



## Policy: Foster Home Licensing, Re-licensing, and Revocation

**ChildNet Number: CN 005.012**

**Original Approved Date: June 30, 2003**

**Policy Revised Date(s): January 23, 2013; January 24, 2005; September 13, 2005; December 2009; April 23, 2010; May 20, 2010; September 11, 2013; March 28, 2014**

**Policy Sunset Date:**

**COA Standard(s): FKC 6.01**

### Statement of Policy:

ChildNet maintains oversight of the monitoring and licensing of foster homes to ensure the safety and well-being of children placed in foster homes.

**Board Chair's Signature:**

**Date:**

3/28/14



## **Procedure: Foster Home Licensing, Re-licensing, and Revocation**

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**Procedure Sunset Date:**

**COA Standard(s): FKC 6.01**

### **Definitions (If any):**

**License-** A license is issued for a specific location, is not transferable, and is valid for up to three years from the date of issuance. A license authorizes a home to provide care for children placed in the home by ChildNet or a licensed child-placing agency contracted by ChildNet. A particular child, a specific number of children, a specific gender preference, or an age range for children may be displayed on the license in order to restrict the use of the home.

### **Statement of Procedure:**

Pursuant to contractual requirements with the Department of Children & Families (DCF), ChildNet monitors foster home compliance with licensing standards set forth in Florida Administrative Code and Florida Statutes. ChildNet's recommendations for licensure are provided to DCF who is the agency responsible for making the final determination of an applicant's compliance with licensing standards and the issuance, revocation, or denial of foster home licenses.

### **A. Foster Parent Licensing Process**

1. ChildNet staff and contracted child placing agencies recruit, assess, train, and provide supervision of foster homes.
2. Child placing agency and ChildNet staff provide to the ChildNet licensing department a complete licensing application on each prospective foster home and ensure the minimum standards for licensure of foster homes meet all of the requirements set forth in 65c-45, 65C-35 and 65C-15, F.A.C. and Chapters 409 and 435, F.S. Applications for re-licensure are due to ChildNet 30 days prior to the date of the license's expiration.
3. Child placing agency staff verify in writing that prospective foster homes meet all minimum licensing requirements. The child placing agency electronically submits the licensing application through a secured SharePoint site and requests ChildNet to review the licensing application and forward the completed packet to DCF for issuance of a home's license.
4. Upon receipt by ChildNet's licensing staff, applications are immediately logged into a Licensing tracking log.



5. Assigned Licensing Specialist will review re-licensure and amended applications within five business days and review initial applications within ten business days of receipt by ChildNet to verify compliance with licensing standards and completeness of all supporting documentation. When necessary, Licensing Specialists will request additional information to ensure the application meets minimum licensing requirements.
  - a. Upon verification, ChildNet Licensing Specialist submits the licensing application and all supporting documentation to DCF with a recommendation for the issuance of a license.
  - b. If any application is unable to be validated due to insufficient or missing documentation, a review checklist is sent to the child placing agency noting any deficiencies, follow up, or additional information that is required to meet minimum licensing standards. Within five calendar days of receiving the review checklist, child placing agencies are required to submit the missing or follow-up documentation back to ChildNet.
  - c. Applications that do not meet minimum licensing standards are submitted to DCF with a recommendation to deny the request for licensure when the applicant does not withdraw their application.
6. If at any time during the file review process an applicant decides to withdraw his and/or her application for licensure, such decision should be submitted in writing by the applicant and the child placement agency assigned to ChildNet. The licensing application is subsequently returned electronically to the child placing agency.
7. DCF's Circuit Administrator or designated representative is responsible for either approving or rejecting the application for licensure within ten business days of submission by ChildNet.
  - a. If approved, DCF documents the approval in the Comprehensive Child Welfare Information System (CCWIS) and creates a license in the name in which the application for license is made. DCF prints and signs the license and forwards it to ChildNet. ChildNet makes a copy of the license and forwards the original to the appropriate child placing agency for delivery to the foster parents. ChildNet coordinates with DCF in updating licensing information in the appropriate CCWIS.
  - b. If the license is not approved, DCF provides in writing to ChildNet the specific reasons why the license is not being approved and/or additional actions required prior to granting the approval.

