



Florida Department of
Children & Families

State of Florida
Department of Children and Families

Rick Scott
Governor

David E. Wilkins
Secretary

DATE: June 8, 2012

TO: Regional Managing Directors

THROUGH: Pete D'Alto, Deputy Secretary,
John Cooper, Assistant Secretary for Operations
Debra Ervin, Director, Family and Community Services

FROM: Patricia Armstrong, Director, Office of Child Welfare

SUBJECT: Three-Year License for Family Foster Homes

PURPOSE: Community Based Care of Central Florida and the Office of Child Welfare requested the Attestation Model for licensure of family foster homes be expanded to include the issuance of three-year licenses to family foster homes meeting specific criteria; the request has been granted. The specific criterion required for a family foster home to obtain a three year license is outlined below. Florida Administrative Code (FAC) 65C-13 is currently under revision; the pertinent language in FAC 65C-13 has been revised and is reflective of the standards outlined below.

BACKGROUND: Section 409.175(6)(j), Florida Statutes, and 65C-13.028(5)(i), Florida Administrative Code, grant the authority to licensing agents to issue a license for up to three years to a family foster home meeting specific criteria. The subsequent information provides specific guidance when issuing a family foster home license for up to three years.

A family foster home that meets the following criteria will be considered in good standing:

1. Has been licensed for three years or longer,
2. Has not been the subject of a report of child abuse or neglect or foster care referral with findings of maltreatment and is recommended by the assigned Child-Placing Agency and the lead agency for a three-year license,
3. Has not been placed on a performance improvement plan/corrective action plan,
4. Has clear background checks,
5. Has no infractions of good moral character,
6. Does not have a capacity of more than 5 children, and
7. Trends in placement and disruptions will be considered and used in the decision as to whether to issue a three-year license.

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Mission: Protect the Vulnerable, Promote Strong and Economically Self-Sufficient Families, and Advance Personal and Family Recovery and Resiliency

Rather than completing the Re-licensing Summary for Licensed Homes for Dependent Children, CF-FSP 5027, a brief concise summary may replace this form. The summary should address all changes that have occurred in the household during the licensing year and allows foster parents to discuss any issues, concerns or triumphs they may have experienced during the licensure year.

Youth exit interviews, community input forms and service worker's reviews will be included in the summary as well.

Other re-licensure requirements as listed in 65C-13.028(5)(i), F.A.C., will apply. The Licensing Standards Checklist For 24-Hour Family Care supports the three-year license as well:

1. Documentation of at least eight hours (annually) of in-service training;
2. Updated verification of water safety training, if applicable;
3. Background screening which includes local law enforcement records checks completed prior to the one year expiration date on existing checks, abuse history checks, and FDLE re-screening, if applicable;
4. Pet vaccinations;
5. Updated documentation of driver's license(s) and vehicle insurance;
6. Updated evacuation and disaster preparedness plan if changes in layout of the home or means of egress have occurred.

The annual health inspections may be waived for three-year licensed homes and only occur at the three year licensing expiration.

ACTION REQUESTED: Please share this memorandum with appropriate parties. The option to participate in the issuing of a three-year license is to be decided by the region and its community-based care partners.

CONTACT INFORMATION: If you have any questions, or for additional information please contact Stacey Cleveland at 850-717-4647 or Stacey_Cleveland@dcf.state.fl.us or 850-717-4647.

cc: Community-Based Care Lead Agencies
Contract Managers

Top CBC Efficiencies List

02/06/12

As we increasingly discussed improving efficiency in the Child Welfare system, there are numerous layers and complexities to solving the issue. Within that reality, there are opportunities that would directly improve efficiency and effectiveness in the field that we should discuss. Similarly, there are low value/no value processes that could be eliminated. Some of these changes would require Statutory changes, while others we could begin tomorrow and some in between. Below is the top priority list.

