

PROVISIONAL APPROVAL
OF
FOSTER HOMES

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PROVISIONAL APPROVAL OF FOSTER HOMES

I. INTRODUCTION

A. Purpose

The following standards have been developed to provide guidance and standards in locating, assessing and provisionally approving a foster home for children who must be immediately removed from their own home due to an emergency situation or from their foster care placement due to a disruption in the home.

B. General Guidelines

These standards are developed in accordance with Alabama Law § 38-7-5, Code of Alabama 1975, amended 1996 which states,

...when a child is taken into the Department's foster care or custody on an emergency basis, or when there is a disruption or imminent disruption in a current foster care placement requiring placement elsewhere, and a prospective foster home is available, the Department or child placing agency may conduct a preliminary inspection of the home and issue a provisional approval of the home. The provisional approval shall continue in effect for no more than six months and is nonrenewable. A provisional approval may be denied or revoked by the Department at anytime for failure to meet minimum standards set by the Department or for any reason set forth in § 38-7-8.

The intent of provisional approval is to provide a method for front line staff to expedite the temporary approval of a foster care resource in an emergency situation, when the resource is in close proximity to the child's own home, is known to the child and/or his family and can provide a safe environment for the child while reducing the trauma the child might experience if placed with strangers.

It is **NOT** the intent of these standards to provide a means to circumvent or negate current licensing standards for approving foster homes. These standards should only be used in emergency situations and conditions described herein.

II. GLOSSARY

- A. **Community**: The area served by the school system where the child attends if that area includes the physical neighborhood where the child and his/her family live.
- B. **Child's own home**: The physical environment or location of the family in which the child resides or was residing prior to removal or placement in DHR custody or care.

- C. Close Proximity:** The same neighborhood, community, or if that is not feasible, the home county of a child.
- D. Emergency Situation:** A situation in which the child has been harmed or is at risk of imminent serious harm or threatened harm and action to protect the child must be taken.
- E. Foster Care Disruption:** Circumstances in a foster care placement resulting in the immediate need to remove the child from the current placement.
- F. Neighborhood:** The physical area in which the home is located.
- G. Provisional Approval:** A temporary foster care approval of a specific family in an emergency situation for a specified child in the custody/planning responsibility of the Department.
- H. Provisional Foster Home:** A foster home approved to provide foster care for a specific child, located in close proximity to the child's home, in an emergency situation pending full compliance with Minimum Standards for Foster Family Homes.

III. CRITERIA FOR PROVISIONAL APPROVAL

A. Required Criteria

Prior to assessing and inspecting a home for a provisional approval the following conditions must exist:

- An emergency situation where a child must be removed immediately from his own home or;
- The disruption in a foster home which results in the immediate need to remove the foster child from his current placement; and
- The Department or child placing agency must currently have custody/planning responsibility of the child either through a verbal or written court order, Foster Care Agreement or Summary Removal Action. ** See Out-of-Home Care Policy regarding when to use foster care agreements.
- The prospective foster family must be located in close proximity to the child's neighborhood or community, making it possible for the child to continue in the same school, church and community activities. In isolated cases there may be a defined relationship between the child and a prospective foster family that lives in another county, e.g., the child and family live in a section of a county that borders another county and the neighborhood and community is actually in two adjoining counties. When this occurs the two counties shall coordinate the approval of the prospective provisional foster home. The county with responsibility for the child is

responsible for making contact with the other county in which the prospective foster home is located.

- The prospective foster family home must be a family known to the child and/or his family.

Once a prospective provisional foster family has been identified, an assessment of the provisional foster family's willingness and ability to provide care to the child and meet the child's needs shall be made. The following are to be considered in making this assessment:

- The relationship between the child and/or his family and the prospective foster family.
- The experience and expertise the prospective foster family has in providing care to children.
- The prospective foster family's past role in helping or protecting the child while preventing occurrences of abuse/neglect.
- The prospective foster family's understanding of the need for protection and the ability to provide protection and support to the child.
- Contact and input of all household members.
- The prospective foster family's willingness and ability to be in full compliance with Minimum Standards for Foster Family Homes within six months of approval.

B. Preferred Criteria

- The foster family should have knowledge and understanding of the circumstances which resulted in the child's need for placement.
- The selection of the foster home is to be made in partnership with the child, and/or the child's family and the Department or child-placing agency.
- The placement should provide the child with the opportunity to attend the same school, church and community activities and to maintain contact with family friends and neighbors.

C. Home Safety Assessment

A home safety inspection must be made to determine any apparent risk to the health and safety of the child. **The home must meet all requirements for foster family**

homes which can be found in Minimum Standards for Foster Family Homes.

