

COMMENT DUE DATE: January 02, 2025

Date: December 02, 2024

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|---|---------------------|
| Mark Carson, Policy & Forms Programs Administrator | 918-607-0308 |
| Holli Kyker, Program Administrator | 405-982-2217 |
| Brandi Smith, Policy Specialist | 405-982-2703 |

It is important that you provide your comments regarding the **draft copy** of policy by the comment due date. Comments are directed to *STO.LegalServices.Policy@okdhs.org. The proposed policy is **PERMANENT**.

SUBJECT:

Subchapter 6. Permanency Planning
Part 7. Family and Child Individualized Service Planning Components
340:75-6-40.5 [AMENDED]
Subchapter 6. Permanency Planning
Part 8. Child Welfare Specialist Role
340:75-6-48.3 [AMENDED]
Part 13. Successful Adulthood
340:75-6-110 [AMENDED]
Subchapter 7. Foster Home Care
Part 1. General Provisions
340:75-7-2 [AMENDED]
Part 2. Development of Resource Families
340:75-7-10.1 [AMENDED]
340:75-7-14 [AMENDED]
340:75-7-15 [AMENDED]
340:75-7-18 [AMENDED]
340:75-7-19 [AMENDED]
340:75-7-24 [AMENDED]
Part 4. Roles and Responsibilities
340:75-7-38 [AMENDED]
Part 5. Eligibility and Payments
340:75-7-51 [AMENDED]
340:75-7-52 [AMENDED]
Part 6. Resource Home Support Services
340:75-7-65 [AMENDED]
Part 8. Resource Home Continuous Quality Assessment
340:75-7-94 [AMENDED]
(Reference WF 23-04, 24-03, 25-75)

SUMMARY:

The proposed amendments to Chapter 75 Subchapter 6 adds requirements for Child Welfare specialists when reporting children who are in the custody of Oklahoma Human Services (OKDHS) missing from care, per Senate Bill (SB) 1638 (2024).

The proposed amendments to Chapter 75 Subchapter 7 include: (1) adding definitions and legal basis to differentiate between traditional and kinship foster care; (2) clearly differentiating application processes for traditional and kinship foster care; (3) clearly differentiating training requirements for traditional and kinship foster care applicants; (4) providing updated guidance for background check procedures with traditional and kinship foster care applicants; (5) updating guidance for the assessment of resource families specific to traditional foster care; (6) updating process for joint approval of foster home resources specific to traditional and kinship foster homes; (7) updating guidance for the assessment of resource families specific to kinship foster care; (8) specifying discipline policies apply for all placement providers and are not unique to foster family care; (9) providing legal and policy basis for final approval of kinship foster homes; (10) differentiating policy basis for final approval and receiving of foster care maintenance payments specific to traditional and kinship care, respectively; (11) updating child care center star status requirements consistent with current procedure; and (12) updating guidance to differentiate process for annual updates specific to traditional and kinship foster homes.

Permanent rulemaking approval is requested.

LEGAL AUTHORITY:

Director of Human Services; Section 162 of Title 56 of the Oklahoma Statutes (56 O.S. § 162);

Chapter 75 Subchapter 6: 10A O.S §§ 1-1-102, 1-4-703, 1-4-704, 1-4-805, 1-4-806, and Title IV-E of the Social Security Act, as amended by the Family First Prevention Services Act, Public Law (P.L.) 117-348.

Chapter 75 Subchapter 7: 10A O.S §§ 1-7-101, 1-7-109, 1-9-106, 1-9-116, 1-9-119, and Title 45 of the Code of Federal Regulations (C.F.R.), Part 1355 and Part 1356.

Director of Human Services; Section 162 of Title 56 of the Oklahoma Statutes (56 O.S. § 162);

Chapter 75 Subchapter 6: 10A O.S §§ 1-1-102, 1-4-703, 1-4-704, 1-4-805, 1-4-806, and Title IV-E of the Social Security Act, as amended by the Family First Prevention Services Act, Public Law (P.L.) 117-348.

Chapter 75 Subchapter 7: 10A O.S §§ 1-7-101, 1-7-109, 1-9-106, 1-9-116, 1-9-119, and Title 45 of the Code of Federal Regulations (CFR), Part 1355 and Part 1356.

Director of Human Services; Section 162 of Title 56 of the Oklahoma Statutes (56 O.S. § 162);

Chapter 75 Subchapter 6: 10A O.S §§ 1-1-102, 1-4-703, 1-4-704, 1-4-805, 1-4-806, and Title IV-E of the Social Security Act, as amended by the Family First Prevention Services Act, Public Law (P.L.) 115-123.



Rule Impact Statement

To: Programs administrator
Legal Services

From: Tricia Howell, Director

Date: July 1, 2024

Re: CHAPTER 75. CHILD WELFARE SERVICES

Subchapter 6. Permanency Planning
Part 8. Child Welfare Specialist Role
340:75-6-48.3 [AMENDED]
Part 13. Successful Adulthood
340:75-6-110 [AMENDED]
Subchapter 7. Foster Home Care
Part 1. General Provisions
340:75-7-2 [AMENDED]
Part 2. Development of Resource Families
340:75-7-10.1 [AMENDED]
340:75-7-14 [AMENDED]
340:75-7-15 [AMENDED]
340:75-7-18 [AMENDED]
340:75-7-19 [AMENDED]
340:75-7-24 [AMENDED]
Part 4. Roles and Responsibilities
340:75-7-38 [AMENDED]
Part 5. Eligibility and Payments
340:75-7-51 [AMENDED]
340:75-7-52 [AMENDED]
Part 6. Resource Home Support Services
340:75-7-65 [AMENDED]
Part 8. Resource Home Continuous Quality Assessment
340:75-7-94 [AMENDED]
(Reference WF 25-75)

Contact: Mark Carson, Policy & Forms Programs Administrator, 918-607-0308

A. Brief description of the purpose of the proposed rule:

The proposed amendments to Chapter 75 Subchapter 6 adds requirements for Child Welfare specialists when reporting children who are in the custody of Oklahoma Human Services (OKDHS) missing from care, per Senate Bill (SB) 1638 (2024).

The proposed amendments to Chapter 75 Subchapter 7 include: (1) adding definitions and legal basis to differentiate between traditional and kinship foster care; (2) clearly differentiating application processes for traditional and kinship foster care; (3) clearly differentiating training requirements for traditional and kinship foster care applicants; (4) providing updated guidance for background check procedures with traditional and kinship foster care applicants; (5) updating guidance for the assessment of resource families specific to traditional foster care; (6) updating process for joint approval of foster home resources specific to traditional and kinship foster homes; (7) updating guidance for the assessment of resource families specific to kinship foster care; (8) specifying discipline policies apply for all placement providers and are not unique to foster family care; (9) providing legal and policy basis for final approval of kinship foster homes; (10) differentiating policy basis for final approval and receiving of foster care maintenance payments specific to traditional and kinship care, respectively; (11) updating child care center star status requirements consistent with current procedure; and (12) updating guidance to differentiate process for annual updates specific to traditional and kinship foster homes.

The proposed amendment to Chapter 75 Subchapter 6 establishes requirements for when a child in Oklahoma Human Services (OKDHS) custody is placed in a Qualified Residential Treatment Program (QRTP), per HB 1072 (2023).

Purpose.

Actions to implement the Pinnacle Plan goals led OKDHS to develop a continuum of foster care that seeks to reduce the number of placement moves a child may require because the current placement is unable to meet the child's behavioral, mental, and developmental needs. By providing additional services to a child's current placement without requiring a move, a child may experience less trauma, improved placement stability, and timelier permanency through reunification, adoption, or guardianship. Furthermore, the Family First Prevention Services Act (FFPSA) emphasizes placing children in family-based settings by limiting federal funding for placements that aren't family-based. These amendments revise policy to address practice changes that address the Pinnacle Plan goals and FFPSA criteria.

Strategic Plan Impact.

The proposed amendments to Chapter 75 Subchapter 6 achieve OKDHS goals by ensuring policy reflects statutory changes related to reports for children in OKDHS custody who are reported missing from care which benefit children, parents, placement providers, and staff.

The proposed amendments to Chapter 75 Subchapter 7 achieve OKDHS goals by differentiating assessment and update processes for traditional and kinship foster care in an effort to increase the total number of kinship placements and better support such, which benefit children, parents, placement providers, and staff.

Substantive changes.

Subchapter 6. Permanency Planning

Part 8. Child Welfare Specialist Role

Oklahoma Administrative Code (OAC) 340:75-6-48.3 is amended to include additional requirements for reports to law enforcement and the National Center for Missing and Exploited Children for children in OKDHS custody who are reported missing from care, per SB 1638 (2024).

OAC 340:75-6-110 is amended to reflect updated Successful Adulthood program eligibility requirements.

Subchapter 7. Foster Home Care

Part 2. Development of Resource Families

OAC 340:75-7-2 is amended to provide definitions and legal basis which clearly differentiate traditional and kinship foster care.

OAC 340:75-7-10.1 is amended to differentiate the application process for traditional and kinship foster home applicants.

OAC 340:75-7-14 is amended to update training requirements for traditional and kinship foster homes.

OAC 340:75-7-15 is amended to provide updated guidance on background check procedures specific to traditional and kinship foster homes.

OAC 340:75-7-18 is amended to update guidance on procedure for assessment of prospective traditional foster homes.

OAC 340:75-7-19 is amended to update guidance on joint approval of foster homes for both traditional and kinship foster homes.

OAC 340:75-7-24 is amended to update guidance on procedure for assessment of prospective kinship foster homes.

Part 4. Roles and Responsibilities

OAC 340:75-7-38 is amended to specify discipline policies apply to all placement types and not solely to OKDHS custody children placed in foster family care.

Part 5. Eligibility and Payments

OAC 340:75-7-51 is amended to provide legal and policy basis for final approval of traditional and kinship foster homes.

OAC 340:75-7-52 is amended to differentiate policy basis for final approval and receiving of foster care maintenance payments specific to traditional and kinship care, respectively

OAC 340:75-7-65 is amended to update star status requirements for child care centers providing care for OKDHS custody children paid for by OKDHS child care subsidy.

Part 8. Resource Home Continuous Quality Assessment

OAC 340:75-7-94 is amended to update and differentiate guidance on annual updates for traditional and kinship foster homes.

Reasons.

Chapter 75 Subchapter 6: The proposed amendments reflect state statutory changes.

Chapter 75 Subchapter 7: The proposed amendments align with current federal regulations on creating a separate, but no less comprehensive, framework for licensure and approval of relative and kinship foster families.

Repercussions.

Chapter 75 Subchapter 6: The proposed amendments reflect statutory changes regarding reporting requirements that improve outcomes for children who are missing from care.

Chapter 75 Subchapter 7: The proposed amendments reflect updated federal regulations and guidance with regard to process and support for traditional and kinship foster homes.

Legal authority.

Director of Human Services; Section 162 of Title 56 of the Oklahoma Statutes (56 O.S. § 162);

Chapter 75 Subchapter 6: 10A O.S §§ 1-1-102, 1-4-703, 1-4-704, 1-4-805, 1-4-806, and Title IV-E of the Social Security Act, as amended by the Family First Prevention Services Act, Public Law (P.L.) 117-348.

Chapter 75 Subchapter 7: 10A O.S §§ 1-7-101, 1-7-109, 1-9-106, 1-9-116, 1-9-119, and Title 45 of the Code of Federal Regulations (C.F.R.), Part 1355 and Part 1356.

Permanent rulemaking approval is requested.

B. A description of the classes of persons who most likely will be affected by the proposed rule, including classes that will bear the costs of the proposed rule, and any information on cost impacts received by the Agency from any private or public entities:

Chapter 75 Subchapter 6: The classes of persons most likely to be affected by the proposed amendments are CWS staff, children in OKDHS custody, and families. The affected classes bear no costs associated with the implementation of the rule.

Chapter 75 Subchapter 7: The classes of persons most likely to be affected by the proposed amendments are CWS staff, resource applicants, children in OKDHS custody, and placement providers. The affected classes bear no costs associated with the implementation of the rule.

C. A description of the classes of persons who will benefit from the proposed rule:

Chapter 75 Subchapter 6: The classes of persons who will benefit are CWS staff, children in OKDHS custody, placement providers, and families involved in permanency cases.

Chapter 75 Subchapter 7: The classes of persons who will benefit are CWS staff, resource applicants, placement providers, and children in OKDHS custody.

D. A description of the probable economic impact of the proposed rule upon the affected classes of persons or political subdivisions, including a listing of all fee changes and, whenever possible, a separate justification for each fee change:

The proposed amendments do not have an economic impact on the affected entities.

E. The probable costs and benefits to the Agency and to any other agency of the implementation and enforcement of the proposed rule, the source of revenue to

be used for implementation and enforcement of the proposed rule and any anticipated effect on state revenues, including a projected net loss or gain in such revenues if it can be projected by the Agency: OKDHS includes the cost of printing and distributing the rules, which is estimated to be less than \$20. The proposed amendments will result in enhanced delivery of services to positively impact placement providers, families, and OKDHS staff.

- F. A determination whether implementation of the proposed rule will have an impact on any political subdivisions or require their cooperation in implementing or enforcing the rule:** The proposed amendments do not have an economic impact on any political subdivision, nor will the cooperation of any political subdivisions be required in implementation or enforcement of the rules.
- G. A determination whether implementation of the proposed rule will have an adverse economic effect on small business as provided by the Oklahoma Small Business Regulatory Flexibility Act:** No adverse effects on small business as provided by the Oklahoma Small Business Regulatory Flexibility Act are anticipated.
- H. An explanation of the measures the Agency has taken to minimize compliance costs and a determination whether there are less costly or nonregulatory methods or less intrusive methods for achieving the purpose of the proposed rule:** Less costly, non-regulatory, or less intrusive methods are not available for achieving the purpose of the proposed amendments.
- I. A determination of the effect of the proposed rule on the public health, safety, and environment and, if the proposed rule is designed to reduce significant risks to the public health, safety, and environment, an explanation of the nature of the risk and to what extent the proposed rule will reduce the risk:** Implementation of the proposed amendments clarify and update rules that facilitate quicker, more efficient service delivery to children and families and may reduce risks to children's health, safety, and environment.
- J. A determination of any detrimental effect on the public health, safety, and environment if the proposed rule is not implemented:** If the proposed amendments are not implemented, processes may not be followed as intended, thus delaying services to persons in need and placing children at risk.
- K. The date the rule impact statement was prepared and, if modified, the date modified:** Prepared May 22, 2024; modified



Rule Impact Statement

To: Programs administrator
Legal Services

From: Tricia Howell, Director

Date: June 26, 2024

Re: CHAPTER 75. CHILD WELFARE SERVICES

Subchapter 6. Permanency Planning
Part 8. Child Welfare Specialist Role
340:75-6-48.3 [AMENDED]
Subchapter 7. Foster Home Care
Part 1. General Provisions
340:75-7-2 [AMENDED]
Part 2. Development of Resource Families
340:75-7-10.1 [AMENDED]
340:75-7-14 [AMENDED]
340:75-7-15 [AMENDED]
340:75-7-18 [AMENDED]
340:75-7-19 [AMENDED]
340:75-7-24 [AMENDED]
Part 5. Eligibility and Payments
340:75-7-51 [AMENDED]
340:75-7-52 [AMENDED]
Part 8. Resource Home Continuous Quality Assessment
340:75-7-94 [AMENDED]
(Reference WF 24-03)

Contact: Mark Carson, Policy & Forms Programs Administrator, 918-607-0308

A. Brief description of the purpose of the proposed rule:

The proposed amendment to Chapter 75 Subchapter 6 adds requirements for Child Welfare (CW) specialists when reporting children who are in the custody of Oklahoma Human Services (OKDHS) missing from care, per SB 1638 (2024).

The proposed amendments to Chapter 75 Subchapter 7 include: (1) adding definitions and legal basis to differentiate between traditional and kinship foster care; (2) clearly differentiating application processes for traditional and kinship foster care; (3) clearly differentiating training requirements for traditional and kinship foster care applicants; (4) providing updated guidance for background check procedures with traditional and kinship foster care applicants; (5) updating guidance for the assessment of resource families specific to traditional foster care; (6) updating process for joint approval of

foster home resources specific to traditional and kinship foster homes; (7) updating guidance for the assessment of resource families specific to kinship foster care; (8) providing legal and policy basis for final approval of kinship foster homes; (9) differentiating policy basis for final approval and receiving of foster care maintenance payments specific to traditional and kinship care, respectively; and (10) updating guidance to differentiate process for annual updates specific to traditional and kinship foster homes.

Purpose.

Actions to implement the Pinnacle Plan goals led OKDHS to develop a continuum of foster care that seeks to reduce the number of placement moves a child may require because the current placement is unable to meet the child's behavioral, mental, and developmental needs. By providing additional services to a child's current placement without requiring a move, a child may experience less trauma, improved placement stability, and timelier permanency through reunification, adoption, or guardianship. Furthermore, the Family First Prevention Services Act (FFPSA) emphasizes placing children in family-based settings by limiting federal funding for placements that aren't family-based. These amendments revise policy to address practice changes that address the Pinnacle Plan goals and FFPSA criteria.

Strategic Plan Impact.

The proposed amendments to Chapter 75 Subchapter 6 achieve OKDHS goals by ensuring policy reflects statutory changes related to trial reunification, voluntary service plan participation and QRTP placements which benefit children, parents, placement providers, and staff.

The proposed amendments to Chapter 75 Subchapter 7 achieve OKDHS goals by differentiating assessment and update processes for traditional and kinship foster care in an effort to increase the total number of kinship placements and better support such, which benefit children, parents, placement providers, and staff.

Substantive changes.

Subchapter 6. Permanency Planning

Part 8. Child Welfare Specialist Role

OAC 340:75-6-48.3 is amended to include additional requirements for reports to law enforcement and the National Center for Missing and Exploited Children for children in OKDHS custody who are reported missing from care, per SB 1638 (2024).

Subchapter 7. Foster Home Care

Part 2. Development of Resource Families

OAC 340:75-7-2 is amended to provide definitions and legal basis which clearly differentiate traditional and kinship foster care.

OAC 340:75-7-10.1 is amended to differentiate the application process for traditional and kinship foster home applicants.

OAC 340:75-7-14 is amended to update training requirements for traditional and kinship foster homes.

OAC 340:75-7-15 is amended to provide updated guidance on background check procedures specific to traditional and kinship foster homes.

OAC 340:75-7-18 is amended to update guidance on procedure for assessment of prospective traditional foster homes.

OAC 340:75-7-19 is amended to update guidance on joint approval of foster homes for both traditional and kinship foster homes.

OAC 340:75-7-24 is amended to update guidance on procedure for assessment of prospective kinship foster homes.

Part 5. Eligibility and Payments

OAC 340:75-7-51 is amended to provide legal and policy basis for final approval of traditional and kinship foster homes.

OAC 340:75-7-52 is amended to differentiate policy basis for final approval and receiving of foster care maintenance payments specific to traditional and kinship care, respectively

Part 8. Resource Home Continuous Quality Assessment

OAC 340:75-7-94 is amended to update and differentiate guidance on annual updates for traditional and kinship foster homes.

Reasons.

Chapter 75 Subchapter 6: The proposed amendments reflect state statutory changes.

Chapter 75 Subchapter 7: The proposed amendments align with current federal regulations on creating a separate, but no less comprehensive, framework for licensure and approval of relative and kinship foster families.

Repercussions.

Chapter 75 Subchapter 6: The proposed amendment reflects statutory changes regarding reporting requirements that improve outcomes for children who are missing from care.

Chapter 75 Subchapter 7: The proposed amendments reflect updated federal regulations and guidance with regard to process and support for traditional and kinship foster homes.

Legal authority.

Director of Human Services; Section 162 of Title 56 of the Oklahoma Statutes (56 O.S. § 162);

Chapter 75 Subchapter 6: 10A O.S §§ 1-1-102, 1-4-703, 1-4-704, 1-4-805, 1-4-806, and Title IV-E of the Social Security Act, as amended by the Family First Prevention Services Act, Public Law (P.L.) 117-348.

Chapter 75 Subchapter 7: 10A O.S §§ 1-7-101, 1-7-109, 1-9-106, 1-9-116, 1-9-119, and Title 45 of the Code of Federal Regulations (CFR), Part 1355 and Part 1356.

Emergency rulemaking approval is requested.

As to change in 75-6-48.3: Avoids violation of both Public Law (P.L.) 117-348 and SB 1638 (2024), as well as potential reduction in federal funding.

As to changes in subchapter 7: A recent federal rule change allows state agencies to create a separate—but no less comprehensive—framework for the licensure and approval of relative and kinship foster families. The proposed emergency rules create a kin-specific framework to increase the total number of relative and kinship placements, and to support the safety and stability of such placements through the use of increased federal reimbursement. Immediate enactment of these rules serves the public interest by ensuring that children are placed in safe, stable, and familiar homes, without unnecessary delay.

Emergency rulemaking under 75 O.S. § 253(A)(1) is justified because the proposed emergency rules will protect the public health, safety, and welfare and avoid serious prejudice to the public interest by eliminating barriers which have been rendered obsolete by the new federal rules. Specifically, the new rules will (1) increase the overall number of children placed with relative and kinship foster families and (2) maximize the financial resources available to support such placements.

Currently, 40% of Oklahoma foster children are placed with relatives or kinship foster families. Under the existing rules, these families are ineligible for financial support unless and until they have gone through the exact same process as traditional foster families. This puts relative and kinship families at a distinct disadvantage, as they are almost always going through this process after the placement of a child in their home. The proposed emergency rules create a separate framework for the approval of relative and kinship families, in compliance with the new federal rules. Emergency enactment will immediately remove now-obsolete barriers to safe and stable placements in relative and kinship foster homes.

As to change in 75-6-48.3: Avoids violation of both Public Law (P.L.) 117-348 and SB 1638 (2024), as well as potential reduction in federal funding.

As to changes in subchapter 7: A recent federal rule change allows state agencies to create a separate—but no less comprehensive—framework for the licensure and approval of relative and kinship foster families. The proposed emergency rules create a kin-specific framework to increase the total number of relative and kinship placements, and to support the safety and stability of such placements through the use of increased federal reimbursement. Immediate enactment of these rules serves the public interest by ensuring that children are placed in safe, stable, and familiar homes, without unnecessary delay.

Emergency rulemaking under 75 O.S. § 253(A)(1) is justified because the proposed emergency rules will protect the public health, safety, and welfare and avoid serious prejudice to the public interest by eliminating barriers which have been rendered obsolete by the new federal rules. Specifically, the new rules will (1) increase the overall number of children placed with relative and kinship foster families and (2) maximize the financial resources available to support such placements.

Currently, 40% of Oklahoma foster children are placed with relatives or kinship foster families. Under the existing rules, these families are ineligible for financial support unless and until they have gone through the exact same process as traditional foster families. This puts relative and kinship families at a distinct disadvantage, as they are almost always going through this process after the placement of a child in their home. The proposed emergency rules create a separate framework for the approval of relative and kinship families, in compliance with the new federal rules.

Emergency enactment will immediately remove now-obsolete barriers to safe and stable placements in relative and kinship foster homes.

B. A description of the classes of persons who most likely will be affected by the proposed rule, including classes that will bear the costs of the proposed rule, and any information on cost impacts received by the Agency from any private or public entities:

Chapter 75 Subchapter 6: The classes of persons most likely to be affected by the proposed amendment are CWS staff, children in OKDHS custody, and families. The affected classes bear no costs associated with the implementation of the rule.

Chapter 75 Subchapter 7: The classes of persons most likely to be affected by the proposed amendments are CWS staff, resource applicants, children in OKDHS custody, and placement providers. The affected classes bear no costs associated with the implementation of the rule.

C. A description of the classes of persons who will benefit from the proposed rule:

Chapter 75 Subchapter 6: The classes of persons who will benefit are CWS staff, children in OKDHS custody, placement providers, and families involved in permanency cases.

Chapter 75 Subchapter 7: The classes of persons who will benefit are CWS staff, resource applicants, placement providers, and children in OKDHS custody.

D. A description of the probable economic impact of the proposed rule upon the affected classes of persons or political subdivisions, including a listing of all fee changes and, whenever possible, a separate justification for each fee change:

The proposed amendments do not have an economic impact on the affected entities.

E. The probable costs and benefits to the Agency and to any other agency of the implementation and enforcement of the proposed rule, the source of revenue to be used for implementation and enforcement of the proposed rule and any anticipated effect on state revenues, including a projected net loss or gain in such revenues if it can be projected by the Agency: OKDHS includes the cost of printing and distributing the rules, which is estimated to be less than \$20. The proposed amendments will result in enhanced delivery of services to positively impact placement providers, families, and OKDHS staff.

F. A determination whether implementation of the proposed rule will have an impact on any political subdivisions or require their cooperation in implementing or enforcing the rule: The proposed amendments do not have an economic impact on any political subdivision, nor will the cooperation of any political subdivisions be required in implementation or enforcement of the rules.

G. A determination whether implementation of the proposed rule will have an adverse economic effect on small business as provided by the Oklahoma Small

Business Regulatory Flexibility Act: No adverse effects on small business as provided by the Oklahoma Small Business Regulatory Flexibility Act are anticipated.

- H. An explanation of the measures the Agency has taken to minimize compliance costs and a determination whether there are less costly or nonregulatory methods or less intrusive methods for achieving the purpose of the proposed rule:** Less costly, non-regulatory, or less intrusive methods are not available for achieving the purpose of the proposed amendments.
- I. A determination of the effect of the proposed rule on the public health, safety, and environment and, if the proposed rule is designed to reduce significant risks to the public health, safety, and environment, an explanation of the nature of the risk and to what extent the proposed rule will reduce the risk:** Implementation of the proposed amendments clarifies and updates rules that facilitate quicker, more efficient service delivery to children and families and may reduce risks to children's health, safety, and environment.
- J. A determination of any detrimental effect on the public health, safety, and environment if the proposed rule is not implemented:** If the proposed amendments are not implemented, processes may not be followed as intended, thus delaying services to persons in need and placing children at risk.
- K. The date the rule impact statement was prepared and, if modified, the date modified:** Prepared May 22, 2024; modified



Rule Impact Statement

To: Programs administrator
Legal Services

From: Tricia Howell, Director

Date: August 29, 2023

Re: CHAPTER 75. CHILD WELFARE SERVICES
Subchapter 6. Permanency Planning
Part 7. Family and Child Individualized Service Planning Components
340:75-6-40.5 [AMENDED]
(Reference WF 23-04)

Contact: Mark Carson, Policy & Forms Programs Administrator, 918-607-0308

A. Brief description of the purpose of the proposed rule:

The proposed amendment to Chapter 75 Subchapter 6 establishes requirements for when a child in Oklahoma Human Services (OKDHS) custody is placed in a Qualified Residential Treatment Program (QRTP), per HB 1072 (2023).

Purpose.

Actions to implement the Pinnacle Plan goals led OKDHS to develop a continuum of foster care that seeks to reduce the number of placement moves a child may require because the current placement is unable to meet the child's behavioral, mental, and developmental needs. By providing additional services to a child's current placement without requiring a move, a child may experience less trauma, improved placement stability, and timelier permanency through reunification, adoption, or guardianship. Furthermore, the Family First Prevention Services Act (FFPSA) emphasizes placing children in family-based settings by limiting federal funding for placements that aren't family-based. This amendment revises policy to address practice changes that address the Pinnacle Plan goals and FFPSA criteria.

Strategic Plan Impact.

The proposed amendment to Chapter 75 Subchapter 6 achieves OKDHS goals by ensuring policy reflects statutory changes related to QRTP placements which benefit children, parents, placement providers, and staff.

Substantive changes.

Subchapter 1. General Provisions of Child Welfare Services
Part 7. Family and Child Individualized Service Planning Components

Oklahoma Administrative Code 340:75-6-40.5 is amended to require OKDHS to submit to the court an assessment completed by a qualified individual to support determination to place a child in a qualified residential treatment program, per HB 1072 (2023).

Reasons.

Chapter 75 Subchapter 6: The proposed amendment reflects state statutory changes.

Repercussions.

If proposed revisions are not made, OKDHS would not be in compliance with FFPSA requirements and might not be able to receive FFPSA funding.

Legal authority.

Director of Human Services; Section 162 of Title 56 of the Oklahoma Statutes (56 O.S. § 162);

Chapter 75 Subchapter 6: 10A O.S §§ 1-1-102, 1-4-703, 1-4-704, 1-4-805, 1-4-806, and Title IV-E of the Social Security Act, as amended by the Family First Prevention Services Act, Public Law (P.L.) 115-123.

Emergency rulemaking approval is requested. Emergency rulemaking is necessary in order to avoid violation of federal and state law enacted in the Family First Prevention Services Act, Public Law (P.L.) 115-123 and HB 1072 (2023), respectively.

- B. A description of the classes of persons who most likely will be affected by the proposed rule, including classes that will bear the costs of the proposed rule, and any information on cost impacts received by the Agency from any private or public entities:** Chapter 75 Subchapter 6: The classes of persons most likely to be affected by the proposed amendment are Child Welfare Services (CWS) staff, children in OKDHS custody, and families. The affected classes bear no costs associated with the implementation of the rule.
- C. A description of the classes of persons who will benefit from the proposed rule:** Chapter 75 Subchapter 6: The classes of persons who will benefit are CWS staff, children in OKDHS custody, and families involved in permanency cases.
- D. A description of the probable economic impact of the proposed rule upon the affected classes of persons or political subdivisions, including a listing of all fee changes and, whenever possible, a separate justification for each fee change:** The proposed amendment does not have an economic impact on the affected entities.
- E. The probable costs and benefits to the Agency and to any other agency of the implementation and enforcement of the proposed rule, the source of revenue to be used for implementation and enforcement of the proposed rule and any**

anticipated effect on state revenues, including a projected net loss or gain in such revenues if it can be projected by the Agency: OKDHS includes the cost of printing and distributing the rules, which is estimated to be less than \$20. The proposed amendment will result in enhanced delivery of services to positively impact placement providers, families, and OKDHS staff.

- F. A determination whether implementation of the proposed rule will have an impact on any political subdivisions or require their cooperation in implementing or enforcing the rule:** The proposed amendment does not have an economic impact on any political subdivision, nor will the cooperation of any political subdivisions be required in implementation or enforcement of the rules.
- G. A determination whether implementation of the proposed rule will have an adverse economic effect on small business as provided by the Oklahoma Small Business Regulatory Flexibility Act:** No adverse effects on small business as provided by the Oklahoma Small Business Regulatory Flexibility Act are anticipated.
- H. An explanation of the measures the Agency has taken to minimize compliance costs and a determination whether there are less costly or nonregulatory methods or less intrusive methods for achieving the purpose of the proposed rule:** Less costly, non-regulatory, or less intrusive methods are not available for achieving the purpose of the proposed amendment.
- I. A determination of the effect of the proposed rule on the public health, safety, and environment and, if the proposed rule is designed to reduce significant risks to the public health, safety, and environment, an explanation of the nature of the risk and to what extent the proposed rule will reduce the risk:** The proposed amendment clarifies and updates rules that facilitate quicker, more efficient service delivery to children and families and may reduce risks to children's health, safety, and environment.
- J. A determination of any detrimental effect on the public health, safety, and environment if the proposed rule is not implemented:** If the proposed amendment is not implemented, processes may not be followed as intended, thus delaying services to persons in need and placing children at risk.
- K. The date the rule impact statement was prepared and, if modified, the date modified:** Prepared August 29, 2023; modified

SUBCHAPTER 7. FOSTER HOME CARE**PART 1. GENERAL PROVISIONS**

Section

- 340:75-7-1. Foster resource family care services **[REVOKED]**
340:75-7-2. Purpose, legal basis, and definitions related to foster care
340:75-7-3. Voluntary foster family care for children under age 18 **[REVOKED]**
340:75-7-4. Reunification program responsibilities and philosophy **[REVOKED]**
340:75-7-5. Preparation for adult life/independent living initiative **[REVOKED]**
340:75-7-6. Voluntary foster care after age 18 **[REVOKED]**
340:75-7-7. Long-term foster care **[REVOKED]**
340:75-7-8. Number and ages of children allowed placed in a regular or kinship foster resource home **[REVOKED]**

PART 2. DEVELOPMENT OF RESOURCE FAMILIES

- 340:75-7-10. Resource family recruitment and retention
340:75-7-10.1 Resource parent framework
340:75-7-11. Legal basis and authority **[REVOKED]**
340:75-7-12. Prospective Bridge resource application and screening process and requirements **[REVOKED]**
340:75-7-12.1. Inquiries of Department of Human Service (DHS) employees **[REVOKED]**
340:75-7-13. Mutual family assessment **[REVOKED]**
340:75-7-13.1. Definitions **[REVOKED]**
340:75-7-14. Training requirements
340:75-7-15. Background information search and assessment of results
340:75-7-15.1. Prospective kinship foster resource criminal background records search after normal business hours and holidays **[REVOKED]**
340:75-7-16. Automated fingerprinting authorizations **[REVOKED]**
340:75-7-17. Assessment of background investigation results **[REVOKED]**
340:75-7-18. Resource family assessment (RFA)
340:75-7-18.1. Specialized community home
340:75-7-19. Joint approval of resource homes
340:75-7-20. Contract foster resource home assessments **[REVOKED]**
340:75-7-21. Denial or withdrawal of the foster home application **[REVOKED]**
340:75-7-22. Disposition of foster resource home assessments **[REVOKED]**
340:75-7-23. Regular Child Welfare (CW) foster resource home contracts including Interstate Compact on the Placement of Children (ICPC) **[REVOKED]**
340:75-7-24. Kinship placement for the child in Oklahoma Department of Human Services (OKDHS) custody

PART 3. REUNIFICATION SERVICES [REVOKED]

- 340:75-7-25. Background **[REVOKED]**
- 340:75-7-26. Values **[REVOKED]**
- 340:75-7-27. Goals **[REVOKED]**
- 340:75-7-28. Parental involvement **[REVOKED]**
- 340:75-7-29. Visitation between the child in foster home care and family **[REVOKED]**
- 340:75-7-30. Mail and telephone contact **[REVOKED]**
- 340:75-7-31. Case management services **[REVOKED]**
- 340:75-7-32. Criteria for return of child to own home **[REVOKED]**
- 340:75-7-33. Issues to consider when family reunification does not seem appropriate **[REVOKED]**

PART 4. ROLES AND RESPONSIBILITIES

- 340:75-7-35. Goals **[REVOKED]**
- 340:75-7-36. Foster parents' rights **[REVOKED]**
- 340:75-7-37. Resource parent responsibilities
- 340:75-7-37.1. Oklahoma Department of Human Services (DHS) resource specialist responsibilities
- 340:75-7-38. Discipline for the child in Oklahoma Department of Human Services (OKDHS) custody
- 340:75-7-39. Religious and cultural observation **[REVOKED]**
- 340:75-7-40. Education **[REVOKED]**
- 340:75-7-41. Placement considerations and requirements for the child in Oklahoma Department of Human Services (DHS) custody
- 340:75-7-41.1. Types of reimbursement for kinship caregivers **[REVOKED]**
- 340:75-7-42. Exceptions to foster family care policy **[REVOKED]**
- 340:75-7-43. Change of placement and notice to placement providers **[REVOKED]**
- 340:75-7-44. Voluntary foster family care for children under age 18 **[REVOKED]**
- 340:75-7-45. Voluntary foster care after age 18 **[REVOKED]**
- 340:75-7-46. Services to the child in foster family care provided by Child Welfare (CW) worker and the foster parent **[REVOKED]**
- 340:75-7-47. Child Welfare (CW) worker contacts with foster parents **[REVOKED]**
- 340:75-7-48. Professional team of the foster resource specialist, Child Welfare (CW) specialist, and foster parents **[REVOKED]**

PART 5. ELIGIBILITY AND PAYMENTS

- 340:75-7-50. Eligibility **[REVOKED]**
- 340:75-7-51. Foster care claims
- 340:75-7-52. Foster care contracts and maintenance payments
- 340:75-7-52.1. Social Security benefits
- 340:75-7-53. Difficulty of care (DOC) payments for the eligible child
- 340:75-7-54. Difficulty of Care rate descriptions **[REVOKED]**
- 340:75-7-55. Difficulty of care approval process **[REVOKED]**
- 340:75-7-56. Difficulty of care reviews **[REVOKED]**
- 340:75-7-57. Difficulty of care cancellations **[REVOKED]**
- 340:75-7-58. Foster resource home overpayments **[REVOKED]**
- 340:75-7-59. Foster resource home underpayments **[REVOKED]**
- 340:75-7-60. Late or lost foster home payments **[REVOKED]**
- 340:75-7-61. Child out of foster home for hospitalization **[REVOKED]**

