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

The revisions to Subchapters 1, 7, 8, and 15 of Chapter 75 clarify:
(1) fair hearing procedures; (2) foster family requirements; (3) foster and adoptive pre-service training requirements; (4) time frames for the signature of foster care contracts; (5) difficulty of care rates and descriptions; (6) child care not paid by Oklahoma Department of Human Services (OKDHS); (7) non-compliance issues in foster homes; (8) purpose of emergency foster care (EFC) and visitation requirements; (9) responsibilities of OKDHS foster parents; (10) therapeutic foster care (TFC) program purpose and contractor responsibilities; (11) procedures for pre-placement visits and direct placement of a child with an adoptive family; (12) use of Form CWS-KIDS-26, Adoption Post Placement Service Plan (APPSP), with adoptive families; and (13) by revoking sections of rule that are duplicative.

340:75-1-12.6 is amended to clarify the fair hearing process and update applicable rule cites.

340:75-1-12.7 is amended to clarify general information regarding the foster parent hotline.

340:75-7-12 and 75-15-83 are amended to better detail foster and adoption applicant requirements.

340:75-7-14, 75-7-18, 75-15-84, and 75-15-88 are amended to clarify foster and adoption assessment processes, including the house assessment and reasons for denial.
340:75-7-24 is amended to specify that an OKDHS records search is conducted prior to the initial placement of a child in kinship care.

340:75-7-37 is amended to clarify that the foster parent participates in developing a parent-child visitation plan that is approved by OKDHS and that foster parents must complete training requirements each calendar year.

340:75-7-38 is amended to reflect the use of physical restraint only when the foster parent has been properly trained in the restraint technique demonstrated in Behavior Crisis Management Training.

340:75-7-51 is amended to delete a reference to the automated phone number for warrant status checks.

340:75-7-52 supercedes emergency revisions and is amended to better detail the time frames and conditions that must be met before signing the foster care contract.

340:75-7-53 is amended to reflect the movement of difficulty of care rates and descriptions to OKDHS Appendix C-20, Children and Family Services Division Rates Schedule.

340:75-7-65 is amended to specify that foster care child care is not paid by OKDHS when the foster parent chooses more than one child care provider per child per day.

340:75-7-94 is amended to reflect procedures relating to the decision not to return a child as a result of an investigation and when smoking is a non-compliance issue with the foster family.

340:75-7-262 is amended to include the purpose of EFC and reference a rule cite for Child Welfare (CW) worker visitation requirements.

340:75-8-1 is amended to include the legal base and definitions for TFC.

340:75-8-2, 75-8-3, and 75-8-5 are revoked as the information regarding these Sections was incorporated into 340:75-8-1.

340:75-8-4 is amended to update TFC contract procedures and an associated rule reference.

340:75-8-6 is amended to include TFC contractor responsibilities when a child has overnight visitation with peers.
340:75-8-7 and 75-8-8 are amended to clarify TFC contractor requirements, including joint approval procedures.

340:75-8-9 is amended to reflect medical necessity criteria and considerations for sibling placements.

340:75-8-11 is amended to clarify extension of stays for the child in TFC.

340:75-8-12 is amended to delete unnecessary language regarding area resource coordinator responsibilities.

340:75-8-13 is amended to delete unnecessary language pertaining to CW worker responsibilities.

340:75-15-59 is amended to reflect procedures relating to pre-placement visits and direct placement of a child with an adoptive family.

340:75-15-103 is amended to clarify procedures regarding notification to adoptive parents of court hearings and the use of Form CWS-KIDS-26.


Original signed on 5-13-05
Linda Smith, Director
Children & Family Services Division

Sharon Neuwald, Co-Interim Administrator
Office of Planning, Policy & Research

WF # 04-31 (DT)
INSTRUCTIONS FOR FILING MANUAL MATERIAL

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

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

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340:75-1-5. Goals of Child Welfare
340:75-1-6. Organization and scope of Children and Family Services Division
340:75-1-7. Eligibility for Child Welfare Services
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340:75-1-10. Program funding
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340:75-1-12. Grievances
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340:75-1-12.2. Appeal process
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340:75-1-12.4. Grievance procedures for children placed in shelters, group homes, residential, and psychiatric facilities [REVOKED]
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340:75-1-12.6. Fair hearings
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340:75-1-38. Application [REVOKED]
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340:75-1-62. DCFS placement philosophy [REVOKED]
340:75-1-63. Placement Section [REVOKED]
340:75-1-64. Placement process [REVOKED]
340:75-1-65. Placement Team [REVOKED]
340:75-1-67. Children in pre-adjudicatory or pre-dispositional emergency custody of DHS [REVOKED]
340:75-1-68. Placement of children in need of mental health treatment [REVOKED]
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340:75-1-71. Change of placement [REVOKED]
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340:75-1-91. Release from Departmental custody [REVOKED]
340:75-1-92. Placement not regulated by ICPC [REVOKED]
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340:75-1-178. Scope [REVOKED]
340:75-1-179. Service components
340:75-1-180. Determining appropriate child welfare referrals to Comprehensive Home-Based Services [REVOKED]
340:75-1-181. Eligibility requirements for Comprehensive Home-Based Services [REVOKED]
340:75-1-182. Guidelines for the early termination of Comprehensive Home-Based Services [REVOKED]
340:75-1-183. Role of the CW worker [REVOKED]
340:75-1-184. Role of the CHBS Contract Case Manager (CCM) [REVOKED]

PART 12. INDEPENDENT LIVING

340:75-1-185. Oklahoma Children's Services (OCS) – Independent Living [REVOKED]

PART 13. WORKING WITH INDIAN CHILDREN [REVOKED]

340:75-1-200. Legal authority for services to Indian children [REVOKED]
340:75-1-201. Child Protective Services (CPS) reports on an Indian child [REVOKED]
340:75-1-203. Allegations of abuse or neglect of DHS custody children in tribal foster care [REVOKED]
340:75-1-204. Roles and responsibilities of the Child Welfare tribal liaison [REVOKED]
340:75-1-205. Tribal foster care agreements [REVOKED]
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340:75-1-208. Kinship placements for tribal custody children [REVOKED]
340:75-1-209. Voluntary foster care for tribal children under age 18 [REVOKED]
340:75-1-211. Tribal foster care of DHS custody children [REVOKED]
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340:75-1-233. Support services for CW staff
340:75-1-241. Educational practicums
340:75-1-12.6. Fair hearings

(a) The primary purpose of the fair hearing is to safeguard the rights of clients and provide recourse to address infractions of individual rights and interests. A fair hearing may be granted to the:

(1) foster parent when Oklahoma Department of Human Services (OKDHS):

   (A) denies the foster parent's claim for foster care reimbursement;

   (B) pays foster care reimbursement to the foster parent in a sum lower than the amount claimed;

   (C) does not pay foster care reimbursement to the foster parent in a timely manner;

   (D) closes the foster parent's home as indicated on Form DCFS-17, Notice of Closure to OKDHS Foster Parents; or

   (E) does not return a child in OKDHS custody removed from the foster parent's home due to a child abuse or neglect investigation as indicated on Form DCFS-17-A, Notice of Decision Not to Return Child After Investigation; or

(2) adoptive parent when OKDHS:

   (A) denies the adoptive parent's application for an adoption assistance payment as indicated on Form DCFS-50, Request for Review of Denial;

   (B) approves the adoptive parent's application for an adoption assistance payment in an amount less than requested; or

   (C) delays or denies an authorized adoptive placement out-of-state with the adoptive parent, per OAC 340:75-15-47.

(b) Fair hearing requests regarding:

(1) adverse decisions on adoption assistance payments, are filed within 30 days of the date of the written notice of the adverse action, per OAC 340:75-15-128; or

(2) closures of approved OKDHS foster homes, are processed per OAC 340:75-7-94 and OAC 340:2-5-94.
(c) Every effort is made at the local level to resolve matters that may evolve into requests for fair hearings. The Child Welfare (CW) worker and immediate supervisor meet informally with the foster or adoptive parents to clarify the basis for the decision that prompted them to inquire about a fair hearing.

(d) Information gathered for the fair hearing is provided to the OKDHS Legal Division Appeals Unit in accordance with Form H-1-A, Hearing Summary. The appellant is given access, prior to the date of the hearing, to any information to be used in the hearing. Any information acquired after the notice of the adverse decision and after the request for the fair hearing may be used in the hearing process provided the appellant is notified of this information and of the intent to use it. Such information is made available to the appellant ten days prior to the hearing date.

(e) Rulings and issues resulting from findings made by the court are not appealable in the fair hearing process.

(f) Findings made pursuant to a Child Protective Services (CPS) appeal process are not subject to review in the fair hearing process.

INSTRUCTIONS TO STAFF

1. Hearing summary. The Child Welfare (CW) worker summarizes the relevant information on Form H-1-A, Hearing Summary, from the foster or adoptive home record and the CW case record, including information from Form CWS-KIDS-3, Report to District Attorney.

2. Report to District Attorney. Form CWS-KIDS-3 is not used in the fair hearing unless the administrative hearing officer (AHO) presiding over the fair hearing authorizes disclosure based on compelling reasons. If Form CWS-KIDS-3 is ordered disclosed, the CW worker redacts the name of the reporting party prior to giving it to the AHO for in camera review.
340:75-1-12.7. Foster parent hotline

Section 7204 of Title 10 of the Oklahoma Statutes directs Oklahoma Department of Human Services (OKDHS) to establish a statewide toll-free foster parent hotline to provide information related to foster care services and a means to report allegations of foster parent's rights violations. The hotline is accessed by calling 1-800-376-9729.

(1) Foster care general information or concerns. The hotline may be contacted when a:

(A) person needs general information regarding foster care policy or procedures; or

(B) foster parent does not feel his or her specific concerns have been addressed by the county.

(2) Foster parent's rights violation. When a foster parent believes his or her rights have been violated, the hotline call is directed to OKDHS Office of Client Advocacy, which initiates investigations regarding allegations that an employee of OKDHS or a child-placing agency has:

(A) threatened a foster parent with removal of a child in the foster parent's care;

(B) harassed a foster parent;

(C) refused to place a child in an approved foster home; or

(D) disrupted a child placement as a result of retaliation or discrimination against a foster parent who has:

   (i) filed a grievance with OKDHS Child Welfare;

   (ii) provided information to any state official or OKDHS employee; or

   (iii) testified, assisted, or otherwise participated in an investigation, proceeding, or hearing against OKDHS or a child-placing agency, per OAC 340:2-3-46.
SUBCHAPTER 7. FOSTER HOME CARE

PART 1. GENERAL PROVISIONS

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340:75-7-1. Foster resource family care services [REVOKED]
340:75-7-2. Purpose, legal base, and definitions
340:75-7-3. Voluntary foster family care for children under age 18 [REVOKED]
340:75-7-4. Reunification program responsibilities and philosophy [REVOKED]
340:75-7-5. Preparation for adult life/independent living initiative [REVOKED]
340:75-7-6. Voluntary foster care after age 18 [REVOKED]
340:75-7-7. Long-term foster care [REVOKED]
340:75-7-8. Number and ages of children allowed placed in a regular or kinship foster resource home [REVOKED]

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340:75-7-12. Initial screening and requirements
340:75-7-12.1. Inquiries of Department of Human Service (DHS) employees [REVOKED]
340:75-7-13. Mutual family assessment [REVOKED]
340:75-7-13.1. Definitions [REVOKED]
340:75-7-14. Training
340:75-7-15. Background investigation and assessment of results
340:75-7-15.1. Prospective kinship foster resource criminal background records search after normal business hours and holidays [REVOKED]
340:75-7-16. Automated fingerprinting authorizations [REVOKED]
340:75-7-17. Assessment of background investigation results [REVOKED]
340:75-7-18. Resource family assessment
340:75-7-19. Joint approval of foster homes
340:75-7-20. Contract foster resource home assessments [REVOKED]
340:75-7-21. Denial or withdrawal of the foster home application [REVOKED]
340:75-7-22. Disposition of foster resource home assessments [REVOKED]
340:75-7-23. Regular Child Welfare (CW) foster resource home contracts including Interstate Compact on the Placement of Children (ICPC) [REVOKED]
340:75-7-24. Kinship placements
PART 3. REUNIFICATION SERVICES [REVOKED]

340:75-7-25. Background [REVOKED]
340:75-7-26. Values [REVOKED]
340:75-7-27. Goals [REVOKED]
340:75-7-28. Parental involvement [REVOKED]
340:75-7-29. Visitation between the child in foster home care and family [REVOKED]
340:75-7-30. Mail and telephone contact [REVOKED]
340:75-7-31. Case management services [REVOKED]
340:75-7-32. Criteria for return of child to own home [REVOKED]
340:75-7-33. Issues to consider when family reunification does not seem appropriate [REVOKED]

