Permanent placement is usually preceded by temporary placement with the relative, kin, or another person.

(D) Adoption. An adoptive family is determined by CW as the appropriate, safe, and permanent living situation.

(i) The child was removed from the home for protection from abuse or neglect and the child's parent(s) is unwilling or unable to reduce the risk of abuse or neglect so the child can safely return home.

(ii) One of the conditions in (I) through (V) has or will occur in the near future.
(I) A request is made that the court find that efforts to reunite the child have been made and failed.

(II) A request is submitted to the district attorney recommending a petition be filed to terminate parental rights.

(III) A motion(s) to terminate is pending.

(IV) The parent(s) has relinquished parental rights.

(V) Parental rights are terminated.

(E) Adoption preparation. An adoptive family is determined by CW as the appropriate, safe, and permanent living situation, and other factors must be addressed. The child's CW worker immediately changes the plan to adoption when the factors preventing adoption are resolved through progressive casework.

(i) Prior to adoption, other factors must be addressed, including, but not limited to:

   (I) any unresolved psychological issues the child has; and

   (II) an older child's reluctance to consent to adoption.

(ii) The plan for adoption is strictly related to the behavior of the child and the child's readiness to be in a permanent family setting.

(F) Planned alternative permanent placement. Continued placement in out-of-home care is determined by CW as the appropriate, safe, and permanent living situation. This plan is only an option when all other permanent placement options are explored and determined as not feasible or not in the child's best interests.

(G) Emancipation. Emancipation is used when the child reaches the age of majority. In Oklahoma, certain rights of majority may be given to a child in certain circumstances, but this is not the purpose of this plan.
2. Guide for determining feasibility of reunification. The questions in this Instruction are used as a guide in assessing the potential for successful reunification and as a checklist for determining inhibitors to reunification.

(1) Has the parent(s) demonstrated learning and behavioral change related to the abuse or neglect that caused the intervention?

(2) Does the parent(s) have the ability and interest to provide a safe home for the child?

(3) If the abuse or neglect that precipitated intervention was severe, brutal, or cruel, has the perpetrator made sufficient progress in completing the plan established to address the reason(s) the child came into care, is the perpetrator no longer present in the home, or is the non-offending parent able to protect the child?

(4) If the child has special needs, does the parent(s) have the ability and interest to meet these needs and access community resources, when necessary?

(5) Are there regular visits between the child and the CW worker in which the child’s feelings about the child's family and placement are discussed?

(6) Has the child resolved personal issues regarding the abuse or neglect and separation?

(7) Has the perpetrator assumed responsibility for the abuse?

(8) Is the child aware of the parent(s)' progress on the treatment and service plan?

(9) Are there community services, schools, child care centers, neighbors, or relatives who have the knowledge and willingness to report if the situation warrants?

(10) Does the parent(s) keep medical appointments and have an interest in the child's school functioning?

(11) Has parent-child visitation increased in length and frequency in order for the child and CW worker to observe changes in the parent(s)?
(12) Is there healthy, age appropriate communication between the parent(s) and the child?

(13) Do the levels of risk identified on Form 04KI024E, Ongoing Safety Assessment, reflect a decrease compared to the levels of risk identified at removal?

3. (a) Protocol when a child wants to return home but risk continues. In some cases the child expresses a strong desire to return home, but the parent(s) has not sufficiently reduced the risk to the child to allow the child to be returned to the home. In these circumstances the CW worker:

(1) informs the parent(s) of the child's desire to return home;

(2) explains to the parent(s) the consequences of failure to eliminate the risk and complete the treatment and service plan and the child's need for a permanent home;

(3) examines the treatment and service plan and encourages the parent(s)' input to ensure the parent(s)' understanding. If changes to the plan are required, refer to OAC 340:75-6-40.4;

(4) assesses whether the services are available, realistic, and necessary; and

(5) arranges a consultation with the parent(s), child, if appropriate, CW worker, and key service providers to eliminate confusion or uncertainty for the parent(s).

(b) Protocol when a child is reluctant to return home. When the parent(s) has corrected the conditions leading to CW intervention but the child is reluctant to return home, the parent(s) is informed of the child's preference and is involved in the resolution, whether through family counseling, consultation with the CW worker, or a gradual reunification process. This requires involvement of the placement provider, child's counselor, or other service provider to explore the possibility of:

(1) abuse or neglect that has not been disclosed or discovered;

(2) family violence, substance abuse, or conflicts that have not been resolved;
(3) fears about the parent(s)’ treatment of the child;

(4) belief that the parent(s), stepparent, or other adults and children in the home feel negatively toward the child;

(5) fear or disapproval of the stepparent or other adults and children involved or living with the parent(s);

(6) concerns that conditions in the home, such as reliable meals, cleanliness, housekeeping conditions, appropriate clothing, and similar necessities, are not available; and

(7) preferential treatment by the parent(s) of other children or persons who are involved with the parent(s).

(c) Trial reunification - OKDHS custody. When requesting the court’s approval for reunification with a parent(s) on Form 04KI009E, Court Report, or Form 04KI014E, the CW worker recommends that the child remain in the custody of Oklahoma Department of Human Services (OKDHS) for six months, to continue the child’s Title IV-E eligibility. If the court authorizes trial reunification and the child remains in OKDHS custody, the CW worker:

(1) end dates the current placement episode with the exit reason of Trial Reunification (TR); and

(2) enters a TR placement episode in KIDS. The case turns blue in the CW worker's workload prior to the expiration of the TR episode and remains blue until action is taken to either extend or end date the Trial Reunification episode. If no action is taken, the TR episode and the removal are automatically end dated by KIDS two weeks after the end date of the TR.

(d) Reunification - OKDHS supervision. If the court returns custody to the parent(s) under the supervision of OKDHS, the CW worker end dates the current KIDS placement episode with the exit reason of Reunification. The removal episode automatically end dates.

(e) Protocol when a child must be removed from the home while in trial reunification status.

(1) When removal of a child is necessary due to abuse, neglect, or both, the CW worker completes a referral and investigation, per OAC 340:75-3.
(A) When the child is in OKDHS custody, the CW worker completes for the court, prior to or within one working day after the removal of the child, Form 04PP002E, Request for Termination of Trial Reunification, with the reasons trial reunification must be terminated.

   (i) The CW worker requests an ex parte order authorizing OKDHS to terminate the trial reunification and offers to the court Form 04PP003E, Order Terminating Trial Reunification. Form 04PP003E is utilized at the court’s discretion.

   (ii) The court's authorization is required for continued eligibility for Title IV-E funding. The CW worker provides to the custody specialist within five calendar days of the child's removal a copy of the Order Terminating Trial Reunification.

(B) When the child is not in OKDHS custody or the trial reunification went beyond the six months without a court order that contained the required language extending the trial reunification, the CW worker completes Form 04PP002E with the reasons the child must be removed from the home.

   (i) The CW worker presents Form 04PP002E to the district attorney (DA) who prepares an application for an emergency custody order.

   (ii) The DA obtains an emergency custody order with judicial findings of "contrary to the welfare" and "reasonable efforts to prevent removal."

   (2) Title IV-E redetermination. After the child is removed from the home, Title IV-E eligibility is redetermined, per OAC 340:75-13-15.

(f) Addressing concerns identified during trial reunification. Prior to the end of the first six months, if the reunification process appears marginal but may improve with additional or continued services, the CW worker:

   (1) requests a court order authorizing trial reunification for a specified period of time and the continuance of the child in OKDHS custody; and

   (2) depending on the court order:
(A) updates the KIDS Trial Reunification placement episode with the new projected reunification date, when the court order authorizes trial reunification for a specified period of time and that the child remain in OKDHS custody; or

(B) end dates the KIDS placement episode with the exit reason of Reunification, when the court order returns legal custody to the parent(s) or the court order does not contain the required language.

(g) Protocol when trial reunification - OKDHS custody is successful. If, at the end of the first six months, the reunification process appears successful, the CW worker asks the court to return legal custody to the parent(s) and relieve OKDHS of legal custody and supervision. The CW worker:

1. when OKDHS is relieved of legal custody, supervision, or both, end dates the KIDS Trial Reunification episode with the exit reason of Reunification and closes the CW case. The removal episode automatically end dates; or

2. when the court orders OKDHS to continue custody, supervision, or both, follows the contact requirements outlined in OAC 340:75-6-48.
340:75-6-31.1. Permanency Planning Review (PPR) System

Revised 12-7-04

The permanency planning review (PPR) system is designed to assist staff in case planning directed at achieving permanency for a child in the shortest time possible. Often a child remains in care too long or in placements that cannot provide a permanent home. Essential elements of the case may be lost as cases are transferred between workers, counties, and when a child is in ICPC placements out-of-state. This often results in delays in achieving a permanent placement. The PPR process is initiated for each child in the custody or supervision of DHS and placed outside of the parent(s)', legal guardian(s)', or custodian(s)' home. This includes ICPC placements out-of-state. The process begins 60 days after the child has been removed from the home or within 30 days after a court determination that reasonable efforts are not required and again every six months as long as the child remains outside of the parent(s)', legal guardian(s)', or custodian(s)' home. ■ 1 through 7

INSTRUCTIONS TO STAFF 340:75-6-31.1

Revised 5-15-09

1. (a) PPR responsibility. The county with court jurisdiction is responsible for conducting the permanency planning review (PPR). The Child Welfare (CW) county of jurisdiction worker:

(1) contacts the appropriate persons to participate as members of the multidisciplinary team for each case, per OAC 340:75-6-31.1 Instructions to Staff 1(c)(1);

(2) when services are provided to the child and family by more than one county, obtains input from each county involved;

(3) informs any multidisciplinary team member, who is unable to attend the PPR, that any written or verbal input provided to the CW worker at least 24 hours prior to the PPR is presented at the PPR; and

(4) documents the results of each PPR in KIDS Contacts screen no later than 30 days after completion of each PPR. The detailed summary of PPR results, at a minimum, includes:

(A) a listing of all attendees;
(B) discussions regarding any identified barriers to permanency; and

(C) any action steps identified during the review.

(b) Preliminary PPR. The preliminary PPR is held prior to initial multidisciplinary PPR. This review is completed by the CW county of jurisdiction worker and supervisor in conjunction with input from the assigned Child Protective Services (CPS) worker no later than 60 calendar days from the date of the child’s removal or within 30 days after a court determination that reasonable efforts are not required. This review determines the appropriateness of the case plan and assesses the concurrent permanency planning process. The CW worker:

(1) utilizes Form 04K1016E, Preliminary Permanency Planning Review, to document the results of the preliminary staffing; and

(2) files original Form 04K1016E in the case and sends a copy to the CW field liaison (CWFL), child’s attorney, and, if applicable, any other county with case assignment.

c) Initial PPR. The initial PPR is completed when the child is in OKDHS custody and out-of-home care six months. The CW worker begins counting the six months from the earlier of the child’s date of adjudication or 60 days after the child's date of removal from the home.

(1) A case specific multidisciplinary team is utilized in the review and may include the child, if appropriate, and:

(A) the child's:

(i) CW worker and supervisor;

(ii) adoption specialist;

(iii) foster or adoptive parent;

(iv) guardian ad litem;

(v) attorney; and

(vi) birth parent(s);
(B) service providers;

(C) Developmental Disabilities Services Division (DDSD) staff;

(D) SoonerStart staff;

(E) court-appointed special advocate (CASA);

(F) post adjudication review board (PARB) member; and

(G) district attorney. The multidisciplinary team established in the county that intervenes in reports involving sexual abuse or physical abuse and neglect, per OAC 340:75-3-8.4, is not intended for the review of the CW case and the permanency planning process.

(2) Prior to case discussion, the PPR facilitator:

(A) explains the confidential nature of the review;

(B) requests all multidisciplinary team members sign Form 04PP001E, Permanency Planning Review Confidentiality Statement, acknowledging such; and

(C) utilizes Form 04KI017E, Permanency Planning Review, as a reference source for discussion by the multidisciplinary team. The team:

(i) identifies barriers to permanent placement;

(ii) proposes and implements solutions to those barriers; and

(iii) completes the review utilizing Form 04KI018E, Permanency Planning Review Documentation.

(d) Ongoing PPR. Subsequent reviews are completed every six months until the child exits out-of-home care utilizing PPR Forms: 04KI017E, 04KI018E, and 04PP001E. If Form 04AN022E, Child Profile Assessment for Adoption, has been completed for the child, this form may substitute for Form 04KI017E.

2. Reporting PPR to the court. The CW worker attaches Form 04KI018E or includes a summary of the PPR on Form 04KI009E, Court Report, or Form
04KI014E, Individualized Service Plan (ISP) Progress Report, for the next court hearing following the PPR.

3. Permanency report. Prior to a permanency hearing, a report is required by statute, per OAC 340:75-1-18.1. Gathering of the information is combined with the PPR held every six months.

4. Criteria staffing and PPR. When the kin, paid or non-paid, or foster parent(s) of the child has requested to adopt the child, a local adoptive placement criteria staffing is required.

   (1) This staffing may occur concurrently with the PPR if the PPR is scheduled to be held within 30 days of the kin or foster parent’s request. The attendance of the adoption specialist is mandatory.

   (2) Forms 04KI018E and 04AN020E, Adoptive Placement Criteria Staffing, are completed by the CW county of jurisdiction worker. Upon completion of the PPR, the CW worker ensures that a copy of 04AN020E is provided to the adoption specialist in attendance for processing.

5. Family Team Meetings and PPR. Family Team Meetings provide opportunity for family members to have specific input into case processes such as safety and service plans, placement planning, and maintaining a child's connection to kin, culture, and supportive adults. The CW worker may conduct Family Team Meetings concurrently with the PPR, provided PPR procedures are followed per 1 – 3 of this Instruction.

6. PPR during Trial Reunification. PPR is not required for children placed in trial reunification, with the exception of cases where the court has ordered extension of trial reunification beyond six months. The CW worker follows procedure for an Ongoing PPR. During the PPR, the team:

   (1) identifies all issues and concerns which have necessitated an extension of Trial Reunification;

   (2) proposes a plan for addressing these issues, to include but are not limited to:

      (A) recommendations for services;

      (B) initiation or modification of safety plans; and
(C) other strategies to meet identified family needs as applicable and appropriate.
340:75-6-40.4. Treatment Plan and Individualized Service Plan

Revised 6-1-07

(a) **Family plan.** The Child Welfare (CW) worker and family develop the initial treatment and service plan, Form O4KI012E, Individualized Service Plan (ISP), after the strengths and needs assessment is completed and prior to the dispositional hearing. Participation or input from the parent(s), legal guardian, placement provider, child, if appropriate, child's attorney, and guardian ad litem, if applicable, are also utilized in the development of the plan. An age appropriate child, regardless of legal status, participates, if feasible.

1. The plan:

   (1) is initiated as soon as a family is willing to begin the process. A plan is developed prior to the dispositional hearing or no later than 60 days from the child's removal or the filing of the petition regardless of the status of the case in court in order that services to correct conditions that created the risk to the child may begin. The plan is filed with the court prior to the dispositional hearing or no later than 30 days after adjudication if the dispositional hearing has not been held;

   (2) addresses the conditions the parent(s), legal guardian, legal custodian, stepparent, or other adult person living in the home must change in order to alleviate the risks to the child and the conditions of deprivation set out in the petition;

   (3) is individualized and specific to each child and parent with specified time frames;

   (4) contains all of the risk related needs and safety issues in order to prevent the return of the child to an unsafe home. The allegations in the deprived petition are the risk factors that must be addressed.

   (A) Risk factors that relate to those identified in the petition may also be included in the plan, for example, neglect is alleged in the petition but the basis for the neglect is substance abuse.

   (B) The parent's improvement on identified non-risk related needs is not used as a basis for recommending reunification unless the parent has made significant progress on the risk related needs;

   (5) is recommended to the court by the CW worker at the first dispositional hearing on Form O4KI013E, Individualized Service Plan (ISP) Dispositional Report. Prior to the dispositional hearing, the plan is initiated with the parent(s) on a voluntary basis;
(6) is revised after the first dispositional hearing to conform to the court’s order;

(7) is updated by utilizing Form 04KI008E, Treatment Plan, or Form 04KI014E, Individualized Service Plan (ISP) Progress Report, when Form 04KI012E is used to develop the initial plan, to document the parent(s)’ progress toward completion every six months or prior to every review and dispositional hearing, whichever is earlier, and submitted to the court three days prior to the hearing;

(8) when Form 04KI008E is used and submitted for review hearings, is signed by the parent(s), age appropriate child, CW worker, and CW supervisor and a copy is provided to the designated persons; □ 1 & 2

(9) in accordance with Section 7003-5.3 of Title 10 of the Oklahoma Statutes (10 O.S. § 7003-5.3), includes this statement: TO THE PARENT: THIS IS A VERY IMPORTANT DOCUMENT. ITS PURPOSE IS TO HELP YOU PROVIDE YOUR CHILD WITH A SAFE HOME WITHIN THE REASONABLE PERIOD SPECIFIED IN THE PLAN. IF YOU ARE UNWILLING OR UNABLE TO PROVIDE YOUR CHILD WITH A SAFE HOME, YOUR PARENTAL AND CUSTODIAL DUTIES AND RIGHTS MAY BE RESTRICTED OR TERMINATED OR YOUR CHILD MAY NOT BE RETURNED TO YOU;

(10) is written by the CW worker in simple and clear language that is understood by the parent(s) or the persons for whom the plan is intended. If the person does not read or understand English, the plan must be translated to the person's principal language, per 10 O.S. § 7003-5.3;

(11) is provided to the child's attorney, guardian ad litem, placement provider, and parent(s) after it is approved by the court;

(12) includes the permanency plan for the child and an explanation for this plan; □ 4

(13) specifically provides for the safety of the child, in accordance with state and federal law, and clearly defines what actions or precautions are necessary to provide for the safety and protection of the child;

(14) includes a description of any visitation rights and addresses the parent(s)' obligation to assist in the financial support of the child.

(A) The amount of financial support is based on the child support guidelines, per 43 O.S. § 118 and 119, that the court must follow when entering a child support order in a deprived court action.
(B) The child support order is filed as a separate document from the plan and a child support computation form is attached, per 10 O.S. § 7003-8.8; and 5

(15) includes documentation, when applicable, that the parent(s) is unwilling to participate in the development or implementation of the plan.

(b) Child only plan.

(1) When the CW worker determines that return to own home is no longer the permanency plan, the court determines that reasonable efforts have been made and failed or are not required, or a Petition for Termination is filed or rights of the parent(s) are terminated, the CW worker develops a plan that addresses the permanency plan for the child. Participation or input from the placement provider, child, if age appropriate, child's attorney, and guardian ad litem, if applicable, are utilized in the development of this plan. If the child, age 12 years or younger, is unable to sign, the placement provider signs for the child.

(2) When the permanency plan for the child is adoption or other permanent placement, information is provided in the plan regarding child-specific recruitment efforts such as the use of state, regional, and national adoption exchanges, including electronic exchange systems to facilitate timely and orderly in-state and interstate placements. The plan documents the steps the Oklahoma Department of Human Services (OKDHS) takes to:

(A) find an adoptive family or other permanent living arrangement for the child;

(B) place the child with an adoptive family, a fit and willing kinship relation, legal guardian, kinship guardian, or in another planned permanent living arrangement; and

(C) finalize the adoption, guardianship, kinship guardianship, or other permanent placement.

(c) Independent living plan. Federal law requires the initiation of an individualized independent living (IL) plan with every child in the custody of OKDHS and out-of-home placement upon reaching the age of 16 years, per Part 13 of OAC 340:75-6.

(d) Revisions to the plan. A court-ordered plan or portion of a plan may not be changed except by further order of the court. All changes to the plan are developed with the family and child, as appropriate, and recommended to the court at the next hearing. The placement provider is informed of any change that impacts the child's care. Changes are made when one of the circumstances in (1) through (4) exists.
(1) **Abuse or neglect allegations.** When new allegations of abuse or neglect are confirmed and result in an amended or new petition, a request is made to the district attorney for an accelerated hearing to consider the revisions.

(2) **Underlying causes.** Discovery is made of additional underlying causes, such as substance abuse, that require treatment.

(3) **New adult in the household.** An additional adult, such as the mother's new husband, becomes a part of the family home.

(4) **Court-ordered standards.** When the court orders modification of the plan, the plan is revised to include the new standards ordered by the court. The parent(s) is informed of the additions and provided a copy of the new plan.

(e) **More than one plan for the child and family.** There are some circumstances in which more than one plan is necessary. For example, if the child's parents are living separately with separate families and both are involved with the child in OKDHS custody either as the custodial parent with whom reunification is the permanency plan, or the noncustodial parent who has visitation through the divorce court, a plan for each family is appropriate.

(f) **Child in custody who is a parent.** A plan is developed with a child in OKDHS custody who is the parent of a child in OKDHS care, regardless whether the younger child is in OKDHS custody. Services are identified and provided to assist the child in OKDHS custody in parenting his or her child, per OAC 340:75-6-85.6.

(g) **Substance abuse treatment.** 10 O.S. § 7003-5.3 specifies that when a child who at birth tested positive for alcohol or a controlled dangerous substance and was determined at risk for future exposure to these substances, was removed from the home, the plan, subject to court approval, may require:

(1) the mother of such child to complete a treatment program approved by the Alcohol and Drug Abuse Prevention, Training, Treatment and Rehabilitation Authority prior to the child's return home;

(2) the father, legal guardian, legal custodian, stepparent of the child, or other adult person living in the home, who is an alcohol or drug-dependent person, as defined by 43A O.S. § 3-403, and whose conduct contributed to the child's or mother's dependency on alcohol or drugs or to the conditions that caused the deprived adjudication of the child, complete a treatment program approved by the Alcohol and Drug Abuse Prevention, Training, Treatment and Rehabilitation Authority prior to the child's return to the safe home; or
(3) monthly testing for substance abuse of the mother, father, legal guardian, legal custodian, stepparent, or other adult person living in the home, for a 12-month period after completing the substance abuse program and the child's return home. A positive test must be presented to OKDHS and the district attorney. Testing ordered by the court is admissible only for the purpose of juvenile and custody proceedings.

INSTRUCTIONS TO STAFF 340:75-6-40.4

Revised 5-15-09

1. Forms 04KI008E and 04KI012E. The information that is included in either Form 04KI008E, Treatment Plan, or Form 04KI012E, Individualized Service Plan (ISP), is outlined in the forms instructions prepared for each form. These instructions are located on the Oklahoma Department of Human Services (OKDHS) InfoNet under Forms.

2. Age appropriate child. An age appropriate child is age ten or older with the exception of a child with severe developmental disabilities or a child younger than age ten who is intellectually capable of understanding and communicating ideas and opinions concerning the development and completion of the plan.

3. Estimated completion dates. Every plan has an overall estimated completion date. For a family plan, the estimated completion date is not changed when adequate time is given to the parent(s) and the parent(s) fails to complete the plan. The parent(s) is:

   (1) informed that services have time constraints due to statutory requirements and of the psychological and emotional harm that may occur to the child in out-of-home placement; and

   (2) advised that the child, if age appropriate, is made aware of the parent(s)' progress on the plan.

4. Permanency plan. OKDHS recommends the permanency plan and, if applicable, the concurrent permanency plan. OKDHS recommends the permanency plan in order for the court to make a judicial finding regarding "reasonable efforts."
(1) The recommendation for the permanency plan and recommendation for the judicial finding must be consistent.

(A) When OKDHS recommends the court modify the judicial finding, the recommended modification and a concise explanation supporting the reason for the modification is provided in the Recommendations section of Form 04KI009E, Court Report, and Form 04KI014E, Individualized Service Plan (ISP) Progress Report, as applicable.

(B) The permanency plan is updated to be consistent with the modified recommendation to the court. An example of inconsistency between the judicial finding and the permanency plan is when the Child Welfare (CW) worker requests the court enter a finding that reasonable efforts have failed but the permanency plan is Return to Own Home.

(2) The CW worker's recommendation regarding the permanency plan is based on the child's best interests, not on the expected response or receptivity of the court.

5. Child support. When the court has not addressed child support, the CW worker recommends child support be court-ordered, per OAC 340:75-13-26. When child support is court-ordered and the parent fails to comply, the CW worker recommends the court address this matter with the parent.
340:75-6-48. CW worker contacts with child, placement providers, parents, and service providers

Revised 5-15-09

(a) Child and placement provider. The purposes of a Child Welfare (CW) worker's contacts include, but are not limited to, maintaining the child's connections to his or her family, allowing the worker to evaluate the interactions, conditions, and services the child is receiving, particularly those in the home or in placement, and establishing and maintaining a teamwork relationship. 1 CW worker contacts with the child in Oklahoma Department of Human Services (OKDHS) custody and the placement provider are provided in (1) through (7).

(1) Foster family care and therapeutic foster care.

(A) The CW worker in the county of placement has face-to-face contact with the child in the foster home within the first two weeks of each placement and a minimum of once every calendar month thereafter, with no more than 31 days between contacts. After initial contact, the CW worker must have contact with the child in the foster home no less than two times per quarter. The CW worker may complete one face-to-face contact per quarter in a location other than the foster home. Once the CW worker makes contact in an alternative location, the next two monthly contacts, at a minimum, must take place in the foster home. This applies to a child placed in:

   (i) paid or non-paid kinship placement;

   (ii) regular foster care;

   (iii) contract foster care; and

   (iv) therapeutic foster care.

(B) When the child is placed in a county other than the county of jurisdiction, the county of jurisdiction worker contacts monthly, either by phone, electronic mail, or in person, the CW worker in the county of placement to discuss and determine responsibility for any pertinent actions that either require follow-up or initiation in order to achieve the permanency plan for the child.

(C) Contacts increase in times of change and stress.

(D) If there is good cause to believe that a child needs to be interviewed privately
during a contact in the foster home, for reasons other than abuse and neglect allegations, the foster parent provides a place in the home where the child can be interviewed outside the foster parent’s presence. ■ 2

(2) **Shelter.** A CW worker has face-to-face contact with the child at the shelter within 24 hours of the child’s entry into the shelter and a minimum of once weekly while the child remains in the shelter. During the shelter stay, when the child’s CW worker offices:

(A) within 60 miles of the shelter, the CW worker visits and provides any identified services to the child; or

(B) more than 60 miles from the shelter, the assigned shelter liaison visits and provides any identified services to the child. The child’s CW worker contacts weekly, either by phone or in person, the shelter social worker while the child remains in shelter care, per OAC 340:75-10-10.

(3) **Emergency foster care.** When the child is placed in emergency foster care, the CW worker:

(A) has face-to-face contact with the child in the emergency foster home once every calendar month, with no more than 31 days between contacts; and

(B) attends weekly staffings with the emergency foster care contract agency.

(4) **Community-based residential care – non-OKDHS operated.** When the child is placed in a group home, specialized community home, or Developmental Disabilities Services Division (DDSD) group home, the CW worker from the county of jurisdiction has face-to-face, private contact with the child and placement provider in the placement once every:

(A) calendar month, with no more than 31 days between contacts, when the child’s placement is 30 miles or less from the county of jurisdiction; and

(B) 90 days when the child’s placement is over 30 miles from the county of jurisdiction.

(i) The facility liaison contacts the child and placement provider during the months the CW worker does not have a face-to-face contact with the child.

(ii) Each calendar month the facility liaison completes the required contact with the child, the CW worker contacts the facility liaison to communicate any
pertinent actions that either require initiation or follow-up in order to achieve the child's permanency plan.

(5) **Community-based residential care – OKDHS operated.** When the child is placed in an OKDHS operated group home, the CW worker has phone or personal contact with the child and group home worker once every calendar month, with no more than 31 days between contacts. The group home worker visits with the child and coordinates or completes any applicable permanency planning duties pertaining to the child.

(6) **Inpatient treatment - acute.** When a child is in acute inpatient treatment, face-to-face contact with the child at the placement location is provided by the facility liaison every calendar month, with no more than 31 days between contacts.

(A) Daily phone contact is maintained between the mental health facility and the child's CW worker during the first five working days of treatment.

(B) If the child remains in acute inpatient treatment in excess of five working days, the CW worker contacts the child's therapist or other mental health professional and facility liaison by phone a minimum of once a week and inquires about the child's progress in order to facilitate the discharge plan, per OAC 340:75-16.

(7) **Inpatient treatment - residential.** When the child is in inpatient residential treatment, face-to-face contact with the child at the placement location is provided by the facility liaison every calendar month, with no more than 31 days between contacts. Close contact is maintained between the liaison and the child's worker. In addition, the CW worker:

(A) has on-site interaction with the child every:

(i) calendar month, with no more than 31 days between contacts if the child's placement is 30 miles or less from the county of jurisdiction; and

(ii) 90 days if the child's placement is over 30 miles from the county of jurisdiction; and

(B) contacts the child's therapist or other mental health professional by phone every two weeks and inquires about the child's progress toward the discharge plan, per OAC 340:75-16.
(8) **Own home.**

(A) The CW worker has face-to-face private contact with the child a minimum of once every calendar month, with no more than 31 days between contacts. When the child initially returns to the parent(s) or is in the custody of the parent(s) in a supervision only case, the first three contacts are in the child’s home. Contact location may then alternate between the home and any other location.

(B) Contacts are increased during times of change and stress.

(b) **Child - special case circumstances.** There are several special case circumstances when minimum required contacts with the child and placement provider may be allowed. The decision to allow the use of the minimum required contact rule requires CW supervisory approval. Reduced contact with the child and family is not considered when concerns are identified that require more intensive contact.

1. **Own home with CHBS.** When there is an open Comprehensive Home-Based Services (CHBS) case for the purpose of reunification of a child in the custody or supervision of OKDHS, the assigned contract case manager (CCM) has face-to-face, private contact with the child in the home per contract specifications and the CW worker has face-to-face private contact with the child in the home a minimum of once every 90 days. The CW worker contacts the CCM monthly, either by phone or in person, and inquires about case circumstances and identified needs.

2. **DDSD placement.** When a child in the custody of OKDHS is in a Developmental Disabilities Services Division (DDSD) placement other than a group home, DDSD case management staff provides services to the child, per OAC 317:40-5-57. The CW worker:

   (A) in the county of placement has face-to-face, private contact with the child in the home a minimum of once every 90 days;

   (B) in the county of placement contacts, either by phone or in person, the DDSD case manager monthly and inquires about case circumstances and identified needs; and

   (C) in the county of jurisdiction, when the child is placed outside the county of jurisdiction, contacts monthly, either by phone, electronic mail, or in person, the CW county of placement worker in order for both workers to:
(i) remain actively involved in placement and service planning for the child, through coordination and information sharing with the placement provider and DDSD case management staff; and

(ii) communicate any pertinent actions that require initiation or follow-up in order to achieve the permanency plan for the child.

(3) **Youth, 18 years or older, in voluntary placement.** The CW worker's contact with the youth, 18 years or older, in placement voluntarily, is determined jointly by the CW supervisor, CW worker, youth, and placement provider.

   (A) A minimum of one face-to-face contact with the youth is required in the placement location every six months until case closure.

   (B) During the months when the CW worker's contact with the youth is not in the provider's home, the worker contacts the youth and the provider by phone.

(4) **Custody with relative or another person with OKDHS supervision.** The CW worker has face-to-face contact with the child placed in the custody of a relative or another person with OKDHS supervision a minimum of once every calendar month, with no more than 31 days between contacts. The location of the worker's contact may alternate between contact in the home and any other location.

(5) **ICPC placement in residential treatment centers or group homes.** The CW worker has face-to-face contact with the child at least every 90 days in the facility when placed in Oklahoma and every six months when placed out-of-state through Interstate Compact on the Placement of Children (ICPC), per OAC 340:75-1-86.

(6) **Sunbeam Family Programs placement.** When the child in out-of-home placement is placed with Sunbeam Family Programs, the assigned Sunbeam Family Programs worker has face-to-face, private contact with the child in the home per contract specifications. This worker's contact meets the minimum monthly requirement for contact with the child. The CW worker maintains responsibility for coordination and completion of Form 04KI009E, Court Report, or 04KI014E, Individualized Service Plan (ISP) Progress Report, and attendance at any court hearing involving the child.

(7) **ICPC placement with parent, relative, or foster home.** The CW worker assures that an agency caseworker of the receiving State makes a face-to-face contact with the child in the parent, relative, or foster home no less frequently than every month and submits a report on the content of the contact.
(c) **Parents.** The CW worker has face-to-face contact with the parent(s) of the child within the first two weeks of the child’s removal and a minimum of once every calendar month thereafter, with no more than 31 days between contacts. The CW supervisor and worker decide the location of the contact based upon case circumstances. The CW worker makes a home visit when assessing the home for reunification purposes. Exceptions to contacts with the parent(s) are made when:

1. the child has been returned to or has never been removed from the parent(s)' custody and OKDHS has been ordered to provide supervision. The first three contacts by the CW worker are in the parent(s)' home. Contact location may then alternate between the home and any other location;

2. there is an open CHBS case for the purpose of reunification. The CCM has contact with the parent(s) in the home per contract specifications and the CW worker has contact with the:

   (A) parent(s) in the home a minimum of once every 90 days; and

   (B) assigned CCM monthly, by phone or in person, to:

      (i) staff the case;

      (ii) discuss current case circumstances; and

      (iii) assess the need for more intensive contact by the CW worker;

3. the child has been returned for at least six months and OKDHS has been ordered to continue legal custody, supervision, or both. The CW worker has one face-to-face private contact with the parent(s) within two weeks prior to each scheduled court hearing unless more frequent visits are ordered by the court in order to obtain updated information to provide to the court. Contacts are increased during times of change and stress;

4. the parent(s)’ whereabouts are unknown;

5. parental rights have been terminated; or

6. other justified reasons exist that are documented in the case record.

(d) **Parents – special circumstances.** Phone contact with the parent(s) of the child is allowed in place of face-to-face contact when the parent(s) is incarcerated or living out-of-state. The CW county of jurisdiction worker is responsible for contact unless an
exception applies. Appropriate exceptions include, but are not limited to, the:

(1) parent(s) has had no contact with the child and the child does not wish to have contact;

(2) parent(s) is incarcerated for an offense that resulted in the death penalty; or

(3) length of the parent(s)’ incarceration is expected to surpass the date of the child obtaining the age of majority.

(e) Service providers. The CW worker has phone contact at least quarterly and no later than ten working days prior to each court hearing with any service provider for the child, parent(s), or family in order to obtain current information regarding the client’s treatment status and obtain the service provider’s recommendation regarding whether services are continued or terminated or additional services are necessary.

(f) OCS providers. The CW worker contacts the Oklahoma Children's Services (OCS) provider and:

(1) schedules, attends, and presents safety issues and needed changes at the CHBS intake staffing no later than 15 working days from the date the authorized referral is assigned;

(2) participates in monthly staffings, in person or by phone, with the assigned CCM or parent aide;

(3) reviews at least monthly the CCM or parent aide KIDS contacts and reports; and

(4) responds to critical incident reports, faxed or phoned in to the CW worker by the CCM or parent aide, that are risk alerts, per OAC 340:75-1-152.9.

