

DHS Rules Affecting Foster & Adoptive Parents

Definitions

“**Foster care**” means substitute care furnished on a 24 hour a day basis to an eligible child in a licensed or approved facility by a person or agency other than the child’s parent or guardian, but does not include care provided in a family home through an informal arrangement for a period of 20 days or less. Child foster care shall include but is not limited to the provision of food, lodging, training, education, supervision, and health care.

“**Foster family care**” means foster care provided by a foster family licensed by the department according to 441-Chapter 113 or licensed or approved by the state in which it is location. The care includes the provision of food, lodging, clothing, transportation, recreation, and training that is appropriate for the child’s age and mental and physical capacity.

“**Post adoptive services**” include those services that an adoptive family may access after the adoption is finalized to assist the family in coping with and resolving problems within the family.

“**Pre-adoptive family**” means an approved adoptive family with a child placed in the home for adoption whose adoption has not been finalized.

“**Resource family**” means an individual person or married couple who is licensed to provide foster family care or approved for adoption.

“**Special needs child**” means a child with needs for emotional care, behavioral care, or physical and personal care which requires additional skill, knowledge, or responsibility on the part of the foster parent, as measured by Form 470-4401- Foster Child Behavioral Assessment.

New Rules Affecting Foster Parents

DHS has adopted rule changes that affect foster parents beginning October 2009. The rules below address current foster parents.

Licensing/ Re-licensing Requirements

- Minimum age requirement 21.
- Prohibits smoking in the foster family home or vehicle when foster children are present. Prohibits placement of a child with asthma or any other respiratory disease in a foster home where any member of the household smokes.
- Re-application shall be denied if the foster family refuses to engage as a resource to the foster child’s birth parents when engagement can be done in a way that does not put the foster families or the foster children at risk of harm.
- The foster family is required to actively ensure the foster child stays connected to the child’s kin, culture, and community as required in the child’s case permanency plan.
- Physical requirements of bedrooms used by foster children and for family sleeping.
 - Bedroom temperature is required to be maintained at 65 degrees Fahrenheit and prohibits use of kerosene heaters or gas-fired space heaters in the foster family home;
 - Each floor where foster children sleep must have a working smoke and carbon monoxide detector as well as a window exit that meets the requirements of opening from the inside and large enough for the child to exit through. Window shall have an opening height of at least 24 inches, width of at least 20 inches, and a finished sill height of not more than 44 inches above the floor.

- Bedrooms shall either have been constructed for the purpose of providing sleeping accommodation or remodeled for sleeping to provide proper heat and ventilation. All bedrooms used by a foster child must have permanent walls, a door that closes, a working window that opens from the inside and one of the following: a closet, wardrobe, armoire, or dresser. (If a foster child is currently in a bedroom that does not have a window that, specific situation will be evaluated for that child only).
- No child over the age of six shall share a bedroom with a child of the opposite sex. No child over the age of two shall share a bedroom with any person over the age of 18 unless approved by the social work administrator or designee. Foster parents shall have a designated bedroom and only children under two may share that bedroom.
- Children under the age of one year shall be placed on their backs when sleeping unless otherwise authorized in writing by a physician.
- Visual inspection for lead based paint if the home was built before 1960. There is a form the foster parent would complete to document their visual inspection and submit to the licensing worker.
- Unannounced visit shall be made during periods of the day when the child and foster parents would normally be home and awake, unless there has been a specific complaint about the care of the child. The unannounced visit cannot be held in conjunction with another scheduled visit such as the re-licensing home visit. Discussion will include: placements during the licensing year, and if none, the reasons why will take place; any previous or current cited deficiencies, corrective plans, and progress; progress on the foster parent's training plans. Foster parents will be provided a copy of the unannounced visit.

Safety Requirements

- Each home shall have at least one operable 2A-10BC rated or ABC-rated fire extinguisher.
- Safety plans will be required for fire, tornado, blizzard, flood or other manmade disasters, accidents, medical issues and other life-threatening situations for children in out of home placements.
- All prescription medications and poisonous substances shall be kept in a locked storage container out of the reach of children. All prescription medication shall be administered as prescribed and documented in a prescription log. (*see sample prescription log in FP Handbook*)
- Weapons/firearms shall be maintained in a locked place. Ammunition shall be maintained in a locked space separate from the firearm. Any motor vehicle used to transport foster children shall not contain a loaded gun and ammunition shall be in a separate locked container.
- Transporting and supervising foster children--child specific restraints as required by Iowa law are used for all foster children when the foster parents transport the children. The vehicle must be smoke free when the foster child is being transported.
- All dangerous objects or equipment, including but not limited to trampolines, motorized vehicles, and power tools shall be inaccessible to a child unless there is reasonable supervision by the foster parent AND permission has been obtained from the parent or guardian for the foster child to use.
- Foster parents shall monitor the foster child when using the Internet.
- Household pets and any outdoor animals or pets accessible to foster children shall have a current veterinary health certificate that the animal has had routine vaccinations that are required by local ordinance.