PART 4. FOSTER PARENTS' ROLES AND RESPONSIBILITIES

340:75-7-35. Goals [REVOKED]
340:75-7-36. Foster parents' rights [REVOKED]
340:75-7-37. Responsibilities of foster parents
340:75-7-38. Discipline for children in foster family care
340:75-7-39. Religious and cultural observation [REVOKED]
340:75-7-40. Education [REVOKED]
340:75-7-41. Placement considerations and requirements
340:75-7-41.1. Types of reimbursement for kinship caregivers [REVOKED]
340:75-7-42. Exceptions to foster family care policy [REVOKED]
340:75-7-43. Change of placement and notice to placement providers [REVOKED]
340:75-7-44. Voluntary foster family care for children under age 18 [REVOKED]
340:75-7-45. Voluntary foster care after age 18 [REVOKED]
340:75-7-46. Services to the child in foster family care provided by Child Welfare (CW) worker and the foster parent [REVOKED]
340:75-7-47. Child Welfare (CW) worker contacts with foster parents [REVOKED]
340:75-7-48. Professional team of the foster resource specialist, Child Welfare (CW) specialist, and foster parents [REVOKED]

PART 5. ELIGIBILITY AND PAYMENTS

340:75-7-50. Eligibility [REVOKED]
340:75-7-51. Foster care claims
340:75-7-52. Foster care contracts and rates of reimbursement
340:75-7-53. Difficulty of care
340:75-7-54. Difficulty of Care rate descriptions [REVOKED]
340:75-7-55. Difficulty of care approval process [REVOKED]
340:75-7-56. Difficulty of care reviews [REVOKED]
340:75-7-57. Difficulty of care cancellations [REVOKED]
340:75-7-58. Foster resource home overpayments [REVOKED]
340:75-7-59. Foster resource home underpayments [REVOKED]
340:75-7-60. Late or lost foster home payments [REVOKED]
340:75-7-61. Child out of foster home for hospitalization [REVOKED]

PART 6. FOSTER HOME CARE SUPPORT SERVICES

340:75-7-62. Foster care grievance procedure [REVOKED]
340:75-7-63. Foster Parent Hotline [REVOKED]
340:75-7-64. Day care services for children in foster or kinship care [REVOKED]
340:75-7-65. Foster care child care and supportive services
340:75-7-66. Alternate care [REVOKED]
340:75-7-67. Travel outside the state [REVOKED]
340:75-7-68. Transportation responsibilities [REVOKED]
340:75-7-69. In-service training programs for resource families [REVOKED]
340:75-7-70. Foster care associations [REVOKED]

PART 7. FOSTER FAMILY CARE PLACEMENTS, ROLES, RESPONSIBILITIES AND SERVICES [REVOKED]

340:75-7-75. Goals [REVOKED]
340:75-7-75.1. The Multiethnic Placement Act of 1994 [REVOKED]
340:75-7-76. Placement procedures for children in foster home care [REVOKED]
340:75-7-76.1. Change of placement and notice to foster parents [REVOKED]
340:75-7-77. Grievance procedure for children in out of home care [REVOKED]
340:75-7-77.1. Dispute resolution or grievance procedures for foster parents [REVOKED]
340:75-7-77.2. Foster Parent Hotline [REVOKED]
340:75-7-78. Social worker contacts with foster parents [REVOKED]
340:75-7-79. Responsibilities and services to the child in foster home care [REVOKED]
340:75-7-79.1. Foster parents' rights [REVOKED]
340:75-7-80. Responsibilities of the foster parents [REVOKED]
340:75-7-80.1. Discipline for children in foster family care [REVOKED]
340:75-7-81. Religious and cultural observation [REVOKED]
340:75-7-82. Education [REVOKED]
340:75-7-83. Services to the child in foster family care [REVOKED]
340:75-7-83.1. Long term foster care as a plan for temporary or permanent custody
children [REVOKED]

340:75-7-84. Services and training to assist foster families [REVOKED]
340:75-7-85. Day care services for children in foster or kinship care [REVOKED]
340:75-7-85.1. Payment for day care services in licensed day care center or licensed day care home [REVOKED]
340:75-7-85.2. In-home day care [REVOKED]

PART 8. CONTINUOUS QUALITY ASSESSMENT OF A RESOURCE HOME

340:75-7-86. Resource family assessment [REVOKED]
340:75-7-87. Investigative protocol for abuse or neglect of a child in foster resource family care [REVOKED]
340:75-7-88. Appeals process for foster home investigation findings [REVOKED]
340:75-7-89. Time frames for decision making regarding continued use or closure of the foster home [REVOKED]
340:75-7-90. Evaluation of foster home rule violations or concerns [REVOKED]
340:75-7-91. Written plan of compliance (WPC) [REVOKED]
340:75-7-92. Closure of a resource home [REVOKED]
340:75-7-93. Re-application to provide foster care [REVOKED]
340:75-7-94. Foster care reviews

PART 9. SERVICES TO FOSTER PARENTS [REVOKED]

340:75-7-100. Role of the CW worker with foster parents [REVOKED]
340:75-7-101. Short term care [REVOKED]
340:75-7-102. Travel outside the county/state [REVOKED]
340:75-7-102.1. Transportation responsibilities [REVOKED]
340:75-7-103. Foster Pride - Adopt Pride preservice training [REVOKED]
340:75-7-104. Inservice training programs for foster parents [REVOKED]
340:75-7-105. Scheduling of training sessions [REVOKED]
340:75-7-105.1. Roles and responsibilities in regard to training [REVOKED]
340:75-7-106. Selection of trainers [REVOKED]

PART 10. KINSHIP CARE [REVOKED]

340:75-7-107. Definition of kinship care [REVOKED]
340:75-7-108. Purpose of kinship care [REVOKED]
340:75-7-109. Identification of potential providers and types of kinship care [REVOKED]
340:75-7-110. Initial kin placement [REVOKED]
340:75-7-111. Kinship placement process and certification requirements
340:75-7-112. Kinship home assessment process [REVOKED]
340:75-7-113. Kinship foster care contract or non-paid kinship agreement [REVOKED]
340:75-7-114. Role of the Child Welfare (CW) worker in kinship care settings [REVOKED]
340:75-7-115. Services provided by kinship providers [REVOKED]

PART 11. APPLICATION AND ELIGIBILITY TO PROVIDE FOSTER HOME CARE [REVOKED]

340:75-7-119. Legal base and authority [REVOKED]
340:75-7-120. Inquiry and initial screening of foster family home [REVOKED]
340:75-7-121. Mutual family assessment [REVOKED]
340:75-7-122. Background investigation [REVOKED]
340:75-7-123. Mutual assessment process [REVOKED]
340:75-7-123.1. Dual approval of foster homes [REVOKED]
340:75-7-123.2. Contract foster home assessments [REVOKED]
340:75-7-124. Denial or withdrawal of the foster home application [REVOKED]
340:75-7-125. Disposition of foster home applications [REVOKED]
340:75-7-126. Exceptions to foster home care policy [REVOKED]
340:75-7-127. Foster home contract [REVOKED]
340:75-7-127.1. Foster parent associations [REVOKED]
340:75-7-128. Identification of Indian foster homes [REVOKED]

PART 13. ANNUAL ASSESSMENT OF A FOSTER HOME [REVOKED]

340:75-7-145. Applicability [REVOKED]
340:75-7-146. Investigation protocol for abuse or neglect of a child in foster family care [REVOKED]
340:75-7-146.1. Time frames for decision making regarding continued use or closure of the foster home [REVOKED]
340:75-7-147. Evaluation of foster home rule violations or concerns [REVOKED]
340:75-7-148. Written plan of compliance [REVOKED]
340:75-7-149. Closure of a foster home [REVOKED]
340:75-7-150. Re-application to provide foster care [REVOKED]

PART 15. TRIBAL FOSTER CARE [REVOKED]

340:75-7-165. Placement of an Indian child [REVOKED]
340:75-7-166. Tribal foster care arrangements [REVOKED]
340:75-7-167. Tribal foster care for DHS custody children [REVOKED]
340:75-7-168. Allegations of abuse or neglect of DHS custody children in tribal foster care [REVOKED]
340:75-7-169. Tribal foster care for tribal custody children [REVOKED]
340:75-7-170. Tribal or facility contracts for residential child care [REVOKED]

PART 17. PERMANENCY PLANNING FOR CHILDREN IN DHS CUSTODY [REVOKED]

340:75-7-185. Process [REVOKED]
340:75-7-186. Termination of parental rights [REVOKED]
340:75-7-187. Planning for permanent custody children [REVOKED]
340:75-7-188. Permanent custody Indian children [REVOKED]
340:75-7-189. Long term care as a plan for temporary or permanent custody children [REVOKED]
340:75-7-190. Fast-adopt in permanency planning for all custody children [REVOKED]

PART 19. SPECIALIZED FOSTER CARE (SFC)/DDSD THROUGH DEVELOPMENTAL DISABILITIES SERVICES DIVISION (DDSD) [REVOKED]

340:75-7-205. Community base waiver program [REVOKED]
340:75-7-206. Roles and responsibilities in specialized foster care through Developmental Disabilities Services Division [REVOKED]
340:75-7-207. Specialized foster care through Developmental Disabilities Services Division referral, study and training process [REVOKED]
340:75-7-208. Specialized foster care through Developmental Disabilities Services Division claims procedure [REVOKED]
340:75-7-209. Referral to DDSD for services beyond age eighteen [REVOKED]

PART 20. KINSHIP CARE [REVOKED]

340:75-7-210. Definition of Kinship Care [REVOKED]
340:75-7-211. Purpose of Kinship Care [REVOKED]
340:75-7-212. Identification of potential caregivers and types of Kinship Care [REVOKED]
340:75-7-213. Initial kin foster care placement [REVOKED]
340:75-7-214. Initial kinship placement process [REVOKED]
340:75-7-215. Kinship placement assessment process [REVOKED]
340:75-7-216. Kinship foster home assessment process [REVOKED]
340:75-7-217. Kinship foster care contract and reimbursement [REVOKED]
340:75-7-218. Role of the Child Welfare worker in Kinship Care settings [REVOKED]
340:75-7-219. Services provided by kinship caregivers [REVOKED]

PART 21. EMERGENCY AND SPECIALIZED FOSTER CARE PROGRAMS [REVOKED]

340:75-7-225. Emergency foster care (EFC) program [REVOKED]
340:75-7-226. EFC assessments [REVOKED]
340:75-7-227. Emergency foster care contracts [REVOKED]
340:75-7-228. EFC payment [REVOKED]
340:75-7-229. EFC leave [REVOKED]
340:75-7-230. EFC training [REVOKED]
340:75-7-231. Specialized foster care (SFC) program [REVOKED]

PART 23. GUIDELINES FOR WORKING WITH EFC CONTRACTORS [REVOKED]

340:75-7-245. Requirements [REVOKED]
340:75-7-246. Contractor's family needs [REVOKED]

PART 25. EMERGENCY FOSTER CARE PROGRAM

340:75-7-260. Mission statement [REVOKED]
340:75-7-261. Population to be served [REVOKED]
340:75-7-262. Emergency foster care
340:75-7-263. Movement of children from emergency foster care [REVOKED]
340:75-7-263.1. Admission into regular contract foster care [REVOKED]
340:75-7-264. Roles and responsibilities in emergency foster care program [REVOKED]
340:75-7-265. Service delivery in emergency foster care programs [REVOKED]
340:75-7-266. Substitute care [REVOKED]
340:75-7-267. Reimbursement to emergency foster care program providers [REVOKED]
340:75-7-268. Discharge from emergency foster care (EFC) [REVOKED]
340:75-7-268.1. Discharge from contract regular foster care [REVOKED]
340:75-7-269. Standards for emergency foster care (EFC) program homes [REVOKED]
340:75-7-270. Training for contract foster care program providers and contract staff [REVOKED]
340:75-7-271. Additional contract requirements [REVOKED]
340:75-7-12. Initial screening and requirements

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

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

1. be at least 21 years of age and preferably no more than 55 years older than the child considered for placement;
2. if married, be married one year or more. Applicants may be married, single, legally separated, or divorced;
3. have the ability to manage personal and household financial needs without relying on the foster care reimbursement;
4. provide appropriate sleeping arrangements for each child placed;
5. provide verification that all household members are in sufficiently good physical and mental health to provide for the individual needs of each child placed;
6. submit to a search of all OKDHS records, including Child Welfare records;
7. ensure that each household member, 18 years of age or older, submits fingerprints for a state and national criminal history records search;
8. submit to a search of Juvenile Justice Information System (JOLTS) records for any child older than 13 years of age in the household;
9. ensure that no household member has a prior conviction of any sexual offense;
10. not smoke in the home when a child is placed in the home;
11. not smoke in the automobile when transporting a child placed;
12. provide references;
13. complete 27 hours of pre-service training;
(14) complete 12 hours of in-service training each calendar year;

(15) demonstrate the basic competencies that are to:

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

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

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

(D) connect children to safe, nurturing relationships; and

(E) collaborate with OKDHS as a team member;

(16) have a house assessment completed;

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

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

(19) acknowledge and agree to abide by applicable Oklahoma statutes and OKDHS rules regarding the child in their care that include, but are not limited to:

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

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

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

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

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

   (A) for any hospital stay;

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

   (C) upon OKDHS request;

(22) agree to provide foster care as a planned, temporary placement for the child whose permanency plan is family reunification or other permanency plan;

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

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

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

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

(27) comply with OKDHS rules on discipline;

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

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

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

(31) utilize the clothing allowance included in the foster care reimbursement to provide adequate clothing for the child placed; and
(32) comply with all Oklahoma statutes relating to the care and support of minors including those that prohibit the use of tobacco, alcohol, or non-prescribed medications.