INSTRUCTIONS TO STAFF 340:75-6-48

Revised 5-15-09

1. (a) Contact guide and addendums. The Child Welfare (CW) worker uses the guide as a format to assist in gathering and documenting information obtained during at least one contact per month with a child, parent(s), or placement provider. An addendum is used for children, age 3 and younger, and youth, age 16 to 18. The following are the guides and addendums:

   (1) 04MP007E, Face-to-Face Contact Guide;
(2) 04MP007B, Face-to-Face Contact Guide for Tablet;

(3) 04MP004E, Contact Guide Addendum for Face-to-Face Visit with Newborn(s) and Infant(s) – Age 0 to 12 Months;

(4) 04MP006E, Contact Guide Addendum for Face-to-Face Visit with Toddler(s) – Age 13 to 36 Months; and

(5) 04MP008E, Contact Guide Addendum for Face-to-Face Visit with Youth – Age 16 to 18.

(b) Purpose of contacts. The purpose of CW worker contacts with the child, placement provider, and parent(s) includes, but is not limited to:

(1) ensuring the parent(s) understands the treatment and service plan and the consequences of failure to correct the conditions of intervention;

(2) informing the parent(s) of the next court hearing;

(3) assessing the parent(s)' ability to provide a safe home environment for his or her child;

(4) evaluating the home situation and progress on the treatment and service plan;

(5) providing the parent(s) with information about the child and services the child is receiving, including medical care;

(6) informing the parent(s) and child of each other's situation, progress, and other related issues;

(7) ensuring the parent(s) understands the importance of visitation in developing and maintaining a healthy parent-child relationship;

(8) advising the parent(s) of his or her rights, roles, and responsibilities and the status of the case;

(9) ensuring the child's needs are met and his or her safety is intact in the placement;

(10) encouraging and guiding the parent(s) in the completion of his or her
treatment and service plan;

(11) assisting the parent(s) in obtaining the identified services needed to correct the conditions that led to the child's removal; and

(12) providing timely and relevant information to the placement provider that is pertinent to the care needs of the child and permanency planning process, per Section 7005-1.4 of Title 10 of the Oklahoma Statutes.

2. (a) Private interviews with a child in foster care placement. The CW worker:

(1) documents in KIDS Contacts screen the good cause for requesting to interview a child privately in the foster care placement, such as when the child:

(A) acts out in the foster home and refuses to cooperate with the foster parent(s);

(B) asks to be moved from the foster home; or

(C) makes disparaging remarks that do not reach the level of abuse or neglect allegations regarding care received in the foster home; and

(2) may have private contact with the child outside the foster home, such as taking the child on an excursion away from the foster home or driving the child home from a visit or school.

(b) Contacts in an alternate location. The CW worker makes contact with the child outside the foster home in an appropriate location, and has substantive discussions with the child per the contact guide. The CW worker does not go to the child's school for the purpose of completing a face-to-face contact with the child, except in cases of transporting the child to and from school for appropriate purposes such as family visitation, scheduled appointments, and extracurricular activities.

(c) Contact alternatives. Contact with the child is made primarily by the CW worker responsible for the child; however, when there are conflicts in the work schedule or other job-related demands, another CW worker may make the contact in the foster home. The CW worker responsible for the child:

(1) makes every effort to maintain a supportive relationship with the child
to ensure that the child’s needs and concerns are addressed on an ongoing basis; and

(2) makes face-to-face contact with the child each month:

   (A) in the foster home; or

   (B) in an alternate location when another CW worker has completed the contact required in the foster home for the month.

(d) Unannounced contacts. Not every visit with a child in placement is previously arranged. The CW worker develops a schedule for each child in placement so that at least every third contact attempted is unannounced. The CW worker has at least three successful unannounced contacts per year.

3. Contact with facility liaison. No later than 24 hours after a child's placement into an acute inpatient treatment facility, the CW worker contacts the facility liaison and the facility liaison supervisor by phone and e-mail to notify them of the child's placement.

4. Increased need for contacts. Situations that indicate the need for increased contact with the child in the home or placement location include, but are not limited to, any type of safety concern, history of environmental neglect, concerns regarding access by the perpetrator, the age of the child, or an order of the court. The CW worker staffs the decision regarding the type and location of contacts with the CW supervisor and documents this staffing in KIDS Contacts screen.

5. Contacts for youth receiving extended services. The CW worker documents on the youth’s Form 04KI008E, Treatment Plan, or Form 04KI012E, Individualized Service Plan (ISP), the frequency of contacts that are determined appropriate or effective for each six-month period between treatment and service plan reviews.

6. Comprehensive Home-Based Services (CHBS).

   (1) CHBS service initiation. Contractors do not initiate services before the intake staffing unless emergency services are authorized by the Oklahoma Children's Services (OCS) contract liaison.

   (2) CHBS referral cancellation. Referrals held by the contractor awaiting
notice of the intake staffing are canceled after the 15th working day.

(3) CHBS intake staffing. The CHBS contract case manager (CCM), CCM supervisor, and CW worker meet with the child and family in the family's home or other location that offers convenience and privacy to review the identified risk-related factors and CHBS service protocol. The referring CW worker's role in the intake staffing is of vital importance to the effectiveness of CHBS for the family.

(A) If for any reason, the referring CW worker is unable to attend the intake staffing, another CW worker or CW supervisor who has reviewed the case or has been briefed attends.

(B) The CW worker outlines for the family and contractor:

(i) each area of risk determined through the Child Protective Services investigation or assessment; and

(ii) any remaining issues of compliance with court-ordered Form 04KI008E, Form 04KI012E, or the specific behaviors and dynamics that must change for the child to remain in his or her home or placement with the resource family.

(C) The CW worker must ensure that the family and provider understand the purpose of the referral and the roles and responsibilities of all parties, including those of the family.

(4) CW worker direction. The CHBS case management function relies on direction from the CW worker. Form 04MP019E, Referral for Service, Form 04KI023E, Safety Assessment, case contacts, and staffings provide valuable input to the CCM regarding circumstances of risk and expectations for change that guide the CCM's case management practice. If the family:

(A) is in crisis or risk to the child is relatively high, the CW worker may request the CCM to intensify contacts or initiate services more rapidly; or

(B) has health, financial, or educational issues that need to be addressed, the CCM initiates and coordinates family involvement with these systems. The CW worker contacts CHBS staff more frequently
when the family is unstable or the child is at higher risk.

(5) EKIDS. External KIDS (eKIDS) allows the CW worker to review KIDS CHBS contacts, assessment, and critical incident and other reports within a week of visits and other events. This information may be helpful to the CW worker in recommending to the CCM needed adjustments in certain aspects of CHBS case management, but does not substitute for formal case staffings with the contractor.
340:75-6-48.3. Protocol for missing, abducted, or runaway children in OKDHS custody or supervision

Issued 5-11-06

When a child in Oklahoma Department of Human Services (OKDHS) custody or supervision is a runaway or abducted, OKDHS:

(1) makes every effort to locate the child due to safety concerns; and

(2) immediately takes steps to locate the child, including, but not limited to notifying:

(A) law enforcement;

(B) the district attorney;

(C) the child's attorney; and

(D) the child's parent(s), if applicable. ■ 1

INSTRUCTIONS TO STAFF 340:75-6-48.3

Revised 5-15-09

1. (a) Contact protocol for a child who is AWOL. A child in the custody or supervision of Oklahoma Department of Human Services (OKDHS) or a child in an open Child Protective Services investigation is considered absent without leave (AWOL) if he or she, without the permission of OKDHS, leaves or is taken by his or her parent(s), placement provider, or any other person from an OKDHS authorized location, including own home, relative's home, foster care, and above foster care placements. If a child is determined AWOL, the CW worker:

(1) immediately files a report with law enforcement and obtains the:

(A) name, address, and phone number of law enforcement agency accepting the report;

(B) name of law enforcement officer;

(C) law enforcement case number;
(D) National Crime Information Center (NCIC) case number; and

(E) report date;

(2) immediately notifies the district attorney, child's attorney, and, if applicable, child's parent(s);

(3) submits the necessary paperwork as determined by the court of jurisdiction within one working day to request the court issue a pick-up order that indicates the child is a ward of the court;

(4) documents an AWOL placement episode in KIDS Placement screen within one working day if the child has an open removal and is in OKDHS custody;

(5) updates KIDS Living Arrangement fields in Client/Gen. Info./Birth Place/Living Details tab; and

(6) contacts any relative or collateral, including, but not limited to, court-appointed special advocate (CASA), service provider, counselor, therapist, and school personnel, who may have information about the whereabouts of the child. The CW worker:

(A) continues to make these contacts a minimum of once per month until the child is located; and

(B) documents these contacts in KIDS Contacts screen.

(b) Intensive search determination.

(1) Circumstances that necessitate the involvement and assistance of additional entities, such as National Center for Missing and Exploited Children (NCMEC) and Office of Inspector General (OIG), to locate a child are those in which the child:

(A) has been abducted while in OKDHS custody or supervision or during an open investigation;

(B) is missing and there is no indication that this was a planned runaway by the child;
(C) runs away, and due to behavior or circumstances is at high risk of harm; or

(D) has been AWOL for ten calendar days or longer and there has been no contact with the child.

(2) In order to determine whether intensive search efforts are necessary, the CW worker immediately holds a staffing with the CW supervisor and county director to discuss the current situation. If the decision is that intensive search procedures are:

(A) needed, the county director follows OAC 340:75-6-48.3 Instructions to Staff (ITS) 1(c); or

(B) not needed, the county director sends an e-mail within one working day of the staffing to Children and Family Services Division (CFSD) Permanency Planning programs manager indicating intensive search efforts are not needed. If information is received that changes this decision, the county director follows OAC 340:75-6-48.3 ITS 1(c).

(c) Intensive search protocol. When intensive search efforts are necessary, the county director or supervisor:

(1) ensures Form **04MP023E**, Missing Child Report, or **04MP026E**, Abducted Child Report, as applicable, is completed by the CW worker within one working day of the staffing. Incomplete forms delay reports to NCMEC or OIG;

(2) immediately e-mails or faxes completed Form **04MP023E** or **04MP026E** to CFSD within one working day of the staffing, in order for CFSD, Permanency Planning staff to report the missing child to NCMEC and OIG; and

(3) contacts CFSD Child Protective Services staff in order for CFSD Child Protective Services staff to enter a protective service alert, per OAC 340:75-3-6.

(d) Protocol for the return of a child who is AWOL. When the child is located, the CW worker:

(1) immediately assesses the safety of the child, and determines whether
to:

(A) return the child to an OKDHS authorized placement, if the child is in OKDHS custody.

(i) There are circumstances when the CW worker may consider placing the child with the person with whom the child was found. Examples include, but are not limited to, when an older child goes AWOL to a:

(I) parent(s) whose parental rights have been terminated;

(II) parent(s) who has not completed the court-ordered treatment and service plan; or

(III) person who is not an authorized OKDHS placement provider.

(ii) Approval to allow the child to be placed with the person with whom the child was found is determined on a case-by-case basis unless the person has a felony conviction per OAC 340:75-7-15. This does not apply to a parent(s).

(iii) The CW worker consults with the CW supervisor and CW field liaison (CWFL) for permission and procedure. The CW worker assesses the reasons for the AWOL, the current living situation, and determines whether a safety plan may be developed. The CWFL consults with CFSD Permanency Planning Section, if needed.

(iv) The CW worker may place the child in an OKDHS authorized placement until the appropriate approval is obtained.

(v) Court approval is required if the person to whom the child wants to return is a parent(s).

(vi) If a missing child has been located in another state, the CW worker refers to information on runaways, per OAC 340:75-1-86 ITS; or

(B) take steps to return the child to the legal custodian or OKDHS custody, if the child is under the supervision of OKDHS, whichever is applicable; and
(2) immediately, or no later than one working day after the CW worker has located an AWOL child:

(A) notifies law enforcement, the district attorney, child's attorney, and, if applicable, child's parent(s);

(B) submits the necessary paperwork as determined by the court of jurisdiction to recall the pick-up order;

(C) notifies CFSD Protection and Permanency Services staff to close out the protective service alert and reports to NCMEC and OIG, if applicable;

(D) end dates KIDS AWOL placement episode, if applicable;

(E) updates KIDS Living Arrangements fields; and

(F) contacts any relative or collateral, including, but not limited to CASA, service provider, counselor, therapist, and school personnel, who was contacted for information on the whereabouts of the child to report the child's return to the OKDHS authorized location. The CW worker documents these contacts in KIDS Contacts screen.

(e) Protocol for a child who is AWOL and cannot be located. The CW worker:

(1) continues to contact law enforcement, relatives, and any collaterals once per month in an effort to locate the child for a minimum of six months. These efforts are documented in KIDS Contacts screen and may be included in the monthly Face to Face (N/A) Child AWOL contact;

(2) if, after a six month search, the child is not located, continues to contact law enforcement, relatives, and any collaterals every 90 days in an effort to locate the child;

(3) if, after a two year search, there are no other children in the case, the child is not in permanent OKDHS custody, and the child has not been located, submits Form 04KI009E, Court Report, or Form 04KI014E, Individualized Service Plan (ISP) Progress Report, to the court documenting the efforts to locate the child and requests dismissal of the deprived case.
(A) The CW worker advises the parent(s) of the request for dismissal of the deprived case.

(B) If the court does not dismiss the deprived case, the CW case remains open and the CW worker continues to make efforts every 90 days as required, per OAC 340:75-6-48.3 ITS, to locate the child. The CW worker requests that the deprived case be dismissed at each subsequent court review.

(C) If the deprived case is dismissed, the CW worker:

(i) notifies law enforcement and the child's parent(s);

(ii) submits the necessary paperwork as determined by the court of jurisdiction to recall the pick-up order;

(iii) notifies CFSD Protection and Permanency Services staff to close out the protective service alert and reports to NCMEC and OIG, if applicable;

(iv) end dates KIDS AWOL placement episode, if applicable;

(v) updates removal and custody status information in KIDS; and

(vi) closes the CW case.
340:75-6-50. Education

Revised 5-15-09

(a) **Developmental delays and behavioral problems.** A child who is abused or neglected and removed from the home may experience difficulties with developmental delays and behavioral or emotional problems. Frequently, specialized services and classes in school are required to meet the child's needs.

(b) **Child Welfare (CW) responsibilities.** The CW worker and placement provider coordinate to ensure educational services are provided to meet the child's needs. The CW worker assists the resource parent or placement provider in obtaining the child's school records and gaining school admission. Educational services for children in OKDHS custody include:

1. locating former school records and providing them to the current school;
2. enrolling the child in the appropriate grade;
3. ensuring the child attends school regularly;
4. encouraging the child to participate in extracurricular activities;
5. advocating for educational testing and placement, when indicated; and
6. follow up on the effectiveness of the services.

(c) **Individuals with Disabilities Education Act (IDEA).** A child with disabilities in Oklahoma has the statutory right to receive special education and related services from birth through 21 years of age. This is mandated by P.L.1101-476 and required by 70 O.S., Oklahoma School Code and the Education of All Handicapped Children Act, codified at 20 U.S.C. Sections 1400-1461, which specifies that all children with disabilities ages three years to 22 years receive specialized services to meet their needs. A child with disabilities has the following basic rights:

1. Free Appropriate Public Education (FAPE);
2. education in the least restrictive setting possible; and
3. an Individualized Education Plan (IEP).

(d) **Parents' rights.** Parents and surrogate parents, including resource parents when
acting in place of the parents, have the right to examine their child's complete school records. In addition, the school system is obligated to provide notice to the parents whenever they refuse to take actions requested by the parents. The notice informs the parents of all procedures available to them under IDEA and must be written in their native tongue.

(e) **Parental participation.** The parents of a child with a disability in OKDHS emergency or temporary custody in out-of-home placement are encouraged and assisted to participate in the child's school arrangements, just as they would for a child who does not have a disability.

(f) **Resource or surrogate parents acting in place of the parents.** When the parents are unable, unavailable, or unwilling to participate in the child's school arrangements, foster parents may act in place of a parent to represent the child's educational interests. CW workers, and any other employee of a public agency may not act in place of a parent or sign an IEP. Placement providers, who volunteer to serve as surrogate parents for children in placements other than foster care, are required to complete training through the Department of Education.

(g) **School requirements.** If a child in the custody of OKDHS attends school, whether public or private, the school must be accredited.

(1) **Private schools.** A child in the custody of OKDHS is allowed to attend a private school if the school's philosophy is not contrary to the child's or the family's beliefs, customs, culture, values, and practices. The permission of the parent(s) is required for a child in emergency or temporary custody to attend private school. Costs associated with private schooling are not paid by OKDHS.

(2) **Home schooling.** Home schooling is an educational option for a child in OKDHS custody.

(3) **Non-resident students in public school.** In order for schools to receive educational costs incurred for non-resident students, a child whose parents live in a different school district from the child's placement, the information in (A) and (B) is provided to the school.

(A) names, address and county of residence of the child's parents, if the child is in emergency or temporary custody; and

(B) a copy of the court order showing the child is in OKDHS custody, if requested.
INSTRUCTIONS TO STAFF 340:75-6-50

Revised 5-15-09

1. Educational records. The Child Welfare (CW) worker ensures that one copy of the child's educational records is given to the placement provider and another filed in the case record no later than 14 days after placement. Educational records are updated in the paper case record on a yearly basis. The CW worker updates the Client Education screen in KIDS regarding the child(ren)'s educational status within 30 days of the child's enrollment in school and no later than 30 days after any change in school, grade, etc.

2. Individualized Education Plan (IEP). The CW worker ensures that either the parent, surrogate parent, or resource parent acting in place of the parent attend any IEP meetings held for a child. The CW worker, and placement provider if not acting in place of the parent, and the surrogate parent, also participate in the IEP meetings. The CW worker does not sign the IEP in place of the parent or surrogate parent. The placement provider signs only if acting in place of the parent.

3. Individualized service planning. Participation by the parents is included on the individualized service plan as a service or activity.

4. Surrogate parent training. The CW worker contacts the principal of the child's school to arrange the necessary training for the surrogate parent.

5. Surrogate parent training verification. The CW worker requests a copy of OSDE Form 14, Verification of Training, for any surrogate parent assigned to a child(ren). The copy is filed in the case record. The worker updates the child(ren)'s Education screen in KIDS with the information regarding the surrogate parent, and adds the surrogate parent as a collateral.

6. Children in special residential facilities and institutions. A child with a disability in a special residential facility or institution is assigned representation by a parent(s) or surrogate parent. If the parent is unable to be involved in the child's educational process, the CW worker requests assistance from the principal of the school the child(ren) attends in order to ensure a surrogate parent is trained and assigned to the child(ren). If a court-appointed special advocate (CASA) has been assigned to the case, the CASA could be trained and assigned as a surrogate parent.
7. Private school attendance. If a request is made for child in emergency or temporary custody to attend a private school, the worker assesses the feasibility of this option. The worker discusses transportation, financial payment, and needs of the child with the person making the request. If the person making the request is not the placement provider, the CW worker verifies that the placement provider agrees and is able to support the plan. If the person making the request is not the parent, the CW worker obtains the parent's permission. The worker discusses private schooling and has a parent sign a written document granting permission. The original is filed in the paper case record and a copy is provided to the parent and placement provider. The worker documents this discussion and decision on the KIDS Contacts screen. The worker updates the child’s Educational screen in KIDS.

8. Decision to home school. Permission to allow a child to be home schooled is made on a case-by-case basis after assessment of the situation and consultation with the CW field liaison (CWFL). If the child is in emergency or temporary custody, written approval is required from the child's parent(s). If the child is in permanent custody, written approval is obtained from the CWFL or county director in the child's county of court jurisdiction. Consideration is given in the areas listed in (1) - (6) of this Instruction before the final decision is made. The staffing regarding the consultation with the CWFL and the final decision are documented in the KIDS Contacts screen and the child's Educational screen is updated.

   (1) Discuss and assess if the overall needs of the child will be met in the home school setting.

   (2) Evaluate the placement provider's experience and knowledge of home schooling.

   (3) Ensure services can be coordinated between the previous public or private school in order that the child's strengths and needs are addressed.

   (4) Review curricula to be used by the placement provider to evaluate whether the curricula will meet the child's educational needs.

   (5) Assess child's commitment to participate in home schooling.

   (6) Discuss socialization activities.

9. Release of court order to school. If a copy of the court order is requested, the
following statement is attached: "This information is confidential pursuant to state law and provided solely for the purpose of enrolling the minor child in school. Any further dissemination or disclosure of the information or record is prohibited."
340:75-6-85. Placement responsibilities

Revised 5-15-09

(a) CW responsibilities. The Child Welfare (CW) worker is responsible for the placement of a child who is removed from the home and placed in the custody of Oklahoma Department of Human Services (OKDHS) by law enforcement and court order.

(1) OKDHS follows the provisions of the Multiethnic Placement Act of 1994 and the Interethnic Adoption Provisions of 1996, per OAC 340:75-1-9, unless the court finds that the Indian Child Welfare Act applies to the child.

(2) When determining placement for a child who is removed from the custodial parent and placed in emergency OKDHS custody, priority is given to placement with the noncustodial parent unless such placement is not in the child's best interest.

(3) If OKDHS determines that placement with the noncustodial parent is not in the child's best interest, placement preference per Section 21.1 of Title 10 of the Oklahoma Statutes (10 O.S. § 21.1) is followed, such as:

   (A) grandparent;

   (B) person indicated by deceased parent;

   (C) relative; and

   (D) person in whose home the child has been living in a wholesome and stable environment, including, but not limited to, foster parent, or any other person deemed suitable by the court.

(4) If custody of the child cannot be made pursuant to 10 O.S. § 21.1, the reason for such determination is specified in the CW case record and provided to the court.

(5) Placement responsibility includes, per 10 O.S. § 7003-7.1 and OAC 340:75-6-85.1 through 340:75-6-85.4, ensuring the provision of:

   (A) food;

   (B) clothing;
(C) shelter;

(D) medical care;

(E) education;

(F) basic care;

(G) protection; and

(H) safety for the child.

(6) When the court determines it would be in the best interests of the child, the court may place the child in the legal custody of OKDHS. If the child is placed in OKDHS custody, the court may not direct OKDHS to place the child in a specific home or placement.

(b) **Appropriate placement.** OKDHS has the responsibility to determine whether a placement is an appropriate placement for a child in OKDHS custody, and to remove a child from a placement when it is in the child's best interest, per 10 O.S. § 7202.

(1) Every effort is made to place the child within his or her own community, school district, or both, in order to minimize the disruption for the child and ensure consistency with education. When a child is placed with a noncustodial parent, the noncustodial parent’s home is considered the child’s home community.


(3) Consideration is given to the parent(s)’ wishes regarding religious preference in the selection of a placement provider for the child.

(4) In order to promote stability and healthy growth of the child, it is the intent of OKDHS to limit the number of times a child is moved in out-of-home placement.

(A) If reunification is not feasible or is delayed, the placement made is the best available placement to provide permanency for the child.

(B) A request by a placement provider for immediate removal of a child is examined and assessed regarding whether the situation can be resolved in order to prevent disruption of the placement.
(5) If a prospective placement provider meets the minimum age required per OAC 340:75-7-12, OKDHS may not use the age of an otherwise eligible individual as a reason for denial of placement.

(c) **Prescribed standards.** All placements utilized by OKDHS are approved or licensed by specified procedures and meet prescribed standards. A child in the custody of OKDHS is not placed in a home, whether temporary or closely related, prior to the provider meeting standards per OAC 340:75. Placements must be safe, have sufficient space to allow the child privacy, and the provider must:

1. support and participate in the child's permanency plan;
2. adhere to OKDHS rules, such as not using physical discipline; and
3. support the child's preferred religion and cultural choices.

(d) **Child's placement preference.** The child's statements and placement preferences are considered in making case decisions and are recorded on Form 04KI011E, Preadjudication Court Report, 04KI013E, Individualized Service Plan (ISP) Dispositional Report, 04KI009E, Court Report, or 04KI014E, Individualized Service Plan (ISP) Progress Report, when the child's age and developmental abilities allow. Since the child's preferences are not the sole consideration in determining placements and case plan decisions, preferences are evaluated regarding reasons or causes, degree of consistency, and implications for the permanency plan.

(e) **Court decisions regarding the child's placement.** The court does not place a child in the custody of a person who is subject to the Sex Offender Registration Act or a person living with someone subject to the Sex Offender Registration Act.

1. "Person" does not include a parent, legal guardian, or legal custodian of the child.

2. The court inquires, prior to placing custody of a child with the person, whether the person has been convicted of a felony or a relevant misdemeanor, including assault and battery, alcohol or drug offenses, domestic abuse, and other charges, or has any charges pending.

3. Prior to the custody order being issued, the person requesting custody must present an affidavit or sworn testimony to the court and provide an Oklahoma criminal history background check, per 10 O.S. § 7003-8.1.

(f) **Foster home placements.** The provisions in (1) through (8) apply to placements in
a paid or non-paid kinship, foster, or therapeutic foster home.

(1) **Preplacement visit.** Whenever possible, a preplacement visit for any child five years of age or older is held with the foster parent. The CW worker involved in the preplacement visit makes every effort to discuss with the child how the care, supervision, and guidance, including, but not limited to, parental substitute authority, will be achieved.

(2) **Foster parents may submit reports or present testimony in court.** Foster parents are entitled to provide the court with written reports or verbal testimony concerning the strengths, needs, behavior, important experiences, and relationships regarding the child, and may provide information requested by the court.

(3) **Foster parents informed of hearings.** The foster parent and child are given adequate prior written notice by the CW worker of all court hearings, including the date, time of hearing, name of judge, docket number, and the right to participate, per OAC 340:75-1-20. The foster parent is advised of the decisions made by the court regarding the child.

(4) **Foster parents preferred placement.** When a child re-enters out-of-home care and a relative or kinship placement is unavailable, the foster parent who previously cared for the child is the preferred placement option if the placement is in the child's best interest and the best interest of any other child in the foster home.

(5) **Foster parents informed of review meetings, permanency planning meetings, and special staffing.** Foster parents are advised of any local post adjudication review board meetings and special staffing, including scheduled permanency planning review meetings and the foster parent's right to participate.

(6) **Previous placement information.** Foster parents are provided the opportunity to contact and communicate with a previous foster parent for the child in order to share information about the child, if authorized by the previous foster parent. The foster parent is informed of the number of times a child has been moved and the reasons why.

(7) **Court-approved treatment and service plan.** Foster parents are provided a copy of the court-approved treatment and service plan.

(8) **Eligibility to adopt the child.** During any permanency hearing, if the court determines the child is to be placed for adoption and the child has resided with the foster parent for at least one year, the court must also consider the foster parent eligible to adopt the child unless there is an existing, loving, emotional bond with a
relative of the child, by blood or marriage, who is willing, able, and eligible to adopt the child.

(g) **Respect for the foster parents or placement providers.** The CW worker treats the foster parent or placement provider as a professional member of the CW team and with dignity, respect, and consideration. The CW worker cooperates with the foster parent or placement provider to provide a mutual exchange of information, including, but not limited to:

1. the child's physical and emotional development;
2. significant statements and behaviors that may affect the child's permanency plan and progress;
3. school events; and
4. any other concern.

(h) **Foster parents' relationship with the child.** Foster parents provide the child's basic needs, such as food, clothing, and shelter, and nurturing, emotional support, and direction and guidance for the child's growth and development.

1. The foster relationship may be recorded through photographs, Life Book, exchange of gifts, and contact after the placement is completed.

2. Section 7206.1 of Title 10 of the Oklahoma Statutes and OAC 340:75-7-37 recognize foster parents as essential participants in the decisions related to the growth, development, care, protection, and treatment of a child placed in their home with whom they have established a familial relationship.

(i) **Least restrictive.** Placements are made in the least restrictive or most home-like setting that will meet the child's needs and provide for the child's safety, per OAC 340:75-6-85 through 340:75-6-85.4. Every effort is made to place a child with a member of the child's family in a safe and appropriate home. 10 O.S. § 7004-1.1 prohibits a child adjudicated deprived from being placed in an institution. The least to the most restrictive placements are:

1. kinship home, which includes:
   
   A. relative home; and
   
   B. close family relationship;
(2) regular foster home;

(3) therapeutic foster home; and

(4) group home or residential child care facility.

(j) **Close proximity.** Placements are made consistent with the needs of the child in the nearest geographic proximity to the child's own home.

(1) Exceptions may be made when the child's needs and safety cannot be met in a placement closer to the child's own home.

(2) Arrangements for transportation are made to ensure regular family visits.

**INSTRUCTIONS TO STAFF 340:75-6-85**

Revised 5-15-09

1. **Placement consideration.** If the parent(s) of a child in emergency or temporary Oklahoma Department of Human Services (OKDHS) custody requests a placement that violates the Multiethnic Placement Act of 1994 and Interethnic Adoption Provisions of 1996 (MEPA/IEP), the Child Welfare (CW) worker advises the parent(s) that MEPA/IEP states that a parent(s)' request for a same race placement is not legal and is not considered by OKDHS. Only requests regarding relative and religion preferences are considered.

2. **Noncustodial parent.** In many cases, Child Support Enforcement Division (CSED) has established and documented paternity prior to CW involvement. In order to ensure placement with the noncustodial parent has been explored and the CW case record accurately reflects all available OKDHS records regarding paternity, refer to OAC 340:75-6-31.5 Instructions to Staff.

3. **Notice of hearing.** The Child Welfare (CW) county of jurisdiction worker or the preadoptive parent's adoption specialist:

   (1) provides KIDS generated Form 04MP030E, Hearing Notification, to the current foster parent, preadoptive parent, or relative no later than 15 days after the hearing is set;

   (2) if the child moves after the notification has been provided, prints Form 04MP030E from the Reports icon and provides to the current foster parent, preadoptive parent, or relative no later than ten working days prior to the
court hearing;

(3) if the hearing date changes, updates the Court Hearing Detail screen and provides the KIDS generated Form 04MP030E to the current foster parent, preadoptive parent, or relative no later than ten working days prior to the hearing; and

(4) documents in KIDS Contacts screen when and how Form 04MP030E was delivered.

4. Birth parent/foster parent relationship. The CW worker helps facilitate the foster parent’s role as a team member by encouraging a professional relationship between foster and birth parents. The CW worker:

(1) facilitates the initial meeting between the foster and birth parents within seven days of the child’s placement for the purpose of sharing information about the child and to begin the process of creating a relationship;

(2) encourages ongoing communication between the foster and birth parents to effectively facilitate visitation, connection with family members, and meeting the identified needs of the child.

Revised 5-15-09

The CW worker ensures needs in all areas of the child's life are identified, met, and addressed as would be provided by a nurturing, safe, and permanent home. 1 This includes, but is not limited to, the following:

1. daily nutritional meals;

2. appropriate clothing;

3. placement in a living environment, permanent or temporary, which serves the best interests of the child's moral, religious, emotional, mental, social, and physical well-being. Consideration is given so that if reunification fails or is delayed, the placement made is the best available placement to provide permanency for the child; [OAC 340:75-6-85 through 340:75-6-85.4]

4. education appropriate to the child's developmental age, special needs and individual talents and skills; [OAC 340:75-6-50]

5. placement of the child with a provider who works as part of a team toward family reunification, independent living, or an alternate permanent plan for the child; [OAC 340:75-6-85 through 340:75-6-85.4]

6. contact with the child's biological family, including siblings, as appropriate to the case plan goal; [OAC 340:75-6-30]

7. private contact with the CW worker to discuss the child's family's progress on the treatment plan, permanency plans, placement, and other relevant issues; [OAC 340:75-6-48]

8. private contact with the child's attorney and court-appointed special advocate (CASA); [OAC 340:75-6-48.1 and 340:75-6-48.2]

9. routine, specialized and restorative medical attention as indicated; [OAC 340:75-6-88]

10. placement in the least restrictive environment which meets the child's needs; [OAC 340:75-6-85(i)]

11. an expeditious and effective permanency plan initiated upon a child coming into
the CW system, immediate concurrent permanency planning is considered; [OAC 340:75-6-31]

(12) access to a grievance procedure;

(13) birth verification; [OAC 340:75-13-9]

(14) application for any and all benefits for which the child is eligible, including a Social Security number; [OAC 340:75-13, Part 3]

(15) application for tribal enrollment, if applicable;

(16) preparation of a Life Book; [OAC 340:75-6, Part 13]

(17) services to prepare for adult life; [OAC 340:75-1-42 through 46]

(18) maintenance of confidentiality of case information; [OAC 340:75-1-42 through 46]

(19) disclosure of pertinent case information with the court, the child's attorney, the placement provider, service providers, post adjudication review board (PARB), and court-appointed special advocate (CASA); [OAC 340:75-1-42 through 46] and

(20) preparation of the child for adoption when this is determined to be the child's case plan goal. [OAC 340:75-6-85.4]

INSTRUCTIONS TO STAFF 340:75-6-85.1

1. Reports of abuse or neglect in an active Permanency Planning case. If a child who is part of an active Permanency Planning case is reported or observed by the Child Welfare (CW) worker to have an injury, including an alleged accidental injury, or has evidence of any abuse or neglect, the information is documented on Form 04K1001E, Referral Information Report, per OAC 340:75-3-6.

2. Documenting placement episodes. When a child is placed in out-of-home care, the CW worker documents the placement in the KIDS Placement screens no later than two working days after placement.

   (1) A placement cannot be entered until a child’s removal from the person responsible for the child (PRFC) is documented.
(2) If the placement is a kinship, paid or non-paid, or foster family home, Form 04FC011E, Placement Agreement for Out-of-Home Care, and Form 15GR004E, Notice of Grievance Rights - Minors in OKDHS Custody, are completed, provided to the placement provider, and recorded in the KIDS Document Tracking screen.

3. (a) Transporting medications. The CW worker ensures that the child's medication(s) is transported with the child when the child is moved from one placement to another.

(1) The CW worker completes Section I, Receipt of Prescription and Over-the-Counter Medication(s), of Form 04MP012E, Receipt and Release of Prescription and Over-the-Counter Medication(s), with the parent(s) or placement provider prior to the removal of a child from own home or out-of-home placement.

(2) Upon completing Form 04MP012E, the CW worker provides a copy to the parent(s) or placement provider. This form is not required if the child is discharged from a hospital setting.

(3) The CW worker obtains the appropriate medication(s) or prescription(s) for filling and provides a copy of the discharge summary to the parent(s) or placement provider. The copy provided by the hospital is filed in the paper case record.

(b) Medications not transported. If the CW worker is provided medication(s) in any of the ways described in (b)(1) through (5), the CW worker leaves the medication(s) with the parent(s) or placement provider and documents the action in Section II, Medication(s) Not Transported, of Form 04MP012E. A copy of completed Form 04MP012E is given to the parent(s) or placement provider. If the medication(s) was prescribed, the CW worker contacts the prescribing physician immediately to have the physician call in a new prescription(s) to a local pharmacy. The worker picks up the new medication(s) prior to placing the child in the new location. The CW worker does not transport medication(s) if the medication(s) is supplied to the worker:

(1) in plastic sacks or any other container that is not the original prescription bottle or packaging;

(2) with multiple types or dosage strengths of medication(s) in a single prescription bottle;
(3) with an expired prescription;

(4) with more medication than the amount indicated on the prescription label or over-the-counter (OTC) package information, such as when two containers of medication are combined; or

(5) with the prescription label or OTC packaging altered.

c) Releasing medications. Section III, Release of Prescription and Over-the-Counter Medication(s), of Form 04MP012E is completed with parent(s) or new placement provider when releasing the medication(s).

d) Psychotropic medications. When the CW worker transports a child, who has been prescribed psychotropic medication(s), from acute or residential inpatient treatment, the CW worker inquires whether the discharging physician will monitor the medication. If the discharging physician will not, the CW worker arranges as soon as possible for the child to be assessed by another physician so that the child's continued need for medication(s) can be determined or monitored.