Some of these include:

1. The Foster Family Home shall be located in a neighborhood which is suitable and favorable to the general welfare of the child or children to be placed. The home and grounds shall be maintained in a safe and clean condition.
2. Inspections by the state or local fire department and by the state or local health department shall be required as determined necessary by the Department, the licensed child-placing agency, or the foster parent(s).
3. A smoke detector shall be located within ten feet of each bedroom and no more than 30 feet apart in the hallways. In a two-story house (upstairs or basement) a smoke detector shall be located at the head of the stairway. Carbon monoxide detectors shall be installed on each level of the home and at least one near sleeping areas.
4. A 2A 10BC dry chemical fire extinguisher no less than 5 pounds in weight shall be installed and maintained in operating condition, in an accessible place, in plain view near room exits which provide an escape route. The fire extinguisher should be in place prior to the home being provisionally approved. It is the responsibility of the provisional provider to obtain and maintain the fire extinguisher in operating condition.
5. Unvented fuel fire space heaters are prohibited in bedrooms and bathrooms. Any home with an unvented fuel fire space heater in the bedrooms or bathroom must have the heater disconnected and/or removed from the bedroom or bathroom. Unvented furl fire space heaters may not be used in manufactured homes, unless the heater has been manufactured for use in a manufactured home and is so listed.

Unvented fuel fire space heaters shall not be used unless listed in the Building and Fire codes and have been inspected by a person/official knowledgeable and trained in examining the proper function of unvented fuel fire space heaters. This may be a person, firm, or cooperation that installs, repairs or provides maintenance for heat producing devices. These heaters must comply with the provisions of the NFPA 54 (Fuel Gas Codes) and be equipped with oxygen depletion safety devices. Written documentation (received from the inspector) will need to be maintained in the foster family home resource record.

6. Homes having a pool/spa must be in compliance with the Minimum Standards for foster Homes.
7. It shall be determined as soon as possible that a mobile home conforms to National Mobile Home Construction and Safety Standard Act of 1974. An aluminum plate permanently attached to the mobile home will indicate conformity

with the 1974 Act. Mobile homes shall comply with anchoring and tie-down requirements as specified by Code of Alabama 1975, §§ 24-5-30 through 24-5-34.

8. The Foster Family Home and grounds shall be free from anything which constitutes a danger, such as: abandoned automobiles and household appliances and uncovered wells and cisterns; stacked lumber with exposed nails; and explosives. Appropriate safeguards shall be provided against potential hazards, such as: open fires, heaters, cooking ranges, thermostatic controls, guns, poisons and drugs.
9. A fence enclosing a play area shall be provided when there are hazards in the immediate neighborhood.
10. The home shall be adequately ventilated and comfortably cooled and heated.
11. The Foster Family Home shall have an adequate number of bedrooms. The bedrooms shall not be used for purposes other than for the child's sleeping, personal care, privacy and studying. The bedrooms shall be ventilated and appropriately lighted. Adequate space shall be provided for each child's personal belongings.
 - (a) Children shall not sleep with adults.
 - (b) No more than two unrelated children shall be permitted to sleep in the same bed and they must be of the same sex and less than 6 years of age. This arrangement must be approved by the foster parent and social worker.
 - (c) Siblings of any age of same sex may sleep in the same bed when determined appropriate by the worker and foster parent.
 - (d) Separate sleeping rooms must be provided for children over age 6 who is of the opposite sex.
 - (e) All babies must sleep alone.
14. Adequate space and facilities shall be available for the special care of sick members of the family and the foster child (ren).
15. The Foster Family Home and grounds shall include safe and suitable play space for indoor and outdoor activity.
16. The certificate of rabies vaccination shall be on file in the home for any animal on the premises required by law to be vaccinated. Animals that pose a threat to children's health and safety shall be kept in an area inaccessible to children.

17. Every Foster Family Home shall have reasonable access to a telephone. Temporary disruptions of service shall be reported to the approving agency within 24 hours.
18. The Foster Family Home shall have adequate and appropriate facilities for the storage, protection and preparation of food.
19. Videotapes shall be viewed by the foster parent(s) for appropriateness before being shown to children. Videotapes, computer software and reading materials with sexually explicit, frightening or violent content shall be inaccessible to children.
20. Foster Family Homes approved to service children shall not be approved to serve adults without special approval by the Department or the licensed child-placing agency.
21. All maintenance that is required for the foster family home to be in compliance with health and fire safety standards shall be the responsibility of the foster parent (s).
22. Each bedroom shall have a window through which a child can exit in the event of a fire that blocks exit through the door. If the bedroom is on an upper floor, a ladder that can be used for exit through shall be supplied in the bedroom.
23. The foster parent must agree to comply with the four foster parent assurances listed in the Minimum Standards for Foster Family Homes.