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

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

**INSTRUCTIONS TO STAFF**

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

   (1) responds within one week of the inquiry;

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

   (3) if no response is received after the inquiry, contacts the applicant a minimum of twice in a 45-day period to determine the applicant’s interest;

   (4) if there is no response from the applicant after the 45-day period, closes the KIDS Pre-Resource within one week;

   (5) discusses with each potential applicant the:

   (A) basic responsibilities and requirements expected of a foster parent;

   (B) children requiring out-of-home placement; and

   (C) elements of the application and training process;

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

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

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

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

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

(9) makes a referral to other Children and Family Services Division (CFSD) units, such as Adoption Services, or other divisions within OKDHS, such as Division of Child Care or Office of Volunteerism, when the applicant's needs or expectations are better met through these sources.

2. Foster parent eligibility.

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

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

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

(i) potential for a conflict of interest; and

(ii) employee's understanding that employment with OKDHS is not used as a means to obtain information about the child's case or gain services.
(B) Memorandum. The county director or division director, as applicable, submits the application request in a written memorandum to CFSD Foster Care Section. The memorandum documents the discussion of conflict of interest and the separation of job duties as an employee and foster parent.

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

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

3. Inquiries from other states. Requests from other states, agencies, or persons regarding information from an active or closed resource are routed to CFSD Foster Care Section for response. The Foster Care Section requests information from the county, if necessary. The county office removes all reference information and child abuse and neglect information from the requested resource record before sending the information to the Foster Care Section.
340:75-7-14. Training

(a) Pre-service training. Applicants and adult household members who will be caring for a child in Oklahoma Department of Human Services (OKDHS) custody complete a prescribed course of training that addresses the values and competencies essential to caring for a child who is a victim of maltreatment.

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

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

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

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

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

   (D) connecting children to safe, nurturing relationships; and

   (E) collaborating with OKDHS as a team member.

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

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

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

   (C) The resource specialist notifies the applicant of the decision within 30 working days of the request for a training waiver.
(4) Kinship families may be approved as initial placement resources before the conclusion of classroom training.

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

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

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

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

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

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

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

(2) Internet instruction through recognized state and private foster care agencies is accepted as meeting in-service training requirements. The foster family provides to the resource specialist the certificate of training, if available, from the training source listing the completed approved hours.

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

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

1. Pre-service training.

   (1) Training schedule. A schedule for Foster Care pre-service training is maintained in KIDS. The Child Welfare field liaison may request additional sessions in the current or subsequent quarter based on emerging need. Requests are honored as resources allow.

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

2. In-service training. The resource specialist documents all training completed by foster families in the KIDS resource or verifies the training tracked by KIDS.
340:75-7-18. Resource family assessment

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

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

(2) **House assessment.** The resource specialist conducts an evaluation of the applicant's residence to assess the location, condition, and capacity to accommodate children in foster care. The resource specialist assesses:

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

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

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

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

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

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

   (ii) Every child age six to 18 years who is transported in an automobile must be protected by a passenger restraint system or seat belt.
(iii) The provisions in (i) and (ii) do not apply to the:

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

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

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

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

(F) sleeping arrangements and privacy.

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

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

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

(iv) A child in OKDHS custody, with the exception of an infant who is younger than 12 months of age, does not share a bedroom with an adult in the household.

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

(vi) The applicant may not designate a room, such as the living room, utility room, den, dining room, pantry, or unconverted garage, as a bedroom unless the room is specifically designed as a bedroom.
(3) **Total number of children in placement.** The total number of children in OKDHS custody placed in a kinship or foster home may not exceed five. The total number of all children in the home, which includes biological, adoptive, foster, and other children not in OKDHS custody, may not exceed six.

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

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

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

   (B) The applicant's current or most recent employer is contacted by letter, phone, or in person. When the applicant is self-employed, a reference is obtained from a customer.

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

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

   (E) The mental health professional is contacted by letter, when the applicant or applicant's child has received counseling, whether currently or in the past.

   (F) A minimum of six references are required. □ 2

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

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

(8) **Household income.** The applicant provides verification that he or she can manage personal and household financial needs without relying on the foster care reimbursement. The applicant must have sufficient income to meet the needs of an additional child placed in his or her home until receipt of foster care reimbursement for that child.

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

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

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

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

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

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

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

(4) exceptions to the assessment. OKDHS may, at its discretion, grant an exception of specific rules or standards upon request by the applicant.

(A) OKDHS may establish conditions that must be met by the applicant in order to operate under the exception granted.

(B) Exceptions may be granted upon a showing by the applicant that:

(i) the particular rule or standard that is the subject of the exception request may not be applied as written because strict application of the rule or standard would cause undue hardship; and

(ii) adequate standards affording protection for the health, safety, and care of the child exists and will be met in lieu of the exact requirements of the rule or standard in question; or

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

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

(B) a physical facility that is inadequate to accommodate the addition of children to the home or presents health or safety concerns;

(C) the applicant or any person residing in the home has a history of alleged or confirmed child abuse, neglect, or both, per OAC 340:75-7-15;

(D) the applicant or any person residing in the home has a history of arrests or convictions per OAC 340:75-7-15;
(E) the age, health, or any other condition of the applicant impedes the applicant's ability to provide appropriate care for a child;

(F) relationships in the household are unstable and unsatisfactory;

(G) the mental health of the applicant or other family or household member impedes the applicant's ability to provide appropriate care for a child;

(H) references are guarded or have reservations in recommending the applicant;

(I) the applicant fails to complete the application, required training, or verifications in a timely manner as requested or provides information that is incomplete, inconsistent, or untruthful; or

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

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

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

(e) **Contract foster home assessments.** Children and Family Services Division (CFSD) may contract with licensed child-placing agencies or a qualified person to provide a range of CW services that include conducting resource family assessments. OKDHS makes the final decision regarding the disposition of all resources assessed by contractors. ■ 9

(f) **Changes in the household.** The foster parent must notify the resource specialist within 24 hours of any change in the household that precludes the foster parent from providing adequate care for the child, including, but not limited to:

(1) income;

(2) location;

(3) health; or

(4) relationship. ■ 10
INSTRUCTIONS TO STAFF

1. Resource family assessment.

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

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

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

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

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

   (D) DCFS-42, Family Health History;

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

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

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

   (H) HIPPA-3, Authorization to Disclose Medical Records.

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

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

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

(i) has a history of abuse and neglect;

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

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

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

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

(D) DCFS-64, Resource Family Personal Reference Letter, as a guide to conduct interviews and document phone interviews of personal references. When a reference is not well enough acquainted with the applicant to provide pertinent information or when the person declines to serve as a reference, this is documented in the assessment and the applicant is asked for another reference;

(E) DCFS-65, Resource Family Assessment Reference Letter for Mental
Health Professionals, when the applicant has received mental health services, currently or in the past, to contact the mental health professional by letter. The resource specialist utilizes Form HIPPA-3 to obtain the information; and

(F) DCFS-65-A, Child’s Mental Health Reference Letter, when the applicant's child has received mental health services, currently or in the past, to contact the mental health professional by letter. The resource specialist utilizes Form HIPPA-3 to obtain the information.

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

3. Military history. The resource specialist requests consultation with the CW supervisor, CWFL, and the county director to determine the significance of the information provided by military history, if needed.

4. Previous foster care information. The resource specialist uses Form DCYFS-8 to secure a copy of the applicant’s foster home assessment, related information, and training record from other states or agencies, if applicable.

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

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

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

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

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

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

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

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

(A) files the original Form DCFS-69-A with signatures in the resource record;

(B) copies the KIDS Pre-Resource to a Resource for all approved applications, except when the child in OKDHS custody is in a kinship placement. The resource specialist then end-dates the KIDS Pre-Resource after conversion to a Resource;

(C) enters the request for approval of the assessment in the KIDS Resource Status screen with the date that Form DCFS-69-A is sent to the CW supervisor for approval. The CW supervisor approves the assessment in the KIDS Resource Status screen and signs Form DCFS-69-A with the same date;

(D) files the verification in the resource record and documents the receipt of Publication No. 99-17 in the KIDS Resource Contacts screen; and

(E) provides a signed copy of Form OCA-GR-4, Notice of Grievance.
Rights – Foster Parents, to the foster parent and files the original in the resource record with documentation of the signature in KIDS Resource Contacts screen.

(4) Denying a family assessment.

(A) The resource specialist staffs the information with the CW supervisor.

(B) The resource specialist documents all information obtained in the resource record and KIDS Pre-resource or Resource Contacts screens. The resource specialist documents the disposition decision in KIDS Resource Status screen.

(C) Denial of the assessment is documented by the resource specialist in summary form with detailed information in KIDS Pre-resource or Resource Contacts screen and a copy of the written summary is filed in the resource record.


(1) The resource specialist submits a written request for an exception of the requirements in OAC 340:75-7 to the CW supervisor.

(2) The CW supervisor sends the request to CFSD Foster Care Section with a copy to the county director.

(3) Upon receipt of the request, Foster Care Section staff responds in writing with a decision. A copy of the response to the request is retained in the resource and child's record.

(4) The resource specialist documents the request and the response in KIDS Resource Contacts screen.

7. Re-opening a foster home.

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

(A) any OKDHS policy or foster care contract violations or concerns;
(B) the outcomes of any written plans of compliance and recommendations regarding continued use of the home; and

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

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

(3) Re-opening a foster home requires:

(A) completion of:

(i) Form DCFS-26;

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

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

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

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

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

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

(D) re-opening the closed resource as pending in KIDS Resource Status screen and entering a new family assessment line for the new assessment or the addendum; and
(E) re-activating the contract. Upon approval, the resource specialist contacts the CFSD Administrative Service Unit to re-activate the contract.

8. Dissolved marriage or relationships. If foster parents divorce or the relationship dissolves, the person who continues to foster retains the existing resource number and information. An addendum is completed and documented in KIDS Resource Contacts screen to reflect the changes in the household. A new Form DCFS-20 is completed to address any changes to the financial status of the household. The Out of House Date and Reason is entered in KIDS Resource Homes screens to reflect this information.

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

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

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

9. Contracted home assessments.

(1) If the referral is for a kinship resource, the CW worker or resource specialist refers the family assessment to the contractor within seven days of the child's placement. If the referral is not made within seven days after the child's placement, the resource specialist completes the family assessment in a timely manner.

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

(3) At a minimum, the contractor meets with the foster or kinship applicant and resource specialist assigned to the assessment prior to the initiation of and at the conclusion of the resource assessment. The identification of issues and concerns during the assessment process requires additional meetings.
10. Changes in household. The resource specialist addresses any household changes with the foster parent and documents this information. An assessment is completed regarding the foster parent’s ability to continue providing care for a child in OKDHS custody.
340:75-7-24. Kinship placements

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

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

   (A) siblings;
   (B) grandparents, including those denoted by prefixes of great and great-great;
   (C) aunts and uncles, including those denoted by prefixes of great and great-great;
   (D) nieces and nephews, including those denoted by prefixes of grand and great-grand; and
   (E) cousins.

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

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

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

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

6. Non-custodial parent. A child returned to or placed with a non-custodial parent or a parent whose rights were terminated is not a kinship placement. Biological parents are not kinship resources and are not eligible for foster care reimbursement.
(b) **Initial kinship placement.** A child may be placed in a kinship foster home prior to completion of the resource family assessment and pre-service training, provided:

1. Form DCFS-10, Initial Kinship Placement Agreement, is completed and signed;
2. Form DCFS-26, Resource Family Assessment Application, and Form ADM-130, Request for Background Check, are completed and signed, per OAC 340:75-7-15 and 340:75-7-18;
3. an Oklahoma Department of Human Services (OKDHS) records search, including Child Welfare (CW) records, is completed and documented on Form DCFS-109, Records Check;
4. Form DCFS-11, House Assessment, is completed and approved; and
5. three personal references, only one of whom is a family member, are interviewed by phone.