PART 6. RESOURCE HOME SUPPORT SERVICES

- 340:75-7-62. Foster care grievance procedure **[REVOKED]**
- 340:75-7-63. Foster Parent Hotline **[REVOKED]**
- 340:75-7-64. Day care services for children in foster or kinship care **[REVOKED]**
- 340:75-7-65. Child care child care and support services for the resource home
- 340:75-7-66. Alternate care **[REVOKED]**
- 340:75-7-67. Travel outside the state **[REVOKED]**
- 340:75-7-68. Transportation responsibilities **[REVOKED]**
- 340:75-7-69. In-service training programs for resource families **[REVOKED]**
- 340:75-7-70. Foster care associations **[REVOKED]**

PART 7. FOSTER FAMILY CARE PLACEMENTS, ROLES, RESPONSIBILITIES AND SERVICES [REVOKED]

- 340:75-7-75. Goals **[REVOKED]**
- 340:75-7-75.1. The Multiethnic Placement Act of 1994 **[REVOKED]**
- 340:75-7-76. Placement procedures for children in foster home care **[REVOKED]**
- 340:75-7-76.1. Change of placement and notice to foster parents **[REVOKED]**
- 340:75-7-77. Grievance procedure for children in out of home care **[REVOKED]**
- 340:75-7-77.1. Dispute resolution or grievance procedures for foster parents **[REVOKED]**
- 340:75-7-77.2. Foster Parent Hotline **[REVOKED]**
- 340:75-7-78. Social worker contacts with foster parents **[REVOKED]**
- 340:75-7-79. Responsibilities and services to the child in foster home care **[REVOKED]**

- 340:75-7-79.1. Foster parents' rights **[REVOKED]**
- 340:75-7-80. Responsibilities of the foster parents **[REVOKED]**
- 340:75-7-80.1. Discipline for children in foster family care **[REVOKED]**
- 340:75-7-81. Religious and cultural observation **[REVOKED]**
- 340:75-7-82. Education **[REVOKED]**
- 340:75-7-83. Services to the child in foster family care **[REVOKED]**
- 340:75-7-83.1. Long term foster care as a plan for temporary or permanent custody children **[REVOKED]**
- 340:75-7-84. Services and training to assist foster families **[REVOKED]**
- 340:75-7-85. Day care services for children in foster or kinship care **[REVOKED]**
- 340:75-7-85.1. Payment for day care services in licensed day care center or licensed day care home **[REVOKED]**
- 340:75-7-85.2. In-home day care **[REVOKED]**

PART 8. RESOURCE HOME CONTINUOUS QUALITY ASSESSMENT

- 340:75-7-86. Resource family assessment **[REVOKED]**
- 340:75-7-87. Investigative protocol for abuse or neglect of a child in foster resource family care **[REVOKED]**
- 340:75-7-88. Appeals process for foster home investigation findings **[REVOKED]**
- 340:75-7-89. Time frames for decision making regarding continued use or closure of the foster home **[REVOKED]**
- 340:75-7-90. Evaluation of foster home rule violations or concerns **[REVOKED]**
- 340:75-7-91. Written plan of compliance (WPC)**[REVOKED]**
- 340:75-7-92. Closure of a resource home **[REVOKED]**
- 340:75-7-93. Re-application to provide foster care**[REVOKED]**
- 340:75-7-94. Resource home annual updates, non-compliance or rule violations, investigations, closures, and fair hearings

PART 9. SERVICES TO FOSTER PARENTS [REVOKED]

- 340:75-7-100. Role of the CW worker with foster parents **[REVOKED]**
- 340:75-7-101. Short term care **[REVOKED]**
- 340:75-7-102. Travel outside the county/state **[REVOKED]**
- 340:75-7-102.1. Transportation responsibilities **[REVOKED]**
- 340:75-7-103. Foster Pride - Adopt Pride preservice training **[REVOKED]**
- 340:75-7-104. Inservice training programs for foster parents **[REVOKED]**
- 340:75-7-105. Scheduling of training sessions **[REVOKED]**
- 340:75-7-105.1. Roles and responsibilities in regard to training **[REVOKED]**
- 340:75-7-106. Selection of trainers **[REVOKED]**

PART 10. KINSHIP CARE [REVOKED]

- 340:75-7-107. Definition of kinship care **[REVOKED]**
- 340:75-7-108. Purpose of kinship care **[REVOKED]**
- 340:75-7-109. Identification of potential providers and types of kinship care **[REVOKED]**
- 340:75-7-110. Initial kin placement **[REVOKED]**
- 340:75-7-111. Kinship placement process and certification requirements **[REVOKED]**
- 340:75-7-112. Kinship home assessment process **[REVOKED]**
- 340:75-7-113. Kinship foster care contract or non-paid kinship agreement **[REVOKED]**
- 340:75-7-114. Role of the Child Welfare (CW) worker in kinship care settings **[REVOKED]**
- 340:75-7-115. Services provided by kinship providers **[REVOKED]**

PART 11. APPLICATION AND ELIGIBILITY TO PROVIDE FOSTER HOME CARE [REVOKED]

- 340:75-7-119. Legal base and authority **[REVOKED]**
- 340:75-7-120. Inquiry and initial screening of foster family home **[REVOKED]**
- 340:75-7-121. Mutual family assessment **[REVOKED]**
- 340:75-7-122. Background investigation **[REVOKED]**
- 340:75-7-123. Mutual assessment process **[REVOKED]**
- 340:75-7-123.1. Dual approval of foster homes **[REVOKED]**
- 340:75-7-123.2. Contract foster home assessments **[REVOKED]**
- 340:75-7-124. Denial or withdrawal of the foster home application **[REVOKED]**
- 340:75-7-125. Disposition of foster home applications **[REVOKED]**
- 340:75-7-126. Exceptions to foster home care policy **[REVOKED]**
- 340:75-7-127. Foster home contract **[REVOKED]**
- 340:75-7-127.1. Foster parent associations **[REVOKED]**
- 340:75-7-128. Identification of Indian foster homes **[REVOKED]**

PART 13. ANNUAL ASSESSMENT OF A FOSTER HOME [REVOKED]

- 340:75-7-145. Applicability **[REVOKED]**
- 340:75-7-146. Investigation protocol for abuse or neglect of a child in foster family care **[REVOKED]**
- 340:75-7-146.1. Time frames for decision making regarding continued use or closure of the foster home **[REVOKED]**
- 340:75-7-147. Evaluation of foster home rule violations or concerns **[REVOKED]**
- 340:75-7-148. Written plan of compliance **[REVOKED]**
- 340:75-7-149. Closure of a foster home **[REVOKED]**

340:75-7-150. Re-application to provide foster care **[REVOKED]**

PART 15. TRIBAL FOSTER CARE [REVOKED]

340:75-7-165. Placement of an Indian child **[REVOKED]**

340:75-7-166. Tribal foster care arrangements **[REVOKED]**

340:75-7-167. Tribal foster care for DHS custody children **[REVOKED]**

340:75-7-168. Allegations of abuse or neglect of DHS custody children in tribal foster care **[REVOKED]**

340:75-7-169. Tribal foster care for tribal custody children **[REVOKED]**

340:75-7-170. Tribal or facility contracts for residential child care **[REVOKED]**

**PART 17. PERMANENCY PLANNING FOR CHILDREN IN DHS CUSTODY
[REVOKED]**

340:75-7-185. Process **[REVOKED]**

340:75-7-186. Termination of parental rights **[REVOKED]**

340:75-7-187. Planning for permanent custody children **[REVOKED]**

340:75-7-188. Permanent custody Indian children **[REVOKED]**

340:75-7-189. Long term care as a plan for temporary or permanent custody children **[REVOKED]**

340:75-7-190. Fast-adopt in permanency planning for all custody children **[REVOKED]**

**PART 19. SPECIALIZED FOSTER CARE (SFC)/DDSD THROUGH
DEVELOPMENTAL DISABILITIES SERVICES DIVISION (DDSD) [REVOKED]**

340:75-7-205. Community base waiver program **[REVOKED]**

340:75-7-206. Roles and responsibilities in specialized foster care through Developmental Disabilities Services Division **[REVOKED]**

340:75-7-207. Specialized foster care through Developmental Disabilities Services Division referral, study and training process **[REVOKED]**

340:75-7-208. Specialized foster care through Developmental Disabilities Services Division claims procedure **[REVOKED]**

340:75-7-209. Referral to DDSD for services beyond age eighteen **[REVOKED]**

PART 20. KINSHIP CARE [REVOKED]

340:75-7-210. Definition of Kinship Care **[REVOKED]**

340:75-7-211. Purpose of Kinship Care **[REVOKED]**

340:75-7-212. Identification of potential caregivers and types of Kinship Care **[REVOKED]**

- 340:75-7-213. Initial kin foster care placement **[REVOKED]**
- 340:75-7-214. Initial kinship placement process **[REVOKED]**
- 340:75-7-215. Kinship placement assessment process **[REVOKED]**
- 340:75-7-216. Kinship foster home assessment process **[REVOKED]**
- 340:75-7-217. Kinship foster care contract and reimbursement **[REVOKED]**
- 340:75-7-218. Role of the Child Welfare worker in Kinship Care settings **[REVOKED]**
- 340:75-7-219. Services provided by kinship caregivers **[REVOKED]**

PART 21. EMERGENCY AND SPECIALIZED FOSTER CARE PROGRAMS [REVOKED]

- 340:75-7-225. Emergency foster care (EFC) program **[REVOKED]**
- 340:75-7-226. EFC assessments **[REVOKED]**
- 340:75-7-227. Emergency foster care contracts **[REVOKED]**
- 340:75-7-228. EFC payment **[REVOKED]**
- 340:75-7-229. EFC leave **[REVOKED]**
- 340:75-7-230. EFC training **[REVOKED]**
- 340:75-7-231. Specialized foster care (SFC) program **[REVOKED]**

PART 23. GUIDELINES FOR WORKING WITH EFC CONTRACTORS [REVOKED]

- 340:75-7-245. Requirements **[REVOKED]**
- 340:75-7-246. Contractor's family needs **[REVOKED]**

PART 25. EMERGENCY FOSTER CARE PROGRAM [REVOKED]

- 340:75-7-260. Mission statement **[REVOKED]**
- 340:75-7-261. Population to be served **[REVOKED]**
- 340:75-7-262. Emergency foster care **[REVOKED]**
- 340:75-7-263. Movement of children from emergency foster care **[REVOKED]**
- 340:75-7-263.1. Admission into regular contract foster care **[REVOKED]**
- 340:75-7-264. Roles and responsibilities in emergency foster care program **[REVOKED]**
- 340:75-7-265. Service delivery in emergency foster care programs **[REVOKED]**
- 340:75-7-266. Substitute care **[REVOKED]**
- 340:75-7-267. Reimbursement to emergency foster care program providers **[REVOKED]**
- 340:75-7-268. Discharge from emergency foster care (EFC) **[REVOKED]**
- 340:75-7-268.1. Discharge from contract regular foster care **[REVOKED]**
- 340:75-7-269. Standards for emergency foster care (EFC) program homes **[REVOKED]**

- 340:75-7-270. Training for contract foster care program providers and contract staff
[REVOKED]
- 340:75-7-271. Additional contract requirements **[REVOKED]**

**PART 27. OKLAHOMA DEPARTMENT OF HUMAN SERVICES (DHS) RESOURCE
FAMILY PARTNER (RFP) FOSTER CARE PROGRAM**

- 340:75-7-280. Resource Family Partner (RFP) foster care

**PART 28. FOSTER PARENT HELPLINE, MEDIATION, AND REPORTS ABOUT
OKLAHOMA HUMAN SERVICES (OKDHS) OR CHILD-PLACING AGENCY
EMPLOYEES**

- 340:75-7-290. Foster Care and Adoption Support Center
- 340:75-7-291. Foster care mediation
- 340:75-7-292. Foster parent complaints about DHS or child placing employees
made to the Office of Juvenile System Oversight

PART 30. ENHANCED FOSTER CARE

- 340:75-7-301 Enhanced foster care (EFC) general
- 340:75-7-303 Enhanced foster care (EFC) initial consultation, Service and Support
Plan (SSP) and ongoing treatment

SUBCHAPTER 6. PERMANENCY PLANNING

PART 7. FAMILY AND CHILD INDIVIDUALIZED SERVICE PLANNING COMPONENTS

340:75-6-40.5. Court reports ■ 3 through 5, & 7 through 10

Revised ~~7-1-13~~ 9-16-24

(a) **Review by the court.** Per Section 1-4-807 of Title 10A of the Oklahoma Statutes (10A O.S. § 1-4-807), each case regarding a child alleged or adjudicated deprived is reviewed by the court:

(1) at a hearing no later than six months from the date of the child's removal from the home, and at least once every six months thereafter, until permanency is achieved or the court otherwise terminates jurisdiction;

(2) when Oklahoma Department of Human Services (OKDHS) documents a compelling reason why a petition to terminate parental rights to a child is not in the best interests of the child, ~~based upon consideration that~~ because the child is presently not capable of functioning in a family setting. The court reevaluates the status of the child every 90-calendar days until there is a final determination the child cannot be placed in a family setting;

(3) per 10A O.S. § 1-4-811, to determine the child's appropriate permanency goal and to order completion of all steps necessary to finalize the permanent plan. A permanency hearing may be held concurrently with a dispositional or review hearing. The permanency hearing is held no later than six months after placing the child in out-of-home placement and every six months thereafter. A child is considered to have entered out-of-home placement on the earlier of the:

(A) adjudication date; or

(B) date that is 60-calendar days after the date the child is removed from the home; and

(4) ~~thirty~~ 30-calendar days after a ~~determination by~~ the court determines that reasonable efforts to return a child to either parent are not required.

(b) **Purpose of review or permanency hearing reports.** Court reports are a component of the case plan. Progress review reports provided to the court, are based in part on information OKDHS obtains from talking with the family and other key case participants, observing the family, and reviewing progress reports from service providers. The information gathered is reported to the court:

(1) ~~for evaluation of~~ to evaluate the individualized service plan's (ISP) efficacy of the ~~individualized service plan~~; and

(2) as a means for recommending changes needed as family service and intervention needs change as families make progress or face setbacks. ■ 1 & 2

(c) **Review hearing report requirements.** OKDHS prepares a written report concerning each child who is the subject of the review ~~per 10A O.S. § 1-4-808~~ for each review hearing, per 10A O.S. § 1-4-808. The report includes, but is not limited to:

(1) a summary of the:

(A) child's physical, mental, and emotional condition, ~~the~~

(B) conditions existing in the out-of-home placement where the child was placed; and ~~the~~

- (C) child's adjustment thereto; and
- (2) a report on the:
 - (A) child's progress in school and; i
 - (B) if the child has been placed outside the child's home, ~~the visitation exercised~~ by the child's parent or other persons ~~authorized by the court~~ authorizes; and
- (3) services provided to the child 16 years of age or older to assist in the transition from out-of-home care or other community placement to independent living;
- (4) a description of:
 - (A) each parent's progress toward correcting the conditions that caused the child to be adjudicated deprived;
 - (B) changes that still need to occur, i and the specific actions ~~each parent must take~~ required to make the changes; and
 - (C) services and assistance that were offered ~~to~~ or provided to each parent since the previous hearing, i and the services that are needed in the future; and
- (5) a description of the:
 - (A) child's placements by number and type with dates of entry and exit; i
 - (B) reasons for the placement or change in placement; i and
 - (C) ~~a statement about~~ the success or lack of success of each placement; and
- (6) OKDHS efforts to:
 - (A) locate the parent; i and
 - (B) involve the parent in the planning for the child when the parent is not currently communicating with OKDHS; and
- (7) compliance by each parent and OKDHS, as applicable, with the court's orders concerning the ~~individualized service plans~~ ISP, previous court orders, and OKDHS recommendations;
- (8) whether the current placement is appropriate for the child, ~~its distance from the child's home,~~ and whether, given the distance from the child's home, it the placement is the least restrictive, most family-like placement available;
- (9) a proposed timetable for the child's return to the home or other permanent placement;
- (10) specific recommendations providing reasons whether:
 - (A) trial reunification should be approved by the court;
 - (B) trial reunification should be continued to a date certain as specified by the court;
 - (C) the child should remain in, i or ~~be~~ placed outside of, i the child's parent or legal guardian's home; or
 - (D) the child should remain in the current placement when the permanency plan is other than reunification with the child's parent or legal guardian; and
- (11) a plan for ensuring the child's educational stability while the child is in out-of-home placement, including:
 - (A) assurances the child's placement considers the appropriateness of the current educational setting and the proximity to the school in which the child was enrolled at the time of placement; and
 - (B) where appropriate, ~~an assurance that~~ assurances OKDHS has coordinated with appropriate local educational agencies to ensure the child remains in the school in which the child was enrolled at the time of placement; or

(C) if remaining in the school in which the child was enrolled at the time of placement is not in the best interests of the child, assurances by OKDHS and the local educational agencies to provide immediate and appropriate enrollment in a new school with all of the child's educational records provided to the school; and

(12) Pursuant to per 10A O.S. § 1-4-807, all service provider progress and critical incident reports are submitted to the court and delivered to:

(A) the district attorney;

(B) the attorney or attorneys representing the parents;

(C) the child's attorney; and

(D) when applicable, the guardian ad litem and relevant tribe or tribes; and

(13) for any child placed in a Qualified Residential Treatment Program (QRTP), per 10A O.S. § 1-4-703, an assessment completed by a qualified individual to support the determination that placement in a QRTP is in the best interests of the child. ■ 5

(d) **Social records.** ~~Social records are defined by~~ "**Social records**" means, per 10A O.S. § 1-6-101 to mean, "family social histories, medical reports, psychological and psychiatric evaluations or assessments, educational records, or home studies, even if attached to court reports prepared by the Department. 'Social record' shall not include service provider progress reports or critical incident reports as required pursuant to 10A O.S. § 1-4-807."

(1) Social records are submitted to the court, but are not filed in the court file unless ordered by the court.

(2) When filed in the court file, the social records are placed in confidential envelopes in the court file by the court clerk and may only be accessed by the person who is the subject of the records, or the attorney for such person, except as provided by 10A O.S. § 1-6-103. ■ 6

INSTRUCTIONS TO STAFF 340:75-6-40.5

Revised 9-16-21 9-16-24

1. Hearing notice. A foster parent, group home, pre-adoptive parent, or relative providing care for a child in Oklahoma Human Services (OKDHS) custody has a right to receive a hearing notice of all court proceedings for the child. The child welfare (CW) specialist or the pre-adoptive parent's adoption specialist:

(1) provides KIDS-generated Form 04MP030E, Hearing Notification, to the current foster parent, group home representative, pre-adoptive parent, or relative no later than 15-calendar days after the hearing is set;

(2) when the child moves after the notification was provided, prints Form 04MP030E from the Reports icon and provides it to the current foster parent, group home representative, pre-adoptive parent, or relative no later than 10-business days prior to the hearing;

(3) when the hearing date changes, updates the Court Hearing Detail screen and provides Form 04MP030E to the current foster parent, group home representative, pre-adoptive parent, or relative no later than 10-business days prior to the hearing; and

(4) documents in KIDS Contacts screen when, and how Form 04MP030E was delivered.

2. Hearing report forms.

(1) Hearing The CW specialist prepares and submits hearing report forms ~~are prepared and submitted~~, per Oklahoma Supreme Court order SCAD-2013-07, January 27, 2014, through secure email ~~by the CW specialist~~ within at least:

(A) five-judicial days prior to any review hearing;

(B) ~~at least~~ five-judicial days prior to any other hearing; and

(C) ~~at least~~ three-judicial days prior to any permanency hearing, per Section 1-4-810(B)(1) of Title 10A of the Oklahoma Statutes (10A O.S. § 1-4-810(B)(1)).

(2) All written reports are sent to the court and all necessary parties including the:

(A) district attorney (DA);

(B) attorney or attorneys representing the parents or group home;

(C) child's attorney;

(D) parent;

(E) guardian ad litem, when applicable; and

(F) tribe or tribes, when applicable.

(3) When the CW specialist is informed that the emailed reports were not received, the CW specialist is to ensure the reports are received through an alternate secure email address or delivers the reports by hand.

(4) A copy of the hearing report form is provided to and discussed with the child's parent.

(5) Reports, correspondence, and information provided by other professionals working with the family, including the foster parent, are incorporated into the applicable report to the court.

(6) All service provider progress reports and critical incident reports are submitted to the court, DA, attorney or attorneys representing the parents, child's attorney, and, when applicable, guardian ad litem and the relevant tribe or tribes.

(7) Refer to Oklahoma Administrative Code (OAC) 340:75-6-40.5(c) for information statutorily required in review reports.

(A) Form 04KI011E, Pre-adjudication Court Report, is submitted for any court hearing prior to the child's adjudication.

(B) Form 04KI013E, Individualized Service Plan (ISP) Dispositional Report, is submitted for the initial disposition hearing.

(C) Form 04KI014E, Individualized Service Plan (ISP) Progress Report, is submitted for review and permanency hearings.

(D) A letter or template ~~developed by the CW specialist~~ develops and saves ~~saves~~ in the KIDS document management system (DMS), may be submitted to the court when:

(i) review or permanency hearings are held according to statutory requirements and a hearing is set to address a specific issue; or

(ii) a report is required for a mental health hearing.

3. Permanency hearing reports. Per 10A O.S. § 1-4-811, at the permanency hearing, the court determines or reviews the continued appropriateness of the

child's permanency plan and if a change is necessary. The permanency report includes, but is not limited to:

- (1) the date the child's permanency goal is scheduled to be achieved;
- (2) if the child's current placement continues to be the most suitable for his or her health, safety, and welfare;
- (3) evidence ~~submitted~~ by the CW specialist submits for any child remaining placed in a qualified residential treatment program (QRTP) beyond 60-calendar days from the placement's start that:
 - (A) demonstrates ongoing assessment of the child's strengths and needs continues to support the determination that:
 - (i) the child's needs cannot be met through placement in a resource family home;
 - (ii) placement in a QRTP provides the most effective and appropriate level of care for the child in the least restrictive environment; and
 - (iii) QRTP is consistent with short- and long-term goals for the child as specified in the child's permanency plan; and
 - (B) documents the child's specific treatment or service needs for QRTP to meet and the length of time needed for the treatment or services; and
 - (C) details the efforts made to prepare the child for returning home or placement with a resource family, kin caregiver, guardian, or adoptive parent.; or
- (4) the successful adulthood plan when the child is 14 years of age and older;
- (5) a recommendation for:
 - (A) reunification with the parent or child's legal guardian when:
 - (i) reunification is expected to occur within an established time period;
 - (ii) reunification is consistent with the child's developmental needs; and
 - (iii) the child's health, safety, and welfare can be adequately safeguarded when he or she is returned home; or
 - (B) placement for adoption after termination of parental rights or after a petition is filed to terminate parental rights;
 - (C) placement with a person who will become the child's permanent guardian and who can adequately and appropriately safeguard the child's health, safety, and welfare; or
 - (D) a planned permanent living arrangement while the child continues in OKDHS custody, provided there are compelling reasons documented by OKDHS and presented to the court that none of the plans in (A) though (C) of this paragraph are appropriate for the child's health, safety, and welfare.; or
- (6) if OKDHS made reasonable efforts to finalize the child's permanency plan and a summary of those efforts;
- (7) in the case of an Indian child, if OKDHS made active efforts ~~were made by OKDHS~~ to provide remedial services and rehabilitative programs as required by Section 1912(d) of Title 25 of the United States Code;

(8) if the child's out-of-home placement continues to be appropriate and in the child's best interests, when the child's permanency plan is to remain in out-of-home care; or

(9) if reasonable efforts, in accordance with the child's health, safety, or welfare, were made to:

(A) place siblings, who were removed, together in the same foster care, guardianship, or adoptive placement. Guidance on when siblings may be separated is found in OAC 340:75-6-85; and

(B) provide for frequent family time or other ongoing interaction in the case of siblings who were removed and not placed together.

4. OKDHS recommendations. The CW specialist makes a recommendation regarding disposition of the child's case each time Forms 04KI011E, Pre-adjudication Court Report, 04KI013E, Individualized Service Plan (ISP) Dispositional Report, or 04KI014E, Individualized Service Plan (ISP) Progress Report, are completed. This recommendation includes, but is not limited to:

(1) the child's custody arrangement;

(2) the child's residency status; and

(3) requests for court action or approval.

(A) The recommendation regarding case disposition is:

(i) made after consultation with the CW supervisor;

(ii) based on the parent's progress through assessment of behavioral change and family functioning;

(iii) based on the assessment of current safety threats which are articulated to the court;

(iv) the child's need for permanency; and

(v) not based on the court's anticipated response or receptivity.

(B) A concise explanation is provided to support the reasons for the recommendation that includes behavior change and protective capacity language.

(C) Recommendations made by the specialist are done through positive engagement with court partners by:

(i) following OKDHS dress code including professional business attire;

(ii) arriving early and being respectful of all participants during the hearing; and

(iii) being mindful of confidentiality, facial expressions, and body language.

(D) ~~The role and responsibility of the specialist's supervisor and district director is to support the CW specialist, as needed, when making recommendations to the court through;~~

(i) regular safety discussions regarding the case;

(ii) assisting in preparation for court hearings and recommendations;

(iii) coaching the specialist to maintain confidence while making recommendations to the court;

(iv) attending court hearings to further support the CW specialist or in the case of adverse rulings; and

- (v) meet with court partners ~~on a regular basis~~ regularly to build positive court relationships.
5. Recommended judicial findings. At each dispositional or review hearing, the court makes findings based on the case's circumstances. The recommended findings in KIDS and documentation that is required on Forms 04KI011E, 04KI013E, or 04KI014E for the judicial finding are described in (1) through (5) of this Instruction. A finding whether:
- (1) ~~A finding whether~~ active efforts are being made to provide remedial services and rehabilitative programs to prevent the breakup of the Indian family finding. The active efforts finding is requested when the court makes a finding that the Indian Child Welfare Act (ICWA) applies. The CW specialist describes the active efforts OKDHS made ~~by OKDHS~~ to reunite the child and family including, but not limited to, efforts made to:
- (A) involve and assist the parent with ISP completion;
- (B) encourage and assist the parent with visiting the child; or
- (C) encourage and guide the parent's efforts to improve protective capacities and change the behaviors that caused safety threats to the child.
- (2) ~~Whether~~ reasonable efforts were made to finalize the permanency plan finding. The CW specialist describes efforts to:
- (A) refer to, arrange for, provide, or develop reasonable supportive and rehabilitative services that assist the family in the child's safe reunification;
- (B) obtain the parent's compliance, when the parent is not complying with the ISP or permanency plan; or
- (C) finalize the child's permanency plan, including the consideration of in-state and out-of-state placement options.
- (3) ~~Whether~~ reasonable efforts to reunite the child with the family are not required finding. The CW specialist describes the reasons reasonable efforts are not required to reunite the child with the parent and family based on the statutorily defined reasons, per 10A O.S. § 1-4-809 and OAC 340:75-1-18.4.
- (4) ~~Whether successful~~ successful adulthood (SA) services are appropriate finding. The CW specialist describes the services provided to the youth, 14 years of age and older who is in out-of-home care that assist in the youth's SA skills development needed to successfully transition into adulthood.
- (5) ~~Whether~~ SA services are not appropriate finding. When a youth, 14 years of age and older who is in out-of-home care, is not capable of receiving SA services, the CW specialist describes the basis for the determination.
6. Required court hearings for QRTP placement. Within 60-calendar days of the start of each placement of a child in a QRTP, the court sets a hearing to:
- (1) consider the assessment, determination, and documentation made by the qualified individual conducting the assessment and submitted as part of the OKDHS written report;

(2) determine whether the needs of the child can be met through placement in a foster family home or, if not, determine whether placement of the child in a QRTP provides the most effective and appropriate level of care for the child in the least restrictive environment;

(3) determine whether the child's current placement is consistent with the short-term and long-term goals for the child, as specified in the permanency plan for the child; and

(4) approve or disapprove the placement.

67. Protecting the placement provider's identification and child's school location when describing the child's situation in the report to the court. When completing information for the Children's Situation section of the report to the court, the CW specialist does not:

(1) identify the placement provider by proper name, but refers to the provider by title, such as relative, foster parent, or trial adoptive parent;

(2) reveal the placement provider's address, phone number, or district of residence; and

(3) provide the name or location of the school the child attends.

78. Psychological evaluation, drug or alcohol testing, treatment, or referral attachments. Upon receipt of an attachment related to a psychological evaluation, drug or alcohol testing, treatment, or referral, the CW specialist:

(1) does not attach to the progress report the: entire psychological evaluation, drug or alcohol testing, treatment, or referral that contains the statement: "This information has been disclosed to you from records protected by federal confidentiality rules (42 Code of Federal Regulations (C.F.R.) Part 2). The federal rules prohibit you from making further disclosure of this information unless further disclosure is expressly permitted by the written consent of the person to whom it pertains or as otherwise permitted by 42 C.F.R. Part 2. A general authorization for the release of medical or other information is NOT sufficient for this purpose. The federal rules restrict any use of the information to criminally investigate or prosecute any alcohol or drug abuse patient";

(2) states in the progress report that the evaluation, testing, or treatment occurred;

(3) attaches a copy of the recommendations page from the psychological evaluation, drug or alcohol testing, treatment, or referral, when applicable;

(4) requests the parent sign a release of information with the provider when the court requires the entire report that complies with 42 C.F.R. Part 2 designating the persons entitled to have the information including, but not limited to:

(A) the court;

(B) the DA;

(C) the child's attorney;

(D) the parent's attorney;

(E) the tribe, when applicable; and

(F) OKDHS; and

(5) requests the provider supply copies to only the persons designated on the release; and

(6) requests the court's copy be filed under seal so the persons who have statutory access to the legal record, but were not included in the release, may not access the sealed information.

89. Protocol for obtaining information and preparing court report with multiple district assignments.

(1) The CW specialist in the county of jurisdiction emails each assigned CW specialist and CW supervisor, with the exception of facility liaisons, no later than two weeks prior to the court review and includes:

(A) the date of the court review;

(B) notification that the KIDS court report is open; and

(C) a request that each assigned specialist enter all applicable information by a specified date including, but not limited to:

(i) a recommendation regarding the child's permanency;

(ii) services required; and

(iii) family time issues.

(2) When there is not a consensus regarding case-related issues, the CW specialist, not in agreement, consults with his or her supervisor and necessary action is determined by a:

(A) teleconference; or

(B) face-to-face staffing among all assigned CW Child Welfare Services staff.

(3) Pertinent information entered in the court report is not changed without notification to the CW specialist who entered the information.

910. Court hearing documentation. The CW specialist in the county of jurisdiction enters complete, detailed information in the applicable KIDS Court Hearing screens no later than 15-calendar days after a court hearing is held and enters the order in KIDS DMS.

4011. Court hearing documentation and notification protocol for multiple county district assignments. The CW specialist in the county of jurisdiction:

(1) emails all assigned CW specialists and CW supervisors no later than one-business day after a court hearing is held and reports:

(A) any major changes regarding family time, custody status, placement decisions, or service provisions; and

(B) the date of the next court hearing; and

(2) provides a copy of the most recent court order to the CW specialist in the district of service or placement within two-business days of receipt.

PART 8. CHILD WELFARE SPECIALIST ROLE

340:75-6-48.3. Children missing from care ■ 1 through 7

Revised ~~9-15-17~~ 9-15-25

(a) A child or youth missing from care is one who runs away, is abducted, or is otherwise absent from placement.

(b) Per Section 1-9-123 of Title 10A of the Oklahoma Statutes (10A O.S. § 1-9-123) ~~the Oklahoma Department of Human Services (DHS)~~ (OKDHS) takes appropriate steps when a child or youth in ~~DHS~~ OKDHS custody or under ~~DHS~~ OKDHS supervision is missing from care or when ~~DHS~~ OKDHS has reasonable cause to believe a child or youth is currently, or is at risk of being, a victim of sex trafficking, including a child or youth:

- (1) for whom ~~DHS~~ OKDHS has an open case file, but who was not removed from the home;
- (2) who ran away from foster care and has not attained 18 years of age; or
- (3) who is not in foster care, but is receiving services.

(c) When notified a child or youth is missing from care, the child welfare (CW) specialist within 24 hours of notification, reports the child's or youth's status to the:

(1) appropriate law enforcement jurisdiction and requests the report be sent to the National Crime Information Center; and

(2) National Center for Missing and Exploited Children (NCMEC). Where reasonably possible, the report submitted to law enforcement and NCMEC includes:

(A) a photo of the missing or abducted child or youth;

(B) a description of the child's or youth's physical features, such as height, weight, sex, ethnicity, race, hair color, and eye color; and

(C) endangerment information, such as the child's or youth's pregnancy status, prescription medications, tendency toward suicidal thoughts, vulnerability to being a victim of sex trafficking, and other health or risk factors.

(d) When a child or youth in ~~DHS~~ OKDHS custody or under ~~DHS~~ OKDHS supervision is missing from care, ~~DHS~~ OKDHS:

(1) immediately takes steps to locate the child or youth;

(2) determines the primary factors that contributed to the child or youth running away or otherwise being absent from placement;

(3) documents and responds, to the extent possible and appropriate, to those factors that contributed to the absence from care or runaway behaviors in the current and subsequent placements of the child or youth; and

(4) determines what the child or youth experienced while missing from care, including an appropriate screening to see if the child or youth is a possible victim of sex trafficking.

(e) ~~The~~ After receiving information on a child or youth who is identified as a sex trafficking victim, CW specialist reports to appropriate law enforcement jurisdictions immediately and, in no case later than 24 hours, ~~after receiving information on a child or youth who is identified as a sex trafficking victim,~~ per 10A O.S. § 1-1-105.

(f) Runaway juveniles from other states, with or without delinquent status, may be held in a detention facility, per 10A O.S. § 2-3-101 and the Interstate Compact for Juveniles Act, 10A O.S. §§ 2-9-101 through 2-9-116.

(g) OKDHS maintains regular communication with law enforcement and the NCMEC to provide for a safe recovery of a missing or abducted child or youth, including by sharing information pertaining to the child's or youth's recovery and circumstances related to the recovery.

INSTRUCTIONS TO STAFF 340:75-6-48.3

Revised 9-14-24

- 1. Missing from care.** The child or youth in Oklahoma Human Services (OKDHS) custody or under OKDHS supervision, in an open Child Protective Services (CPS) investigation, family-centered services (FCS) case, or a permanency planning (PP) case is considered missing from care when he or she, without OKDHS permission, leaves or is taken by a parent, placement provider, or any person from an OKDHS-authorized location including his or her own home, a respite or relative's home, foster care, or any placement more restrictive than a foster care placement.
- 2. Placement provider role.** When the placement provider learns the child or youth is missing, the provider:
 - (1) files a report with law enforcement; and**
 - (2) contacts the assigned child welfare (CW) specialist, providing details of the incident and information reported to law enforcement.**
- 3. CW specialist role.** When the CW specialist is notified the child or youth is missing, the CW specialist:
 - (1) immediately files a report with the appropriate law enforcement jurisdiction and requests that the child or youth be reported to the National Crime Information Center (NCIC);**
 - (2) immediately notifies the district attorney (DA), child's or youth's attorney, and, when applicable, his or her parent or parents;**
 - (3) submits the necessary paperwork, as determined by the court of jurisdiction, within one-business day to request that the court issue a pick-up order indicating the child or youth is a ward of the court;**
 - (4) documents no later than one-business day after the episode, the missing from care placement episode in KIDS Placement screen with an exit reason of AWOL (runaway) when the child or youth has an open removal and is in OKDHS custody;**
 - (5) contacts any relative or collateral including, but not limited to, a court-appointed special advocate (CASA), guardian ad litem, service provider, counselor, therapist, or school personnel, who may have information about the child's or youth's whereabouts. The CW specialist:**
 - (A) continues to make ongoing efforts to locate the child or youth until he or she is safely returned to an approved placement including, but not limited to, contacting the appropriate law enforcement jurisdiction, relatives, any collaterals, or other sources that may assist OKDHS in locating and protecting the child or youth. These efforts take place as often as needed and never less than once per month until the child or youth is located; and**
 - (B) documents the contacts explaining efforts to locate the child or youth in KIDS Contacts screen at least once per month, flagging the contact as a "Worker visit, no contact with child"; and**
 - (6) updates KIDS Living Arrangement fields in Client/Gen. Info./Birth Place/Living Details tab with AWOL (runaway); and**
 - (7) immediately notifies the CW supervisor and district director to inform them the child or youth is missing from care and to confirm all steps are**

being taken to locate the child or youth including reporting him or her to the National Center for Missing and Exploited Children (NCMEC) within 24 hours after receiving notification of the child or youth missing from care.

