Licensing of Foster Care Homes

Rhode Island Department of Children, Youth and Families
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The Department makes every effort to maintain children in their own homes. When the home environment is clearly contrary to the child's best interests, however, care of the child outside of the home may be necessary to ensure the safety and well being of the child. It is the policy of the Department to provide the child with an out of home placement which is least disruptive to the child and family, includes the placement of siblings together unless the serious specific needs of one or more child justifies separation, offers the child the most familiar and family like setting possible and encourages and promotes stability and permanency for the child. The Department gives utmost consideration to placing a child in a relative or kinship foster home prior to seeking a non-relative placement. The Department places children who are in need of placement outside of the natural home in licensed foster and adoptive homes or licensed group care facilities. The Department's dual licensure process utilizes the same standards in licensing all kinship and non-relative prospective foster and adoptive homes.

The following Federal and State laws apply:

- Federal Law (Social Security Act – section 471 (a)(10) and Rhode Island General Law (RIGL) 42-72.1 mandate that all foster homes for children must be licensed.
- The Adam Walsh Child Protection and Safety Act of 2006 (PL 109-248) requires nationwide, including fingerprinting, criminal background checks for prospective foster and adoptive parents and requires child abuse and neglect registry checks for prospective foster and adoptive parents and adult members of their households.
- The Child Abuse Prevention and Treatment Act (CAPTA) requires criminal background checks for all prospective foster and adoptive parents and other adults living in the household regardless of the funding source for the child's placement.
- RIGL 14-1-34 provides that DCYF is prohibited from issuing a license to any individual seeking to be licensed as a foster parent until such time as the results of both the nationwide and statewide criminal record background check, including the nature of any prior criminal record, are forwarded to the Department.
- RIGL 14-1-34 allows the Department to authorize placement in a kinship home pending licensure for a period not to exceed six (6) months, provided that the Department has conducted a DCYF records check pursuant to RIGL 40-13.2-3.1 and a statewide criminal records check (refer to DCYF Policy 900.0025, Kinship Care).

The Department encourages individuals of varying life styles to apply for a foster home license. The Department considers the prospective foster parent's interest and commitment to child caring and willingness to assist and contribute to the development and growth of children as well as the foster family's acceptance and support of the addition of other children into the family unit. The prospective foster parent must be twenty-one years of age, must provide the Department with the information necessary to verify compliance with required standards, must participate in the foster care licensing study process and must complete foster parent training. Every licensed foster home is reevaluated and re-licensed every two years in order to ensure that the home continues to meet the required standards.

Related Procedures

Licensing of Foster Care Homes Re-licensing

Licensing of Foster Care Homes

Procedure from Policy 900.0020: Licensing of Foster Care Homes

A. Prospective foster parent applicant is provided with information and application materials.

1. An applicant who is interested in providing care for a specific child will be asked to contact the child's primary service worker. Primary service worker, supervisor and administrator must provide written agreement for the applicant to be licensed as a resource for the specific child (refer to DCYF Policy 900.0025, Kinship Care).
2. If a child is already residing in an unlicensed kinship foster home, or if it appears that the best interests of the child will be served by placing the child in the home prior to licensing, the Department may authorize the placement in the home pending licensure for a period not to exceed six (6) months in accordance with procedures outlined in DCYF Policy 900.0025, Kinship Care.

B. Upon receipt of the completed application packet, the licensing worker ensures that the following steps are completed in accordance with the standards outlined in the RI DCYF Foster Care and Adoption Regulations for Licensure.

1. Statewide and Nationwide, including fingerprints, criminal records checks (refer to DCYF Policy 900.0040, Criminal Records Checks) for all adults in the home.
   a. Licensing worker must review nationwide and statewide criminal records checks of the applicants and household members as part of the licensing process and document in the home study the impact on the safety and service needs of any child to be placed in the home.
   b. Licensing worker cannot proceed with the licensing process if a caretaker or member of the household has a history of disqualifying or non-disqualifying information. The licensing worker must review this information with his or her supervisor to determine if the licensing process should proceed.
   c. Results of this review, including justification for proceeding with the licensing process, must be documented in a Provider Activity Note (PAN).
2. DCYF Clearances (refer to DCYF Policy 700.0105, Clearance of Agency Activity) for all members of the household.
   a. Licensing worker must review the DCYF case record(s) relating to any foster care applicant(s) and all household members, including records relating to the applicants and household members as children and juveniles, as part of the licensing process and document in the home study the impact on the safety and service needs of any child to be placed in the home.
   b. Licensing worker cannot proceed with the licensing process if a caretaker or member of the household has a history of disqualifying or non-disqualifying information. The licensing worker must review this information with his or her supervisor to determine if the licensing process should proceed.
   c. Results of this review, including justification for proceeding with the licensing process, must be documented in a Provider Activity Note (PAN).
3. Child Abuse and Neglect Registry Check of State Central Registry in each state that the prospective caretaker(s) and any other adult(s) living in the home have resided in the preceding five years (refer to DCYF Policy 700.0105, Clearance of Agency Activity).