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

1. Supplemental Security Income (SSI);
2. Social Security for a deceased or disabled parent (SSA);
3. other financial resources, per OAC 340:75-13-28; or

(d) **Kinship requirement.** All kinship foster homes, paid or non-paid, must meet the same requirements as all other CW foster homes. For paid kinship foster homes, reimbursements begin at the time requirements are met and are not retroactive.

**INSTRUCTIONS TO STAFF**

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

2. Initial kinship placement. An Oklahoma Department of Human Services
(OKDHS) records search, including Child Welfare (CW) records, is completed first on potential kinship providers and documented on Form DCFS-109, Records Check. If the resource specialist does not complete the initial kinship placement, the CW worker provides all the necessary paperwork to the resource specialist within two working days. The resource specialist:

(1) copies the KIDS Pre-Resource screen to a Resource after the child is placed in a kinship foster home and the initial placement requirements are completed, per OAC 340:75-7-24;

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

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

(4) completes:

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

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

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

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

3. Kinship reimbursement. The resource specialist:

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

(2) to avoid an overpayment, informs the Family Support Services worker within one day when the requirements are met for foster care;
(3) at the initial consultation, has the kinship provider sign a contract, per OAC 340:75-7-52 Instructions to Staff;

(4) enters a training stipend adjustment of $375 in KIDS for a kinship foster family at the time of enrollment in training and a final stipend adjustment of $375 upon completion of training requirements. The stipend request is made in the KIDS Resource Claims screen. Stipends are entered as a claim adjustment; and

(5) consults with the CW supervisor and determines whether an exception is necessary.

(A) Exceptions for payments made before requirements are completed are considered on a case-by-case basis.

(B) A request for a waiver is made only after all efforts by the county to expedite training or the home study are exhausted, and the efforts are documented in the KIDS Resource Contacts screens.

(C) A written request and a waiver request on KIDS is submitted to the Children and Family Services Division (CFSD) Foster Care Section by the CW supervisor.

(i) The types of training waivers are a:

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

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

(ii) A home assessment waiver is requested when:

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

(II) any required documentation is not received.
PART 4. FOSTER PARENTS' ROLES AND RESPONSIBILITIES

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

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

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

(A) integrating the child into the foster family setting and caring for the child as the foster parent would for the foster parent's own child;

(B) providing mentoring services to the child's parent(s) and coordinating visitation and contact whenever possible to facilitate timely reunification, including phone and mail contact when appropriate;

(C) working as a multidisciplinary team member with the Child Welfare (CW) worker and the child's parent(s) toward family reunification or other permanency plan;

(D) helping the child understand why he or she is in foster care and to deal with the grief caused by the separation;

(E) cooperating and assisting in sibling contact or visitation, including phone and mail contact, when siblings are separated;

(F) cooperating and assisting the CW worker in the placement of siblings;

(G) helping the child develop a positive identity and self-esteem by feeling lovable, capable, worthwhile, and competent;

(H) helping the child learn appropriate behavior without using physical punishment;

(I) utilizing appropriate behavior management, parent-child conflict resolution, and stress management techniques in a manner appropriate to the age and development of the child in foster care;
(J) enrolling the child in an accredited school, if applicable, and ensuring the child attends;

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

(L) attending school conferences;

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

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

   (i) making appointments;
   
   (ii) providing transportation to appointments and sibling and parent visits; and
   
   (iii) obtaining prescription medications or over-the-counter medications as necessary and administering the medication as directed;

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

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

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

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

(S) providing from the foster care reimbursement:

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

(ii) clothing and fees for special activities;

(iii) school pictures;

(iv) athletic and band instrument fees;

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

(vi) birthday and holiday gifts;

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

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

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

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

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

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

(C) collaborating with the child's CW worker prior to visits with the birth parents unless part of a specific plan;
(D) advising the CW worker of all pertinent information about the child and family;

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

(F) completing all required training hours each calendar year, including policy training when offered; and

(G) maintaining current medical and education records for each child in foster care. A Life Book is maintained for each child placed in the home to support the child's sense of family continuity. These records accompany the child when he or she leaves the foster home.
340:75-7-38. Discipline for children in foster family care

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

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

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

(2) advance the child's development;

(3) meet the child's needs;

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

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

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

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

(c) Teaching techniques.

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

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

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

(C) praise. Praise may be communicated with a smile or nod of approval, expressing to the child how pleased the person is with him or her.
(2) **Self-control.** To promote the child's self-control, foster parents clearly communicate expectations and provide structured, safe environments. The foster parent's use of planning and preparation prevents confrontation, acting-out, and negative behaviors by:

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

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

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

(A) rules. Rules are established guidelines that:

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

(ii) help the child know right from wrong;

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

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

(B) time out. Time out provides space between the child and a situation where the child exhibits behavior that is not acceptable or where the situation is dangerous. Recommended time out is one minute per age of the child. **Time out is typically used for the younger child:**

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

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

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

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

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

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

(B) OKDHS does not authorize any school personnel to administer corporal punishment to any child in OKDHS custody. The foster parent does not sign such authorizations, but refers school personnel to the child's CW worker to establish alternative discipline methods.  ■ 2

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

(i) the behavior the child is exhibiting;

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

(iii) the purpose assigned to the behavior;

(iv) where the behavior occurs; and
(v) who is present at the time of the behavior.

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

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

(B) deprivation of food or sleep;

(C) deprivation of family visits;

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

(E) cursing or other verbal abuse;

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

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

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

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

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

(K) physical force or threat of physical force;

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

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

(N) ordering, allowing, or encouraging physical discipline or hitting by other children or anyone else in the home;
(O) washing the mouth out with soap, eating certain foods, that may include peppers or hot sauce for punishment; and

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

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

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

**INSTRUCTIONS TO STAFF**

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

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

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

2. **Notification to schools regarding corporal punishment.** Upon enrollment of a child in Oklahoma Department of Human Services (OKDHS) custody into a school that has a policy allowing the use of corporal punishment, the CW worker completes Form DCFS-122, Notification to Schools Regarding Use of Corporal Punishment, and submits it to the appropriate school official.
PART 5. ELIGIBILITY AND PAYMENTS

340:75-7-51. Foster care claims

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

(b) Foster parents are responsible for ensuring the accuracy of claims upon receipt. When errors occur, the procedures for adjustments listed in (1) through (4) must be completed.

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

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

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

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

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

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

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

(E) When the foster family chooses to reduce the foster family claim by an agreed upon amount until the overpayment no longer exists, a signed and
notarized statement from the foster family authorizing the reduction of the claim in reimbursement is sent to OKDHS.

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

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

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

(A) The contract for services affords OKDHS 20 days to process each claim. Late claim adjustments are not made during this interval. ■ 3

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

INSTRUCTIONS TO STAFF

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

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

3. Status of warrant. The county office utilizes the Host Command Facility (HCF) Finance Warrant Control Tracking system to determine the status of a warrant. The county office advises the foster family not to contact the Finance Division directly.

4. Warrants.

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

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

(3) Forgery. If the warrant has been cashed, a copy of the endorsed warrant is returned to the county for the foster family to view the endorsement. In the event of forgery, Finance Division - Warrant Control provides further instructions.
340:75-7-52. Foster care contracts and rates of reimbursement

(a) Foster care contracts. The rules in OAC 340:75-7-52 and the provisions of a contract for services define the responsibilities of foster parents and Oklahoma Department of Human Services (OKDHS) regarding the care of children in a foster home. Foster care contracts are signed when all conditions for approval are met, per OAC 340:75-7-18, except for kinship, per OAC 340:75-7-24.

(1) Foster care contracts are perpetually renewed and considered in effect unless a specific action by one of the parties to the contract terminates the contract. Foster and kinship parents are eligible for foster care reimbursement effective the date the home is approved. Kinship parents are not paid retroactive to date of placement.

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

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

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

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

(1) Foster care payments correspond to the child's age set out in OKDHS Appendix C-20, Children and Family Services Division Rates Schedule, as amended from time to time, as approved by the Commission for Human Services.

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

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

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

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

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

(7) When a partial month of foster care service is provided, reimbursement begins on the child's date of entry to the home and concludes on the day before the child's departure from the home. A prorated sum is paid based on the number of days of service provided multiplied by the daily rate, per OKDHS Appendix C-20.

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

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

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

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

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

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

(14) There is no reimbursement after the effective date of cancellation or termination
(c) **Cancellation of the foster care contract.** Cancellation of the foster care contract occurs when:

1. The foster family fails to meet the terms and conditions of the contract. Cancellation of the contract results from:
   
   A. A felony conviction, per OAC 340:75-7-15(h)(1);
   
   B. The receipt of findings of the Oklahoma State Bureau of Investigation (OSBI) records search and Federal Bureau of Investigation (FBI) national criminal history records search when a child has been placed through kinship or in the home initially approved; or
   
   C. A serious and significant violation of the foster care contract, OKDHS rule, or law. Serious and significant violations include, but are not limited to, behaviors by the foster parent or other person in the foster home that place the child at significant risk of harm;

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

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

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

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

2. When the relationship between the foster parents is dissolved, and the person who wishes to continue providing foster care services, per OAC 340:75-7-18, is not the primary foster parent, that foster parent signs a new foster care contract. The child is not removed from the home during contract transition when the foster parent is determined fit and continued placement is in the child's best interests.

**INSTRUCTIONS TO STAFF**
1. Foster care contract. Upon approval of the home, the resource specialist:

   (1) explains the contract to the foster family;

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

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

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

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

   (6) files the contract in the resource record.

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

   (1) the payee's Social Security number;

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

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

3. Cancellation of the foster care contract. When a foster family verbally requests closure of the foster home, the resource specialist confirms the verbal request by sending Form DCFS-17, Notice of Closure to OKDHS Foster Parents, to the foster family. The resource specialist closes the KIDS resource within two working days of the contract cancellation.
340:75-7-53. Difficulty of care

(a) Difficulty of care payments.

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

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

(b) DOC rates and descriptions. DOC payments are made in addition to foster care reimbursement or adoption assistance payments set out in OKDHS Appendix C-20, Children and Family Services Division Rates Schedule, as amended from time to time, as approved by the Commission for Human Services. When approved, DOC payments are:

(1) not retroactive; and

(2) available the first day of the month the DOC rate is requested.

(c) DOC request. The foster parent, Child Welfare (CW) worker, or adoption specialist may initiate the request for DOC.

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

(2) The relevant CW supervisor reviews and may authorize DOC Rates I through IV based on the criteria per OKDHS Appendix C-20.

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

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

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

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

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

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

   (A) upon determining the child's special needs, utilizing the rate descriptions to justify the payment rate; or

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

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

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

   (4) For DOC Rate V, the CW worker makes a request in the child's KIDS case and faxes supporting documentation to Children and Family Services Division (CFSD) Foster Care Section for approval or denial.

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

         (A) selects the Placement screen and placement client;

         (B) selects a new or continued request;

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

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

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

   (b) DOC review. KIDS generates a tickler for the review date one month before
the DOC approval end date. Termination of the approval occurs when the child's placement status changes to an above foster care placement or when the child returns to own home or other non-paid placement. The CW worker:

1. requests termination of DOC at any time the determination is made that the child no longer requires DOC; or

2. on the review date, determines the status of the child's special needs and whether the child's special needs:

   A. meet the criteria, then either requests continuation of DOC or terminates the DOC request; or

   B. have changed, requiring a DOC rate change, and, if so, requests a rate change with detailed information.
PART 6. FOSTER HOME CARE SUPPORT SERVICES

340:75-7-65. Foster care child care and supportive services

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

(1) **Child care paid by OKDHS.**

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

(i) Child care must be provided:

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


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

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

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

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

(ii) foster parents who have finalized an adoption on a foster child;

(iii) non-paid foster parents receiving training or attending school; and

(iv) children in the custody of another state placed in a kinship home through the Interstate Compact on the Placement of Children (ICPC).

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

(A) child is placed in contracted emergency foster care;

(B) child is placed in therapeutic foster care;

(C) foster parent attends school or participates in training;

(D) foster parent chooses child care providers per OAC 340:40-5-1(g);

(E) foster parent chooses more than one child care provider to provide service to a child on the same day;

(F) foster parent's hours of employment interfere with the provision of suitable family life; or

(G) foster parent makes informal arrangements for child care.