4. District director role. The district director:

(1) ensures the CW specialist reports the child or youth to NCMEC after notification from the CW specialist and documents in a KIDS Contacts. When extenuating circumstances exist where the search for the missing child or youth needs additional assistance to locate him or her, the Office of the Inspector General (OIG) may be contacted after NCIC and NCMEC notifications were completed;

(2) maintains a current log of children who are in missing status and compares the log to Report YI103, Placement Report, Runaway Tab, to ensure each child or youth on the log is entered into KIDS;

(3) ensures significant efforts are continuously made to locate the child or youth and documented at least once per month;

(4) communicates search efforts regularly to the regional director on a schedule the regional director sets; and

(5) ensures the child or youth is retrieved and placed in an approved placement as soon as he or she is located.

5. NCMEC reporting. The CW specialist:

(1) reports the child or youth to NCMEC by:

(A) calling 1-800-THE-LOST (1-800-843-5678); or

(B) reporting online at <https://www.missingkids.org/theissues/missingfromcare>. When

reporting online, the CW specialist needs to create an online account with NCMEC. The CW specialist:

(i) clicks the link for create account;

(ii) enters his or her email address and state;

(iii) receives an email from NCMEC with a link to continue registration; and

(iv) creates a user identification (ID) and password to complete registration. The CW specialist receives an email from NCMEC with a link to his or her account for login. The CW specialist saves the link for future access to the account; and

(2) provides the requested information about the child or youth; and

(3) contacts CPS Programs Unit staff when a child or youth was abducted and CPS Programs Unit staff enters a protective service alert, per Oklahoma Administrative Code (OAC) 340:75-3-300 Instructions to Staff (ITS) # 11.

6. Protocol for the return of the child or youth who is missing from care. When the child or youth is located, the CW specialist:

(1) immediately assesses his or her safety and determines whether to return him or her to an OKDHS-authorized placement, when he or she is in OKDHS custody.

- (A) The CW specialist may consider seeking expedited placement approval with the person with whom the child or youth was found including, but not limited to, a:**
- (i) parent whose parental rights were terminated, when reinstatement is applicable per Section 1-4-909 of Title 10A of the Oklahoma Statutes (10A O.S. § 1-4-909) and OAC 340:75-6-40.8;**
 - (ii) parent who has not completed the court-ordered Individualized Service Plan, when this is a safe option or safety can be ensured through a Safety Plan and the court grants approval for reunification;**
 - or**
 - (iii) person who is not an OKDHS-authorized placement provider, by seeking expedited placement provider approval for such person.**
- (B) Approval to place the child or youth with the person with whom he or she was found is determined on a case-by-case basis, unless the person has a felony conviction per OAC 340:75-7-15. The automatic bar to placement for certain criminal history does not apply to a parent; and**
- (2) assesses the reasons the child or youth left the previous placement without OKDHS permission by evaluating his or her safety in the previous placement and having a private conversation with him or her about why he or she left, if he or she felt safe there, and where he or she wants to live. The content of this conversation is documented in a KIDS Contacts screen;**
- (3) refers to information on runaways, per OAC 340:75-1-86 ITS, when a child or youth, who is not in his or her OKDHS-approved placement, was located in another state;**
- (4) takes steps to return the child or youth to the legal custodian or recommends he or she be placed in OKDHS custody when the child is under OKDHS supervision;**
- (5) immediately, or no later than one-business day, after the CW specialist located a child or youth missing from care:**
- (A) notifies:**
 - (i) the appropriate law enforcement jurisdiction and requests NCIC be notified that the child or youth was located; and**
 - (ii) the DA, child's or youth's attorney, and, when applicable, the child's or youth's parent or parents; and**
 - (B) submits the necessary paperwork as determined by the court of jurisdiction to recall the pick-up order;**
 - (C) notifies CPS Programs Unit staff to close the protective service alert and reports to NCMEC, when applicable;**
 - (D) end dates KIDS missing placement episode, when applicable;**
 - (E) updates KIDS Living Arrangements fields; and**
 - (F) contacts any relative or collateral including, but not limited to, CASA, guardian ad litem, service provider, counselor, therapist, or school personnel, who was contacted for information on the whereabouts of the child or youth to report his or her return to the OKDHS-authorized location. The CW specialist documents the contacts in KIDS Contacts screen; and**

- (6) immediately reports the child or youth to the appropriate law enforcement jurisdiction, and in no case later than 24 hours after receiving information on a child or youth who was identified as a sex trafficking victim, per 10A O.S. § 1-1-105.
7. Protocol for a child or youth missing from care who cannot be located. The CW specialist:
- (1) continues to contact law enforcement, relatives, and any collaterals once per month until the child or youth is located; and
 - (2) after a one-year search, when there are no other children in the case, the child or youth is not in permanent OKDHS custody, and he or she was not located, submits Form 04KI014E, Individualized Service Plan (ISP) Progress Report, to the court documenting the efforts to locate him or her over the one-year time frame, and requests dismissal of the deprived case.
 - (A) The CW specialist advises each parent of the request for dismissal of the deprived case.
 - (B) When the court does not dismiss the deprived case, the Child Welfare Services (CWS) case remains open and the CW specialist continues to make efforts every 30-calendar days until the child or youth is located or the case is dismissed. The CW specialist requests that the deprived case be dismissed at each subsequent court review.
 - (C) When the deprived case is dismissed, the CW specialist:
 - (i) notifies law enforcement and the child's or youth's parent or parents, when applicable;
 - (ii) submits the necessary paperwork as determined by the court of jurisdiction to recall the pick-up order;
 - (iii) notifies CPS Programs Unit staff to close out the protective service alert and reports to NCMEC, OIG, or both, when applicable;
 - (iv) end dates the KIDS child missing from care placement episode;
 - (v) updates removal and custody status information in KIDS; and
 - (vi) closes the CWS case.

PART 13. SUCCESSFUL ADULTHOOD

340:75-6-110. Oklahoma Successful Adulthood (OKSA) program

Revised ~~9-15-21~~9-15-25

- (a) **OKSA program eligibility.** The OKSA program serves:
- (1) youth 14 through 17 years of age who are in an out-of-home placement; and in:
 - (A) Oklahoma Human Services (OKDHS) legal custody; or
 - (B) the custody of a federally recognized Indian tribe;
 - (2) young adults 18, 19, 20, 21 and ~~20~~ 22 years of age, who:
 - (A) were in an out-of-home placement while in OKDHS or tribal custody on his or her 18th birthday; or
 - (B) entered a trial reunification, guardianship, or adoption at 16 years of age and older to achieve permanency and who have not yet reached his or her ~~24st~~ 23rd birthday; and

(3) young adults 21 to 26 years of age who participate for no more than five years in the Education and Training Voucher Program. ■ 1

(b) **Legal authority for OKSA services.** Laws that guide OKSA services administered by OKDHS are described in (1) and (2) of this subsection.

(1) **Federal successful adulthood law.** The Foster Care Independence Act of 1999 enacted as part of Public Law (P.L.) 106-169; Section 475 of the Social Security Act as amended by P.L. 110-351, Fostering Connections to Success and Increasing Adoption Act of 2008; by the Preventing Sex Trafficking and Strengthening Families Act, P.L. 113-183; and the Family First Prevention Services Act, P.L. 115-123:

(A) supports states in the delivery of successful adulthood services to eligible youth and provides them with services that focus on:

- (i) education;
- (ii) career planning;
- (iii) life skills; and
- (iv) aftercare services; and

(B) requires successful adulthood services:

- (i) complement the youth's own efforts to achieve self-sufficiency; and
- (ii) program participants recognize and accept personal responsibility for the transition from out-of-home care to adulthood.

(2) **State successful adulthood law.** Section 1-9-107 of the Oklahoma Statutes (10A O.S. §1-9-107) created the "Successful Adulthood Act," the purpose of which is to ensure eligible youth who, due to abuse or neglect, were or are in the OKDHS foster care program or a federally-recognized Indian tribe with whom OKDHS has a contract or agreement, receive the protection and support necessary to allow them to become self-reliant and productive citizens through the provision of requisite services that include, but are not limited to:

- (A) transitional planning;
- (B) housing;
- (C) medical coverage;
- (D) education; and
- (E) tuition waivers, when eligible, per 70 O.S. § 3230.

(c) **OKSA service provision.** OKSA services for youth:

(1) are initiated by the child welfare (CW) specialist according to the youth's age, as outlined in OKDHS Publication No. 94-08, Oklahoma Successful Adulthood Program;

(2) in OKDHS custody placed in other states, are OKDHS responsibility, per Oklahoma Administrative Code (OAC) 340:75-1-86;

(3) placed in Oklahoma through the Interstate Compact for the Placement of Children (ICPC) are approved by OKSA Program staff on a case-by-case basis, per OAC 340:75-1-86; and

(4) are initiated by the legal guardian or adoptive parent for youth who exited care at 16 years of age and older to trial reunification, permanent guardianship, or adoption.

(d) **Requirements.** Eligible youth are provided each of the items listed in (1) through (6).

(1) **Successful adulthood case assessment.** The successful adulthood case assessment is a comprehensive evaluation of the youth's readiness for successful adulthood and identification of the services and supports required for him or her to achieve a maximum level of self-sufficiency. ■ 1

(2) **Successful adulthood plan.**

(A) The CW specialist develops an initial plan for the youth transitioning to a successful adulthood within 60-calendar days of his or her 14th birthday or within 60-calendar days of the youth entering care after his or her 14th birthday. The CW specialist develops the plan ~~is developed~~ in consultation with the youth and, at his or her option, with up to two members of the planning team to be chosen by the youth, not including the foster parent and his or her CW specialist, subject to:

(i) the youth's selection of one person that may be designated to be the advisor and his or her advocate, with respect to the application of the reasonable and prudent parent standard to the youth; and

(ii) OKDHS rejecting a person selected by the youth to be a member of the permanency planning (PP) team at any time when OKDHS has good cause to believe the selected person would not act in the youth's best interests.

(B) The successful adulthood plan describes the services, supports, and activities the CW specialist, the ~~permanency planning~~ PP team, and youth identify as necessary for the youth to transition to successful adulthood, and includes the components required by federal and state statutes. At a minimum, the successful adulthood plan is reviewed and updated each month with the youth and placement provider.

(C) Prior to the 90-calendar day period immediately before a youth's 18th birthday, OKDHS and, as appropriate, the youth's representatives, provide the youth with assistance and support in developing an appropriate personalized transition plan based upon his or her input, and as detailed as he or she elects, including specific options regarding:

(i) housing;

(ii) health insurance;

(iii) education;

(iv) local opportunities for mentors and continuing support services; and

(v) employment supports and services. ■ 1 & 2

(3) **Notice of rights.** ■ 1

(A) Per 10A O.S. § 1-9-107, each child in OKDHS foster care or a federally-recognized Indian tribe and in an out-of-home placement who reaches 14 years of age is given a notice of foster youth rights describing his or her rights to:

(i) education, health, visitation, and court participation;

(ii) provision of documents specified in (4) of this subsection; and

(iii) stay safe and avoid exploitation.

(B) The youth signs an acknowledgment stating he or she was provided a copy of the notice of foster youth rights and the rights were explained in an age-appropriate way.

(4) **Essential documents.** Per 10A O.S. § 1-9-107, a youth about to leave foster care at 18 years of age and was in foster care for at least six months is given:

- (A) an official or certified copy of his or her United States birth certificate;
- (B) a Social Security Administration Social Security card;
- (C) his or her health insurance information;
- (D) a copy of his or her medical records;
- (E) a state-issued driver license or identification card; and
- (F) official documentation necessary to prove the youth was previously in foster care.

(5) **Judicial oversight.** A judicial determination is made:

- (A) at each dispositional and review hearing involving a youth 14 years of age and older, whether the OKSA services needed to assist the youth in making the transition from out-of-home care to successful adulthood are being provided, not provided, or are not appropriate;
- (B) confirming that information was provided to the youth about the importance of designating another individual to make health care treatment decisions on his or her behalf when he or she:
 - (i) becomes unable to participate in his or her health care decisions; and
 - (ii) does not have, or does not want a relative, who would otherwise be authorized under state or tribal law, to make health care decisions for the youth; and
- (C) that the youth was provided with the option of executing a health care power of attorney, health care proxy, or other similar documents recognized under state or tribal law. ■ 2

(6) **OKSA support services.** A variety of services, resources, and funds are provided to facilitate successful transition into adulthood and each has distinct eligibility requirements.

(A) **Youth 14 through 15 years of age.**

- (i) **Youth development funds.** OKSA youth development funds are obtained through community-contracted providers and are designed to support the youth's successful adulthood case plan in preparation for living independently. ■ 4
- (ii) **Incentive payments.** The OKSA incentive payment is a category of youth development funds that allows for monetary payments to youth for survey and application completions and for accomplishments prior to exiting OKDHS or tribal custody. ■ 5
- (iii) **Teen panels.** Teen panels provide an opportunity for OKDHS and tribal custody youth to educate staff, care providers, the community, and potential resource parents by presenting the youth's views and experiences in the CW system.

(B) **Youth 16 years of age and older.**

- (i) **Community-contracted services.** Contracts support the OKSA program activities and serve youth who are OKSA eligible. ■ 3
- (ii) **Youth development funds.** OKSA youth development funds are obtained through community-contracted providers and are designed:
 - (l) to support the youth's successful adulthood case plan in preparation for living independently; and

- (II) for emergencies the youth encounters after leaving out-of-home care while learning to live independently. ■ 4
- (iii) **Incentive payments.** The OKSA incentive payment is a category of youth development funds that allows for monetary payments to youth for survey and application completions and for accomplishments prior to exiting OKDHS or tribal custody. ■ 5
- (iv) **Educational opportunities and scholarships.** Scholarships and OKSA services are available to assist the youth complete his or her education and training. ■ 6
- (v) **Youth and Adult Advisory Board.** The Youth and Adult Advisory Board includes current and former OKDHS and tribal custody youth, OKSA Program staff, and adult advisors. The board provides the youth an opportunity to work together with other interested youth and adults to:
 - (I) educate the community regarding issues related to youth in out-of-home placement;
 - (II) improve the CW system through problem solving;
 - (III) promote successful adulthood through training; and
 - (IV) bridge the gap between youth and adults. ■ 7
- (vi) **Teen panels.** Teen panels provide an opportunity for OKDHS and tribal custody youth to educate staff, care providers, the community, and potential resource parents by presenting youth views and experiences in the CW system.
- (vii) **Voluntary placement of youth after 18 years of age.** Custody youth may request placement in an OKDHS-paid placement and services from OKDHS on a voluntary basis, or in special circumstances, a short-term voluntary placement while 18, 19, or 20 years of age, when the youth:
 - (I) reaches 18 years of age prior to completing his or her General Educational Development (GED) or high school education;
 - (II) did not obtain a GED or high school education and left an out-of-home placement after reaching 18 years of age; or
 - (III) has specified reasons approved by the district director for the county where the youth resides. ■ 8
- (viii) **Credit reports for youth in out-of-home care.** Each youth beginning at 14 years of age and continuing until the youth is discharged from out-of-home care receives:
 - (I) an annual consumer credit report;
 - (II) assistance interpreting the report; and
 - (III) assistance resolving any inaccuracies or evidence of identity theft in the report. The court with jurisdiction over the youth is notified of any inaccuracies, evidence of identity theft, or other fraudulent activity. ■ 9

INSTRUCTIONS TO STAFF 340:75-6-110

Revised ~~9-15-219-15-25~~

1. **Successful adulthood eligibility, case assessment, and plan.** Pertinent information on successful adulthood eligibility criteria, case assessment, and the successful adulthood plan is included in the Oklahoma Successful

Adulthood (OKSA) Guides located on the website at www.oksa.ou.edu. Oklahoma Human Services (OKDHS) Publication No. 94-08, Oklahoma Successful Adulthood Program (OKSA), provides the OKSA website location and quick response code.

(1) The successful adulthood plan is required for the youth:

- (A) 14 years of age and older;
- (B) in OKDHS or tribal custody; and
- (C) in out-of-home placement.

(2) The child welfare (CW) specialist or tribal worker assists the youth with completion of the successful adulthood plan by following the instructions in the OKSA Plan for My Future Guide available on the OKSA website. The Guide:

(A) includes information for the youth about the importance of designating another individual to make health care treatment decisions on the youth's behalf, when the youth:

- (i) becomes unable to participate in his or her health care decisions; and
- (ii) does not have, or does not want a relative, who would otherwise be authorized under state or tribal law, to make health care decisions for him or her; and

(B) discusses the option of executing a health care power of attorney, health care proxy, or other similar documents recognized under state or tribal law.

(3) The CW specialist ensures the youth has a copy of Form 04IL011E, Rights of Foster Youth.

2. Judicial oversight. The CW specialist:

(1) documents on Form 04KI009E, Court Report, or Form 04KI014E, Individualized Service Plan (ISP) Progress Report, each OKSA service provided since the last court hearing and attaches a copy of the youth's updated successful adulthood plan;

(2) recommends the court make the finding, "appropriate successful adulthood services are provided";

(3) ensures within 120-calendar days prior to the youth's 18th birthday that a family meeting is held to prepare Form 04PP018E, My Transition Plan, per Oklahoma Administrative Code (OAC) 340:75-6-31.1 Instructions to Staff (ITS) # 1;

(4) submits Form 04PP018E to the court within 90-calendar days of the youth's 18th birthday; and

(5) assists and supports the youth in implementing Form 04PP018E as described in the OKSA 90 Day Transition Plan Guide on the OKSA website at www.oksa.ou.edu.

3. Community-contracted services. Community contractors are listed in OKDHS Publication No. 94-08.

(1) Services provided through community contracts include:

- (A) educational, vocational, and supplemental assistance;
- (B) resource materials, such as instructional tools or supplies, needed

- for the youth's transition;
 - (C) OKSA teen conferences, seminars, and activities;
 - (D) technical assistance to OKDHS and tribal CW staff and other contractors;
 - (E) training regarding the OKSA program and the preparation of youth for a successful transition to adulthood;
 - (F) processing requests for youth development funds;
 - (G) issuing youth development fund payments for goods and services;
 - (H) coordinating special successful adulthood funding to encourage OKDHS regions or districts and tribes to develop successful adulthood activities within local communities that include, at a minimum, training for youth in an area of skill needed for successful transition to independence; and
 - (I) answering the ~~Yes I Can~~ OKSA Help Line toll free number at 1-800-397-2945 and providing services to young adults, 18 to ~~24~~ 23 years of age, who were in foster care.
- (2) To access community-contracted services, the CW specialist or tribal worker:
- (A) refers to OKDHS Publication No. 94-08 for contact information; or
 - (B) calls the ~~Yes I Can~~ OKSA Help Line toll free number at 1-800-397-2945.
- (3) The OKSA program provides reimbursement for mileage, per diem, and lodging to specified OKSA activities and events for OKDHS and tribal CW staff and placement providers.
4. Successful adulthood youth development funds.
- (1) The approval of successful adulthood youth development funds is contingent upon funding availability.
- (2) Successful adulthood youth development funds are not used to reimburse youth, OKDHS staff, or contractors for a purchase made on behalf of youth without prior approval from OKSA Program staff.
- (3) Eligibility criteria for successful adulthood youth development funds are listed in (A) through (D).
- (A) Youth development funds.
- (i) The eligible youth:
 - (I) is 14 through 17 years of age and is currently in OKDHS or tribal custody in out-of-home placement; or
 - (II) entered trial reunification, adoption, or a permanent guardianship at 16 years of age and older.
 - (ii) Refer to OKDHS Appendix C-19-A for eligible expense categories and cost limits.
- (B) Supportive services youth development funds.
- (i) The eligible young adult:
 - (I) is 18, 19, ~~or 20~~, 21 or 22 years of age and was in OKDHS or tribal custody and out-of-home placement on his or her 18th birthday; or
 - (II) entered trial reunification, adoption, or a permanent

guardianship at 16 years of age and older.

(ii) Refer to OKDHS Appendix C-19-A for eligible expense categories and cost limits.

(C) Housing youth development funds.

(i) The youth or young adult eligible for housing funds was in OKDHS or tribal custody and out-of-home placement on his or her 18th birthday and is not yet ~~21~~ 23 years of age.

(ii) The young adult, CW specialist, or contracted agency staff contacts OKSA Programs staff for additional requirements.

(D) One-time only youth development funds.

(i) The youth or young adult eligible for one-time only funds is:

(I) 14 through 17 years of age, and in OKDHS or tribal custody in out-of-home placement;

(II) 18 through ~~20~~ 22 years of age, and in OKDHS or tribal custody in out-of-home placement on his or her 18th birthday; and

(III) 16 through ~~20~~ 22 years of age, and entered a trial reunification, permanent guardianship, or adoption at 16 years of age and older.

(ii) Refer to OKDHS Appendix C-19-A for eligible expense categories and cost limits.

(4) Accessing successful adulthood youth development funds for youth or young adults in out-of-home care. To access all categories of youth development funds for the eligible youth or young adult, the CW specialist or tribal worker:

(A) prior to requesting funds, determines if the goods and services are available elsewhere at no cost;

(B) refers to OKDHS Appendix C-19-A for a list of goods and services, cost limits, and codes;

(C) discusses goods and services that support the youth's or young adult's successful adulthood case plan with the youth or young adult and placement provider during each visit and documents the discussion in the Child Abuse and Neglect Information System, KIDS, Contacts screen;

(D) completes Form 04IL006E, Request for Successful Adulthood Development Funds, and includes complete vendor information and instructions regarding where the youth development fund payment is sent;

(E) submits Form 04IL006E to the contractor. The contractor then:

(i) processes the request by verifying the youth's or young adult's available funding and determines if the request supports the youth's or young adult's successful adulthood plan; and

(ii) submits Form 04IL006E to the community-contracted fiscal agent, who issues the youth development fund payment and sends the payment to the location designated in the instruction section of Form 04IL006E;

(F) enters the goods and services in KIDS OKSA Services screen;

- (G) verifies the goods and services were received by the youth or young adult and advises him or her that the fiscal agent must have all receipts for the youth's or young adult's goods and services to continue to receive youth development funds;
 - (H) assists in obtaining the receipts for goods and services, when requested by the fiscal agent; and
 - (I) documents the funds request in the Contacts screen of the youth's or young adult's KIDS case record.
- (5) Accessing one-time only, supportive services, and housing development funds for young adults 18, 19, ~~or 20, 21 or 22~~ years of age who exited out-of-home care at 18 years of age and older. When the young adult contacts the current OKSA community contractor, the contractor:
- (A) verifies the young adult's eligibility for goods and services and opens a KIDS OKSA case;
 - (B) consults with the young adult regarding the fund request and how it complements the young adult's efforts to achieve self-sufficiency;
 - (C) requests the young adult provide supporting documentation for the request when necessary;
 - (D) submits Form 04IL006E to the contracted fiscal agent. The contracted fiscal agent issues the fund payment and sends the payment to the location identified in the instruction section of Form 04IL006E; and
 - (E) enters the conversations with the young adult in KIDS Contacts screen and documents the goods and services received on KIDS OKSA Services screen.
5. Exit interviews.
- (1) The youth or young adult calls ~~Yes I Can~~ OKSA Help Line on or after his or her 18th birthday to complete an intake survey and learn about what services are available to youth exiting custody after age 18. ~~An~~ The youth receives an incentive payment ~~is received~~ upon the survey's completion.
 - (2) The CW specialist is responsible for informing the youth or young adult to call ~~Yes I Can~~ OKSA Help Line on or after his or her 18th birthday.
6. OKSA scholarship and educational opportunities.
- (1) Oklahoma's Promise (OK Promise).
 - (A) Section 2601 et seq. of Title 70 of the Oklahoma Statutes (70 O.S. §§ 2601 et seq.) sets forth a scholarship program for students to enroll during the eighth, ninth, ~~or tenth or eleventh~~ grades that pays for tuition at an Oklahoma public two-or four-year college or university.
 - (B) OK Promise application for youth in OKDHS custody. Child Welfare Services program staff initiates enrollment for the eligible youth in OK Promise and documents enrollment in KIDS Education and Contacts screens.
 - (2) Tuition waiver. 70 O.S. § 3230 provides tuition waivers for eligible youth or young adults in OKDHS or tribal custody for undergraduate resident tuition at institutions within the Oklahoma State System of Higher Education and resident tuition for enrollment in post-secondary programs

of area vocational-technical districts.

(A) The youth or young adult is eligible until, he or she:

- (i) earns a degree or program certificate; or
- (ii) reaches 26 years of age, whichever comes first.

(B) To receive a tuition waiver, the youth or young adult must:

- (i) have been in OKDHS custody or a federally-recognized Indian tribe for any nine of the 24 months between his or her 16th and 18th birthdays;
- (ii) be an Oklahoma resident;
- (iii) have graduated from:
 - (I) a high school accredited by the Oklahoma State Board of Education;
 - (II) the Oklahoma School of Science and Mathematics;
 - (III) an approved public high school in states bordering Oklahoma; or
 - (IV) have completed General Educational Development (GED) requirements;
- (iv) have satisfied admission standards determined by Oklahoma State Regents for Higher Education for first-time students;
- (v) have secured admission to and enrolled in a post-secondary vocational-technical program that has a cooperative agreement with the Oklahoma State System of Higher Education; and
- (vi) utilize the tuition waiver within three years after reaching 18 years of age.

(C) To access the tuition waiver:

- (i) the CW specialist or tribal worker assists the young adult with completion of the application for the Education and Training Voucher (ETV) program;
- (ii) OKSA Program staff notifies Oklahoma State Regents for Higher Education of the youth's or young adult's eligibility;
- (iii) Oklahoma State Regents for Higher Education provides a list of eligible youth or young adults to the colleges and universities; and
- (iv) OKSA Program staff mails individual tuition waiver eligibility letters to the youth or young adult.

(3) ETV program.

(A) The ETV program is a provision of the Foster Care Independence Act of 1999, Public Law 106-169, which makes funding available for post-secondary education and training. Funding may be used for any expenditure considered as part of the post-secondary institution's cost of attendance. The eligible young adult:

- (i) exited custody on or after his or her 18th birthday in out-of-home placement;
- (ii) entered a trial reunification, permanent guardianship, or was adopted from out-of-home care after reaching 16 years of age; or
- (iii) was in OKDHS custody and was otherwise eligible for the Oklahoma Foster Care Tuition Waiver, per 70 O.S. § 3230.

(B) Young adults may continue to participate in the ETV program until reaching 26 years of age or until reaching the lifetime maximum of \$25,000, limited to \$5,000 per year.

(C) ETV access. To access the ETV program, the CW specialist or tribal worker assists the young adult with electronically completing and submitting the ETV application.

7. Oklahoma Foster Youth Advocates.

(1) The CW specialist advises each eligible youth of the Oklahoma Foster Youth Advocates youth-adult partnership and the youth's opportunity to participate.

(2) When the youth indicates a desire to participate in Oklahoma Foster Youth Advocates, the CW specialist contacts OKSA Program staff.

8. Voluntary placement.

(1) Eligibility for voluntary placement. The youth who requests voluntary placement must meet the criteria in (A) - (D).

(A) The youth is appropriate for out-of-home placement.

(B) Placement is available for the youth.

(C) The youth agrees to participate in the development of a successful adulthood plan outlining the steps to achieve self-sufficiency, participate in OKSA services and activities, and abide by the plan.

(D) The youth participates in an approved school or educational program to obtain a GED or high school diploma and seek employment, as appropriate.

(2) Special circumstances for voluntary placement. When a youth or young adult requests voluntary placement after 18 years of age for reasons other than completion of high school or a GED, such as providing out-of-home care during the summer months following graduation from high school prior to the youth or young adult entering college or a vocational program, the same procedure as for a voluntary placement request is used.

(3) Youth's benefits or resources. When the youth receives benefits, the youth signs a notarized statement agreeing to reimburse OKDHS for the cost of care from any benefits or resources available. When the youth does not choose to reimburse OKDHS from the benefits, the CW specialist with the youth explores alternatives to voluntary placement that are consistent with the goal of self-sufficiency. Refer to OAC 340:75-13-28.

(4) Voluntary placement request. To request voluntary placement, the youth signs Form 04IL001E, Voluntary Placement Request.

(A) Form 04IL001E is submitted to the CW supervisor for approval within three months prior to the youth's 18th birthday.

(B) When the supervisor approves the voluntary placement request, Form 04IL001E is forwarded to the district director or designee for final approval.

(C) When the district director or designee approves the youth's request for voluntary placement ~~is approved by the district director or designee~~, the status type for the removal and official custody is changed to "voluntary" in KIDS and the youth's 18th birthday is used as the status-

begin date.

(5) Medical eligibility. The young adult, 18 years of age in voluntary OKDHS or tribal placement, may be eligible for SoonerCare.

(A) The CW specialist notifies and provides Form 04IL001E to the custody specialist when the young adult enters voluntary placement to allow him or her to receive medical benefits. The CW specialist:

(i) scans Form 04IL001E into the KIDS ~~File Cabinet~~ document management system (DMS) in the Client tab;

(ii) ~~chooses User Generated Form as the document type;~~

(iii) ~~selects a file name; and~~

(iv) ~~uses Voluntary Placement Agreement and date – Client Name as the document description.~~

(B) When the young adult exiting voluntary OKDHS or tribal placement is older than 18 years of age, but has not reached his or her 21st birthday, the young adult is directed to the MySoonerCare member enrollment website at www.apply.okhca.org to complete the health insurance application.

9. Credit Reports.

(1) OKSA Program staff:

(A) requests an annual credit report from the three credit reporting agencies for each youth at 14, 15, 16, and 17 years of age, in OKDHS or tribal custody who is in out-of-home placement;

(B) documents in the youth's KIDS OKSA Additional Information screen that the credit report was received and if there are credit concerns;

(C) provides the credit report or information that there were no credit concerns to the youth's CW specialist or tribal worker; and

(D) works with credit reporting agencies to resolve any discrepancies in the report.

(2) The CW specialist or tribal worker:

(A) ensures a copy of the report is provided to the youth and a copy is placed in the KIDS ~~File Cabinet~~ DMS;

(B) documents on the KIDS OKSA screens, the date the report was provided to the youth;

(C) discusses with the youth the importance of maintaining good credit and protecting himself or herself against identity theft;

(D) notifies the court of any discrepancies on the youth's credit report;

(E) discusses during the 90-calendar day Transition Planning meeting the importance of the youth continuing annual credit report requests after the youth's 18th birthday and instructing the youth on how to request the reports; and

(F) documents in the KIDS OKSA Service screen that the youth received budget and financial training.

SUBCHAPTER 7. FOSTER HOME CARE

PART 1. GENERAL PROVISIONS

340:75-7-2. Purpose, legal basis, and definitions related to foster care

Revised 9-15-22 9-15-25

(a) **Purpose for foster care.** Foster care provides 24-hour a day substitute temporary care and supportive services for the child, birth through 17 years of age, who resides in Oklahoma and is in Oklahoma Human Services (OKDHS) custody. Voluntary foster care is available for the child, birth through 20 years of age, who meets criteria, per Oklahoma Administrative Code (OAC) 340:75-4-12.1 and 340:75-6-110.

(b) **Legal basis for OKDHS foster care services.**

(1) The Oklahoma Children's Code, Section 1-1-102 of Title 10A of the Oklahoma Statutes (10A O.S. § 1-1-102), acknowledges that the foster parent has a recognizable interest in the familial relationship established with the child placed in the foster parent's care. The law recognizes that the foster parent is an essential participant in the decision-making process related to the care, supervision, guidance, rearing, and other foster care services for the child.

(2) 10A O.S. §§ 1-1-105 and 1-7-109 define and authorize foster care.

(3) 10A O.S. §§ 1-9-106 authorizes and establishes a Kinship Foster Care Program within OKDHS.

~~(3)~~(4) Titles IV-B and IV-E of the Social Security Act mandate and provide funding for certain child welfare services, including foster care. Part 1355 and Part 1356 of Title 45 of the Code of Federal Regulations (45 CFR Part 1355 and Part 1356) provide for the use of title IV-E funding to cover the cost of foster care maintenance payments on behalf of eligible children placed in relative or kinship licensed or approved foster family homes when the agency uses different licensing or approval standards for relative or kinship foster family homes.

~~(4)~~(5) OKDHS implements recruitment and retention activities supporting the:

(A) Multiethnic Placement Act of 1994, as amended by the Interethnic Provisions of 1996 (MEPA/IEP), per OAC 340:75-1-9;

(B) Federal Indian Child Welfare Act, per Section 1901 et seq. of Title 25 of the United States Code (25 U.S.C. §§ 1901 et seq.), and the Oklahoma Indian Child Welfare Act, per 10 O.S. §§ 40 et seq.;

(C) Adoption and Safe Families Act of 1997 (ASFA) that amended Titles IV-B and IV-E of the Social Security Act, per 42 U.S.C. §§ 621 through 629j;

(D) Family First Prevention Services Act, Public Law 115-123; and

(E) regulations promulgated to implement each Act.

(c) **Definitions.** The following words and terms when used in this Subchapter have the following meaning, unless the context clearly indicates otherwise:

(1) **"Age-appropriate" or "developmentally-appropriate"** means, per 10A O.S. § 1-1-105:

(A) activities or items that are generally accepted as suitable for children of the same age or maturity level or that are determined to be developmentally-appropriate for a child, based on the development of cognitive, emotional, physical, and behavioral capacities that are typical for an age or age group; and

(B) in the case of a specific child, activities or items that are suitable for the child based on the developmental stages the child attains with respect to the cognitive, emotional, physical, and behavioral capacities of the specific child.

(2) **"Alternate caregiver"** means a person, assessed and approved by OKDHS, who for not more than 14-consecutive days, relieves a resource parent's day-to-day responsibilities by temporarily assuming care and supervision of the child or youth in OKDHS custody. This definition applies only to traditional, contracted, and kinship foster care.

(3) **"Applicant"** means a person who makes a formal application to become a resource parent, but has not completed the approval process.

(4) **"Application"** means a completed Form 04AF001E, Resource Family Application. Form 04AF001E requires the applicant complete documents and actions ~~be completed by the applicant~~.

(5) **"Behavioral health"** means mental health, substance use or abuse, or co-occurring mental health and substance use or abuse diagnoses and the mental health continuum, substance use or abuse, or co-occurring mental health and substance use or abuse treatment.

(6) **"Foster care"** means an essential, temporary Child Welfare Services (CWS) service for the child and parent, legal guardian, or custodian provided when the child's safety cannot be ensured in his or her own home due to the threat of child abuse, neglect, or special circumstances necessitating out-of-home care in a home away from the child's parent, legal guardian, or custodian. A continuous care service is provided for the child requiring out-of-home placement in a home environment including, but not limited to, the care, supervision, guidance, and rearing of the child by a resource parent, who is under contract with OKDHS or approved by a child-placing agency.

(A) A foster family provides the child in OKDHS custody with continuous 24-hour care in a home-like setting with one or more identified supportive services, including:

(i) mentoring and actively helping the parent of the child in OKDHS custody improve his or her ability to safely care for the child upon reunification with the parent;

(ii) staying connected to the child by assisting his or her transition to:

(I) reunification with a parent; or

(II) another family when the permanency plan is legal guardianship or adoption; or

(iii) the possibility of becoming the child's legal guardian or adoptive parent when parental reunification is not the permanency plan while safely maintaining the child's connection to kin, culture, and community.

(B) CWS foster care includes:

(i) traditional foster care, which is continuous 24-hour care and supportive services provided for the child in a home setting by a foster parent without a kinship relationship to the child. A resource family partner (RFP) develops a supported home to provide traditional foster care to meet the needs of a child in OKDHS custody through service coordination and delivery in conjunction with OKDHS;

(ii) kinship foster care, which is continuous care for the child requiring out-of-home placement provided by a relative, stepparent, or other responsible adult who has a bond or tie with the child or a family relationship role with the

child's parent or the child prior to the child's entry into foster care. In cases where the Indian Child Welfare Act (ICWA) applies, the definitions, per 25 U.S.C. § 1903 are used; and

(iii) enhanced foster care (EFC), which is a traditional or kinship resource home where child-specific services are provided for a child already placed in the home. The family in an EFC home receives additional training to support the placement of children:

(I) transitioning from congregate care, acute care, or residential treatment;
or

(II) who are placed in shelter care or are at risk of placement in shelter care;

(iv) therapeutic foster care (TFC), per OAC 340:75-8 Part 1, residential behavioral management services are provided in a specialized foster care setting for a child, who:

(I) meets medical necessity criteria, per OAC 317:30-5-741;

(II) has special psychological, behavioral, social, and emotional needs;

(III) accepts and responds to close relationships within a family setting;
and

(IV) requires more intensive or therapeutic services than are found in traditional foster care when additional supports are not available or have failed to stabilize the child in a less restrictive setting;

(v) intensive treatment family care (ITFC) is a program for children:

(I) with special psychological, social, and emotional needs;

(II) with intellectual and developmental disabilities requiring more intensive treatment than traditional foster care and TFC settings provide; and

(III) meets medical necessity criteria, per OAC 317:30-5-751; and

(vi) contracted foster care (CFC), which is traditional foster care provided:

(I) in a TFC home for children in OKDHS or tribal custody meeting specific criteria, per OAC 340:75-8-11.1(b); and

(II) by a contracted child-placing agency to meet the child's needs through service coordination and delivery in conjunction with OKDHS.