1. **3 Year Foster Home License** – Florida Statute allows a 3 year foster home license, but it has never been implemented and updated in FAC. The roadblock has always been the lack of Statutory clarity on WHAT could be reviewed every 3 years. For our high quality foster homes and the staff assigned to them, this means a waste of time completing paperwork and unnecessary hoops that add little value. CBC has prepared a paper to outline those conditions that identify a high quality foster home, as well as the licensing items we would move to a 3 year review. The paper also includes those items that remain annual. We would like approval from DCF to begin this pilot.
2. **Streamlined Foster Home Re-licensure** – The process to complete regular foster home re-licensure is overly cumbersome and inefficient. The process could be streamlined, including moving some foster home requirements to “one time” reviews, that are eliminated from the re-licensure process. Also, there are low value/no value updates that could be replaced with child impact quality discussions. CBC of Central Florida has drafted a paper to outline this improved process. We would like approval from DCF to begin this pilot.
3. **Redesign Dependency Case Management** – Evidence continues to mount that, like the redesign of Protective Investigations, it is time to rework the DCM function. Cumbersome and confusing work tasks, overburdened data entry, lack of child/family contact time have all become paramount roadblocks to good case work. We recommend a DCF/CBC/Service Provider workgroup identify immediate improvements and recommend law changes that could be proposed for the 2013 Legislative Session.
4. **Fixed Price CBC Contract** – The current contract method in Community Based Care is a modified cost reimbursement contract. This vehicle adds low value/no value requirements that are unnecessary in a risk based child welfare system. CBC’s must follow the “State employee” guideline for expenditures. This contract method should be replaced with a Fixed Price Contract. Ultimately DCF is purchasing “one month of Child Welfare services” each month. The CBC must then serve all children referred. This system reality aligns perfectly with a fixed price arrangement. We would gain significant efficiencies in this design while sacrificing nothing on accountability. We would like DCF to transition to Fixed Price contracts on July 1, 2012.
5. **Foster Home Conflict of Interest** – The process to identify where a licensing conflict of interest exists within a CBC Lead Agency jurisdiction is outdated and cumbersome. Over-using a neighboring CBC to complete the Foster/Adoptive Home process for any person “involved” in the respective CBC system of care is not effective. Child Welfare professionals becoming foster and adoptive parents has become commonplace. There should be a reshaping of this conflict policy. CBC of Central Florida has drafted a paper to outline this improved process. We would like approval from DCF to begin this pilot.
6. **Background Screening for Staff/Foster/Adoptive Families** – This recommendation likely requires Statutory change – Background screening has become a massively burdensome process and frequently holds up permanency for children. Electronic resubmission (without the

person acting), less frequent submissions, accepting prints across agencies, accepting prints for multiple purposes, realigned use of local, FDLE and FBI checks, and other redesigns would improve efficiency and not diminish standards. In addition, the antiquated use of results is confusing and inefficient. We would like a DCF/CBC workgroup to identify immediate improvements and recommend law changes that could be proposed for the 2013 Legislative Session.

7. **Fingerprinting of Children** – This recommendation likely requires Statutory change – Following a tragic case more than a decade ago, the requirement to fingerprint all children in OHC began. Now hundreds of thousands of fingerprints later it is time to end. No print has ever been used and, in fact, most are illegible. The process adds no value, and is intrusive and potentially damaging to children. The practice could be replaced with diligent dental services that could accomplish the original goal and benefit children. We would like a DCF/CBC workgroup to identify immediate improvements and recommend law changes that could be proposed for the 2013 Legislative Session.
8. **APD Eligibility and Service Delivery** – The lack of service for children with disabilities must be addressed. The common practice of determining DCF/CBC children as “not” in crisis is outdated and inappropriate. Would we proclaim a Foster Child as “not” needing heart surgery because they are in Foster Care? While the budget issues in APD are very real, we must make improvements on this issue. Beyond the paramount issues for our children, the time consumed in the APD process is very inefficient.
9. **DCF Assignments / Policies** – The practice of continual assignment and policy changes is a legacy that needs to be redesigned. In a privatized and contractual system of services for child welfare we need to adapt our practice of making changes or requesting information. Over a 6 month review, a new DCF assignment or policy was received every 2 days. This design and practice is chaotic and inefficient. Most importantly it brings instability to the child welfare system and stymies quality and consistency. We would like a DCF/CBC workgroup to identify immediate improvements, recommend changes to clarify system changes and implement immediately. **Old DCF Structure Legacies** -There are some legacy practices from when DCF directly operated the child welfare system that should be identified and changed and/or eliminated. Routine conference calls or assignments that operate outside the formal relationship are often confusing and inefficient. We would like a DCF/CBC workgroup to identify immediate improvements and recommend changes.
10. **Data Inefficiencies** – The continued development of FSFN has had its tremendous successes, however, there is a need for strategic change in the use and redesign of our data. The lack of this attention has resulted in a cumbersome and inefficient data system, with numerous work-arounds, supplemental data requests and processes, and excessive case management time spent on data entry. There is an immediate need to change direction and set a new path with new commitments to our data priorities. FSFN should not add one single additional data field until the current errors, work-arounds, reporting, and glitches are fully functional. Also, until a diversion model can successfully balance common data to unique program design it should not be considered. Lastly, DCF should take the lead regarding the data sharing within its authority and with other State agencies and directly provide those data to the CBC’s. **Unified Foster Homestudy in FSFN**- There is a move to fully utilize the Unified Homestudy in FSFN, however, there are unanswered assurances that should accompany ANY expansion in FSFN. Included in this is confirmation that the addition will improve efficiency, add value, improve quality, and improve staff ability to serve our kids. For the Unified Homestudy we have asked: If we go through the process of identifying all documents referenced in the UHS in FSFN can we submit that for elimination of requirement outside FSFN? Can the UHS data be extracted from FSFN and used to manage? What is the status of the ability to upload certain data into FSFN, and can the UHS be part of that discussion (including pictures)? Is there a means to submit this document electronically? Until we have answered these questions, the UHS would add inefficiency in the field.

