

POLICY

SUBJECT: DJS Licensed Foster Family Home Placement

NUMBER: CS-119-13

APPLICABLE TO: Case Management Specialists and Supervisors

APPROVED: /s/ signature on original

Sam Abed, Secretary

DATE: 8/20/13

I. POLICY

DJS provides foster care in family home placements licensed by DJS and services to youth eligible for foster family home placement.

II. AUTHORITY

- A. Md. Code Ann., Human Services, §9-203 and §9-204
- B. Md. Code, Ann., Estates and Trusts Article, § 1-203
- C. Md. Code, Ann., Family Law Article, §5-601 to §5-611
- D. COMAR 07.02.10

III. DIRECTIVES/POLICIES RESCINDED

- A. None

IV. FAILURE TO COMPLY

Failure to comply with the Secretary's Policy and Procedures shall be grounds for disciplinary action up to and including termination of employment.

V. STANDARD OPERATING PROCEDURES

Standard operating procedures have been developed.

VI. REVISION HISTORY

DESCRIPTION OF REVISION	DATE OF REVISION
New policy issued.	August 20, 2013

PROCEDURES

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I. PURPOSE

These procedures are designed for Case Management Specialists (CMS) and Case Management Specialist Supervisors (CMSS) who provide case management to youth placed in DJS licensed foster family homes. The CMS and CMSS shall comply with these procedures as well as the case management policies and procedures established in the *DJS Case Management Policy Manual* when providing case management and placement services to a youth in a DJS licensed foster family home.

II. DEFINITIONS

- A. *Foster Family Home* means a home that provides continuous 24-hour care and supportive services for a DJS youth as a DJS licensed family foster home provider. Supportive services include those services provided to the parents, legal guardians, custodians, siblings, relatives and foster parents in obtaining a permanent placement for the youth. Departmental foster family homes are approved for not more than two youth. Foster care youth are usually not related by blood, marriage, guardianship or adoption and need care outside of their home of origin.
- B. *Restricted Foster Family Home* means a Foster Family Home licensed by DJS to serve only a specific youth, *e.g.*, homes of friends of the family or relatives are normally approved as Restricted Foster Family Homes.
- C. *Kinship Care* means continuous 24-hour care and supportive services provided for a youth placed by the Department in the home of a relative related by blood or marriage who is within the fifth degree of consanguinity or affinity under Estates and Trusts Article, § 1-203, Annotated Code of Maryland or a fictive kin who is approved by the Department. Relatives include great-great-grandparents, great-great aunt or uncle, great-great niece or nephew and second cousin.
- D. *Fictive kin* means a non-relative, including godparents, friends of the family and other adults, who have a strong and positive relationship with the youth.
- E. *Independent Living Preparation Program* means the program designed to allow a youth to live self-sufficiently after discharge from an out-of-home placement program. Independent living also refers to the supervision and preparatory services provided to youth, ages 16 through 20, through an Independent Living Preparation Program as described in COMAR 07.02.10.

- F. *Semi-Independent Living* means a program for youth ages 16 through 20 years old who are participating in the Independent Living Preparation Program, living in a subsidized living arrangement, and supervised by the Department. Program participants may receive a subsidy and may live in an apartment or house in the community.
- G. *Permanency Plan* means a plan to provide services to achieve a safe and appropriate permanent legal status for a youth upon leaving DJS commitment, including where and with whom the youth shall live, and the proposed legal relationship between the youth and his or her permanent caretaker(s).
- H. *Permanency Hearing* means a court hearing that determines a safe and appropriate permanency plan for a youth. A permanency hearing must be held within 11 months of the removal date and every 11 months thereafter until the permanency plan is achieved.

III. PROCEDURES

A. Foster Family Homes

1. A Foster Family Home is a home certified and licensed by DJS to care for a youth committed to DJS for out-of-home placement. It is a family environment that meets appropriate standards of safety and parenting by providing continuous full-time care, supervision, and supportive services to youth. Youth who are unable to be returned home because returning to the home is contrary to their welfare may be considered for placement in a DJS licensed Foster Family Home.
2. The CMS shall recommend to the court that the placement order indicate:
 - a. Child specific findings which state why returning home is contrary to the welfare of the youth and what reasonable efforts were made to prevent the youth's placement; and
 - b. If the placement in foster care disrupts, that the Department has the authority to place the youth in detention or shelter pending the next available court hearing.
3. The CMS also shall consider having any and all treatment needs identified in the court order. When developing the foster home placement of youth, at a minimum, the following shall be considered when making recommendations to the court and when discussing the treatment needs of the youth with the foster parent and youth:
 - a. Counseling requirements;
 - b. Educational requirements;
 - c. Random urinalysis;
 - d. Restitution;
 - e. Compliance with all house rules of foster parents;
 - f. Compliance with DJS's lawful instructions;
 - g. Medication compliance;
 - h. Participation in any and all programming that is deemed to be beneficial for the youth;
 - i. Employment; and
 - j. Contact restrictions.