(7) **"House assessment"** means the evaluation of the prospective resource family's residence and property to determine if it meets OKDHS physical safety requirements.

(8) **"Infant"** means a child, who is 12 months of age and younger.

(9) **"In-service training"** means yearly instruction the resource parent is required to complete to maintain approval as a resource home.

(10) "Kinship annual update" means the process by which a kinship resource is reviewed annually from the resource home's approval date in KIDS for any family approved, per OAC 340:75-7-24, to ensure the kinship resource family can continue to meet the child(ren)'s specific needs and provide a safe environment for the child(ren) in OKDHS custody.

(11) "Kinship final approval" means the completion of the kinship resource family assessment (KRFA) and disposition to approve the applicant family.

~~(12)~~ **"Kinship training"** means required instruction to prepare and educate the applicant for caregiving, and provision of an opportunity for self-assessment, per OAC 340:75-7-14.

~~(13)~~ **"Kinship resource family assessment (KRFA)"** means a joint process between CWS and the kinship family that consists of an evaluation of the family's ability to foster but is not limited to:

~~(A)~~ consideration of each family member's criminal and child welfare histories;

~~(B)~~ an assessment of the kinship caregiver(s); and

~~(C)~~ an assessment of the kinship caregiver(s) physical environment.

~~(10)~~~~(14)~~ **"Inquiry"** means the first contact an individual makes by phone, email, or in person with OKDHS to inquire about foster parenting.

~~(11)~~~~(15)~~ **"Pre-service training"** means required instruction to prepare and educate the applicant for caregiving and provides an opportunity for self-assessment, prior to approval as a resource parent.

~~(12)~~~~(16)~~ **"Reasonable and prudent parent standard"** means, per 10A O.S. § 1-1-105, the standard characterized by careful and sensible parental decisions that maintain the child's health, safety, and best interests while at the same time encouraging the child's emotional and developmental growth. This standard is used by the child's resource parent when determining whether to allow a child to participate in extracurricular, enrichment, cultural, and social activities.

~~(13)~~~~(17)~~ **"Relative"** means a grandparent, great-grandparent, brother, or sister of whole or half-blood, aunt, uncle, or any other person related to the child.

~~(14)~~~~(18)~~ **"Resource"** means all foster care families, including traditional, kinship, CFC, EFC, TFC, ITFC, and adoptive families.

~~(15)~~~~(19)~~ **"Resource family assessment (RFA)"** means a joint process between CWS and the family, excluding kinship applicants, that consists of an evaluation of the family's ability to foster, adopt, or both and includes, but is not limited to:

~~(A)~~ consideration of each family member's criminal and child welfare histories;

~~(B)~~ the safety and physical space available in the home to integrate a new family member;

~~(C)~~ the number and ages of children residing in the home;

~~(D)~~ references;

~~(E)~~ household income; and

~~(F)~~ health histories.

~~(16)~~~~(20)~~ **"Resource family partner (RFP)"** means a private, child-placing agency under contract with OKDHS to recruit, retain, and support foster homes to meet the child's needs through service coordination and delivery in conjunction with OKDHS. RFP foster homes are known as supported homes.

~~(17)~~~~(21)~~ **"Respite care"** means short-term care provided by an approved foster family when foster parents need breaks from day-to-day parenting responsibilities while caring for a child in OKDHS custody.

~~(18)~~~~(22)~~ **"Targeted recruitment"** means efforts that:

~~(A)~~ utilize use data to focus on specific families or communities most likely to yield results in recruiting resource parents who can safely meet the unique needs of the child and youth in OKDHS custody; and

~~(B)~~ comply with MEPA/IEP/ICWA requirements.

~~(19)~~(23) **"Written plan of compliance"** means a formal accountability process for the resource parent that identifies concerns and contract and policy violations and, when unresolved, may result in resource home closure.

~~(20)~~(24) **"Youth"** means a child 13 through 17 years of age.

PART 2. DEVELOPMENT OF RESOURCE FAMILIES

340:75-7-10.1. Resource parent framework ■ 1 through 7

Issued ~~9-17-18~~ Revised 9-15-25

(a) **General.** The requirements in Oklahoma Administrative Code (OAC) 340:110-5 serve as the framework for families and ~~the Oklahoma Department of Human Services (DHS)~~ (OKDHS) in the mutual assessment process used to select the most suitable home for the child in ~~DHS~~ OKDHS custody in need of foster care. Each child in ~~DHS~~ OKDHS custody has the right to a safe, affirming, and family-like placement. As a result, resource parents:

- (1) are responsible, mature, healthy adults capable of meeting the needs of the children in ~~DHS~~ OKDHS custody;
- (2) apply the reasonable and prudent parent standard;
- (3) demonstrate a capacity for setting realistic expectations for behavior and performance based on the ages, abilities, and unique needs of the children;
- (4) have stable relationships and a living arrangement whether married, single, separated, or divorced; and
- (5) ensure all members of the household are informed of and agree to accept the child into the home.

(b) **Age.** ~~A resource parent must be at least 21 years of age.~~ Per Section 1-4-705 of Title 10A of the Oklahoma Statutes (10A O.S. § 1-4-705), when a potential resource parent meets the minimum age required ~~per this Section~~, ~~DHS~~ OKDHS may not use the age of an otherwise eligible ~~individual adult~~ adult as a reason for denial of placement. ■ 2

(c) **Income and employment.** Resource parents must have sufficient income or adequate financial support to meet their needs and ensure the security and stability of the household without relying on the foster care maintenance payment.

(d) **Foster principles.** A resource parent commits to demonstrating to each child in ~~DHS~~ OKDHS custody basic fostering principles that include:

- (1) understanding and meeting the child's unique needs;
- (2) actively supporting each child's connections and ongoing relationships with family, kin, culture, and community;
- (3) understanding the impact of separation, grief, loss, and trauma the child has suffered;
- (4) partnering with the child's professional team to focus on his or her safety, permanency, and well-being;
- (5) recognizing that foster care is a planned, temporary placement for a child whose goal is family reunification or other permanency plan;
- (6) actively mentoring the parent to help improve the parent's ability to safely care for the child, when safe to do so; and
- (7) recognizing the impact of secondary traumatic stress and the importance of the resource parent's self-care.

(e) **Relationship with ~~DHS~~ OKDHS.** The resource parent acknowledges, cooperates, and agrees to abide by applicable statutes and ~~DHS~~ OKDHS rules regarding the child in care that include, but are not limited to:

- (1) ~~DHS~~ OKDHS, as the legal custodian of the child, has the right to move any child from any resource home at any time, when in the child's best interests and, per statutes governing movement of the child in ~~DHS~~ OKDHS custody;
- (2) the necessity to maintain and respect the confidential nature of all information regarding a child placed in the resource home. A breach of confidentiality may be grounds for resource home closure and termination of the foster care contract; and
- (3) the requirement that ~~DHS~~ OKDHS investigate, in the same manner as any other abuse or neglect investigation conducted by ~~DHS~~ OKDHS, allegations of abuse, neglect, or maltreatment of any child in ~~DHS~~ OKDHS custody placed in an approved resource home;

INSTRUCTIONS TO STAFF 340:75-7-10.1

Revised 9-14-24 9-15-25

1. Response by resource recruitment and Foster Care and Adoption Support Center staff to resource parent inquiries.

(1) **When Child Welfare Services (CWS) staff receives an inquiry from a person interested in being a resource parent, he or she:**

(A) obtains the potential applicant's name and phone number, provides him or her with the contact information for the regional resource recruitment specialist and regional resource recruitment supervisor; and

(B) emails his or her contact information to the regional resource recruitment specialist and regional resource recruitment supervisor for follow-up.

(2) **All general inquiries are referred to the Foster Care and Adoption Support Center.**

(3) All child-specific inquiries, including kinship, are referred to the child's assigned Child Welfare (CW) specialist.

(3)(4) CWS resource recruitment or Foster Care and Adoption Support Center staff:

(A) documents each inquiry in the KIDS Pre-Resource by noting the referral source;

(B) discusses with the potential applicant, the:

(i) basic responsibilities and requirements expected of a resource parent;

(ii) children in Oklahoma Human Services (OKDHS) custody requiring out-of-home placement; and

(iii) elements of the application and training process; and

(C) responds within two-business days of the inquiry by sending an information packet to the potential applicant; and

(D) makes phone contact within five-business days after sending the information packet and, at two-week intervals, until the potential applicant's interest is determined.

2. (a) Application to provide foster care services, excluding kinship. Any person who is at least 21 years of age may apply to become a resource parent by completing Form 04AF001E, Resource Family Application. When other adults reside in the potential resource home, each adult completes and signs Form 04AF043E, Resource Family Application Other Adults in the Home.
- (1) The application is considered complete when the applicant submits the required documents and completes the actions as detailed on Form 04AF001E, within 20-calendar days after he or she signs the form.
- (2) The required documents include:
- (A) Form 04AD003E, Request for Background Check, and fingerprint submissions completed by each applicant and each adult household member. All names, including maiden names, used by the applicant and each adult household member is are documented on Form 04AD003E;
 - (B) Form 04AF010E, Resource Family Financial Assessment;
 - (C) income verification;
 - (D) Form 04AF017E, Resource Parent Health History, completed for the applicant and each adult household member;
 - (E) Form 04AF008E, Medical Examination Report, completed for the applicant and each adult household member;
 - (F) Form 04AF039E, Child(ren)'s Health Statement, for each child in the household who is not in OKDHS custody, and a:
 - (i) copy of each child's immunization record; or
 - (ii) Form 08TA017E, Immunization Certificate of Exemption, when the child is not immunized; and
 - (G) copies of each applicant's driver license, state-issued identification card, or current military identification for active military members and spouses;
 - (H) copies of vehicle insurance verification;
 - (I) copies of each applicant's Social Security Administration card;
 - (J) a copy of a current marriage license or other evidence of marriage as indicated by the Oklahoma State Courts Network (OSCN) or similar network of another state;
 - (K) a copy of all divorce, marriage dissolution, legal separation, or annulment documents for each applicant;
 - (L) a copy of animal vaccination records;
 - (M) copies of the Certificate of Degree of Indian Blood (CDIB) card and tribal membership cards;
 - (N) a copy of DD Form 214, Certificate of Release from Active Military Duty, for each applicant, when applicable;
 - (O) alternate caregiver contact information; and
 - (P) other OKDHS-requested documents or actions.
- ~~(3) An applicant between the ages of 18 and 20 may apply. The resource specialist submits for 04AF042E, Request for Exception to Resource Requirements, to the resource supervisor for an exception to the requirements listed in OAC 340:75-7 Part 2.~~

(4)(3) Denial of the application may occur at any point during the process. When denied, the reasons for denial are discussed with the applicant. OKDHS sends Form 04FC020E, Notice of Denial to Resource Applicant, to an applicant setting out the basis of the denial. OKDHS makes the final determination of application denial.

(b) Application to provide kinship services. Any person who is at least 18 years of age may apply to become a kinship resource parent by completing Form 04AF001E, Resource Family Application. When other adults reside in the potential resource home, each adult completes and signs Form 04AF043E, Resource Family Application Other Adults in the Home. Applications to provide kinship foster care services are assessed per OAC 340:75-7-24.

(b)(c) Resource parent requirements. Each applicant:

(1) agrees when he or she becomes a resource parent that he or she will not accept a child into the resource home from any other source without OKDHS CWS resource staff or the resource family partner (RFP) approval;

(2) provides appropriate sleeping arrangements for each child placed per OAC 340:75-7-18 or OAC 340:75-7-24;

(3) provides verification all household members are in sufficiently good physical and mental health to provide for the individual needs of each child placed per OAC 340:75-7-18 or OAC 340:75-7-24;

(4) submits to a search of all OKDHS records, including CWS records;

(5) ensures each household member, 18 years of age and older at the time of application, and when a household member becomes 18 years of age, submits fingerprints for state and national criminal history records searches;

(6) submits to a Juvenile On-line Tracking System (JOLTS) records search for any child of the applicant or child of an adult household member, who is 13 through 17 years of age, at the time of application;

(7) does not allow a person with a conviction for any sexual offense to reside in the household;

(8) immediately notifies OKDHS when the applicant or any household member is, or becomes, the subject of any:

(A) criminal charges, criminal investigations, arrests, or illegal or alleged illegal activity; or

(B) proceeding for a protective order filed by, or against the applicant, or any household member; and

(9) notifies the resource specialist within 24 hours of any change in the household including, but not limited to:

(A) the address or the home's location, including emergency home displacement;

(B) any significant change in the home that impacts the family's day-to-day living;

(C) health of any household member;

(D) income;

(E) new or terminated relationships; or

(F) individuals moving into, or out of, the home for any reason; and

- (10) participates in the resource family assessment (RFA) or kinship resource family assessment (KRFA), as applicable per OAC 340:75-7-18 or OAC 340:75-7-24;
- (11) agrees not to use medical marijuana or tobacco products, such as cigarettes, cigars, pipes, or electronic smoking devices that include, but are not limited to, e-cigarettes, vape pens, or vaporizers in:
- (A) the resource home when a child in OKDHS custody is placed in the home; or
 - (B) a vehicle when transporting a child in OKDHS custody; and
- (12) provides references per OAC 340:75-7-18 or OAC 340:75-7-24;
- (13) completes pre-service training per OAC 340:75-7-18 or OAC 340:75-7-24;
- (14) agrees to complete 12 hours of in-service training for each year of service, when approved as a resource parent;
- (15) provides a clean and safe home;
- (16) cooperates in the completion of a house assessment per OAC 340:75-7-18 or OAC 340:75-7-24;
- (17) identifies an alternate caregiver to provide support and child care for the child in OKDHS custody other than, or in addition to, OKDHS-paid, licensed child care;
- (18) submits verification of employment or participation in formal education or training when requesting OKDHS-paid, licensed child care services for the child in foster care;
- (19) agrees that as an applicant, and when becoming a resource parent, to notify OKDHS when any member of the resource family is seriously ill or hospitalized;
- (20) agrees to provide a physician's statement, when approved as a resource parent:
- (A) regarding any hospital stay;
 - (B) regarding ongoing outpatient medical or behavioral health care, including psychological counseling; or
 - (C) upon request from the resource specialist; and
- (21) agrees to work with OKDHS staff as a member of the child's professional team to develop a permanency plan for each child placed in the resource home;
- (22) agrees to participate in an initial meeting with each child's parent, when requested;
- (23) agrees to share parenting of the child in OKDHS custody with the child's parent, who may have different values and lifestyles than the applicant;
- (24) is willing to actively mentor the parent to help improve the parent's ability to safely care for the child, when safe to do so;
- (25) agrees to maintain all information regarding the child and family as confidential, only sharing information necessary to obtain services for the child;
- (26) is willing to accept sibling placements;

- (27) agrees to participate in the development of an effective parent and child visitation plan, when safe to do so, including contact with the siblings when siblings are separated;
 - (28) agrees to comply with OKDHS rules regarding discipline of children;
 - (29) agrees to meet and maintain requirements necessary for continued approval as a resource including annual updates or kinship annual updates, as applicable;
 - (30) agrees to participate in the evaluation of CWS programs and services;
 - (31) agrees to use the foster care maintenance payment for the care and maintenance of the child's basic needs, such as food, clothing, shelter, incidentals, non-prescription medications, special activity fees, allowances, and recreational opportunities;
 - (32) agrees to comply with all statutes relating to the care and support of minors that prohibit the use of tobacco, alcohol, illegal drugs, and sharing medications not prescribed to the child; and
 - (33) agrees to use the reasonable and prudent parent standard and to consider the child's age, maturity, and development level when making decisions about the child's participation in extracurricular, enrichment, cultural, and social activities.
3. Exceptions to requirements. Upon the applicant's or resource specialist's request, OKDHS may, at its discretion, grant an exception of specific rules or standards that do not compromise a child's safety and does not violate federal or state statutes, per OAC 340:75-7-18.
- (1) The resource specialist submits Form 04AF042E, Request for a Waiver or Variance to Resource Requirements, to the resource supervisor for an exception to the requirements listed in OAC 340:75-7 Part 2 or completes the policy exception screen in KIDS.
 - (2) When the resource supervisor agrees with the exception request, he or she sends Form 04AF042E to the field manager for review.
 - (3) The field manager approves or denies the exception request and signs Form 04AF042E. A Foster Care and Adoptions deputy director is consulted when needed. Form 04AF042E is scanned into KIDS Resource document management system (DMS).
 - (4) The resource specialist documents the request and response in KIDS Resource Contacts.
4. Evaluating applicant eligibility. To meet eligibility requirements, all adult household members are fingerprinted, unless a fingerprint exception is granted, per OAC 340:75-7-15 Instructions to Staff.
5. Special circumstances for consideration.
- (1) Foreign exchange students. Approval is required for an applicant or a resource family to host foreign exchange students while providing care for a child in OKDHS custody. The applicant or resource family provides the resource specialist with the foreign exchange student's packet that includes all background information provided to the family by the student's sponsoring agency. When a foreign exchange student will reside in the

home in excess of 30-calendar days, the foreign exchange student is required to have all applicable background information searches including:

(A) JOLTS; and

(B) when 18 years of age and older:

(i) an Oklahoma State Bureau of Investigation name-based search; and

(ii) fingerprints completed, per OAC 340:75-7-15.

(2) Temporary Assistance for Needy Families (TANF) recipients. When a TANF recipient inquires about becoming a resource parent, the assessment process includes a determination of the TANF recipient's ability to provide for the child's needs pending, and during receipt of, the foster care maintenance payment.

(3) OKDHS employees. An OKDHS employee interested in becoming a kinship or traditional resource parent submits Form 04FC019E, OKDHS Employee Request to be a Resource Family, to his or her supervisor. When the employee is assigned to CWS, Form 04FC019E is sent to the reviewing child welfare (CW) supervisor.

(A) Request review. Each request is reviewed on a case-by-case basis. The employee's direct supervisor and reviewing supervisor discuss the:

(i) employee's role as an OKDHS employee and as a resource parent and the potential for a conflict of interest;

(ii) types of leave the employee is required to request when taking the child in OKDHS custody to appointments, such as family visits or court;

(iii) employee's understanding that OKDHS employment is not used as a means to obtain information about the child's case or to gain services; and

(iv) employee's understanding that he or she is required to work with an RFP agency, unless the employee is providing kinship care.

(B) Written request. The reviewing supervisor submits a copy of Form 04FC019E to the applicable RFP documenting the discussion and places a copy in the employee's personnel file.

(C) Assessment. The RFP may proceed with the family assessment process after receiving Form 04FC019E from the reviewing supervisor.

(D) Placement considerations. When an OKDHS employee is approved as a resource parent:

(i) a child currently assigned to the employee's caseload is not placed with the employee for foster care;

(ii) a child, currently assigned to a ~~child-welfare~~ CW specialist in the same county as the employee's work assignment, is not placed with the employee except when there is a kinship relationship;

(iii) his or her resource case is assigned to a resource specialist in a district outside of his or her assigned work location; and

(iv) the employee's resource and the child's case are restricted in KIDS.

6. Previous non- OKDHS foster care experience with a tribe, private child-placing agency, or another state. The applicant who previously served as a foster parent with a tribe, private child-placing agency, or in another state, provides or authorizes release of all previous foster home records including, but not limited to, home studies, foster home assessments, reports, and training records from a tribe, private child-placing agency, or another state for consideration as an OKDHS resource parent. The resource specialist:
 - (1) uses Form 04MP001E, Consent for Release of Confidential Information, to request and secure a copy of the applicant's foster home assessment, related information, and training record from a tribe, private child-placing agency, or another state, when applicable, per OAC 340:75-7-14;
 - (2) provides the information to the RFA contractor, when applicable; and
 - (3) uses Form 04AF002E, Guidelines for Resource Family Assessment, and the information obtained from the tribe, private child-placing agency, or another state to complete Form 04AF003E, Resource Family Assessment, with the supporting documentation, or Kinship Resource Family Assessment, per OAC 340:75-7-24.
7. Re-opening a resource. A person re-applies to re-open as a resource.
 - (1) Upon application receipt, the resource specialist reviews the past resource records to determine the former resource parent's history. The performance review includes, but is not limited to, assessing:
 - (A) each identified concern or OKDHS policy or contract violation;
 - (B) any written plan of compliance outcome and recommendations regarding continued use of the resource; and
 - (C) the training record, ensuring pre-service and in-service training were completed, as required and documented, per OAC 340:75-7-14.
 - (2) Within 10-calendar days of the application date, the resource specialist and resource supervisor review and determine whether to deny the application or proceed with the assessment. The field manager is consulted as needed.
 - (3) When the resource is closed for less than 12 months, the resource may be opened with an approved annual update within 30-calendar days of the disposition date, per OAC 340:75-7-94. When the resource is closed for more than 12 months but less than five years, the resource, excluding kinship, may be opened with an approved reassessment within 30-calendar days of the disposition date, per OAC 340:75-7-94. When the kinship resource is closed, the resource may be opened with a new KRFA, per OAC 340:75-7-24.
 - (4) When the resource is closed for more than five years, a new RFA or KRFA, as applicable, is completed, processed, and approved or denied within 60-calendar days of the disposition date.
 - (5) Re-opening a resource requires:
 - (A) re-opening as:
 - (i) the same type of resource, such as a traditional resource re-opening as a traditional resource. The closed resource is re-opened

- as pending in the KIDS Resource Status screen and a final resource approval line for the reassessment or annual update is entered; or
 - (ii) a different type of resource, such as a kinship resource re-opening as a traditional resource. A new resource is opened as pending in the KIDS Resource Status screen and a final resource approval line for the reassessment or annual update is entered; and
- (B) a new contract. Upon approval, the resource specialist:
- (i) obtains each applicant's signature on the new contract;
 - (ii) attaches copies of each applicant's current driver license or state identification card and Social Security card to the new contract;
 - (iii) discusses payment options, per OAC 340:75-7-52. When the resource parent was previously issued a debit card, the same card number is used; and
 - (iv) submits the contract to obtain the new contract number.
- (6) When the resource is denied, the resource specialist phones the applicant about the application's disposition, sends a notice of denial, Form 04FC020E, Notice of Denial to Resource Applicant, and scans it into the DMS, and when the resource is a relative, files with the court Form 04MP056E, Notice to the Court of Relative Denied Placement.

340:75-7-14. Training requirements

Revised 9-14-24 9-15-25

(a) **Pre-service training.** Per Section 1-9-116 of Title 10A of the Oklahoma Statutes (10A O.S. § 1-9-116), Applicants applicants, excluding kinship, and adult household members who care for a child in Oklahoma Human Services (OKDHS) custody are required to complete a prescribed course of training, prior to resource approval. The training incorporates the reasonable and prudent parent standard and addresses the values and guiding principles essential for caring for a child, who is a victim of maltreatment. Pre-service training is required for any family subject to the Resource Family Assessment process, per OAC 340:75-7-18, to include families approved to provide: traditional foster care, supported foster care, therapeutic foster care, intensive treatment family care, or contracted foster care. ■ 1

~~(1) Each applicant completes required Child Welfare Services (CWS)-approved training. Additionally, any adult household member, 18 years of age and older, who provides daily care for a child, completes the required training. An exception may be given when an individual is determined to possess required values and guiding principles as a result of prior foster care training and experience.~~

~~(2) Kinship applicants may be approved for placement of the kinship child prior to completion of pre-service training.~~

~~(3) Kinship applicants complete pre-service training before receiving foster care maintenance payments.~~

~~(4) An applicant who is a former resource parent with a break in OKDHS service of less than five years meets the training requirements.~~

~~(5) An applicant may request a permanent training waiver. The resource field manager approves or denies a request for a permanent training waiver. The applicant may request a permanent waiver, when an individual has:~~

~~(A)(1) the equivalent training was completed~~ the equivalent training within the last five years. A list of equivalent training from a tribe, private agency, or another state is included that details subjects addressed in the training; or

~~(B)(2) he or she~~ a significant disability that precludes the completion of training. Disability verification is provided by a physician. A person granted a permanent training waiver for disabilities may not be a caregiver for the child in OKDHS custody.

(b) Kinship training. Kinship training is required for any family subject to the Kinship Resource Family Assessment process, per OAC 340:75-7-24. ■ 2

(1) A resource parent providing kinship foster care completes the training developed by OKDHS for kinship foster care prior to placement, per 10A O.S. § 1-9-116. Training cannot take place later than one hundred twenty-calendar days after placement of the child with the kinship foster parent.

(2) The training incorporates the reasonable and prudent parent standard and addresses the values and guiding principles essential for caring for a child who is a victim of maltreatment.

(3) The kinship resource parent is eligible to receive payment for providing foster care services upon Kinship Final Approval from OKDHS per OAC 340: 75-7-24.

(c) In-service training. Each resource parent completes ~~42 hours~~ of continuing in-service training per year to enhance his or her skills as a provider. ■ 3

(1) OKDHS provides free in-service training options for the resource parent.

(2) With CWS approval, other training is accepted as credit toward in-service training requirements. The resource parent provides the resource specialist with the training certificate, when available, from the training source that lists completed, approved hours.

(3) The resource parent selects from training options, such as classes, conferences, reading materials, or other learning opportunities that enhance his or her skills and meet the in-service training requirement. The resource parent receives approval for each training option from the resource specialist.

(4) A resource parent residing in another state and caring for a child in OKDHS custody meets the requirements of his or her state of residence for ongoing training to maintain OKDHS approval as a resource parent.

INSTRUCTIONS TO STAFF 340:75-7-14

Revised ~~9-14-23~~ 9-15-25

1. Pre-service training.

(1) Training schedule. A pre-service training schedule is maintained in the Child Abuse and Neglect Information System KIDS.

(A) The resource field manager may request additional resource family training sessions through resource program staff in the current or subsequent training quarter as-needed. Requests are honored as resources allow.

(B) For training to occur, a training session must have at least 12 participants enrolled and confirmed. When participation in the initial training session is less than 12 persons, class suspension is considered.

(2) Enrollment. The resource specialist enrolls the applicant in pre-service training in KIDS.

2. Kinship training and requests for training waiver.

(1) Enrollment. The resource specialist enrolls the applicant in kinship training. The resource specialist documents twelve hours of kinship training in KIDS within 120-calendar days of placement for each resource parent and caregiving adult household member to ensure compliance, per Section 1-9-116 of Title 10A of the Oklahoma Statutes (10A O.S. § 1-9-116).

(2) The resource field manager approves or denies a request for a permanent training waiver. The applicant may request a permanent waiver when an individual:

(A) has a significant disability that precludes the completion of training. Disability verification is provided by a physician. A person granted a permanent training waiver for disabilities may not be a caregiver for the child in OKDHS custody; or

(B) may be determined to possess required values and guiding principles as a result of prior foster care training and experience.

3. In-service training. The resource specialist documents each training the resource parent completes in the KIDS Resource or verifies the training tracked by KIDS.

(1) A family that is approved to provide foster care services, per OAC 340:75-7-18, including families approved to provide traditional foster care services, therapeutic foster care services, intensive treatment family care, or contracted foster care must complete a minimum of 12 hours of ongoing training per calendar year.

(2) A family approved to provide only kinship foster care services, per OAC 340:75-7-24, is required to complete a minimum number of six in-service training hours per calendar year after the first year unless required in a written plan of compliance per OAC 340:75-7-94 or as needed for care of the kinship child. Kinship foster parents have the same options to attend any training offered to foster parents approved per OAC 340:75-7-18.

340:75-7-15. Background information search and assessment of results

Revised ~~2-1-22~~ 9-15-25

(a) **Authorization to conduct criminal history records searches.** The applicants and adult household members give consent for Oklahoma State Bureau of Investigation (OSBI) and Federal Bureau of Investigation (FBI) criminal histories records searches by signing Form 04AD003E, Request for Background Check.

(b) **Background information search for applicants and adult household members.**

■ 1 A background information search is conducted regarding each adult in the applicant's home as a safeguard for children placed in Oklahoma Human Services (OKDHS) custody. Results from the background information searches are obtained, assessed, and documented prior to the applicant's approval. Background information searches are conducted at the time of application and include, but are not limited to:

(1) an OSBI name and criminal history records search;

- (2) an FBI national criminal history records search, based on fingerprints, per Section 1-7-111 of Title 10A of the Oklahoma Statutes (10A O.S. § 1-7-111);
- (3) a search of the Oklahoma Sex Offender Registry;
- (4) a search of the Mary Rippe Violent Offender Registry;
- (5) a Department of Public Safety (DPS) report;
- (6) a search of the Oklahoma State Courts Network, including Oklahoma District Court Records to determine if the applicant or adult household member is, or was, a party in any court action;
- (7) a search of the Oklahoma Department of Corrections (DOC) offender information;
- (8) a search of all OKDHS records, including child welfare (CW) records;
- (9) a search of the Restricted Registry;
- (10) a search of Nontechnical Services Worker Abuse Registry maintained by the Oklahoma State Department of Health;
- (11) a search of the Community Services Worker Registry;
- (12) a search of all applicable out-of-state child abuse and neglect registries for the applicant or adult household member who has not lived in Oklahoma continuously for the past five years, per 10A O.S. § 1-7-111;

~~(A) when a child abuse and neglect registry is maintained in the applicable state, the potential resource home is not approved without the results for the applicant's and adult household member's registry checks; or~~

~~(B) when a child abuse and neglect registry is not maintained in the applicable state, OKDHS requests any information that can be provided from the state; and~~

- (13) a search of Juvenile Online Tracking System (JOLTS) records for any child not in OKDHS custody, 13 through 17 years of age, living in the home.

(c) **Background information summary.** All background information is documented on Form 04AF007E, Records Check Documentation. A copy of Form 04AF007E is shared with the resource family partner (RFP) or the resource family assessment (RFA) contractor responsible for completing an RFA. The RFP is provided background information only for searches the RFP does not conduct.

(d) **Exception to fingerprinting.** Per 10A O.S. § 1-7-111, the OKDHS Director or designee may authorize an exception to the fingerprinting requirement and an alternative procedure for obtaining a national criminal history records search for any applicant or adult residing in the home who has a severe condition that precludes him or her from being fingerprinted. In limited, case-specific circumstances, OKDHS may not be able to obtain:

- (1) an individual's fingerprints as a result of the individual's disability; or
- (2) legible fingerprints due to low quality fingerprints, as a result of age, occupation, or other conditions, thereby making it impossible for the National Crime Information Center (NCIC) to provide results.

(e) **Out-of-state equivalent records check required child abuse and neglect registry check based on length of residency.** ~~Prior to approval, applicants or adult household members who have lived in Oklahoma for less than five years must provide equivalent background records checks from previous state(s) of residence. Equivalent records checks include, but are not limited to, a state's criminal history search, including Sex Offender registries. Prior to approval, or prior to placement for kinship, OKDHS~~

obtains the child abuse and neglect registry check from the previous state(s) of residence, when a registry is available. ~~When a child abuse and neglect registry is not maintained in the applicable state, OKDHS requests any information that the state can provide.~~ ■ 1

(f) **Residence time requirement for kinship applicants.** Prior to placement, kinship applicants or adult household members who have not lived in Oklahoma continuously for the past five years must submit fingerprints. OKDHS must obtain the child abuse and neglect registry check from the previous state(s) of residence, when a registry is available. Both the national criminal history records search and the child abuse and neglect registry checks must be completed, prior to a child's placement in a kinship home, per 10A O.S. § 1-7-111. ~~When a child abuse and neglect registry is not maintained in the applicable state, OKDHS requests any information that the state can provide.~~

(g) **New household members in the resource home.** ■ 2 The resource parent notifies the resource specialist within 24 hours of a new household member in the resource home. A resource family's failure to notify the resource specialist of a new household member, or the refusal of a household member who remains in the home to consent to a background information search, is cause for the foster care child's removal from the resource home, possible closure of the resource home, and cancellation of the foster care contract.

(1) OKDHS completes a background information search, per this Section, for persons 18 years of age and older residing in the resource home for 30-calendar days or more. The resource parent's child who reaches 18 years of age is considered in this category.

(2) An adult household member that moves into the resource home must consent to a background information search and be fingerprinted immediately after notification to the resource specialist.

(3) The resource parent's child who turns 18 years of age must consent to a background information search and be fingerprinted within 30-calendar days of turning 18 years of age.

(4) Any child 13 through 17 years of age who moves into the home must have a JOLTS check completed immediately.

(h) **Kinship applicant criminal history records searches after normal business hours, ~~or on a holiday, or as needed for emergency placement.~~** ■ 3 In determining the suitability of the potential kinship home, OKDHS uses the OKDHS Office of Background Investigations (OBI) to perform a name-based state and federal criminal history records search, per Section 901 et seq. of Title 28 of the Code of Federal Regulations. When OBI is not operational, OKDHS may elect to contract or otherwise collaborate with law enforcement agencies to perform a name-based state and federal criminal history records search followed by fingerprint verification. Fingerprint verification ~~must be~~ is completed within five-business days immediately after the child entered emergency placement, per 10A O.S. § 1-7-115.

(i) **Assessment of background information search results.** ■ 4, 7 through 9

(1) **Felony convictions.** ■ 5 OKDHS denies a resource home application when the applicant, or any person residing in the applicant's home, has a criminal conviction record for any felony offenses listed in (A) through (E) of this paragraph. The criminal conviction of an approved resource parent or any person residing in the resource home of any of the felony offenses listed in (A) through (E) of this

paragraph requires the resource home's closure, cancellation of the foster care contract, and removal of every child in OKDHS custody from the home. The felony offenses are:

- (A) physical assault, battery, or a drug-related offense, when the conviction occurs within the five-year period preceding the application date; ■ 6
- (B) child abuse or neglect;
- (C) spousal abuse or domestic abuse;
- (D) a crime against a child including, but not limited to, child pornography; or
- (E) a crime involving violence including, but not limited to, rape, sexual assault, or homicide, but excluding those crimes specified in (A) of this paragraph. Per 21 O.S. § 692, homicide includes manslaughter. Per Section 16 of Title 18 of the United States Code, a crime involving violence means; an offense that:
 - (i) has an element of the use, attempted use, or threatened use of physical force against the person or property of another; or
 - (ii) by its nature, involves a substantial risk that physical force against the person or property of another may be used in the course of committing the offense.

(2) **Sex-related crimes.** OKDHS denies ~~the application to become~~ a resource parent home application when the applicant:

- (A) or any person residing in the applicant's home, has a conviction for any crime, felony, or misdemeanor, per 57 O.S. § 582, whether the conviction occurred upon a:
 - (i) verdict;
 - (ii) plea of guilty; or
 - (iii) plea of nolo contendere; or
- (B) is subject to, living with, or married to a person who is subject to the Oklahoma Sex Offender Registration Act.

(3) **Restricted Registry.** OKDHS denies ~~the application to become~~ a resource parent home application when the applicant is a registrant on the Restricted Registry, per 10 O.S. § 405.3.

(4) **Arrests, charges, or other convictions.** ~~Approval of an~~ An applicant who has, or is, living with a person who has a history of arrests, charges, or convictions for any felony, other than those listed in (1) of this subsection, or a relevant misdemeanor may be approved as a resource parent on a case-by-case basis. A relevant misdemeanor includes:

- (A) assault and battery;
- (B) alcohol- or drug-related offenses;
- (C) domestic violence; or
- (D) other offenses involving the use of physical force or violence against the person or property of another.

(5) **Child abuse and neglect investigations.** OKDHS determines the approval of any resource applicant with a history of child abuse and neglect investigations on a case-by-case basis. ■ 9

INSTRUCTIONS TO STAFF 340:75-7-15
Revised 2-1-22 9-15-25

1. **Background information searches. All Oklahoma Human Services (OKDHS) completes all background information searches, except for Juvenile Online Tracking System (JOLTS) searches, ~~are completed~~ for each applicant and adult household member using current and previous names, aliases, and Social Security numbers.**

(1) Oklahoma State Bureau of Investigation (OSBI) and Federal Bureau of Investigation (FBI) criminal history records searches.

(A) Background information search authorization.

(i) The ~~child welfare (CW)~~ resource specialist advises the applicant and adult household members that their signatures on Form 04AD003E, Request for Background Check, authorize Oklahoma Human Services (OKDHS) to complete background information searches.

(ii) When assessing kin for immediate placement, the applicant or adult household member gives his or her verbal consent.

(iii) The ~~CW~~ resource specialist follows up with the applicant and adult household members and obtains their signatures on Form 04AD003E.

(B) OSBI and FBI fingerprinting criminal history records search process. The ~~CW~~ resource specialist follows the procedure to obtain, share, and process an OSBI name and criminal history records search and an FBI national criminal history records search as outlined in (i) through (iv) of this subparagraph.