4. Documenting the child's personal history.

(1) Digital photographs. The CW worker ensures that each child is photographed with a digital camera a minimum of once every 12 months. The digital photograph is saved in the KIDS File Cabinet no later than five working days after the photograph is taken.

(2) Life Book. The CW worker ensures that each child has a Life Book and that the Life Book is maintained by the placement provider. A Life Book is available in Outlook in Public Folders/All Public Folders/STO DCFS/Life Book. The CW worker prints the applicable sections for the child and provides this to the placement provider if a Life Book has not been created for the child.
340:75-6-85.6. Voluntary placement for a child born to a youth in custody

Revised 5-15-09

When a youth in Oklahoma Department of Human Services (OKDHS) custody gives birth to a child, the youth is allowed to make the decision regarding placement of the child. Voluntary placement is available for a child born to a youth in OKDHS custody if the child's safety can be ensured. If the youth in custody who is the parent is unable or unwilling to participate in appropriate planning for the child, legal custody of the child is sought through the district attorney's office to give OKDHS authority to care and plan for the child.

INSTRUCTIONS TO STAFF 340:75-6-85.6

Revised 5-15-09

1. Voluntary placement by youth in custody.

   (1) Decision-making. If a youth in custody requests voluntary placement of his or her child, the Child Welfare (CW) worker considers (A) through (D) to assess the appropriateness of voluntary long-term placement.

   (A) Do issues of safety, protection, and well-being exist?

   (B) Is there an available placement who will accept the youth and child?

   (C) Does the placement provider agree to assist the youth by teaching and modeling parenting skills and assist the mother with independent living skills?

   (D) Is the youth willing to work on a treatment plan that outlines the steps to assist the youth in caring for the child?

   (2) Procedures. If voluntary placement has been determined to be appropriate, the CW worker:

   (A) sends a written request to the CW supervisor setting out the plan and length of care. The CW supervisor approves or denies the request in writing. These documents are filed in the paper case record;

   (B) provides the youth with Form 04FC007E, Authorization from Parent or Guardian for Voluntary Foster Family Home Placement and Medical
Care of Child, for the youth’s signature:

(C) opens a voluntary foster care case in KIDS. The youth in custody is designated the parent. The placement episode for the child is entered in the voluntary foster care case, not the permanency planning case of the youth in custody; and

(D) develops a treatment and service plan that addresses:

(i) safety and protection of the child without court intervention;

(ii) the role and responsibility of the placement provider;

(iii) appropriate child care plans while the youth is attending school, working, or involved in extracurricular activities; and

(iv) measures for ensuring the child's basic needs are met.
340:75-6-88. Medical services to children in custody

Revised 5-15-09

(a) **Medical services for child in custody in out-of-home care.** The Child Welfare (CW) worker is responsible for ensuring, in coordination with the parent(s), when applicable, and placement provider, that a child in out-of-home care timely receives all needed routine and specialized medical care, including medical, dental, visual, and counseling needs. ■ 1

(1) The worker's and placement provider's responsibilities for the child's services include:

(A) Early Periodic, Screening, Diagnosis and Treatment (EPSDT) screening according to the schedule of frequency or at a minimum an annual physical exam. In addition, the Oklahoma Department of Human Services (OKDHS) provides as soon as practicable after the filing of the petition an initial health screening for each child placed in OKDHS emergency custody, to identify any health problems that require immediate treatment, diagnose infections and communicable diseases, and evaluate injuries or other signs of abuse or neglect. The law requires OKDHS to provide medical care as necessary to preserve the child's health and protect the health of others in contact with the child; [10 O.S. § 7004-1.1] ■ 2

(B) yearly mental health or developmental screening; ■ 1

(C) yearly dental exam for children over three years of age. Children under the age of three years receive dental services as needed;

(D) immunizations initiated and kept current;

(E) visual and hearing evaluation exams and corrective lenses or hearing aides, if indicated;

(F) outpatient or inpatient behavioral mental health treatment, when appropriate;

(G) physician's services, if the child is sick. This service is not considered a physical exam; and

(H) follow-up and referral services as recommended by a qualified professional.

(2) If requested by a placement provider, OKDHS provides examinations or tests
regarding HIV on the child based on the Centers for Disease Control guidelines for time and frequency of testing. [10 O.S. § 7003-5.4]  ■ 2

(b) Medical services for child in custody in parent(s)' home. A child in OKDHS custody and living in the parent(s)' home may continue to be eligible to receive financial assistance from the Oklahoma Health Care Authority for necessary medical services. The parent(s) of a child in temporary OKDHS custody who is living in his or her own home has the primary responsibility to provide and arrange for the medical needs of the child. ■ 2

(c) Notification of injury to the child that requires medical examination or treatment. When medical attention for accidental or non-accidental injury is sought or required for a child in the legal custody of OKDHS in out-of-home placement, OKDHS notifies the:

(1) court of jurisdiction;

(2) child's parent(s);

(3) parent(s)' attorney;

(4) child's attorney;

(5) district attorney; and

(6) court-appointed special advocate. ■ 3

INSTRUCTIONS TO STAFF 340:75-6-88

Revised 5-15-09

1. Initial health and developmental screening. The Child Welfare (CW) worker ensures the child's initial health and developmental screening is completed:

(1) for children under the age of three years, no later than 30 days after the child's removal from the home; and

(2) for children age three and over, no later than 90 days after the child's removal from the home.
When a child is placed in foster care, the medical examination is scheduled within **30** days after placement. If the child is younger than three years of age, the CW worker:

(1) refers the child to SoonerStart via Form 04MP021E, Child Welfare SoonerStart Referral, no later than 15 working days after the child's initial placement in out-of-home care, excluding shelter and emergency foster care;

(2) notifies the parent(s) and placement provider of the referral to SoonerStart;

(3) informs the placement provider that cooperation is required with SoonerStart in the provision of any service recommended for the child;

(4) updates KIDS Contacts screen with purpose type – SoonerStart Referral;

(5) notifies SoonerStart of any change in placement of the child by providing copy of Form 04KI025E, Change in Placement Notification, within two working days if the screening, evaluation, or both, has not been completed by SoonerStart;

(6) discusses with the parent(s), within 15 working days of receipt, the information provided by SoonerStart;

(7) documents SoonerStart information in KIDS Medical screen;

(8) includes SoonerStart information in KIDS Family and Child Strengths and Needs Assessment screens;

(9) files SoonerStart information in the child's paper case record; and

(10) when notified by SoonerStart of the placement provider's lack of cooperation or follow through with recommendations, completes Form 04AF022E, Report of Violation of Rules in an OKDHS Resource Home.

2. (a) Early Periodic, Screening, Diagnosis and Treatment (EPSDT) schedule.

(1) The schedule of frequency for EPSDT provides for:
(A) six health screenings during the child's first year of life;

(B) two screenings in the child's second year of life;

(C) one screening yearly for the child age two through five years; and

(D) one screening every other year for the child age six through 20 years.

(2) Eligible children may receive dental screening services once every 12 months.

(3) More frequent screening services are allowed when a medical condition is suspected.

(b) Documentation of medical services. The CW worker and placement provider ensure the continuity of medical services and records while a child is in out-of-home care.

(1) These records are made:

(A) part of the child's paper case record and Life Book; and

(B) available to the parent(s), any subsequent provider, and youth leaving care for independent living.

(2) The CW worker updates the:

(A) appropriate KIDS screens no later than 30 days after each child's appointment for medical, dental, or psychological services;

(B) child's immunization and prescriptions records and KIDS Service Log; and

(C) KIDS AFCARS screens when the child receives a specific diagnosis by the physician or therapist.

(c) Medical consent. Refer to OAC 340:75-13-65 regarding consent for medical services.

(d) HIV-related services. Refer to OAC 340:75-1-115 for testing related to
Human Immunodeficiency Virus (HIV).

(e) Healthcare for child in parent(s)’ home. Refer to OAC 340:75-13-62 for medical coverage when the child resides with the parent(s).


(1) Form 04MP027E, Notice of Injury to Child Requiring Medical Examination or Treatment, is completed by the CW county of placement worker when a child in OKDHS custody requires medical treatment as a result of an accidental or non-accidental injury and to advise the parties of the:

(A) nature of the injury;

(B) date of occurrence; and

(C) medical care provided or planned to meet the child's needs.

(2) All injuries, other than normal minor childhood scrapes and bruises, such as small bruises to the knee or shin, are made known to CW staff.

(3) Any injury to the child, even when accidental, is immediately reported per OAC 340:75-3-6, when the injury involves the face, head, neck, stomach, or genitals, burns, broken bones, deep bruises or wounds, or any type of injury requiring medical attention.
340:75-8-6. General requirements for contracted therapeutic foster care placement providers

Revised 5-15-09

Contracted therapeutic foster care (TFC) placement providers must:

(1) maintain a written case record on each child that documents all services provided or obtained for the child while in placement;

(2) implement and review an individualized treatment plan for each child in placement, with documented input of the child's Child Welfare (CW) county of jurisdiction and county of placement worker, when different, according to the requirements set forth in the Oklahoma Department of Human Services (OKDHS) contract. The TFC contractor notifies the CW county of jurisdiction worker of the initial treatment plan meeting within five days of the child's placement;

(3) assume responsibility for maintenance of basic needs of each child placed;

(4) accept responsibility for a reasonable knowledge of the child's whereabouts at all times.

(A) When a child:

(i) is removed by anyone without authorization;

(ii) is taken into custody by law enforcement officials;

(iii) runs away; or

(iv) otherwise cannot be accounted for, the TFC contractors notify by phone the:

(I) CW county of jurisdiction and county of placement workers;

(II) contract liaison; and

(III) police.

(B) The contractor submits a written incident report to the child's CW county of jurisdiction worker describing the circumstances and files a copy in the child's case record;
(5) ensure the child receives all needed routine, specialized, and emergency medical care in a timely manner provided by a medical provider who accepts Medicaid payment.

(A) Prior consultation and consent from OKDHS and the child's parent(s) are required for emergency medical care. If the appropriate OKDHS authority cannot be contacted and the situation is life-threatening, the contractor has the authority to obtain emergency care and treatment, and notifies OKDHS at the earliest possible time.

(B) Prior consultation and consent from OKDHS and the child's parent(s) are required for any extraordinary medical procedure, such as surgery and invasive procedures.

(C) Prior consultation and consent from OKDHS and the child's parent(s) are not required for ordinary medical care. Provision of all medical or dental care is documented in the contractor's case record, including notification and attempts of notification in emergency situations, per OAC 340:75-13-65;

(6) notify the CW county of jurisdiction and county of placement workers and the contract liaison of any accidental or non-accidental injuries sustained by the child, per OAC 340:75-3-6.1 and 340:75-6-88;

(7) ensure that the religious and cultural observations of the child comply with OAC 340:75-6-49;

(8) develop and implement written policy and procedures regarding each child's access to legal counsel, court-appointed special advocate (CASA), OKDHS staff, phone, mail, and visitation, per OAC 340:75-6-30 and 340:75-11-237;

(9) develop and implement written policy and procedures regarding the maintenance and safeguarding of each child's clothing, personal items, property, and funds while placed;

(10) ensure the completion of a clothing and personal item inventory for each child entering and leaving placement and ensure each child leaves the placement with all of his or her clothing and personal items;

(11) obtain prior approval from the CW county of jurisdiction worker any time the child travels overnight outside of the county of placement or Oklahoma, per OAC 340:75-6-89;
(12) develop and implement written policy and procedures defining situations in which any person, other than family members previously approved by the CW county of jurisdiction worker, may take the child away from the placement on a day pass, not to exceed six hours, without supervision of the placement provider.

(A) The contractor does not allow a child any overnight visitation without the prior planning and documented written approval of the child's CW county of jurisdiction and county of placement workers. Overnight visitation with peers is considered time outside of the direct supervision of the TFC parent.

(i) The contractor is responsible for:

(I) completing an evaluation of the appropriateness of the overnight plan;

(II) submitting the overnight plan to the CW county of placement and county of jurisdiction workers and supervisors;

(III) securing written confirmation of the plan from the CW county of placement and county of jurisdiction workers and supervisors; and

(IV) documenting the results in the child's case.

(ii) CW county of placement and county of jurisdiction workers and supervisors are responsible for reviewing the overnight plan developed and submitted by the TFC contractor.

(B) The contractor does not secure any placement without the prior planning and documented written approval of the CW county of jurisdiction worker.

(C) If the contractor utilizes volunteers, the contractor's policy for approval and utilization of volunteers must, at a minimum, require criminal history and sex offender registry checks;

(13) develop and implement written policy and procedures that prohibit the utilization of any child in OKDHS custody for commercial purposes;

(14) submit written reports to the child's CW county of jurisdiction and county of placement workers describing the child's stay in placement, progress toward meeting the identified treatment plan, education, and medical care as requested for court hearings, and file a copy of the reports in the child's case record;
(15) develop and implement written policy and procedures for discipline that comply with OAC 340:75-7-38 and Sections 7004-3.2 and 7004-3.3 of Title 10 of the Oklahoma Statutes (10 O.S. § 7004-3.2 and 7004-3.3);

(16) ensure each employee and TFC parent is trained in an approved passive physical restraint curriculum defined in OAC 340:75-11-237;

(17) develop and implement written policy and procedures requiring the contractor, and all employees of the contractor, having reason to believe any child in placement has been subject to abuse or neglect to report the matter to the local OKDHS office or the child abuse hotline the same day of the incident. Failure to report is a misdemeanor pursuant to 10 O.S. § 7103;

(18) develop and implement written policy that prohibits possession or use of tobacco and tobacco products by any child in placement, and prohibits the use of tobacco or tobacco products by employees of the contractor in the presence of any child in placement;

(19) develop and implement written policy and a system for resolution of grievances by any child placed and by the TFC parent regarding the substance or application of any written or unwritten policy or rule, decision, act, or omission of the contractor, or employees or agents of the contractor, per OAC 340:2-3-49 and 340:2-3-50;

(20) afford the TFC parent the same rights as all foster parents in Oklahoma, per 10 O.S. § 7206.1;

(21) develop and implement written policy and procedures regarding communicable disease, per OAC 340:75-1, Part 9;

(22) develop and implement written policy and procedures that certify compliance in providing or continuing to provide a drug-free workplace in accordance with the Drug-Free Workplace Act of 1988;

(23) develop and implement written policy and procedures to maintain confidentiality with regard to children in placement in order to comply with OKDHS rules regarding the protection, use, and release of client information, per 10 O.S. § 7005-1.2 and Part 3 of OAC 340:75-1;

(24) plan and coordinate each child’s discharge with the child’s CW county of jurisdiction worker and county of placement worker, if different, and provide a minimum of 48 hours notice to discharge, except in medical or psychiatric emergency situations. On-site crises intervention must be provided prior to any
emergency discharge. Contractor's recommendation for discharge is approved by the child's CW county of jurisdiction worker and county of placement worker, if different prior to the contractor's implementation of the discharge plan;

(25) submit a written discharge summary to the child's CW county of jurisdiction worker within 30 days of the child's discharge and file a copy in the child's case record. The discharge summary includes:

   (A) a summary of treatment services;

   (B) child's progress on the treatment plan;

   (C) reason for discharge; and

   (D) recommendations for future placements and services for the child's treatment needs;

(26) ensure that all staff comply with the:

   (A) minimum licensing standards defined in the Oklahoma Child Care Services (OCCS) licensing standards for child-placing agencies; and

   (B) staffing requirements per OKDHS Placement Agreement for TFC;

(27) develop and implement written policy and operating procedures regarding corrective discipline procedures for employees;

(28) ensure that the foster parent maintains a current Life Book for each child, regardless of the child's age, that documents the child's stay in care and provides continuity throughout the child's life, per OAC 340:75-7-37;

(29) develop and implement written policy and operating procedures to govern the foster parent's maintenance and administration of prescription and non-prescription medication to each child in placement, including transporting prescription and non-prescription medication when the child receives medication any place other than the TFC home, such as respite placements, family visits, and medication administered during school hours;

(30) develop written policy and operating procedures regarding the use of physical force for behavior management of any child placed.
(A) The use of mechanical restraints and the use of medication for behavior management are prohibited in the care and treatment of the child in OKDHS custody.

(B) The use of physical force is permitted when it is necessary for the protection of the child or others consistent with an approved passive physical restraint curriculum, such as when the child's behavior poses an immediate danger or threat of danger to self or others and other methods have been exhausted; and

(31) develop and implement written policy and operating procedures and supervision guidelines regarding use of solitary confinement and separation programs, such as restricting the child to his or her own room for a cooling off period. The duration of room restriction is specified at the time of assignment and is consistent with the child's chronological age, developmental level, behavioral, emotional, and medical needs, and availability of supervision.

INSTRUCTIONS TO STAFF 340:75-8-6

1. TFC records review. Child Welfare (CW) workers, supervisors, CW field liaisons, and Children and Family Services Division (CFSD) staff may review therapeutic foster care (TFC) case documentation any time there are questions regarding the care or treatment for a child in Oklahoma Department of Human Services (OKDHS) custody. Review of the TFC case documentation occurs in the TFC contractor's office.

2. Transportation of medication. CW workers transport medication for the child in OKDHS custody per OAC 340:75-6-85.1 Instructions to Staff.
340:75-8-7. Contracted therapeutic foster care services

Revised 5-15-09

(a) Contractor rules. Therapeutic foster care (TFC) contractors meet Oklahoma Health Care Authority (OHCA) rules as described in Parts 1, 3, and 5 of OAC 317:30-3 and Part 83 of OAC 317:30-5.

(b) TFC services. Contracted TFC services are based on the child's assessed needs and provided consistent with the goals and objectives of the child's treatment plan, and in accordance with OAC 317:30-5-742.2 include:

(1) individual therapy;

(2) family therapy. The TFC contractor:

   (A) works with the parent(s) or placement provider to whom a child in TFC will be discharged;

   (B) seeks to support and enhance the child's relationship with family members, including siblings;

   (C) arranges for and encourages regular contact and visitation between the child and parent(s) and other family members; and

   (D) engages the child's parent(s) and siblings in visitation and family therapy with the child, when the case plan is reunification. The TFC contractor provides consultation, support, and technical assistance to the TFC parent in the implementation of the child's treatment plan;

(3) group rehabilitative treatment. Group rehabilitative treatment services include education and supportive services, such as basic living skills, social skills redevelopment, interdependent living, self-care, lifestyle change, and recovery principles. Thirty minutes of individual therapy, family therapy, or both may be provided in lieu of one hour of group rehabilitative treatment;

(4) substance abuse or chemical dependency therapy, as needed, by a child with behavioral or emotional problems directly related to substance abuse. A minimum of two hours of education and prevention therapy per 90-day period is required for a child who does not have behavioral or emotional problems directly related to substance abuse;
(5) basic living skills redevelopment provided by the TFC parent;

(6) social skills redevelopment provided by the TFC parent;

(7) crisis behavior management and redirection services to ensure contract staff availability 24 hours a day, seven days a week for response to the residential placement provider during a placement crisis to stabilize the child's behavior and prevent placement disruption. Crisis behavior management and redirection services are consistent with the goals and objectives of the child's treatment plan;

(8) independent living (IL) services consistent with the IL program administered by Oklahoma Department of Human services (OKDHS), per Part 13 of OAC 340:75-6; and

(9) TFC agency developed policy and operating procedures that support collaboration with Child Welfare (CW) workers in the completion of the child's basic life skills assessment and the development of the child's IL plan.

(c) **Contractor requirements.** TFC contractors are required to provide services and meet requirements as identified in OAC 340:75 and the TFC contract. The contractor:

(1) seeks to ensure services provided to the youth age 16 to 21 assist in planning for the youth's future and enhancing individual strengths and abilities;

(2) ensures the youth in OKDHS custody applies for Medicaid upon his or her 18th birthday, if the youth remains in placement in voluntary care to complete his or her secondary education;

(3) ensures TFC staff comply with the qualifications in OHCA rules, per OAC 317:30-5-740 and 317:30-5-740.1;

(4) after initial placement of a child, provides clothing. Emergency funds for clothing may be accessed per OAC 340:75-13-45;

(5) ensures recreation, other than school and church attendance, is available through a wide range of activities to provide the child opportunities to pursue his or her talents, hobbies, or interests;

(6) supports all permanency planning efforts as identified in the child's Form 04K1008E, Treatment Plan, or Form 04K1012E, Individualized Service Plan (ISP);
(7) advocates for educational services in the community that best meet the needs of each child in compliance with Section 1-113 of Title 70 of the Oklahoma Statutes.

(A) The contractor:

(i) ensures timely school enrollment and provides the child's school with the information defined in the TFC contract at the time of enrollment; and

(ii) provides or arranges tutoring services in conjunction with the CW county of jurisdiction or county of placement worker.

(B) A child in TFC may:

(i) attend a private school accredited by Oklahoma. OKDHS does not pay the cost or related cost of private school education; and

(ii) be home schooled consistent with OAC 340:75-6-50. The TFC contractor consults with the Children and Family Services Division (CFSD) TFC programs manager and the involved CW field liaison in the decision to home school;

(8) completes a written incident report describing any extreme behavioral incident or major rule violation, including the contractor's response. The contractor provides a copy to the child's CW county of jurisdiction and placement workers and contract liaison, and files in the TFC record per contract specifications;

(9) complies with children's rights per OAC 340:75-11-237;

(10) complies with all general requirements per OAC 340:75-8-6;

(11) complies with all other requirements specified in the OKDHS contract;

(12) maintains documentation of the child's absent without leave (AWOL) and leave days defined in the contract and reports leave days on Form 04CB002E, CFSD Claim for Purchase of Residential Care; and

(13) submits Form 04CB002E for reimbursement to CFSD Administrative Services Unit. TFC contractors are reimbursed by:

(A) OHCA at a fixed daily rate for the provision of Medicaid services per OAC 317:30-5-743 and 317:30-5-744; and
(B) OKDHS at a fixed daily rate. The fixed daily rate is a blend of Title IV-E federal funds, per eligibility of each child served, and state funds.

INSTRUCTIONS TO STAFF 340:75-8-7

Revised 5-15-09

1. Additional services available to children in TFC. Specialized treatment services to augment the required services provided by the therapeutic foster care (TFC) contractor may be obtained when a child experiences severe functional impairment, exhibiting the need for additional treatment beyond the required TFC services. The specialized treatment services are provided by a Medicaid behavioral health contractor other than the TFC contractor and require prior authorization by the APS Healthcare reviewer for Medicaid reimbursement.

   (1) Services provided to a child in TFC by a psychiatrist or licensed PhD psychologist in private practice require prior authorization by APS Healthcare for Medicaid reimbursement.

   (2) The Child Welfare (CW) county of jurisdiction and county of placement workers participate in coordination of all requests for additional treatment services for a child in a TFC placement with the TFC contractor. In requesting additional services from a licensed PhD psychologist in private practice, the CW county of jurisdiction and county of placement workers consider the:

      (A) duration, intensity, and frequency of the child's behaviors;

      (B) child's specialized treatment needs including, but not limited to, sexual perpetration, long-term substance abuse, and highly sexualized behaviors;

      (C) number of crises requiring on-site response; and

      (D) child's progress on his or her TFC treatment plan.

2. Independent living (IL). Per Part 13 of OAC 340:75-6, the CW county of placement worker:

   (1) ensures that the youth's basic life skills assessment is completed; and
(2) arranges for the youth to attend the annual IL seminar.
340:75-8-8. Therapeutic foster care contractor requirements

Revised 5-15-09

(a) Therapeutic foster care (TFC) contractors:

(1) certify TFC homes according to rules established by Oklahoma Child Care Services (OCCS), Children and Family Services Division (CFSD), OAC 340:75-7-10 through 340:75-7-19, Oklahoma Health Care Authority (OHCA), and the requirements outlined in Oklahoma Department of Human Services (OKDHS) Placement Agreement for Residential Behavioral Management Services (RBMS) in TFC Settings;

(2) ensure the TFC home meets all certification requirements prior to the placement of a child in the home;

(3) engage in active recruitment of potential TFC parents who reflect the racial and ethnic diversity of children requiring placement, in compliance with the Multiethnic Placement Act of 1994 per OAC 340:75-7-10;

(4) continually evaluate the TFC parent's ability to provide TFC services and meet the needs of children receiving residential behavior management services in a foster care setting per OAC 340:75-7-94;

(5) ensure each TFC parent:

   (A) is trained according to OCCS rules, OHCA rules per OAC 317:30-5-740.1, and CFSD resource family requirements including Bridge, and the requirements outlined in OKDHS Placement Agreement for RBMS in TFC Settings, prior to the placement of a child in the home;

   (B) meets the requirements for in-service training as defined in the OKDHS contract; and

   (C) has access to respite care per OAC 340:75-8-11;

(6) requests approval from the CFSD programs manager for TFC prior to accessing child care for a child five years of age or younger. OKDHS does not reimburse for child care for a child in TFC placement. The written request includes the:

   (A) therapeutic justification in the child's treatment plan of daily child care outside of the child's TFC placement home;
(B) ability of child care staff or child care provider to meet the child's emotional and behavioral needs and all problems;

(C) availability of the TFC parent and TFC contractor staff to respond to behavioral needs and all problems at the child care environment;

(D) verification of child care center's licensing status, ratings, and adult:child ratio;

(E) planned length of use of child care as a service component of the child's treatment plan; and

(F) verification of TFC approval as a respite provider when an individual is providing child care;

(7) completes Form 04TF006E, Unsupervised Time Assessment, for children age six and older anytime an assessment is made that the child has the ability to have time away from the TFC parents' direct supervision. The assessment is documented as part of the child's ongoing TFC treatment plan; ❑ 1

(8) do not accept applications from any foster parent certified by any other agency, including all licensed child-placing agencies and OKDHS, without prior written approval of the current certifying TFC contractor and written approval of the CFSD programs manager for TFC; ❑ 2

(9) do not certify the TFC home unless at least one TFC parent is available to provide care for the child any time the child is not in school;

(10) do not certify an OKDHS employee as a TFC parent without prior written approval from the CFSD director or designee. The TFC contractor submits the written request to the CFSD programs manager for TFC. The review of the request is consistent with OAC 340:75-7-12;

(11) do not certify a TFC agency employee assigned to the TFC program without prior written approval from the CFSD programs manager for TFC. The request includes a copy of TFC agency policy regarding certification of employees of the TFC agency; and

(12) do not accept a foster parent application from a person licensed to provide child care services. Families are not approved as licensed family child care homes and TFC homes at their home or in any other location.

(b) TFC homes may be jointly approved per OAC 340:75-7-19.
(1) Joint approval of a TFC home occurs following written approval between the TFC contractor and the other certifying agency.

(2) A TFC home certified by more than one agency may not accept new placements from either certifying agency without prior written agreement of all certifying agencies.

INSTRUCTIONS TO STAFF 340:75-8-8

Revised 7-1-08

1. Unsupervised time for children in TFC placement. Child Welfare (CW) staff in the county of placement:

   (1) consults with the therapeutic foster care (TFC) therapist and the TFC foster parent regarding the decision to complete Form 04TF006E, Unsupervised Time Assessment;

   (2) reviews the completed 04TF006E and the accompanying Support Plan signed by the child, the TFC therapist, the TFC foster parent, and the TFC agency director;

   (3) discusses the completed Form 04TF006E, accompanying Support Plan, and TFC treatment plan with his or her supervisor and the county of jurisdiction worker and supervisor when different from the county of placement;

   (4) secures necessary signatures and returns the signed plan to the TFC therapist to be filed in the TFC case with copies provided to the TFC parents and the child; and

   (5) reviews Form 04TF006E and Support Plan at each treatment plan review and any time the child’s behavior or needs changes.

2. Joint approval. Child Welfare (CW) staff:

   (1) refers all requests for joint approval of therapeutic foster care (TFC) homes in writing to the Children and Family Services Division programs manager for TFC, per OAC 340:75-7-19;
(2) does not encourage or recommend that the TFC parent seek approval with another TFC agency prior to the resolution of any issues with the current certifying TFC contractor; and

(3) encourages the TFC parent to address the issues with the director of the contractor’s TFC program or through the TFC contractor’s grievance process.
340:75-8-9. Placement procedures in therapeutic foster care homes

Revised 5-15-09

(a) Therapeutic foster care (TFC) is the least restrictive community-based residential care placement setting. Children in Oklahoma Department of Human Services (OKDHS) custody served in TFC placements are ages three through 18, male or female, and determined by the Oklahoma Health Care Authority (OHCA) authorized reviewer to meet the medical necessity criteria for TFC services, per OAC 317:30-5-741.

(1) The child has been diagnosed with any DSM-IV AXIS I primary diagnosis, with the exception of V codes and adjustment disorders, accompanied by a detailed description of the symptoms supporting the diagnosis.

(2) The child's conditions are directly attributed to a mental illness or serious emotional disturbance as the primary need for professional attention.

(3) It has been determined by the reviewer that the child's current disabling symptoms cannot be or have not been managed in a less intensive treatment program.

(4) There is evidence that the child's presenting emotional or behavioral problems prohibit full integration in a family or home setting without the availability of 24-hour crisis response, behavior management, and intensive clinical interventions from professional staff, preventing the child from living in a traditional family home.

(5) The child is medically stable and not actively suicidal or homicidal and not in need of substance abuse detoxification services. ■ 1

(b) The Child Welfare (CW) county of jurisdiction worker and supervisor assess each child's treatment needs per OAC 340:75-6-40 and 340:75-6-85. The CW worker seeks TFC placement when the:

(1) child's treatment needs can no longer be met in the child's own home, relative home, or traditional foster family setting;

(2) child does not require a group home placement; and

(3) child does not meet the medical necessity criteria for psychiatric treatment.

(c) A child whose behavior requires 24-hour awake supervision or who poses a danger in a family setting is not appropriate for TFC placement.
(d) The TFC contractor receives referrals for the placement of children from the area resource coordinator (ARC), per OAC 340:75-8-12.

(e) The TFC contractor requests a TFC authorization extension 30 days prior to the expiration of the authorized length of stay. If the OHCA authorized reviewer denies the extension of services, the TFC contractor provides written notification within one working day of the denial to the CW county of jurisdiction and county of placement workers, if different.

(f) TFC contractors document in writing an assessment of the agency’s ability to serve a child age five and under prior to placement. The written documentation is maintained for onsite review during program audits and includes:

1. the assessed diagnosis and proposed treatment plan for the child;
2. the credentials, experience, and training of the TFC contractor’s staff documenting the staff’s ability to develop an age appropriate treatment plan and deliver clinical services to children, five years of age or younger, with emotional disturbances or behavioral disorders;
3. other information as requested by the CFSD programs manager for TFC; and
4. a description of the proposed TFC parent’s:
   A. age, availability, experience, and skills;
   B. family structure;
   C. ability to meet the needs of a child, including a child age five or younger; and
   D. parenting responsibilities to other children in the home, children in foster care or therapeutic foster care placement, any adopted children, and any birth children.

(g) The TFC contractor does not place more than two children in a TFC home without prior written approval from the CFSD programs manager for TFC. The TFC contractor submits the written request that includes:

1. primary treatment needs for the proposed placement of a third child and any subsequent children in the TFC home;
(2) availability, placement history, skills, completed or planned corrective action, and additional contractor supports of the TFC parent identified for proposed placement of a third child;

(3) risk factors considered and compelling reasons for proposed placement of a third child;

(4) documentation of TFC contractor contact with CW workers or supervisors for each child in the home, involved professionals, and each TFC family member, regarding the impact of the proposed placement of a third child;

(5) documentation of TFC contractor's review of any separated siblings placed in the proposed third placement; and

(6) other information as requested by the CFSD programs manager for TFC.

(h) Title XIX payments for TFC services are not made for TFC parents who move out of Oklahoma. TFC placements are made only in Oklahoma. ■ 4

(i) A child may remain in TFC placement on a voluntary basis after age 18, per OAC 340:75-6-115.9. ■ 5

INSTRUCTIONS TO STAFF 340:75-8-9

Revised 5-15-09

1. Authorization for TFC.

(1) APS Healthcare. A child in Oklahoma Department of Human Services (OKDHS) custody is authorized for TFC placement by inpatient authorization reviewers of APS Healthcare. Reviewers initially evaluate the child's current treatment needs to determine whether the child likely meets the criteria for TFC services.

(A) The CW county of jurisdiction worker requests APS evaluation for admission to TFC by calling 1-800-762-1560, selecting the Inpatient Prior Authorization option, and requesting a TFC evaluation.

(B) The CW county of jurisdiction worker provides to the APS reviewer accurate and complete information regarding the child's behavior. The information provided is documented in Form 04KI010E, Placement Worksheet.
(C) When the reviewer determines the child likely meets criteria for TFC, the reviewer faxes the "sounds like" designation to the area resource coordinator (ARC).

(D) The CW county of jurisdiction worker makes the placement request on the child’s KIDS Placement Recommendation screen, and the supervisor approves the placement request immediately following the TFC approval by the reviewer. The CW supervisor’s approval of the placement request indicates that Form 04KI010E has been reviewed for completion and accuracy.

(E) To appeal a TFC denial, the child’s CW county of jurisdiction or county of placement worker contacts the CFSD programs manager for TFC.

(2) Contractor listing. TFC contractors are found in the KIDS Resource Directory, resource category - Residential-State Office Authorized, resource type - Therapeutic Foster Care Contractor.

2. ARC assignment. The CW supervisor’s approval of the recommendation for TFC placement initiates the secondary case assignment to the ARC. Refer to OAC 340:75-8-12 ITS for the ARC’s role and responsibilities.

3. Lower level placement options. When the child no longer meets criteria for TFC placement and can be placed in a lower level of care, the CW county of jurisdiction worker immediately makes plans for the next appropriate placement. Placement options for a child who no longer meets criteria are:

   (1) own home;
   
   (2) relative home;
   
   (3) adoptive home;
   
   (4) foster family care, including joint approval of the TFC home per OAC 340:75-8-8, and contract foster care; or
   
   (5) independent living.

