



Administrative Policies and Procedures: 16.16

Subject:	Denial, Closure, or Suspended Admissions of Resource Homes
Authority:	TCA 36-1-126, TCA 37-5-106, 37-4-201 et seq, Adoption and Safe Families Act P.L. 96-272, TCA 37-4-2-1 ET SEQ, Safe and Timely Interstate Placement Act of Children in Foster Care Act of 2006 - P.L. 109-239
Standards:	DCS Practice Model Standards: 501, 2-502, 2-503, 2-602, 3-102, 3-200, 3-201, 3-204, 6-100, 6-200, 6-301, 6-504B, 6-505B, 6-513B, 6-509C, 6-510C, and 6-513B, COA: PA-FC 16.04, PA-FC 16.10, PA-FC 17.05.
Application:	DCS Foster Care and Supervisory Staff and Private Provider Staff

Policy Statement:

The approval and re-approval processes are intentionally and purposefully rigorous to ensure that only those persons who are best able to care for children remain resource parents in Tennessee. Serving as a resource parent is a privilege not an entitlement. The Department of Children's Services (DCS) may deny any application for resource parenting or close an existing approved resource home if the resource parents cannot meet the minimum approval requirements or are not promoting the DCS Standards of Professional Practice.

Any identified TN resource for placement of a child/youth who is involved with the Interstate Compact on the Placement of Children (ICPC) who meets the criteria described in this policy also may be denied or closed in accordance to this policy.

Purpose:

The procedures outlined in this policy is to inform staff and resource parents about some issues that might be grounds for denial or closure and to describe the supervisory review and resource home closure process.

Procedures:

A. Potential reasons for denial of a resource parenting application	<p>An application for resource parenting <u>may</u> be denied if the family does not meet all the requirements for an approved resource home. Appropriate reasons for denial of application include, but are not limited to:</p> <ol style="list-style-type: none"> 1. Failure to complete Parents as Tender Healers (PATH) pre-service training; 2. Failure or refusal to furnish completed forms or required documentation within time frames requested or beyond two (2) weeks after the completion of PATH; 3. Unresolved concerns from the resource home study and training process. (Refer to DCS policy 16.4, Resource Home Approval and the <i>PATH Mutual Selection Criteria</i>.) These concerns must be documented and should be behaviorally specific and include examples such as;
--	--

	<ol style="list-style-type: none"> 4. Failure to meet minimum requirements for resource parents or residence; 5. Insufficient income to meet financial obligations; 6. Medical problems (physical or mental) that inhibit the ability to care for the child; 7. Lifestyle not conducive to mental, ethical, and emotional development; 8. Criminal charges or conviction, particularly those that may include crimes involving children, are drug related or are felony crimes against persons; 9. History of inadequate parenting of biological or adopted children; 10. Child Protective Services case history with an indication of abuse or neglect; or 11. A voluntary withdraw the application by the applicant.
<p>B. Potential reasons for closure of an existing resource home</p>	<p>An existing resource home <u>may</u> be closed if the family fails to maintain all the requirements for an approved resource home. Appropriate reasons for denial of application and/or closure of an approved home include, but are not limited to:</p> <ol style="list-style-type: none"> 1. Failure to maintain the requirements for resource parents or residence; 2. Demonstrated inability to sufficiently parent children in state custody; 3. Inability to cooperatively participate in permanency plans for children; 4. Inability to meet the special needs of children in TFACTS; 5. Failure to accept placement of a child for nine (9) or more months; 6. Insufficient income to meet financial obligations; 7. Medical problems (physical or mental) that inhibit the ability to care for the child; 8. Lifestyle not conducive to mental, ethical, and emotional development; 9. Conflict or instability due to family crisis or personal hardship; 10. Failure to preserve the continuity and value of the child's spiritual, racial, ethnic, and/or cultural identity; 11. Failure to complete in-service training or requirements outlined in DCS policy 16.8, Responsibilities of Approved Resource Parents; 12. Criminal charges or conviction, particularly those that may include crimes involving children, are drug related or are felony crimes against persons; 13. Special Investigations unit investigation case which indicated abuse or neglect, or 14. At the request of the resource parent.