(i) For ~~offices with~~ live scan fingerprinting, the ~~CW~~ resource specialist:

(I) makes an appointment for every applicant and adult household member to obtain fingerprints and submits Form 04AD003E to the OKDHS Office of Background Investigations (OBI) for the OSBI records search and FBI national criminal history records search; and

(II) files a copy of Form 04AD003E for each applicant and adult household member in the ~~resource~~ file KIDS document management system (DMS).

(ii) For methods other than ~~offices without~~ live scan fingerprinting, the ~~CW~~ resource specialist:

(I) provides two fingerprint cards to the applicant and every person 18 years of age and older residing in the applicant's home;

(II) provides the applicant with an automated fingerprinting authorization obtained through Finance AS400;

(III) instructs the applicant to take the authorization and fingerprint cards to law enforcement or a fingerprinting agency for fingerprinting services. The applicant returns the cards to the CW specialist once fingerprinting is completed;

(IV) checks the applicant's and adult household member's fingerprint cards for accuracy and forwards the cards and Form

04AD003E to OBI for the OSBI records search and the FBI national criminal history records search; and

(V) when the fingerprint cards are rejected and reprinting is necessary, returns the cards to the person whose fingerprints were rejected and instructs him or her to take the cards to the original vendor, who reprints the person's fingerprints at no additional charge.

(iii) An individual missing fingers must submit fingerprint cards with the identifying information completed, stating the reason why he or she is missing fingers.

(iv) Fingerprint results for each applicant and adult household member are placed in separate manila envelopes with the names and resource numbers written on the outside of the envelopes and stored in a locked file cabinet. The received date is documented as the processing date of the OSBI and FBI search results in the KIDS Criminal Background Check screen.

(C) Fingerprint addendum. The resource specialist completes Form 04AF033E, National Criminal History Records Search Results – Addendum, for each adult household member when the national criminal history record search results are received.

(i) When no record is found or the results are the same as the OSBI name-based search, the addendum is completed and filed in a manila envelope with the national criminal history record search results based on fingerprints.

(ii) When the results are different from the OSBI name-based search, the resource specialist:

(I) discusses the results with the applicant or adult household member;

(II) completes Form 04AF033E;

(III) obtains the applicant's or adult household member's signature on the addendum; and

(IV) files the addendum in the manila envelope with the appropriate national criminal history record search results based on fingerprints.

(D) Exception to fingerprinting procedures. An individual with a severe physical condition that prevents him or her from caretaking and being fingerprinted may not be required to submit a fingerprint card. The resource specialist may request a fingerprint exception from OBI.

(i) The resource specialist submits an email to OBI staff requesting an exception to fingerprinting for the non-caretaker with the severe physical condition.

(ii) OBI requests a fingerprinting exception from the OKDHS Director or designee. Upon authorization, OBI requests an OSBI name-based criminal history search.

(iii) The OBI notifies the resource specialist ~~is notified~~ by email and the resource specialist files a copy of the document granting the

permanent exception to the fingerprint requirement is filed in the resource file and scanned scans into the KIDS Resource File Cabinet DMS.

(iv) The resource specialist documents the fingerprint exception into the KIDS Crime screen.

(v) The resource specialist continues the individual's assessment, as with any other adult household member, including determining the level of interaction with the child.

(E) OSBI record of arrest and prosecution (RAP) Back service. RAP Back is a service offered to Oklahoma non-criminal justice government agencies for non-criminal justice purposes, such as the resource parent application, continued approval decisions, and trial home reunification.

(i) The RAP Back service is not associated with the national criminal history records search and details only subsequent Oklahoma arrests after an individual's fingerprints were submitted to OSBI and FBI for non-criminal justice purposes.

(I) A yearly OSBI background check is not necessary because RAP Back reports are sent when a resource parent or adult household member is arrested.

(II) Fingerprinting for a national criminal history records search is necessary every five years for active resource parents.

(ii) OBI receives and distributes RAP Back reports to the Resource Unit where the report:

(I) is scanned into the KIDS Resource File Cabinet DMS;

(II) on any open resource is emailed to the assigned resource specialist, resource supervisor, and resource field manager. A phone call is made to the resource specialist, supervisor or field manager to verify receipt; and

(III) is forwarded by the OKDHS resource family partner (RFP) liaison to a supported home's RFP.

(iii) The resource specialist:

(I) obtains the police report and disposition of the criminal arrest or charge detailed on the RAP Back report;

(II) determines, upon consultation with the resource supervisor and resource field manager, if a written plan of compliance, an abuse or neglect referral, or closure of the home is warranted;

(III) when an abuse and neglect referral is not assigned, contacts the resource parent to address and assess the information;

(IV) ensures the safety and well-being of each child placed in the resource home; and

(V) documents the information in the KIDS Resource Criminal Background screen.

(iv) The Resource Unit and OKDHS Legal Services (LS) provide consultation regarding RAP Back information and related action steps.

(v) RAP Back reports received regarding persons in a closed resource home are scanned into the KIDS Resource File Cabinet DMS by the Resource Unit.

(vi) OBI maintains an electronic log of RAP Back reports.

(2) Court records search. A The resource specialist completes a search is completed to determine if the applicant or any adult household member is, or was, a party to a court action and, if so, the disposition of the criminal charges or court involvement. When the court records search indicates the applicant or any adult household member is named in any protective order case, a traffic case involving drugs or alcohol, or a criminal case that is not an automatic bar for considering the applicant as a resource parent, the resource specialist obtains copies of the court information and the underlying law enforcement records. This The resource specialist reviews and discusses this information is reviewed and discussed with the applicant or adult household member to assess the home's suitability and safety for a child's placement in the home. The resource specialist documents the results are documented on Form 04AF007E, Records Check Documentation, filed files in the resource file, and scanned scans into the KIDS Resource File Cabinet DMS. The resource specialist searches the:

(A) Oklahoma State Courts Network at www.oscn.net;

(B) Oklahoma Department of Corrections (DOC) offender information and lookup at ~~<http://doc.ok.gov/>~~ <http://www.doc.state.ok.us>;

(C) Oklahoma District Court Records at www.odcr.com; and

(D) Mary Rippy Violent Crime Offender Registry search at <http://sors.doc.state.ok.us/>. To search for violent offenders or sex offenders, a free, self-initiated search of the Mary Rippy Violent Crime Offender Registry is conducted at the website by selecting:

(i) Violent Offenders Registry and reading the website, agreeing to the terms, and entering the search information; and

(ii) Sex Offenders Registry and reading the website, agreeing to the terms, and entering the search information.

(3) OKDHS records search.

(A) OKDHS records. The resource specialist completes a search of all OKDHS records including ~~the~~ child welfare (CW) history. A The resource specialist completes a search is completed using the Information Management System (IMS) and KIDS. Each adult household member is searched using name, date of birth, and Social Security number. An 18-year-old who was formerly in OKDHS custody and has signed himself or herself back into custody is considered an adult in the home and must have applicable background checks completed. When the applicant or any household member discloses previous CW involvement in another state, regardless of when it occurred, the resource specialist requests the records from that state. The resource specialist records the information is recorded on Form 04AF007E, filed files in the resource file, and scanned to scans into the KIDS Resource File Cabinet DMS.

(B) Community Services Worker Registry. The resource specialist completes a search at <https://cswrpublic.okdhs.org/cswrpublic>. When an individual's name is located on the Community Services Worker Registry, the information is included in the overall assessment. When an individual's name is located on the Community Services Worker Registry, OKDHS cannot approve the applicant ~~cannot be approved~~ without a resource field manager's approval.

(C) Restricted Registry. The resource specialist completes a search at <https://ccrrpublicjl.okdhs.org/ccrrpublicjl/public/>. When an individual's name is located on the Restricted Registry, the applicant is denied.

(4) Oklahoma State Department of Health (OSDH) Nontechnical Services Workers Abuse Registry. The resource specialist completes a search at <https://www.phin.state.ok.us/nar/>. When an individual's name is located on the Oklahoma State Department of Health Nontechnical Services Workers Abuse Registry, the information is included in the overall assessment. When an individual's name is located on the OSDH Nontechnical Services Workers Abuse Registry, OKDHS cannot approve the applicant ~~cannot be approved~~ without a resource field manager's approval.

(5) Out-of-state child abuse and neglect registry information search. ~~When a state that maintains a child abuse and neglect registry does not respond to an information request, the resource field manager notifies a Foster Care and Adoptions deputy director who contacts the Administration for Children and Families regional office for assistance.~~

(A) The resource specialist documents the name of each state contacted and the efforts made to obtain the information in the KIDS Pre-Resource Contacts, but does not place the child until the required registry searches are received.

(B) When a child abuse and neglect registry is not maintained by a state and the state is unable to provide any information, ~~the:~~

(i) the resource specialist documents the attempt ~~is documented~~ in KIDS Resource Contacts; and

(ii) a Foster Care and Adoptions deputy director or designee determines if placement approval may proceed when the resource home is otherwise approved.

(6) JOLTS search. The resource specialist completes a JOLTS search on any child living in the home who is not in OKDHS custody and is 13 through 17 years of age. The results resource specialist documents the results are documented on Form 04AF007E, filed files in the resource file, and scanned scans into the KIDS Resource File Cabinet DMS. The GW resource specialist attempts to obtain associated Oklahoma Office of Juvenile Affairs and law enforcement report when a JOLTS record is found.

2. Criminal history records searches for adults in the home more than 30-calendar days per year and for new household members.

(1) A criminal history records search is completed for every adult who engages in a pattern of overnight visitation for more than 30-calendar days per calendar year.

- (2) The resource specialist must complete a background check and fingerprints on a new adult living in the home immediately after notification that a new adult is living in the home. The resource specialist assesses the new adult as another household member and completes an addendum to the home study within 30-calendar days.
3. Kinship applicant criminal history records search after normal business hours, or on a holiday, or as needed for assessment of an emergency kinship placement.
- (1) The ~~CW~~ resource specialist requests a name-based criminal history records search from OBI.
- (A) The ~~CW~~ resource specialist gives OBI the name, race, gender, date of birth, and Social Security number of each person 18 years of age and older living in the household considered for the child's emergency placement.
- (B) Each adult household member gives his or her verbal consent to initiate the search.
- (C) When requested by Child Welfare Services (CWS), OBI immediately conducts the requested name-based criminal history records search, provides a verbal response on each person's criminal history, orders of protection, and outstanding warrants.
- (D) The failure of any adult living in the household to permit a name-based criminal history records search results in placement denial.
- (2) When OBI is not operational, the ~~CW~~ resource specialist asks law enforcement to conduct a name-based FBI Interstate Identification Index (III) criminal history search. With an FBI III history search, the resource specialist submits fingerprints for the applicant and each adult household member ~~must be provided and submitted~~ to OSBI within five-business days of the child entering placement in the home.
- (A) OKDHS gives law enforcement the name, race, gender, date of birth, and Social Security number of each person 18 years of age and older living in the household considered for the child's emergency placement.
- (B) Each adult household member gives his or her verbal consent to initiate the search.
- (C) When requested by OKDHS, law enforcement immediately conducts the requested name-based state and federal criminal history records searches, provides a verbal response on each person's criminal history, protection orders, and outstanding warrants.
- (D) The failure of any adult living in the household to permit a name-based criminal history records search, submit a full set of fingerprints, and provide written permission authorizing OKDHS to forward the fingerprints to OSBI for an FBI national criminal history records search within the required five-business days results in placement denial or the child's immediate removal from the potential kinship resource home.
- (E) When placement is made, OBI forwards fingerprints to OSBI within 15-calendar days after the results of the preliminary name-based records check are received.

- (3) The CW resource specialist documents the criminal history records search by law enforcement in the KIDS Resource Contacts and submits signed Form 04AD003E to OBI the next business day.
4. Guide to assess background history. The Resource specialists use the Assessment of Background Information of Resource Applicants, included on CWS Numbered Memo 15-13, ~~is utilized by resource specialists~~ to assess the applicant's and household member's criminal histories, CW histories, JOLTS information, or other concerning histories, ~~such as protective orders, traffic offenses, money judgement, or multiple marriages.~~
 5. Certain felonies prohibit applicant approval. OKDHS does not grant exceptions for felony convictions listed in Oklahoma Administrative Code (OAC) 340:75-7-15, for a potential or an approved resource parent or for anyone residing in the potential or approved resource home.
 6. Drug-related offenses. An alcohol-related felony conviction is a drug-related offense and prohibits approval of an applicant as a resource parent, when the conviction occurred within five years preceding the application date.
 7. Other related crimes, charges, and convictions. The resource specialist conducts a thorough assessment of the risk potential to the child when there is any felony or relevant misdemeanor, criminal arrest, or a conviction history regarding the applicant or an adult household member.
 8. Information and history assessment.
 - (a) Background information. The resource field manager reviews for approval or denial the applicant's and adult household member's background information that includes:
 - (1) physical violence;
 - (2) sexual components; or
 - (3) substance use or abuse.
 - (b) CW history. The resource specialist and resource supervisor review all referrals, whether screened-out or accepted, investigations, reports to the district attorney, and appeals.
 - (1) When an applicant or household member has CW history, consideration is given to the:
 - (A) nature of the referral;
 - (B) assessment conclusion or investigation finding;
 - (C) nature and seriousness of the alleged or confirmed abuse or neglect;
 - (D) time elapsed since the referral;
 - (E) circumstances under which the abuse or neglect occurred;
 - (F) degree of rehabilitation, including verifiable documentation;
 - (G) number and disposition of referrals; and
 - (H) child's safety in the home.
 - (2) When the CW history is concerning, the resource field manager, or when he or she is unavailable, a Foster Care and Adoptions deputy director, is included in the CW history assessment. For assessment purposes, the applicant is approved or denied based on the CW history.

(3) The discussion and basis for the approval or denial is documented in a KIDS Pre-Resource or Resource Contact.

(c) Criminal or delinquency history. The resource specialist and resource supervisor review all criminal arrest and conviction histories for each applicant, adult household member, or a child with a JOLTS record.

(1) When assessing criminal or delinquency history, a:

(A) homicide includes any type of murder, manslaughter, or other charge involving a person's death; and

(B) relevant misdemeanor may include, but is not limited to:

(i) assault and battery;

(ii) alcohol- or drug-related offenses;

(iii) domestic violence; or

(iv) other offenses involving the use of physical force or violence against the person or property of another.

(2) According to Oklahoma Statutes, a deferred sentence means a defendant entered a plea of guilty or nolo contendere; however, the court agreed to withhold a legal finding of guilt on the condition the defendant completes the terms of the deferred sentence imposed by the court. As such, the plea entered by the defendant is not a conviction to the underlying criminal charge but may be considered in determining the applicant's suitability to be a resource parent although the applicant was granted a deferred sentence.

(3) The resource specialist and resource supervisor consider all relevant issues when assessing the applicant's appropriateness or suitability to be a resource parent.

(4) Assessment of charges and convictions includes consideration of, but is not limited to, the:

(A) nature and seriousness of the criminal history;

(B) type of crime committed and charges with a detailed description of how and why the crime was committed;

(C) time elapsed since the crime or conviction;

(D) deferment's length or length and type of sentence imposed;

(E) completion date of the deferment ~~and/or~~ or sentence;

(F) assignment of a probation or parole officer and the officer's contact and location information;

(G) degree of rehabilitation, positive changes the applicant has made in his or her lifestyle since the arrest or conviction, and a description of how and why the changes occurred;

(H) applicant's self-evaluation regarding how the experience may influence children placed in the home;

(I) child's safety in such a placement; and

(J) information obtained from the applicant's references regarding knowledge of his or her previous and current lifestyle is considered when assessing the applicant's criminal history.

(5) The resource supervisor consults the resource field manager regarding concerning-background information, including JOLTS. When the resource

field manager is unavailable, the resource supervisor consults a Foster Care and Adoptions deputy director ~~is consulted~~. For assessment purposes, OKDHS approves or denies the applicant ~~is approved or denied~~ based on the criminal history.

(6) OKDHS LS is consulted as needed.

(7) The resource specialist documents the discussion and basis for the decision ~~are documented~~ in a KIDS Pre-Resource or Resource Contact.

9. Review of a decision to deny a resource home. When there is disagreement about denying an application based on criminal history records, CW history, JOLTS, or other concerning information, (1) through (3) of this Instruction are followed to obtain resolution.

(1) A Foster Care and Adoptions deputy director and the regional deputy director consult.

(2) When a consensus cannot be obtained after a Foster Care and Adoptions deputy director and the regional deputy director consult, the CWS director is consulted and makes the final decision.

(3) OKDHS LS attorneys are consulted as needed during the review process regarding an applicant's or household member's background information.

340:75-7-18. Resource family assessment (RFA)

Revised 9-14-24 9-15-25

(a) **RFA.** Per Section 1-7-111 of Title 10A of the Oklahoma Statutes (10A O.S. § 1-7-111), the Oklahoma Human Services (OKDHS) or RFA contractor conducts an assessment of the applicant's and each household member's background and other circumstances and conditions to determine if the home is suitable and provides a safe environment for the child in OKDHS custody requiring foster care. The RFA process is used to assess families providing the following types of out-of-home care to a child in OKDHS custody:

(1) traditional foster care;

(2) therapeutic foster care;

(3) intensive treatment family care; and

(4) contracted foster care. ■ 1

(b) **Mandate to conduct background information search.** 10A O.S. § 1-7-111 and the Oklahoma Child Care Facilities Licensing Act, 10 O.S. §§ 401 et seq. mandate that a national criminal history records search based on the submission of fingerprints and a child abuse and neglect ~~information system~~ registry check be conducted for each applicant and each household member 18 years of age and older ~~that is not a foster child~~. The applicant and each adult household member ~~complete and sign~~ Forms 04AF001E, Resource Family Application, and 04AD003E, Request for Background Check to authorize OKDHS to conduct a search into the applicant's and adult household member's criminal history records and OKDHS records.

(c) **Form 04AF004E, House assessment. ■ 23** An in-home evaluation of the applicant's residence is conducted, ~~to assess the location, condition, and capacity to accommodate the child in OKDHS custody who requires foster care.~~ Form 04AF004E

~~includes an assessment of (1) through (13) of this subsection including thorough review of weapon safety.~~

~~(1) The home's location. The home is accessible to school, medical, and recreational resources. An applicant or parent ensures the safety of a child in OKDHS custody who comes within close proximity to:~~

~~(A) a firearm or other weapon; or~~

~~(B) an individual in possession of a firearm or other weapon.~~

~~(2) The home's and property's condition. The home is clean and safe and any structures on the property that are accessible to a child are in a safe condition. The home and surroundings are evaluated regarding possible safety concerns and addressed with a plan of supervision, when applicable.~~

~~(3) Available play space. Adequate and safe indoor and outdoor space for play activities is available. Outdoor recreational equipment on the resource home's grounds, such as swing sets, riding toys, trampolines, or tree houses are clean and are maintained in good repair.~~

~~(4) Age-appropriate equipment. Age-appropriate child care equipment, such as beds, high chairs, or toys are available, clean, and in good repair.~~

~~(5) Medication, cleaning supplies, and other hazardous materials storage. Medication, cleaning supplies, and other hazardous materials are securely stored to ensure safety for all children. ■ 3~~

~~(6) Phone communications. An operable phone is available in the home when a child is present.~~

~~(7) Transportation.~~

~~(A) The applicant:~~

~~(i) maintains a vehicle in safe working order that is capable of transporting children and:~~

~~(I) carries the statutorily mandated vehicle liability insurance;~~

~~(II) possesses a valid driver license; and~~

~~(III) has a current, valid vehicle license tag; or~~

~~(ii) provides an acceptable transportation plan for the child in OKDHS custody.~~

~~(B) The applicant is advised that proper passenger restraints are used at all times when a child in OKDHS custody is riding in a vehicle.~~

~~(C) The applicant agrees to transport all children and adults in compliance with applicable state law, per 47 O.S. § 11-1112.~~

~~(8) Sleeping arrangements and privacy.~~

~~(A) The applicant's home provides a separate bed for each child, with the exception of siblings younger than 6 years of age who exhibit a need for mutual support.~~

~~(B) A separate bedroom is provided for a child who acts out sexually.~~

~~(C) Preferably, no more than two children share a bedroom. Primary consideration is given to related children according to age and emotional needs.~~

~~(D) The applicant's home provides separate bedrooms for children 7 years of age and older of the opposite sex.~~

- ~~(E) A child in OKDHS custody, with the exception of an infant who is younger than 12 months of age, does not share a bedroom with an adult in the household. Under no circumstances is a child of any age authorized to sleep with an adult.~~
- ~~(F) The applicant's home provides space for the child's personal possessions and for a reasonable degree of privacy.~~
- ~~(G) The applicant may not designate a room, such as the living room, utility room, den, dining room, pantry, or unconverted garage as a bedroom for a child in OKDHS custody unless the room is specifically designed as a bedroom.~~
- ~~(9) Infant sleeping arrangements. A crib, port-a-crib, or playpen with a firm, waterproof mattress or pad is used for each child younger than 12 months of age.~~
- ~~(A) Cribs, port-a-cribs, and playpens with more than two and 3/8 inches between slats or between the side and end panels are not allowed.~~
- ~~(B) Cribs with decorative cutout areas in crib end panels or tall decorative knobs on the corner posts that may entrap a child's head or catch the child's clothing are not allowed.~~
- ~~(C) Cribs with drop-side latches have the manufacturer-provided kits to lock the crib side in the upright position due to safety hazards.~~
- ~~(D) Mattresses are tight fitting with no more than one inch between the mattress and crib, port-a-crib, or playpen.~~
- ~~(E) Mattress and crib sheets fit snugly.~~
- ~~(F) Soft sleeping surfaces, such as soft mattresses, waterbeds, sofas, pillows, beanbag chairs, and inflatable mats are prohibited.~~
- ~~(G) Pillows, quilts, comforters and blankets, sheepskins, stuffed toys, bumper pads, breathable bumper pads, and other soft products are not permitted in the infant's crib, port-a-crib, or playpen.~~
- ~~(H) Infants birth through three months of age may be swaddled with an infant-sized, thin fabric, such as a receiving blanket.~~
- ~~(I) When placed for sleeping, items, such as pacifiers, teething necklaces, and bibs, are not attached to the infant or his or her clothing.~~
- ~~(J) An infant is immediately moved to a crib, port-a-crib, or playpen when he or she falls asleep in other equipment.~~
- ~~(K) Mobiles may be securely attached or hung above the crib provided no part of the mobile is within the infant's reach.~~
- ~~(10) Infant sleep positions.~~
- ~~(A) To reduce the risk of Sudden Infant Death Syndrome (SIDS), the infant younger than 12 months of age is placed on his or her back for sleeping, unless there is a medical reason documented by a health care professional that the infant cannot sleep on his or her back. ■-4~~
- ~~(B) The infant who is able to turn himself or herself over is placed initially on his or her back for sleeping but is allowed to sleep in the position he or she prefers.~~
- ~~(11) Water safety.~~
- ~~(A) Form 04MP061E, Water Safety Agreement, is completed for all applicants.~~
- ~~(B) The definition of a water structure or water mass includes, but is not limited to:~~
- ~~(i) swimming pools;~~
 - ~~(ii) decorative ponds;~~

- ~~(iii) farm ponds or streams;~~
- ~~(iv) fountains;~~
- ~~(v) wading pools;~~
- ~~(vi) hot tubs or spas; and~~
- ~~(vii) waterfalls.~~

~~(C) Any activity that involves a child in OKDHS custody wading or swimming is supervised at all times.~~

~~(D) All applicable laws, ordinances, rules and regulations, and insurance requirements for pools are followed.~~

~~(E) A hot tub is equipped with a hard cover designed for a hot tub.~~

~~(F) The use of portable wading pools is monitored at all times. The wading pool is emptied at the end of each use.~~

~~(G) A water Safety Plan is developed and each adult identified to provide supervision for the child during water activities signs the water safety plan. ■-5~~

~~The water Safety Plan includes appropriate measures to ensure the child's safety. Appropriate measures may include, but are not limited to:~~

~~(i) fencing. A water structure or water mass is fenced to prevent unsupervised access. There is a sturdy fence:~~

~~(I) at least four feet high that cannot be easily climbed; or~~

~~(II) that connects to the top of an above-ground pool and extends two feet above the pool or follows other specified safety guidelines; or~~

~~(ii) pool covers. A child safety pool cover is placed over the water area each time the pool is not in use. Pool covers are completely removed prior to pool use;~~

~~(iii) locked doors. All doors and gates leading to the water structure, are locked;~~

~~(iv) pool alarms. Pool alarms are installed and operating when the pool is not in use;~~

~~(v) removable ladders. Removable ladders are removed from the water structure when not in use;~~

~~(vi) safety devices, such as lifejackets or rings;~~

~~(vii) swimming lessons; or~~

~~(viii) training, such as cardio-pulmonary resuscitation and first aid.~~

~~(12) Animal and household pet safety. ■-6~~

~~(A) Animals are in good health, do not show evidence of carrying disease, and do not present a threat to the health, safety, or welfare of children. Appropriate supervision is required when the child in OKDHS custody is in the presence of the family's animals.~~

~~(B) The applicant or parent provides documentation of current rabies vaccinations administered by a licensed veterinarian for applicable animals.~~

~~(C) When an animal bites a child, the applicant or parent obtains appropriate and immediate medical treatment and contacts the assigned child welfare (CW) specialist as soon as the child's safety is secured.~~

~~(13) Weapon safety.~~

~~(A) An applicant or parent ensures the safety of a child in OKDHS custody who comes within close proximity to:~~

- ~~(i) a firearm or other weapon; or~~
 - ~~(ii) an individual in possession of a firearm or other weapon.~~
 - ~~(B)(2)~~ Any firearm or weapon in the home is maintained, along with any ammunition, in a secure container, cabinet, or closet or otherwise be inaccessible at all times to children who are in the home.
 - ~~(C)(3)~~ No firearm or weapon is transported in any vehicle in which a child in OKDHS custody is riding unless the firearm or weapon is safely secured or inaccessible to the child.
 - ~~(D)(4)~~ A law enforcement official is exempt from ~~(B) (2)~~ and ~~(C) (3)~~ of this paragraph subsection when conditions of employment require ready and immediate access to his or her weapon.
 - ~~(E)(5)~~ An applicant or parent licensed to carry a handgun, whether concealed or unconcealed, per 21 O.S. §§ 1290.1 et seq., the Oklahoma Self-Defense Act, may maintain the firearm in a holster secured to his or her person, per 21 O.S. § 1290.2. When the firearm is not holstered and secured to his or her person, it is maintained as required in ~~(A) through (C) (2) and (3)~~ of this paragraph subsection.
 - ~~(F)(6)~~ Any activity the child in OKDHS custody participates in that involves a weapon has appropriate adult supervision at all times. The applicant or parent obtains pre-approval for the child's participation in a weapons activity from the child's assigned CW specialist or CW supervisor. ■ 7 3
- ~~(14) Disaster plans. Disaster plans are reviewed with each newly placed child and periodically with all children in the home. The family disaster plan includes:~~
- ~~(A) a list of emergency phone numbers posted in an accessible and conspicuous place. The list includes:~~
 - ~~(i) 911;~~
 - ~~(ii) doctors' names and phone numbers;~~
 - ~~(iii) health professionals or clinics;~~
 - ~~(iv) fire and police departments;~~
 - ~~(v) an ambulance service; and~~
 - ~~(vi) the name and phone numbers of the alternate caregiver; and~~
 - ~~(B) access to a phone at all times when a child in OKDHS custody is present;~~
 - ~~(C) an evacuation plan in the event of a fire, tornado, earthquake, flood, ice storm, or other natural, state, or national disaster;~~
 - ~~(D) first aid procedures and supplies;~~
 - ~~(E) a planned source of available medical care, such as a hospital emergency room, clinic, or health care professional;~~
 - ~~(F) a plan of whom to contact when there is an accident, an incident involving the child in OKDHS custody, or he or she runs away or is abducted; and~~
 - ~~(G) a plan of whom to contact and community resources to access when the child in OKDHS custody has behavioral problems.~~
- (d) Number of children in the home.** OKDHS determines the number and ages of children placed in each resource home. ■ 13
- (1) Maximum number of children allowed to reside in the resource home.** The total number of children in OKDHS custody placed in a resource home does not exceed five. The total number of children in the resource home does not exceed six,

which includes biological, adoptive, foster, and other children not in OKDHS custody. Approval to exceed these limits may be given to allow:

- (A) a parenting youth in foster care to remain with his or her child;
- (B) siblings to remain together;
- (C) a child with an established meaningful relationship with the family to remain with the family; or
- (D) a family with special training or skills to provide care to a child who has a severe disability.

(2) **Maximum number of children younger than 2 years of age allowed in a resource home.** No more than two children younger than 2 years of age including the resource parent's own children may reside or be placed in the resource home.

(3) **Child in OKDHS custody placed in a tribal home.** The number of children in OKDHS and tribal custody allowed to reside in a tribal resource home is determined by the applicable tribe. When a child in OKDHS custody is placed in a tribal home and placement exceeds six children, overfill procedures are followed. ■ §13 An Indian child in OKDHS custody is placed in compliance with the placement preferences of the Indian Child Welfare Act, per Oklahoma Administrative Code (OAC) 340:75-19.

~~(e) **Authorization to check applicant's references.** The applicant grants OKDHS and RFA contractors permission to contact the applicant's references by signing Form 04AF001E, Resource Family Application. Information obtained from the references is confidential and may only be released upon order of a court with competent jurisdiction.~~

~~■ 9 & 10 **RFA disposition.** ■ 12 Upon completion of the RFA, a decision regarding approval or denial is made after assessing the information gathered.~~

~~(1) The assessment process is completed and the determination regarding approval or denial is made no later than 60-calendar days after receipt of completed Form 04AF001E.~~

~~(2) OKDHS may approve or deny an applicant as a resource when the applicant or the home meets or does not meet requirements, per OAC 340:75-7.~~

~~(3) OKDHS makes the final determination of application denial, which may occur at any point during the process.~~

~~(f) **Assessment of applicant's marital and relationship history.** The applicant has stable relationships whether married, single, separated, or divorced. The applicant's ability to develop and sustain stable relationships is assessed and documented. ■ 11~~

~~(g) **Household income.** The applicant completes Form 04AF010E, Resource Family Financial Assessment, and provides documentation of employment, income, and expenditures as an assessment component. The applicant provides verification that he or she can manage personal and household financial needs without relying on the foster care maintenance payment. The applicant has sufficient income or community resources to meet the needs of an additional child placed in his or her home until the foster care maintenance payment for the child in OKDHS custody is received.~~

~~(h) **RFA disposition.** ■ 12 Upon completion of the RFA, a decision regarding approval or denial is made after assessing the information gathered.~~

~~(1) The assessment process is completed and the determination regarding approval or denial is made no later than 60-calendar days after receipt of completed Form 04AF001E.~~

~~(2) OKDHS may approve or deny an applicant as a resource when the applicant or the home meets or does not meet requirements, per OAC 340:75-7.~~

~~(3) OKDHS makes the final determination of application denial, which may occur at any point during the process.~~

~~(f)~~ **Exceptions to assessment guidelines.** ■ ~~4314~~ Upon the applicant's or CW specialist's request, OKDHS may grant exceptions, provided adequate standards affording protection for the health, safety, and welfare of the child exist, ~~per (1) and (2) of this subsection.~~

~~(1) For kinship resource homes only, OKDHS may, at its discretion, grant a waiver of specific rules or standards that do not compromise a child's safety and does not violate federal or state statutes.~~

~~(2) For and, for traditional resource homes, OKDHS may, at its discretion, grant a variance of specific rules or standards that do not compromise a child's safety and does not violate federal or state statutes.~~

~~(g)~~ **Application denial.** When a decision is made to deny an applicant as a resource parent home application, the applicant is provided an explanation regarding the reasons for the denial. ~~When the denial pertains to a kinship resource home, the child in OKDHS custody is immediately moved from the applicant's home.~~ Reasons for denying an application may include, but are not limited to:

(1) a lack of stable, adequate income to meet the applicant's own or total family needs, or the poor management of available income;

(2) the physical facility is inadequate to accommodate the addition of the child in OKDHS custody into the home, or presents health or safety concerns;

(3) a household member that has a history of alleged or confirmed child abuse, neglect, or both, per OAC 340:75-7-15;

(4) a household member that has a history of arrests or convictions, per OAC 340:75-7-15;

(5) any household member's health, behavioral health, or any condition that impedes the applicant's ability to provide appropriate care for a child;

(6) relationships in the household that are unstable and unsatisfactory;

(7) references that are guarded or have reservations in recommending the applicant;

(8) the applicant fails to complete the application, required training, or verifications timely as requested, or provides incomplete, inconsistent, or untruthful information;

(9) the home is determined unsuitable for the child requiring placement;

(10) the applicant applied for a child that OKDHS reasonably believes may not be available for placement; or

(11) one or more factors concerning any household member or conditions in the home, as described in the denial letter, renders the applicant or home environment inappropriate as a resource home.

~~(h)~~ **Authority to approve or deny resource home and Interstate Compact on the Placement of Children (ICPC) assessments.** OKDHS determines the final disposition of each resource home and ICPC assessment completed by OKDHS or RFA contractors.

~~(i)~~ **Changes in the household.** ■ ~~4415~~ The applicant or parent notifies the resource specialist or RFA contractor:

(1) immediately of any:

- (A) charges, arrests, or any alleged illegal activity committed by the applicant or any household member; and
- (B) proceeding for a protective order filed by or against the applicant or any household member; and
- (2) within 24 hours of any change in the household including, but not limited to:
 - (A) the address or the home's location, including emergency home displacement;
 - (B) any significant change in the home that impacts the family's day-to-day living;
 - (C) the death or serious illness of a resource parent;
 - (D) health;
 - (E) income;
 - (F) individuals moving in or moving out of the home for any reason; or
 - (G) new or terminated relationships.

INSTRUCTIONS TO STAFF 340:75-7-18

Revised ~~9-14-24~~ 9-15-25

1. **Resource family assessment (RFA).** The RFA is completed by Oklahoma Human Services (OKDHS) resource specialists or an RFA contractor when an applicant applies to provide foster care services for a child, and the family does not have a kinship relationship with the child or child's family. The written assessment describes the family based on complete, consistent, and truthful information the resource specialist or RFA contractor gathers in conjunction with the family, following an application review and a background information summary.
2. **Resource family assessment (RFA) process.** The resource specialist ensures a safe environment, per Oklahoma Administrative Code (OAC) 340:75-7-15 and 340:75-7-18 for the child via completion of steps in (1) through (4) of this Instruction to Staff.
 - (1) **Initial visit.** The resource specialist or RFA contractor conducts the initial consultation with the family in the family's home to answer questions, explain the mutual assessment process and training requirements, and assess the home's safety. Observations are documented on Form 04AF004E, House Assessment.
 - (2) **Guidelines and form.** The resource specialist or RFA contractor uses Form 04AF002E, Guidelines for Resource Family Assessment, to obtain information regarding the family. When the resource specialist or RFA contractor is completing the RFA, the information is written on Form 04AF003E, Resource Family Assessment.
 - (3) **Review of resource assessment forms.** The resource specialist or RFA contractor reviews Forms:
 - (A) 04AF010E, Resource Family Financial Assessment;
 - (B) 04AF001E, Resource Family Application;
 - (C) 04AF008E, Medical Examination Report, received by the resource specialist or RFA contractor as soon as possible or prior to the final consultation visit;
 - (D) 04AF039E, Child(ren)'s Health Statement;
 - (E) 04AF017E, Resource Parent Health History;

- (F) 04AF018E, Child Needs Information List;
- (G) 04AF005E, Notice to Resource Applicants;
- (H) 04MP001E, Consent for Release of Confidential Information;
- (I) 13HI003E, Authorization to Disclose Medical Records;
- (J) 04AF021E, Verification of Receipt of OKDHS Rules; and
- (K) 04AF043E, Resource Family Application Other Adults in the Home, when applicable.

(4) Tribal membership. The resource specialist verifies the applicant's tribal membership or tribal affiliation by obtaining a copy of the tribal membership card and submitting Form 04TB001E, Resource Family Applicant(s) Letter to Verify Tribal Membership, to the tribe to identify valid placement resources for the Indian child pursuant to the Indian Child Welfare Acts, per Oklahoma Administrative Code (OAC) 340:75-19.

23. House assessment. Per OAC 340:75-7-18(c), the resource specialist and RFA contractor conduct an evaluation of the applicant's residence to assess the location, condition, and capacity to accommodate the child in OKDHS custody, on Form 04AF004E. Form 04AF004E includes an assessment of (1) through (14) of this subsection.

(1) The location of the home. The home is accessible to school, medical, and recreational resources.

(2) The condition of the home and property. The home is clean and safe and any structures on the property that are accessible to a child are in a safe condition. The home and surroundings are evaluated regarding possible safety concerns and addressed with a plan of supervision, when applicable.

(3) Available play space. Adequate and safe indoor and outdoor space for play activities is available. Outdoor recreational equipment on the resource home's grounds, such as swing sets, riding toys, trampolines, or tree houses are clean and are maintained in good repair.