## **B. Foster Home Closures**

If a child placing agency decides to discontinue the use of a home or revoke the license prior to the expiration date of the license, the reasons for such action must be discussed with the foster parents. Before making a determination that a license will be denied, suspended or revoked, the child placing agency shall document the following in the



licensing file and email to [licensing@childnet.us](mailto:licensing@childnet.us) and copy their assigned ChildNet Licensing Specialist:

1.
  - a. All qualifying abuse reports and reports of licensing violations and the outcome of any investigation;
  - b. A list of all deficiencies or conditions other than abuse or neglect of children, which compromise the safety or well-being of the children;
    1. If the licensing violations pose an immediate threat to the health, safety or well-being of the children, the children must be removed. The Licensing Specialist makes a report to the Florida Abuse Hotline and notifies ChildNet's Director of Foster Home Recruitment and Licensing or designee and Intake and Placement.
    2. If the licensing violations do not pose an immediate threat to the health, safety or welfare of the children, ChildNet requires that a corrective action plan be developed to address and correct the deficiencies.
  - c. The length of time and frequency of the non-compliance with the licensing requirements or deficiencies in caring for children;
  - d. The date of written notification to the foster parent as to the deficiency and time given to correct the deficiency. Specifically, the child placing agency responsible for the home provides written notification to the foster parent citing the applicable statutory and rule violations that were found and provides a date by which they must correct the deficiencies. The deficiencies which lead to the corrective action plan must be rectified as a prerequisite to re-licensure.
  - e. The corrective action plan must be documented in FSFN, as well as in writing. The CAP must be approved by DCF prior to presenting to the foster parent. Once approved the CAP must be signed by the foster parent(s) and child placing agency staff, and a copy provided to the foster parent(s). The signed corrective action plan is placed in the licensing file.
  - f. If there are barriers which prohibit the licensee from correcting the deficiencies a staffing with the department's legal counsel will be held to discuss revocation.
  - g. Revocations and denials of all licenses shall comply with requirements of Chapter 120, F.S; and all documentation shall be reviewed with the department's legal counsel. The notice of revocation or denial shall not be sent to the out-of-home caregiver without approval of both the department's legal counsel and the licensing authority.
2. When a child placing agency makes a recommendation to suspend, revoke, or deny a foster home license, and the foster parent or applicant agrees with this



- recommendation, ChildNet secures the original license or the pending application from the child placing agency.
3. On a monthly basis and/or as requested by DCF, ChildNet provides DCF with a list of all voluntary relinquishments of licenses for that month with the accompanying documentation.
  4. As to any recommendation by ChildNet to deny, suspend, and/or revoke an individual license, where the individual does not agree with the recommendation, ChildNet:
    - a. Obtains from the child placing agency a copy of the letter and/or other documentation of the notification to the individual of the intent to recommend denial, suspension, and/or revocation of their license.
    - b. Obtains from the child placing agency a copy of all licensing documentation for the individual, which may include, but is not limited to the application file, child placing agency's staff notes, and/or corrective actions.
    - c. Following approval by the Director of Foster Home Recruitment & Licensing or designee provides written recommendation to deny the license to DCF along with all of the aforementioned documentation from the child placing agency.
  5. In those instances where the child placing agency and ChildNet differ in their initial assessment regarding the recommendation to deny, suspend and/or revoke an individual's license, ChildNet coordinates a meeting with the child placing agency, to include, at a minimum, the Director of Foster Home Recruitment and Licensing or designee and the Chief Clinical Quality Officer, or designee, of the child placing agency, in an effort to better assess the appropriate action to be taken.
  6. Where DCF makes a determination to grant or continue a license contrary to ChildNet's recommendation to deny, suspend, and/or revoke the license, ChildNet has the option to not utilize the home for placement. As such, the home is deemed outside of the scope of those homes monitored by ChildNet.

Where DCF concurs with ChildNet's recommendation and makes a final decision to deny, suspend, and/or revoke an individual's license, pursuant to Florida Statute and the Administrative Procedures Act, DCF is responsible for providing written notice to the individual of his and/or her right to a hearing to challenge DCF's decision pursuant to Chapter 120, Florida Statutes. Once this notice is provided by DCF to the individual, DCF is responsible for justifying and defending the licensing decision under Chapter 120. ChildNet may serve as a witness, available to attend any depositions, witness preparations, and/or 120 hearings as notified by DCF. Any notices from DCF for this purpose must be requested in writing and addressed to ChildNet's Chief Legal Officer.