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

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

(A) watching the EBT training video;

(B) signing Form K-2, Application for Child Care Services;

(C) swiping the EBT card every day the child attends child care;

(D) not swiping the EBT card for any day the child does not attend child care;
(E) checking the message on the point of service (POS) machine for correct times of attendance and approval;

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

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

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

(ii) swipes were denied and not corrected within ten days; and

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

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

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

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

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

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

(C) The resource specialist considers whether the needs of the child can be met in informal care.
(D) Prior authorization may apply to multiple events using the same informal provider.

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

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

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

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

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

(A) submit to a background assessment by Oklahoma State Bureau of Investigation (OSBI), per OAC 340:75-7-15;

(B) submit to a CW records search for past confirmations of child maltreatment involving the alternate provider, per OAC 340:75-7-15;

(C) submit to a search of Juvenile Justice Information System (JOLTS) records for any child older than 13 years of age living in the house, per OAC 340:75-7-15;

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

(E) provide one reference; and

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

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

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

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

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

(A) the child's legal status;

(B) upcoming court hearings;

(C) reason for foster care placement;

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

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

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

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

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

**INSTRUCTIONS TO STAFF**

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

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

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

   (2) the child's CW worker:

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

      (B) refers to the Child Care and Child Care EBTU How To's in KIDS/Help/How To's;

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

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

      (E) files Form K-2 in the resource record.

3. Child care in a one star center.

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

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

   (3) Exceptions may be granted on a case-by-case basis by the CW supervisor. Prior to granting an exception, the procedures in this
paragraph are completed.

(A) The child’s CW worker:

(i) provides the foster parent a list of all contracted one star plus, two star, and three star centers and all contracted child care homes that meet the foster parent’s search criteria;

(ii) uses Child Care Locator, available on the Infonet under OKDHS Tools, to generate this list;

(iii) prints a list of all military base or out-of-state contracted providers bordering the county, if applicable, from Outlook Public Folder/All Public Folders/STO.Child Care/Subsidy/Out of State/Military folder; and

(iv) instructs the foster parent to contact all providers on the Child Care Locator list to see if care is available during the hours needed.

(B) The foster parent notes on the list why care is not available at any of these locations or why they did not meet the foster parent's needs.

(C) The CW supervisor:

(i) reviews the foster parent’s notes, if the foster parent does not find a provider from those on the list, to determine whether to grant an exception; and

(ii) documents in KIDS Child Care screen whether an exception was granted and the reasons.

(4) Exceptions may be granted when none of the providers on the foster parent's list:

(A) has an opening during the times care is needed. For example, the foster parent works during the evening or overnight and no one else provides care during those hours;

(B) is willing to meet the special needs of the child. For example, the provider is unable to meet the needs of a child with disabilities or provide transportation to and from the child’s school; or
(C) is within a reasonable distance from the foster parent's home.

(5) If the CW supervisor agrees that an exception is warranted per OAC 340:75-7-65 Instructions to Staff 3(4), the child's CW worker gives the foster parent a list of one star center providers. If the foster parent finds a one star center that meets the foster family's needs, payment may be approved for child care at that facility.

4. Therapeutic child care.

(1) The child's CW worker requests approval for therapeutic child care on a case-by-case basis when:

(A) a letter from a mental health professional provider documents the:

(i) goal for the child;

(ii) therapy needed to reach the goal; and

(iii) expected time frame for this treatment; and

(B) the child's CW worker staffs the case with the CW supervisor and the resource specialist, and all agree that therapeutic child care is required.

(2) The child's CW worker provides a memo to Children and Family Services Division Administrative Services Unit (ASU), along with the letter from the mental health professional. The memo includes the:

(A) name of the child requiring the service and case name;

(B) name of the child care facility;

(C) number of hours to be used per day;

(D) number of days to be used per week;

(E) name of the mental health professional recommending therapeutic child care;
(F) name of the foster parent; and

(G) reason for therapeutic child care.

(3) Upon determination, ASU sends a memo notifying the child's CW worker of the approval, with specific instructions regarding payment of services.

(4) The child's CW worker documents all circumstances and actions in KIDS Contacts screen. No service line is entered in KIDS Child Care screen.

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

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

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

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

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

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

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

7. Alternate care. When the foster parent requests alternate care for the child, the resource specialist:

(1) makes personal contact with the alternate provider to determine the person's ability and willingness to provide temporary short-term care.
(A) The resource specialist identifies the alternate provider at the time of the initial assessment to facilitate future placement if a need is identified.

(B) The person recommended to provide temporary care, such as a relative or close friend, must be at least 21 years of age;

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

(3) completes Form DCFS-11, House Assessment, and obtains sufficient information, including a recommendation from one reference for the provider;

(4) makes a decision to approve or disapprove the alternate provider after assessing the information obtained; and

(5) informs the foster parent of the decision and records all related information in KIDS Resource Contacts screen and the resource paper record.

8. Foster care associations. The foster parent's written permission is filed in the resource paper record and documented in KIDS Resource Contacts screen.
PART 8. CONTINUOUS QUALITY ASSESSMENT OF A RESOURCE HOME

340:75-7-94. Foster care reviews

(a) Concerns in a foster home. Child Welfare (CW) staff evaluates concerns with discipline practices or other issues, including, but not limited to, foster parent’s judgment or supervision, at the time of observation or upon receipt of the information.

(1) CW staff evaluates and determines the need for a referral, per OAC 340:75-3-8.1.

(2) If a child in Oklahoma Department of Human Services (OKDHS) custody is removed from a foster home during an investigation and the decision is not to return the child to the home, the CW worker:

   (A) notifies the foster family immediately by phone; and

   (B) provides the foster family, within three days of the decision, Form DCFS-17-A, Notice of Decision Not to Return Child After Investigation.

(3) When the situation does not meet the criteria for abuse, neglect, or both, per OAC 340:75-3, the resource specialist documents the information on Form DCFS-117, Report of Violation of Rules in an OKDHS Resource Home.

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

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

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

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

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

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

(4) When the non-compliance issue is smoking in the home or automobile while a child in OKDHS custody is present, and the foster parent refuses to comply, OKDHS may or may not:

(A) remove the child from the home;

(B) approve future placement of children in the foster home; and

(C) close the home when the child leaves the foster home.

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

(1) Re-assessments. Resource reviews:

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

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

(i) reviews the resource record;

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

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

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

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

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

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

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

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

(2) **Review results.**

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

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

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

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

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

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

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

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

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

(d) **Closure of a foster home.**

(1) The foster home is closed when services are no longer needed, including a:
(A) kinship home when kinship children are no longer placed in the home; or

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

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

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

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

INSTRUCTIONS TO STAFF

1. Removal during an investigation or assessment. Child Welfare (CW) staff does not place children in a resource home when there is a pending Child Protective Services investigation or assessment. The assigned CW worker notifies the resource specialist when initiating an investigation or assessment of a foster home. The decision regarding future placements is discussed with the CW worker, CW supervisor, resource specialist, and resource specialist supervisor. The discussion is documented in KIDS Resource Contacts screen.

2. Removal during an investigation. If a child in Oklahoma Department of Human Services (OKDHS) custody is removed from a foster home as a result of an investigation, the CW worker staffs with the CW supervisor, who consults with the CW field liaison (CWFL) or county director, as necessary, to determine whether to:

   (1) return the child to the foster home immediately; or

   (2) seek a different placement for the child. If the decision is not to return the child, the CW worker:

      (A) notifies the foster family of the decision immediately by phone; and
(B) provides the placement plan and the rationale behind the decision in writing via Form DCFS-17-A, Notice of Decision Not to Return Child After Investigation, to the foster family within three working days of the decision.

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

   (1) identifies action steps that are measurable;

   (2) identifies a time limit geared toward the action steps. Generally, the time frame does not extend beyond 90 days;

   (3) reviews the progress on the action steps at least once during the specified time frame;

   (4) signs and dates Form DCFS-115, along with the foster family. A signed copy is provided to the foster family;

   (5) adds action steps to original Form DCFS-115 when new issues of concern are identified. Signatures and dates are updated; and

   (6) evaluates Form DCFS-115 for completion and makes a recommendation for continued use of the foster home. The foster family and resource specialist sign and date the resolution. The original is provided to the foster family and a signed copy is filed in the resource record.

4. Untimely re-assessments. The resource specialist and CW supervisor document the reasons for the untimely re-assessment in the KIDS Resource Contacts screen.

5. Kinship resources. The resource specialist explores with the kinship family whether they wish to continue as a foster home, if applicable, per OAC 340:75-7-19. If they wish to continue as a foster home, a new resource is opened in KIDS as Type - CW Foster Family.

6. Joint approved resources. Personal contact allows the resource specialist an opportunity to assess the joint approval process again. The resource specialist places no other children in the home unless a child meets the criteria, per OAC 340:75-7-19.
7. Reason for closure. The resource specialist documents the action in KIDS and the resource record.

   (1) Personal contact with the foster family may clarify the reason for the closure.

   (2) The resource specialist discusses the reason for closure and makes every effort to resolve any concerns or misunderstandings of the foster family and the circumstances are fully and truthfully explained to the foster family.

8. Closure process.

   (1) Notice of closure. The resource specialist completes Form DCFS-17, Notice of Closure to OKDHS Foster Parents, by:

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

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

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

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

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

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

   (B) briefly describes the action taken, the facts supporting the action, and the information relied upon in taking the action;
(C) documents:

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

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

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

(D) describes the WPC history and results;

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

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

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

(ii) If Form CWS-KIDS-3 is disclosed, the CW worker redacts the name of the reporting party prior to giving Form CWS-KIDS-3 to the AHO;

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

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

(I) informs the CW worker who completed the child abuse or neglect investigation and CW supervisor of the hearing. The CW worker must attend the fair hearing. If the CW worker is no longer employed by OKDHS, the CW supervisor or county director must attend the hearing.
PART 25. EMERGENCY FOSTER CARE PROGRAM

340:75-7-262. Emergency foster care

(a) **Purpose.** Emergency foster care (EFC) is short-term substitute care for children in the custody of Oklahoma Department of Human Services (OKDHS) provided by a contract agency to meet the child's needs through service coordination and delivery in conjunction with OKDHS.

(b) **Admissions.**

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

(A) **Children eligible for EFC.**

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

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

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

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

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

(ii) all personal possessions;

(iii) medications and equipment;

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

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

(2) **Hospitals.** When a child in inpatient hospital care for treatment of medical conditions related to abuse, neglect, or illness requires EFC placement, relevant background and care information is provided to the contract agency to assist in identifying an appropriate placement. Priority for placement into EFC is given to children discharged from hospitals. The contract agency identifies an appropriate EFC placement and coordinates the hospital discharge date, time, and any special training required with the provider and notifies OKDHS.

(3) **Other EFC admissions.** A child who is diverted to a non-OKDHS operated shelter or remains in current placement pending admission into EFC is placed on a waiting list maintained by the OKDHS liaison. Admissions occur as beds become available.

(c) **Roles and responsibilities.**

(1) **CW worker.** The Child Welfare (CW) worker remains the primary connection among the child, parent(s), EFC agency, EFC provider, OKDHS liaison, other service providers, and court while the child is in EFC. The CW worker visits the child placed in EFC per OAC 340:75-6-48. At the time of admission or as soon as possible after placement, the CW worker provides the necessary information about the child to the EFC provider, including:

   (A) behavioral, psychological, and social history;

   (B) previous medical care;

   (C) legal documentation verifying OKDHS custody status;

   (D) religious affiliation; and

   (E) Form CWS-KIDS-7, Placement Provider Information.

(2) **OKDHS liaison.** The OKDHS liaison assists the EFC agency, staff, and providers in maintaining effective working relationships with OKDHS staff by providing support and consultation regarding respective roles and responsibilities.
(3) **EFC agency.** The EFC agency ensures the availability of qualified, trained staff and EFC providers 24 hours a day for the placement and care of eligible children. The EFC agency coordinates with the CW worker to afford the child all services that promote the child's progress and ensures that the child's total care needs are met while in placement. To facilitate movement of children from EFC to another placement, weekly staffings occur between the CW worker and the contract agency.

(d) **Discharge from EFC.**

(1) **Notice.** When discharge from EFC to another type of placement is made, the contract agency is given as much advance notice as possible, but not less than two hours.

   (A) The CW worker notifies the contract agency of the planned move in writing, using the Client Movement Authorization Form provided by the contract agency, and coordinates the date and time for placement.

   (B) The CW worker shares information to assist the EFC provider in preparing the child for the move.

   (C) The contract agency transports the child to the county office or site designated for pick-up by the CW worker or staff responsible for completing the new placement.