a. ~~Licensing worker must review information received from the State Central Registry in each state that the prospective caretaker(s) and any other adult(s) living in the home have resided in the preceding five years.~~

b. Worker must document the results of the check on the DCYF #035.
c. If another state does not maintain a registry or if the state has an Administration for Children and Families (ACF) approved delayed effective date, worker must document on the DCYF #035 and this will not affect licensure.
i. If another state does maintain a registry and is unwilling to provide this information, a license may not be issued until the information is received.
ii. Worker must document on the DCYF #035 and inform the licensing administrator or designee, who will notify the ACF regional office.
d. Licensing worker must review the history of disqualifying and non-disqualifying information with his or her supervisor to determine if the licensing process should proceed.
e. Results of this review, including justification for proceeding with the licensing process, must be documented in a Provider Activity Note (PAN).

4. DCYF #037, Physician's Reference, which indicates that the applicant is physically, mentally and emotionally competent to be a foster parent. Licensing worker must directly contact a physician in any case in which the Physician's Reference is ambiguous or raises questions regarding the suitability or competence of the applicant to be licensed as a foster parent.
5. In the event that the DCYF #036 identifies that an applicant is currently engaged in behavioral health treatment, the licensing worker shall obtain the necessary releases and contact the treatment provider to obtain information on the status of treatment and the suitability or competence of the applicant to be licensed as a foster parent.
6. Personal reference letters from three (3) individuals, two (2) unrelated to applicant(s)
7. Fire inspection
8. Foster Parent Training
9. Foster Care/Adoption Home study
a. The Foster Care/Adoption Licensing Home Study DCYF #053 is completed by the licensing worker.
b. The applicant completes the DCYF #036B, Adoption & Foster Care Self-Assessment Questionnaire
c. The home study includes at least two (2) home visits by the individual responsible for completing the home study. All household members must be interviewed during the home study process.

C. The licensing administrator or designee reviews the completed licensing packet and decides if the license will be granted.
1. If the decision is to grant the license, the license is prepared and forwarded to the newly licensed foster parent(s).
2. If the decision is to deny the license, the applicant is notified in writing.

D. Licensing information is entered in the Licensing record.

E. Applicant is informed of the right to appeal (refer to DCYF Policy 100.0055, Complaints and Hearings) any licensing decision made by the Department.

Re-licensing

Procedure from Policy 900.0020: Licensing of Foster Care Homes

A. Foster homes are re-licensed every two years prior to expiration of the license. Licenses remain in effect until completion of re-licensing activities.

B. RICHIST maintains a listing of all foster homes according to the date the license expires.

C. Three (3) months prior to expiration of the license, RICHIST generates a tickler alerting the assigned licensing worker about foster homes whose licenses will expire. The fire inspectors are notified about foster homes whose fire inspections will be expiring. The fire inspectors contact the foster parents and arrange an appointment to renew the fire report.

D. A re-licensing packet, which consists of an application (#036), the Foster Care Home agreement (#026) and a letter requesting the provider to call to schedule a home visit for re-licensing, is sent to the foster parent.

E. A follow-up by telephone call is made to foster parent if an appointment is not scheduled within two weeks.

F. A new Statewide BCI clearance is completed for all adults in the home. If the foster parents or any household members over the age of eighteen (18) have not been fingerprinted, they must do so prior to re-licensing.

G. A DCYF Clearance is completed on all members of the household.

H. The primary service worker(s) of the child(ren) in the home and placement staff are asked for an assessment of the care provided.

I. The home study is updated prior to the expiration of the license.
   1. The home study consists of one (1) or more home visits where information is gathered regarding every current household member, along with a visual home inspection.
   2. The results are documented in RICHIST.

J. The foster home record is reviewed for criminal and/or DCYF history and any observations, recommendations and entries made as a result of input received from primary service or placement staff.

K. The completed home study update and DCYF/BCI clearances, Foster Care Home Agreement, approved fire inspection and fingerprints, if required, are forwarded to the licensing supervisor, along with a re-licensing recommendation.

L. The licensing supervisor reviews the recommendation and either approves re-licensing or licensing action based on the above-mentioned material.

M. If a licensing action is recommended, the foster parent(s) record is forwarded to the licensing administrator for appropriate action.

N. The licensing administrator or designee reviews the record and makes the decision regarding re-licensing or licensing action.

O. The signed license is mailed to the foster parent(s).