4. Out-of-state placements. CW staff are not authorized to approve TFC placement of a child in OKDHS custody with a TFC parent who is moving out-of-state.
5. Extended placement services. The CW county of jurisdiction worker and supervisor determine whether the child in TFC placement is eligible for voluntary services after age 18. If the child is eligible and requests voluntary care, the CW county of jurisdiction worker completes requirements per OAC 340:75-6-115.9.
SUBCHAPTER 11. CHILD WELFARE COMMUNITY-BASED RESIDENTIAL CARE

PART 1. GENERAL PROVISIONS [REVOKED]

Section 340:75-11-1. Scope and applicability [REVOKED]

PART 2. RESIDENTIAL DIAGNOSTIC AND EVALUATION FACILITY [REVOKED]

340:75-11-10. Residential diagnostic and evaluation center [REVOKED]

PART 3. SPECIALIZED COMMUNITY HOMES [REVOKED]

340:75-11-15. Legal base [REVOKED]
340:75-11-16. Definition of specialized community home [REVOKED]
340:75-11-17. Implementing a specialized community home [REVOKED]
340:75-11-18. Specialized community home/foster home study [REVOKED]
340:75-11-19. Application to provide specialized community home/foster home care [REVOKED]
340:75-11-20. Contracting [REVOKED]
340:75-11-21. Role expectation of the specialized community home contractor [REVOKED]
340:75-11-22. Responsibilities of the specialized community home contractor [REVOKED]
340:75-11-23. Additional requirements for the specialized community home contractor [REVOKED]
340:75-11-24. Behavior management of residents [REVOKED]
340:75-11-25. Protected communication [REVOKED]
340:75-11-25.1. Placement into specialized community homes [REVOKED]
340:75-11-26. Role of the county worker [REVOKED]
340:75-11-27. Role of the specialized community home liaison [REVOKED]
340:75-11-28. Remaining in the specialized community home placement after age 18 [REVOKED]
340:75-11-29. Investigation of alleged abuse or neglect of youth in specialized community home care [REVOKED]

PART 5. COMMUNITY-BASED CONTRACT RESIDENTIAL CARE [REVOKED]

340:75-11-45. Legal base [REVOKED]
340:75-11-46. Contract facilities [REVOKED]
340:75-11-47. Levels of care [REVOKED]
340:75-11-49. Placement into community based residential contract care – non-guaranteed contracts [REVOKED]
340:75-11-49.1. Placement into community based residential contract care – guaranteed contracts [REVOKED]
340:75-11-50. Role of the county worker [REVOKED]
340:75-11-50.1. Role of the liaison [REVOKED]
340:75-11-51. Transfer of case record [REVOKED]
340:75-11-52. Educational information [REVOKED]
340:75-11-53. Grievance procedure [REVOKED]
340:75-11-54. Remaining in residential care after age 18 [REVOKED]
340:75-11-55. Investigations of alleged abuse or neglect [REVOKED]

PART 7. CHILD WELFARE OPERATED GROUP HOMES [REVOKED]

340:75-11-70. Abbreviations [REVOKED]
340:75-11-71. Scope and applicability; general description [REVOKED]
340:75-11-72. Legal base and authority [REVOKED]
340:75-11-73. Personnel [REVOKED]
340:75-11-74. Physical plant [REVOKED]
340:75-11-75. Reporting requirements [REVOKED]
340:75-11-76. Staff medical responsibilities [REVOKED]
340:75-11-90. Supervision [REVOKED]
340:75-11-91. Restriction of privileges [REVOKED]
340:75-11-92. Room restriction [REVOKED]
340:75-11-93. Physical force [REVOKED]
340:75-11-94. Searches [REVOKED]
340:75-11-95. Restitution [REVOKED]
340:75-11-110. Admission [REVOKED]
340:75-11-111. Resident rights [REVOKED]
340:75-11-112. Resident grievance procedures [REVOKED]
340:75-11-113. Treatment planning [REVOKED]
340:75-11-114. Staffing [REVOKED]
340:75-11-115. Counseling [REVOKED]
340:75-11-116. Preparation for adult life [REVOKED]
340:75-11-117. Other services [REVOKED]
340:75-11-135. Absent Without Leave (AWOL) [REVOKED]
340:75-11-136. Discharge [REVOKED]

PART 9. THERAPEUTIC FOSTER CARE SERVICES [REVOKED]

340:75-11-151. Legal base [REVOKED]
340:75-11-152. Definition [REVOKED]
340:75-11-153.1. Day care services for custody youth in therapeutic foster care [REVOKED]
340:75-11-154. Contracting [REVOKED]
340:75-11-154.1. DCYFS employees as therapeutic foster homes [REVOKED]
340:75-11-155. Placement into therapeutic foster care programs [REVOKED]
340:75-11-156. Role of the primary worker [REVOKED]
340:75-11-157. Role of the county of placement CW Worker [REVOKED]
340:75-11-158. Role of the liaison [REVOKED]
340:75-11-159. Transfer of case record [REVOKED]
340:75-11-160. Grievance procedure [REVOKED]
340:75-11-161. Remaining in therapeutic foster care after 18 [REVOKED]
340:75-11-162. Investigations of alleged abuse or neglect [REVOKED]

PART 11. FAMILY REUNIFICATION/COMMUNITY REINTEGRATION SERVICES [REVOKED]

340:75-11-177. Scope and applicability [REVOKED]
340:75-11-178. Services/providers [REVOKED]
340:75-11-179. Documentation/referral [REVOKED]

PART 13. SPECIALIZED COMMUNITY HOME STANDARDS AND HOME STUDY GUIDELINES [REVOKED]

340:75-11-194. Scope [REVOKED]
340:75-11-195. Specialized community home standards [REVOKED]
340:75-11-196. Uninhabitable facility and contractor incapacitation [REVOKED]
340:75-11-197. Home study guidelines [REVOKED]
340:75-11-198. Recommendation, evaluation and annual re-evaluation [REVOKED]

PART 15. COMMUNITY-BASED RESIDENTIAL CARE CONTRACT PROGRAM DESCRIPTIONS [REVOKED]

340:75-11-218. Purpose [REVOKED]
340:75-11-219. Level A - basic congregate residential care [REVOKED]
340:75-11-220. Level B - enriched congregate residential care [REVOKED]
340:75-11-221. Level C - specialized residential care [REVOKED]
340:75-11-222. Level D - moderate intensity specialized residential care [REVOKED]
340:75-11-223. Level E - specialized residential high intensity treatment program
340:75-11-224. Therapeutic foster care [REVOKED]
340:75-11-225. Residential maternity services [REVOKED]
340:75-11-226. Residential diagnostic and evaluation programs [REVOKED]

PART 17. CONTRACTED COMMUNITY-BASED RESIDENTIAL CARE PROVIDERS

340:75-11-230. Purpose, legal base, and definitions
340:75-11-231. Legal base and authority [REVOKED]
340:75-11-232. Definitions [REVOKED]
340:75-11-233. Placement of children into more restrictive community-based residential care placements
340:75-11-233.1. Placement services
340:75-11-234. Community-based residential care placement contracts
340:75-11-235. Monitoring of contracts [REVOKED]
340:75-11-236. Contract liaisons
340:75-11-239. Contract liaison's general responsibilities for children placed in community-based residential care and CBRC placement providers
340:75-11-240. General requirements for contracted community-based residential care placement providers

PART 19. RESIDENTIAL DIAGNOSTIC AND EVALUATION SERVICES

340:75-11-250. Contracted residential diagnostic and evaluation services
340:75-11-251. Custody children served in contracted residential diagnostic and evaluation services [REVOKED]
340:75-11-253. Responsibilities of the liaison to contracted residential diagnostic and evaluation services [REVOKED]

PART 21. RESIDENTIAL INTENSIVE TREATMENT SERVICES

340:75-11-265. Contracted residential intensive treatment services
340:75-11-266. Custody children served in contracted residential intensive treatment services [REVOKED]
340:75-11-268. Responsibilities of the liaison to contracted residential intensive treatment services [REVOKED]

PART 22. SUBSTANCE ABUSE TREATMENT CENTERS

340:75-11-275. Substance abuse treatment services

PART 23. SPECIALIZED COMMUNITY HOMES

340:75-11-285. Definition [REVOKED]
340:75-11-286. Requirements for specialized community home contractors
340:75-11-287. Rights and responsibilities of the specialized community home contractor
340:75-11-288. Rights of the specialized community home (SCH) contractor [REVOKED]
340:75-11-289. Specialized community home contract reimbursement
340:75-11-290. Custody children served in contracted specialized community homes (SCH) [REVOKED]
340:75-11-292. Responsibilities of the liaison to contracted specialized community homes (SCH) [REVOKED]

PART 25. NON-FUNDED AND FUNDED CONTRACTED LEVEL B PLACEMENTS

340:75-11-300. Non-funded and funded contracted Level B placements
340:75-11-301. Children served in non-funded and funded contracted Level B placements
340:75-11-303. Responsibilities of the liaison to non-funded contracted Level B placement providers [REVOKED]
340:75-11-304. Funded contracted Level B placements [REVOKED]
340:75-11-305. Custody children served in funded contracted Level B placements [REVOKED]
340:75-11-307. Responsibilities of the liaison to funded contracted Level B placement providers [REVOKED]

PART 27. RESIDENTIAL MATERNITY SERVICES

340:75-11-320. Non-funded and funded contracted residential maternity services placements
340:75-11-321. Placements for infants of youth in non-funded and funded contracted residential maternity services
340:75-11-323. Responsibilities of the liaison to contracted residential maternity services placement providers [REVOKED]

PART 29. NON-FUNDED AND FUNDED LEVEL C PLACEMENTS

340:75-11-330. Non-funded and funded Level C placements and children served
340:75-11-331. Custody children served in non-funded Level C placements [REVOKED]
340:75-11-333. Responsibilities of the liaison to non-funded contracted Level C placement providers [REVOKED]
340:75-11-334. Funded Level C placements [REVOKED]
340:75-11-335. Custody children served in funded Level C placements [REVOKED]
340:75-11-337. Responsibilities of the liaison to funded contracted Level C placement providers [REVOKED]

PART 31. CONTRACTED LEVEL D PLACEMENTS

340:75-11-350. Contracted Level D placements and children served
340:75-11-351. Custody children served in contracted Level D placements [REVOKED]
340:75-11-353. Responsibilities of the liaison to contracted Level D placement
PART 33. CONTRACTED LEVEL D PLUS AND LEVEL E PLACEMENTS

340:75-11-360. Contracted Level D plus (+) and Level E placements

340:75-11-361. Custody children served in contracted Level D+ placements [REVOKED]


340:75-11-363. Responsibilities of the liaison to contracted Level D+ placement providers [REVOKED]

PART 35. CONTRACTED LEVEL E PLACEMENTS [REVOKED]

340:75-11-370. Contracted Level E placements [REVOKED]


340:75-11-373. Responsibilities of the liaison to contracted Level E placement providers [REVOKED]
340:75-11-233.1. Placement services

Revised 5-15-09

(a) The purpose of Children and Family Services Division (CFSD) Placement Section is to:

(1) ensure that children in Oklahoma Department of Human Services (OKDHS) custody are placed in the least restrictive community-based residential care (CBRC) placement that most appropriately meets their treatment needs;

(2) ensure equal access to CBRC placement resources by children in OKDHS custody statewide; and

(3) maintain the waiting list of children in OKDHS custody who need CBRC placements when the need for CBRC placements exceeds the availability of CBRC placements.

(b) In order to respond expediently to the volume of placement requests for children, the Placement Section:

(1) completes a daily review of children's cases received in the CFSD Residential, Placement, and Behavioral Health Services Unit KIDS In-box;

(2) assesses each placement request and notifies the Child Welfare (CW) county of jurisdiction worker and supervisor of secondary case assignment to the Placement Section;

(3) completes a daily review of the facility bed vacancy reports submitted daily by CW contract liaisons and CBRC providers;

(4) as beds in CBRC facilities become vacant, evaluates the treatment and behavioral needs of children on the waiting list and identifies each child for referral to the appropriate CBRC placement vacancy;

(5) when an appropriate CBRC facility is identified, makes the referral for placement to the CW worker assigned as the liaison to the designated CBRC facility and notifies the child's CW county of jurisdiction worker and supervisor of the referral, and, when requested, the county director and CW field liaison (CWFL);

(6) documents, on KIDS Placement Authorization screen, information used in reaching the placement recommendation and documents compliance with
applicable laws and policies;

(7) end-dates the secondary case assignment and completes documentation related to the placement episode when notified by the contract liaison that the child is placed; and  ■ 3

(8) maintains a working placement case record until the end of the year the child reaches majority.

(c) Placement of children prior to adjudication only occurs as described in OAC 340:75-11-233.  ■ 4

(d) Admission of a child to an acute psychiatric facility or a psychiatric residential treatment center (RTC) is made by the CW county of jurisdiction worker following the mental health gatekeeping referral process.  ■ 5

(1) The Placement Section provides consultation to the child's CW county of jurisdiction worker and supervisor regarding the identification of appropriate placement resources for a child discharged from inpatient psychiatric care.

(2) Discharge planning and the identification of an appropriate placement following discharge from inpatient psychiatric care begins when the child enters inpatient psychiatric care or immediately following commitment for monitoring purposes.  ■ 5 & 6

(e) A child who is adjudicated deprived and in need of supervision (INS) or delinquent is placed in accordance with OAC 340:75-6-46.

INSTRUCTIONS TO STAFF 340:75-11-233.1

Revised 5-15-09

1. Placement priority for a child in OKDHS custody.

(1) The child's treatment needs, placement history, current location, and readiness for placement determine placement referral priority.

(2) A child:

(A) ready for discharge from an inpatient psychiatric treatment facility;

(B) in a community-based residential care (CBRC) facility who needs a
more or less restrictive level of CBRC care; or

(C) in an Oklahoma Department of Human Services (OKDHS) operated emergency shelter over licensed capacity is given priority on the waiting list.

(3) Children and Family Services Division Placement Section establishes the waiting list according to the:

(A) level of care the child requires;

(B) child's current location;

(C) date of the placement request; and

(D) child's permanency plan.

(4) The CW county of jurisdiction worker's supervisor facilitates assignment of the placement request to Placement Section by approving the KIDS Placement Recommendation screen that indicates his or her review of Form 04KI010E, Placement Worksheet, for completion and accuracy. Refer to OAC 340:75-11-233 Instructions to Staff.

(5) The CW county of jurisdiction worker is responsible for:

(A) faxing to Placement Section initial and updated collateral case information needed to justify CBRC placement, including, but not limited to, residential diagnostic and evaluation assessments, documentation of previous placement episodes, psychological evaluations, hospital letters, facility progress reports, critical incident reports, and discharge summaries. Placement Section maintains all information in the working placement case record; and

(B) maintaining regular and ongoing contact with Placement Section to inform of any changes in the child's location or need for CBRC placement.

2. Report of vacancies. The contract facility liaison or the provider reports CBRC vacant beds to Placement Section either by fax or e-mail immediately when a bed becomes vacant or in advance when a planned discharge results in a vacant bed.
3. Placement procedures. When the CW county of jurisdiction worker receives the referral, the worker:

   (1) immediately contacts the CBRC facility and assigned contract liaison where the child is referred;

   (2) makes arrangements for transportation and ensures the child is placed, per OAC 340:75-11-238, within no more than two working days of the referral; and

   (3) documents the placement in the child's KIDS Placement screens. Authorization of the placement episode by Placement Section unlocks the KIDS Enter-Exit screen.

4. Placement prior to adjudication. When a child in emergency OKDHS custody has needs that are best met in a CBRC facility, the CW county of jurisdiction worker:

   (1) requests court approval stating all parties agree to a CBRC placement; and

   (2) if the court approves, faxes the court approval to Placement Section.

5. Mental health gatekeeping process. The process of placing a child in an acute psychiatric facility or a psychiatric residential treatment center (RTC) is begun by contacting APS Healthcare at 1-800-762-1560 to complete the gatekeeping referral process. Necessary paperwork is faxed to APS Healthcare at 1-800-762-1639.


   (1) The CW county of jurisdiction worker immediately initiates a placement request on KIDS Placement Recommendation screen, for any child in OKDHS custody who is placed in inpatient psychiatric care for treatment and whose discharge plan recommends placement in a CBRC facility.

   (2) The CW county of jurisdiction worker and supervisor ensure Form 04KI010E is updated to reflect inpatient treatment history and discharge recommendations.

   (3) The CW county of jurisdiction worker provides information to Placement
Section on the child's projected length of stay as authorized by the APS Healthcare inpatient of reviewer or as determined by discharge planning by the treating facility.

7. Admission to a psychiatric facility. If a child is admitted to a psychiatric facility from a CBRC placement, the CW county of jurisdiction worker initiates a new placement request on KIDS Placement Recommendation screen to reflect inpatient admission. Placement Section authorizes a child's return to the same CBRC facility or refers the child to another CBRC setting upon discharge from inpatient care.

The Child Welfare county of jurisdiction worker has general responsibilities for children in Oklahoma Department of Human Services custody placed in any CBRC placement. ■ 1 & 2

INSTRUCTIONS TO STAFF 340:75-11-238

Revised 5-15-09

1. CW county of jurisdiction worker's role.

(1) The Child Welfare (CW) county of jurisdiction worker's role and responsibilities for a child in the custody of Oklahoma Department of Human Services (OKDHS) in out-of-home placement are defined in OAC 340:75-6-47, 340:75-6-85, and 340:75-11-233 Instructions to Staff (ITS).

(2) The assignment of a liaison to the contracted community-based residential care (CBRC) placement provider does not diminish the CW county of jurisdiction worker's role and responsibilities for a child in OKDHS custody in contracted CBRC placement, such as:

(A) diagnostic and evaluation services (D & E);

(B) intensive treatment services (ITS);

(C) substance abuse treatment services;

(D) specialized community homes (SCH);

(E) non-funded and funded Level B placements;

(F) residential maternity services placements;

(G) non-funded and funded Level C placements;

(H) Level D placements;

(I) Level D+ placements; and
(J) Level E placements.

2. CW county of jurisdiction worker's responsibilities. The CW county of jurisdiction worker is responsible for:

   (1) accurately completing, and, at the time of placement, providing Form 04KI010E, Placement Worksheet, to the placement provider. Form 04KI010E is required for placing a child in CBRC placement as the form includes the history and current situations of the child's family, and the child's physical and mental status, medical needs, education, and placement factors;

   (2) making the request for the contracted CBRC placement in the child's KIDS Placement Recommendation screen. The CW supervisor approves this request, within five days of the CW county of jurisdiction worker's and CW supervisor's decision that contracted CBRC placement or services are necessary to meet the child's treatment needs;

   (3) providing to the placement provider, copies of:

       (A) completed Form 04KI004E, Placement Provider Information;

       (B) completed Form 04KI005E, Placement Plan;

       (C) completed Form 04KI006E, Family/Child Strengths and Needs Assessment, court-approved;

       (D) completed Form 04KI008E, Treatment Plan, or 04KI012E, Individualized Service Plan (ISP), as applicable;

       (E) completed Form 04FC011E, Placement Agreement for Out-of-Home Care, per OAC 340:75-6;

       (F) child's birth certificate;

       (G) immunization records;

       (H) court order for OKDHS custody;

       (I) most recent psychological evaluation.
(J) current social history;

(K) Social Security number or Form SS-5, Application for Social Security Number;

(L) medical card or Form 04KI002E, Eligibility Determination;

(M) school records or the name and address of the last school attended; and

(N) independent living assessment if the child is 16 years or older;

(4) transporting the child for admission with:

(A) a minimum of seven days worth of adequate clothing or a clothing authorization when the child does not have adequate clothing. Emergency clothing authorizations for a child placed in a non-funded CBRC placement are provided every 90 days, per OAC 340:75-13-45; and

(B) a 30-day supply of any medications in labeled prescription containers with instructions that are currently prescribed for the child to allow for uninterrupted treatment until alternate follow-up medical care is received. The CW county of jurisdiction worker documents the receipt and release of all medication on Form 04MP012E, Receipt and Release of Prescription and Over-the-Counter Medication(s), as described in OAC 340:75-6-85.1 ITS;

(5) providing the placement provider with input into the development, review, or revision of the child's individualized treatment plan that is completed by the placement provider within 30 days of placement. Review of the contractor's individualized treatment plan for the child is required at least every 90 days or more frequently as determined by the child's treatment needs;

(6) documenting the child's placement in KIDS Placement screens;

(7) providing completed Forms 04K01025E, Change in Placement Notification for Child's Attorney, and 04K01026E, Change in Placement Notification for Judge, in accordance with OAC 340:75-6-86 when there is a change in the child's living arrangements;
(8) contacting the child and placement provider as defined in OAC 340:75-6-48;

(9) advising the placement provider of the local post adjudication review board (PARB) review meetings, dates and times of court hearings, and any case staffing that requires the provider’s input;

(10) entering the end date of the placement in KIDS Placement screens, obtaining the child’s next placement, and transporting the child for immediate interview and placement after the contractor has received the referral for placement;

(11) if resident is more than 30 miles away from county of jurisdiction, maintaining monthly telephone contact with the child and placement provider in the months the on-site contact is not held, and documenting telephone contacts on the Client Contract Screen of KIDS;

(12) developing the child’s discharge plan and attending discharge staffing with at least 48 hours notice from the provider;

(13) approving and arranging visitation, including transporting and supervising the visit if necessary;

(14) initiating an APS Healthcare referral for the child who is likely to meet the medical necessity criteria for acute or residential treatment care (RTC);

(15) locating an inpatient facility, with the assistance of APS Healthcare, when the child requires acute or RTC inpatient treatment for;

(16) when the child presents a physical threat to CW staff and requires transportation by law enforcement officials, arranging transportation by the county of jurisdiction or the county of placement Sheriff’s office;

(17) when the sheriff’s staff transports the child to inpatient care, providing the sheriff’s office with the mailing address to Children and Family Services Division (CFSD) CBRC programs manager to file the claim for mileage, meals, and hourly wage; and

(18) submitting Form 23C0106E, Authority to Purchase, to the CFSD CBRC programs field representative with all necessary identifying information for reimbursement to the sheriff’s office for transportation services.
340:75-11-239. Contract liaison's general responsibilities for children placed in community-based residential care and CBRC placement providers

Revised 5-26-05

Contract liaisons have general responsibilities for children in Oklahoma Department of Human Services Division custody placed in community-based residential care (CBRC) placements and for all CBRC placement providers.

INSTRUCTIONS TO STAFF 340:75-11-239

Revised 5-15-09

1. Contract liaison responsibilities. The liaison:

   (1) prints Form 04KI010E, Placement Worksheet, and KIDS Placement Recommendation screen for each child referred to the contracted community-based residential care (CBRC) and submits to the placement provider as quickly as possible, and facilitates and monitors the referral process through completion;

   (2) assists the placement provider in obtaining all information about the child required from the Child Welfare (CW) county of jurisdiction worker and notifies Children and Family Services Division (CFSD) Placement Section by e-mail of the actual date of admission for each child;

   (3) provides consultation to the placement provider about OKDHS policy requirements for children in out-of-home placements;

   (4) assists the placement provider in maintaining effective working relationships with CW workers and supervisors;

   (5) provides the placement provider with Form 04MP039E, Placement Provider Authorization Letter, upon the admission of each child;

   (6) has face-to-face, private contact with the child and the placement provider in the placement in the months that the CW county of jurisdiction worker is not required to make contact, per OAC 340:75-6-48, and documents these contacts in the child's KIDS Contacts screen;

   (7) spends a minimum of four hours per week at the CBRC facility and is
knowledgeable of the placement provider's:

(A) treatment planning;

(B) treatment plan review;

(C) quantity and quality of service provision; and

(D) discharge planning for children.

(i) This may be accomplished through participation in case staffings, interactions with children and facility staff, and review of case records.

(ii) The time a liaison spends per week at the facility is increased or decreased by the liaison's supervisor depending on the needs of the placement provider;

(8) knows the requirements of the contract and reports violations of the contract requirements to the CFSD CBRC programs manager;

(9) completes the monthly liaison statistical report and submits to the CFSD CBRC programs field representative by the fifth working day of each month;

(10) reports any earned income of the child to the assigned custody specialist on Form 08MP013E, Information/Referral - Social Services;

(11) completes Form 08MP030E, Authorization for Bus Transportation, when it is necessary for the child to travel by bus within Oklahoma;

(12) performs the quarterly on-site monitoring of the placement provider's compliance with contract mandates and submits a written report of the quarterly on-site monitoring to the CFSD CBRC programs manager;

(13) participates in the CFSD Continuous Quality Improvement (CQI) Unit annual on-site program assessment and focused review of the contract conducted by CQI staff;

(14) gives Form 15GR005E, Notice of Grievance Rights - Minors in OKDHS Custody - Youth in Voluntary OKDHS Care, to the child within 24 hours of
placement and includes the name of the local grievance coordinator (LGC) on this form, per OAC 340:2-3-47, and remains alert to any alleged maltreatment of any child on the part of the placement provider and notifies the:

(A) Office of Client Advocacy regarding maltreatment; and

(B) county LGC regarding any grievances filed on behalf of the child;

(15) maintains sufficient awareness of the treatment plan and discharge plan of each child;

(16) ensures the completion of a home study, when appropriate, prior to overnight visitation by the child;

(17) ensures the provider submits vacant bed reports daily to Placement Section;

(18) when the child meets medical necessity criteria for admission and presents a physical threat to CW staff to transport, assists the CW county of jurisdiction worker in arranging admission of the child to an acute or residential treatment center inpatient facility;

(19) when the county of jurisdiction sheriff's office refuses to transport the child to an inpatient facility, assists the CW county of jurisdiction worker with a transportation request to the county of placement sheriff's office;

(20) when the sheriff's staff transports the child to inpatient care, provides the county of placement sheriff's office with the mailing address to the CFSD CBRC programs manager to file the claim for mileage, meals, and hourly wage;

(21) submits Form 23C0106E, Authority to Purchase, to the CFSD CBRC programs field representative with all necessary identifying information for reimbursement to the county of placement sheriff's office for transportation services; and

(22) tracks leave days of each child and reviews the respective contractor's Form 04CB002E, CFSD Claim for Purchase of Residential Care, each month for accuracy of claims payment for specialized community homes (SCH), funded residential maternity placements, intensive treatment services (ITS),
residential diagnostic and evaluation services (D & E), funded Level B, Level C, Level D, Level D+, and Level E placements;

(23) knows the licensing standards and reports any observed violation of licensing standards to Oklahoma Child Care Services; and

(24) knows the disaster plans of the facility and maintains contact with the facility and programs staff during a disaster event; and, as applicable:

(A) maintains the waiting list of children referred for D & E, ITS, non-funded Level B and Level C, and residential maternity services placements and authorizes the placement on KIDS Placement Authorization screen;

(B) coordinates with D & E and ITS contractors in managing the waiting list and determining admission dates of children with the safety and protection of all children as the primary factor;

(C) ensures the $40 monthly allowance for the youth and $10 monthly allowance for each youth's infant and child is used for their benefit when in non-funded Level B, Level C, and residential maternity placements;

(D) obtains authorization for non-funded Level B and Level C placements from the CFSD CBRC programs manager for children who do not fall within the age range of the contracts; and

(E) reviews and signs the facility’s treatment plan verifying that additional treatment services are not duplicative nor provided in lieu of the contractually required treatment services for Level D, Level D+, and Level E placements that provide additional Title XIX treatment services over and above those required by the OKDHS contract.
340:75-11-250. Contracted residential diagnostic and evaluation services

Revised 5-15-09

(a) A residential diagnostic and evaluation facility that offers a 20-day admission program for children in Oklahoma Department of Human Services (OKDHS) custody, six to 18 years of age, is available to provide a comprehensive assessment of each child admitted. The comprehensive evaluation includes:

1. a psychological evaluation that addresses the child's:
   (A) level of emotional development;
   (B) capacity for self-control;
   (C) need for supervision;
   (D) specific therapy needs; and
   (E) risk to self, others, and the community;

2. a family and social history evaluation;

3. an educational evaluation;

4. a substance abuse evaluation;

5. a behavioral evaluation;

6. a speech and hearing evaluation;

7. a recreational evaluation; and

8. a medical evaluation, including psychiatric if appropriate.

(b) All evaluations are completed by professional staff who are licensed or credentialed in their respective professions. The contractor employs such staff or contracts for professional services.

(c) The time frame for the completion of the comprehensive assessment of the child is limited to calendar 20 days.
(1) Upon the child's admission, an interdisciplinary staffing that includes the Child Welfare (CW) county of jurisdiction worker is scheduled to be held prior to the 20th day to produce the summary of treatment and placement recommendations.

(2) The provider submits this summary and the individual evaluation reports to the child's CW county of jurisdiction worker and the contract liaison.

(d) Psychological or psychiatric intervention is available for children through direct contact with a psychologist or psychiatric consultant. Individual counseling or therapy is provided, as needed, for each child by the contractor's designated social work or counseling staff.

(e) The provider:

(1) receives referrals of children from the contract liaison;

(2) considers the age, gender, and presenting behaviors of each child in determining which children share bedrooms to ensure the safety of all children;

(3) provides a 12-month school on campus. Curriculum provided in the educational setting conforms to the course of instruction approved by Oklahoma State Department of Education. The contractor ensures that educational opportunities are available that meet the child's special educational requirements;

(4) provides clothing, after initial placement of a child. Emergency funds for clothing may be accessed per OAC 340:75-13-45;

(5) provides 24-hour on-call and on-site crisis intervention and behavior management services to each child, as needed. Emergency or crisis intervention services include face-to-face encounters with the child to resolve acute emotional dysfunction by providing intervention resolution and stabilizing functions through triage screening, planning, and documentation;

(6) provides recreation opportunities, directed by a recreation therapist, for each child on a daily basis through a wide range of planned activities, both indoors and outdoors;

(7) completes a written incident report describing any extreme behavioral incident or major rule violation and includes the contractor's response to the incident. The incident report is maintained in the child's case record and included in the child's behavioral evaluation;

(8) meets the staffing guidelines defined in the OKDHS contract;
(9) complies with children's rights per OAC 340:75-11-237;

(10) complies with all general requirements per OAC 340:75-11-240;

(11) complies with Part 105 of OAC 317:30-5 for residential behavior management services in group settings and non-secure diagnostic and evaluation centers;

(12) is reimbursed by OKDHS at a fixed daily rate. The fixed daily rate is a blend of Title IV-E and Title XIX federal funds, per eligibility of each child served, and state funds; and

(13) submits Form 04CB002E, (DCYS-S-2) Claim for Purchase of Residential Care, for reimbursement to the Children and Family Services Division Administrative Services Unit.

INSTRUCTIONS TO STAFF 340:75-11-250

1. D & E services. Residential diagnostic and evaluation (D & E) services are:

   (1) short-term and not considered as a placement option for the child;

   (2) used when the Child Welfare county of jurisdiction worker and supervisor have difficulty assessing the child's treatment needs;

   (3) used to determine:

      (A) prescriptive treatment planning best suited to the child's needs that may prevent the disruption of the child's current placement; or

      (B) appropriate placement options; and

340:75-11-265. Contracted residential intensive treatment services

(a) Contracted residential intensive treatment services (ITS) are available to provide crisis stabilization interventions to children in Oklahoma Department of Human Services (OKDHS) custody, eight to 18 years of age, who are experiencing a mental health or psychiatric crisis to prevent admission to psychiatric care and enable the return to a community-based placement.

(b) Children served by ITS are:

1. seriously emotionally disturbed and at imminent risk of admission to acute psychiatric care or a psychiatric residential treatment center (RTC);
2. seriously emotionally disturbed with development disabilities and certified for services through Developmental Disabilities Services Division (DDSD); or
3. in need of crisis stabilization to avoid inpatient psychiatric treatment and maintain community-based placement.

(c) Contracted residential ITS are intensive, short-term, individualized mental health treatment services for children used as an alternative to admission to an inpatient acute psychiatric setting or RTC, and include:

1. an initial period, maximum of 72 hours, of crisis stabilization in a crisis residential bed provided by a licensed child-placing agency or a licensed residential child care facility;
2. crisis stabilization mental health services, per Part 105 of OAC 317:30-5, available 24 hours a day, seven days a week;
3. 24 hours, seven days per week access by phone to an employee of the contractor so that referrals are made and services provided in emergency situations;
4. development of a safety plan for implementation by the child’s placement provider upon discharge from ITS;
5. consultation with a psychiatrist or doctoral-level licensed mental health professional 24 hours a day, seven days per week; and
6. 24-hour on-call and on-site crisis intervention and behavior management services with the child, as needed. Emergency or crisis intervention services include face-to-face encounters with the child to resolve acute emotional dysfunction by
providing intervention resolution and stabilizing functions through triage screening, planning, and documentation.

(d) The crisis residential beds are provided in a setting licensed as a child-placing agency group home or residential child care facility that is not located in:

(1) a residential facility already under contract with OKDHS for the placement of children in OKDHS custody;

(2) a residential facility already under contract with Office of Juvenile Affairs (OJA) for the placement of children in OJA custody;

(3) a hospital, either medical or psychiatric; or

(4) a psychiatric residential treatment center (RTC).

(e) The provider:

(1) receives referrals of children from the contract liaison, CW workers, and Children and Family Services Division (CFSD) programs staff;

(2) considers the age, gender, and presenting behaviors of each child in determining which children share bedrooms to ensure the safety of all children;

(3) completes a written incident report describing any extreme behavioral incident or major rule violation, including the provider's response, submits the copy to the child's CW county of jurisdiction worker, and files the original in the child's case record;

(4) meets the staffing guidelines defined in the contract;

(5) complies with children's rights per OAC 340:75-11-237;

(6) complies with all general requirements per OAC 340:75-11-240;

(7) complies with Part 105 of OAC 317:30-5 for residential behavior management services in group settings and non-secure diagnostic and evaluation centers;

(8) submits monthly and annual reports to the CFSD Community-Based Residential Care (CBRC) programs manager to provide an overview of the contractor's activities.
(A) The monthly report includes:

(i) significant behavior events of each child;

(ii) each child's absent without leave (AWOL) days;

(iii) total bed days utilized;

(iv) total bed days not utilized;

(v) total number of children served during the month;

(vi) number of children served:

(I) who are also certified for DDSD services;

(II) by county of jurisdiction;

(III) by age;

(IV) by gender;

(V) by ethnicity;

(VI) who were admitted to psychiatric care;

(VII) in placement for seven days or less and the average length of stay; and

(VIII) in placement for more than seven days and the average length of stay; and

(vii) vacancies in contract mandated staffing requirements and other significant program events.

(B) The annual report, due within 60 days after the end of the contract year, includes the information listed in OAC 340:75-11-265(e)(8)(A) for the total contract year;

(9) is reimbursed by OKDHS at a fixed daily rate. The fixed daily rate is a blend of Title IV-E and Title XIX federal funds, per eligibility of each child served, and state funds; and
(10) Form DCYS-S-2, CFSD Claim for Purchase of Residential Care, for reimbursement to CFSD Administrative Services Unit.

INSTRUCTIONS TO STAFF 340:75-11-265

Revised 5-15-09

1. ITS. Residential intensive treatment services (ITS) are:

   (1) not used as an alternative to emergency shelter care or as respite care for children in Oklahoma Department of Human Services custody; and

   (2) listed in KIDS Resource Directory, category - Residential - Locally Authorized and type - Residential Individualized Therapeutic Service.

2. Stabilization and care.

3. (1) If the child is not stabilized within 72 hours of admission, the Child Welfare (CW) county of jurisdiction worker and ITS contractor make a request for a 72-hour extension to the contract liaison. If the child is not stabilized after the first extension, the CW county of jurisdiction worker and ITS provider make a request for additional extensions to the Children and Family Services Division Community-Based Residential Care programs manager.

   (2) If the ITS provider determines that the child's psychiatric problems are such that stabilization cannot be accomplished, the CW county of jurisdiction worker contacts the care reviewer of APS Healthcare for review and authorization for the child's admission to an acute psychiatric care facility or a psychiatric residential treatment center (RTC).
340:75-11-275. Substance abuse treatment services

Issued 5-15-09

(a) Each substance abuse treatment services provider serves a specially defined target population of children both in the custody of Oklahoma Department of Human Services (OKDHS) and those not in the custody of OKDHS. ■ 1

(1) Children served:

(A) are ages 13 to 17.11;

(B) vary by gender and behaviors exhibited;

(C) require 24-hour awake supervision; and

(D) are voluntary placements and must follow the substance abuse treatment program and complete the 90 day treatment program.

(2) The provider provides or obtains:

(A) substance abuse treatment services;

(B) counseling by a licensed clinical social worker; and

(C) a completed Addiction Severity Index (ASI) along with an evaluation on each youth.