(4) Age-appropriate equipment. Age-appropriate child care equipment, such as beds, high chairs, or toys are available, clean, and in good repair.

(5) Medication, cleaning supplies, and other hazardous materials storage. Medication, cleaning supplies, and other hazardous materials are securely stored to ensure safety for all children, and the resource specialist assesses the home environment for safety according to the physical and mental development of the children in the home, as provided by this subsection.

(A) All medications, prescribed and over-the-counter, are stored in a secure location. Guidelines for medication storage are found at <https://www.cdc.gov/medicationsafety> and may include a medication lock box to keep medications out of reach and sight of children.

(B) All medical marijuana or marijuana-infused products for medical use, including marijuana plants, are securely stored and inaccessible to children. The resource specialist obtains a copy of each individual's medical marijuana license, as applicable.

- (C) All cleaning supplies, alcohol, and other hazardous items are securely stored and inaccessible to children.
- (6) Phone communications. An operable phone is available in the home when a child is present.
- (7) Transportation.
- (A) The applicant provides safe and reliable transportation for the child in OKDHS custody. The applicant:
- (i) maintains a vehicle in safe working order that is capable of transporting children;
- (I) carries the statutorily mandated vehicle liability insurance;
- (II) possesses a valid driver license; and
- (III) has a current, valid vehicle license tag; or
- (ii) provides an acceptable transportation plan for the child in OKDHS custody.
- (B) The applicant is advised that proper passenger restraints are used at all times when a child in OKDHS custody is riding in a vehicle.
- (C) The applicant agrees to transport all children and adults in compliance with applicable state law, per section 11-1112 of Title 47 of the Oklahoma Statutes (47 O.S. § 11-1112).
- (8) Sleeping arrangements and privacy.
- (A) The applicant's home provides a separate bed for each child, with the exception of siblings younger than 6 years of age who exhibit a need for mutual support.
- (B) A separate bedroom is provided for a child who acts out sexually.
- (C) Preferably, no more than two children share a bedroom. Primary consideration is given to related children according to age and emotional needs.
- (D) The applicant's home provides separate bedrooms for children 7 years of age and older of the opposite sex.
- (E) A child in OKDHS custody, with the exception of an infant who is younger than 12 months of age, does not share a bedroom with an adult in the household. Under no circumstances is a child of any age authorized to sleep with an adult.
- (F) The applicant's home provides space for the child's personal possessions and for a reasonable degree of privacy.
- (i) Cameras are not permitted to be placed in a bathroom.
- (ii) Cameras are permitted in bedrooms until the age of 3 years old. If cameras are needed for a child above the age of 3 and due to child specific needs, the Field Manager may approve a waiver or variance.
- (G) The applicant may not designate a room, such as the living room, utility room, den, dining room, pantry, or unconverted garage as a bedroom for a child in OKDHS custody unless the room is specifically designed as a bedroom.
- (9) Infant sleeping arrangements. A crib, port-a-crib, or playpen with a firm, waterproof mattress or pad is used for each child younger than 12 months of age.

(A) Cribs, port-a-cribs, and playpens with more than two and 3/8 inches between slats or between the side and end panels are not allowed.

(B) Cribs with decorative cutout areas in crib-end panels or tall decorative knobs on the corner posts that may entrap a child's head or catch the child's clothing are not allowed.

(C) Cribs with drop-side latches have the manufacturer-provided kits to lock the crib side in the upright position due to safety hazards.

(D) Mattresses are tight-fitting with no more than one inch between the mattress and crib, port-a-crib, or playpen.

(E) Mattress and crib sheets fit snugly.

(F) Soft sleeping surfaces, such as soft mattresses, waterbeds, sofas, pillows, beanbag chairs, and inflatable mats are prohibited.

(G) Pillows, quilts, comforters and blankets, sheepskins, stuffed toys, bumper pads, breathable bumper pads, and other soft products are not permitted in the infant's crib, port-a-crib, or playpen.

(H) Infants birth through three months of age may be swaddled with an infant-sized, thin fabric, such as a receiving blanket.

(I) When placed for sleeping, items, such as pacifiers, teething necklaces, and bibs, are not attached to the infant or his or her clothing.

(J) An infant is immediately moved to a crib, port-a-crib, or playpen when he or she falls asleep in other equipment.

(K) Mobiles may be securely attached or hung above the crib provided no part of the mobile is within the infant's reach.

(10) Infant sleep positions.

(A) To reduce the risk of Sudden Infant Death Syndrome (SIDS), the infant younger than 12 months of age is placed on his or her back for sleeping, unless there is a medical reason documented by a health care professional that the infant cannot sleep on his or her back.

(B) When there is a medical reason that an infant cannot or may not sleep on his or her back, the resource parent maintains documentation from a health care professional and a copy is filed in the resource file.

(C) The infant who is able to turn himself or herself over is placed initially on his or her back for sleeping but is allowed to sleep in the position he or she prefers.

(11) Water safety.

(A) Form 04MP061E, Water Safety Agreement, is completed for all applicants.

(B) The definition of a water structure or water mass includes, but is not limited to:

(i) swimming pools;

(ii) decorative ponds;

(iii) farm ponds or streams;

(iv) fountains;

(v) wading pools;

(vi) hot tubs or spas; and

(vii) waterfalls.

(C) Any activity that involves a child in OKDHS custody wading or swimming is supervised at all times.

(D) All applicable laws, ordinances, rules and regulations, and insurance requirements for pools are followed.

(E) A hot tub is equipped with a hard cover designed for a hot tub.

(F) The use of portable wading pools is monitored at all times. The wading pool is emptied at the end of each use.

(G) A water Safety Plan is developed and each adult identified to provide supervision for the child during water activities signs the water safety plan. The water Safety Plan includes appropriate measures to ensure the child's safety. Appropriate measures may include, but are not limited to:

(i) fencing. A water structure or water mass is fenced to prevent unsupervised access. There is a sturdy fence:

(I) at least four feet high that cannot be easily climbed; or

(II) that connects to the top of an above-ground pool and extends two feet above the pool or follows other specified safety guidelines; or

(ii) pool covers. A child-safety pool cover is placed over the water area each time the pool is not in use. Pool covers are completely removed prior to pool use;

(iii) locked doors. All doors and gates leading to the water structure, are locked;

(iv) pool alarms. Pool alarms are installed and operating when the pool is not in use;

(v) removable ladders. Removable ladders are removed from the water structure when not in use;

(vi) safety devices, such as lifejackets or rings;

(vii) swimming lessons; or

(viii) training, such as cardio-pulmonary resuscitation and first aid.

(H) The Water Safety Plan is:

(i) developed with each applicant;

(ii) documented and signed by each applicant, adult household member, and resource specialist;

(iii) provided to the applicant;

(iv) updated when a change or an addition of a water structure or mass occurs to the resource home or property; and

(v) reviewed at each annual update or reassessment.

(12) Animal and household pet safety.

(A) Animals are in good health, do not show evidence of carrying disease, and do not present a threat to the health, safety, or welfare of children. Appropriate supervision is required when the child in OKDHS custody is in the presence of the family's animals.

(B) The applicant or parent provides documentation of current rabies vaccinations administered by a licensed veterinarian for applicable animals.

(C) When an animal bites a child, the applicant or parent obtains appropriate and immediate medical treatment and contacts the assigned child welfare (CW) specialist as soon as the child's safety is secured.

(i) Documentation of current rabies vaccinations administered by a licensed veterinarian for applicable animals is maintained in the resource file.

(ii) Inquiry is made regarding when any animal displayed aggressive behavior, bit anyone, or required restraint due to the animal's nature.

(iii) To determine the safety issues for children, the resource specialist or RFA contractor contacts the Oklahoma Department of Wildlife or the veterinarian of record when the applicant has an exotic animal and documents the information in the KIDS resource.

(13) Weapon safety.

(A) A weapon includes, but is not limited to, a:

(i) gun, such as a pistol, revolver, shotgun, or rifle from which a projectile is fired by gunpowder, gas, or other means of rocket propulsion;

(ii) air-powered BB or pellet gun;

(iii) bow and arrow; or

(iv) knife, such as a dagger or knife with a blade that opens automatically by hand pressure applied to a button, spring, or other device in the handle of the knife, with the exception of cooking or eating utensils.

(B) The applicant and the resource specialist discuss in detail the applicant's plan to store and secure weapons and firearms or ensure their inaccessibility at all times to children in the home. Weapons security and safety is addressed during any subsequent home reassessment. Examples of secured weapons or firearms include, but are not limited to,

(i) storing items in a locked gun safe, biometric safe, or cabinet;

(ii) using trigger locks; or

(iii) removing firing pins from firearms.

(C) Verification of weapon exemption.

(i) Law enforcement personnel submit employer-provided documentation that indicates he or she is required to carry a weapon as a condition of employment.

(ii) Continuing weapons licensure and law enforcement employment is verified during any home reassessment.

(14) Disaster plans. Disaster plans are reviewed with each newly-placed child and periodically with all children in the home. The family disaster plan includes:

(A) a list of emergency phone numbers posted in an accessible and conspicuous place. The list includes:

(i) 911;

(ii) doctors' names and phone numbers;

(iii) health professionals or clinics;

- (iv) fire and police departments;
 - (v) an ambulance service; and
 - (vi) the name and phone numbers of the alternate caregiver; and
 - (B) access to a phone at all times when a child in OKDHS custody is present;
 - (C) an evacuation plan in the event of a fire, tornado, earthquake, flood, ice storm, or other natural, state, or national disaster;
 - (D) first aid procedures and supplies;
 - (E) a planned source of available medical care, such as a hospital emergency room, clinic, or health care professional;
 - (F) a plan for whom to contact when there is an accident, an incident involving the child in OKDHS custody, or an incident when he or she runs away or is abducted; and
 - (G) a plan for whom to contact and community resources to access when the child in OKDHS custody has behavioral problems.
- ~~3. Medication, cleaning supplies, and hazardous material storage. The storage of medication, cleaning supplies, and hazardous materials in each home environment is assessed for safety according to the physical and mental development of the children in the home.~~
- ~~(1) All medications, prescribed and over-the-counter, are stored in a secure location. Guidelines for medication storage are found at <https://www.cdc.gov/medicationsafety/> and may include a medication lock box to keep medications out of reach and sight of children.~~
 - ~~(2) All medical marijuana or marijuana-infused products for medical use, including marijuana plants, are securely stored so as to be inaccessible to children. The resource specialist obtains a copy of each individual's medical marijuana license, as applicable.~~
 - ~~(3) All cleaning supplies, alcohol, and other hazardous items are securely stored so as to be inaccessible to children.~~
- ~~4. Infant sleeping arrangements. When there is a medical reason that an infant cannot or may not sleep on his or her back, the resource parent maintains documentation from a health care professional and a copy is filed in the resource file.~~
- ~~5. Water safety. The resource specialist and RFA contractor observe all water structures and masses within sight of, or accessible to, the living structure or yard. Form 04MP061E, Water Safety Agreement, is completed for all applicants. The water Safety Plan is:~~
- ~~(1) developed with each applicant;~~
 - ~~(2) documented and signed by each applicant, adult household member, and resource specialist;~~
 - ~~(3) provided to the applicant;~~
 - ~~(4) updated when a change or an addition of a water structure or mass occurs to the resource home or property; and~~
 - ~~(5) reviewed at each annual update or reassessment.~~
- ~~6. Animal safety.~~

~~(1) Documentation of current rabies vaccinations administered by a licensed veterinarian for applicable animals is maintained in the resource file.~~

~~(2) Inquiry is made regarding when any animal displayed aggressive behavior, bit anyone, or required restraint due to the animal's nature.~~

~~(3) To determine the safety issues for children, the resource specialist or RFA contractor contacts the Oklahoma Department of Wildlife or the veterinarian of record when the applicant has an exotic animal and documents the information in the KIDS resource.~~

~~7. (a) Weapon or firearm safety.~~

~~(1) A weapon includes, but is not limited to, a:~~

~~(A) gun, such as a pistol, revolver, shotgun, or rifle from which a projectile is fired by gunpowder, gas, or other means of rocket propulsion;~~

~~(B) air-powered BB or pellet gun;~~

~~(C) bow and arrow; or~~

~~(D) knife, such as a dagger or knife with a blade that opens automatically by hand pressure applied to a button, spring, or other device in the handle of the knife, with the exception of cooking or eating utensils.~~

~~(2) The applicant and the resource specialist discuss in detail the applicant's plan to store and secure weapons and firearms or ensure their inaccessibility at all times to children in the home. Examples of secured weapons or firearms include, but are not limited to, storing items in a locked gun safe, biometric safe, or cabinet; using trigger locks; or removing firing pins from firearms. Weapons security and safety is addressed during any subsequent home reassessment.~~

~~(b) Verification of weapon exemption.~~

~~(1) Law enforcement personnel submit employer-provided documentation that indicates he or she is required to carry a weapon as a condition of employment.~~

~~(2) Continuing weapons licensure and law enforcement employment is verified during any home reassessment.~~

4. The resource specialist assesses each potential resource applicant and adult household member's child welfare (CW) and criminal histories, per OAC 340:75-7-15.

5. Authorization to check applicant's references. The applicant grants OKDHS and RFA contractors permission to contact the applicant's references by signing Form 04AF001E, Resource Family Application. Information obtained from the references is confidential and may only be released upon order of a court with competent jurisdiction.

6. Checking applicant references. Only a trained resource specialist or an RFA contractor solicits and reviews information received from references the applicant provides regarding the applicant's parenting strategies and skills. The applicant has the three personal references in (1)(A) and the references

(1)(B) through (H) of this Instruction to Staff (ITS), when applicable. The resource specialist or RFA contractor:

(1) documents all information voluntary and applicant-provided references provide. The resource specialist or RFA contractor explains the program's expectations, and the needs of the children who come into OKDHS care, to each person contacted as a reference.

(A) Three personal references are interviewed by phone or in person, only one of whom may be a family member.

(B) When applicable, all adult children are contacted by letter, phone, or in person to complete Form 04AF015E, Resource Family Reference Letter for Adult Children.

(C) The applicant's current employer is contacted by letter, phone, or in person using Form 04AF011E, Resource Family Reference Letter for an Employer.

(D) When applicable, school teachers, counselors, or administrators who have recently served the applicant's child are contacted by letter, phone, or in person using Form 04AF014E, Resource Family Reference Letter for School Personnel, to assess the applicant's involvement in educational issues.

(E) When the applicant homeschools his or her child, a person with knowledge of the applicant's homeschooling experience is contacted by letter, phone, or in person using Form 04AF025E, Resource Family Reference Letter for Homeschooling.

(F) When the applicant currently receives or received behavioral health services in the past 10 years, the behavioral health care professional is contacted using Form 04AF013E, Resource Family Assessment Reference Letter for Behavioral Health Professionals. The resource specialist or RFA contractor uses Form 13HI003E, Authorization to Disclose Medical Records, to obtain permission from the applicant to receive his or her behavioral health information. In addition to Form 04AF013E, the resource specialist requests behavioral records from the behavioral health professional.

(G) When the applicant's child currently receives or received behavioral health services in the past 10 years, the behavioral health care professional is contacted using Form 04AF012E, Child's Behavioral Health Reference Letter. The resource specialist or RFA contractor uses Form 13HI003E to obtain permission from the applicant to receive the child's behavioral health information. In addition to Form 04AF012E, the resource specialist requests behavioral records from the behavioral health professional.

(H) When the required references do not total at least six, the resource specialist obtains additional personal references.

(I) References may be contacted for an interview when the reference fails to respond to the reference letter request or when information contained in the response requires clarification. Additional references are not contacted without the applicant's specific written permission.

(J) When voluntary references contact the resource specialist to provide information, the information is included in the assessment summary.

(K) When guarded reference information is received, the issues are fully explored with the applicant without revealing the source of the information; and

(2) obtains a copy of DD Form 214, Certificate of Release of Discharge from Active Duty, to determine the type of discharge, when the applicant was discharged from the armed forces. Any discharge other than honorable is specifically addressed in the assessment as a consideration in the applicant's ability to attend to the safety and well-being of a child requiring foster care services;

(3) does not deny the continuation of the resource application process based solely on information a reference provides. When a reference provides information requiring further explanation from the applicant, the resource specialist or RFA contractor discusses the nature of the information without revealing the source; and

(4) requests consultation with the resource supervisor and field manager to determine the significance of the information provided by a reference, who:

(A) has a history of abuse, neglect, or both that includes victimization by the applicant;

(B) disagrees with the applicant's desire to foster; or

(C) has other concerns about his or her ability to parent.

7. Checking other adult references. References are obtained for any individual in the home, 21 years of age and older. When there are concerns about a younger adult in the home, references are requested. Only a trained resource specialist or an RFA contractor solicits and reviews information received from references the other adult provides about his or her parenting strategies and skills. The other adult has the one personal reference in (1)(A) and the references (1)(B) through (E) of this ITS, when applicable. The resource specialist or RFA contractor:

(1) documents all information from voluntary and other provided references. The resource specialist or RFA contractor explains the program's expectations and the needs of children who come into OKDHS care to each person who is contacted as a reference.

(A) One personal reference is interviewed by phone or in person and may not be a family member.

(B) When applicable, all adult children are contacted by letter, phone, or in person to complete Form 04AF015E, Resource Family Reference Letter for Adult Children.

(C) The current employer of the other adult in the home is contacted by letter, phone, or in person using Form 04AF011E, Resource Family Reference Letter for an Employer.

(D) When the other adult currently receives or received behavioral health services in the past 10 years, the behavioral health care professional is contacted using Form 04AF013E, Resource Family Assessment Reference Letter for Behavioral Health Professionals. The

- resource specialist or RFA contractor uses Form 13HI003E, Authorization to Disclose Medical Records, to obtain permission from the other adult to receive his or her behavioral health information. In addition to Form 04AF013E, the resource specialist requests behavioral records from the behavioral health professional.
- (E) When the required references do not total three, the resource specialist obtains additional personal references; and
- (2) does not deny the continuation of the resource application process based solely on information a reference provides. When a reference provides information requiring further explanation from the other adult, the resource specialist or RFA contractor discusses the nature of the information without revealing the source; and
- (3) requests consultation with the resource supervisor and field manager to determine the significance of the information a reference provides, who:
- (A) has a history of abuse, neglect, or both that includes victimization by the other adult; or
- (B) has other concerns about his or her ability to parent.
- 8. Assess applicant's marital and relationship history. The applicant has stable relationships whether married, single, separated, or divorced. The applicant's ability to develop and sustain stable relationships is assessed and documented.**
- (1) A copy of the current marriage license, each divorce decree, legal separation, and annulment document, when applicable, is obtained. The resource specialist carefully reviews all applicable divorce decrees for custody arrangements and any information that indicates the applicant was not appropriate around children.
- (2) When there is a child from a previous marriage, the child's role in the family is discussed, and emotional and financial child support, when applicable, is documented.
- (3) The applicant's ability to develop and sustain stable relationships is assessed and documented in the RFA.
- 9. Assess the household income. The applicant completes Form 04AF010E, Resource Family Financial Assessment, and provides documentation of employment, income, and expenditures as an assessment component. The applicant provides verification that he or she can manage personal and household financial needs without relying on the foster care maintenance payment. The applicant has sufficient income or community resources to meet the needs of an additional child placed in his or her home until the foster care maintenance payment for the child in OKDHS custody is received.**
- 10. Enroll the potential resource applicant in required pre-service training per OAC 340:75-7-14.**
- 11. Complete and submit Form 04AF009E, Referral for Resource Family Assessment, to the resource family assessment (RFA) contractor within five-business days of receipt of the completed application with:**
- (1) Form 04AF004E completed at the initial home visit by the resource specialist;

- (2) Form 04AF001E, Resource Family Application;
- (3) Form 04AF007E, Records Check Documentation;
- (4) Form 04AD003E, Request for Background Check, for each applicant and adult household member;
- (5) Form 04AF043E, Resource Family Application Other Adults in the Home, when applicable; and
- (6) other forms or documents the applicant provides to the resource specialist.

12.(a) RFA disposition. The RFA is approved or denied within 60-calendar days after receipt of completed Form 04AF001E, Resource Family Application. The resource specialist:

- (1) reviews Forms 04AF002E, Guidelines for Resource Family Assessment, and 04AF003E, Resource Family Assessment, for content;
- (2) shares the RFA with the applicant, without the reference and protected information sections, for his or her input prior to the decision to select if he or she is in or out of the resource program; and
- (3) consults with his or her resource supervisor and, when necessary, the field manager to determine the assessment disposition.

(b) Disposition of the assessment may result in (1), (2), or (3) of this subsection.

(1) Voluntary withdrawal of the application. During the assessment, the applicant is advised of any condition that does not conform to resource requirements, per OAC 340:75-7 Part 2. When the applicant and resource specialist or RFA contractor mutually decide to postpone the RFA process to afford the applicant the opportunity to resolve issues of concern, the applicant withdraws from the resource program. When the applicant withdraws the application, the resource specialist sends a letter of confirmation documenting the withdrawal.

(2) RFA approval.

(A) The resource specialist or RFA contractor reviews and discusses the assessment, except for the protected information and reference sections, with the applicant for content clarification.

(B) The resource specialist, resource supervisor, and applicant sign Form 04AF003E and a copy, except for the protected information and reference sections, is provided to the applicant. The home is not considered approved until the:

(i) applicant meets training requirements;

(ii) national criminal history records search results based on fingerprints are received and reviewed; and

(iii) resource supervisor reads and signs the RFA.

(C) The Permanency Planning specialist has the applicant sign Form 04FC011E, Placement Agreement for Out-of-Home Care, at the time of placement, per OAC 340:75-6-85 ITS #11.

(D) Prior to the initiation of foster care maintenance payments, the applicant, per OAC 340:75-7-52, signs the foster care contract.

(E) Each resource parent signs Forms:

- (i) 15GR008E, Notice of Grievance Rights Foster Parents; and
- (ii) 10CO135E, Vendor Information (Substitute W-9).

(F) The resource specialist:

- (i) copies the KIDS Pre-Resource to a Resource for each approved resource home except when the child in OKDHS custody is in a kinship placement, per OAC 340:75-7-24;
- (ii) end dates the KIDS Pre-Resource after conversion to a KIDS Resource;
- (iii) scans the signed assessment and documentation into the KIDS Resource document management system (DMS); and
- (iv) requests approval of the Family Assessment Line in KIDS.

(G) After signing the RFA, the resource supervisor approves the Family Assessment Line in KIDS within five-business days for a traditional resource home.

(3) Resource home application denial.

(A) Before the resource home application is denied, the resource specialist:

- (i) shares the information with the resource supervisor;
- (ii) consults with the field manager when determining whether to deny an application;
- (iii) documents all information obtained in the resource file and KIDS Pre-Resource or Resource Contacts;
- (iv) documents and summarizes the reasons for application denial including identification of supporting documentation in KIDS Pre-Resource or Resource Contacts;
- (v) references the contact entry date from (v) in the Application tab of the Results screen comments box in the Pre-Resource or in the Resource closure screen; and
- (vi) scans the documentation into the KIDS Pre-Resource or Resource DMS and closes the Pre-Resource or Resource.

(B) When possible, the resource specialist makes face-to-face or phone contact with the applicant to clarify the reason for denying the application.

(C) Form 04FC020E, Notice of Denial to Resource Applicant, is sent to the applicant stating the reason for the application denial. Relevant OKDHS rules or procedures are cited and attached to the letter.

813. (a) Placement in a resource home. When evaluating placement in a resource home, consideration is given to the number of children and:

- (1) each resource parent's capabilities and skills;**
- (2) the number and ages of the resource parent's own children;**
- (3) if the home can physically accommodate the children;**
- (4) the known behavioral patterns of the resource parent's own children, the children in foster care currently residing in the home, and the prospective child;**
- (5) the presence of additional adult caregivers in the home beyond the approved resource parents; and**

(6) the anticipated effect of the placements upon the resource family as a unit. The needs of the child placed in the resource home may restrict the home's capacity regardless of the approved number of foster care beds in the home.

(b) Exception to the number or age limit of children placed in a resource home. A child's placement in a resource home that causes the home to exceed the allowed number or age limit, per OAC 340:75-7-18, requires completion of Form 04FC021E, Resource Overfill Assessment and approval prior to placement. Approval is applicable only for the specific placement in the request.

(1) The child welfare (CW) specialist consults with the resource specialist concerning the feasibility of an exception for a traditional or kinship resource to exceed the allowed number or age limit for placements.

(2) The resource specialist consults with the CW specialist, CW supervisor, and the resource supervisor to discuss the:

(A) reason for the request;

(B) search results for an alternate, appropriate placement for the child;

(C) name and resource number of the resource family considered for the exception;

(D) number, gender, and ages of children:

(i) currently approved for the resource home;

(ii) currently placed in the home;

(iii) for whom the request is made; and

(iv) of the resource family; and

(E) date and overall results of the last resource home annual update including a review of all previous referrals, policy violations, and written plans of compliance on the resource home;

(F) number of in-service training hours the resource family completed in the last contract year;

(G) summary of the behaviors, treatment needs, and placement and permanency plans of each child currently placed, and each child included in the overfill request;

(H) specified time requirements for the overfill;

(I) effect of the overfill on sibling placement, when any;

(J) summary of previous placements and overfill requests for each child included in the request;

(K) plan for each child's transportation needs in accordance with state vehicle child safety restraint requirements;

(L) sleeping arrangements for each child in the resource home and the planned sleeping arrangement for the prospective child;

(M) effect the overfill may have on the placement of each child currently in the home;

(N) resource specialist's recommendation regarding the overfill request; and

(O) identification of, and a plan to provide possible services or supports needed by the children or family, to ensure a safe and stable placement.

(3) The CW specialist documents the overfill request and request date in the child's case KIDS Contacts.

(4) When the request is for overfill of a supported home, the resource family partner (RFP) foster care worker sends the documentation to the OKDHS RFP liaison, who documents the overfill request and date in the KIDS Resource Contacts.

(5) The resource specialist submits Form 04FC021E to the resource supervisor for a decision and documents the submission date in KIDS Resource Contacts.

(6) When the home provides care for up to seven children, the resource supervisor forwards Form 04FC021E to the field manager for approval or denial and notifies the resource supervisor of the decision.

(7) In the event the request is for the resource home to care for a total of eight or more children, the field manager reviews Form 04FC021E and, when in agreement, forwards to a Foster Care and Adoptions deputy director and the regional deputy director for the child's case for approval. A Foster Care and Adoptions deputy director consults with the regional deputy director for the child's case and notifies the field manager of the decision. The CW and resource supervisors are then notified of the decision.

(8) The specific needs of all children involved, the resource parents, and the family unit as a whole are the basis for consideration of the overfill.

(9) The CW and resource supervisors notify the CW and resource specialists of the decision.

(10) The CW and resource specialists or the OKDHS RFP liaison document the decision and plan for additional services and supports in the child's and resource case KIDS Contacts.

(11) When an overfill is approved for a resource home, regardless of the number of children placed, the CW specialists assigned to the children placed in the home review and document the plan to provide additional services or supports at the time of the monthly contact.

(12) The resource specialist:

(A) makes phone contact with the family monthly. At least one in-home visit is required per quarter, unless additional home visits are part of an overfill support plan;

(B) reviews the plan to address any additional needs, services, and supports; and

(C) documents the contacts and plan review in KIDS Resource Contacts.

~~9. Checking applicant references. Only a trained resource specialist or an RFA contractor solicits and reviews information received from references the applicant provides regarding the applicant's parenting strategies and skills. The applicant has the three personal references in (1)(A) and the references (1)(B) through (H) of this Instruction to Staff (ITS), when applicable. The resource specialist or RFA contractor:~~

~~(1) documents all information voluntary and applicant-provided references provide. The resource specialist or RFA contractor explains the program's~~

~~expectations, and the needs of the children who come into OKDHS care, to each person contacted as a reference.~~

~~(A) Three personal references are interviewed by phone or in person, only one of whom may be a family member.~~

~~(B) When applicable, all adult children are contacted by letter, phone, or in person to complete Form 04AF015E, Resource Family Reference Letter for Adult Children.~~

~~(C) The applicant's current employer is contacted by letter, phone, or in person using Form 04AF011E, Resource Family Reference Letter for an Employer.~~

~~(D) When applicable, school teachers, counselors, or administrators who have recently served the applicant's child are contacted by letter, phone, or in person using Form 04AF014E, Resource Family Reference Letter for School Personnel, to assess the applicant's involvement in educational issues.~~

~~(E) When the applicant homeschools his or her child, a person with knowledge of the applicant's homeschooling experience is contacted by letter, phone, or in person using Form 04AF025E, Resource Family Reference Letter for Homeschooling.~~

~~(F) When the applicant currently receives or received behavioral health services in the past 10 years, the behavioral health care professional is contacted using Form 04AF013E, Resource Family Assessment Reference Letter for Behavioral Health Professionals. The resource specialist or RFA contractor uses Form 13HI003E, Authorization to Disclose Medical Records, to obtain permission from the applicant to receive his or her behavioral health information. In addition to Form 04AF013E, the resource specialist requests behavioral records from the behavioral health professional.~~

~~(G) When the applicant's child currently receives or received behavioral health services in the past 10 years, the behavioral health care professional is contacted using Form 04AF012E, Child's Behavioral Health Reference Letter. The resource specialist or RFA contractor uses Form 13HI003E to obtain permission from the applicant to receive the child's behavioral health information. In addition to Form 04AF012E, the resource specialist requests behavioral records from the behavioral health professional.~~

~~(H) When the required references do not total at least six, the resource specialist obtains additional personal references.~~

~~(I) References may be contacted for an interview when the reference fails to respond to the reference letter request or when information contained in the response requires clarification. Additional references are not contacted without the applicant's specific written permission.~~

~~(J) When voluntary references contact the resource specialist to provide information, the information is included in the assessment summary.~~

- ~~(K) When guarded reference information is received, the issues are fully explored with the applicant without revealing the source of the information; and~~
- ~~(2) obtains a copy of DD Form 214, Certificate of Release of Discharge from Active Duty, to determine the type of discharge, when the applicant was discharged from the armed forces. Any discharge other than honorable is specifically addressed in the assessment as a consideration in the applicant's ability to attend to the safety and well-being of a child requiring foster care services;~~
- ~~(3) does not deny the continuation of the resource application process based solely on information a reference provides. When a reference provides information requiring further explanation from the applicant, the resource specialist or RFA contractor discusses the nature of the information without revealing the source; and~~
- ~~(4) requests consultation with the resource supervisor and field manager to determine the significance of the information provided by a reference, who:~~
- ~~(A) has a history of abuse, neglect, or both that includes victimization by the applicant;~~
 - ~~(B) disagrees with the applicant's desire to foster; or~~
 - ~~(C) has other concerns about his or her ability to parent.~~
- ~~10. Checking other adult references. References are obtained for any individual in the home, 21 years of age and older. When there are concerns about a younger adult in the home, references are requested. Only a trained resource specialist or an RFA contractor solicits and reviews information received from references the other adult provides about his or her parenting strategies and skills. The other adult has the one personal reference in (1)(A) and the references (1)(B) through (E) of this ITS, when applicable. The resource specialist or RFA contractor:~~
- ~~(1) documents all information from voluntary and other provided references. The resource specialist or RFA contractor explains the program's expectations and the needs of children who come into OKDHS care to each person who is contacted as a reference.~~
 - ~~(A) One personal reference is interviewed by phone or in person and may not be a family member.~~
 - ~~(B) When applicable, all adult children are contacted by letter, phone, or in person to complete Form 04AF015E, Resource Family Reference Letter for Adult Children.~~
 - ~~(C) The current or most recent employer of the other adult in the home is contacted by letter, phone, or in person using Form 04AF011E, Resource Family Reference Letter for an Employer.~~
 - ~~(D) When the other adult currently receives or received behavioral health services in the past 10 years, the behavioral health care professional is contacted using Form 04AF013E, Resource Family Assessment Reference Letter for Behavioral Health Professionals. The resource specialist or RFA contractor uses Form 13HI003E, Authorization to Disclose Medical Records, to obtain permission from~~

~~the other adult to receive his or her behavioral health information. In addition to Form 04AF013E, the resource specialist requests behavioral records from the behavioral health professional.~~

~~(E) When the required references do not total three, the resource specialist obtains additional personal references; and~~

~~(2) does not deny the continuation of the resource application process based solely on information a reference provides. When a reference provides information requiring further explanation from the other adult, the resource specialist or RFA contractor discusses the nature of the information without revealing the source; and~~

~~(3) requests consultation with the resource supervisor and field manager to determine the significance of the information a reference provides, who:~~

~~(A) has a history of abuse, neglect, or both that includes victimization by the other adult; or~~

~~(B) has other concerns about his or her ability to parent.~~

~~11. Marital and significant relationship history. A copy of the current marriage license, each divorce decree, legal separation, and annulment document, when applicable, is obtained. The resource specialist carefully reviews all applicable divorce decrees for custody arrangements and any information that indicates the applicant was not appropriate around children.~~

~~(1) When there is a child from a previous marriage, the child's role in the family is discussed, and emotional and financial child support, when applicable, is documented.~~

~~(2) The applicant's ability to develop and sustain stable relationships is assessed and documented in the RFA.~~

~~12.(a) RFA disposition. The RFA is approved or denied within 60-calendar days after receipt of completed Form 04AF001E, Resource Family Application. The resource specialist:~~

~~(1) reviews Forms 04AF002E, Guidelines for Resource Family Assessment, and 04AF003E, Resource Family Assessment, for content;~~

~~(2) shares the RFA with the applicant for his or her input prior to the decision to select if he or she is in or out of the resource program; and~~

~~(3) consults with his or her resource supervisor and, when necessary, the field manager to determine the assessment disposition.~~

~~(b) Disposition results. Disposition of the assessment may result in (1), (2), or (3) of this subsection.~~

~~(1) Voluntary withdrawal of the application. During the assessment, the applicant is advised of any condition that does not conform to resource requirements, per OAC 340:75-7 Part 2. When the applicant and resource specialist or RFA contractor mutually decide to postpone the RFA process to afford the applicant the opportunity to resolve issues of concern, the applicant withdraws from the resource program. When the applicant withdraws the application, the resource specialist sends a letter of confirmation documenting the withdrawal.~~

~~(2) RFA approval.~~

- ~~(A) The resource specialist or RFA contractor reviews and discusses the assessment, except for the protected information and reference sections, with the applicant for content clarification.~~
- ~~(B) The resource specialist, resource supervisor, and applicant sign Form 04AF003E and a copy, except for the protected information and reference sections, is provided to the applicant. The home is not considered approved until the:~~
- ~~(i) applicant meets training requirements;~~
 - ~~(ii) national criminal history records search results based on fingerprints are received and reviewed; and~~
 - ~~(iii) resource supervisor reads and signs the RFA.~~
- ~~(C) Prior to the initiation of foster care maintenance payments, the applicant, per OAC 340:75-7-52, signs the foster care contract.~~
- ~~(D) Each resource parent signs Forms:~~
- ~~(i) 15GR008E, Notice of Grievance Rights Foster Parents; and~~
 - ~~(ii) 10CO135E, Vendor Information (Substitute W-9).~~
- ~~(E) The resource specialist:~~
- ~~(i) copies the KIDS Pre-Resource to a Resource for each approved resource home except when the child in OKDHS custody is in a kinship placement, per OAC 340:75-7-24;~~
 - ~~(ii) end dates the KIDS Pre-Resource after conversion to a KIDS Resource;~~
 - ~~(iii) scans the signed assessment and documentation into the KIDS Resource document management system (DMS); and~~
 - ~~(iv) requests approval of the Family Assessment Line in KIDS.~~
- ~~(F) After signing the RFA, the resource supervisor approves the Family Assessment Line in KIDS within two business days for a kinship resource home and within five business days for a traditional resource home.~~
- ~~(3) Resource home application denial.~~
- ~~(A) Before the resource home application is denied, the resource specialist:~~
- ~~(i) shares the information with the resource supervisor;~~
 - ~~(ii) consults with the field manager when determining whether to deny an application;~~
 - ~~(iii) staffs with Permanency Planning Program Unit staff when denying a kinship home application;~~
 - ~~(iv) documents all information obtained in the resource file and KIDS Pre-Resource or Resource Contacts;~~
 - ~~(v) documents and summarizes the reasons for application denial including identification of supporting documentation in KIDS Pre-Resource or Resource Contacts;~~
 - ~~(vi) references the contact entry date from (v) in the Application tab of the Results screen comments box in the Pre-Resource or in the Resource closure screen; and~~

- ~~(vii) scans the documentation into the KIDS Pre-Resource or Resource DMS and closes the Pre-Resource or Resource.~~
- ~~(B) When possible, the resource specialist makes face-to-face or phone contact with the applicant to clarify the reason for denying the application.~~
- ~~(C) Form 04FC020E, Notice of Denial to Resource Applicant, is sent to the applicant stating the reason for the application denial. Relevant OKDHS rules or procedures are cited and attached to the letter.~~
- ~~(D) The resource specialist denying the relative placement:
 - ~~(i) completes Form 04MP056E, Notice to the Court of Relative Denied Placement that includes clear documentation of the safety concerns and risks to a child;~~
 - ~~(ii) provides original Form 04MP056E to the requesting CW specialist who submits the assessment of the relative placement to the court of jurisdiction; and~~
 - ~~(iii) scans it into the KIDS Pre-Resource or Resource DMS and files a copy in the resource file.~~~~

1314. Exceptions to assessment guidelines.

- (1) The resource specialist submits Form 04AF042E, Request for a Waiver or Variance to Resource Requirements, to the resource supervisor for an exception or variance to the requirements listed in OAC 340:75-7 Part 2 or completes the policy exception screen in KIDS.
- (2) When in agreement with the request, the resource supervisor sends Form 04AF042E to the field manager for review.
- (3) The field manager approves or denies the request and signs Form 04AF042E and a Foster Care and Adoptions deputy director is consulted when needed. Form 04AF042E is scanned into the KIDS Resource DMS.
- (4) The resource specialist documents the request and response in KIDS Resource Contacts.