B. Case manager responsibilities

For youth who meet the Department's criteria for probation with in-home services, transitional/step down services, Kinship Care or Foster Care may be an option, if the following criteria are met.

1. The youth is committed to the Department for placement in a family setting and returning home is contrary to the welfare of the youth.
2. The CMS shall determine if a relative or fictive kin exists who can provide a foster home placement before considering a non-relative foster home.
3. The CMS shall conduct a preliminary inquiry and assessment. The inquiry and initial assessment must include the following:
 - a. A discussion with the youth, in an age and developmentally appropriate manner, to determine whether a relative or other resource exists who could provide a safe and appropriate home for the youth.
 - b. A discussion and determination that the relative or other resource is interested in being a placement resource for the youth.
 - c. Once a willing relative or other resource has been identified, a discussion with the youth, in an age and developmentally appropriate manner, to determine whether the youth is in agreement with the possibility of living with the relative or other resource.
 - d. Determine that a safe, appropriate and healthy connection and/or bond exist between the youth and relative or other resource.
 - e. Discuss with the relative or other resource the requirements for becoming a certified foster family home and their interest in becoming a certified foster family home; give the relative or other resource a copy of the DJS brochure entitled, *Becoming a Foster Family Home (Appendix 1)*.
 - f. Take into consideration the family structure, parenting skills, location of the family, and ability to meet the youth's transportation and service needs as outlined in the youth's Treatment Service Plan.
 - g. Discuss with the relative or other resource their financial ability and related issues and make appropriate referrals as needed.
 - h. Obtain from the relative or other resource the names, dates of birth and social security numbers of every household member.
 - i. If the home is determined to be a potential placement:
 - 1) Enter the results of all meetings and discussions with the potential resource in ASSIST in the case notes;
 - 2) Refer the case to the appropriate Foster/Resource Unit for a Kinship or Restricted Foster Home study; and
 - 3) Provide a copy of the *Foster Family Home Standards (Appendix 2)* to the foster family home members.

C. Ongoing Case Management

1. Once a youth is placed in a foster family home, the CMS shall provide the same level of oversight as for any other youth in out-of-home placement, according to the *Case Management Policy and Manual* as well as:

- a. Visit the foster home youth a minimum of twice a month, at least once in the home and once in any other safe and appropriate location;
 - b. Visit the foster parents in the foster home once a month;
 - c. Report any issues or changes in the household to the DJS Resource Staff;
 - d. Document the visits in the youth's record; and
 - e. Take appropriate action regarding any observation impacting the appropriateness and the safety of the placement.
2. The CMS shall ensure that the youth may have unlimited contact with their attorney during the entire placement episode.
 3. The CMS shall not approve any overnight visits or day passes within the first 30 days of placement, except **in cases of emergency such as sickness or death of a member of the youth's family**. Youth may have weekly telephone contact with their family during this time. Visitation with the family may occur within the first 30 days as part of counseling or at DJS appointments.
 4. The CMS may approve an overnight visit or day pass after the first 30 days; however, all home visits and day passes shall be evaluated on a case-by-case basis and may be approved depending on each youth's circumstance. Continued home visits are dependent on the youth's behavior while on home visit or day pass and their behavior when they return to the foster family home. Continued home visits also are dependent on the biological family's circumstances and behavior. Home visits may be suspended due to the youth's behavior in the foster home or during home visits. Approval must be granted for any visit lasting over 72 hours by the Foster Care Coordinator or Resource Specialist.
 5. Every contact with the child shall:
 - a. Be of sufficient duration and privacy to allow the child the opportunity to express any concerns regarding the placement, treatment services, or needs;
 - b. Include a discussion, appropriate to the age and cognitive ability of the child, of the major focus areas related to the child, which includes the child's:
 - 1) Safety;
 - 2) Physical and mental health;
 - 3) Progress and concerns;
 - 4) Relationships or visits with parents/guardians, siblings, and other relatives; and
 - 5) Overall well-being.
 6. After every contact with a youth, the CMS shall document the following in ASSIST:
 - a. The date and location of the visit;
 - b. The purpose of the visit and the names of all people present for the visit;
 - c. Issues addressed, concerns of youth, biological family or foster family, progress in court ordered conditions;
 - d. Results of urinalysis (if applicable); and
 - e. A summary of any significant results of the contact.
 7. Within the first 2 weeks of a youth being placed in a foster home, the CMS shall schedule a meeting. The meeting will include the Foster Care Coordinator (FCC),

CMS, foster parents, youth and parents/guardian/custodian (if appropriate). The purpose of this meeting is to ensure the transition to foster care is going safely and smoothly and to address any concerns or questions that the youth or the foster parent may have. In addition, these meetings will be used to set goals for the youth and natural family to meet before the next meeting.