(b) The substance abuse treatment services provider must comply with:

(1) children's rights per OAC 340:75-11-237;

(2) all general requirements per OAC 340:75-11-240; and

(3) any other requirements in the OKDHS contract.

INSTRUCTIONS TO STAFF 340:75-11-275

Issued 5-15-09
1. Substance abuse treatment services resources. Each substance abuse treatment services contractor is listed in KIDS Resource Directory, category - Residential-locally authorized and type – non-OKDHS operated facilities.
340:75-11-289. Specialized community home contract reimbursement

Revised 5-15-09

(a) Monthly allotment. Specialized community home (SCH) contractors are reimbursed at an annual fixed rate of reimbursement, paid in 12 equal monthly allotments. The SCH contractor submits a monthly claim for the monthly allotment on Form 04CB002E, CFSD Claim for Purchase of Residential Care, to Children and Family Services Division (CFSD) Administrative Services Unit on the first day of each month.

(b) Boarding home reimbursement. In addition to monthly allotment reimbursement, the SCH contractor is reimbursed at the daily OKDHS foster care reimbursement rate, per actual number of days in each month, according to the child's age. The SCH contractor signs the Fixed Rate Foster Home Contract for Specialized Community Homes at the same time the SCH contract is initiated, and on a yearly basis thereafter. If the new SCH contractor is already an OKDHS approved foster home, the Fixed Rate Foster Home Contract is cancelled and a new Fixed Rate Foster Home Contract for Specialized Community Homes is initiated with the same effective date of the SCH contract.

1 & 2

(1) SCH contractors are reimbursed for up to a total of ten calendar days for planned treatment leave per child, per child placement year, for example, for pre-placement visitation or family reunification.

(2) A child's placement year begins on the date a child is placed in the home and terminates 12 months later or on the date of discharge within that 12-month period. If a child is discharged, then readmitted to the same or another facility, a new child placement year begins.

(3) SCH contractors are reimbursed for a child who is absent without leave (AWOL) a total of five calendar days per child, per child placement year, when there is reasonable expectation the child will return to the SCH from AWOL status.

(4) SCH contractors are reimbursed if a child is hospitalized for a period not to exceed ten calendar days if the contractor maintains daily contact with the child and the child returns to the SCH upon discharge.

(5) The SCH contract liaison and supervisor approves all reimbursement for planned leave, hospital leave, or AWOL status.

(6) SCH contractors are not eligible for difficulty of care payments for children in
INSTRUCTIONS TO STAFF 340:75-11-289

Revised 5-15-09

1. The Child Welfare (CW) worker or person contracted to do family assessments follows OAC 340:75-11-286 by completing a family assessment in the county where the specialized community home (SCH) is located and completes required reassessments.

2. Contract initiation. The Children and Family Services Division Community-Based Residential Care programs manager initiates the Fixed Rate Foster Home Contract for Specialized Community Homes.

3. SCH resources. Each specialized community home (SCH) contractor is listed in KIDS Resource Directory, category - Residential-State Office Authorized and type - Specialized Community Home.
340:75-11-300. Non-funded and funded contracted Level B placements

Revised 5-15-09

(a) Non-funded Level B placements are provided by faith-based residential agencies that provide the equivalent to foster home placements for children requiring a home-like environment with a full-time house parent couple.

(b) Funded contracted Level B placements are provided by the Murrow Indian Children's Home and meet the placement preferences required by the Indian Child Welfare Act (ICWA).

(c) Non-funded and funded contracted Level B services include:

(1) group treatment for each child, as needed, that focuses on maintenance issues and daily living matters;

(2) individual treatment for each child, as needed;

(3) active teaching and redevelopment of the child's basic living and social skills, both on-site and in the community. At minimum, the focus is on the restoration of skills for:

   (A) personal health and hygiene;

   (B) maintenance of the living environment, including food preparation;

   (C) money management;

   (D) job skills readiness, acquisition, and retention;

   (E) community awareness and mobility, including the use of community resources; and

   (F) socialization skills and techniques, including communication;

(4) developing and implementing policy and procedures for delivery of independent living (IL) skills training to youth, using an approved curriculum for teaching IL skills;

(5) assisting in the provision of federally mandated IL services that include coordinating with the Child Welfare (CW) county of jurisdiction worker to ensure:
(A) the Daniel Memorial or Ansell-Casey Life Skills assessment is completed on each youth age 16 or older and implementing the IL plan produced by this assessment; and • 1

(B) each youth age 15.5 or older attends one community contractor IL seminar each year; • 1

(6) ensuring the youth applies for Medicaid upon his or her 18th birthday, if the youth remains in placement in voluntary care to complete his or her secondary education per OAC 340:75-6-115.9; and

(7) providing 24-hour on-call and on-site crisis intervention and behavior management services to each child, as needed.

(d) Contracted Level B placements are provided in a setting licensed as a child-placing agency group home or residential child care facility that is not located in a hospital, either medical or psychiatric, or a psychiatric residential treatment center.

(e) The contractor:

(1) does not provide 24-hour awake supervision of children;

(2) may provide clothing for the child in Oklahoma Department of Human Services (OKDHS) custody. Emergency clothing authorizations may be accessed per OAC 340:75-13-45; • 2

(3) completes a written incident report describing any extreme behavioral incident or major rule violation, including the contractor's response, submits the original to the Children and Family Services Division (CFSD) Community-Based Residential Services programs manager and a copy to the child's CW county of jurisdiction worker, and files a copy in the child's case record;

(4) meets the staffing guidelines defined in the OKDHS contract;

(5) complies with children's rights per OAC 340:75-11-237;

(6) complies with all general requirements per OAC 340:75-11-240;

(7) provides placements of children at no cost to OKDHS for non-funded contracted Level B services;

(8) maintains documentation of each child's absent without leave (AWOL) and leave
INSTRUCTIONS TO STAFF 340:75-11-300

Revised 5-26-05

1. Independent living (IL) services. The Child Welfare (CW) county of jurisdiction worker:

   (1) ensures that the youth’s basic life skills assessment is completed; and

   (2) arranges for the youth to attend the annual IL seminar, per Part 13 of OAC 340:75-6.

2. Clothing. The CW county of jurisdiction worker provides quarterly emergency clothing authorizations for the non-funded Level B group homes.
340:75-11-301. Children served in non-funded and funded contracted Level B placements

Revised 5-26-05

(a) Children in Oklahoma Department of Human Services custody are provided a structured and supportive living environment that provides direction and guidance. Children appropriate for placement:

(1) demonstrate the ability to positively interact with adult caregivers and have limited failed placements;

(2) agree to the placement;

(3) agree to attend the placement provider's identified place of worship in non-funded group homes; and

(4) demonstrate the ability to attend public school; and

(5) exhibit minimal behavioral or emotional problems.

(b) In general, children served are male or female, ten to 18 years of age. Exceptions to the age range may be made for sibling groups or younger children, as appropriate, with the agreement of the contractor and Children and Family Services Division (CFSD) Community-Based Residential Care programs manager and are documented by the contract liaison. Children served in the funded Level B group home are Native American.

(c) Each non-funded and funded Level B contractor serves a different target population.

(d) The placement provider and contract liaison screen referrals for appropriateness for the placement of children to non-funded Level B group homes.

(e) Referrals to funded Level B group homes are made by CFSD Placement Section though the contract liaison.

INSTRUCTIONS TO STAFF 340:75-11-301

Revised 5-15-09
1. Contracts.

(1) Non-funded Level B placements. Children and Family Services Division (CFSD) contracts with:

(A) Goodland Presbyterian Children’s Home;

(B) Oklahoma Baptist Homes for Children;

(C) Sand Springs Children's Home; and

(D) Peppers Boys' Ranch. These resources are listed in KIDS Resource Directory, category - Residential-Locally Authorized and type – Non-OKDHS Operated Facilities.

(2) Funded Level B placements. CFSD contracts with Murrow Indian Children's Home. This resource is listed in KIDS Resource Directory, category - Residential-State Office Authorized and type - Level B.
340:75-11-320. Non-funded and funded contracted residential maternity services placements

Revised 5-15-09

(a) Contracted residential maternity services placements provide residential care and treatment for pregnant youth in Oklahoma Department of Human Services (OKDHS) custody, regardless of age. The youth may return to the residential maternity services placement postpartum not to exceed 45 days, except with the approval of the Children and Family Services Division (CFSD) Community-Based Residential Services (CBRC) programs manager.

(b) Children served are pregnant youth in OKDHS custody, regardless of age, who require a supportive living environment with direction and guidance but are not appropriate for foster family care due to difficulty in sustaining relationships with parental figures.

(c) Youth not appropriate for placement are violent, aggressive, destructive to self, others, or property, engage in criminal or delinquent behaviors, or require intensive supervision and services.

(d) Non-funded and funded contracted residential maternity services for pregnant youth include:

(1) group therapy, as needed, that focuses on maintenance issues and daily living matters;

(2) individual treatment, as needed;

(3) parenting skills training to enhance the youth's capability to function as a parent. A specific plan for the delivery of those services is delineated in the contractor's written policy;

(4) active teaching and redevelopment of the youth's basic living and social skills. At minimum, the focus is on the restoration of skills for:

   (A) personal health and hygiene;

   (B) maintenance of the living environment, including food preparation;

   (C) money management;
(D) job skills readiness, acquisition, and retention;

(E) community awareness and mobility, including the use of community resources; and

(F) socialization skills and techniques, including communication;

(5) developing and implementing policy and procedures for the delivery of independent living (IL) skills training, using an approved curriculum for teaching IL skills;

(6) assisting in the provision of federally mandated IL services that include coordinating with the Child Welfare (CW) county of jurisdiction worker to ensure:

   (A) the Daniel Memorial or Ansell-Casey Life Skills assessment is completed on each youth age 16 or older and implementing the IL plan produced by this assessment; and

   (B) each youth age 15.5 or older attends one community contractor IL seminar each year;

(7) ensuring the youth applies for Medicaid upon her 18th birthday, if the youth remains in placement in voluntary care to complete her secondary education per OAC 340:75-6-115.9;

(8) providing 24-hour on-call and on-site crisis intervention and behavior management services, as needed;

(9) arranging prenatal, delivery, and postpartum care for the youth by a local physician or clinic; and

(10) ensuring a licensed dietitian or nutritionist is on staff or available as a consultant in menu planning that meets the United States Department of Agriculture (USDA) or Oklahoma State Department of Health standards for pregnant teenagers or adult women.

(e) The youth is eligible for an emergency clothing authorization for maternity clothing after initial placement in a funded maternity residential services placement and quarterly emergency clothing authorizations when the youth is placed in a non-funded maternity residential services placement, per OAC 340:75-13-45.

(f) When the youth is in the Home Bound educational program, the contractor provides
additional educational services at a minimum of two hours per day during the school term.

(g) Contracted residential maternity services placements are provided in a setting licensed as a child-placing agency group home or residential child care facility that is not located in a hospital, either medical or psychiatric, or a psychiatric residential treatment center.

(h) The contractor:

(1) does not provide 24-hour awake supervision of children in placement;

(2) completes a written incident report describing any extreme behavioral incident or major rule violation, including the contractor's response, submits the original to the CBRC programs manager and a copy to the child's CW county of jurisdiction worker, and files a copy in the child's case record;

(3) meets the staffing guidelines defined in the OKDHS contract;

(4) complies with children's rights per OAC 340:75-11-237;

(5) complies with all general requirements per OAC 340:75-11-240;

(6) maintains documentation for funded programs of each child's absent without leave (AWOL) and leave days set forth in the contract and reports leave days on Form 04CB002E, CFSD Claim for Purchase of Residential Care;

(7) is reimbursed by OKDHS for funded programs at a fixed daily rate, based upon actual utilization. The fixed daily rate is a blend of Title IV-E funds, per eligibility of each child served, and state funds. The contractor submits Form 04CB002E for reimbursement to CFSD Administrative Services Unit; and

(8) receives referrals for the placement of youth from the contract liaison.

INSTRUCTIONS TO STAFF 340:75-11-320

Revised 5-15-09

1. Contracts. Children and Family Services Division contracts with Catholic Charities Holy Family Home for funded maternity services placements and with Grace Cottage for funded and non-funded maternity services placements. These resources are listed in KIDS Resource Directory, category - Residential-Locally Authorized and type - Residential Maternity Services.
2. Independent living (IL) services. The Child Welfare (CW) county of jurisdiction worker:

   (1) ensures that the youth's basic life skills assessment is completed; and

   (2) arranges for the youth to attend the annual IL seminar, per Part 13 of OAC 340:75-6.

3. Clothing authorizations. The CW county of jurisdiction worker provides emergency clothing authorizations. In addition to quarterly emergency clothing authorizations, the non-funded maternity residential services youth receives a $25 monthly allowance.
340:75-11-321. Placements for infants of youth in non-funded and funded contracted residential maternity services

Revised 5-15-09

(a) Infants served are the newborn infants whose mothers are in Oklahoma Department of Human Services (OKDHS) custody and served in the residential maternity services placement.

(b) The infant is accompanied in care by his or her mother and the length of stay does not exceed 45 days, except with the approval of the Children and Family Services Division (CFSD) Community-Based Residential Services programs manager.

(c) The contractor provides residential maternity services for infants in care that include:

(1) a separate, suitable bed in a room shared with his or her mother. No other adults or children share the room with the mother and infant;

(2) child care equipment, including bedding, high chairs, if needed, car seats, appropriate toys, and furniture;

(3) clothing;

(4) all food, formula, diapers, and personal hygiene items; and

(5) pediatric care. Prior consultation and consent from infant’s mother is required for any medical procedure.

(d) The contractor documents the interaction between the mother and the infant in the child's case record.

(e) The funded contractor is:

(1) reimbursed by OKDHS at a fixed daily rate, based upon actual utilization. The fixed daily rate is a blend of Title IV-E funds, per eligibility of each child served, and state funds; and

(2) submits Form 04CB002E, CFSD Claim for Purchase of Residential Care, for reimbursement to CFSD Administrative Services Unit.
INSTRUCTIONS TO STAFF 340:75-11-321

Revised 5-26-05

1. Services.

(1) The infant’s Child Welfare (CW) county of jurisdiction worker and the contract liaison provide assistance to the placement provider regarding case planning and coordinating services for the infant.

(2) Each infant and child of the youth in a non-funded maternity residential placement receives a $10 monthly allowance.

Revised 5-26-05

(a) The Child Welfare (CW) county of jurisdiction worker has responsibilities for children in Oklahoma Department of Human Services (OKDHS) custody placed in contracted residential maternity services placements. ■ 1

(b) The Child Welfare (CW) worker assigned as the liaison to contracted residential maternity services placement providers has specific duties and responsibilities. ■ 2

INSTRUCTIONS TO STAFF 340:75-11-322

Revised 5-15-09


2. Contract liaison responsibilities. In addition to responsibilities listed in OAC 340:75-11-239 ITS, the liaison:

   (1) maintains the waiting list of children referred for maternity residential services placement;

   (2) authorizes the placement on KIDS Placement Authorization screen;

   (3) tracks the use of leave days for each child in funded placement and verifies accuracy of leave days by signing Form 04CB001E, Community-Based Residential Care (CBRC) Leave Tracking, each month for each child; and

   (4) reviews the funded contractor's Form 04CB002E, CFSD Claim for Purchase of Residential Care, each month for accuracy of claims payment.
340:75-11-330. Non-funded and funded Level C placements and children served

Revised 5-15-09

(a) Placements equivalent to foster home placements for children requiring a home-like environment with a full-time house parent couple are contracted by:

   (1) faith-based residential agencies for non-funded Level C placements; and

   (2) non-faith-based residential agencies for funded Level C placements.

(b) Non-funded and funded contracted Level C services include:

   (1) structured group treatment, a minimum of one hour per week for each child;

   (2) individual treatment for each child, as needed;

   (3) family visitation, when the case plan is reunification;

   (4) family treatment, when deemed appropriate by the contractor and the Child Welfare (CW) county of jurisdiction worker;

   (5) active teaching and redevelopment of the child's basic living and social skills, both on-site and in the community. At minimum, the focus is on the restoration of skills for:

      (A) personal health and hygiene;

      (B) maintenance of the living environment, including food preparation;

      (C) money management;

      (D) job skills readiness, acquisition, and retention;

      (E) community awareness and mobility, including the use of community resources; and

      (F) socialization skills and techniques, including communication;

   (6) developing and implementing policy and procedures for delivery of independent living (IL) skills training to youth, using an approved curriculum for teaching IL skills;
(7) assisting in the provision of federally mandated IL services that include coordinating with the CW county of jurisdiction worker to ensure:

(A) the Daniel Memorial or Ansell-Casey Life Skills assessment is completed on each youth age 16 or older and implementing the IL plan produced by this assessment; and ■ 1

(B) each youth age 15.5 or older attends one community contractor IL seminar each year; ■ 1

(8) ensuring the youth applies for Medicaid upon his or her 18th birthday, if the youth remains in placement in voluntary care to complete his or her secondary education per OAC 340:75-6-115.9; and

(9) providing 24-hour on-call and on-site crisis intervention and behavior management services to each child, as needed.

(c) In addition, funded Level C services include:

(1) substance abuse or chemical dependency therapy within a group or individual counseling or therapy sessions for each child, as needed;

(2) behavior redirection 24 hours a day, seven days a week to meet the goals and objectives of the treatment plan and respond to any behavioral crisis of the child. The contractor ensures staff are available to respond in a crisis to stabilize the child's behavior and prevent placement disruption; and

(3) 24-hour on-call and on-site crisis intervention and behavior management services to each child, as needed. Emergency or crisis intervention services include face-to-face encounters with the child to resolve acute emotional dysfunction by providing intervention resolution and stabilizing functions through triage screening, planning, and documentation.

(d) Non-funded and funded contracted Level C placements are provided in a setting licensed as a child-placing agency group home or residential child care facility that is not located in a hospital, either medical or psychiatric, or psychiatric residential treatment center.

(e) The non-funded contractor:

(1) does not provide 24-hour awake supervision of children;
(2) is not required to provide clothing for the child in Oklahoma Department of Human Services (OKDHS) custody. Emergency clothing authorizations may be accessed per OAC 340:75-13-45; □ 2

(3) completes a written incident report describing any extreme behavioral incident or major rule violation, including the contractor's response, submits the original to the Children and Family Services Division, Community-Based Residential Services programs manager and a copy to the child's CW county of jurisdiction worker, and files a copy in the child's case record;

(4) meets the staffing guidelines defined in the OKDHS contract;

(5) complies with children's rights per OAC 340:75-11-237;

(6) complies with all general requirements per OAC 340:75-11-240; and

(7) provides placements of children at no cost to OKDHS.

(f) The funded contractor:

(1) provides clothing after initial placement of a child. Emergency clothing authorizations may be accessed per OAC 340:75-13-45;

(2) maintains documentation of each child's absent without leave (AWOL) and leave days defined in the contract and reports leave days on Form 04CB002E, CFSD Claim for Purchase of Residential Care;

(3) is reimbursed by OKDHS at a fixed daily rate. The fixed daily rate is a blend of Title IV-E per eligibility of each child served and state funds; and

(4) submits Form 04CB002E for reimbursement to CFSD Administrative Services Unit.

(g) Children served in non-funded and funded Level C placements.

(1) The primary goal of services is the remediation of mild to moderate behavior problems through a focus on daily living issues rather than clinical interventions.

(2) Non-funded contractors:

    (A) provide services to children, male or female, ten to 18 years of age. Each contractor serves a different target population of children; and
(B) serve children whose typical behaviors include minor criminal offenses, difficulty in school, problems with authority figures, verbal aggression, peer difficulty, or infrequent runaway behavior with a few failed placements in a family setting. ■ 3

(3) Funded contractors provide services to male children, 12 to 18 years of age, whose typical behaviors include impulse control problems and those behaviors listed in OAC 340:75-11-330(g)(2)(B). ■ 3

(4) Children not appropriate for non-funded placement:

   (A) have a history of setting fires or sexual perpetration;
   (B) are chemically dependent or have used drugs in the last 30 days;
   (C) are psychotic or on anti-psychotic medications;
   (D) have lived on the streets for the prior six months; or
   (E) are intellectually limited with an intelligence quotient (IQ) below 70 and have poor verbal skills.

(5) Both the non-funded and funded contractor receives referrals of children for placement from the CFSD Placement Section through the contract liaison.

INSTRUCTIONS TO STAFF 340:75-11-330

1. Independent living (IL) services. The Child Welfare (CW) county of jurisdiction worker:

   (1) ensures that the youth's basic life skills assessment is completed; and

   (2) arranges for the youth to attend the annual IL seminar, per Part 13 of OAC 340:75-6.

2. Clothing. The CW county of jurisdiction worker provides emergency clothing authorizations.

3. Level C placements.

   (1) Non-funded Level C. CFSD contracts with United Methodist Boys Ranch and United Methodist Children's Home. These resources are listed
in KIDS Resource Directory, category - Residential-State Office Authorized and type - Level C.

(2) Funded Level C. CFSD contracts with Oklahoma Lions Boys Ranch. This resource is listed in KIDS Resource Directory, category – Residential - State Office Authorized and type - Level C.
340:75-11-350. Contracted Level D placements and children served

Revised 5-15-09

(a) Contracted Level D placements are designed to serve the special needs of children, male or female, 12 to 17 years of age, in Oklahoma Department of Human Services custody, who are emotionally disturbed and certified as developmentally disabled by Developmental Disabilities Services Division (DDSD).

(b) The placement of children who are emotionally disturbed and developmentally disabled in Level D facilities is a joint decision made by the Children and Family Services Division (CFSD) programs manager or liaison to DDSD and DDSD programs manager for Residential Services.

(c) Providers of Level D placements are under contract with both CFSD and DDSD.

(d) Contractors receive referrals for children who are emotionally disturbed and developmentally disabled from DDSD programs staff.

(e) Level D contracted services include:

   (1) structured group therapy, a minimum of one hour per week for each child;

   (2) individual therapy, a minimum of one hour per week for each child;

   (3) family visitation, when the case plan is reunification;

   (4) family therapy, when deemed appropriate by the Child Welfare (CW) county of jurisdiction worker;

   (5) substance abuse or chemical dependency therapy within a group or individual counseling or therapy session for each child, as needed;

   (6) crisis intervention and behavior management services, as indicated in each child's DDSD Individualized Plan and in compliance with OAC 340:100-5-57. Emergency or crisis intervention services include face-to-face encounters with the child to resolve acute emotional dysfunction by providing intervention resolution and stabilizing functions through triage screening, planning, and documentation;

   (7) staff available to respond in a crisis to stabilize a child's behavior and prevent placement disruption, 24 hours a day, seven days per week;
(8) active teaching and redevelopment of the child's basic living skills. At minimum, the focus is on the restoration of skills for:

(A) personal health and hygiene;

(B) maintenance of the living environment, including food preparation;

(C) money management;

(D) job skills readiness, acquisition, and retention;

(E) community awareness and mobility, including the use of community resources; and

(F) socialization skills and techniques, including communication;

(9) developing and implementing policy and procedures for delivery of independent living (IL) skills training to youth, using an approved curriculum for teaching IL skills; and

(10) providing 24-hour awake supervision of children.

(f) The contractor:

(1) complies with Part 105 of OAC 317:30-5 for residential behavior management services in group settings and non-secure diagnostic and evaluation centers;

(2) provides clothing after initial placement of a child. Emergency funds for clothing may be accessed per OAC 340:75-13-45;

(3) complies with group home regulations per OAC 340:100-6;

(4) completes a written incident report describing any extreme behavioral incident or major rule violation, including the contractor's response, submits a copy to the child's CW county of jurisdiction worker and DDSD case manager, and files the original in the child's case record;

(5) meets the staffing guidelines set forth in the OKDHS contract and OAC 340:100-6;

(6) complies with children's rights per OAC 340:75-11-237;
(7) complies with all general requirements per OAC 340:75-11-240;

(8) maintains documentation of each child’s absent without leave (AWOL) and leave days set forth in the contract and reports leave days on Form 04CB002E, CFSD Claim for Purchase of Residential Care;

(9) is reimbursed guaranteed payment by CFSD for the total number of beds specified in the contract;

(10) is reimbursed by OKDHS at a fixed daily rate. The fixed daily rate is a blend of Title IV-E and Title XIX federal funds, per eligibility of each child served, and state funds; and

(11) submits Form 04CB002E for reimbursement to CFSD Administrative Services Unit.

INSTRUCTIONS TO STAFF 340:75-11-350

Revised 5-26-05

1. DDSD and CFSD Level D placements.

(1) Developmental Disabilities Services Division (DDSD) and Children and Family Services Division (CFSD) jointly contract with Level D placement providers.

(2) The joint decision to place children who are emotionally disturbed and certified developmentally disabled is made at the monthly CFSD and DDSD case grand staffing meeting.

(3) Level D resources are listed in KIDS Resource Directory, category – Residential - State Office Authorized and type - Level D.
340:75-11-360. Contracted Level D plus (+) and Level E placements

Revised 5-15-09

(a) Contracted Level D+ and Level E services include:

(1) structured group therapy, a minimum of two hours per week for each child;

(2) individual therapy, a minimum of one hour per week for each child;

(3) family visitation, when the case plan is reunification;

(4) family therapy, when deemed appropriate by the Child Welfare (CW) county of jurisdiction worker;

(5) substance abuse or chemical dependency therapy within a group or individual counseling or therapy session for each child, as needed;

(6) psychological or psychiatric intervention for each child through direct contact with a psychologist or psychiatric consultant or the contractor's designated therapy counseling staff;

(7) behavior redirection 24 hours a day, seven days a week to meet the goals and objectives of the treatment plan and respond to any behavioral crisis of the child. The contractor ensures staff are available to respond in a crisis to stabilize the child's behavior and prevent placement disruption;

(8) active teaching and redevelopment of the child's basic living and social skills, both on-site and in the community. At minimum, the focus is on the restoration of skills for:

   (A) personal health and hygiene;

   (B) maintenance of the living environment, including food preparation;

   (C) money management;

   (D) job skills readiness, acquisition, and retention;

   (E) community awareness and mobility, including the use of community resources; and
(F) socialization skills and techniques, including communication;

(9) developing and implementing policy and procedures for delivery of independent living (IL) skills training to youth, using an approved curriculum for teaching IL skills;

(10) assisting in the provision of federally mandated IL services that include coordinating with the CW county of jurisdiction worker to ensure:

   (A) the Daniel Memorial or Ansell-Casey Life Skills assessment is completed on each youth age 16 or older and implementing the IL plan produced by this assessment; and  ■ 1

   (B) each youth age 15.5 or older attends one community contractor IL seminar each year;  ■ 1

(11) ensuring the youth applies for Medicaid upon his or her 18th birthday, if the youth remains in placement in voluntary care to complete his or her secondary education per OAC 340:75-6-115.9;

(12) providing 24-hour awake supervision of each child;

(13) providing 24-hour on-call and on-site crisis intervention and behavior management services to each child, as needed. Emergency or crisis intervention services include face-to-face encounters with the child to resolve acute emotional dysfunction by providing intervention resolution and stabilizing functions through triage screening, planning, and documentation;

(14) providing a nine-month on-site educational program for each child in a Level D+ placement;

(15) providing recreation services for each child in a Level E placement; and

(16) providing a 12-month on-site educational program for each child in a Level E placement.

(b) Contracted Level D+ and Level E placements are provided in a setting licensed as a child-placing agency group home or residential child care facility that is not located in a hospital, either medical or psychiatric, or psychiatric residential treatment center.

(c) The contractor:

   (1) complies with Part 105 of OAC 317:30-5 for residential behavior management
services in group settings and non-secure diagnostic and evaluation centers;

(2) provides clothing, after initial placement of a child. Emergency funds for clothing may be accessed per OAC 340:75-13-45;

(3) completes a written incident report describing any extreme behavioral incident or major rule violation, including the contractor's response, submits the original to the Children and Family Services Division (CFSD) Community-Based Residential Services programs manager and a copy to the child's CW county of jurisdiction worker, and files a copy in the child's case record;

(4) meets the staffing guidelines defined in the Oklahoma Department of Human Services (OKDHS) contract;

(5) complies with children's rights per OAC 340:75-11-237;

(6) complies with all general requirements per OAC 340:75-11-240;

(7) maintains documentation of each child's absent without leave (AWOL) and leave days defined in the contract and reports leave days on Form 04CB002E, CFSD Claim for Purchase of Residential Care;

(8) is reimbursed by OKDHS at a fixed daily rate for the total number of beds specified in the OKDHS contract. The fixed daily rate is a blend of Title IV-E and Title XIX federal funds, per eligibility of each child served, and state funds; and

(9) submits Form 04CB002E for reimbursement to CFSD Administrative Services Unit.

(d) Children served in Level D+ and Level E placements.

(1) The primary goal of Level D+ and Level E services is the remediation of emotional disorders or behavioral problems through a focus on clinical interventions.

(2) Level D+ placements are less restrictive treatment intensive placements than Level E placements or psychiatric inpatient care and are available for children with severe emotional disorders or behavioral disorders.

(3) Children served in Level D+ placements exhibit a wide range of serious emotional disturbances and behavioral disorders, but are less physically or sexually aggressive than children served in Level E placements.
(4) Level E placements are the most restrictive treatment intensive placements available for children outside of a psychiatric facility.

(5) In general, children served are male or female:

(A) 12 to 18 years of age in Level D+ placements; and

(B) 13 to 18 years of age in Level E placements. Each contractor serves a specifically defined target population of children. □ 2

(6) The contractor receives referrals for the placement of children from CFSD Placement Section through the contract liaison.

INSTRUCTIONS TO STAFF 340:75-11-360

Revised 5-26-05

1. Independent living (IL) services. The Child Welfare (CW) county of jurisdiction worker:

   (1) ensures that the youth's basic life skills assessment is completed; and

   (2) arranges for the youth to attend the annual IL seminar, per Part 13 of OAC 340:75-6.

2. Level D+ and E placements. Level D+ and Level E contractors are listed in KIDS Resource Directory, category - Residential - State Office Authorized and type - Level D+ and Level E.
340:75-13-10. Social Security number

Revised 5-15-09

A SSN is required by federal regulations for anyone applying for Medicaid coverage. Form SS-5, Application for Social Security Number, is completed and submitted to the local Social Security Administration office by the Child Welfare worker for the child in the legal custody of Oklahoma Department of Human Services in out-of-home care:

(A) who does not have a Social Security number (SSN);

(B) whose SSN cannot be obtained from family resources; or

(C) for whom the OKDHS Information Management System (IMS) does not show a verified SSN.

INSTRUCTIONS TO STAFF 340:75-13-10

Revised 5-15-09

1. (a) Original Social Security card. To reduce Social Security Number (SSN) theft, the Child Welfare (CW) worker applies for an original Social Security card only when:

   (1) the child has no SSN;

   (2) the child, in OKDHS custody in out-of-home placement, has no original Social Security card and is nearing age 16; or

   (3) a request for other reasons has been approved by the Children and Family Services Division, Social Security Unit.

(b) If obtained, the original Social Security card is maintained in the CW case record until the child leaves out-of-home placement. Upon the child's exit, the card is given to the child or the child's caregiver.

(c) Use of existing Social Security number. The child's SSN is provided to the custody specialist when applying for Medicaid. The custody specialist verifies the SSN in IMS or completes a search in IMS for the SSN.

(d) Application for child's Social Security card. To request an original Social Security card from Social Security Administration for a child in Oklahoma

OTHER CHILD WELFARE SERVICES AND MEDICAL SERVICES FOR CHILDREN IN OUT-OF-HOME CARE REVISED 5-15-09
Department of Human Services (OKDHS) custody in out-of-home placement, the CW worker takes completed Form SS-5 to the local Social Security Administration office with:

(1) child's full-certified birth certificate;

(2) another form of child's identification, such as a court document verifying:

(A) child is in OKDHS custody;

(B) child's first and last name;

(C) child's date of, or place of, birth or parent(s)' name; and

(3) applicant's identification. CW staff presents OKDHS identification badge. The signature on Form SS-5 must match the name of the person presenting OKDHS identification.

(e) Replacement of child's Social Security card. To request replacement of a Social Security card from SSA for a child in OKDHS custody in out-of-home placement nearing age 16, the CW worker takes completed Form SS-5 to the local Social Security office with:

(1) child's full-certified birth certificate;

(2) another form of child's identification, such as a court document verifying:

(A) child is in OKDHS custody;

(B) child's first and last name;

(C) child's date of, or place of, birth or parent(s)' name; and

(3) applicant's identification. CW staff presents OKDHS identification badge. The signature on Form SS-5 must match the name of the person presenting OKDHS identification.

Revised 7-1-07

(a) SSI program. Supplemental Security Income (SSI) is a federal program for which recipients must qualify based on disability criteria, household income, and resource criteria designated by the Social Security Administration (SSA).

   (1) To remain eligible for SSI, recipients may not accrue more than the maximum allowed by SSA.

   (2) Some children in the legal custody of Oklahoma Department of Human Services (OKDHS) receive or may be eligible to receive SSI benefits on the basis of physical, mental, or emotional criteria.

   (3) The SSI recipient remains eligible for SSI if the recipient's income, resources, and disability continue to meet SSI program criteria.

(b) OKDHS as payee for a child's benefits.

   (1) The initial application is made by Children and Family Services Division Administrative Services Unit (ASU) for a child who receives or may be eligible to receive SSI when the child:

       (A) is in OKDHS custody and OKDHS is paying the total cost of the child's care; and

       (B) appears eligible for SSI based on disability. ■ 1

   (2) To ensure the application for and transfer of benefits, the:

       (A) CW worker completes and submits to ASU, within ten working days after the child's placement or as soon as the child's disabling condition is identified, Form 04MP029E, Report of Social Security and Veterans Benefits for Children in Out-of-Home Placement, requesting an initial eligibility determination;

       (B) custody specialist completes and submits to ASU, within ten working days after the child's placement, Form 04MP029E, requesting the payee be changed to OKDHS; and ■ 2

       (C) CW worker, within ten working days, e-mails ASU when the child's placement type changes or the child is released from OKDHS custody or out-of-home
placement.

(3) OKDHS receives and monitors the child's benefits.

(A) OKDHS receives the child's benefits until the child leaves OKDHS out-of-home placement if OKDHS is paying the full cost of the child's care. ■ 3

(B) ASU monitors each child's accrued funds and notifies the CW worker when the limit is approached to give specific instructions regarding the spenddown of that child's money. Purchases made with the child's accrued benefits must be items that benefit the child and are specifically for that child. These items must follow the child to all subsequent placements. ■ 4

(c) Placement provider as payee for a child's benefits. The kinship, paid, or non-paid placement provider submits completed Form 04FC011E, Placement Agreement for Out-of-Home Care, to the local SSA office to apply as the eligible child's payee. The CW worker assists the placement provider complete the form.

(1) Benefits.

(A) If the SSI benefit is equal to or greater than the foster care payment, the placement provider receives the full benefit and no payment from OKDHS for the child's care.

(B) If the SSI benefit is less than the foster care payment, the placement provider may receive a partial foster care payment that is reduced dollar for dollar based on the amount of the SSI benefit.

(2) Eligibility for paid placement provider. The OKDHS paid placement provider may apply as representative payee for a child when the child is an SSI recipient placed with the placement provider continuously for nine or more months.

(d) Beneficiary as payee for a child's benefits. The youth who remains in school beyond age 18 to complete his or her high school education remains eligible for SSI if the youth's income, resources, and disability continue to meet SSI program criteria.