1415. Changes in the resource family household.

- (1) The resource parent immediately notifies the resource specialist of any:
 - (A) charges, arrests, or any alleged illegal activity the applicant or any household member commits; and
 - (B) proceeding for a protective order filed by or against the applicant or any household member.
- (2) The resource parent notifies the resource specialist within 24-hours of any household change including, but not limited to:
 - (A) the address or the home's location, including emergency home displacement;
 - (B) any significant change in the home that impacts the family's day-to-day living;
 - (C) the resource parent's death or serious illness;
 - (D) any household member's health;
 - (E) income;
 - (F) individuals moving in or moving out of the home for any reason; or
 - (G) new or terminated relationships.

- (i) When the resource parents divorce, separate, or the relationship ends, the person who continues to foster retains the existing resource number and information.
 - (ii) An addendum is completed and documented in KIDS Resource Contacts to reflect the household changes.
 - (iii) A new Form 04AF010E is completed to address any change to the household's financial status.
 - (iv) The Out-of-House Date and Reason are entered in KIDS Resource Homes screen.
 - (v) When both resource parents want to continue to foster, the primary resource parent maintains the original KIDS resource number and another resource is opened cross-referencing the original resource number.
 - (vi) When the primary resource parent does not want to continue fostering and the designated head of household (HOH) 2 elects to foster, he or she becomes HOH 1 in the existing KIDS Resource. The person who wants to continue fostering signs a new foster care contract, per OAC 340:75-7-52, and a new contract number is assigned.
 - (vii) When neither resource parent wants to foster, the KIDS Resource is closed.
- (3) The resource specialist addresses any household changes or serious illnesses with the resource parent within seven-business days of the change or illness, and documents the information. An assessment is completed and conducted in the home regarding the parent's ability to continue providing care for a child in OKDHS custody.
- (4) The resource specialist emails a vendor update with a copy of the Social Security card to *STO.Finance.VUR for name changes.
- (5) The resource specialist updates address changes in KIDS. A vendor update is not sent for an address change. Address changes made in KIDS automatically update in OKDHS Financial Services.
- (6) When a resource parent dies, the resource specialist consults the surviving HOH, when applicable, to determine his or her interest in continuing to foster.
- (A) When the surviving HOH wants to continue as a resource parent, a new contract is signed and a new contract number is issued.
 - (B) When the surviving HOH does not want to continue as a resource parent, he or she may continue to access the debit card or direct deposit funds until reimbursement ceases.
 - (C) When there is no surviving HOH, the resource specialist obtains the:
 - (i) estate name;
 - (ii) documentation showing the estate's personal representative; and
 - (iii) address where the monies are mailed.
 - (D) The resource specialist provides needed information to the Resource Unit for submission to Child Welfare Services Finance and Business.

340:75-7-19. Joint approval of resource homes

Revised ~~9-15-20~~ 9-15-25

(a) **Joint approval of resource home.** ■ ~~1~~ The Oklahoma ~~Department of Human Services (DHS)~~ (OKDHS) resource parent may be jointly-approved to provide foster care services to the child in ~~DHS~~ OKDHS custody while approved by another agency, entity, or tribe. Joint approval occurs after each agency conducts an assessment and determines that the child's needs can be met in a jointly-approved home. While the home is jointly-approved, any changes or concerns are shared between each agency involved with the jointly-approved home. Joint-home approval is child-specific and occurs when, the:

- (1) child's need for specialized services, treatment, or placement changes;
- (2) child re-enters the child welfare (CW) system and has a previous relationship with the placement provider;
- (3) placement provider is kin to the child;
- (4) siblings need to be placed together;
- (5) infant of a youth in ~~DHS~~ OKDHS custody requires placement; or
- (6) child in ~~DHS~~ OKDHS custody requires specialized services or treatment in a kinship placement.

(b) **Joint approval of a therapeutic foster care (TFC) home.** ■ ~~1~~ Joint approval of the TFC home as a resource home occurs after an assessment of the child's case and approval by the TFC program staff and the TFC agency.

(c) **Joint approval of a ~~DHS~~ an OKDHS Developmental Disabilities Services (DDS) home.** ■ ~~4~~ 2 Joint approval of a DDS home as a Child Welfare Services (CWS) resource home occurs after an assessment of the child's case and approval by the CWS DDS/Education program supervisor and the Resource Unit.

(d) **Joint use of CWS resource home by Office of Juvenile Affairs (OJA).** Joint use of the CWS resource home occurs after an assessment of the child's case and approval by the Resource Unit.

(e) **Joint use of CWS kinship resource home.** ■ ~~2~~ 3 Use of the kinship resource home as a traditional resource home requires that the kinship family continue to meet all the requirements of a CWS resource home, per OAC 340:75-7-18.

(f) **Joint use of licensed family child care home.** ■ ~~3~~ 6 A resource home is considered for joint approval as a ~~DHS-licensed~~ an OKDHS-licensed family child care home after an assessment and joint approval by the Resource Unit and Child Care Services (CCS). Prior to each child placement, a request for approval is made in writing on Form 07LC099E, Dual Approval Request for Foster Care Placement, based on the recommendation of CCS Licensing staff and resource staff. When a joint consensus is not achieved, CCS or the Resource Unit may request a review by the dual-approval committee, per Oklahoma Administrative Code 340:110-1-6 for a final decision. The approval decision is based on the number, ages, and specific needs of children potentially eligible for child care and foster care. Receipt of a written agreement from the caregiver is required that states the individual(s) from whom the child was removed is not present during child care hours.

(g) **Joint approval of resource home by ~~DHS~~ OKDHS and tribes.** ■ ~~4~~ 7 The ~~DHS~~ OKDHS or tribal resource home may be jointly-approved by both the tribe and ~~DHS~~

OKDHS when the home meets ~~DHS~~ OKDHS standards; however, the total number of children placed in the jointly-approved home cannot exceed the total number of children approved for the home.

INSTRUCTIONS TO STAFF 340:75-7-19

Revised 6-13-22 9-15-25

1. (a) Therapeutic foster care (TFC) home joint-approval as an Oklahoma Human Services (OKDHS) resource home.
 - (1) When the child's assigned child welfare (CW) specialist identifies a TFC home for use as an OKDHS resource home, the CW specialist emails the resource specialist and the resource supervisor in the prospective district of placement for approval, before the child is placed in the home.
 - (2) The resource specialist contacts the TFC Program Unit and verifies the TFC agency agreement to share the resource.
 - (3) Following verification the TFC agency may share the resource, the TFC Program Unit notifies the resource specialist, resource supervisor, and field manager the assessment may proceed.
 - (4) The resource specialist obtains a release of information from the TFC parent requesting TFC agency documentation.
 - (5) The resource specialist contacts the TFC agency and requests:
 - (A) a copy of Form 04AF003E, Resource Family Assessment (RFA);
 - (B) a copy of the most recent reassessment;
 - (C) training records; and
 - (D) a recommendation from the TFC agency regarding joint use of the home as a resource home.
 - (6) After review of the documentation and recommendation from the TFC agency, the resource specialist:
 - (A) asks the TFC parent to complete and sign Forms 04AF001E, Resource Family Application, and 04AD003E, Request for Background Check, authorizing OKDHS to conduct a search into the TFC parent's and each adult household member's criminal and OKDHS records, including CW records, per Oklahoma Administrative Code (OAC) 340:75-7-15;
 - (B) assesses the home using Form 04AF004E, House Assessment;
 - (C) asks the TFC parent and all adult household members to send a letter to OKDHS Office of Background Investigations requesting a release of each person's national criminal history records search results based on fingerprints to the resource specialist including:
 - (i) names;
 - (ii) dates of birth;
 - (iii) Social Security numbers; and
 - (iv) signatures;
 - (D) completes Form 04AF033E, National Criminal History Record Search Results–Addendum;
 - (E) explains Form 04AF005E, Notice to Resource Applicant(s), and obtains the TFC parent's signature on the form;

- (F) obtains copies of all required verification, such as a driver license and liability insurance;
 - (G) emails the training information to the field manager by email for approval; and
 - (H) submits all assessment information to the resource supervisor for disposition.
- (7) The resource specialist completes and attaches the RFA addendum to the TFC agency's home assessment documenting updated information and the recommendation regarding the disposition of the TFC home as an OKDHS resource home.
- (8) Upon approval, the resource specialist:
- (A) obtains the resource parent's signature on the:
 - (i) foster care contract;
 - (ii) Form 04AF021E, Verification of Receipt of OKDHS Rules; and
 - (iii) Form 15GR008E, Notice of Grievance Rights – Foster Parents;
 - (B) creates a KIDS Resource; and
 - (C) notifies the CW specialist assigned to the child that placement may be made and foster care maintenance payments may begin.
- (9) Additional placements of a child in OKDHS custody are not permitted without written approval from OKDHS TFC Program Unit and field manager.
- (b) TFC home joint-approval as Interstate Compact on the Placement of Children (ICPC) home. A TFC home joint-approval as an ICPC resource home occurs after an assessment of the child's case and approval by the TFC Program Unit and the TFC agency.
- (1) When the CW specialist assessing the incoming ICPC pre-resource identifies that the prospective ICPC placement is approved as a TFC home, the assigned CW specialist contacts the TFC Program Unit and verifies the TFC agency agreement to share the resource.
- (2) Following verification the TFC agency may share the home, the TFC Program Unit notifies the resource specialist, resource supervisor, field manager, and ICPC Program staff the assessment may proceed.
- (A) When the TFC agency does not agree to share the resource, the assigned CW specialist for the ICPC pre-resource documents the reasons and sends to ICPC Program staff for processing.
 - (B) ICPC Program staff processes the denial and advises the assessing specialist to close the pre-resource.
- (3) When the TFC agency agrees to proceed with joint use assessment as an ICPC placement, the resource specialist:
- (A) obtains an information release from the TFC parent requesting TFC agency documentation; and
 - (B) contacts the TFC agency and requests:
 - (i) a copy of the RFA;
 - (ii) a copy of the most recent reassessment;
 - (iii) training records; and

- (iv) a recommendation from the TFC agency regarding the TFC home's joint use as an ICPC home.
- (4) After review of TFC agency documentation and recommendation, the resource specialist:
 - (A) asks the TFC parent to complete and sign Forms 04AF001E, Resource Family Application, and 04AD003E, Request for Background Check, authorizing OKDHS to conduct a search into the TFC parent's and each adult household member's criminal and OKDHS records, including CW records, per OAC 340:75-7-15;
 - (B) requests a re-issue of fingerprint results and a check of RAP Back information;
 - (C) completes Form 04AF045E, Annual Update Records Check;
 - (D) assesses the home using Form 04AF004E, House Assessment;
 - (E) completes Form 04AF033E, National Criminal History Record Search Results–Addendum;
 - (F) explains Forms 04AF005E, Notice to Resource Applicant(s), and 04AF021E, Verification of Receipt of OKDHS Rules, and obtains TFC parent's signature on the forms;
 - (G) obtains copies of all required verification, such as a driver license and liability insurance;
 - (H) emails the training information to the field manager for approval; and
 - (I) documents the family's suitability for approval as a jointly used resource on Form 04AF037E, Resource Conversion Addendum, and submits all assessment information to the resource supervisor for disposition. The resource specialist completes and attaches Form 04AF037E to the TFC agency's home assessment documenting updated information and the recommendation regarding TFC home's disposition as an OKDHS resource home.
- (5) Upon approval, the resource specialist:
 - (A) saves all associated approval documents, including documents received from the TFC agency, to OnBase the KIDS document management system (DMS); and
 - (B) notifies the appropriate ICPC Program staff the approval is ready for review.
- (6) Additional placements of a child in OKDHS custody are not permitted without written approval from the OKDHS TFC Program Unit and field manager.
- (c) ~~Resource home's~~ Traditional or kinship resource home joint approval as a TFC home.
 - (1) The CW specialist assigned to the child, following consultation and approval from the CW supervisor, contacts the district of placement resource specialist to:
 - (A) request consideration of the resource home as a TFC home; and
 - (B) provide documentation of the child's previous behavioral health services; or

- (C) explain why behavioral health services were not provided to the child prior to the child's placement in the resource home.
 - (2) The resource specialist emails the field manager providing:
 - (A) information received from the child's assigned CW specialist and any other relevant information;
 - (B) verification the resource parent has adequately met the needs of the child placed; and
 - (C) a recommendation to approve or deny the joint-approval request.
 - (3) The field manager emails approval or denial to the resource specialist and the TFC Program Unit. The TFC Program Unit forwards the disposition email to the TFC agency and the child's assigned CW specialist.
 - (4) When OKDHS authorizes the joint approval, the TFC agency requests a reference letter from the OKDHS TFC Program Unit with the approval email attached.
 - (5) Upon receipt of a written release from the TFC agency signed by each resource parent, the resource specialist provides to the TFC agency:
 - (A) a copy of Form 04AF003E, Resource Family Assessment, excluding the protected information section;
 - (B) a copy of the most recent Form 04AF030E, Resource Family Reassessment or Form 04AF038E, Annual Update, excluding the protected information section; and
 - (C) each resource parent's training records.
 - (6) Upon request, the resource specialist provides copies of previously submitted documents to the resource parent.
 - (7) Additional children in OKDHS custody are not placed in the jointly-approved home without written approval of the OKDHS TFC Program Unit and the field manager.
2. (a) Joint-approval process of the Developmental Disabilities Services (DDS) home as a resource home. The OKDHS resource specialist contacts the DDS liaison and the resource field manager to request joint approval consideration. Approval for joint use of the home is:
- (1) granted on a case-by-case basis; and
 - (2) child-specific with placement limited to that child only.
- (b) DDS home joint-approval process as an ICPC home.
- (1) DDS home's joint approval as an ICPC resource home occurs after an assessment of the child's case and approval by Child Welfare Services (CWS) DDS and Education program supervisor and the Resource unit. Joint use approval of the home is:
 - (A) granted on a case-by-case basis; and
 - (B) child-specific with placement limited to that child only.
 - (2) When the CW specialist assessing the incoming ICPC pre-resource identifies that the prospective ICPC placement is approved as a DDS home, the assigned specialist contacts the CWS DDS and Education program supervisor and verifies agreement to share the home. The assigned specialist assessing the incoming ICPC pre-resource may share a copy of

the initial ICPC request packet with the CWS DDS and Education supervisor for consideration of the DDS home's joint use.

(3) Following verification DDS may share the home, the CWS DDS and Education program supervisor notifies the resource specialist, resource supervisor, field manager, and ICPC Program staff the assessment may proceed.

(A) When DDS does not agree to share the home, the CW assigned specialist for the ICPC pre-resource documents the reasons and sends to ICPC Program staff for processing.

(B) ICPC Program staff processes the denial and advises the assessing specialist to close the pre-resource.

(4) When DDS agrees to proceed with joint use assessment for an ICPC placement, the resource specialist:

(A) obtains an information release from the DDS parent requesting DDS home approval documentation;

(B) contacts the CWS DDS and Education program supervisor and requests:

(i) a copy of the RFA;

(ii) a copy of the most recent reassessment;

(iii) training records; and

(iv) a recommendation from the CWS DDS and Education supervisor regarding the home's joint use as an ICPC home.

(5) After review of DDS documentation and recommendation, the resource specialist:

(A) asks the DDS parent to complete and sign Forms 04AF001E, Resource Family Application, and 04AD003E, Request for Background Check, authorizing OKDHS to conduct a search into the DDS parent's and each adult household member's criminal and OKDHS records, including CW records, per OAC 340:75-7-15;

(B) requests a re-issue of fingerprint results and a check of RAP Back information;

(C) completes Form 04AF045E;

(D) assesses the home using Form 04AF004E, House Assessment;

(E) completes Form 04AF033E, National Criminal History Record Search Results-Addendum;

(F) explains Forms 04AF005E, Notice to Resource Applicant(s), and 04AF021E, Verification of Receipt of OKDHS Rules, and obtains DDS parent's signature of the forms;

(G) obtains copies of all required verification, such as a driver license and liability insurance;

(H) emails the training information to the field manager for approval; and

(I) documents the family's suitability for approval as a jointly used resource on Form 04AF037E, Resource Conversion Addendum, and submits all assessment information to the resource supervisor for disposition. The resource specialist completes and attaches Form

- 04AF037E to the DDS home assessment documenting updated information and the recommendation regarding DDS home's disposition as an OKDHS ICPC home.
- (6) Upon approval, the resource specialist:
- (A) saves all associated approval documents, including documents received from DDS, to OnBase KIDS DMS; and
 - (B) notifies the appropriate ICPC Program staff the approval is ready for review.
- (7) Additional placements of a child in OKDHS custody are not permitted without written approval from CWS DDS and Education program supervisor and field manager.
3. (a) Kinship home joint-approval or conversion process to a traditional resource home.
- (1) ~~The resource specialist initiates Form 04AF037E, Resource Conversion Addendum.~~ The resource specialist reviews all kinship resource home records to determine if a RFA has been completed per requirements of OAC 340:75-7-18.
 - (A) If an RFA has not been completed, per OAC 340:75-7-18, the resource specialist engages with the family to complete the requirements per OAC 340:75-7-18 to determine the disposition and ensure the family's suitability to provide traditional foster care services;
or
 - (B) if an RFA has been completed, per OAC 340:75-7-18, the resource specialist initiates Form 04AF037E, Resource Conversion Addendum.
 - (2) When a kinship resource home providing care for a kinship child is converted to a traditional resource home, the resource specialist consults with the kinship child's assigned CW specialist prior to making a non-kinship placement in the home.
 - (3) The resource parent, resource specialist, and the resource supervisor sign Form 04AF037E with an approval effective date. The resource specialist files Form 04AF037E is filed in the new traditional resource file.
 - (4) The resource specialist creates a separate KIDS Resource with the resource type as CW Foster Family Care prior to the child's placement in the home. A new contract ~~NUMBER IS NOT~~ number is not required for a kinship home conversion; however, the resource specialist completes a ~~NEW CONTRACT~~ new contract with the resource home and submits the completed contract to the Resource Unit.
 - (5) The resource specialist creates a separate, new file for the new resource home, by ensuring all joint-approval documentation required for this process is scanned into the KIDS Resource DMS, under the newly created traditional resource number.
- (b) Kinship home joint-approval process as an ICPC Relative home.
- (1) The resource specialist initiates Form 04AF037E, Resource Conversion Addendum.
 - (2) When a kinship home providing care for a kinship or other custody child is converted to an ICPC resource home, the resource specialist consults

with the assigned CW specialist for each child placed prior to approving the resource for ICPC joint use.

(3) The resource parent, resource specialist, and the resource supervisor sign Form 04AF037E with an approval effective date. to ensure:

(A) Form 04AF037E content addresses the family's ability to meet the needs of children placed in the home and of the prospective children to be placed through ICPC; and

(B) ~~Original~~ original approval documents for the family's kinship approval and any required current annual update or kinship annual update documents are saved to ~~OnBase~~ the KIDS DMS and ICPC Program staff is notified the assessment is ready for review.

4. Traditional or adoptive home joint-approval process as an ICPC foster home.

(1) The resource specialist initiates Form 04AF037E, Resource Conversion Addendum.

(2) When a traditional or adoptive home providing care for a child in OKDHS or other custody is converted to an ICPC resource home, the resource specialist consults with the assigned CW specialist for each child placed prior to approving the home for ICPC joint use.

(3) The resource parent, resource specialist, and the resource supervisor sign Form 04AF037E with an approval effective date.

(A) Form 04AF037E content addresses the family's ability to meet the needs of children placed in the home and of the prospective children to be placed through ICPC.

(B) Original approval documents for the family's traditional approval and current annual update documents are saved to ~~OnBase~~ KIDS DMS and ICPC Program staff is notified the assessment is ready for review.

5. Resource family partner (RFP) supported home joint-approval as an ICPC foster home.

(1) When the CW specialist assessing the incoming ICPC pre-resource identifies that the prospective ICPC placement is approved as an RFP home, the assigned CW specialist contacts the CWS RFP liaison and verifies RFP agreement to share the home. The assigned specialist assessing the incoming ICPC pre-resource may share a copy of the initial ICPC request packet with the RFP agency for consideration of the RFP home's joint use.

(2) Following verification the RFP agency may share the resource, the CWS RFP liaison notifies the resource specialist, resource supervisor, field manager, and ICPC Program staff the assessment may proceed.

(A) When the RFP agency does not agree to share the home, the CW assigned specialist for the ICPC pre-resource documents the reasons and sends to ICPC Program staff for processing.

(B) ICPC Program staff processes the denial and advises the assessing specialist to close the pre-resource.

(3) When the RFP agency agrees to proceed with joint use assessment for an ICPC placement, the resource specialist:

- (A) obtains an information release from the RFP parent requesting RFP home approval documentation;
 - (B) contacts the program supervisor and requests:
 - (i) a copy of the RFA;
 - (ii) a copy of the most recent reassessment;
 - (iii) training records; and
 - (iv) a recommendation from the RFP agency regarding the home's joint use as an ICPC home.
- (4) After review of RFP documentation and recommendation, the resource specialist:
- (A) asks the RFP parent to complete and sign Forms 04AF001E, Resource Family Application, and 04AD003E, Request for Background Check, authorizing OKDHS to conduct a search into the RFP parent's and each adult household member's criminal and OKDHS records, including CW records, per OAC 340:75-7-15;
 - (B) requests a re-issue of fingerprint results and a check of RAP Back information;
 - (C) completes Form 04AF045E, Annual Update Records Check;
 - (D) assesses the home using Form 04AF004E, House Assessment;
 - (E) completes Form 04AF033E, National Criminal History Record Search Results-Addendum;
 - (F) explains Forms 04AF005E, Notice to Resource Applicant(s), and 04AF021E, Verification of Receipt of OKDHS Rules, and obtains RFP parent's signature of the forms;
 - (G) obtains copies of all required verification, such as a driver license and liability insurance;
 - (H) emails the training information to the field manager for approval;
 - (I) documents the family's suitability for approval as a jointly used resource on Form 04AF037E, Resource Conversion Addendum, and addresses the family's ability to meet the needs of children placed in the home and of the prospective children placed through ICPC; and
 - (J) completes Form 04AF037E, which is signed by the resource parent, resource specialist, and the resource supervisor with an approval effective date.
- (5) Upon approval, the resource specialist:
- (A) saves all associated approval documents, including documents received from the RFP agency, to OnBase KIDS DMS; and
 - (B) notifies the appropriate ICPC Program staff the approval is ready for review.
- (6) Additional placements of a child in OKDHS custody are not permitted without written approval from the RFP agency and field manager.
6. Kinship resource home joint-approval as ICPC foster home.
- (1) The resource specialist reviews all kinship resource home records to determine if a RFA has been completed, per OAC 340:75-7-18.
 - (A) If an RFA has not been completed, per OAC 340:75-7-18, the resource specialist follows guidance, per OAC 340:75-7-18, to determine

the disposition of the family's application to provide ICPC foster care services.

(B) If an RFA has been completed, per OAC 340:75-7-18, the resource specialist initiates Form 04AF037E, Resource Conversion Addendum.

(2) When a kinship resource home providing care for a kinship child is converted to an ICPC foster home, the resource specialist consults with the kinship child's assigned CW specialist prior to recommending approval of the home as an ICPC foster home.

(3) The resource parent, resource specialist, and the resource supervisor sign Form 04AF037E with an approval effective date. Form 04AF037E is filed in the ICPC Pre-Resource in the KIDS DMS.

(4) The resource specialist ensures all joint-approval documentation required for this process is scanned into the KIDS Resource DMS according to the ICPC Pre-Resource number.

67.(a) Child care home joint-approval process as a resource home.

(1) When the licensed child care home requests joint approval as a resource home, the resource specialist and Child Care Services (CCS) licensing staff assigned to the child care home gather data that includes:

(A) the number of children considered for placement in the child care home;

(B) the number and ages of children approved for care in the child care home;

(C) the number of children residing in the child care home;

(D) the CCS licensing compliance history with a description of each non-compliance;

(E) any other information regarding the child care home; and

(F) an assessment of the child care provider's ability to meet each child's needs.

(2) Approval by the CCS licensing supervisor and resource specialist is required for the home's joint approval.

(A) CCS reviews and approves or denies the child care home's request for joint approval and emails the decision to the resource specialist.

(B) The resource specialist scans the CCS email into the KIDS Pre-Resource document-management-system (DMS).

(C) The resource specialist reviews the request for joint approval of the home and documents the request approval or denial in KIDS Pre-Resource Contacts.

(D) When a joint consensus is not achieved, the dual approval committee consisting of State Office CWS and CCS staff makes the final decision.

(E) When a child care home is working with a resource family partner (RFP) agency to become a resource home, the RFP agency must submit Form 07LC061E, Alternative Compliance Request, to the RFP agency program field representative (PFR), and receive approval from the PFR prior to assessing the home as a resource. The RFP agency forwards approved Form 07LC061E to its assigned RFP liaison.

- (3) Prior to placing any child in a jointly-approved child care home, the resource specialist completes Form 07LC099E, Dual Approval Request for Foster Care Placement. Completed Form 07LC099E is sent for approval to the child care licensing specialist.
 - (4) Placement is not made until the resource specialist receives approved Form 07LC099E from the child care licensing specialist. The resource specialist documents approval in KIDS, scans a copy of signed Form 07LC099E into the KIDS Resource DMS, and files signed Form 07LC099E in the resource file.
 - (5) Refer to OAC 340:75-7-65 for information regarding child care benefits for the child in OKDHS custody placed in the child care provider's home.
 - (6) CCS monitors the child care home for licensing purposes, resource staff monitors the home as a resource home, and all relevant information is shared between applicable OKDHS programs.
- (b) Child care home joint-approval process as ICPC home.
- (1) When the CW specialist assessing the incoming ICPC pre-resource identifies that the prospective ICPC placement is approved as a child care home, the assigned CW specialist contacts the CCS licensing staff assigned to the child care home to gather data that includes:
 - (A) the number of children considered for placement in the child care home;
 - (B) the number and ages of children approved for care in the child care home;
 - (C) the number of children residing in the child care home;
 - (D) the CCS licensing compliance history with a description of each non-compliance;
 - (E) any other information regarding the child care home; and
 - (F) an assessment of the child care provider's ability to meet each child's needs.
 - (2) The CCS licensing supervisor's and resource specialist's approval is required for the child care home joint-approval.
 - (A) CCS reviews and approves or denies the child care home request for joint-approval and emails the decision to the resource specialist.
 - (B) The resource specialist scans the CCS email into ~~OnBase~~ KIDS DMS.
 - (C) The resource specialist reviews the request for the child care home joint-approval and documents the request approval or denial in KIDS Pre-Resource Contacts.
 - (D) When a joint consensus is not achieved, the dual approval committee, consisting of State Office CWS and CCS staff, makes the final decision.
 - (E) Following CCS approval to proceed with the child care home joint approval as an ICPC home, the resource specialist assigned to the incoming ICPC pre-resource follows OAC 340:75-1-86 to proceed with the assessment process as the ICPC request type requires.
 - (F) Upon approval, the resource specialist:

- (i) saves all associated approval documents, including documents received from the RFP agency, to OnBase KIDS DMS; and
- (ii) notifies the appropriate ICPC Program staff the approval is ready for review.

(3) Prior to placing any child in a jointly-approved child care home, the resource specialist completes Form 07LC099E, Dual Approval Request for Foster Care Placement. Completed Form 07LC099E is sent for approval to the child care licensing specialist.

(4) Placement is not made until the resource specialist receives an approved Form 07LC099E from the child care licensing specialist. The resource specialist documents approval in KIDS, scans a copy of signed Form 07CL099E into the KIDS Resource DMS, and files signed Form 07CL099E in the Resource file.

(5) CCS monitors the child care home for licensing purposes, and resource staff monitors the home as a resource home. All relevant information is shared between applicable OKDHS programs.

78.(a) OKDHS and tribal joint approval of resource homes. OKDHS cooperates and communicates with tribes in the joint-approval process of the resource home and during the OKDHS child's placement in the jointly-approved resource home.

(1) When a tribal resource home requests joint approval as an OKDHS resource home, the OKDHS resource specialist contacts DHS OKDHS tribal program staff.

(2) OKDHS tribal program staff contacts the tribe and requests permission to assess the tribal home as an OKDHS resource.

(3) OKDHS tribal program staff notifies the resource specialist of the tribal decision.

(4) When the tribe is in agreement with joint-approval assessment, the resource specialist:

(A) e-mails the Tribal IV-E programs unit at tribalfostercare@okdhs.org. Tribal IV-E programs staff contacts the tribe and requests the tribal resource home's record and the tribe's recommendation regarding use of the tribal resource home as an OKDHS resource;

(B) reviews the tribal resource home's record and recommendation;

(C) updates all required information, including training;

(D) completes Form 04AF004E, House Assessment;

(E) completes an addendum; and

(F) submits the information to the resource supervisor for disposition.

(5) When the tribal resource home is approved as an OKDHS resource home, the resource specialist creates a KIDS Resource.

(6) When the tribe is in the process of assessing the potential applicant and the potential applicant is needed as an OKDHS kinship resource home for a specific child in OKDHS custody, the OKDHS resource specialist:

(A) contacts the tribe and requests permission to use the potential home for a kinship placement;

- (B) completes the initial kinship process following a tribe's approval, per OAC 340:75-7-24;
 - ~~(C) coordinates with the tribe to determine completion of the approval process, per OAC 340:75-7-18; and~~
 - ~~(D)~~(C) includes the OKDHS Tribal program staff on the request and subsequent communications.
- (7) When the tribe requests joint approval of an OKDHS resource home as a tribal resource home, the request is forwarded to OKDHS tribal program staff.
 - (8) OKDHS tribal program staff contacts the OKDHS resource specialist and requests permission for the tribe to assess the home's use as a tribal resource home.
 - (9) OKDHS tribal program staff notifies the tribe of the OKDHS decision.
 - (10) When OKDHS is in agreement with the joint approval, the tribe contacts the OKDHS resource specialist and requests the resource record and the OKDHS recommendation regarding the OKDHS resource's use as a tribal resource home.
 - (11) When concerns or disagreements arise during the joint approval process, OKDHS tribal program staff and the resource field manager facilitate the discussion with the tribe to resolve the concerns.
 - (12) OKDHS coordinates with the tribe to place the child in OKDHS custody in the jointly-approved resource home.
- (b) Tribal home joint-approval as an ICPC home. The OKDHS or tribal resource home may be jointly-approved by both the tribe and ICPC when the home meets OKDHS standards; however, the total number of children placed in the jointly-approved home may not exceed the total number of children approved for the home.
 - (1) When the CW specialist assessing the incoming ICPC pre-resource identifies that the prospective ICPC placement is approved as a tribal home, the assigned specialist contacts the CWS OKDHS tribal program staff and verifies the tribal agency's agreement to share the home. The assigned specialist assessing the incoming ICPC pre-resource may share a copy of the initial ICPC request packet with the tribal agency for consideration the tribal home's joint use.
 - (2) OKDHS tribal program staff:
 - (A) contacts the tribe and requests permission to assess the tribal home as an ICPC home; and
 - (B) notifies the resource specialist of the tribe's decision.
 - (3) When the tribe is in agreement with joint-approval assessment, the resource specialist:
 - (A) contacts the tribe and requests the tribal resource home's record and the tribe's recommendation regarding use of the tribal resource home as an ICPC home;
 - (B) reviews the tribal resource home's record and recommendation to determine if the tribal study may be used for the joint certification or if a

new RFA must be completed. Resource supervisor may consult with the field manager if needed to make this determination; for ICPC:

(i) foster home requests, the field manager must agree the tribal RFA is sufficient in order to accept the tribal study and proceed with, C, D, E, and F of this subparagraph;

(ii) foster home requests, when it is determined the tribal home study cannot be used for the joint-certification, an RFA must be completed according to OAC 340:75-7-18, in order to provide an appropriate disposition for the ICPC foster request; and

(iii) relative home requests, the assigned resource specialist follows requirements per, OAC 340:75-7-24 in order to provide an appropriate disposition for the ICPC relative request; and

(C) updates all required information, including training;

(D) completes Form 04AF004E, House Assessment and 04AF007E Records Check Documentation;

(E) documents the family's suitability for approval as a jointly used resource on Form 04AF037E, Resource Conversion Addendum, and addresses the family's ability to meet the needs of children placed in the home and of the prospective children placed through ICPC; and

(F) completes Form 04AF037E which is signed by the resource parent, resource specialist, and the resource supervisor with an approval effective date.

(4) Upon approval, the resource specialist:

(A) saves all associated approval documents, including documents received from the tribe, to OnBase KIDS DMS; and

(B) notifies the appropriate ICPC Program staff the approval is ready for review.

(5) Additional placements of a child in OKDHS custody are not permitted without written approval from the tribal agency and field manager.

340:75-7-24. Kinship placement for the child in Oklahoma Human Services (OKDHS) custody

Revised ~~9-15-22~~ 9-15-25

(a) **Kinship care.** Per Section 1-9-106 of Title 10A of the Oklahoma Statutes (10A O.S. § 1-9-106), OKDHS establishes standards for kinship foster care.

(1) Per 10A O.S. § 1-4-204, when determining the placement of a child in OKDHS custody, a OKDHS gives preference ~~is given~~ to relatives and persons who have a kinship relationship with the child. OKDHS makes diligent efforts to place the child accordingly and, per 10A O.S. § 1-4-704, reports to the court the efforts made to secure a placement for the child in the least restrictive, most family-like setting, in reasonable proximity to the child's home, and where the child's special needs may be met. ■ 1

(2) When the child is not placed with a relative who was considered for placement, OKDHS notifies the court in writing the reasons the relative was denied placement and becomes part of the court record, per 10A O.S. § 1-4-204. ■ 3 9

(3) When the Indian Child Welfare Act (ICWA) applies, ICWA placement preferences are followed. The Indian child in foster care is placed in the following order of preference, absent good cause to the contrary, with:

(A) a member of the Indian child's extended family as specified by the child's tribe;

(B) a foster home licensed, approved, or specified by the Indian child's tribe;

(C) an Indian foster home licensed or approved by an authorized non-Indian licensing authority; or

(D) an institution for children approved by an Indian tribe or operated by an Indian organization that has a program suitable to meet the Indian child's needs. If the Indian child's tribe has established by resolution a different order of preference, the tribe's placement preferences must be applied.

(b) **Kinship relationships.** Kinship relationships are identified in (1) through (5) of this subsection.

(1) **Related by blood.** Maternal and paternal blood relatives considered as kinship, including half-blood relatives, are:

(A) siblings;

(B) grandparents including those denoted by prefixes of great and great-great;

(C) aunts and uncles including those denoted by prefixes of great and great-great or by degree of relationship;

(D) nieces and nephews including those denoted by prefixes of grand and great-grand; and

(E) cousins.

(2) **Related by marriage.** Relationships created by marriage, as described in (1) of this subsection, whether by common-law or ceremony include:

(A) step-relations; and

(B) the previous relationship designation prior to the termination of the marriage by death or divorce.

(3) **Related by adoption.** Relatives by adoption as described in (1) and (2) of this subsection are considered kinship.

(4) **Related by emotional tie or bond.** An emotional tie or bond exists when a child or the child's parent acknowledges and accepts a person as part of the extended family or in the family's close network of friends and relationships. ~~The family or child relationship role must exist prior to the necessity for the child's initial out-of-home placement.~~ Individuals with whom a child in OKDHS custody establishes a relationship after the child's out-of-home placement may be considered as a non-relative kinship placement after an assessment of the child's case ~~and an exception to kinship placement is granted.~~ ■ 2

(A) When the child is in protective or OKDHS emergency custody, OKDHS gives priority to the child's noncustodial parent for placement, unless the placement is not in the child's best interests.