Training Requirements

- Training in medication management, CPR, first aid, and child abuse training is required in first year.
- Required completion of "Caring for Children with HIV" or an approved alternative course before placement of an HIV-infected child with the family. (IFAPA offers this training.)
- Cardiopulmonary Resuscitation (CPR) - All foster parents shall be certified in CPR every three years through a nationally recognized training organization such as the American Red Cross or American Heart Association and shall maintain a certificate indicating the date of training and expiration. (Current foster home who are licensed by 10-1-2009 shall complete the training by 10-

- 1-2010). *Internet training classes do not meet this requirement.*
- First Aid - All foster parents shall be certified in first aid every three years and shall maintain a certification indicating the date of training and expiration. (Current foster homes who are licensed by 10-1-2009 shall complete the training by 10-1-2010.) *Internet training classes do not meet this requirement.*
- Foster parents shall be responsible for obtaining required two hour Mandatory Child Abuse Reporter Training every 5 years, but it must be an approved curriculum by the Iowa Department of Public Health *(IFAPA's training is approved by IDPH)*.
- Except for mandatory reporters, CPR, and first aid, training credit will not be allowed for any in-service training that is repeated.
- Foster parents will complete the Foster Parent Training Plan, Form 470-3341, with their DHS or Iowa KidsNet worker to address in-service training needs. This plan serves as a guide for the foster parent in obtaining in-service training to meet their needs in providing care to the foster children.
- Each foster parent shall submit Form 470-2540, Foster Parent Training Report, to Iowa KidsNet licensing worker within 30 days after the completion of each in-service training.
- Each individual foster parent shall complete six credit hours of department approved in-service training annually. **NEW - For a license renewal, the annual training cycle shall be the 12 month period beginning two months before the expiration of the previous license and ending two months before the expiration of the subsequent license.** EXAMPLE: Subsequent training cycles for a license effective June 1 will be April 1 through March 31. For foster parents whose licenses are renewed between October 1, 2009 and September 1, 2010, the transition to the new training cycle shall take place through a 10 month training cycle that begins at license renewal.

Foster Child Specific Requirements

- Foster parents shall support the involvement of biological or adoptive parents and other relatives of the foster child unless this involvement is evaluated and documented by DHS to be detrimental to the child's well being.
- Cultural connections - foster parent actively ensure that the foster child stays connected to the child's kin, culture, and community as required by the child's case permanency plan.
- Each foster child shall be given an opportunity in consultation with the child's parents, to participate in the child's culture and religion. Children shall not be required to participate in religious training or observances contrary to the wishes of the biological or adoptive family or religious beliefs of the child.
- Foster parents shall maintain a separate folder on each foster child placed in their home. This folder shall be provided to DHS or the child's parent or guardian when the child leaves the placement. File includes; names and addresses of all doctors, mental health professionals, and dentists who have treated the child and type of treatment while in their home; school reports including report cards and pictures; date child left placement; name, address, and telephone number of the person to whom the child is discharged.
- Training and discipline of the foster child. The foster parent shall receive training on the safe and appropriate use of restraints which has been approved as part of the child's treatment plan by a licensed practitioner of the healing arts who is working with the child. No foster child shall be locked in a room, closet, box, or other device. No foster child shall be deprived of food as punishment. No child shall be subjected to verbal abuse, threats, or derogatory remarks about the child or the child's family. The use of corporal punishment is prohibited.

Return of Overpayment

When a foster family has received payments in excess of those allowed under this chapter, the department caseworker shall ask the foster family to return the overpayment. In the foster family is returning the overpayment to the department, the caseworker will note the monthly amount the foster families agrees to pay in the family's case file. The amount returned shall not be less than \$50 per month.

Additional Payments

Clothing

(Clarification on when a second clothing allowance can be authorized.)

Once during each calendar year that the child remains in foster care, the department worker may authorize another clothing allowance, not to exceed \$200 for family foster care when:

1. The child needs clothing to replace lost clothing or because of growth or weight change and
2. The child does not have escrow funds to cover the cost.

School fees

Payment for required school fees of a child in foster family care that exceed \$5.00 may be authorized by the department worker in an amount not to exceed \$50.00 per calendar year if the child does not have sufficient escrow funds to cover the cost. Required school fees shall include:

1. Fees required for participation in school or extracurricular activities and
2. Fees related to enrolling a child in preschool when a mental health professional or a mental retardation professional has recommended school attendance.

Child Care

To the extent that a foster child's escrow funds are not available, the service area manager or designee may authorize reimbursement for the following:

- Child care when the foster parents are working, the child is not in school, and the provision of child is identified in the child's case permanency plan.
- Child care shall be provided by a licensed foster parent of a licensed or registered child care provider when available.
- When foster parents elect to become child care providers, they shall be registered. **NEW**

New Rules Affecting Adoptive Parents

Applications to Become Adoptive Parents **NEW**

The department and its recruitment and retention contractor shall accept only applications for adoption of a special needs child. Applications for adoption of a child without special needs shall be referred to private child-placing agencies. Exceptions to this rule may be made for:

- a. Relatives of a child under guardianship of the department or
- b. Foster parents with whom the child has a significant relationship.

When a licensed foster parent applies for approval as an adoptive home, home study activities that have been completed within the previous year as part of the licensing study need not be repeated.