(2) **Change of placement information accompanies the child.** All forms completed by the EFC provider while the child is in care assist the new provider in helping the child adjust to the new placement, provide information needed for continuity of care, and alert the new provider of the child's special needs and strengths. These forms are not given to the parent(s) if the child is returning home. Required information and items include:

   (A) all medications, with instructions for dosage and use;

   (B) equipment or supplies required for the child's special care;

   (C) dates of any follow-up appointments;

   (D) personal items, unused OKDHS clothing authorizations, and clothing purchased by OKDHS, including disposable diapers;

   (E) Women, Infants and Children (WIC) vouchers, non-perishable food, and
other items obtained through WIC; and

(F) at least a 24-hour supply of formula, baby food, and other items for immediate use by the new provider.

INSTRUCTIONS TO STAFF

1. Hospital discharge. When no Oklahoma Department of Human Services (OKDHS) foster home or other appropriate placement is available pending a hospital discharge, the CW worker notifies the OKDHS liaison of the need for EFC placement, providing all relevant background and care information. Upon discharge, the CW worker, CW supervisor, or OKDHS liaison completes Form DCFS-EFC-5, Authorization for Hospital Discharge, to authorize release of the child into the care of the provider or contract agency.

2. Other EFC admissions. The CW worker provides the OKDHS liaison information about the child who requires placement in EFC. The liaison adds the child's name to the waiting list and forwards the information to the contract agency.

3. Additional information. The CW worker advises the new provider to contact the OKDHS liaison for information from the EFC provider. The OKDHS liaison notifies the contract agency of the need for additional information. The contract agency gathers the needed information and provides it to the new provider or contacts the former EFC provider to contact the new provider directly.

4. Search for placement. After the child is admitted into EFC, the Child Welfare (CW) worker determines the needs of the child and the type of placement that best serves the child. All known kinship resources within Oklahoma are explored immediately as potential placements for the child. A request for foster care is made simultaneously to ensure the timely identification of a placement resource. Adjoining counties and statewide searches are initiated when local resources are explored without success. The placement may not be declined based solely on distance. When it is determined that a kinship or foster home cannot meet the child's needs, other levels of care are pursued.
SUBCHAPTER 8. THERAPEUTIC FOSTER CARE AND DEVELOPMENTAL DISABILITIES SERVICES DIVISION SERVICES

PART 1. THERAPEUTIC FOSTER CARE

Section
340:75-8-1. Purpose, legal base, and definitions
340:75-8-2. Legal base and authority [REVOKED]
340:75-8-3. Definitions [REVOKED]
340:75-8-4. Contract procedures for therapeutic foster care [REVOKED]
340:75-8-5. Definition of therapeutic foster care [REVOKED]
340:75-8-6. General requirements for contracted therapeutic foster care placement providers
340:75-8-7. Contracted therapeutic foster care services
340:75-8-8. Therapeutic foster care contractor requirements
340:75-8-9. Placement procedures in therapeutic foster care homes
340:75-8-10. TFC placement in close proximity to child's home community
340:75-8-11. Therapeutic foster care placement stability
340:75-8-12. Responsibilities of area resource coordinators
340:75-8-14. Responsibilities of the contract liaison

PART 3. DDSD SERVICES FOR CUSTODY CHILDREN

340:75-8-35. Purpose
340:75-8-36. Identification, application, and needs assessment
340:75-8-37. Role and responsibilities of Child Welfare worker for a child receiving Home and Community-Based Waiver Services
340:75-8-38. Role and responsibilities of DDSD case manager for a child receiving Home and Community-Based Waiver Services
340:75-8-39. Shared roles and responsibilities of Child Welfare workers and DDSD staff for a child receiving Home and Community-Based Waiver Services
340:75-8-40. Accessing DDSD services for a child with a developmental disability
PART 1. THERAPEUTIC FOSTER CARE

340:75-8-1. Purpose, legal base, and definitions

(a) **Purpose.** Therapeutic foster care (TFC) serves children, three through 18 years of age, in Oklahoma Department of Human Services (OKDHS) custody who:

1. respond to close relationships within a family setting;
2. require more intensive behavioral health services than available in traditional foster family settings; and
3. do not require 24-hour awake supervision.

(b) **Legal base.**

1. Section 7004-1.1 of Title 10 of the Oklahoma Statutes (10 O.S. § 7004-1.1) mandates that OKDHS review and assess each child in OKDHS custody to determine the type of placement consistent with the child's treatment needs in the nearest geographical proximity to the child's home.

2. 10 O.S. § 7004-2.1 mandates that OKDHS develop and implement a diversity of community-based residential care, as needed, to provide for adequate and appropriate community-based treatment or rehabilitation of each child in a:
   
   (A) foster home;
   
   (B) group home;
   
   (C) community residential center; or
   
   (D) non-secure facility consistent with the child's individualized treatment needs and, when possible, in or near the child's home community.

(c) **Definitions.** The following words and terms, when used in Part 1 of this Subchapter, shall have the following meaning, unless the context clearly indicates otherwise:

1. "**Oklahoma Health Care Authority (OHCA)**" means the entity designated for administering Title XIX Medicaid reimbursement and responsible for the establishment of medical necessity criteria for children and youth receiving therapeutic foster care services.
(2) "Oklahoma Foundation for Medical Quality" means the agency under contract with OHCA responsible for prior authorization for:

(A) the admission and extension of Medicaid or Title XIX reimbursed inpatient psychiatric treatment and therapeutic foster care services; and

(B) Medicaid or Title XIX reimbursed outpatient behavioral healthcare services.

(3) "Therapeutic foster care (TFC)" means residential behavioral management services provided in a specialized foster care setting for a child or youth who:

(A) meets medical necessity criteria, per OAC 317:5-741;

(B) has special psychological, behavioral, social, and emotional needs;

(C) accepts and responds to close relationships within a family setting; and

(D) requires more intensive or therapeutic services than are found in traditional foster care.

(4) "TFC contractor" means a licensed child care agency that meets OKDHS and OHCA requirements to provide residential behavioral management services in a foster care setting. A TFC contract agency:

(A) provides direct clinical treatment services to the child placed; and

(B) recruits, trains, certifies, reimburses, and provides supportive services to the TFC foster parent.
340:75-8-4. Contract procedures for therapeutic foster care

(a) Contracts for the provision of therapeutic foster care (TFC) placements are issued in accordance with OAC 340:2-13-10 through 340:2-13-14.18 and Section 85 of Title 74 of the Oklahoma Statutes. Prior to issuance of the Oklahoma Health Care Authority (OHCA) Title XIX contract for TFC services, providers are approved by the Children and Family Services Division (CFSD) programs manager for TFC as eligible TFC contractors.

(b) Contracts for the provision of TFC placements are monitored on-site at least annually to ensure that services provided are in compliance with contract terms, per OAC 340:2-13-14.14.
340:75-8-6. General requirements for contracted therapeutic foster care placement providers

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 the:

(I) CW county of jurisdiction and county of placement workers;

(II) contract liaison; and

(III) police by phone.

(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:

(1) completing an evaluation of the appropriateness of the overnight plan;

(2) submitting the overnight plan to the CW county of placement and county of jurisdiction workers and supervisors;

(3) securing written confirmation of the plan from the CW county of placement and county of jurisdiction workers and supervisors; and

(4) 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 identified treatment goals, 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 OAC 340:75-7-37;

(21) develop and implement written policy and procedures regarding communicable disease, per OAC 340:75-1-114;

(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 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 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 treatment goals;

(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 Division of Child Care (DCC) 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

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

(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 include:

1. individual therapy, a minimum of four 30-minute sessions per month for each child;
2. family therapy, a minimum of four 30-minute sessions per month for each child. 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 goal 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 in accordance with OAC 317:30-5-740.2, a minimum of two 30-minute sessions per month for each child. 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 one-hour sessions per month. 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, a minimum of 30 minutes per day per child;
(6) social skills redevelopment, a minimum of two 30-minute sessions per day per child;

(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 CWS-KIDS-10, Treatment Plan, or Form CWS-KIDS-24, 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 DCYS-S-2, CFSD Claim for Purchase of Residential Care; and

(13) submits Form DCYS-S-2 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.
340:75-8-8. **Therapeutic foster care** contractor requirements

(a) Therapeutic foster care (TFC) contractors:

(1) certify TFC homes according to rules established by Division of Child Care (DCC), 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 DCC rules, OHCA rules per OAC 317:30-5-740.1, 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 day care for a child. 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 home;

   (B) ability of child care staff to meet the child's emotional and behavioral problems;
(C) availability of the TFC parent and TFC contractor staff to respond to problems at the child care center;

(D) child care center's licensing status, ratings, and adult:child ratio; and

(E) planned length of use of child care as a service component of the child's treatment plan;

(7) 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;

(8) 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;

(9) 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; and

(10) 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 without prior written approval from the CFSD programs manager for TFC.

(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

1. **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

(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.

(b) A child whose behavior requires 24-hour awake supervision or who poses a danger in a family setting is not appropriate for TFC placement.

(c) The TFC contractor receives referrals for the placement of children from the area resource coordinator (ARC).

(d) 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.

(e) TFC contractors request written approval from the Children and Family Services (CFSD) programs manager for TFC prior to the placement of a child five years of age or younger. The written request includes:
(1) the 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; and

(3) a description of the proposed TFC parent's:

(A) family structure, including each child placed in the home and the child's treatment needs; and

(B) ability to meet the needs of a child, including a child age five or younger.

(f) 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.

(g) Title XIX payments for TFC services are not made for TFC parents who move out of Oklahoma. TFC placements are made only in Oklahoma. ■ 6

(h) A child may remain in TFC placement on a voluntary basis after age 18 per OAC 340:75-6-115.9. ■ 7
INSTRUCTIONS TO STAFF

1. TFC placement considerations. 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 county of jurisdiction worker seeks therapeutic foster care (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.

2. Authorization for TFC. A child in Oklahoma Department of Human Services (OKDHS) custody is authorized for TFC placement by inpatient authorization reviewers of Oklahoma Foundation for Medical Quality (OFMQ). Reviewers evaluate the child’s current treatment needs to determine whether the child meets the criteria for TFC services. TFC authorization is documented as a Certificate of Need (CON).

   (1) The CW county of jurisdiction worker requests OFMQ evaluation for admission to TFC by calling (800) 201-0139 or (405) 858-9090.

   (2) The CW county of jurisdiction worker provides to the OFMQ reviewer accurate and complete information regarding the child’s behavior. The information provided is documented in Form CWS-KIDS-20, Placement Worksheet.

   (3) When the reviewer approves the child for TFC, the reviewer faxes the CON to the area resource coordinator (ARC).

   (4) 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 CWS-KIDS-20 has been reviewed for completion and accuracy.

(6) The child's CW county of jurisdiction and county of placement workers actively participate in the child's treatment needs planning.

3. **Contractor listing.** TFC contractors are found in the KIDS Resource Directory, **resource category** - Residential-State Office Authorized, **resource type** - Therapeutic Foster Care Contractor.

4. **ARC assignment.** The CW supervisor's approval of the recommendation for TFC placement initiates the secondary case assignment to the ARC. Refer to OAC 340:75-8-11 for the ARC's role and responsibilities.

5. **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; or
   (5) independent living.

6. **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.

7. **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.
340:75-8-11. Therapeutic foster care placement stability

(a) The therapeutic foster care (TFC) contractor notifies the Child Welfare (CW) county of jurisdiction and county of placement workers, area resource coordinators (ARCs) involved in the placement, and the contract liaison of all placement changes, including all types of respite, for each child in TFC placement. □ 1

(b) Respite care is a planned reprieve for the TFC parent with whom a child is placed and includes a defined time frame for the length of stay and an identified date for the child's return to the TFC parent with whom the child is placed.

(c) Respite care is provided in the home of a TFC parent, certified and trained by the TFC contractor. Respite care does not occur in emergency shelters.

(d) Respite care is described in this subsection.

   (1) Planned respite is a planned reprieve for the TFC parent with whom a child is placed.

   (2) Unplanned respite is an unplanned or crisis reprieve, not to exceed three working days, for the TFC parent with whom the child is placed.

      (A) The TFC contractor submits a written request for an extension of time, if needed, to the CW county of placement supervisor.

      (B) A copy of the county approved respite extension is sent by the TFC contractor to the CW county of jurisdiction supervisor, when different from the county of placement, and Children and Family Services Division (CFSD) programs manager for TFC for information purposes.

(3) Traditional placement is a stabilization and assessment period, not to exceed five working days, utilized following a TFC home placement disruption, allowing the TFC contractor and CW county of jurisdiction worker time to develop an appropriate plan for the child's next placement.

      (A) The TFC contractor submits a written request for an extension of time to the CW county of jurisdiction supervisors for approval.

      (B) A copy of the approved extension is maintained in the child's case and sent to the CFSD programs manager for TFC for information purposes. □ 1
(e) The TFC contractor ensures the respite TFC parent is informed of the child's current treatment issues, behavioral, medical, and physical needs. The TFC contractor supervises the respite TFC parent in the implementation of the in-home treatment strategies identified in the TFC contractor's individualized treatment plan for the child.