(1) If the youth is capable of managing money, the CW worker or placement provider:

(A) submits to the local SSA office Form SSA-1372, Student Statement Regarding School Attendance;
(B) explains to the youth that the youth must pay the placement provider at the current rate;

(C) explores with the youth alternative placements that are consistent with the goals of self-support and self-sufficiency if the youth does not wish to pay the cost of care; and

(D) notifies the placement provider that OKDHS may pay a foster care payment reduced dollar for dollar based on the SSI benefit if the benefit is less than the foster care payment.

(2) If the youth is not capable of managing money and OKDHS is not paying the youth's full cost of care, the placement provider works with SSA to determine the payee for the youth's benefits.

(e) **Referrals.** Section 1615 of the Social Security Act provides for the referral by SSA of SSI recipients younger than 18 years of age to a designated state agency for provision of services to improve the child's disability. The Omnibus Reconciliation Act of 1981, Public Law 97-35, authorizes Oklahoma to operate a program for these children as a component of the Maternal and Child Health Block Grant. OKDHS is designated to administer this program in Oklahoma.

(1) The purpose of SSI-Disabled Children's Program (DCP) is to ensure that all available services and resources are used, as necessary, to assist each eligible child to become a self-sustaining and self-supporting adult.

(2) The Department of Rehabilitation Services Disability Determination Unit determines SSI eligibility for SSA and refers every SSI recipient, younger than 18 years of age, to Family Support Services Division Health Related and Medical Services to maintain a control on all referrals.

**INSTRUCTIONS TO STAFF 340:75-13-29**

**Revised 5-15-09**

1. **SSI benefits.** For an initial Supplemental Security Income (SSI) application, the Child Welfare (CW) worker completes and submits to Children and Family Services Division (CFSD) Administrative Services Unit (ASU) Form 04MP029E, Report of Social Security and Veterans Benefits for Children in Out-of-Home Placement, within ten working days from the date the child's disabling condition is identified. The child's information that must accompany Form 04MP029E for the initial determination of SSI includes:
(1) a full-certified copy of the birth certificate;

(2) the legal document showing the date child was initially placed into custody;

(3) medical information, psychological information, or both, stating the diagnosis and prognosis dated within the last 12 months;

(4) names, addresses, and phone numbers of all medical and psychological resources; and

(5) Form 04KI027E, Placement History.

2. Change of payee. For a change of payee for existing benefits, the assigned custody specialist, within ten working days from the child entering Oklahoma Department of Human Services (OKDHS) custody and out-of-home placement:

   (1) completes Form 04MP029E;

   (2) attaches the legal document showing the child's date of custody and Form 04KI027E; and

   (3) submits to ASU.

3. Notification of custody or placement change. When a change occurs in the type of placement for a child or OKDHS is relieved of the child's care or custody, the CW worker e-mails ASU within ten working days of the change.

4. Spenddown request. To remain eligible for SSI, the child may not accrue more than $2,000. In order to expend the child's accrued funds, a spenddown request is submitted to the assigned CFSD ASU Social Security specialist.

   (1) The CW worker:

   (A) completes a KIDS purchase request in the child's KK case and requests approval within KIDS, outlining the items for purchase that the child wants or needs, including, but not limited to the:

      (i) approximate price of each item;

      (ii) whether the warrant should be paid to the placement provider or
to the vendor with the name and address of vendor; and

(iii) whether the warrant should be mailed to the placement provider or the assigned worker in care of the county office;

(B) completes Form 23CO135E, Vendor Information, posted on the OKDHS InfoNet under Contracts & Purchasing forms, at the request of CFSD, if the vendor is not listed in the Office of State Finance database. Form 23CO135E is faxed to the assigned ASU Social Security specialist; and

(2) upon completion of the KIDS purchase request, an e-mail is sent notifying the CW worker of the approval or denial. A warrant is sent to the placement provider or CW worker, if so designated, for the amount of the purchase request regardless whether the check is made out to the placement provider or the store where the items were purchased. The warrant amount includes any down payment required for layaway of the items. The warrant is mailed with a print-out of the approved purchase request item(s). The placement provider or CW worker mails the print-out and the final purchase receipts, with the copy of the approved spenddown requests, to the assigned Social Security specialist. If the documents are not returned by the placement provider, the CW worker obtains and submits the documents.
SUBCHAPTER 15. ADOPTIONS

PART 1. GENERAL PROVISIONS [REVOKED]

Section
340:75-15-1. Legal base [REVOKED]
340:75-15-1.1. Permanency planning [REVOKED]
340:75-15-4. Eligibility [REVOKED]

PART 2. LEGAL BASE AND SCOPE OF THE ADOPTION PROGRAM

340:75-15-5. Legal base
340:75-15-6. Program responsibilities
340:75-15-8. Responsibilities of the adoption specialist and adoption transition specialist

PART 3. APPLICATION PROCESS [REVOKED]

340:75-15-22. Setting up the record [REVOKED]

PART 4. PLANNING AND PREPARATION OF CHILDREN FOR ADOPTION [REVOKED]

340:75-15-25. Permanency planning through adoption [REVOKED]

PART 5. TEAM TRAINING FOR EDUCATION AND RECRUITMENT [REVOKED]

PART 6. ADOPTION PROCESS
340:75-15-41. Adoptive placement criteria staffing
340:75-15-42. Statewide adoption staffing
340:75-15-43. Sibling placements
340:75-15-47. Interjurisdictional fair hearing

PART 7. CASE ACTIONS [REVOKED]
340:75-15-56. Transfer of adoptive home case [REVOKED]

PART 8. ADOPTIVE PLACEMENT PROCESS
340:75-15-59. Transition to adoptive placement
340:75-15-60. Physical placement of the child [REVOKED]
340:75-15-61. Interstate placements for adoption

PART 9. SELECTION, PLACEMENT AND ADOPTION [REVOKED]
340:75-15-75. Adoption selection committee [REVOKED]
340:75-15-76. Adoptive placement [REVOKED]
340:75-15-77. Return of child prior to adoption [REVOKED]
340:75-15-78. Consummation of adoption [REVOKED]
340:75-15-81. Post adoption services [REVOKED]

PART 10. INTEGRATED FAMILY ASSESSMENT AND PREPARATION PROCESS
340:75-15-82. Recruitment of Bridge resource families
340:75-15-83. Eligibility to adopt
340:75-15-84. Application process
340:75-15-85. Application to adopt by a foster parent or relative
340:75-15-86. Reapplication to adopt [REVOKED]
340:75-15-87. Assessment and preparation process
340:75-15-88. Completed Bridge resource family assessment and recommendation
340:75-15-89. Evaluation of the adoptive home after the Bridge family assessment
340:75-15-90. Transfer of resource family record [REVOKED]
340:75-15-91. Closure of resource family home
340:75-15-93. Centralized Paternity Registry

PART 11. SERVICES, SELECTION AND PLACEMENT OF CHILDREN FOR ADOPTION [REVOKED]

340:75-15-95. Scope and applicability [REVOKED]
340:75-15-96. Placement of Indian children [REVOKED]
340:75-15-97. Adoption of hard to place and special needs children [REVOKED]
340:75-15-98. Adoption exchange registrations [REVOKED]
340:75-15-100. Payment for medical services prior to consummation of adoption [REVOKED]
340:75-15-101. Payment for medical services following consummation of adoption [REVOKED]
340:75-15-102. Services to Oklahoma residents who are adopting foreign children [REVOKED]

PART 12. POST PLACEMENT SERVICES

340:75-15-103. Services to the child and family in adoptive placement
340:75-15-106. Post placement services
340:75-15-107. Adoption disruption
340:75-15-108. Legal finalization of the adoption

PART 13. INTERSTATE PLACEMENTS [REVOKED]

340:75-15-120. Interstate compact on the placement of children, adoptions [REVOKED]
340:75-15-121. Medical expense [REVOKED]
340:75-15-123. Interstate Compact on Adoption and Medical Assistance (ICAMA) [REVOKED]

PART 14. POST ADOPTION SERVICES

340:75-15-124. Post adoption services
340:75-15-126. Insurance coverage
340:75-15-127. Family Focus Services for adoptive families [REVOKED]
340:75-15-128. Adoption Assistance Program
340:75-15-128.1. Adoption assistance benefits
340:75-15-128.2. Eligibility requirements for Title IV-E adoption assistance
340:75-15-128.3. Eligibility requirements for state funded adoption assistance
340:75-15-128.4. Determination of special needs
340:75-15-128.5. Adoption assistance application procedures
340:75-15-128.6. Denial and fair hearing
340:75-15-128.7. Non-recurring adoption assistance [REVOKED]
340:75-15-129. Interstate Compact on Adoption and Medical Assistance
340:75-15-130. Post adoption disclosure of information [REVOKED]
340:75-15-132. Mutual Consent Voluntary Registry
340:75-15-133. Confidential Intermediary Search Program

PART 15. INDEPENDENT ADOPTION [REVOKED]
340:75-15-140. Definition [REVOKED]
340:75-15-141. Authority for making court ordered investigation on an independent adoption [REVOKED]
340:75-15-142. Registration, centralized paternity registry and case recording [REVOKED]
340:75-15-143. Social services to family and the court [REVOKED]
340:75-15-144. Collection of fees [REVOKED]
340:75-15-5. Legal base

Revised 5-15-09

(a) Legal base.

(1) The Oklahoma Adoption Code, Chapter 75, Section 7501-1.1 et seq. of Title 10 of the Oklahoma Statutes, sets forth the provisions for the adoption of children and the legal actions necessary for adoptions. Adoption services are provided to birth parents, children, and adoptive families to establish and maintain suitable, stable, permanent homes for children that maximally meet the child's developmental needs.

(2) Sections 7510-1.1 through 7510-3.3 and Public Law 96-272 require that the Oklahoma Department of Human Services (OKDHS) administer an adoption assistance program to assist with the adoptive placement and maintenance of children with special needs in adoptive homes.

(3) Section 7508-1.2 requires OKDHS to establish and administer a Mutual Consent Voluntary Registry whereby an eligible person who was separated from birth family members through adoption or termination of parental rights may indicate a willingness to have his or her identity and whereabouts disclosed to birth family members.

(4) Section 7508-1.3 requires OKDHS to establish and administer a Confidential Intermediary Search program whereby the services of a confidential intermediary who has been certified through OKDHS may be used by eligible persons to locate an eligible adult biological relative(s) with whom contact has been lost through adoption or termination of parental rights proceedings.

(5) Sections 7506-1.1 through 7506-1.2 require OKDHS to establish and administer a Centralized Paternity Registry (CPR) in order to protect the parental rights of an alleged or presumed father who may wish to affirmatively assume responsibility for a child(ren) he may have fathered. CPR also expedites adoptions of children whose biological fathers are unwilling to assume responsibility for their children by registering with the registry or otherwise acknowledging their children.

(6) The Adoption and Safe Families Act (ASFA) [Public Law 105-89] mandates that OKDHS place legally free children in adoptive homes when that is the case plan goal, provide for the interjurisdictional placement of children, and provide post adoption services as a component of the family preservation services.
(7) The Multiethnic Placement Act of 1994 (MEPA) as amended by the Interethnic Adoption Provisions of 1996 (IEP), is designed to eliminate discrimination on the basis of race, color, or national origin of the child or the prospective foster or adoptive parent(s); to decrease the length of time that children wait to be adopted; and to facilitate the identification, recruitment, and retention of foster and adoptive parents who can meet the distinctive needs of children awaiting placement. MEPA/IEP prohibits states or agencies that receive federal funds from delaying or denying the placement of any child on the basis of the race, color, or national origin of the child or the prospective foster or adoptive parent(s).

(A) Placement considerations. Any decision to consider the use of race as a necessary element of a placement decision must be based on concerns arising out of the circumstances of the individual case and based on the best interests of the child. Only the most compelling reasons may serve to justify consideration of race and ethnicity as part of a placement decision. Such reasons are likely to emerge only in unique and individual circumstances. Accordingly, occasions where race or ethnicity lawfully may be considered in a placement decision are very rare. Children who meet the definition of an Indian child in accordance with the Indian Child Welfare Act (ICWA) [25 U.S.C. Section 1903(4)] are placed according to the placement preferences found in ICWA. MEPA/IEP does not prohibit a preference for placing a child with relatives.

(B) Recruitment efforts. As part of MEPA/IEP, efforts to recruit Bridge resource families must reflect the ethnic and cultural diversity of children in Oklahoma who need foster and adoptive homes. A comprehensive recruitment plan is developed and updated annually by the area adoption supervisor.

(b) Scope. Each child with a case plan goal of adoption is referred for adoption services, which includes identification of an appropriate adoptive home, preparation of the child for adoptive placement, and supportive services to the child and adoptive family. OKDHS also provides services designed to recruit and develop adoptive homes. Due to the life experiences and backgrounds of the children available for adoption through OKDHS, services in all components of adoption are child focused.
 Definitions

Revised 5-15-09

The following words and terms, when used in this Subchapter, shall have the following meaning, unless the context clearly indicates otherwise:

"Adoptee" means a person who is adopted or is to be adopted.

"Adoption" means a way of providing security for and meeting the developmental needs of a child by legally transferring ongoing parental responsibilities for that child from the parent(s) or legal guardian to the adoptive parent(s), and, in the process, creating a new kinship network that links the birth family and the adoptive family through the child.

"Adoption Assistance" means assistance provided to the adoptive family based on the needs of the child that may include a monthly payment, medical card, or both, and reimbursement of attorney's fees related to the finalization of the adoption.

"Adoption Assistance Agreement" means a binding, contractual agreement between an adoptive parent(s) and Oklahoma Department of Human Services (OKDHS) that specifies:

(A) the duration of the agreement;

(B) the nature and amount of any payment, service, and assistance to be provided;

(C) the agreement shall remain in effect regardless of the state in which the adoptive parent(s) resides;

(D) the interests of the child are protected in cases where the adoptive parent(s) and the child move to another state; and

(E) the requirements of the adoptive parent(s) to continue to receive the assistance.

"Adoption Assistance Agreement, Agreement Only" means an agreement where:

(A) the adoptive parent(s) chooses to defer the receipt of a medical card, monthly monetary payment, or both and elect to maintain the option to receive a
medical card, money payment, or both at some point in the future; or

(B) the child is not immediately eligible for adoption assistance benefits but is at risk of developing a special need that would make them eligible for adoption assistance after finalization of the adoption.

"Adoption disruption" means the interruption of an adoption after placement of the child and before legal finalization of the adoption.

"Adoption Party" means an event held to introduce children in the custody of OKDHS with a goal of adoption to prospective adoptive families in order to facilitate an adoptive placement.

"Adoption specialist" means an OKDHS Child Welfare (CW) worker whose primary responsibilities include:

(A) identification of children in OKDHS custody in need of adoption planning in consultation with OKDHS CW staff;

(B) recruitment and adoptive home development;

(C) full disclosure of all known history of the child to a prospective adoptive family;

(D) trial adoptive placement;

(E) post placement planning and supervision; and

(F) legal consummation of adoptive placements.

"Adoption transition specialist" means an OKDHS CW worker whose primary responsibilities include:

(A) identification of children in OKDHS custody in need of adoption planning in consultation with OKDHS CW staff;

(B) assessment and preparation of children for adoption;

(C) adoptive planning and recruitment for children;

(D) sibling visitation and reunification efforts; and
(E) transition of children into adoptive homes.

"Agency Decline" means a decision made by OKDHS not to proceed with placement of a child in an authorized adoptive home.

"Alleged father" means a man who alleges himself to be, or is alleged to be, the genetic father or a possible genetic father of a child, but whose paternity has not been determined. The term does not include a presumed father. [10 O.S. § 7700-102]

"Approved adoptive family" means an adoptive family who has completed the required assessment process per OAC 340:75-15-88.

"Attachment" means a psychologically rooted tie between two persons that permits them to have affectual significance for each other.

"Authorized adoptive placement" means permission from OKDHS Children and Family Services Division to proceed with an offer of a child to an approved adoptive family.

"BIS" means Bridge in-service training. This training is provided to resource families regarding the requirements to be a Bridge Family.

"Blind showing" means an OKDHS sponsored arrangement for a prospective adoptive parent(s) to view a child without meeting or being introduced to the child as a prospective parent(s).

"Bridge family or resource family" means a family who may be asked to:

(A) provide temporary care, love, and nurturance to the child and serve as a mentor actively helping the parent improve their ability to safely care for their children while staying connected and assisting in the transition to reunification, legal guardianship, or adoption to another family; and/or

(B) serve as the legal guardian for the child while maintaining a child's connection to kin, culture, and community; and/or

(C) adopt the child while maintaining a child's connection to kin, culture, and community.

"Child Profile" means the child's biological family background, social, educational, and medical history of a child prepared when the child's permanency plan becomes adoption. This profile is provided to adoptive families after an authorization is completed.
and prior to placement of the child in the adoptive home for purposes of full disclosure.

"Child with special needs" means a child who may be difficult to place for adoption due to a serious physical or mental disability, emotional disturbance, high risk to develop a physical or mental disability, age, sibling relationship, racial or cultural factors, or a combination of these conditions, per Public Law 96-272.

"Concurrent planning" means the provision of reunification services to a child in OKDHS custody and the child's parent(s) or legal guardian while simultaneously developing an alternative plan, in case reunification efforts fail or are no longer feasible.

"Culture" means shared values, norms, traditions, customs, arts, history, folklore, and institutions of persons who share historical or geographical proximity. Culture is not synonymous with race or ethnicity.

"Decline" means a family's decision, for whatever reason, to not pursue placement of a child for whom they have been authorized.

"Directive" means a form signed by the Director of OKDHS or designee authorizing an OKDHS employee to sign consent to the adoption of a child who is in OKDHS custody.

"Disclosure" means a process in which OKDHS provides medical, psychological, educational, and social history, including the child profile, to a Bridge adoptive family authorized for a specific child.

"Dissolution of adoption" means the act of ending an adoption by a court order terminating the legal relationship between the child and the adoptive parent(s). This term applies only after finalization of the adoption.

"Finalized adoption" means the legal consummation of an adoption.

"Indian Child Welfare Act" means legislation that mandates minimum standards for the removal and placement of Indian children from their families and tribes per Section 1901 of Title 25 of the United States Code and Section 40 et seq. of Title 10 of the Oklahoma Statutes.

"Integrated Assessment" means an assessment, of a family interested in becoming a Bridge resource family for OKDHS, that is completed by OKDHS staff or by a contractor of OKDHS. The assessment consists of an evaluation of the family's ability to foster and adopt, and includes, but is not limited to:
(A) consideration of criminal and CW history;

(B) the safety and physical ability of the home to integrate a new family member;

(C) the number and ages of children in the home;

(D) references;

(E) military history; and

(F) household income.

"Interlocutory decree" means a temporary court order, after the filing of the adoption petition, that gives the petitioner temporary care and custody of the child until the final decree of adoption is entered.

"Licensed child-placing agency" means a private agency that is licensed by OKDHS. A licensed child-placing agency is authorized to approve families for adoptive placement, and to place children who are legally available for adoption.

"Life Book" means a compilation of photographs, documents, mementos, illustrations, and narrative accounts of important events in a child's and family's life. The child's Life Book is compiled with or for a child who is in OKDHS custody in an effort to prepare a child for placement. The adoptive family's Life Book is completed by the family as a part of the assessment process.

"Master adoptive parent" means an experienced adoptive parent who serves as a support person to adoptive families.

"Media recruitment" means the use of newspaper, radio, television, Internet, or other communication resources to provide general information about adoption or specific information about a child available for adoption.

"Notice of Plan for Adoption" means written notification to the alleged or presumed father of a child born out of wedlock that the birth mother is considering adoptive placement for the child. Notice of Plan for Adoption may be given by OKDHS, licensed child-placing agency, or an attorney representing prospective adoptive parent(s) of the child, either before or after the child's birth.

"Presumed father" means a man who, by operation of law under Section 7700-204 of Title 10 of the Oklahoma Statutes, is recognized as the father of a child until that status is rebutted or confirmed in a judicial proceeding. A man is presumed
the father of a child if:

(A) he and the mother of the child are married to each other and the child is born during the marriage;

(B) he and the mother of the child were married to each other and the child is born within 300 days after the marriage is terminated by death, annulment, declaration of invalidity, dissolution of marriage or after decree of separation;

(C) before the birth of the child, he and the mother of the child married each other in apparent compliance with law, even if the attempted marriage is or could be declared invalid, and the child is born during the invalid marriage or within three hundred (300) days after its termination by death, annulment, declaration of invalidity, a decree of separation, or dissolution of marriage;

(D) after the birth of the child, he and the mother of the child married each other in apparent compliance with law, whether the marriage is or could be declared invalid, and he voluntarily asserted his paternity of the child; and:

(i) the assertion is in a record with the State Department of Health, Division of Vital Records or OKDHS;

(ii) he agreed to be and is named as the child's father on the child's birth certificate; or

(iii) he promised in a record to support the child as his own; or

(E) for the first two years of the child's life, he resided in the same household with the child and openly held out the child as his own.

"Pre-Resource" means a family who has inquired about adoption, submitted an application to adopt, or both, but has not had an integrated assessment completed.

"Search" means the process of locating an adult birth relative of a child with whom contact has been lost through adoption or termination of parental rights.

"Statewide Adoption Staffing" means a monthly meeting between permanency planning and adoption staff from across the state in order to share information about children available for adoption.

"Swift adoption services" means processes completed by contracted agencies or OKDHS staff to gather history regarding a child in OKDHS custody, including the child's
biological family background, medical, educational, and social history for purposes of full disclosure to a prospective adoptive family.

"Termination of parental rights" means a judicial proceeding that frees a child from all custody and control by a parent(s).

"Trial Adoption (TA)" means the time between when a child is placed into an adoptive placement until the adoption is legally finalized.

INSTRUCTIONS TO STAFF 340:75-15-7

Issued 5-15-09

1. Child Profile. A portion of the child profile contains information from Electronic Data Services (EDS). EDS is a contract vendor of Oklahoma Health Care Authority. EDS provides OKDHS with a child-specific print out that lists:

(A) identifying information;

(B) visits charged by medical providers;

(C) provider addresses; and

(D) any diagnosis or medical procedures the child has received.
340:75-15-8. Responsibilities of the adoption specialist and adoption transition specialist

Revised 6-1-07

(a) Responsibilities of both the adoption specialist and adoption transition specialist include:

1. consulting with Permanency Planning, Foster Care, and Child Protective Services staff and serving as team members in addressing permanency issues for children in out-of-home care. Consultation may be informal between workers or occur in a multi-disciplinary team through criteria staffings and permanency planning reviews. Consultation regarding adoption issues is an ongoing process and begins with the referral for Swift adoption services, including the completion of Form 04AN022E, Child Profile Assessment for Adoption, and concludes when an adoptive placement for a child is made; and

2. recruiting adoptive homes by engaging in activities designed to recruit families who reflect the diversity of the children in out-of-home care and who are willing and able to parent children with special needs.

(b) Additional responsibilities of the adoption specialist include:

1. assessing and preparing adoptive families on an ongoing basis to parent children with special needs;

2. offering or facilitating post placement services when a child is placed in trial adoption and until the adoption is legalized, per OAC 340:75-15-103 through 340:75-15-109;

3. offering or facilitating post adoption services at the family's request after the adoption is legalized, per OAC 340:75-15-124 through 340:75-15-133;

4. completing a thorough review of the KIDS case and the accompanying paper file to include correction of inaccurate or incorrect information;

5. managing the child's case and taking the lead in a partnership relationship between the child, placement provider, and service providers to develop effective case plans that help achieve safety, permanency, and well-being. The adoption transition specialist ensures the child receives appropriate care and the child's needs for connection, closeness, and attachment are met;
(6) identifying each child's needs in the assessment process and arranging services to meet the needs to enhance the child's well-being while in out-of-home care. The specialist:

(A) works with the placement provider and service providers to ensure that the child is emotionally and psychologically prepared and ready to accept a new family; and

(B) prepares the child for adoptive placement through a series of steps and activities and seeks an adoptive family that is in the child's best interest; and

(7) collaborating with the adoption transition specialist to plan the child's transition into adoptive placement.

INSTRUCTIONS TO STAFF 340:75-15-8

Revised 5-15-09

1. (a) Adoption consultation. The adoption consultation process includes:

   (1) reviewing Report YI602, Adoption Permanency Plan Case Goal Report, by the adoption specialist and adoption transition specialist. Initial consultation occurs within 30 calendar days after the child's name first appears on Report YI602 or after e-mail notification from the permanency planning Child Welfare worker is received;

   (2) scheduling criteria staffings for each child on Report YI602;

   (3) documenting in KIDS in the permanency planning case:

      (A) all adoption consultations in the Contacts screen; and

      (B) all Swift services referrals in the Adoption Efforts screen;

(b) Adoption criteria staffing. The adoption criteria staffing process includes:

   (1) documenting in KIDS in the permanency planning case:

      (A) all adoption criteria staffings in the Contacts screen; and

      (B) all Swift services referrals in the Adoption Efforts screen;
(2) sending the child's biological KK case record to Departmental Services Unit to be copied;

(3) researching all Oklahoma Department of Human Services (OKDHS) files related to the child, including any Family Support Services Division services records and medical records within the database maintained by Oklahoma Health Care Authority (OHCA);

(4) completing Form 04AN023E, Child Profile Referral, to submit to the Swift profile contractor after the criteria staffing. The referral packet includes, at a minimum:

(A) copy of the child's biological KK case;

(B) copy of child's full-certified birth certificate;

(C) copy of all legal orders pertaining to custody status and disposition of the child, including, but not limited to the:

   (i) petition initial order placing child in the emergency custody of OKDHS;

   (ii) initial petition and any subsequent amended petitions;

   (iii) adjudication orders;

   (iv) Temporary Custody Order placing child in the temporary custody of OKDHS;

   (v) dispositional order(s);

   (vi) order terminating parental rights;

   (vii) any relinquishment documents; and

   (viii) order placing child in the permanent custody of OKDHS;

(D) KIDS reports, including Forms:

   (i) 04KI028E, Client Information Report, attached for each child and biological parent;
(ii) 04KI029E, Case Contacts Report;

(iii) 04KI030E, Client Medical/Psychological; and

(iv) 04KI010E, Placement Worksheet;

(E) signed Form 08HI003E, Authorization to Disclose Medical Records, on each medical, dental, psychological, Form 04MP001E, Consent for Release of Information, for each educational provider identified in the case records or within the database maintained by OHCA;

(F) Form 04AN012E, Perinatal Information, that is mailed to the hospital where the child was born;

(G) Oklahoma State Department of Health Form ODH 347, Medical and Social History Report for Adoption;

(H) Form 04AN026E, Assessment of Child by Caregiver;

(I) OKDHS Publication No. 85-67, revised 7/2005, My Feelings About Adoption, for children up to 12 years of age, and OKDHS Publication No. 05-09, revised 7/2005, Adoption Guidebook, for children age 13 and older; and

(J) Form 04AN020E, Adoptive Placement Criteria Staffing;


(A) If not previously completed by the CW worker, these are completed as part of the preparation for adoption. These forms are completed by the adoption specialist, adoption transition specialist, or CW worker. When appropriate, former foster parents, CW workers, and relatives are contacted for additional information.

(B) The resource assessment contractor completes Form 04AN022E, Child Profile Assessment for Adoption, including attachments;

(6) arranging for the child to be staffed at the next statewide adoption staffing, when there is no identified adoptive family;
(7) scanning copies of all recommended resource family assessments by the Friday following statewide adoption staffing to the appropriate folder found in Microsoft Outlook at Public Folders/All Public Folders/STO DCFS/Adoption/Staffing Lists for review by the CW worker;

(8) assisting the CW worker with the selection and recommendation process; and

(9) assisting the CW worker with referrals for media recruitment, adoption parties, and adoption exchanges, when there is no recommended resource family for the child.

(c) To facilitate the recruitment of Bridge resource families, the adoption specialist and adoption transition specialist:

(1) develop an annual local recruitment plan in coordination with area adoption and county foster resource staff;

(2) use a combination of child-specific and more general targeted recruitment strategies, including registration of children on www.AdoptUsKids, ensuring participation at adoption parties, and facilitating participation in the Waiting Child television campaign and photograph exhibit project;

(3) coordinate recruitment activities with Children and Family Services Division Adoption Services Section; and

(4) jointly recruit Bridge resource families.

(d) For the assessment and preparation of Bridge resource families, the adoption specialist:

(1) enrolls the Bridge resource applicant in required pre-service training, including Behavior Crisis Management Training (BCMT); and

(2) completes Form 04AF009E, Referral for Bridge Resource Family Assessment, and sends the form to the resource assessment contractor within two weeks of receipt of the completed application along with:

(A) Form 04AN020E, if applicable;
(B) Form 04AF004E, House Assessment, completed at the initial home visit by the adoption specialist on all new inquiries. The resource assessment contractor completes Form 04AF004E on all conversion assessments;

(C) Form 04AF001E, Bridge Resource Family Assessment Application;

(D) Form 04AN022E, Child Profile Assessment for Adoption, for conversion assessments;

(E) Form 04AF007E, Records Check;

(F) Form 04AD003E, Request for Background Check, for all household members age 18 years or older;

(G) copy of all KIDS Pre-Resource and Resource contacts;

(H) copy of entire resource record, including re-evaluations, for kinship and foster families applying to adopt; and

(I) any other forms or documentation that the applicant returns to the adoption specialist. The contractor completes the assessment using Form 04AF002E, Guidelines for Resource Family Assessment Bridge Family Profile.

g) The case review process begins when the adoption transition specialist receives primary assignment to any child in a Permanency Planning case and includes a review of the:

(1) case plan. The child must have a case plan goal of adoption and current Form 04KI008E, Treatment Plan, or 04KI012E, Individualized Service Plan (ISP), must reflect services and activities appropriate to an adoption goal;

(2) court information. KIDS Court Hearing, Report/Progress Report, Parental Rights, and Status screens are reviewed. Missing or inaccurate termination of parental rights and legal status data is entered or corrected;

(3) placement history and current placement;

(4) educational history and current information. KIDS Client/Education
screen must reflect the child's current school information, grade level, education status, school performance, and educational strengths and needs;

(5) medical history and current information. KIDS Client/Medical screens must reflect current medical treatment and needs of the child, including all medications, immunizations, and mental health information;

(6) adoption efforts. KIDS Adoption Efforts screen is reviewed for history and updated by completing contacts related to adoption efforts. These contact purposes include adoption consultation, adoption criteria staffing, adoption matching party, and adoption statewide staffing;

(7) KIDS contacts. In order to gain a better understanding of the child and history of the case through the CW process, KIDS Contacts are reviewed especially those contacts with relatives or other important persons in the child's life that may have expressed an interest in the child's placement; and

(8) CW paper case record. The child's paper case record must contain applicable reports and information as referenced in OAC 340:75-1-26. All sections are checked and missing documents obtained, including a copy of the child's birth certificate and Social Security card.

(f) Placement services are provided by the adoption transition specialist per OAC 340:75-6-85.3 and 340:75-6-85.4. The adoption transition specialist:

(1) discusses his or her role with the child's current caregiver; and

(2) discusses the child's preparation for adoption and OKDHS adoption efforts with the child's current caregiver and requests current Form 04AN026E, Assessment of Child by Caregiver.

(g) Child assessment and preparation begins with the case review and continues with developing Form 04KI012E. Children who are old enough to participate in case planning are included in this process. Other child assessment and preparation activities include initiating the child's Life Book and completion of OKDHS Publication No. 85-67, revised 7/2005, for children up to 12 years of age, and OKDHS Publication No. 05-09, revised 7/2005, for children age 13 and older. The Companion Book for Social Workers is used to assist adoption transition specialists with OKDHS Publication No. 05-09,
(h) The adoption transition specialist for the child and adoption specialist for the family:

1. consult with each other regarding the offer of the child to the family and full disclosure. The adoption transition specialist may be asked to assist with full disclosure either by direct participation or availability to the family in case of questions; and

2. in the event that the resource family accepts the offer of a child, collaborate with each other to develop a pre-adoptive visitation plan that is in the child’s best interest. At a minimum, the adoption transition specialist participates in the first pre-adoptive visit. Additional adoption transition specialist responsibilities include:

   A. preparing the child's case for transfer to the adoption specialist. All KIDS information must be current;

   B. maintaining an open assignment and reporting to the court as needed;

   C. requesting consent to the adoption from the court of jurisdiction; and

   D. requesting dismissal of the deprived case once the adoption is finalized.
340:75-15-41. Adoptive placement criteria staffing

Revised 5-15-09

The adoption process is a team effort that includes the adoption specialist and supervisor, adoption transition specialist and supervisor, Child Welfare (CW) worker and supervisor, and service providers.

(1) Adoption consultation. No later than 30 calendar days after a child's name first appears on the report that lists children with a permanency plan of adoption, or after e-mail notification from a CW supervisor is received, the adoption specialist and CW worker participate in an adoption consultation. 1

(2) Criteria staffing. Within 14 days of the filing of a termination petition, the CW worker completes Form 04AN020E, Adoptive Placement Criteria Staffing, for any child with the goal of adoption to assist in determining the type of placement that best meets the child's needs and to ensure that every effort is made to place with family. The assessment may identify a prospective adoptive parent(s)' ability to meet the child's needs and addresses the legal status and any legal barriers to adoption.

(3) Placement assessment. Completion of the adoptive placement criteria staffing is not approval for adoptive placement. A child for whom there is no resource identified is referred to statewide adoption staffing. 1 Form 04AN020E is completed for the child on all interested, prospective caregivers. Factors considered when identifying the placement that best meets the child's needs are described in (A) through (J).

(A) Siblings. Siblings are placed together when possible unless a joint placement would be contrary to the safety or well-being of any of the siblings. Siblings are separated in adoptive placement only in certain circumstances, in accordance with OAC 340:75-6-85.2 and 340:75-15-43.

(B) Attachment. The attachment of the child to the siblings, foster family, and significant others is assessed and used as an indicator of the child's ability to attach to an adoptive family. 2

(C) Age. Age is evaluated in relation to the applicant's ability to parent the child into adult years. 3

(D) Health. The health records of the prospective adoptive applicant must indicate the applicant has the health to participate with the child in normal
developmental activities and parent the child into adult years.

(E) **Culture.** Oklahoma Department of Human Services (OKDHS) does not rely on generalizations about the identity needs of children of a particular race or ethnicity. OKDHS does not presume from the race or ethnicity of the prospective adoptive applicant that he or she would be unable to maintain the child’s ties to another racial, ethnic, or cultural community.

(F) **Adoption of an Indian child.** The child who meets the definition of an Indian child under the federal and state Indian Child Welfare Act (ICWA), Section 1901 of Title 25 of the United States Code and Section 40 et seq. of Title 10 of the Oklahoma Statutes, must be placed according to the placement preferences per OAC 340:75-19-23. Prior to placing an Indian child in a non-extended family or non-Indian family, the child's CW worker must request that the court of adjudication conduct a good cause hearing. ICWA requires that:

   (i) a good cause hearing is set;

   (ii) prior notice is given to all parties, including the tribe; and

   (iii) the court make a finding that good cause exists to not follow the placement preferences of ICWA.

(G) **Religion.** The child is provided an opportunity for spiritual and moral development. If the child has made a religious commitment or the parent(s) has made a specific request, OKDHS makes a reasonable effort to find an adoptive family of like faith.