D. Health of Household Members

The health of all family members shall not be detrimental to the physical and mental well being of the child (ren) placed in care. Refer to the Minimum Standards for Foster Family Homes for additional information regarding physical and mental health requirements.

1. An initial physical examination for foster parents by a licensed practicing medical doctor, a physician's assistant (as defined in § 34-24-290(4), Code of Alabama 1975) or certified family nurse practitioner shall be made no later than ten (10) days from the date the home was provisionally approved. A record of the examination shall be filed with the Department or licensed child-placing agency. DHR-DFC-737, Medical Report for Persons giving Care to Children (see copy in the Appendix), shall be completed in all respects, including the tests specified.
2. All household members are required to have a physical examination (DHR-FCS 2257) from a licensed practicing medical doctor, a physician's assistant, or certified family nurse practitioner on all other members of the household (i.e.,

foster parents' own children, relatives, etc.) shall be submitted to the Department or licensed child-placing agency with ten (10) days of the provisional approval. Each statement shall indicate the person's freedom from contagious and infectious diseases and up to date on their immunizations.

3. Where there is indication of possible disease, the foster parent or member of the household shall have appropriate medical consultation and treatment if prescribed. If, upon observation, examination or as a result of tests, a foster parent or member of the household shows indication of a physical, emotional, or mental condition which could be detrimental to the children's care or which would prevent satisfactory performance of duties, said person shall not give care to children in the custody/planning responsibility of the Department until the conditions are corrected to the satisfaction of the examining licensed practicing physician, the Department or the licensed child-placing agency.

E. References

The worker must obtain names, addresses and telephone numbers of three references who can provide information as to the prospective foster family's ability to care for children and that all members of the foster family are of good character and suitability.

At least one reference contact must be made before a family is to be provisionally approved. Additional reference contacts shall be made on the next business day from the provisional approval and placement of the child.

F. Child Abuse and Neglect Central Registry, Criminal History and County Records Check

The worker must obtain sufficient information to clear the CAN Central Registry, Criminal History and County Records on all provisional foster home applicants. Sufficient information must be obtained on all household members to permit clearance checking of the CAN Central Registry and county department records.

Alabama's Central Registry must be cleared on all household members. If access to the CAN Central Registry is not available, i.e., after regular office hours or the computer system is inoperable, a central registry check is to be made the next business day after the provisional approval or as soon as the computer system is operable. In addition to clearing Alabama's Central Registry, child abuse/neglect registries must be cleared in any state that a household member has lived during the past five years.

Fingerprints for all family members 19 years or older living in the provisional foster home are to be obtained and submitted to the Alabama Bureau of Investigations and the Federal Bureau of Investigations the next business day after the provisional approval of the home.

If information learned through the above mentioned checks shows prior CANs, convictions, or other involvement with drugs or illegal activities that would place the child at risk of harm or threatened harm, the provisional approval will immediately be revoked and the child (ren) in the agency's custody removed immediately.

G. Issuance of a Provisional Approval

Child Welfare Staff who have knowledge and understanding of these standards may issue a provisional approval only with authorization from the County Director or his designee. The approval is to be confirmed by signature on the approval form titled, "Statement of Provisional Approval and Intent to Comply with Minimum Standards for Foster Family Homes" (Form DHR-ACFD-1935, Dec 96). The approval is to be completed in duplicated with a copy to be given to the provider and a copy for the case file.

H. Limitation of Provisional Foster Home Approvals

A provisional foster home must meet established criteria outlined in these standards for a provisional approval.

Provisionally approved foster homes are limited to serving only those children and/or siblings for whom the home was provisionally approved. Should these child (ren) be removed from the home the provisional approval is automatically revoked.

Should the foster family move to another residence the provisional approval is revoked, as it is nontransferable. The new home must be assessed to determine if it meets the minimum standards for a provisional approval of a foster home as described herein.

Any changes occurring in the provisional foster home that affects the care of the child must be reported of the Department of Human Resources. At a minimum such changes include a change in location, household composition, termination of employment, debilitating illness or injury of a caretaker, and divorce or separation. When notified of changes the Department must reassess the resource to determine if the home can remain provisionally approved.

Provisional approvals are limited to six (6) months during which time the home is to come into full compliance with the Minimum Standards for Foster Family Homes. Provisional approvals are nonrenewable. Once the home has fully complied with the Minimum Standards for Foster Family Homes it may be utilized for other foster children. Should the home fail to come into full compliance in the designated time the provisional approval will be revoked and the child in the agency's custody shall be removed immediately.

Note: Therapeutic foster homes can not be provisionally approved.