<p>C. Potential reasons for suspended admission or on hold status of a resource home</p>	<p>1. <u>Suspended Admissions</u></p> <p>An approved or expedited resource home, owned by a private provider, DCS or a shared resource home, may be placed on suspended admissions for reasons that include:</p> <ul style="list-style-type: none"> a) The home is at maximum capacity b) The household is not approved according to IV-E eligibility requirements c) License Compliance Violations d) Performance – Safety & Well Being Issues e) Resource Home Under SIU Investigation f) Utilization <p>Resource Home Eligibility staff will place homes on suspended admissions that do not meet IV-E eligibility requirements and this will be ended when requirements are met according to the Protocol for Resource Home Eligibility Team (RHET) and the Protocol for Departmental Resource Home Eligibility Team (D-RHET)</p> <p>◆ Resource Homes Under SIU Investigation</p> <ul style="list-style-type: none"> i) All resource homes in which an SIU investigation is open is placed on suspended admissions. Central Office Child Placement and Private Providers are responsible for entering the suspension for private provider resource homes. Central Office Foster Care and Adoptions staff is responsible for entering the suspension for DCS resource homes. Suspensions are entered upon initial notification from the Special Investigations Unit (SIU) of Child Protective Services. ii) Suspended admissions will be ended upon notification of closure of the case if there are no concerns noted by the SIU or no concerns are noted by a Central Office Review Panel member. If there are concerns noted by SIU or a member of the panel, then the suspended admissions will remain in place until a decision is made by to end the suspended admissions. iii) In the event that a home is placed on suspended admissions, no additional children may be placed in the resource home (including all respite placements) or an adoption/permanent guardianship finalized until the suspended admissions is ended in TFACTS and an e-mail notification is received. <p>2. <u>On Hold</u></p> <ul style="list-style-type: none"> a) An approved or expedited home may be placed on hold for any reason noted above or at the resource's parent's request. Any Resource Parent Support Team Leader or Placement Services Team Coordinator may place DCS homes on hold or end the on hold status in TFACTS. b) In the event that a home is placed on hold, no additional children may be placed in the resource home (including all respite placements), until the
---	---

	<p>on hold status is ended in TFACTS, and notification is received.</p>
<p>D. Corrective Action Plan</p>	<ol style="list-style-type: none"> 1. In the event of problems arising in approved resource homes, the Placement Services Division (PSD) representative may develop a corrective action plan (Refer to form CS-0909, Resource Home Corrective Action Plan) with the resource parents, which defines the areas to be improved and includes specific action steps to achieve improvement within specific time frames. 2. The corrective action plan must: <ol style="list-style-type: none"> a) Be reviewed and signed by the Team Leader, PSD staff, the resource family and Private Provider designated staff. b) The plan may not exceed a 90 day timeframe 3. In cases of ICPC, a corrective action plan as defined should be developed mutually with and in conjunction with appropriate personnel in the Sending State who retain the responsibility to plan for the child/youth. The TN DCS Team Leader is responsible to coordinate review and signature of appropriate personnel in the Sending State. 4. If a corrective action plan is utilized, a summary of the outcome of the corrective action plan must be attached to the corrective action plan and added to the resource home case file to document the completion of the corrective action plan. 5. Corrective action may also be used when a family fails to meet the training requirements outlined in this policy. A corrective action plan will need to be developed for resource families who have not completed the required in-service training as outlined in <u>DCS Policy 16.8 Responsibilities of Approved Resource Parents.</u> 6. In cases of approved resource homes, form CS-0692, Resource Home Mutual Re-assessment, Re-Activation, or Reclassification must be completed at the conclusion of the corrective action plan to document that all areas of compliance have been met. If the corrective action plan does not remedy the problems, the home study writer/Resource Parent Support (RPS) worker must initiate the closure process as outlined in Sections B and C of the procedural portion of this policy and close the resource home in the TFACTS.
<p>E. Scheduling a conference with the resource family</p>	<ol style="list-style-type: none"> 1. If a justification for denial or closure appears to be present, the home study writer should discuss the concerns with the Team Leader/supervisor. 2. The home study writer or PSD staff member can schedule a conference with existing resource families and the Team Leader/supervisor or a discussion of areas of concern may be discussed during a home visit for families still in home study process. 3. During the conference/discussion, the home study writer, or PSD staff member, Team Leader/supervisor and Private Provider designated staff should:

	<ul style="list-style-type: none"> a) Recognize the family's strengths in as positive a manner as possible; b) Review information which has created a concern; c) Allow the family to offer clarity, d) Attempt to identify possible solutions, and e) Inform the family of possible next steps. f) In cases of ICPC, the DCS Team Leader/supervisor will make every effort to include equivalent personnel from the Sending State in this meeting. <p>4. The home study writer or PSD staff member, the Team Leader/supervisor and/or Private Provider designated staff must consider all the information and in cases where no other alternatives were possible, within five (5) calendar days of the conference, the home study writer must mail a letter to the family that details the reasons for denial or closure. The letter should also contain information regarding the family's right to a supervisory review and information about requesting that review.</p> <p>5. In ICPC cases, a copy of the letter must be provided to the equivalent personnel in the Sending State by UPS overnight. The Team Leader and the Sending State Personnel will determine alternate placements for ICPC child/youth placed in the home including but not limited to:</p> <ul style="list-style-type: none"> a) Return to the jurisdiction of the sending state, b) Re-placement in TN with another approved resource, or c) An emergency placement pending return to the Sending State. <p>6. Supervisory reviews are conducted by the Team Coordinator upon request of the family. Copies of reviews/results of review conducted by Team Coordinator are to be processed to the Sending State in cases of ICPC.</p> <p>Note: Resource parents are not recipients of a service from DCS and, therefore, are not eligible for an administrative appeal.</p>
<p>F. Supervisory Review</p>	<ul style="list-style-type: none"> 1. The approval and re-approval processes are intentionally and purposefully rigorous to ensure that only those persons who are best able to care for children who have been abused or neglected become or remain resource parents in Tennessee. Upon request for a supervisory review, the Team Coordinator or Private Provider designated staff shall complete the review within fifteen (15) days. The resource family and up to three other people to act on their behalf may attend the review. One of the additional people may be an attorney, but the review is not to be considered an adversarial legal proceeding in nature. The home study writer and any other supervisory staff may attend at the discretion of the Team Coordinator or Private Provider designated staff. 2. The Team Coordinator, in collaboration with the Regional Administrator/designee, will make the final decision regarding denial or closure after reviewing DCS information and allowing the family to discuss their concerns.

	<ol style="list-style-type: none"> 3. Within ten (10) calendar days of the review, the Team Coordinator must send a letter to the family advising them of the outcome of the review. 4. Copies of reviews/results of review conducted by Team Coordinator are to be processed to the Sending State and the TN ICPC office for ICPC cases. 5. The Central Office Review Committee is available to provide assistance in cases where the decision is in question at the regional level.
<p>G. Documentation and case file disposition</p>	<ol style="list-style-type: none"> 1. The home study writer/RPS worker must clearly document in the resource home record the reasons an application is being denied or a home is being closed and maintain a copy of the written denial/closure letter that was mailed to the family. 2. Exit interviews will be completed by an outside agency who will contact the resource family directly. 3. The resource home section of TFACTS must be updated. 4. In cases of closure, form CS-0698, REACT Family Status must be completed. 5. A copy of the closed resource home study records should be maintained in the area office closed files, for 25 years, in accordance with the Records Disposition Authority (RDA) 2877. In cases of adoption, court required original information must be sealed once the adoption is finalized, however copies of information should be retained.

<p>Forms:</p>	<p><u>CS-0692, Resource Home Mutual Re-assessment, Re-activation or Re-Classification</u></p> <p><u>CS-0909, Resource Home Corrective Action Plan</u></p> <p><u>Note: Private Provider Agencies may use equivalent forms, provided the content of the forms capture the content of the forms listed above.</u></p>
<p>Collateral Documents:</p>	<p>Corrective Action Plan (If Applicable)</p> <p>Any Training Verification</p>