Three-Year Licensure Proposal

In an effort to streamline the licensing process of foster parents and administratively lighten the support and management of licensed foster homes CBC of Central Florida has developed a proposal that would allow community based agencies to approve homes for a three year licensed term.

I. Florida Administrative Code and Statute Requirements

Below lists the requirements per Florida Administrative Code and Florida Statute in regards to three year licensing of foster homes;

Florida Administrative Code [65C-13.028(5)(i)] states the following:

(i) Licensed out-of-home caregivers meeting the criteria of Section 409.175(6)(j), F.S., may be issued a license for longer than one year, but no longer than a three year period of time. During the three-year period the licensing counselor shall conduct a minimum of one face-to-face visit in the home on an annual basis, obtain the information and documentation outlined in this section and submit it to the licensing authority with a statement certifying that the family continues to meet all licensing requirements. A review of all required re-licensing information shall be conducted at the end of every three year licensing period. The annual review of a three-year license shall include:

1. A "Re-licensing Summary for Licensed Homes for Dependent Children", CF-FSP 5027, Sections A and B, March 2007, incorporated by reference and available at www.dcf.state.fl.us/publications/;
2. Documentation of at least eight hours of in-service training;
3. Updated verification of water safety training if appropriate;
4. Background screening which includes local law enforcement records checks completed prior to the one year expiration date on the existing checks, an abuse history check, and FDLE re-screening *if applicable*;
5. "Affidavit of Compliance: Background Screening Requirements", CF-FSP 5218, March 2007, incorporated by reference and available at www.dcf.state.fl.us/publications/, and according to Section 409.175(6)(c), F.S.;

6. "Services Worker's Review of Licensed Out-Of-Home Caregiver's Performance", CF-FSP 5223, March 2007, incorporated by reference and available at www.dcf.state.fl.us/publications/;
7. Youth exit interviews as set forth in Rule 65C-28.017, F.A.C.;
8. Updated documentation of driver's license(s) and vehicle insurance *if applicable*;
9. Updated evacuation and disaster preparedness plan if changes in layout of the home or means of egress have occurred.
10. Pet vaccinations (*if applicable*); and
11. An "Application for License to Provide Out-of-Home Care for Dependent Children" CF-FSP 5007, March 2007, incorporated by reference and available at www.dcf.state.fl.us/publications/.

Section 409.175(6)(j) states:

(j) Except for a family foster group home having a licensed capacity for more than five children, the department may issue a license that is valid for longer than 1 year but no longer than 3 years to a family foster home that:

1. Has maintained a license with the department as a family foster home for at least the 3 previous consecutive years;
2. Remains in good standing with the department; and
3. has not been the subject of a report of child abuse or neglect with any findings of maltreatment

A family foster home that has been issued a license valid for longer than 1 year must be monitored and visited as frequently as one that has been issued a 1-year license. The department reserves the right to reduce a licensure period to 1 year at any time.

II. Proposed Action

In line with the above, CBCCFL is requesting a more efficient model of three year licensing that continues to maintain and instill quality and safety of the homes and oversight by the assigned supervisory agency (child placing agency).

Good standing: a family foster home that meets the following criteria;

1. has been licensed for 3 years or longer,
2. has not been the subject of a report of child abuse or neglect reports or foster care referrals with findings of maltreatment and is recommended by the assigned CPA and the lead agency for a three year license,
3. has not been placed on a performance improvement plan/corrective action plan,
4. Clear background checks,
5. No infractions of good moral character
6. Does not have a capacity of more than 5 children.
7. Trends in placement and disruptions will be considered and used in the determination .