(f) The TFC parent provides 14 days notice to the TFC contractor when requesting a child's removal from the TFC home unless the removal is required to protect the health or safety of the child or TFC family member.

(g) TFC contractors are required to provide behavior redirection and crisis management services to prevent disruption of TFC placements, per OAC 340:75-8-7.

INSTRUCTIONS TO STAFF

1. Placement reviews.

   (1) The Child Welfare (CW) county of jurisdiction and county of placement workers review all notices of the child's placement changes, including respite, to ensure the child's placement stability.

   (2) If the therapeutic foster care (TFC) contractor, TFC parent, and CW county of jurisdiction and county of placement workers agree that the crisis management services:

       (A) are successful in stabilizing the child, the child returns to the TFC placement; or

       (B) are not successful in stabilizing the child and the TFC placement is disrupted, the CW county of jurisdiction worker immediately plans for the next appropriate placement.
340:75-8-12. Responsibilities of area resource coordinators

Therapeutic foster care (TFC) contractors receive referrals for the placement of children in Oklahoma Department of Human Services custody in TFC homes from the area resource coordinator (ARC). 1 Child Welfare workers assigned as ARCs have responsibilities for the referral of children to TFC contractors. 2

INSTRUCTIONS TO STAFF

1. ARC assignments. The area director:

(1) assigns a Child Welfare (CW) worker in the respective Field Operations Division (FOD) service area as the area resource coordinator (ARC); and

(2) determines the number of ARC assignments and the counties assigned to each ARC in the respective area.

2. ARC responsibilities. The ARC:

(1) manages the placement referral process for a child requiring therapeutic foster care (TFC) placement in the respective FOD area;

(2) coordinates placement referrals in the area by maintaining frequent contact with TFC contractors through regularly scheduled area placement meetings as determined by the number of TFC placement requests in the area;

(3) receives the Bed Vacancy Report from TFC vendors at a frequency determined in the area but no less than once per week;

(4) receives secondary case assignment for placement automatically through KIDS;

(5) receives the Certificate of Need (CON) from the Oklahoma Foundation for Medical Quality reviewer authorizing TFC placement;

(6) prints Form CWS-KIDS-20, Placement Worksheet, and KIDS Placement Recommendation screen and reviews for completeness. If the information is not complete, the ARC notifies the CW county of jurisdiction supervisor that Form CWS-KIDS-20 is inadequate for referral;
(7) submits Form CWS-KIDS-20 and KIDS Placement Recommendation screen print to TFC contractors as soon as possible;

(8) submits Form CWS-KIDS-20 to TFC contractors who report vacant beds matching the needs of the child referred. The ARC ensures, as first priority, all TFC placements are within 40 miles of the child's home or community;

(9) tracks placement referrals until the child is placed and keeps the CW county of jurisdiction worker informed of the status of the placement referral by e-mail;

(10) maintains a TFC placement file for each child referred for TFC from the area that includes the printed Form KIDS-CWS-20 and Placement Recommendation screen, CON authorizing TFC services, and any letters from TFC contractors declining to place;

(11) consults with and refers to the ARCs in adjoining areas to verify TFC home availability, if placement is not available within 40 miles of the child's home or community;

(12) upon notification from the TFC contractor and CW county of jurisdiction worker of the child's placement:

   (A) authorizes the placement;

   (B) enters the name of the TFC contractor who accepted the child for placement;

   (C) documents placement justification on KIDS Placement Authorization screen; and

   (D) end dates his or her secondary case assignment for placement in KIDS;

(13) immediately e-mails Children and Family Services Division (CFSD) Placement Section if all TFC contractors decline placement and sends the TFC placement file to Placement Section if placement in a higher level of care is appropriate; and
(14) completes a monthly report of TFC placement referrals and the number of placements declined by TFC contractors and submits the report to the CFSD programs manager for TFC by the fifth working day of the month.

Children in Oklahoma Department of Human Services (OKDHS) custody and therapeutic foster care (TFC) placements receive Child Welfare (CW) services consistent with OAC 340:75-6-47 and 340:75-6-85.

(1) A child placed in OKDHS custody and a TFC home:

(A) in the child's county of jurisdiction receives CW services from a CW worker in the county of jurisdiction; and

(B) outside of the child's county of jurisdiction receives CW services from a CW worker in the county of jurisdiction and a CW worker in the county of placement.

(2) CW county of jurisdiction and county of placement workers have responsibilities for children in OKDHS custody and TFC placements. ■ 1 through 3

INSTRUCTIONS TO STAFF

1. CW worker's role and responsibilities. The Child Welfare (CW) county of jurisdiction worker's role and responsibilities for a custody child in out-of-home placement are defined in OAC 340:75-6-47 and 340:75-6-85. The assignment of a CW county of placement worker or a therapeutic foster care (TFC) contract liaison does not diminish the CW county of jurisdiction worker's roles and responsibilities for a child in Oklahoma Department of Human Services (OKDHS) custody and TFC placement.

2. CW county of jurisdiction worker's responsibilities. The CW county of jurisdiction worker is responsible for:

   (1) developing and implementing the child's permanency plan. The permanency plan is an integral part of the case plan for a child who is in OKDHS custody and TFC placement, per OAC 340:75-6-31 and 340:75-6-85;

   (2) ensuring communication and coordination of all CW workers in all involved counties and all service providers;

   (3) immediately transporting the child for a pre-placement visit or placement, upon receiving notice that a TFC contractor has identified an appropriate TFC home. The county of jurisdiction worker may refuse to place a child in the custody of OKDHS in a TFC home;
(4) completing, and, at the time of placement, providing to the TFC contractor copies of Form DCFS-19, Placement Agreement for Out-of-Home Care, Form CWS-KIDS-8, Placement Plan, Form CWS-KIDS-7, Placement Provider Information, and Form OCA-GR-2, Notice of Grievance Rights - Minors in OKDHS Custody, per OAC 340:2-3-49. Failure of the CW county of jurisdiction worker to provide the information included in these forms may jeopardize the child's safety and well-being. The TFC contractor may refuse the placement of any child in OKDHS custody without this information;

(5) providing to the TFC parent a copy of the child's:

(A) birth certificate;

(B) immunization records;

(C) court order for OKDHS custody;

(D) court-approved Form CWS-KIDS-10, Treatment Plan, or Form CWS-KIDS-24, Individualized Service Plan (ISP), as applicable;

(E) medical card;

(F) CW county of jurisdiction worker and supervisor's phone numbers; and

(G) independent living assessment, if the child is 16 years of age or older;

(6) providing to the TFC contractor the name and address of the school the child last attended, so the TFC contractor can enroll the child in school, per OAC 340:75-8-7. The CW county of jurisdiction worker assists the TFC contractor in locating the child's school records and facilitating the transfer of school records from one school district to another;

(7) transporting the child for admission to the new placement with adequate clothing or an emergency clothing authorization per OAC 340:75-13-45;

(8) placing the child with a 30-day supply of any medication 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 DCFS-92,
Receipt and Release of Prescription and Over-the-Counter Medication(s), as described in OAC 340:75-6-85.1 Instructions to Staff;

(9) updating the KIDS Placement screens;

(10) providing completed Forms DCYFS-CWS-8A and B, Change in Placement Notification, in accordance with OAC 340:75-6-86, when there is a change in the child's living arrangements;

(11) maintaining on-site, face-to-face contact with the child, when placed in the county of jurisdiction, in accordance with OAC 340:75-6-48;

(12) maintaining monthly phone contact, if the child is placed outside the county of jurisdiction, with the county of placement worker and updating the county of placement worker on the court status and permanency plans;

(13) maintaining the child's primary case record. When the child is placed outside the county of jurisdiction, the CW county of jurisdiction supervisor assigns secondary case responsibility to the county of placement in KIDS and the CW county of jurisdiction worker forwards a copy of the child's paper case record to the county of placement per OAC 340:75-1-26;

(14) consulting with the TFC contractor at the time of admission and giving input into the development of the contractor's treatment plan for the child. The contractor's treatment plan is completed within 30 days of placement;

(15) maintaining involvement with the development and review of the TFC contractor's treatment plan for the child and participating on-site or by phone in the TFC contractor's 90-day reviews of the contractor's treatment plan for the child;

(16) reporting any earned income of the child to the Family Support Services worker or the assigned custody specialist on Form K-13, Information/Referral - Social Services;

(17) arranging family visitation, including transportation and supervision per OAC 340:75-6-30;

(18) completing reports to the court.
(A) The county of jurisdiction worker informs the child, the TFC contractor, and the TFC parent of the CW case progress and ongoing court status.

(B) When the child is placed in a TFC home outside of the county of jurisdiction, the CW county of jurisdiction worker informs the CW county of placement worker of the CW case progress and ongoing court status;

(19) advising the TFC contractor and the TFC parent of the local post adjudication review board (PARB) meetings, permanency planning review meetings, dates and times of court hearings, and any case staffing that requires the input of the TFC contractor and TFC parent;

(20) entering the end date of the placement in KIDS Placement screens when the child in TFC placement is ready for discharge or if a disruption occurs; and

(21) obtaining the child's next placement and transporting the child to that placement in compliance with OAC 340:75-8-1 through 340:75-8-14.

3. CW county of placement worker's responsibilities. When the child is placed in a TFC home outside of the county of jurisdiction, the CW county of placement worker:

(1) provides information to the CW county of jurisdiction worker regarding the child's progress and any problems in the child's TFC placement;

(2) maintains contact with the child in accordance with OAC 340:75-6-48; and

(3) may participate on-site or by phone in the TFC contractor's 90-day reviews of the contractor's treatment plan for the child.
PART 8. ADOPTIVE PLACEMENT PROCESS

340:75-15-59. Transition to adoptive placement

(a) Coordination of placement process. The adoption specialist in consultation with the child's Child Welfare (CW) worker determines how to best transition the child into the adoptive family. If there are differences or issues in how best to proceed, the area adoption supervisor, in consultation with the CW supervisor, assists with a resolution. Visits between the child and adoptive family occur prior to placement.

(1) Each visit is evaluated before a decision is made for additional visits, and to determine whether the child and family are ready for placement.

(2) Visits may be of different duration depending on the child's age and readiness or upon the adoptive family's request.

(3) When the adoptive family is interested but uncertain about a particular child, a blind showing, where the child is not aware that he or she is meeting with a potential adoptive family, may be arranged.

(b) Pre-placement and placement agreements. Form DCFS-41-A, Preadoptive Placement Visit Agreement, is completed with the family prior to pre-placement visitation. Form DCFS-41, Adoptive Placement Agreement, is completed with the family when the child is placed in trial adoption.

(c) Out-of-state placements. When an out-of-state adoptive family is identified and placement is authorized by Children and Family Services Division Adoption Section for a child in Oklahoma, pre-placement visits are arranged in coordination with the Adoption Section. The visits may include the child traveling to the adoptive family's home and visitation with the child in Oklahoma by the adoptive family.

(d) Direct placement. Direct placement of a child into an adoptive home requires approval by the Adoption Section. Direct placement is only utilized when the child must be moved immediately from his or her present placement, which does not allow for transitioning the child into the adoptive home.

INSTRUCTIONS TO STAFF

1. (a) Blind showing. The child's Child Welfare (CW) worker takes the child to a neutral setting where he or she "accidentally" runs into "friends" of the worker, such as the adoptive family and adoption specialist. A blind showing may also be arranged at a scheduled adoption party.
(b) Pre-placement visits. The adoption specialist completes, in duplicate, with the adoptive family Form DCFS-41-A, Preadoptive Placement Visit Agreement. It is in the child’s and adoptive family’s best interests for visits to occur prior to placement to assist in a smooth transition into the adoptive home.

(1) The best indicator for a successful adoption is the child’s ability to attach. If the child has attached to the foster family there is good reason to believe the child can also attach to the adoptive family, if permission to do so and assistance by the foster parent is given to the child. The child must be assisted in grieving the loss and separation from the foster family.

(2) The adoption specialist and child's CW worker may consider:

(A) a daytime visit between the child and adoptive family. The CW worker and in some cases, after careful consideration, the foster parent may be included in the visit. The adoptive family is afforded some time alone with the child at every visit;

(B) an overnight visit, with the child returning to the foster home before a decision is made for placement; or

(C) an open-ended visit. If there is any concern on the part of the child, especially an older child, or on the part of the adoptive family about placement, the child may be sent on a visit with the family for a planned period of time. A decision is made prior to the end of the visit about whether the child returns to the foster home or moves into the adoptive placement.

2. Direct placement. Direct placement occurs when the:

(1) child is moved due to abuse or neglect in his or her present placement;

(2) foster parent requests the child be moved and transitioning the child would result in an additional placement; or

(3) child is placed directly from the hospital into an adoptive home.

