

## PROGRAM OVERVIEW

## LEGAL REQUIREMENTS

Under Act 116, Public Acts of 1973 (known as the Child Care Organization Licensing Act), each DHS local office is a child placing agency which must meet agency licensing requirements and be approved to certify families for foster home licensure. Local offices are to meet all expectations outlined in Childrens Foster Care Manual 922 regarding the assessment and certification of foster families. In order to comply with the administrative rules regarding foster family home certification (R400.12301 through R400.12317), the Policies and Procedures for Certifying Foster Family Homes and Foster Family Group Homes published by the Office of Children and Adult Licensing (OCAL), Department of Human Services and supplemented by the OCAL Child Placing Agency letter series is to be followed.

Act 116, Public Acts of 1973 provides the basis for Licensing Rules that are relevant to the foster home development process for child placing agencies. The following are rules which apply to the assessment and training processes are to be followed:

Licensing Rule 400.12304 requires that an agency shall develop and maintain an ongoing recruitment program to assure an adequate number of suitable foster homes.

This rule also requires the agency to develop, implement and maintain a program of foster home retention that includes foster parent involvement and that identifies the causes of the loss of foster homes and prescribes actions to be taken to retain foster homes.

Licensing Rule 400.12301 requires that an agency be authorized by Department of Human Services (DHS) to certify foster homes for licensure.

Licensing Rule 400.12310 requires that an agency make a thorough initial evaluation of each foster family prior to placing a child with the family.

Licensing Rule 400.12307 requires that an agency shall provide orientation to foster parents prior to application. See FOM 922 for orientation content.

**Licensing Rule 400.12312** requires:

1. That the certifying agency must develop a foster parent training plan with the participation of foster parents.
2. The training plan must provide for all of the following:
  - The individual training needs of the foster parents.
  - Not less than 12 hours of training to be completed not later than the end of the original 6-month licensing period and before the placement of a child. Not more than 6 hours of the orientation may be included as part of the 12 hours of training.
  - Not less than an additional 12 hours of training during the next 2 years after the original licensing period.
  - Not less than 6 hours of training annually after the time periods specified above.
3. The training specified above must address all of the following areas:
  - Characteristics and needs of children
  - Effective parenting
  - Behavior management
  - Importance of the foster child's family
  - Role of the agency
  - Emergency procedures, first aid, and fire safety
  - Preparation of the foster child for independence
4. The agency must document all training received by each foster parent.

Act 116 of 1973, as amended, provides the statutory base for an agency to conduct special evaluations of family foster homes to determine compliance with this act and with the applicable administrative rules. A special evaluation is one method by which an agency assures ongoing compliance and protection of foster children.

Licensing Rule 400.12316 allows the agency to initiate a special evaluation when any information is received that relates to a possible noncompliance with any foster home rule:

- When an agency receives information on a foster home which relates to possible noncompliance with any foster home rule, the agency shall initiate a special evaluation within 7 calendar

days. Upon completion of the evaluation the agency shall do both of the following:

- (a) Complete a report of the findings of the evaluation, including recommendations of actions necessary for protection of any child in care.
  - (b) Implement recommendations based upon the findings of the evaluation.
- When an agency receives or evaluates a complaint which may indicate a possible violation or violations of foster home rules, the agency shall notify DHS within 5 working days by forwarding the OCAL-259, Special Investigation Record, to the agency's assigned licensing consultant.

Act 116 gives a child placing agency the authority to inform the public about foster care licensing requirements. The agency is responsible for providing information about the need to be licensed, how to inquire about the family study process, and the penalty for violating the act. The agency refers to law enforcement if unlicensed operation continues, and refers to Children's Protective Services if children are at risk. Investigation of unlicensed homes is the responsibility of Office of Children and Adult Licensing (OCAL), Department of Human Services (DHS).

## DEFINITIONS

None