Rather than completing the Re-licensing Summary for Licensed Homes for Dependent Children, CF-FSP 5027, a brief yet concise summary, would be included as part of the attestation, that the family foster home has had no changes during the licensing period. Changes would include but not be limited to; change in address , any additions or renovations to the home (if no than a health inspection is not required), change in household members, change in employment or income that has affected the household, has the foster family's preference for licensing changed (sex, ages, capacity, etc.). If changes have occurred a description of the change and how the home is still in compliance with licensing would be required. Youth exits and Service worker's Reviews would be included in the summary as well.

Other items as listed in the above code requirements can simply be checked for compliance on the Licensing Standards Checklist For 24-Hour Family Care;

1. Documentation of at least eight hours (annually) of in-service training;
2. Updated verification of water safety training, if applicable
3. Background screening which includes local law enforcement records checks completed prior to the one year expiration date on existing checks, abuse history checks, and FDLE re-screening if applicable,
4. Pet vaccinations
5. Updated documentation of driver's license(s) and vehicle insurance
6. Updated evacuation and disaster preparedness plan if changes in layout of the home or means of egress have occurred

CBCCFI contracted CPA's complete a minimum of quarterly visits to the foster homes in addition to other visits i.e. overcap waiver visits, which is more than the mandated annual visit as referenced in code. Compliance and monitoring of the home is continuous and would be maintained with a three year license.

Health inspections should be waived to occur annually for three year licensed homes and only occur at the three year licensing expiration.

To: Drew Parker, General Counsel
From: Peggy Sanford, Assistant General Counsel
Andre Lama, Legal Intern
Date: November 8, 2011
Re: Use of Registered Foster Homes, with or without Payment

*Stacey Cleveland
jpc*

ISSUE: The Family and Community Services Program Office has asked for answers to two questions:

The questions asked:

1. Since a religious exempt foster home is not specifically offered as an option in 39.001, F.S., does this exclude a registered family foster home as a placement option?
2. Is there a prohibition for placing a dependent child in a religious exempt home when no money exchanges for room and board?

ANSWER: Legislative change will be needed to enable the use of registered family foster homes for dependent children, regardless of whether money is exchanged for the placement.

DISCUSSION: Chapter 39 uses the term "licensed" as applied to foster homes throughout, not just in s. 39.001, FS. The legislature has distinguished between "licensed" (Type I) and "registered" or "religious exempt" (Type II) homes. Licensed homes are described in s. 409.175, FS, and registered homes are described in s. 409.176, FS.

The provisions of s. 409.175 describe a process for admitting children which requires a contract signed by the parent, legal guardian, or person having legal custody of the child (paragraph (6)(g)).

As a condition of exemption from licensure, the registered homes must be operated by an organization that does not directly receive state or federal funds or (be) a family foster home that is associated with such an organization and does not directly receive state or federal funds.

The Florida Constitution provides as follows:

No revenue of the state or any political subdivision or agency thereof shall ever be taken from the public treasury directly or indirectly in aid of any church, sect, or religious denomination or in aid of any sectarian institution, Article 1, Section 3.

ANSWERS TO SPECIFIC QUESTIONS:

1. Since a religious exempt foster home is not specifically offered as an option in 39.001, F.S., does this exclude a registered family foster home as a placement option?

Not only in the provisions of s.39.001, FS, but throughout the entire chapter references to placement of children refer to "licensed" care. It is clear that the legislature has distinguished between licensed and registered care. It is also clear that the option of registered care, to date, has been reserved to private individuals who enter into contracts with the registered facilities to provide the care. If the State wishes to enlarge the term "licensed" care to include "registered" care, this change should be made legislatively.

Statutory changes both to chapter 39, Florida Statutes, and to s. 409.176, Florida Statutes, are likely needed in order to effectuate this change in practice.

2. Is there a prohibition for placing a dependent child in a religious exempt home when no money exchanges for room and board?

While the issue of payment for the care is confused by the Constitutional prohibition, this is not the determining factor. The legislature has decided that licensed care homes are appropriate for placement of children removed from their homes by the state, but has not included registered homes.

OTHER FACTORS TO BE CONSIDERED:

1. If Florida is to begin placing children in registered as well as licensed foster homes, the protection of the children requires that the registered homes be open to child welfare workers who are required to visit the children in their homes on a regular basis.
2. Issues related to religious instruction for the children in the registered home and the need to take into account the wishes of parents whose parental rights have not been terminated would need to be considered. Similarly, issues relating to approved methods of discipline of children in the homes will need to be addressed.
3. The degree of supervision of the homes and the potential exposure of the state in the event of untoward events in the homes will be a concern.
4. Issues of reunification and working with the birth parents toward completing a case plan will need to be clarified.
5. The issue of Medicaid, Social Security, and other benefits flowing to the child from federal sources, and how those might be handled for the best interest of the child, will need to be explored.