(H) **Language.** If the child's primary language is other than English, special consideration is given to identifying an adoptive family fluent in the same language as the child, including sign language for a child who is hearing impaired.

(I) **Education.** The child is given the opportunity to develop his or her potential and will not be subjected to unrealistic academic expectations.

(J) **Resources.** The adoptive family must have adequate resources to meet the child's financial, medical, health, educational, shelter, and emotional needs. Adoption assistance is a resource for the child who meets eligibility criteria, per OAC 340:75-15-128.
1. Adoption consultation. The adoption consultation is held to discuss:

   (1) the child’s legal status;

   (2) if the child is not legally free for adoption, any barriers to termination of parental rights, and the anticipated date the child will be legally free;

   (3) whether there are siblings, placement of the siblings, and whether there is a need to request separation of siblings, per OAC 340:75-15-43;

   (D) results of diligent search and availability of relative placement;

   (E) prospective adoptive caregiver, if applicable;

   (F) date for criteria staffing and persons to invite to the criteria staffing;

   (G) plan for copying the biological case;

   (H) referral for Child Profile; and

   (I) referral for medical records from Oklahoma Health Care Authority.

2. Criteria staffing procedures.

   (1) The adoption specialist schedules the time and place for the criteria staffing during the initial adoption consultation.

   (2) Prior to the staffing, the Child Welfare (CW) worker and CW supervisor complete Form 04AN020E, Adoptive Placement Criteria Staffing, to the extent possible.

   (3) The assigned court-appointed special advocate (CASA) reviews Form 04AN020E. Any additional information provided by CASA may be included on Form 04AN020E. The CW worker requests CASA sign Form 04AN020E indicating the opportunity to review the content and notification of the date, time, and location of the upcoming criteria staffing.
(4) The CW worker:

(A) notifies all appropriate participants of the criteria staffing.

   (i) Recommended participants include the area adoption specialist, child’s CW worker, CW supervisor, resource specialist, Developmental Disabilities Services Division (DDSD) case manager, therapeutic foster care (TFC) therapist, and tribal social worker.

   (ii) Other persons with information that may assist in planning for the child are also invited, including, but not limited to, CW field liaison (CWFL) and SoonerStart and Office of Juvenile Affairs staff.

   (iii) All participants are required to review and sign Form 04AN020E;

(B) attaches the most recent completed Permanency Planning Review form to Form 04AN020E;

(C) if the court of jurisdiction has given any specific direction or court order regarding adoptive placement of the child, attaches a copy of the court order or court minutes to Form 04AN020E. If not attached, it must be identified on Form 04AN020E as an action step with a due date;

(D) prior to submitting a request for separating siblings, staffs concerns regarding sibling placement and separation with the designated Children and Family Services Division (CFSD) Permanency Planning Section programs field representative.

   (i) If this is not completed prior to criteria staffing, it must be identified on Form 04AN020E as an action step with a due date.

   (ii) Requests to separate siblings for the purpose of adoptive placement must be submitted via e-mail to the Sibling Separation Requests folder in Outlook and approved by either the CFSD Sibling Separation Committee, or committee chair or designee;

(E) if Form 04AF004E, House Assessment, was previously completed for a relative of the child, attaches a copy of this form to Form 04AN020E. If not attached, it must be identified on Form 04AN020E as an action step with a due date; and
(F) conducts a thorough Child Abuse and Neglect Information System search for prospective resources identified.

(i) The results of all Child Protective Services investigations and assessments, including any policy violations and written plans of compliance, are included on Form 04AN020E.

(ii) If this is not completed prior to the criteria staffing, it must be identified on Form 04AN020E as an action step with a due date.

(5) The area adoption supervisor and CW supervisor review completed Form 04AN020E, including the documented action steps, and sign as mandatory reviewers of Form 04AN020E.

(A) If no areas of concern are identified, the adoption specialist proceeds with the child profile referral.

(i) If a resource for the child is identified, the resource assessment referral is made after Form 04AF001E, Bridge Resource Family Assessment Application, is received.

(ii) The CW worker notifies the identified resource of the results of the criteria staffing and that a referral for a resource family assessment will be made.

(B) If an area of concern or placement dispute is identified, the adoption specialist or area adoption supervisor promptly notifies CFSD Adoption Services Section. If no resolution is reached after review by the Adoption Services Section, the Adoption Services Section programs manager notifies the CWFL and county director that a grand staffing is needed.

3. Child's ability to attach. The child's CW worker is aware that an indicator of success in adoption is the child's ability to attach. The child's CW worker solicits the cooperation and assistance of the foster family and other professionals, if indicated, to help the child accept adoption and transition into the placement.

4. Age of applicant. When the age difference between the applicant and child is more than 55 years, the CWFL and Adoption Services Section are consulted.
340:75-15-42. Statewide adoption staffing

Revised 6-26-03

(a) A child in Oklahoma Department of Human Services custody is referred for statewide adoption staffing when the child's permanency plan is adoption, unless a prospective caregiver is identified for the child at criteria staffing, per OAC 340:75-15-41.

(b) After a thorough review of family assessments submitted for adoptive placement consideration, the Child Welfare (CW) worker selects three families who are best able to meet the identified needs of the child and ranks the families in order of preference.

(c) If no families are identified for consideration at the initial statewide staffing, information regarding the child's continued need for an adoptive family is presented at each subsequent staffing and child specific recruitment activities are initiated to recruit an adoptive family, per OAC 340:75-15-82. 1

INSTRUCTIONS TO STAFF 340:75-15-42

Revised 5-15-09

1. Statewide adoption staffing. Statewide adoption staffing, found in the STO DCFS/Adoption/Statewide Staffing public folder on Outlook, occurs monthly and is an opportunity for Child Welfare (CW) workers to obtain resource family assessments for adoptive placement consideration. Tribal representatives are invited quarterly to statewide staffing.

   (1) The CW worker:

   (A) brings 45 de-identified copies of Form 04AN022E, Child Profile Assessment for Adoption, and a current color photograph of each child to be presented;

   (B) gives a brief presentation of the child, five to seven minutes in length, describing:

   (i) primary reason the child came into care and child's current legal status;

   (ii) child's current placement, including level of care and length of time in current placement;
(iii) child's personality, including the child's positives and strengths, interests and hobbies, and activities that are important to the child;

(iv) a recent visit with the child;

(v) type of family the child desires;

(vi) child's goals for the future, if an older child;

(vii) child's health;

(viii) child's school performance and educational needs;

(ix) child's day-to-day behavior;

(x) child's progress in counseling, if applicable; and

(xi) contact with child's biological family, including placement with siblings or visitation with siblings;

(C) reads each resource family assessment:

(i) no later than ten working days after the staffing, if there are ten or fewer prospective adoptive parents identified; or

(ii) no later than one month after the staffing if there are more than ten prospective adoptive parents identified;

(D) selects three families who appear best able to meet the identified needs of the child and prepares an adoptive placement recommendation for each family, per OAC 340:75-15-45; and

(E) if no resource family assessments are submitted for consideration, explores other recruitment opportunities, including:

(i) re-staffing the child;

(ii) scheduling the child for the next adoption party;

(iii) referral to Waiting Child; and
(iv) listing the child’s profile on the Internet; and

(F) consults with the adoption specialist to facilitate the adoptive placement process.
340:75-15-43. Sibling placements

Revised 5-15-09

(a) Oklahoma Department of Human Services (OKDHS) supports the relationship of sibling groups by placing them together in out-of-home care when possible unless a joint placement would be contrary to the safety or well-being of any of the siblings. Siblings who are not placed together in out-of-home care are afforded regular visitation and other ongoing interaction with each other, unless such visitation and contact would be contrary to the safety or well-being of any of the siblings. Siblings who are separated are moved into the same placement at the first available opportunity. Siblings with the permanency plan of adoption are staffed for adoptive placement as a sibling group.

(b) Exceptions to placing siblings together for adoptive placement include children who:

1. are placed with relatives; and
2. have a documented need for separation due to extreme behavior that is or would be harmful to a sibling on a long-term basis, per OAC 340:75-6-85.3.

(c) When separation is approved by the Children and Family Services Division Sibling Separation Committee, a plan for continued contact is provided to and agreed upon by the caregivers of the children. The Child Welfare worker explains to the prospective adoptive parent(s) that authorization to separate the children for placement does not sever the sibling relationship.

INSTRUCTIONS TO STAFF 340:75-15-43

Revised 5-15-09

1. Sibling separation. Requests to separate siblings for the purpose of adoptive placement are:

   1. submitted via e-mail, after review and approval by the supervisor, to the Sibling Separation Requests folder in Outlook for review by the Children and Family Services Division (CFSD) Permanency Planning Section;

   2. screened by the Sibling Separation Request Committee Chair to determine if the request needs to be reviewed by the Sibling Separation Committee that meets monthly and is comprised of representatives from CFSD:
(A) Child Protective Services;

(B) Permanency Planning;

(C) Foster Care;

(D) Therapeutic Foster Care (TFC);

(E) Indian Child Welfare; and

(F) Adoption;

(3) rendered a decision of agree, disagree, or need more information;

(4) required to include:

(A) each child's KK number, name, and date of birth;

(B) a brief summary of the reasons why separation is in the children's best interest;

(C) each child's current placement, and efforts made to place the siblings together in foster care or to reunite into one home;

(D) description of diligent search efforts;

(5) justified. Reasons for the separation request and behaviors referenced in the request are thoroughly detailed. For example, rather than stating that a child is difficult, specific behaviors must be identified; and

(6) supported with appropriate documentation, as applicable, such as letters from counselors or therapists, psychological evaluations, court-appointed special advocate (CASA) recommendation, criteria staffing notes, Permanency Planning Review forms, and Form 04AN026E, Assessment of Child by Caregiver.

(A) Letters from the child's TFC counselor must be signed by the TFC agency director.

(B) Documentation identifying an ongoing plan of visitation and contact among siblings may be requested by the Sibling Separation Committee.

Revised 6-1-07

The adoption recommendation process involves professionals who have knowledge regarding the child in Oklahoma Department of Human Services custody and adoptive family, and experience in areas related to adoption and children with special needs. The professionals include the child’s Child Welfare (CW) worker, CW supervisor, and area adoption specialist. Others who may be included are the area adoption supervisor, tribal worker, and CW field liaison (CWFL). The adoption authorization process involves Children and Family Services Division Adoption Services Section staff who review each recommendation submitted.

(1) When there are concerns regarding the recommendation or there is an objection to the recommendation, efforts are made to resolve the issues through communication with field staff.

(2) When no resolution is reached, the adoption placement coordinator notifies the CWFL and county director to hold a grand staffing.

(3) When the recommendation is denied, it is referred to the programs administrator for final review. ■ 1

(4) Approval of the adoption placement recommendation gives the adoption specialist the authority to offer the child for placement and complete full disclosure with the authorized adoptive family, using Form 04AN006E, Affidavit of Information Disclosure for Adoption, and to determine the family’s interest in proceeding with pre-placement visits. ■ 2

INSTRUCTIONS TO STAFF 340:75-15-45

Revised 5-15-09

1. Placement recommendation.

(1) The Child Welfare (CW) worker contacts the assigned adoption specialist for the county or group to answer any questions or to help facilitate the authorization process.

(2) The resource family assessment that is submitted for consideration must be current within one year or have a current update or re-evaluation.
using Form 04AF029E, Bridge Resource Family Re-assessment Guide, per OAC 340:75-15-89. Attachments which must be current within one year for each household member 18 years of age and older include:

(A) Form 04AD003E, Request for Background Check;

(B) Form 04AF007E, Records Check; and

(C) a fingerprint addendum.

(3) From the resource family assessments submitted for consideration, the child’s CW worker:

(A) completes Form 04AN025E, Adoptive Placement Recommendation - Supplemental Worksheet, when ten or more resource family assessments are available for consideration;

(B) selects three families best able to meet the child's identified needs;

(C) ranks the families in order of preference;

(D) completes Form 04AN024E, Adoptive Placement Recommendation Worksheet, and submits to Children and Family Services Division (CFSD) Adoption Services Section with a copy of the resource family assessment for each family; and

(E) considers information included on Form 04AN022E, Child Profile Assessment for Adoption, when assessing the appropriateness of the prospective adoptive parent.

(4) The adoption specialist for the family is notified of the authorized recommendation and contacts the child's CW worker.

2. Full disclosure and offer of child.

(1) The adoption specialist:

(A) offers the child to the adoptive family within three weeks of the authorization date;

(B) completes Form 04AN006E, Affidavit of Information Disclosure for
Adoption;

(C) provides to the adoptive family:

(i) Form 04AN006E;

(ii) de-identified Form 04AN022E;

(iii) de-identified copies of Oklahoma State Department of Health (OSDH) Form ODH 347, Medical and Social History Report for Adoption; and

(iv) de-identified medical, dental, psychological, and educational records available at that time;

(D) reviews all information in OAC 340:75-15-45 Instructions to Staff 2(1)C with the family prior to initiating pre-placement visits.

(i) Non-related families who wish to proceed with pre-placement visits are referred to the local OSDH Child Guidance Center for additional review of the full disclosure packet.

(ii) Upon completion of this review, pre-placement visits are coordinated using Form 04AN021E, Pre-adoptive Placement Visit Agreement; and

(E) if the family declines the offer, either before or after pre-placement visits, or fails to respond to both verbal and written contact attempts, promptly notifies the child's CW worker and Adoption Services Section placement coordinator by e-mail to proceed with review of the second recommendation.
340:75-15-61. Interstate placements for adoption

Revised 5-15-08

The Interstate Compact on the Placement of Children (ICPC) is a means to ensure protection and services to children who are placed across state lines for adoption. The Oklahoma Department of Human Services contracts for the administration of adoption ICPC services. There is a $250 fee for processing independent and private agency adoptions which is paid directly to the contractor by the independent attorney or the private agency. The contracted Deputy Compact Administrator (DCA) is authorized to conduct the necessary investigation of the proposed placement and determines whether the placement is contrary to the child's interests. After the placement is approved by the contracted DCA, the contracted DCA is responsible for overseeing the placement as long as it continues or until legalization of the adoption. This oversight does not include direct supervision of the placement but does include processing supervisory reports from the receiving state, facilitating communication between the states or parties involved, and notifying the agency or individual of an adoption disruption or legalization. [OAC 340:75-1-86]

INSTRUCTIONS TO STAFF 340:75-15-61

Revised 5-15-09

1. Processing out-of-state studies or assessments. The Oklahoma Department of Human Services (OKDHS) does not process applications from out-of-state adoptive parents, but accepts certified resource family studies or assessments from a licensed agency or public agency in another state. In cooperation with a licensed adoption agency in another state, an adoptive family may be considered for an Oklahoma child. The State Office Adoption Section coordinates placement and supervision with an agency in the state where the adoptive family resides. All provisions of the Interstate Compact on the Placement of Children (ICPC) are followed. [OAC 340:75-15-61 and 340:75-15-82] Assessments for placement of single children under five years of age are not accepted, as most young children requiring adoptive placement are part of a sibling group or placed for adoption with a relative or foster parent. Families requesting to adopt these children are given information about the types of children available through OKDHS and are encouraged to consider these children.

2. (a) Procedures when Oklahoma is the sending state. To initiate a request for an adoptive home study in another state, the child's Child Welfare (CW) worker submits Form 04IC002E, Interstate Compact Application Request to
Place Child, and a referral packet to the contracted Deputy Compact Administrator (DCA). An original and three copies of each document and five copies of Form 04IC002E are submitted. Only requests for a specific child can be processed through ICPC.

(1) Referral packet. The referral packet is a summary of the child's background, including:

(A) social information, which presents a clear statement of the relationship of the child to the proposed placement family;

(B) psychological information;

(C) educational information;

(D) Form ODH 347, Medical and Social History Report for Adoption;

(E) medical information;

(F) legal documents; and

(G) Form 04AN020E, Adoptive Placement Criteria Staffing.

(2) Referral request.

(A) The contracted DCA forwards the information to the ICPC office of the receiving state.

(B) The DCA in the receiving state refers the request to the local office or to a private agency. When the adoptive home assessment is completed and sent to the ICPC office by the receiving state, it is approved or denied and sent back to the contracted DCA in Oklahoma.

(C) The child's CW worker opens an "Other Services Workload Request" to document in KIDS that a home assessment has been requested from another state. The Type of Service Request is documented as ICPC-Sending Out-of-State.

(D) The contracted DCA in Oklahoma approves, denies, or requests additional information prior to taking action on the referral. Receipt of an approved adoptive home assessment and an approved Form
04IC002E is not approval for an adoptive placement. The child’s CW worker determines whether this is the best plan for the child.

(E) The adoption specialist converts the "Other Services Workload Request" to a Resource once the completed approved home assessment has been received. The Resource category is Adoption.

(F) Form 04AN024E, Placement Recommendation Worksheet, is completed for the recommended out-of-state family and submitted to the State Office along with a copy of the home assessment, Form 04AN022E, Child Profile Assessment for Adoption, Form 04AN020E, and Form 04IC002E.

(G) Prior to signing the placement affidavit, the family must be given full disclosure.

(b) Travel. OKDHS does not assist with travel arrangements for independent or private agency adoptions. For OKDHS adoptions, travel arrangements are coordinated between OKDHS and the adoptive family. The payment for travel is negotiated between OKDHS and the adoptive family. If the adoptive family is not able to make travel arrangements and pay for travel, the State Office Adoption DCA assists in arrangement of travel for custody children in coordination with the local CW worker. The CW worker submits a signed Form 23AD001E, Application for Agency Travel, for each person who is traveling. Form 23AD001E includes the child's date of birth and KK number. A recent court order showing the child is in OKDHS custody and a travel itinerary are attached.

(c) Placement. When the child is placed in another state, Form 04IC003E, Interstate Compact on the Placement of Children Report on Child's Placement Status, is submitted by the CW worker to the contracted DCA. This form is then sent to the ICPC office in the receiving state by the contracted DCA. When a placement is approved, a copy of Form 04IC002E signed by the sending state DCA is sent to the supervising county. When the child is placed in the adoptive home, an adoption case is opened in KIDS with the case type of Adoption.

(1) When the child is placed in the home upon receipt of Form 04IC003E, post placement supervision is provided by the receiving state. Reports of supervision are submitted to the contracted DCA upon request.
(2) Documentation of the visits and services provided to the family by the receiving state is entered into the Contact Information screen of the Adoption case on KIDS.

(3) Medical expenses. A child in the permanent custody of OKDHS is eligible for Oklahoma Medicaid, which may be a resource if the adoptive family cannot provide medical care. Children who are Title IV-E eligible before placement will be eligible to receive Medicaid in the receiving state. The majority of states also cover children who are non Title IV-E eligible. A referral is made to the Interstate Compact on Adoption and Medical Assistance, State Office Adoption Assistance Section, per OAC 340:75-15-129, for assistance in obtaining medical services in the receiving state. If the receiving state does not cover children who are non Title IV-E eligible, the adoptive family is responsible for the child's medical expenses.

(4) When the adoptive parent(s) is ready to proceed with finalization of the adoption, the adoption specialist completes the ICPC Directive Authorizing Consent to Adoption found in the Outlook Public Folder STO DCFS/Adoption/ICPC Adoptions, and sends it as an attachment by e-mail to the State Office Adoption Services Section. The form is signed by the Director's designee and is returned by mail to the adoption specialist. The completed form is sent to the receiving state through the contracted DCA.

(5) After the adoption is finalized, all records pertaining to the adoption are submitted to the State Office, in accordance with OAC 340:75-15-108.

3. Procedures when Oklahoma is the receiving state for a child who is in the custody of a public agency. OKDHS completes adoptive home assessments for ICPC requests made by the public agency in other states. When a public agency in another state requests an adoptive home assessment in Oklahoma, the adoption specialist or contractor completes an adoptive home assessment according to Form 04AF002E, Guidelines for Resource Family Assessment Bridge Family Profile. The adoption specialist opens an Other Services Workload Request on KIDS. The Type of Request is ICPC - Receiving into State. Once the home assessment is completed and approved, the Other Services Workload Request is converted to a Resource. The Resource Category is Other Services. The Resource Type is ICPC/Adoptive. The completed assessment is submitted to the ICPC contracted DCA. When the child is placed in the adoptive home, an ICPC-Adoption case is opened in KIDS.
4. Procedures when Oklahoma is the receiving state for a child who is in the custody of a non-public agency. When a request for an adoptive home assessment is made by a person or private agency in the sending state, that person or agency is responsible for making arrangements for an assessment and supervision of the placement by a licensed child-placing agency or a person qualified by training or experience. Exceptions must be approved by the DCA.

5. Closure of ICPC adoption. Adoptive placements made through ICPC are closed when the adoption is finalized or the child is returned to the sending state. Form 04IC003E is submitted to the contracted DCA. If the child placed through ICPC is in the custody of OKDHS, the child's closed case and the ICPC placement case are forwarded to State Office Adoption Services Section within 30 calendar days of finalization of the adoption. All adoptions handled through the ICPC are treated confidentially.
340:75-15-82. Recruitment of Bridge resource families

Revised 5-15-09

(a) **Recruitment program.** The recruitment of Bridge resource families is an ongoing, proactive component of adoption services. A combination of both child-specific and more general, targeted recruitment is used. Public service announcements are also used to inform the general public of the continuous need for Bridge resource families for children with special needs. ■ 1

(b) **Minority adoption recruitment.** General, targeted, and child-specific recruitment methods are used to recruit minority families as well as families for any growing population within the Child Welfare system. Diligent efforts are made to recruit potential Bridge resource families who reflect the ethnic and racial diversity of children in the custody of the Oklahoma Department of Human Services (OKDHS) for whom adoptive homes are needed. ■ 2

(c) **Media recruitment.** Options for media recruitment may include, but are not limited to television, newspapers, and public service announcements (PSA). ■ 3

(d) **Adoption exchange registrations.** Sections 7510-2.1 through 7510-2.5 of Title 10 of the Oklahoma Statutes require that children be listed on an adoption exchange if they have not been placed for adoption in 90 calendar days after termination of parental rights where the child is legally free for adoption. OKDHS uses a variety of exchanges which provide the best opportunity to identify adoptive resources. ■ 4

(e) **Web site photo listing.** OKDHS has an online photo listing of children who are waiting for adoptive homes. Legally free children who have been staffed at statewide adoption staffing, but for whom no adoptive home was identified, are referred to www.okdhs.org/programsandservices/adopt/ and www.adoptUskids.org. Children who object to being listed on the Internet or other exchanges are exempt. ■ 5

INSTRUCTIONS TO STAFF 340:75-15-82

Revised 5-15-09

1. (a) **Recruitment.** Recruitment events are ongoing and coordinated with resource specialists in each county. The desired outcome of recruitment events is to increase available Bridge resource families. The comprehensive recruitment plan must include, but is not limited to:

   (1) descriptions of the characteristics of children requiring placement;
(2) specific strategies to reach all parts of the community;

(3) diverse methods of disseminating both general and child-specific information;

(4) strategies for ensuring that all prospective resource parents have access to the home study or assessment process, including location and hours of services that facilitate access by all members of the community;

(5) strategies for dealing with linguistic barriers; and

(6) procedures for a timely search for prospective resource parents for a child.

(b) The crucial coordination issue for planning recruitment activities is the extent to which the adoption staff are prepared to respond quickly and energetically to prospective Bridge resource applicants who contact Oklahoma Department of Human Services (OKDHS) as a result of recruitment efforts. At a minimum, adoption specialists are prepared to fully discuss:

(1) the adoption process;

(2) the types of children waiting for adoptive homes; and

(3) answer prospective applicants' questions when the first contact is made with OKDHS.

(c) Requests to apply to adopt a specific child are referred to the child's Child Welfare (CW) worker and may be reviewed through a criteria staffing, to assess whether this is an appropriate plan for the child. The inquiry is documented in KIDS Pre-Resource Contacts screen.

(d) A request by an approved resource family to adopt a specific child are communicated to the child's CW worker along with a copy of the completed approved resource home assessment.

2. Minority recruitment.

(1) The One Church, One Child (OCOC) Minority Adoption Recruitment program is a special minority recruitment program designed to find parents for children who are African American and need permanent homes. The
program seeks to inform the African American community about children who need adoptive homes, dispel myths and misconceptions regarding the adoption process, and identify families interested in adopting children. Program activities are conducted statewide. An adoption specialist in both Tulsa and Oklahoma counties is assigned to work with the program.

(A) Presentations are made in churches in the African American community regarding the need for adoptive homes. Each church is challenged to recruit from its members at least one family to adopt a child. A referral is made to the OCOC recruiter or to a master adoption coordinator regarding the family's interest so that an intake interview may be scheduled.

(B) Master adoptive parents (MAPs):

(i) are experienced adoptive parents who have completed the adoption process and serve as a resource to prospective adoptive applicants, some of whom are trained in the OCOC program;

(ii) share information regarding the adoption process with prospective adoptive applicants from an adoptive parent perspective; and

(iii) may bridge the gap between the time a prospective adoptive applicant expresses an interest in adoption and a contact is made by an adoption specialist or OCOC recruiter. Referrals to MAPs are coordinated by the OCOC adoption coordinator.

(2) Indian adoptive home recruitment. In accordance with the Indian Child Welfare Act (ICWA), efforts to recruit Indian adoptive homes are coordinated with tribal social workers who provide a connection to Indian families.

3. Media recruitment.

(1) Waiting Child television feature. Children are referred for Waiting Child through the Area VI Adoption Unit, after they have been staffed, and are legally free, and no placement resources are available to meet the children's needs. Each inquiry received following a Waiting Child broadcast is documented as a KIDS Pre-Resource and transferred to the appropriate adoption specialist. Referrals to Waiting Child and the
resulting number of inquiries are recorded in the child's KIDS Adoption Efforts screen.

(2) Newspaper. Referrals to appear in newspaper features are coordinated with the appropriate Area Adoption Services Unit.

(3) Public service announcement (PSA) and Swift phone line 1-866-612-2565. Oklahoma families who express an interest in adopting are referred to the area adoption supervisor by Children and Family Services Division Adoption Services Section. An adoption specialist is assigned to contact these families.


(1) Referrals to appear on www.adoptUskids.org are made to the area adoption supervisor for children who meet the criteria for listing. A recent color photograph and one page profile for adoption are submitted to the area adoption supervisor.

(2) The child's CW worker discusses the listing with the child and notifies the area adoption supervisor, if the child objects. Children must be legally free to be listed on an exchange.

(3) Photographs of children listed on the exchange are updated annually, at a minimum, and when any significant change occurs in the child's appearance. Profile information is updated annually, at a minimum, and when any significant change occurs in the child's general functioning.

5. Web site photo listing. The Oklahoma Adoption Exchange Web site is www.okdhs.org/programsandservices/adopt/. Exempt from listing are children who:

(1) are age 12 years or older and do not choose to be adopted pursuant to Section 7503-2.3 of Title 10 of the Oklahoma Statutes (10 O.S. § 7503-2.3). The child's decision not to be adopted is addressed on an ongoing basis with the child, with emphasis on giving the child information about the adoption process. Documentation of the child's refusal to be adopted is included in the child's case record that is updated yearly;

(2) are runaways whose present location is unknown;
(3) do not have adoption as the permanency plan, for example, permanent placement with relatives or long-term foster care is the permanency plan;

(4) due to medical or psychological reasons as determined by a licensed psychiatrist, psychologist, or physician, are not ready for adoption; or

(5) are currently in adoptive placement pursuant to 10 O.S. § 7505-6.3.
340:75-15-83. Eligibility to adopt

Revised 5-15-09

(a) Section 7503-1.1 of Title 10 of the Oklahoma Statutes states that persons eligible to adopt a child are:

   (1) a husband and wife jointly, if both spouses are at least 21 years of age;

   (2) either the husband or wife if the other spouse is a parent or relative of the child;

   (3) an unmarried person who is at least 21 years of age; or

   (4) a married person who is at least 21 years of age who is legally separated from the other spouse.

(b) Bridge resource applicants are required to reside in and remain in Oklahoma until the assessment and preparation process of the family is completed.
340:75-15-84. Application process

Revised 5-15-09

(a) **Application to adopt.** The applicant is referred to the adoption specialist for the county in which the applicant lives. The adoption specialist responds promptly to prospective applicants. The applicant is invited to attend a group orientation meeting or an individual intake interview is scheduled upon request of the applicant. If the applicant chooses to apply, the adoption specialist provides an application packet.

1 & 2 The adoption specialist discusses with the applicant information about the adoption program described in (1) through (10).

(1) The program is child focused. A family is selected who will best meet the child's long-term best interests and individual needs. Families inquiring about adopting a child of a certain age, race, or other characteristic OKDHS reasonably believes may not be available for adoption in the foreseeable future are advised their application will not be processed.

(2) The completed resource family assessment summary is the basis for selection.

(3) Oklahoma Department of Human Services (OKDHS) contracts with licensed child-placing agencies to complete resource family assessments.

(4) An application, including one by a foster parent or relative, does not guarantee placement of a child in the applicant's home.

(5) There is no fee for services provided by OKDHS to applicants who apply to adopt a child in the legal custody of OKDHS.

(6) A family is referred to licensed child-placing agencies if the family is interested in adopting a specific type of child that is not available through OKDHS.

(7) A criminal background and Child Abuse and Neglect Information System check is required and includes, but is not limited to:

   (A) fingerprinting and a Federal Bureau of Investigation (FBI) check of each applicant and adult residing in the household;

   (B) an Oklahoma State Bureau of Investigation (OSBI) check that includes Department of Public Safety check and Sex Offender Registry check for each adult household member;
(C) a Child Abuse and Neglect Information System check and OKDHS records check for each adult household member;

(D) a search of all applicable out-of-state child abuse and neglect registries when an applicant or adult household member has not lived continuously in Oklahoma for the past five years; ■ 5

(E) an Oklahoma State Courts Network check at www.oscn.net;

(F) an Oklahoma District Court Records check (ODCR) at www.odcr.com;

(G) an offender information and offender lookup through Oklahoma Department of Corrections (DOC) at www.doc.state.ok.us;

(H) a Juvenile Justice Information System (JOLTS) records check for each child in the family 13 years of age or older;

(I) a background check request from Family Advocacy for all active or retired military families; and

(J) a discharge from military duty, DD Form 214, Certificate of Release of Discharge From Active Duty, that is provided by the applicant.

(8) Verification of marriages, divorces, legal separations, or annulments, employment, and income are required.

(9) Applicants are required to complete 27 hours of pre-service training, including six hours of Behavior Crisis Management Training (BCMT), per OAC 340:75-7-14.

(10) Applicants are responsible for providing copies to OKDHS of any non-OKDHS assessments or evaluations, including previous adoptive, foster home, relative, divorce custody, or other custody assessments.

(11) OKDHS inquires whether the applicant has applied to be or has been an approved foster or adoptive parent in another state. OKDHS requests from all applicable states, any history of child abuse or neglect or criminal history from the appropriate state agency.

(b) Application to adopt by OKDHS employees. OKDHS employees may apply to adopt from OKDHS, though no preferential treatment is given.

(c) Reapplication to adopt. When previous adoptive parents apply to adopt again, the
Bridge resource application information is updated. ■ 3

(d) Denial or withdrawal of applications. When it becomes apparent that the applicant does not meet the resource family requirements set out in Form 04AF002E, Guidelines for Resource Family Assessment Bridge Family Profile, the resource family assessment process may be discontinued and the application withdrawn or denied.

(1) The reasons for discontinuing the assessment prior to completion, per OAC 340:75-15-88, are explained to the applicant in person when possible and are stated in a letter to the applicant regardless whether personal contact is made. ■ 4

(2) The applicant may voluntarily withdraw the application. If the applicant declines to withdraw the application, local staff denies the application.

(3) Families desiring to adopt a child of a certain age, race, or other characteristic OKDHS reasonably believes may not be available for adoption in the foreseeable future are referred to licensed child-placing agencies that are more likely to place children matching the request.

(e) Out-of-state adoptive applicants. OKDHS does not process applications from adoptive applicants outside of Oklahoma, but accepts certified resource family studies or assessments from a licensed agency or the public agency in another state.

(1) In cooperation with a licensed adoption agency in another state, an adoptive family may be considered for a child in Oklahoma.

(2) Children and Family Services Division Adoption Services Section coordinates placement and supervision with an agency in the state where the adoptive family resides.


INSTRUCTIONS TO STAFF 340:75-15-84

Revised 5-15-09

1. (a) Response to prospective Bridge resource applicants. The adoption specialist:

   (1) plans the intake interview for a location that best meets the needs of the family, such as:
(A) the local Oklahoma Department of Human Services (OKDHS) office;

(B) the family's home. When the intake interview is done in the home, Form 04AF004E, House Assessment, is completed at this time; or

(C) another site selected by the family;

(2) explains the adoption process;

(3) explains the types of children waiting for Bridge resource homes;

(4) answers the prospective applicant’s questions during the intake interview; and

(5) shares non-identifying information about children for whom OKDHS has responsibility for adoptive planning.

(A) The information is general and does not reveal confidential information about the child or the child's biological family.

(B) The information sharing process assists the family in gaining realistic expectations about the children available for adoption and the family's ability to parent these children.

(b) Initial screening. When an applicant inquires about adopting a child of a certain age, race, or other characteristic OKDHS reasonably believes may not be available for adoption in the foreseeable future, the adoption specialist:

(1) explains to the applicant this type of child is generally:

(A) part of a sibling group;

(B) placed with a relative; or

(C) placed with an existing approved applicant awaiting adoptive placement of sibling groups;

(2) provides information about the types of children available through OKDHS and encourages the applicant to consider these children; and

(3) refers the applicant to licensed child-placing agencies that are better
able to place children matching their request.

2. (a) Application packet. The adoption specialist:

(1) reviews each form with the family to explain its purpose;

(2) advises the family that the home assessment may begin when Forms 04AF001E, Bridge Resource Family Assessment Application, and 04AF005E, Notice to Bridge Resource Applicant(s), are returned; and

(3) explains that the other forms may be completed during the assessment process. The forms included in the packet are:

(A) Form 04AD003E, Request for Background Check, and fingerprint cards are completed by each applicant and all adult household members. All names, including maiden names, used by each adult household member must be included on Form 04AD003E.

(B) Form 04AF010E, Resource Family Financial Assessment;

(C) Form 04AF001E, Bridge Resource Family Assessment Application;

(D) Form 04AF008E, Medical Examination Report, for each adult family member and a doctor’s statement of health on the children;

(E) Form 04AF017E, Family Health History;

(F) Form 04TB001E, Letter to Verify Tribal Membership of Resource Family Applicants. Resource family members who are tribal members or eligible for tribal membership submit this form;

(G) Forms 04AF020E, Family/Parent Questionnaire, and 04AF019E, Child’s Questionnaire, that are an optional component of the assessment process. The family is advised they have the option of completing these forms or sharing this information through interviews with the adoption specialist;

(H) Form 04AF018E, Child Needs Information Checklist; and

(I) Form 04AF005E, Notice to Bridge Resource Applicants.
(b) Assessment procedure. The family is advised that an area subcontractor will contact the family to begin the resource family assessment.