8. After the initial meeting, meetings will be scheduled quarterly for committed youth in foster care to address any concerns or issues that the youth or parent/guardian/custodian may have.

D. Temporary Cash Assistance

For relatives who do not wish to go through the formal process of approval/ certification for Kinship or Foster Care, the local social service department's Temporary Cash Assistance (TCA) program may be an option. TCA is part of Maryland's Family Investment Program and provides a limited cash benefit to needy families with dependent children. A family (including the youth) may be eligible to receive TCA or the youth and their child may be eligible for TCA.

E. Family Foster/Kinship and Shelter Care Referrals

1. Youth Criteria/Profile

A youth may be referred to a DJS Foster Home for emergency shelter, shelter care or foster care as an alternative to placement in a detention or structured shelter facility, following a consultation with the DJS Foster Care Coordinator/Resource Staff Member/Local Designee. The FCC or Resource Staff will contact the foster family home and make the arrangement for the placement of the youth.

2. Placement Responsibilities

The CMS shall ensure that all relevant and pertinent information about the youth is shared with the FCC or Resource Staff member at the time of referral and in accordance with the Department's policies and procedures.

F. Out-of-State Foster Care Placements

DJS may place a youth in a foster home located outside of Maryland or by purchase of care from an agency or institution located in another state. If the youth is placed out-of-state, the Department shall comply with the requirements of the Interstate Compact for the Placement of Children, Family Law Article, Title 5, Subtitle 6, Annotated Code of Maryland.

1. The Department is responsible for Foster Care payments and monitoring in accordance with departmental policy.
2. Once the youth is placed out-of-state, the CMS shall change the youth's Medical Assistance from the Managed Care Organization (MCO) to fee-for-service.

G. Ejection from placement

1. Immediate removal may be requested by the foster parent, for reasons including but not limited to, when:
 - a. The foster parent and/or family member has been threatened by the youth or feels that youth is capable of harming a family member, family pet or others;

- b. The foster parent can no longer ensure the youth's safety and/or the youth will not commit to not harming themselves;
 - c. The youth is not willing to abide by family rules and youth's behavior is becoming increasingly dangerous to themselves or others; and
 - d. Continued care for the foster child is threatening a foster parent's livelihood.
2. The Foster Care Coordinator's (FCC) decision on the removal of the youth from a foster family home is final and may be subject to review by the Regional Director.
3. If the youth is ejected from placement, the CMS shall follow the guidelines outlined in the *Case Review Committee (CRC) Policy*. Under the *CRC Policy*, a Foster Family Home is considered a private provider and the CMS shall take responsibility when coordinating the change in placement.
4. In the event that the removal must occur after business hours, on a weekend, or holiday, or when the CRC is unable to convene, the youth can be placed in detention or a shelter pending the next available court date.
5. The FCC shall provide a discharge summary to the CMS outlining the issues that occurred in the home that resulted in the request for removal.
6. The CMS shall respond **within 3 business days** to all requests by the FCC and the foster family to address all concerns that could result in a disrupted placement.

IV. **DIRECTIVES/POLICIES REFERENCED**

- A. Case Management Policy and Manual
- B. Case Review Committee (CRC) Policy

V. **APPENDICES**

1. Becoming a Foster Family Home pamphlet
2. Foster Family Home Standards



**DJS POLICY AND STANDARD OPERATING PROCEDURES
Statement of Receipt and Acknowledgment of Review**

POLICY: DJS Licensed Foster Family Home Placement
NUMBER: CS-119-13
EFFECTIVE DATE: August 20, 2013

I have received and reviewed a copy (electronic or paper) of the above titled policy.

I understand that failure to sign this acknowledgment form within five working days of receipt of the policy shall be grounds for disciplinary action up to and including termination of employment.

I understand that I will be held accountable for implementing this policy even if I fail to sign this acknowledgment form.

SIGNATURE

PRINTED NAME

DATE

**SEND THE ORIGINAL, SIGNED COPY TO VERNELL JAMES IN THE DJS
OFFICE OF HUMAN RESOURCES FOR PLACEMENT IN YOUR PERSONNEL
FILE.**