### **C. Foster Home Tracking and Data Management**

1. Upon request ChildNet sends to all child placing agencies, via electronic mail, a monthly reminder of all relicensing files due to ChildNet within 30 days



2. ChildNet monitors all submitted licensing files by tracking the following:
  - a. Initial request for licensing from child placing agencies.
  - b. Relicensing files submitted within contractual timelines.
  - c. Licensing files forwarded to DCF for approval and signature.
  - d. Foster family licenses signed by DCF and returned to ChildNet.
  - e. Approved licenses returned to the child placing agencies.
3. ChildNet and DCF coordinate their efforts to maintain and update licensing information on all required data systems.
4. Child placing agencies maintain a central file on every home they license. Additionally, ChildNet maintains a physical working file on all licensed foster homes which includes a copy of the initial and most recent home study (if not available in CCWIS) and a copy of the license. ChildNet also maintains a copy of the electronic file submitted to DCF. DCF is the custodian of the legal file for all licensing applicants.

#### **D. Foster Home Licensing Concerns and Corrective Actions**

1. When ChildNet staff members or other stakeholders have concerns about foster homes they document their concerns on a Provider Observation Feedback Form, which is submitted electronically to ChildNet's Licensing Department through the ChildNet portal.
2. Within one business day of its receipt, the Director of Foster Home Recruitment and Licensing or designee forwards the concern to the Licensing Specialist assigned to the foster home management agency
3. If additional information is needed, the Licensing Specialist contacts the person or agency who filed the concern as well as the child placing agency supervising the foster home to gather pertinent information regarding the concern. The Licensing Specialist documents all communication and forwards it to the Foster Home Management Agency for review and follow up. If an Incident Report is also submitted, procedures as outlined in CN Policy 013.006 are additionally followed.
4. Within five business days after the initial receipt of the licensing concern form, a response is due from the provider agency. Based on the collective review of information and objective criteria a decision is made as to what action (if any) is to be taken. This outcome and any pertinent information supporting the decision is documented by the Licensing Specialist on the Licensing Concern Form and forwarded to the person who initiated the concern. The form is also sent to the Executive Director of the Foster Home Management Agency or designee, the relevant Case Management Staff, Contract Manager. If a foster home is placed under a



corrective action plan, ChildNet reserves the right to limit or cease placements pending successful completion of corrective action tasks.

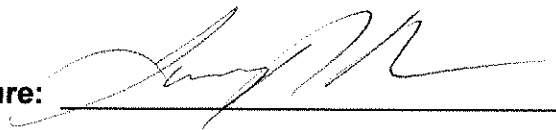
5. Completed Provider Observation Feedback Forms are filed electronically under the provider name in FSFN. Additionally, a hard copy is placed by the child placing agency in the respective foster home's licensing file.
6. If at any time a licensing concern is filed and the noted concern places the safety or well-being of any child in the home at jeopardy, the children are immediately removed. If the concern cannot be resolved, then a recommendation may be made to revoke or suspend the foster parent's license.

#### **E. Technical Assistance and Training**

1. ChildNet meets regularly with the child placing agencies to discuss pertinent issues related to, but not limited to, quality assurance, uniformity of cases, staffing of cases, new procedures and guidelines, home studies, training of new staff and other issues identified by ChildNet staff.
2. Upon request by an agency, ChildNet licensing staff members meet with the child placing agencies as a group or individually in an effort to consistently train and update all supervisory staff on issues related to the licensure of foster homes.

Child placing agencies are responsible for the training of their licensing staff and foster parents. Additionally, the child placing agencies are responsible for the development and implementation of a foster home tracking and data management system. This data system includes a list of all licensed homes, closed homes, and newly licensed homes within each fiscal year. In addition, the data system should include bed capacity and filled or vacant beds.

President's Signature: \_\_\_\_\_



Date: \_\_\_\_\_

09-30-22