3. The procedures for reapplication to adopt are:

   (1) when an adoptive home case is reopened after a family has adopted a child from OKDHS, the adoptive home case record is requested via e-mail from Children and Family Services Division Adoption Assistance Section or printed from the adoptive resource case on KIDS;

   (2) current Form 04AF001E is completed by the applicant. The top of Form 04AF001E is marked "Reapplication";

   (3) current Form 04AF008E, or substitute medical statement, is completed for each family member;

   (4) Form 04AF030E, Bridge Resource Family Re-assessment, that reflects changes in the family situation, is completed by the adoption specialist. Included in the update are:

      (A) changes in the family situation since the last home assessment;

      (B) a home visit;

      (C) at least one joint interview;

      (D) information on any child added to the family; and

      (E) family experiences;

   (5) current Form 04AF010E, is completed;

   (6) at minimum, three references are contacted. The appropriate references are selected from those identified in OAC 340:75-15-87 Instructions to Staff;

   (7) updated Forms 04AD003E, Request for Records Check, and 04AF030E, Bridge Resource Family Re-assessment, are completed;

   (8) if the family has moved or it has been over one year since finalization, a new Form 04AF004E is completed; and
(9) if the reapplication is from an employee who has a work relationship with the adoption specialist in the county, the area supervisor makes arrangements for the adoptive family assessment to be completed by an adoption specialist from outside the county or one who does not have a work relationship with the applicant.

4. Notice of closure. When possible, the adoption specialist makes face-to-face contact with the adoptive family to clarify the reason for closure of the home.

   (1) A letter is sent to the family, with the reason for closure stated in clear, concise language. Relevant OKDHS rules or procedures are cited and attached.

   (2) The adoption specialist may consult with Children and Family Services Division Adoption Services Section staff to determine whether to close a resource home.

5. Child abuse and neglect information. If a state that maintains a child abuse and neglect registry does not respond appropriately to an information request, the adoption supervisor notifies the CFSD adoption programs manager who contacts the Administration for Children and Families regional office for assistance. If information cannot be obtained from the other state(s), the CW staff documents the name of the state(s) and efforts made to obtain the information in the resource record. The prospective Bridge resource family is not approved without the results of the state-maintained child abuse and neglect registry checks.
340:75-15-85. Application to adopt by a foster parent or relative

Revised 5-11-06

(a) Foster parents and relatives are considered for adoption of a child in their care when efforts to reunite the child with the parent(s) have failed. If the child has resided with a foster parent for at least one year, great weight is given to the foster parent in the adoption consideration for the child, unless there is an existing emotional bond with a relative of the child by blood or marriage who is willing, able, and eligible to adopt the child.  ■ 1

(b) A foster parent who wishes to be considered to adopt a child in his or her care who is part of a sibling group is advised that Oklahoma Department of Human Services rules supporting sibling relationships extend to adoption, per OAC 340:75-15-43.

INSTRUCTIONS TO STAFF 340:75-15-85

Revised 5-15-09

1. Application to adopt by a foster parent or relative.

   (1) Foster parent or relative inquiry. When a foster parent or relative expresses interest in adopting a child in his or her care, a criteria staffing is held and Form 04AN020E, Adoption Placement Criteria Staffing, is completed, per OAC 340:75-15-41, to determine whether this is an appropriate referral for an adoptive family assessment.

   (2) Conversion assessment or Bridge resource family re-assessment. The process to begin the conversion resource family assessment starts with a review of the current resource family assessment for foster care. The conversion assessment is completed according to Form 04AF002E, Guidelines for Resource Family Assessment Bridge Family Profile, or Form 04AF029E, Bridge Resource Family Re-assessment Guide, if an integrated assessment has previously been completed within 60 calendar days of the referral to the resource family assessment contractor.
340:75-15-87. Assessment and preparation process

Revised 5-15-09

(a) **Assessment.** The assessment process is a tool for Oklahoma Department of Human Services (OKDHS) to assist the family in determining the family's ability to parent a child with special needs. The family is provided basic background information required to understand the adoption process, laws, and types of parenting issues faced by parents who adopt children with special needs. All services provided to the family in preparation for placement are designed to increase the family's ability to problem solve, access help, and cope with parenting a child with a unique history and needs. ■ 1

(b) **Approval of Bridge Resource Families.** OKDHS approves Bridge resource families when the home meets eligibility standards of both the foster care and adoption programs, per OAC 340:75-7-19. The requirements of a Bridge resource home is explained to the family. The family is advised that children in foster care are not moved in order to place an adoptive child in the home. All children in the home, including children in foster care placement, are considered in making placement decisions regarding an adoptive placement.

(c) **Interviews with applicants.** Individual and joint interviews are held with each family and household member with a minimum of two home visits on separate days. Information regarding the current family structure, family history, and social support is gathered through the interviews. ■ 2

(d) **Reference information.** Signed Form 04AF001E, Bridge Resource Family Assessment Application, grants OKDHS permission to contact the listed references. Forms are mailed to appropriate references and in-person or telephone contact is made with each personal reference. ■ 3

(e) **Health and age.** Form 04AF008E, Medical Examination Report, or other medical examination report by a doctor for each household member must be submitted before the assessment is complete. ■ 4 An application to adopt a specific child elicits information to assess the adoptive applicant's ability to provide care for the child into adult years, given the applicant's health history and age. ■ 5

(f) **Background checks.**

(1) **Authorization.** Section 7505-5.3 of Title 10 of the Oklahoma Statutes mandates a criminal background check and Child Abuse and Neglect Information System check for all public agency and private resource parent applicants and all other household members 18 years and older. The background check includes a search
of:

(A) Oklahoma Department of Public Safety records;

(B) Oklahoma State Bureau of Investigation (OSBI) records;

(C) Federal Bureau of Investigations (FBI) national criminal history records search;

(D) Department of Corrections (DOC) files maintained pursuant to the Sex Offender Registration Act;

(E) Oklahoma State Courts Network (OSCN);

(F) Oklahoma District Court Records (ODCR);

(G) Child Abuse and Neglect Information System;

(H) a background check request from Family Advocacy for all active or retired military families; and

(I) all applicable out-of-state child abuse and neglect registries when an applicant or adult household member has not lived continuously in Oklahoma for the past five years. If no registry is maintained in the applicable state, the adoption specialist requests any information that can be provided. The prospective adoptive parent is not approved without the results of the state-maintained child abuse and neglect registry check if a registry is maintained in the applicable state.

(2) Fingerprint search. A national criminal history records search based upon submission of fingerprints is required for Bridge resource family applicants and other household members 18 years and older.

(A) When a fingerprint search has been done in the past five years and is available for review by the person conducting the adoptive home study, then only an OSBI criminal background check is required.

(B) A home study is not initiated if any applicant or adult household member refuses to submit the forms granting permission for the background check.

(i) All adult household members age 18 and older complete and sign Form 04AD003E, Request for Background Check, and submit fingerprint cards
authorizing OKDHS to conduct a records check. ■ 7

(ii) Background information is considered in making a final recommendation. Information that reveals a risk to the child is used in denying the application, per OAC 340:75-15-88. ■ 8

(3) **Fingerprinting charges.** Once an applicant receives fingerprint cards, law enforcement or a private fingerprinting company may fingerprint the applicant. There is no charge to OKDHS applicants. Non-OKDHS adoptive applicants are responsible for any charges incurred for this service.

(4) **Obtaining fingerprinting services.** Law enforcement is not mandated to provide the fingerprinting service. Local law enforcement is contacted to ascertain their willingness and availability to provide this service and the cost per person.

(5) **Time frames.** If the fingerprinting is not done correctly, the cards are rejected by either the OSBI or Federal Bureau of Investigation (FBI). The applicant must be reprinted when this occurs. If the fingerprint cards are found unacceptable the second time, the applicant must pay the fee to be re-fingerprinted and non-OKDHS applicants must pay the search fee. The estimated time frame to receive all results from the OSBI and FBI is approximately eight weeks.

(6) **Exception to fingerprinting.** The Director of OKDHS or designee may authorize an exception to the fingerprinting requirement, and authorize use of an alternative procedure for obtaining a national criminal records check for any adult residing in the home who has a severe condition that precludes such person being fingerprinted. The alternative procedure may be used in limited, and case-specific circumstances when OKDHS may not be able to:

(A) obtain an individual's fingerprints as a result of the individual's disability; or

(B) obtain legible fingerprints due to low quality fingerprints, as a result of age, occupation or otherwise, thereby making it impossible for the national crime information databases (NCID) to provide the results. ■ 6

(g) **Marriage history.** The applicant provides copies of present marriage license and any divorce decrees, legal separations, and annulments, if applicable. Documentation of the validity of the present marriage is necessary to determine eligibility to adopt and protect the legal status of the prospective adoptive child. If there is a child from a previous marriage, the child's role in the family is discussed and child support is documented.
(h) **Financial statement.** The applicant completes Form 04AF010E, Resource Family Financial Assessment, and provides documentation of employment and income. Management of resources is more important than the family's income and is addressed in the assessment summary.

(i) **Photographs.** Recent photographs of the applicant are provided as part of the final assessment summary. ■ 9

(j) **Pre-service training.** Each Bridge resource applicant must complete a prescribed course of pre-service training consisting of approximately 27 hours of instruction designed to assist the applicant in evaluating the strengths, needs, and challenges in parenting a child with special needs, per OAC 340:75-7-14. ■ 10

**INSTRUCTIONS TO STAFF 340:75-15-87**

_revised 5-15-09_

1. **Assessment time frames.**

   (1) An at-home consultation is scheduled within ten working days after receiving the application or on a date agreed upon with the family.

   (2) The assessment process begins with completion of Form 04AF004E, House Assessment, by the adoption specialist.

   (3) Form 04AF002E, Guidelines for Resource Family Assessment Bridge Family Profile, is followed in completing the process.

       (A) Information is gathered in a series of interviews with persons who have applied to adopt and any other household members.

       (B) Within two weeks of receipt of the completed application, a referral is made to the resource assessment contractor, per OAC 340:75-15-8 Instructions to Staff.

       (C) The assessment is completed within 90 calendar days of the referral to the resource assessment contractor.

2. **Interviews.**

   (1) **Assessment and preparation process.** The resource assessment contractor assists the adoptive applicant in:
(A) understanding the types of parenting issues faced by families who adopt children with special needs.

(i) The family gains insight and feedback about their strengths, needs, and challenges in parenting the type of child they have applied to adopt.

(ii) The assessment includes the gender, age range, and race of child the family wishes to adopt, and the special needs the family feels they are capable of parenting. Special needs may include being part of a sibling group, age, race, mental, physical, or emotional disabilities, or being at high risk for developing a physical or mental disability; and

(B) reviewing Form 04AF018E, Child Needs Information Checklist, and explains the conditions listed.

(i) If the applicant has applied to adopt a specific child, the assessment summary addresses the applicant's relationship to the child, the child's needs, and whether the applicant can meet the child's special needs on a permanent basis and into adulthood.

(ii) When assessing an applicant, the most important criterion is the applicant's ability to parent a child not born to him or her. Marital status, income level, education, age, health, and other factors are considered only in relation to the applicant's ability to parent an adopted child.

(2) Assessment tools. The adoption specialist or resource assessment contractor uses the Genogram, Family Network Diagram, and Eco-Map as tools in assisting Bridge resource applicants to assess their strengths and challenges in parenting a child with special needs through adoption.

(A) The adoption specialist allows the applicants to determine the pace at which the process proceeds. Some applicants are ready to quickly move through the assessment, while others need more time to process information.

(B) The Genogram, Family Network Diagram, and Eco-Map are included with a narrative obtained through the interviews in the assessment summary.
3. References.

(1) The adoption specialist sends the applicant, as appropriate, Forms:
   (A) 04AF015E, Resource Family Reference Letter for Adult Children;
   (B) 04AF014E, Resource Family Reference Letter for School Personnel;
   (C) 04AF011E, Resource Family Reference Letter for an Employer;
   (D) 04AF013E, Resource Family Assessment Reference Letter for Mental Health Professionals; and
   (E) 04AF012E, Child's Mental Health Reference Letter.

(2) Personal references are contacted by the adoption specialist in person or by telephone.

(3) References may be contacted for an interview if they fail to respond to the reference letter request or if information contained in the response requires further clarification. No additional references are contacted without the specific written permission of the applicant. If voluntary references contact the adoption specialist to provide information, this is included in the assessment.


(1) If any family member has received counseling or therapy, Form 08HI003E, Authorization to Disclose Medical Records, must be signed and:
   (A) if the person is an adult, Form 04AF013E is sent requesting information about the treatment received; or
   (B) if the person is younger than 18 years of age, Form 04AF012E is sent requesting information about the treatment received.

(2) The reference information is not given to the adoptive family as part of the completed assessment. If negative reference information is received, the issues are fully explored with the applicant without revealing the source of the information.
(3) Form 04AF017E, Family Health History, is completed by the applicant. The narrative summary describes the family's health history, health insurance coverage, and assesses their ability to care for a child into adult years. A statement from the family physician is required for all children in the home to verify the children are free from communicable diseases and are current on immunizations.

5. Age. If the age difference between the applicant and the child is more than 55 years, the Child Welfare field liaison and Children and Family Services Division (CFSD) Adoption Services Section are consulted at the time of the local adoptive placement criteria staffing, per OAC 340:75-15-41.

6. Fingerprinting.

(1) OKDHS Bridge resource applicants. Oklahoma Department of Human Services (OKDHS) Bridge resource applicants and household members 18 years of age and older must be fingerprinted. If they have been fingerprinted in the last five years and the information is available for review by the person conducting the home study, then only an Oklahoma State Bureau of Investigation (OSBI) search is required. The search fee is paid by OKDHS for all OKDHS adoptive applicants and their adult household members.

(A) The adoption specialist provides the applicant and any household member 18 years of age and older with two fingerprint cards. The cards are taken to local law enforcement or a private fingerprinting company where the fingerprinting takes place. OKDHS pays for the required fingerprinting. Tribal homes that are in the process of certification to serve children in OKDHS custody are included in this process.

(B) After fingerprints are obtained, the applicant returns the cards to the respective adoption specialist who checks the fingerprint cards for completeness and applicant's signature. The completed fingerprint cards and Form 04AD003E, Request for Background Check, are placed in a sealed manila envelope marked confidential and mailed to CFSD Fingerprint Processing Section, PO Box 268935, Oklahoma City, OK 73126.

(C) The results are returned to the CFSD Fingerprint Processing Section in approximately eight weeks. If an FBI criminal history is found on the applicant, this information is not dispersed to non-governmental
agencies. The applicant may access this information by mailing a letter of request, that includes an address in which to mail the information, to the Fingerprint Processing Section.

(D) Exception to fingerprinting. CW staff submits the request for an exception in writing to the Fingerprint Processing Section. The Fingerprint Processing Section determines if the request meets the criteria for an exception and sends the request to the Adoption Section for approval. The Adoption Section responds to the CW staff with the determination and the response is placed in the adoption resource file. The Fingerprint Processing Section uses the alternative procedure and requests a name-based check of the national crime information databases (NCID) to obtain a comprehensive criminal background check. An alternative background check process is not to be used when fingerprint impressions are of low quality due to lack of technological capacity or use of improper techniques. The alternate procedure is for limited and case-specific situations, such as when a fingerprint specialist has documented that the prospective adoptive parent's disabling condition prevents fingerprinting, or the individual does not have fingers.

(2) Non-OKDHS adoptive applicants. Non-OKDHS adoptive applicants and adult household members 18 years of age and older must complete Form 04AD003E. An OSBI check is required for all OKDHS and non-OKDHS applicants and includes a search of:

(A) Oklahoma Department of Corrections files maintained pursuant to the Sex Offender Registration Act; and

(B) Oklahoma Department of Public Safety records.

(i) Non-OKDHS applicants are responsible for paying the cost of fingerprinting and OSBI name search. The cost for the FBI and OSBI search for an applicant is $50. Of this cost, $9 is for OKDHS administrative fees and $41 is the actual cost for the search. An OSBI name search is required for each member of an applicant's household who is 18 years of age or older. The cost for this search is $20 for each applicant. Of this cost, $5 is for OKDHS administrative fees and $15 is the actual cost for the search.

(ii) The private agency, private attorney, or tribal office provides each
applicant with two fingerprint cards. The applicant takes the cards to local law enforcement or a private fingerprinting company where the fingerprinting takes place. Each applicant is responsible for paying the cost of fingerprinting.

(iii) After fingerprints are obtained, the applicant returns the cards to the respective private agency, private attorney, or tribal office. Fingerprint cards are not returned to local OKDHS offices. The private agency, private attorney, or tribal office reviews the cards with the applicant for completeness and applicant’s signature.

(iv) Completed Form 04AD003E must accompany each set of fingerprint cards. Completed forms and fingerprint cards for all members of the same household must be submitted together. The payment is a check or money order made payable to OKDHS. Fingerprint cards and forms received without payment by CFSD are returned. The completed fingerprint cards, Form 04AD003E, and payment are mailed by the private agency, private attorney, or tribal office in a sealed envelope marked confidential to CFSD Fingerprint Processing Section, PO BOX 268935, Oklahoma City, OK 73126.

(v) The results are returned to the private agency, private attorney, or tribal office in approximately eight weeks. A return address must be provided for results to be returned. If an FBI criminal history is found on an applicant, this information is not dispersed to non-governmental agencies. OKDHS provides the non-governmental agency with a response letter stating only that criminal history was found. The applicant may access this information by mailing a written request, that includes the address in which to mail the information, to CFSD Fingerprint Processing Section.

7. Criminal background check. A review is completed of any existing OKDHS records and information systems checks, including Oklahoma State Courts Network (OSCN) and Oklahoma District Court Records (ODCR) on each adult household member. For all active or retired military families, a background check from Family Advocacy is requested. Any significant information obtained through completed Form 04AD003E and other information systems checks is reviewed thoroughly, verbally discussed with the applicant, and included in the written assessment summary in the Verification section.

System (CANIS) search is required for all OKDHS and non-OKDHS adoptive applicants. The Adoption Services Section completes all CANIS searches. CANIS search results are forwarded to the agency or other person authorized to conduct home study investigations per Section 7505-5.4 of Title 10 of the Oklahoma Statutes.

(1) OKDHS applicant. Any significant information obtained through completing Form 04AF007E, Records Check, is reviewed thoroughly, verbally discussed with the applicant, and included in the Verification section of the assessment summary.

(2) Non-OKDHS applicant. The applicant must complete a written request for a CANIS search via Form 04AN028E, Request for Child Abuse and Neglect Information System Search, that is submitted with verification of impending adoption to the Adoption Services Section by the applicant or agency or other person authorized to conduct home study investigations.

(3) Out of State Child Abuse and Neglect Registry Checks. If a state that maintains a child abuse and neglect registry does not respond appropriately to an information request, the adoption supervisor notifies the CFSD adoption programs manager who contacts the Administration for Children and Families regional office for assistance. If information cannot be obtained from the other state(s), the adoption specialist documents the name of the state(s) and efforts made to obtain the information in the resource record. The documentation is entered in the KIDS system in the resource case under "home/crime." The prospective adoptive parent is not approved without the results of the state-maintained child abuse and neglect registry check if a registry is maintained in the applicable state.

9. Photographs. The family is encouraged to incorporate photographs, such as photographs of parents, relatives, home, work space, school, pets, activities, other children in the family, and the neighborhood, into a family Life Book. The Life Book must be 8 ½ X 11 inches and filed with the assessment.

10. Pre-Service training. The information about the adoption process provided to adoptive applicants allows them to decide whether adoption is appropriate for their family. The dates the applicants attended pre-service training, and a description of their reaction to the information provided is included in the Training section of the assessment summary. Exceptions must be requested from the Adoption Services Section.
340:75-15-88. Completed Bridge resource family assessment and recommendation

Revised 5-15-09

(a) **Bridge Resource family assessment.** The Bridge family assessment is conducted as outlined in Form 04AF002E, Guidelines for Resource Family Assessment Bridge Family Profile. The completed assessment includes impressions of the family, their strengths and risks in adopting, and the special needs, age range, and gender of the child(ren) they wish to adopt.

(1) A copy of the Bridge resource family assessment, excluding the verification and reference sections, is reviewed with the family prior to completion of the final written assessment summary. The reference and verification sections are confidential and are not provided to the family.

(2) The family is given an opportunity to correct errors prior to completion of the final written assessment.

(3) Once the assessment is finalized, it is signed by the resource family applicant and contractor and submitted to the area adoption supervisor for approval. A copy of the final supervisor approved Bridge resource family assessment, excluding the verification and reference sections, is provided to the applicant by the adoption specialist. ■ 1

(b) **Approval.** The Bridge resource family assessment is approved by the area adoption supervisor if the applicant meets requirements as outlined in Form 04AF002E and Oklahoma Department of Human Services (OKDHS) policy. ■ 1

(c) **Resource family relocation.** When a family moves to another county within Oklahoma the assigned adoption specialist transfers the resource family record. An evaluation is done to reflect the resource family's new home and situation. ■ 2

(d) **Denial.** Reasons for denial may include, but are not limited to:

(1) a lack of a stable, adequate income to meet the applicant's own or total family needs or poor management of available income;

(2) a physical facility that is inadequate to accommodate the addition of children to the home or that presents health or safety concerns;

(3) the applicant or any person residing in the home has a history of alleged or
confirmed child abuse, neglect, or both; 3

(4) the applicant or any person residing in the home has a history of arrests or convictions.

(A) A felony conviction for any of the offenses listed in (i) through (iii) results in an automatic denial of the application.

(i) A crime involving violence including, but not limited to, rape, sexual assault, or homicide, but excluding physical assault or battery.

(ii) Child abuse or neglect.

(iii) A crime against a child, including, but not limited to, child pornography.

(B) A felony conviction of a prospective adoptive parent or anyone residing in the home for physical assault, domestic abuse, battery, or a drug related offense within a five year period preceding the date of the application results in denial of the application. Any applicant who has, or is living with a person who has, any criminal history for any felony or a relevant misdemeanor will be reviewed by a committee. 3

(C) The application is denied if the applicant has been convicted of a sex offense and subject to or married to or living with a person subject to the Oklahoma Sex Offender Registration Act;

(5) the age, health, or any other condition of the applicant would impede his or her ability to provide care for a child on a permanent basis into adult years;

(6) relationships in the household are unstable and unsatisfactory;

(7) the mental health of the applicant or other family or household member would impede the applicant's ability to provide care for a child;

(8) references are guarded or have reservations in recommending the applicant;

(9) the applicant does not complete the required pre-service training within one year of application, unless the applicant has previously completed Parent(s)' Resource for Information, Development and Education (PRIDE). Exceptions must be requested from the Adoption Services Section;

(10) the applicant has applied to adopt a child of a certain age, race, or other
characteristic that OKDHS reasonably believes may not be available for adoption in the foreseeable future, per OAC 340:75-15-84; and

(11) one or more other factors concerning the applicant, a family, or household member or conditions in the home as described in the denial letter renders the applicant or home environment inappropriate as an adoptive resource.

INSTRUCTIONS TO STAFF 340:75-15-88

Revised 5-15-09

1. Filing the assessment. Upon completion of the written Bridge resource family assessment, the assigned adoption specialist files it in his or her office.

2. Transfer of a resource record. When transferring a resource family record, the assigned adoption specialist e-mails notification to the adoption specialist with responsibility for the family’s new county of residence. When contacted, the adoption specialist in the new county requests the record by completing Form 04AD002E, Transfer Between Counties. The KIDS resource is transferred through KIDS Assign screen.

3. Applicant history information.

   (1) When child abuse and neglect history of an applicant is found, full consideration is given to the:

   (A) nature of the referral;

   (B) finding of the investigation;

   (C) nature and seriousness of the alleged or confirmed abuse or neglect in relation to the current request to adopt;

   (D) time elapsed since the referral;

   (E) circumstances under which the abuse or neglect occurred;

   (F) degree of rehabilitation, including verifiable documentation;

   (G) number of referrals; and
(H) evidence that a child will not be at risk if placed in the home.

(2) Consultation with and prior approval by the area adoption supervisor and Children and Family Services Division (CFSD) Adoption Services Section is required at the application stage of the assessment in all cases with Child Welfare history.

(3) When the applicant has a history of arrests or convictions, excluding those convictions that result in automatic denial of the application:

(A) proof of disposition of those arrests or convictions is required;

(B) the circumstances surrounding each arrest or conviction are thoroughly explored with the applicant; and

(C) prior to consultation with the area adoption supervisor or Adoption Services Section, an evaluation is made based upon consideration of the:

(i) type of arrest or conviction;

(ii) elapsed time since the arrest or conviction;

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

(iv) completion date of the sentence;

(v) assignment of a probation officer and the officer’s information;

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

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

(viii) provisions for the safety and well-being of a child in the home due to the applicant’s arrest or conviction history.

(4) A homicide includes any type of murder or manslaughter or other charge involving the death of a person. Consultation with and prior
approval by the area adoption supervisor and CFSD Adoption Services Section is required at the application stage of the assessment in all cases with an arrest history.

(5) If the applicant has a history of arrests, proof of disposition of those arrests is required and the circumstances surrounding each arrest are thoroughly explored with the applicant.

(6) Committees reviewing criminal history.

(A) An area committee reviews situations involving any applicant or person living in the home who has any criminal history. The area committee includes:

(1) the foster care supervisor and the appropriate county director;

(2) the area adoption supervisor; and

(3) a Child Welfare field liaison (CWFL) or permanency field liaison (PFL) as assigned by the area director.

(B) The state committee reviews situations involving any applicant or person living in the home with a criminal arrest and/or conviction history related to the specifically prohibited felony offenses:

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

(2) child abuse or neglect;

(3) domestic abuse;

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

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

(C) The state committee has consultation and technical assistance from the Oklahoma Department of Human Services (OKDHS) Legal Division.
and includes:

(1) a Field Operations Division representative;

(2) foster care programs manager II; and

(3) adoptions programs manager III.

(D) Review committee procedures. The foster care or adoption supervisor responsible for the application in question arranges the committee meeting as quickly as possible. To expedite the process, the meeting can be conducted via conference call.

(1) The committee reviews the history and determines whether the applicant may be approved. The responsible supervisor documents in KIDS the decision for any situation not involving the specifically prohibited felony offenses, citing all relevant information considered and the names of the committee members and provides notification to the appropriate parties.

(2) If the area committee determines the applicant should be approved and the criminal arrest or conviction history involves one or more of the specifically prohibited felony offenses, final approval of the applicant is determined by the state committee. A referral is not made to the state committee if the applicant is denied by the area committee.

(3) The state committee arranges a meeting as quickly as possible to review the decision and notifies the area committee of the results. The appropriate programs manager documents the decision in KIDS, citing all relevant information that was considered and the names of the committee members.

(4) Any decision allowing approval of the applicant is documented on the appropriate screen in the KIDS resource case(s), and represents the official OKDHS position.

(7) Notice of closure. When possible, the adoption specialist makes face-to-face contact with the resource family to clarify the reason for closure of the home.
(A) A letter is sent to the family, with the reason for closure stated in clear, concise language. Relevant OKDHS rules or procedures are cited and attached.

(B) The adoption specialist may consult with CFSD Adoption Services Section staff to determine whether to close a resource home.
340:75-15-89. Evaluation of the adoptive home after the Bridge family assessment

Revised 5-15-09

(a) Ongoing evaluation. Bridge resource families are evaluated on a continuing basis. ■ 1

(b) Annual re-assessment. A formal re-assessment is completed on an annual basis on each adoptive resource family that does not have a child placed in the home by the adoption specialist. For resource families that have a child in the home, the foster care specialist completes the formal re-assessment. ■ 2

INSTRUCTIONS TO STAFF 340:75-15-89

Revised 5-15-09

1. Assessment update. The adoption or foster care specialist updates the resource family assessment when any significant changes occur within the family. Examples of significant changes are:

   (1) change in the household composition;

   (2) trial adoption disruption;

   (3) death in the family;

   (4) change of employment or income;

   (5) relocation of the family; or

   (6) update of Form 04AF018E, Child Needs Information List.

2. Annual re-assessment. The Bridge resource family annual assessment is completed according to the guidelines in Form 04AFO29E, Bridge Resource Family Re-Assessment Guide.

   (1) A copy is provided to the Bridge resource family and a copy is retained in the local case record. The resource family is given an opportunity to review the Bridge resource family annual assessment and make comments prior to completion. Procedures outlined in OAC 340:75-15-84 Instructions to Staff are followed.
(2) If a national fingerprint check has been done within the previous five years, the Oklahoma State Bureau of Investigation (OSBI) name-based record search for each adult household member 18 years of age or older is sufficient.
340:75-15-91. Closure of resource family home

Revised 5-15-09

(a) Basis for closure. A resource family home is closed when:

1. a request is made by the resource family;
2. the family has completed the adoption of a child from the Oklahoma Department of Human Services and does not wish to reapply;
3. the family has moved out of state;
4. the family's address is unknown;
5. the family displays a lack of interest and cooperation; or
6. the family no longer meets standards as found in OAC 340:75-15-88(d).

(b) Procedures. Specific procedures are followed to close a resource family home.

INSTRUCTIONS TO STAFF 340:75-15-91

Revised 5-15-09

1. (a) Notice of closure. When possible, the adoption specialist makes face-to-face contact with the resource family to clarify the reason for closure of the home. A letter is sent to the family, with the reason for closure stated in clear, concise language. Relevant Oklahoma Department of Human Services (OKDHS) rules or procedures are cited and attached. The adoption specialist may consult with Children and Family Services Division Adoption Section staff to determine whether to close an adoptive home.

(b) Resource closing summary. The adoption specialist writes a closing summary outlining the reasons for closure and stating whether the adoptive applicants should be considered as a Bridge resource family in the future, should they reapply. This summary is entered in KIDS resource assignment text box when the assignment is end dated.

(c) Resource record at closure. When the resource family has adopted a child through OKDHS, the resource file is scanned into the KIDS file cabinet under the Adoptive Resource within 30 calendar days of finalization of the adoption.
If the family has not adopted through OKDHS, the resource file is scanned into the KIDS file cabinet and the resource closed.
340:75-15-108. Legal finalization of the adoption

Revised 6-26-03

The post adoptive placement period is normally six months for a child placed with a non-relative(s), and may be a shorter period when the child is in adoptive placement with a foster parent(s) or relative(s) with whom there is an existing relationship.

(1) At the point the child is placed in the adoptive home the adoptive parent(s) is advised to retain the services of an attorney who is knowledgeable of adoption law.

(2) A petition for adoption may not be granted until a copy of Form ODH 347, Medical and Social History Report for Adoption, is filed with the court.

INSTRUCTIONS TO STAFF 340:75-15-108

Revised 5-15-09

1. (a) Questions about the legal status of the child, such as whether the child is legally free to be adopted, and the legal procedures to finalize the adoption, are all directed to the private attorney selected by the adoptive parent(s). The adoption specialist does not give legal advice to the prospective adoptive parent(s). The adoption specialist provides information about the length of the post placement period prior to legal finalization of the adoption process.

(b) Procedure for finalization of the adoption. The adoptive parent(s) is advised to provide the attorney with the name and phone number of the adoption specialist. The adoption specialist contacts the private attorney and advises him or her that necessary documents will be provided upon request or when they become available, whichever is applicable.

(1) The documents provided to the adoptive parent(s)' attorney upon request, but no later than the hearing on the Final Decree of Adoption are:

(A) certified copy of the child's birth certificate;

(B) copy of Form ODH 347, Medical and Social History Report for Adoption;

(C) copy of the adoptive home assessment and any other home study or professional custody evaluation conducted regarding the adoptive
parent(s). This includes any foster home studies, relative home studies or divorce custody home studies. The adoptive parent(s) is responsible for providing any non-Oklahoma Department of Human Services (OKDHS) studies or evaluations to OKDHS during the adoptive family assessment process;

(D) copy of the adoptive home report providing information about the child's adjustment to the home during the post placement period, including the adoption specialist's observations and any circumstances which may have a bearing on the granting of the Final Decree of Adoption.

(i) The report includes a recommendation by the adoption specialist for or against the proposed adoption and reasons for the recommendation. This report is in addition to the adoptive family assessment and any other home studies listed above.

(ii) The report may contain the adoption specialist's recommendation that an Interlocutory Decree of Adoption be entered or waived. If an Interlocutory Decree of Adoption is entered, the adoption specialist provides supervision with at least monthly visits in the home and a second report is provided to the court.

(I) The adoptive home report must contain a certification by the adoption specialist that the final examination of the child in the adoptive home has been made since the granting of the Interlocutory Decree of Adoption. The adoption specialist makes a final recommendation for or against the adoption.

(II) The adoptive home report must contain a determination of the legal availability or status of the child for adoption. The adoption specialist obtains this information from the private attorney for the adoptive parent(s) and states that this information was obtained from the attorney;

(E) certified copy of the Order of Consent obtained from the court of jurisdiction in the juvenile deprived action, if the juvenile court has retained the right to consent to the adoption. In the event the juvenile court has authorized OKDHS to consent to the adoption, the adoption specialist advises the attorney that a Directive Authorizing Consent to the Adoption will be provided by OKDHS. The attorney is responsible
for preparing a consent to the adoption to be signed by the adoption specialist;

(F) copy of Form 04AN002E, Adoption Assistance Agreement, if applicable;

(G) Form 04AN006E, Affidavit of Information Disclosure for Adoption, which reflects that the adoptive parent(s) has been provided with a copy of Form ODH 347;

(H) information regarding the child's membership in an Indian tribe which is not part of the juvenile deprived case. The adoption attorney obtains from the juvenile court file a determination whether the child is a member of an Indian tribe or eligible for membership in a tribe. If the adoption specialist obtains information regarding membership or eligibility for membership which was not known during the juvenile proceeding, the adoption specialist immediately reports this information to the attorney for the adoptive parent(s) and includes the information in the adoptive home report.

(2) Directive Authorizing Consent to the Adoption. When the adoptive parent(s) is ready to proceed with finalization of the adoption, the adoption specialist completes Form 04AN013E, Directive Authorizing Consent to Adoption, and sends it as an attachment by e-mail to the State Office Adoption Services Section. The form is signed by the OKDHS Director's designee and is returned by mail to the adoption specialist.

(3) Hearing on Final Decree of Adoption. The adoption specialist appears at the hearing on the Final Decree of Adoption to sign the consent for adoption which the adoption attorney will have prepared. Any documents not already provided to the attorney for the adoptive parent(s) for filing in the adoption case are provided at this hearing.

2. Form 04AN010E, Finalized Adoption Case Transmittal, is submitted with records to the State Office for storage. The records submitted are:

(1) resource family record. The KIDS resource file is scanned into the KIDS file cabinet of the adoptive resource and the resource is closed by the adoption specialist. If the family chooses to re-apply to adopt other children, the KIDS resource is reopened and the previous resource record is obtained from the KIDS file cabinet by the adoption specialist;
(2) birth family record. The paper file is sent to the State Office. The electronic KIDS file is closed by the primary Child Welfare (CW) worker if there are no other children in the case receiving services;

(3) adoptive family case record. Within 30 calendar days of the adoption finalization, the paper case record is scanned into the KIDS file cabinet and the electronic file is submitted to the State Office; and

(4) legal documents. One complete set of legal documents related to the finalization of the adoption is scanned into the KIDS file cabinet of the Adoption KK case, including:

(A) Petition for Adoption;

(B) Statement of Attorney Fees;

(C) Original and Amended Deprived Petition;

(D) Emergency/Temporary/Adjudication/Disposition/Termination orders;

(E) Consent to the Adoption; and

(F) Adoption Decree; and

(5) AFCARS. All required Adoption and Foster Care Analysis and Reporting System (AFCARS) fields are completed and the KIDS adoptive family case record is electronically transferred to the State Office Adoption Assistance Section through the AFCARS screen assign button.