3. Physical placement of the child. The adoption specialist and child's CW worker coordinate in determining when and where the placement occurs. At the time of placement, the documents and items in (1) through (3) are
completed and routed as indicated.

(1) The adoption specialist completes, in duplicate, with the adoptive family Form DCFS-41, Adoptive Placement Agreement, and Form OCA-GR-2, Notice of Grievance Rights - Minors in OKDHS Custody, for each child placed. One copy of each is routed to the adoptive:

   (A) family; and

   (B) family record.

(2) The child's CW worker transfers the child's birth family record to the adoption specialist, per OAC 340:75-15-103 Instructions to Staff.

(3) The child's CW worker delivers to the adoption specialist the child's:

   (A) medical card;

   (B) immunization records;

   (C) education records;

   (D) shoes and at least five changes of seasonably appropriate clothes;

   (E) other personal belongings; and

   (F) Life Book.
340:75-15-83. Eligibility to adopt

(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) Adoptive 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

(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. 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) There is no assurance that a child will be placed as a result of the application. This includes foster parents and relative applicants.

(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 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 if he or she has lived in the state less than ten consecutive years;

   (B) an Oklahoma State Bureau of Investigation (OSBI) check that includes Department of Public Safety check and Sex Offenders 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 Juvenile Justice Information System (JOLTS) records check for each child in the family 13 years of age or older; and

(E) a certificate of release of discharge from active 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 of any non-OKDHS assessments or evaluations to OKDHS, including previous adoptive, foster home, relative, divorce custody, or other custody assessments.

(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 adoption 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 DCFS-69, Guidelines for Resource Family Assessment, 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.

(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 this 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 Section coordinates placement and supervision with an agency in the state where the adoptive family resides.


INSTRUCTIONS TO STAFF

1. (a) Response to prospective adoptive 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 DCFS-11, 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 adoptive 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 DCFS-26, Resource Family Assessment Application, and DCFS-103, Notice to Adoptive Parent 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 ADM-130, Request for Background Check, completed by each adult member of the household. All names, including maiden names, used by each adult household member must be included on Form ADM-130. Fingerprint cards are completed by each applicant and all adult household members;

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

   (C) Form DCFS-26;
(D) Form DCFS-38, Medical Examination Report, for each adult family member and a doctor’s statement of health on the children;

(E) Form DCFS-42, Family Health History;

(F) Form DCFS-58, 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 DCFS-61, Family/Parent Questionnaire, and DCFS-62, 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 DCFS-63, Child Needs Information Checklist; and

(I) Form DCFS-103.

(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 Section;

(2) current Form DCFS-26 is completed by the applicant. The top of Form DCFS-26 is marked "Reapplication;"

(3) current Form DCFS-38, or substitute medical statement, is completed for each family member;

(4) Form DCFS-72, Guidelines for Adoptive Home Annual Evaluation and Reapplication, 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 DCFS-20, 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 ADM-130 and DCFS-109, Records Check, are completed;

(8) if the family has moved or it has been over one year since finalization, a new Form DCFS-11 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.
340:75-15-88. Completed resource family assessment and recommendation

(a) **Resource family assessment.** The resource family assessment is conducted as outlined in Form DCFS-69, Guidelines for Resource Family Assessment. 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 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 resource family assessment, excluding the verification and reference sections, is provided to the applicant by the adoption specialist.

(b) **Approval.** The resource family assessment is approved by the area adoption supervisor if the applicant meets requirements as outlined in Form DCFS-69 and Oklahoma Department of Human Services (OKDHS) policy.

(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 adoptive family's new home and situation.

(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**;

(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 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 unless special approval is obtained from the court, following initial approval by Children and Family Services Division (CFSD) Adoption Section, per OAC 340:75-15-88(e).

(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 Offenders 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 adulthood;

(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 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.

(e) An applicant with a conviction, per OAC 340:75-15-88(d)(4)(B), may be considered on a case-by-case basis prior to initial placement of the child following consultation with and recommendation by the Adoption Section.

(1) If the applicant provides verifiable information that the applicant has been evaluated by a qualified professional who concluded that the applicant no longer poses a risk of harm to others, the factors listed in (2)(A) through (E) of this subsection are considered in determining whether to conditionally approve the home, subject to final approval by the court.

(2) The child is not placed in the applicant's home until evidence is presented to the court that clearly and convincingly indicates that no child will be at risk in the applicant's home and the court has given approval after reviewing the:

(A) nature and seriousness of the crime in relation to the adoption;

(B) time elapsed since the crime was committed;

(C) circumstances under which the crime was committed;

(D) degree of rehabilitation; and

(E) number of crimes committed by the person involved.

INSTRUCTIONS TO STAFF

1. **Filing of the assessment.** Upon completion of the written 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 ADM-11, 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 Adoption 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 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 Adoption 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.
PART 12. POST PLACEMENT SERVICES

340:75-15-103. Services to the child and family in adoptive placement

Services designed to assist the family to incorporate the child into the adoptive family are provided during the post placement period prior to legal finalization of the adoption. The adoption specialist for the adoptive family assumes case responsibility for the child at the time of placement in the adoptive home. Every effort is made to ensure that the confidentiality of the placement is maintained.

(1) Post placement period. When the child has had no prior relationship with the adoptive family, the post placement period is usually six months. In relative or foster parent adoptions when the child has been in the home, the post placement period may be shorter if the child and family have successfully adjusted to the placement.

(2) Notice to preadoptive parent of juvenile court hearing. The preadoptive parent(s) providing care for the child is provided with notice of, and an opportunity to be heard in, any review or juvenile court hearing held with respect to the child. The adoption specialist completes Form DCFS-83, Hearing Notification, and mails or hand-delivers it to the current preadoptive parent(s) no later than 15 calendar days after the hearing is set. ■ 1

(3) Case records. Both the adoption specialist and child’s Child Welfare (CW) worker are responsible for maintaining case records for the child. ■ 2

(4) Family assessment and treatment and service plan. A written case plan document is required on all children and families receiving CW services, including adoptive families.

(A) Forms CWS-KIDS-9, Family/Child Strengths and Needs Assessment, and CWS-KIDS-26, Adoption Post Placement Service Plan, are completed with the family, including the child placed for adoption, within 30 calendar days of the child’s placement.

(B) Form CWS-KIDS-26 is not sent to the juvenile court.

(C) The adoption specialist updates Form CWS-KIDS-26 every six months. ■ 3

(5) Contacts. The adoption specialist contacts the child in the adoptive placement regularly.

(A) Adoption by non-relative. The adoption specialist contacts the child in the
adoptive placement within two weeks of the date of signing Form DCFS-41, Adoptive Placement Agreement, and at least once every calendar month thereafter, with no more than 31 days between contacts.

(B) Adoption by relative or foster parent. When there is no physical change in placement, the adoption specialist is not required to contact the child within the first two weeks of trial adoption. A contact is required prior to the end of the calendar month of placement and at least once every calendar month thereafter, with no more than 31 days between contacts.

(6) Disclosure affidavit. Form DCFS-89, Affidavit of Information Disclosure for Adoption, and all subsequent disclosures are documented and provided to the adoptive parent.

INSTRUCTIONS TO STAFF

1. Notification of court hearing. Notification of the court hearing is documented in the adoptive family's KIDS Contacts screen.

2. (a) Birth family record.

(1) Primary assignment remains with the county of jurisdiction and secondary assignment is made to the adoption specialist per OAC 340:75-1-26.

(2) If no services are provided to other children or birth family members, the original paper case is maintained by the adoption specialist. A copy is retained in the county of jurisdiction in order to complete court reports.

(3) If services are provided to other children or birth family members, the child's Child Welfare (CW) worker retains the original paper case and the adoption specialist receives a duplicate.

(4) The adoption specialist provides information to the CW worker with juvenile court responsibility as needed.

(A) The reports to the juvenile court in the deprived case do not include the name of the adoptive family or the county of adoptive placement to ensure confidentiality of the placement.

(B) Upon finalization of the adoption, the juvenile court is notified that the adoption has been finalized and a request is made that the juvenile
court case be dismissed.

(b) Adoptive family record. When the child is placed in the adoptive home, a KIDS case is opened with the case type of Adoption. The case name is the adoptive family's last name.

(1) Each member of the adoptive home is added to the case including the child to be adopted. The child is added to the case using the new adoptive name.

(2) All fields on the Adoption General Information screen are completed for each child in trial adoption when the case is opened, except for the date of legalization.

(3) The KIDS adoptive family record contains:

(A) Client General Information;

(B) Client Demographics;

(C) Client Employment/Education;

(D) Client Finances;

(E) Client Medical;

(F) Case Plan/Family Assessment;

(G) Case Plan/Treatment/Individualized Service Plan;

(H) Adoption Disclosure Affidavit;

(I) Adoption General Information; and

(J) Adoption and Foster Care Analysis and Reporting System (AFCARS).

3. Family assessment and treatment and service plan.

(1) The information included in Form CWS-KIDS-26 Adoption Post Placement Service Plan (APPSP), is outlined in the forms instructions located on Oklahoma Department of Human Services (OKDHS) InfoNet
under Forms.

(2) Forms CWS-KIDS-9, Family/Child Strengths and Needs Assessment, and CWS-KIDS-26 for the child and adoptive family are completed within 30 calendar days of the child's placement in the adoptive home.

(A) Form CWS-KIDS-26 is developed and signed by the adoption specialist and the adoptive family. The adoption supervisor reviews and signs Form CWS-KIDS-26.

(B) One copy of Form CWS-KIDS-26 is given to the adoptive parent(s) and one copy retained in the adoptive family case record.

4. Visits. The adoption specialist documents visits as face to face/own home in KIDS Contacts screen.

5. Disclosure affidavit. If additional information is obtained regarding the child after the adoptive placement is made, an additional Form DCFS-89, Affidavit of Information Disclosure for Adoption, is completed and copies of the additional information are provided to the adoptive parent(s). Form DCFS-89 and all attachments are stamped on each page with the OKDHS Disclosure Acknowledgement stamp.
340:75-15-106. Post placement services

Services are available to assist the adoptive family and child during the post placement period. Post placement services are identified for the family during the adoptive family assessment process. Form CWS-KIDS-26, Adoption Post Placement Service Plan (APPSP), is developed with the adoptive family at the time of placement of the child into the adoptive home, per OAC 340:75-15-103, and outlines the post placement services to be provided.  ■ 1

(1) **Post placement supervision.** The adoption specialist meets with the adoptive family as required per OAC 340:75-15-103.

(2) **Pre-finalization adoption assistance.** Adoption assistance may be provided to the adoptive family at the time the child enters the adoptive home in legal risk or legally free adoptive placement, per OAC 340:75-15-128 through 340:75-15-128.6. Adoption assistance may include a monthly payment, Medicaid, or both.

(3) **Medical services.** Children in adoptive post placement are eligible to receive Medicaid services.  ■ 2

(4) **Counseling.** The adoptive family is fully informed of the child's history of psychological counseling and referred for services at the time of placement, if needed. Under Medicaid, all outpatient psychological services except for the first hour of psychological evaluation must have prior authorization.  ■ 2

(5) **Comprehensive Home-Based Services.** Comprehensive Home-Based Services (CHBS), per OAC 340:75-1-176, are available to assist trial adoptive and post adoptive families who are experiencing difficulty and are at risk of having the child disrupt from the placement.

(6) **Adoptive parent support groups.** Adoptive parent support groups provide social and emotional support to the adopted child and his or her parent(s). The adoption specialist informs the adoptive parent(s) of the benefits of support groups.  ■ 1

**INSTRUCTIONS TO STAFF**

1. **Post placement services.** The adoption specialist:

   (1) assists the adoptive parent(s) in developing his or her strengths and decision-making skills regarding parenting the child;
(2) helps the family understand adoption-related issues during the post placement period and after finalization of the adoption. The adoptive parent(s) is encouraged to access services:

(A) during the post placement period to aid in the adjustment of the child and family; and

(B) after legal finalization, if needed; and

(3) refers the adoptive family to a support group during the adoptive family preparation and assessment process. If the family is not involved with a support group prior to placement, the family is referred when the child is placed in the home.

2. Medical and psychological assistance.

(1) If the adoptive family requests medical assistance, the adoption specialist sends Form DCFS-54, Adoption Assistance Application, and Form SC-1, SoonerCare Health Benefits Application, to Children and Family Services Division Adoption Section.

(2) To receive approval for psychological services provision, the provider submits to Oklahoma Health Care Authority:

(A) Form HCA-12-A, Prior Authorization Request, with effective date, projected frequency, and time span;

(B) a description of the necessity for psychological treatment; and

(C) any evaluation information the psychologist may have.