(B) When the child cannot be placed with the noncustodial parent, the child's placement is made, per 10A O.S. § 1-4-204. ■ 3 9

(5) **Parent not considered kinship.** A kinship placement does not include:

(A) the child's custodial or noncustodial parent with whom the child is placed or to whom the child is returned; or

(B) a parent whose parental rights are terminated.

(c) **Residence requirement for kinship applicants.** For kinship applicants or adult household members who have not lived continuously in Oklahoma for the past five years, OKDHS must obtain the child abuse and neglect registry checks from the previous state(s) of residence, when a registry is available, prior to the child's placement in a kinship resource home, per 10A O.S. § 1-7-111.

(d) **Initial kinship placement.** ~~■ 3 & 4~~ Per 10A O.S. § 1-9-106, a child may be placed in the kinship resource home prior to final approval of the applicant completion of the resource family assessment, a national criminal history records search, and pre-service training provided:

~~(1) Form 04AD003E, Request for Background Check, is completed, signed, and results are received for the applicant and each adult household member, other than a foster child, per Oklahoma Administrative Code (OAC) 340:75-7-15;~~

~~(2) an OKDHS records search, including Child Welfare Services records, is completed and documented for the applicant and each adult household member on Form 04AF007E, Records Check Documentation. When an applicant or adult household member has not lived continuously in Oklahoma for the past five years, the resource specialist gathers all child welfare (CW) histories from other states where the applicant or adult household member lived within the past five years. The applicant or adult household member submits fingerprints for a national criminal history records search to expedite the initial placement approval process.~~

~~(3) Form 04FC001E, Initial Kinship Placement Agreement, is completed and signed;~~

~~(4) Form 04AF001E, Resource Family Application, is completed and signed;~~

~~(5) Form 04AF004E, House Assessment, is completed;~~

~~(6) Form 04MP061E, Water Safety Agreement, is completed and signed;~~

~~(7) Form 04AF021E, Verification of Receipt of OKDHS Rules, is completed and signed;~~

~~(8) Form 04AF052E, Initial Kinship Safety Evaluation and Assessment Tool, is completed and signed; and~~

~~(9) three personal references, only one of whom is a family member, are interviewed.~~

(e) **Kinship Resource Family Assessment (KRFA).** Per 10A O.S. § 1-7-111, OKDHS conducts an assessment of the applicant's and each household member's background and other circumstances and conditions to determine if the applicants, household members, references, and home environment is suitable and provides a safe environment for the child in OKDHS custody requiring foster care. The goal of KRFA is to prepare a kinship caregiver's home for children. The intention is to support and strengthen families and exercise flexibility for what each child needs. This includes an assessment of:

(1) consideration of each family member's criminal and child welfare histories; ■ 3

(2) an assessment of the kinship caregiver(s); ■ 5 and

(3) an assessment of the kinship caregiver(s) physical environment. ■ 3 & 4

(f) **Kinship resource applicant criminal history records searches after normal business hours or on holidays.** ~~■ 5 13~~

(1) In determining the suitability of the prospective kinship home, OKDHS uses the OKDHS Office of Background Investigations (OBI) to perform a name-based state

criminal history records search, per procedures set forth in Section 901 et seq. of Title 28 of the Code of Federal Regulations.

(2) When OKDHS OBI is not operational, OKDHS may elect to contract or otherwise collaborate with local law enforcement agencies to perform a name-based state and federal criminal history records search followed by fingerprint verification, per 10A O.S. § 1-7-115.

~~(f)~~(g) **Kinship maintenance payment option.** ■ 6 14 The kinship applicant may opt for:

- (1) an OKDHS foster care maintenance payment; or
- (2) a money payment that the child is eligible for, instead of the foster care maintenance payment, when the child lived with the kinship applicant continuously for at least twelve months.

(A) The foster care maintenance payment is reduced by the amount of the money payment when the money payment is less than the foster care maintenance payment. Refer to OAC 340:75-7-52.1 for Supplemental Security Income (SSI) or Social Security Administration (SSA) benefits received for a parent who is deceased or disabled.

(B) Payment may include:

- (i) other financial resources, per OAC 340:75-13-28; or
- (ii) Temporary Assistance for Needy Families (TANF) benefits, per OAC 340:10-9.

~~(g) **Kinship and traditional resource home requirements the same.** Each kinship resource home, whether paid or non-paid, meets the same requirements as the traditional non-related resource home.~~

(h) **Kinship start-up and training stipend.** ■ 6 14 The kinship resource family that has not been approved within the preceding five years is entitled to receive, per OKDHS Appendix C-20, Child Welfare Services Rates Schedule, a:

- (1) one-time kinship start-up stipend to assist with initial expenditures for each child placed in the home for 14-consecutive days; and
- (2) training stipend. ~~Half of the total stipend is paid to the kinship resource family after the kinship resource parent(s) enrolls in the pre-service training and the second half of the total stipend is paid to the kinship parent(s) after the kinship resource parent(s) completes the pre-service training when:~~

- ~~(A) a child is placed and residing in the home at the time the kinship resource parent enrolls in training; and~~
- ~~(B) the child remains in the home until the kinship resource parent completes training.~~

(i) **Foster care maintenance payments begin when requirements satisfied the kinship foster parent receives final approval.** Per 10A O.S. § 1-9-106, the kinship resource parent is not entitled to any payments for providing foster care until the resource parent receives final approval from OKDHS. Final approval may only be granted after completion and disposition of the Kinship RFA ~~Foster care maintenance payments for kinship resource homes begin at the time requirements are met, per OAC 340:75-7-18 and are not retroactive. On a case-by-case basis, the kinship resource parent may be approved for maintenance payments based on an exception to a non-safety requirement, per OAC 340:75-7-10.1.~~ ■ 5 14

~~(j) Kinship resource family transfer to a resource family partner (RFP). When a kinship resource family is already approved as a supported foster home or is in the approval process with an RFP, the RFP may request the kinship resource family case be transferred to the RFP agency. Number of children in the kinship resource home. OKDHS determines the number and ages of children placed in each kinship resource home per, OAC 340:75-7-18.~~

~~(k) Authorization to check applicant's references. The kinship applicant grants OKDHS permission to contact the applicant's references by signing Form 04AF001E, Resource Family Application. Information obtained from the references is confidential and may only be released upon order of a court with competent jurisdiction. ■ 3~~

INSTRUCTIONS TO STAFF 340:75-7-24

Revised 9-15-22 9-15-25

1. ~~Kinship. OKDHS makes Diligent efforts are made to place a child in a kinship placement. The resource specialist carefully considers the child's physical and emotional health and safety when identifying prospective kin providers.~~
2. ~~Exception to kinship relationship requirements. Initial kinship request. The resource specialist initiates:~~
 - ~~(1) An exception to the requirement for emotional tie or bond for a kinship relationship may be requested from the resource field manager when: emergency kinship requests the day the request is made; and~~
 - ~~(A) the child welfare (CW) specialist:~~
 - ~~(i) completed a diligent search for kinship, per Oklahoma Administrative Code (OAC) 340:75-6-85.2, and documented the search in the child's KIDS case; and~~
 - ~~(ii) did not locate an appropriate kinship provider, per OAC 340:75-7-24; and~~
 - ~~(B) one of the conditions in (i) through (iv) applies.~~
 - ~~(i) A specialized skill is needed to care for the child.~~
 - ~~(ii) A youth found placement through a connection in the community.~~
 - ~~(iii) A child in permanent custody or long-term placement has a connection in the community.~~
 - ~~(iv) Another similar circumstance exists.~~
 - ~~(2) The exception is approved on a case-by-case basis by the resource field manager and documented in the KIDS Pre-Resource Contacts. all other kinship requests within two business days.~~
 3. ~~Initial kinship placement. Prior to placement, the resource specialist:~~
 - ~~(1) documents:~~
 - ~~(A) Form 04AD003E, Request for Background Check, with all required signatures and results received for the applicant and each adult household member, per Oklahoma Administrative Code (OAC) 340:75-7-15;~~
 - ~~(B) Oklahoma Human Services (OKDHS) records search, including Child Welfare Services (CWS) records, and documents the applicant and each adult household member on Form 04AF007E, Records Check Documentation. A Juvenile On-line Tracking System (JOLTS) review for~~

- any child 13 through 17 years of age living in the home is included, per OAC 340:75-7-15. When an applicant or adult living in the home has not lived continuously in Oklahoma for the past five years, the resource specialist obtains the child abuse and neglect registry checks from the previous state(s) of residence, when a registry is available. The applicant and each adult living in the home submit fingerprints for a national criminal history records search to expedite the initial placement approval process. Guidance on the fingerprint process is found in OAC 340:75-7-15;
- (C) Form 04FC001E, Initial Kinship Placement Agreement, with all required signatures;
- (D) Form 04AF001E, Resource Family Application, with all required signatures;
- (E) assessment of the kinship caregiver(s) physical environment and Form 04MP061E, Water Safety Agreement, with all required signatures;
- (F) Form 04AF021E, Verification of Receipt of OKDHS Rules, with all required signatures;
- (G) references; including:
- (i) a phone interview with three personal references, only one of whom is a family member. When all other requirements are satisfied and the placement is occurring after 10:00 p.m., the child may be placed and references contacted the next calendar day;
 - (ii) OKDHS does not deny the continuation of the resource application process based solely on information a reference provides. When a reference provides information requiring further explanation from the applicant, the resource specialist discusses the nature of the information without revealing the source; and
 - (iii) requests consultation with the resource supervisor and field manager to determine the significance of the information provided by a reference, who:
 - (I) has a history of abuse, neglect, or both that includes victimization by the applicant;
 - (II) disagrees with the applicant's desire to foster; or
 - (III) has other concerns about his or her ability to parent; and
- (H) Form 04AF052E, Initial Kinship Safety Evaluation and Assessment Tool, that includes a staffing with his or her resource supervisor prior to the initial kinship placement approval; and
- (2) copies the KIDS Pre-Resource to a Resource after the child is placed in the kinship resource home and the initial placement requirements are completed, per OAC 340:75-7-24;
- (3) documents the kinship applicant's relationship in KIDS Resource General Information screen;
- (4) end dates the KIDS Pre-Resource after conversion to a Resource; and
- (5) when requesting an out-of-district kinship placement, creates and assigns a KIDS Pre-Resource to the district where the kinship applicant resides.

~~Notification to court of relative denied placement. When the relative considered for placement is denied placement, Form 04MP056E, Notice to the Court of Relative Denied Placement, is submitted, per OAC 340:75-7-18 #11. The resource specialist:~~

~~(1) communicates all information regarding the kinship denial with the CW specialist and CW supervisor that initiated the kinship request. The CW specialist conveys the identified safety concerns and diminished protective capacities of the applicant(s) and articulates how it impacted the denial decision; and~~

~~(2) must be available to attend any court hearings when requested by either the court or other Child Welfare Services (CWS) programs. The resource specialist maintains confidentiality during court proceedings while still articulating the safety concerns and potential risks to a child. The resource specialist consults with the resource supervisor prior to appearing in court. Prior to the court appearance, the resource supervisor determines with the resource field manager or Oklahoma Human Services (OKDHS) Legal Services if a higher level staffing is needed.~~

4. Assessment of the kinship caregiver(s) physical environment. An in-home evaluation of the applicant's residence is conducted to assess the location, condition, and capacity to accommodate the child in OKDHS custody who requires kinship foster care and includes:

(1) The location of the home. The home is accessible to school, medical, and recreational resources.

(2) The condition of the home and property. The home is clean and safe and any structures on the property that are accessible to a child are in a safe condition. The home and surroundings are evaluated regarding possible safety concerns and addressed with a plan of supervision, when applicable.

(3) Age-appropriate equipment. Age-appropriate child care equipment, such as beds, high chairs, or toys are available, clean, and in good repair.

(4) Medication, cleaning supplies, and other hazardous materials storage. Medication, cleaning supplies, and other hazardous materials are securely stored to ensure safety for all children, and the resource specialist assesses the home environment for safety according to the physical and mental development of the children in the home, as provided by this subsection.

(A) All medications, prescribed and over-the-counter, are stored in a secure location. Guidelines for medication storage are found at <https://www.cdc.gov/medicationsafety/> and may include a medication lock box to keep medications out of reach and sight of children.

(B) All medical marijuana or marijuana-infused products for medical use, including marijuana plants, are securely stored and inaccessible to children. The resource specialist obtains a copy of each individual's medical marijuana license, as applicable.

(iii) All cleaning supplies, alcohol, and other hazardous items are securely stored and inaccessible to children.

(5) Phone communications. The kinship applicant has access to an operable phone when a child is present.

(6) Transportation.

(A) The applicant:

(i) maintains a vehicle in safe working order that is capable of transporting children and:

(I) carries the statutorily mandated vehicle liability insurance;

(II) possesses a valid driver license; and

(III) has a current, valid vehicle license tag; or

(ii) provides an acceptable transportation plan for the child in OKDHS custody.

(B) The applicant is advised that proper passenger restraints are used at all times when a child in OKDHS custody is riding in a vehicle.

(C) The applicant agrees to transport all children and adults in compliance with applicable state law, per section 11-1112 of Title 47 of the Oklahoma Statutes (47 O.S. § 11-1112).

(7) Sleeping arrangements and privacy.

(A) The applicant's home provides a separate bed for each child, with the exception of siblings younger than 6 years of age who exhibit a need for mutual support.

(B) A separate bedroom is provided for a child who acts out sexually.

(C) Preferably, no more than two children share a bedroom. Primary consideration is given to related children according to age and emotional needs.

(D) The applicant's home provides separate bedrooms for children 7 years of age and older of the opposite sex.

(E) A child in OKDHS custody, with the exception of an infant who is younger than 12 months of age, does not share a bedroom with an adult in the household. Under no circumstances is a child of any age authorized to sleep with an adult.

(F) The applicant's home provides space for the child's personal possessions and for a reasonable degree of privacy.

(i) Cameras are not permitted to be placed in a bathroom.

(ii) Cameras are permitted in bedrooms until the age of 3 years old. If cameras are needed for a child above the age of 3 and due to child specific needs, the Field Manager may approve a waiver or variance.

(G) A designated bedroom is the preferred sleeping arrangement for children in OKDHS custody; however, a room or space in the home as a bedroom for a child in OKDHS custody may be designated if necessary due to limited living space. If using a common space for sleep, the resource specialist will ensure the child has a space for privacy.

(8) Infant sleeping arrangements. A crib, port-a-crib, or playpen with a firm, waterproof mattress or pad is used for each child younger than 12 months of age.

(A) Cribs, port-a-cribs, and playpens with more than two and 3/8 inches between slats or between the side and end panels are not allowed.

(B) Cribs with decorative cutout areas in crib-end panels or tall decorative knobs on the corner posts that may entrap a child's head or catch the child's clothing are not allowed.

(C) Cribs with drop-side latches have the manufacturer-provided kits to lock the crib side in the upright position due to safety hazards.

(D) Mattresses are tight-fitting with no more than one inch between the mattress and crib, port-a-crib, or playpen.

(E) Mattress and crib sheets fit snugly.

(F) Soft sleeping surfaces, such as soft mattresses, waterbeds, sofas, pillows, beanbag chairs, and inflatable mats are prohibited.

(G) Pillows, quilts, comforters and blankets, sheepskins, stuffed toys, bumper pads, breathable bumper pads, and other soft products are not permitted in the infant's crib, port-a-crib, or playpen.

(H) Infants birth through three months of age may be swaddled with an infant-sized, thin fabric, such as a receiving blanket.

(I) When placed for sleeping, items, such as pacifiers, teething necklaces, and bibs, are not attached to the infant or his or her clothing.

(J) An infant is immediately moved to a crib, port-a-crib, or playpen when he or she falls asleep in other equipment.

(K) Mobiles may be securely attached or hung above the crib provided no part of the mobile is within the infant's reach.

(9) Infant sleep positions.

(A) To reduce the risk of Sudden Infant Death Syndrome (SIDS), the infant younger than 12 months of age is placed on his or her back for sleeping, unless there is a medical reason documented by a health care professional that the infant cannot sleep on his or her back.

(B) The infant who is able to turn himself or herself over is placed initially on his or her back for sleeping but is allowed to sleep in the position he or she prefers.

(C) When there is a medical reason that an infant cannot or may not sleep on his or her back, the resource parent maintains documentation from a health care professional and a copy is filed in the resource file.

(10) Water safety.

(A) Form 04MP061E, Water Safety Agreement, is completed for all applicants.

(B) The definition of a water structure or water mass includes, but is not limited to:

(i) swimming pools;

(ii) decorative ponds;

(iii) farm ponds or streams;

(iv) fountains;

(v) wading pools;

(vi) hot tubs or spas; and

(vii) waterfalls.

(C) Any activity that involves a child in OKDHS custody wading or swimming is supervised at all times.

(D) All applicable laws, ordinances, rules and regulations, and insurance requirements for pools are followed.

(E) A hot tub is equipped with a hard cover designed for a hot tub.

(F) The use of portable wading pools is monitored at all times. The wading pool is emptied at the end of each use.

(G) A water Safety Plan is developed and each adult identified to provide supervision for the child during water activities signs the water safety plan. The water Safety Plan includes appropriate measures to ensure the child's safety. Appropriate measures may include, but are not limited to:

(i) fencing. A water structure or water mass is fenced to prevent unsupervised access. There is a sturdy fence:

(I) at least four feet high that cannot be easily climbed; or

(II) that connects to the top of an above-ground pool and extends two feet above the pool or follows other specified safety guidelines; or

(ii) pool covers. A child-safety pool cover is placed over the water area each time the pool is not in use. Pool covers are completely removed prior to pool use;

(iii) locked doors. All doors and gates leading to the water structure, are locked;

(iv) pool alarms. Pool alarms are installed and operating when the pool is not in use;

(v) removable ladders. Removable ladders are removed from the water structure when not in use;

(vi) safety devices, such as lifejackets or rings;

(vii) swimming lessons; or

(viii) training, such as cardio-pulmonary resuscitation and first aid.

(11) Animal and household pet safety.

(A) Animals are in good health, do not show evidence of carrying disease, and do not present a threat to the health, safety, or welfare of children.

(B) When an animal bites a child, the applicant or parent obtains appropriate and immediate medical treatment and contacts the assigned child welfare (CW) specialist as soon as the child's safety is secured.

(i) Inquiry is made regarding when any animal displayed aggressive behavior, bit anyone, or required restraint due to the animal's nature.

(ii) To determine the safety issues for children, the resource specialist or RFA contractor contacts the Oklahoma Department of Wildlife or the veterinarian of record when the applicant has an exotic animal and documents the information in the KIDS resource.

(12) Weapon safety. The kinship resource home follows requirements as outlined OAC 340:75-7-18.

(13) Disaster plans. Disaster plans are reviewed with each newly-placed child and periodically with all children in the home. The family disaster plan includes:

(A) a list of emergency phone numbers posted in an accessible and conspicuous place. The list includes:

(i) 911;

(ii) doctors' names and phone numbers;

(iii) health professionals or clinics;

(iv) fire and police departments;

(v) an ambulance service; and

(vi) the name and phone numbers of the alternate caregiver; and

(B) access to an operable phone at all times when a child in OKDHS custody is present;

(C) an evacuation plan in the event of a fire, tornado, earthquake, flood, ice storm, or other natural, state, or national disaster; and

(D) first aid procedures and supplies.

~~4. Initial kinship placement. When the CW specialist completes the initial kinship placement, he or she provides the necessary paperwork to the resource specialist by the next business day. The resource specialist:~~

~~(1) completes:~~

~~(A) Form 04AD003E, Request for Background Check, with all required signatures and results received for the applicant and each adult household member, per OAC 340:75-7-15;~~

~~(B) OKDHS records search, including CWS records, and documents the applicant and each adult household member on Form 04AF007E, Records Check Documentation. A Juvenile On-line Tracking System (JOLTS) review for any child 13 through 17 years of age living in the home is included, per OAC 340:75-7-15. When an applicant or adult living in the home has not lived continuously in Oklahoma for the past five years, the resource specialist gathers all CW histories from other states where the family lived within the past five years. The applicant and each adult living in the home submit fingerprints for a national criminal history records search to expedite the initial placement approval process. Guidance on the fingerprint process is found in OAC 340:75-7-15;~~

~~(C) Form 04FC001E, Initial Kinship Placement Agreement, with all required signatures;~~

~~(D) Form 04AF001E, Resource Family Application, with all required signatures;~~

~~(E) Form 04AF004E, House Assessment and Form 04MP061E, Water Safety Agreement, with all required signatures;~~

~~(F) Form 04AF021E, Verification of Receipt of OKDHS Rules, with all required signatures;~~

~~(G); a phone interview with three personal references, only one of whom is a family member. When all other requirements are satisfied and the placement is occurring after 10:00 p.m., the child may be placed and references contacted the next calendar day; and~~

- ~~(H) Form 04AF052E, Initial Kinship Safety Evaluation and Assessment Tool that includes a staffing with his or her resource supervisor prior to the initial kinship placement approval;~~
 - ~~(2) copies the KIDS Pre-Resource to a Resource after the child is placed in the kinship resource home and the initial placement requirements are completed, per OAC 340:75-7-24;~~
 - ~~(3) documents the kinship applicant's relationship in KIDS Resource General Information screen;~~
 - ~~(4) end dates the KIDS Pre-Resource after conversion to a Resource; and~~
 - ~~(5) when requesting an out-of-district kinship placement, creates and assigns a KIDS Pre-Resource to the district where the kinship applicant resides.~~
- 5. Assessment of the kinship caregiver(s). After initial kinship placement and prior to final approval, on-going assessment of the family includes, but is not limited to:**
 - (1) assessment of applicant's marital and relationship history. The applicant has stable relationships whether married, single, separated, or divorced. The applicant's ability to develop and sustain stable relationships is assessed and documented;**
 - (2) household income. OKDHS will support the applicant kinship family in locating resources to ensure they have sufficient income or community resources to meet the needs of an additional child placed in the kinship home;**
 - (3) interview(s) with applicable adult(s) and child(ren); and**
 - (4) if applicable, adult children are contacted to provide an Adult Child Reference.**
- ~~5. Kinship applicant criminal history records search after normal business hours or on a holiday.~~
 - ~~(1) The CW specialist requests a name-based criminal history records search from OKDHS Office of Background Investigations (OBI).~~
 - ~~(A) The CW specialist gives OKDHS OBI the name, race, gender, date of birth, and Social Security number of each person 18 years of age and older living in the household considered for the child's emergency placement.~~
 - ~~(B) Each adult household member completes and signs Form 04AD003E to initiate the search.~~
 - ~~(C) When requested by CWS, OKDHS OBI immediately conducts the requested name-based state criminal history records search, provides a verbal response on each person's criminal history, and if any orders of protection or outstanding warrants exist.~~
 - ~~(D) The failure of any adult living in the household to permit a name-based criminal history records search results in denial of placement.~~
 - ~~(2) When OKDHS OBI is not operational, the CW specialist asks local law enforcement to conduct a name-based National Crime Information Center (NCIC) criminal history search. With an NCIC history search when a child is placed in the home, fingerprints for the applicant and each adult~~

~~household member must be provided and submitted to the Oklahoma State Bureau of Investigation (OSBI) within five-business days.~~

~~(A) OKDHS gives local law enforcement the name, race, gender, date of birth, and Social Security number of each person, 18 years of age and older, living in the household considered for emergency placement of the child.~~

~~(B) Each adult household member completes and signs Form 04AD003E to initiate the search.~~

~~(C) When requested by OKDHS, local law enforcement immediately conducts the requested name-based state and federal criminal history records searches, provides a verbal response on each person's criminal history and on any orders of protection or outstanding warrants.~~

~~(D) The failure of any adult living in the household to permit a name-based criminal history records search or submit a full set of fingerprints and provide written permission authorizing OKDHS to forward the fingerprints to OSBI for an FBI national criminal history records search within the required five-business days results in denial of placement or the immediate removal of the child from the prospective kinship resource home.~~

~~(E) When a child is placed in the home, fingerprints are forwarded to OSBI within 15-calendar days after the results of the preliminary name-based records check are received.~~

~~(3) The CW specialist documents the criminal history records search by local law enforcement in the KIDS Resource Contacts and submits signed Form 04AD003E to OKDHS OBI the next business day.~~

6. Kinship Resource Family Assessment (KRFA) disposition. Upon completion of the KRFA and review of the information gathered, a decision is made regarding final approval within 30 days of the initial kinship placement. Efforts are taken to approve the home for the identified kinship relative or non-relative child(ren). If the resource specialist identifies needs which could affect the health or safety of child(ren) in the home, the resource specialist:

(1) KRFA approval. Upon approval of the KRFA, the resource specialist:

(A) signs, and obtains the signatures of the family and resource supervisor on, the KRFA; and

(B) enters the KRFA approval date in the Family Assessment Line in KIDS. The resource supervisor approves the Family Assessment Line in KIDS within three-business days for a kinship resource home.

(2) KRFA approval with concerns. If the resource specialist identifies needs which could affect the health or safety of child(ren) in the home, the resource specialist:

(A) discusses with the supervisor and/or Field Manager, and the child's assigned specialist and supervisor:

(i) available resources from the community, OKDHS, and resource family to support the resource home to address concern(s);

(ii) identification and assignment of action items, staff responsibilities and due date; and

(B) creates a contact in the KIDS Pre-Resource documenting resources discussed and disposition decision. Upon approval, the resource specialist:

(i) signs, and obtains the signatures of the family and resource supervisor on, the KRFA;

(ii) enters the KRFA approval date in the Family Assessment Line in KIDS. The resource supervisor approves the Family Assessment Line in KIDS within three-business days for a kinship resource home; and

(iii) enters a resource alert in the KIDS resource according to OAC:340-75-7-94.

6. Kinship stipend and maintenance payment.

~~(1) The kinship start-up stipend (KSUS) and training stipend are entered automatically by KIDS.~~

~~(A) KIDS generates the KSUS on the 15th day of the child's placement when the child is in the placement for 14-consecutive days.~~

~~(B) KIDS allows a date range for automatic payment of the training stipend that includes the kinship applicant:~~

~~(i) enrolling in the pre-service training up to seven-calendar days prior to the child's placement; and~~

~~(ii) completing the pre-service training up to seven-calendar days after the child leaves the placement.~~

~~(2) The resource specialist:~~

~~(A) refers the relative kinship applicant to the local OKDHS office to apply for Temporary Assistance for Needy Families (TANF) benefits pending completion of the assessment process to become a paid resource family;~~

~~(B) to avoid an overpayment, informs the Adult and Family Services worker no later than the next business day after the resource home requirements are completed, and the resource supervisor approved the resource in KIDS;~~

~~(C) obtains each kinship applicant's signature on a foster care contract within two-business days of placement, per OAC 340:75-7-52 Instructions to Staff, or when the applicant is a non-paid kinship resource home, on Form 04FC002E, Nonpaid Agreement;~~

~~(D) assists each adult applicant and all adult household members to complete the process to obtain fingerprints within five-calendar days;~~

~~(E) consults with the resource supervisor on a case-by-case basis to determine if an exception to a non-safety requirement is appropriate; and~~

~~(F) requests a one-time 60-calendar day training or home study waiver only after all efforts to expedite training or the resource family assessment (RFA) are exhausted, and the efforts are documented in KIDS Resource Contacts.~~

~~(i) A written request and a waiver request on KIDS is submitted by the resource supervisor to the resource field manager who approves or denies the request in KIDS.~~

~~(ii) Waiver types include a:~~

~~(I) temporary waiver when pre-service training is not available or delays occurred in obtaining the RFA and all other requirements are satisfied; and~~

~~(II) permanent training waiver for an incapacitated spouse that is available only after the primary kinship applicant completes the pre-service training.~~

7. Kinship application denial criteria. When concerns cannot be mitigated by supports and/or services and a decision is made to deny a kinship applicant as a resource parent, the applicant is provided an explanation regarding the reasons for the denial. Reasons for denying an application may include, but are not limited to:

(1) the physical facility presents health or safety concerns;

(2) a household member that has a history of alleged or confirmed child abuse, neglect, or both, per OAC 340:75-7-15;

(3) a household member that has a history of arrests or convictions, per OAC 340:75-7-15;

(4) any household member's health, behavioral health, or any condition that impedes the applicant's ability to provide appropriate care for a child;

(5) relationships in the household present health or safety concerns;

(6) references that are guarded or have reservations in recommending the applicant;

(7) the applicant fails to complete the application or provides incomplete, inconsistent, or untruthful information; and

(8) one or more factors concerning any household member or conditions in the home, as described in the denial letter, renders the applicant or home environment inappropriate as a resource home.

8. Kinship application denial process.

(1) Before the resource home application is denied, the resource specialist:

(A) shares the information with the resource supervisor;

(B) consults with the field manager when determining whether to deny an application;

(C) documents all information obtained in the resource file and KIDS Pre-Resource or Resource Contacts;

(D) documents and summarizes the reasons for application denial including identification of supporting documentation in KIDS Pre-Resource or Resource Contacts;

(E) references the contact entry date from (iv) in the Application tab of the Results screen comments box in the Pre-Resource or in the Resource closure screen;

(F) notifies the child's assigned specialist of the decision to deny; and

- (G) scans the documentation into the KIDS Pre-Resource or Resource document management system (DMS) and closes the Pre-Resource or Resource.
- (2) When possible, the resource specialist makes face-to-face or phone contact with the applicant to clarify the reason for denying the application.
- (3) Form 04FC020E, Notice of Denial to Resource Applicant, is sent to the applicant stating the reason for the application denial. Relevant OKDHS rules or procedures are cited and attached to the letter.
- 9. Notification to court of relative denied placement.** When the relative considered for placement is denied placement, Form 04MP056E, Notice to the Court of Relative Denied Placement, is submitted. The resource specialist:
- (1) communicates all information regarding the relative denial with the CW specialist and CW supervisor that initiated the placement relative request. The CW specialist conveys the identified safety concerns, diminished protective capacities of the applicant(s) and articulates how these cannot be mitigated by supports and/or services resulting in the denial decision; and
- (2) must be available to attend any court hearings when requested by either the court or other Child Welfare Services (CWS) programs. The resource specialist maintains confidentiality during court proceedings while still articulating the safety concerns and potential risks to a child. The resource specialist consults with the resource supervisor prior to appearing in court. Prior to the court appearance, the resource supervisor determines with the resource field manager or OKDHS Legal Services if a higher level staffing is needed.
- 10. Waivers to kinship assessment guidelines.** Upon the applicant's or CW specialist's request, OKDHS may grant a waiver, at its discretion, of specific rules or standards that do not compromise a child's safety and does not violate federal or state statutes.
- (1) The resource specialist submits Form 04AF042E, Request for a Waiver or Variance to Resource Requirements, to the resource supervisor for a waiver to the final approval requirements, or completes the policy exception screen in KIDS.
- (2) When in agreement with the request, the resource supervisor sends Form 04AF042E to the field manager for review.
- (3) The field manager approves or denies the request and signs Form 04AF042E and a Foster Care and Adoptions deputy director is consulted when needed. Form 04AF042E is scanned into the KIDS Resource DMS.
- (4) The resource specialist documents the request and response in KIDS Resource Contacts.
- 11. Authority to approve or deny resource home and Interstate Compact on the Placement of Children (ICPC) assessments.** OKDHS determines the final disposition of each resource home and ICPC assessment completed by OKDHS or RFA contractors.
- 12. Changes in the household.**
- (1) The resource parent immediately notifies the resource specialist of any:

- (A) charges, arrests, or any alleged illegal activity the applicant or any household member commits; and
(B) proceeding for a protective order filed by or against the applicant or any household member.
- (2) The resource parent notifies the resource specialist within 24-hours of any household change including, but not limited to:
- (A) the address or the home's location, including emergency home displacement;
(B) any significant change in the home that impacts the family's day-to-day living;
(C) the resource parent's death or serious illness;
(D) any household member's health;
(E) income;
(F) individuals moving in or moving out of the home for any reason; or
(G) new or terminated relationships.
- (i) When the resource parents divorce, separate, or the relationship ends, the person who continues to foster retains the existing resource number and information.
(ii) An addendum is completed and documented in KIDS Resource Contacts to reflect the household changes.
(iii) The Out-of-House Date and Reason are entered in KIDS Resource Homes screen.
(iv) When both resource parents want to continue to foster, the primary resource parent maintains the original KIDS resource number and another resource is opened cross-referencing the original resource number.
(v) When the primary resource parent does not want to continue fostering and the designated head of household (HOH) 2 elects to foster, he or she becomes HOH 1 in the existing KIDS Resource. The person who wants to continue fostering signs a new foster care contract, per OAC 340:75-7-52, and a new contract number is assigned.
(vi) When neither resource parent wants to foster, the KIDS Resource is closed.
- (3) The resource specialist addresses any household changes or serious illnesses with the resource parent within seven-business days of the change or illness, and documents the information. An assessment is completed and conducted in the home regarding the parent's ability to continue providing care for a child in OKDHS custody.
- (4) The resource specialist emails a vendor update with a copy of the Social Security card to *STO.Finance.VUR for name changes.
- (5) The resource specialist updates address changes in KIDS. A vendor update is not sent for an address change. Address changes made in KIDS automatically update in OKDHS Financial Services.

(6) When a resource parent dies, the resource specialist consults the surviving HOH, when applicable, to determine his or her interest in continuing to foster.

(A) When the surviving HOH wants to continue as a resource parent, a new contract is signed and a new contract number is issued.

(B) When the surviving HOH does not want to continue as a resource parent, he or she may continue to access the debit card or direct deposit funds until reimbursement ceases.

(C) When there is no surviving HOH, the resource specialist obtains the:

(i) estate name;

(ii) documentation showing the estate's personal representative; and

(iii) address where the monies are mailed.

(D) The resource specialist provides needed information to the Resource Unit for submission to Child Welfare Services Finance and Business.

12. Kinship applicant criminal history records search after normal business hours or on a holiday.

(1) The resource specialist requests a name-based criminal history records search from OKDHS Office of Background Investigations (OBI).

(A) The resource specialist gives OKDHS OBI the name, race, gender, date of birth, and Social Security number of each person 18 years of age and older living in the household considered for the child's emergency placement.

(B) Each adult household member verbally agrees or completes and signs Form 04AD003E to initiate the search. If the applicant provides verbal permission to complete a background search, the resource specialist obtains the signature on Form 04AD003E.

(C) When requested by CWS, OKDHS OBI immediately conducts the requested name-based state criminal history records search, provides a verbal response on each person's criminal history, and if any orders of protection or outstanding warrants exist.

(D) The failure of any adult living in the household to permit a name-based criminal history records search results in denial of placement.

(2) When OKDHS OBI is not operational, the CW specialist asks local law enforcement to conduct a name-based National Crime Information Center (NCIC) criminal history search. With an NCIC history search when a child is placed in the home, fingerprints for the applicant and each adult household member must be provided and submitted to the Oklahoma State Bureau of Investigation (OSBI) within five-business days.

(A) OKDHS gives local law enforcement the name, race, gender, date of birth, and Social Security number of each person, 18 years of age and older, living in the household considered for emergency placement of the child.

(B) Each adult household member verbally agrees or completes and signs Form 04AD003E to initiate the search. If the applicant provides

verbal permission to complete a background search, the resource specialist obtains the signature on Form 04AD003E.

(C) When requested by OKDHS, local law enforcement immediately conducts the requested name-based state and federal criminal history records searches, provides a verbal response on each person's criminal history and on any orders of protection or outstanding warrants.

(D) The failure of any adult living in the household to permit a name-based criminal history records search or submit a full set of fingerprints and provide written permission authorizing OKDHS to forward the fingerprints to OSBI for an FBI national criminal history records search within the required five-business days results in denial of placement or the immediate removal of the child from the prospective kinship resource home.

(E) When a child is placed in the home, fingerprints are forwarded to OSBI within 15-calendar days after the results of the preliminary name-based records check are received.

(3) The resource specialist documents the criminal history records search by local law enforcement in the KIDS Resource Contacts and submits signed Form 04AD003E to OKDHS OBI the next business day.

13. Kinship stipend and maintenance payment.

(1) The kinship start-up stipend (KSUS) and training stipend are entered automatically by KIDS.

(A) KIDS generates the KSUS on the 15th day of the child's placement when the child is in the placement for 14-consecutive days.

(B) KIDS allows a date range for automatic payment of the training stipend.

(2) The resource specialist:

(A) refers the relative kinship applicant to the local OKDHS office to apply for Temporary Assistance for Needy Families (TANF) benefits pending completion of the assessment process to become a paid resource family;

(B) to avoid an overpayment, informs the Adult and Family Services worker no later than the next business day after the resource home requirements are completed, and the resource supervisor approved the resource in KIDS;

(C) obtains each kinship applicant's signature on a foster care contract within two-business days of placement, per OAC 340:75-7-52 Instructions to Staff, or when the applicant is a non-paid kinship resource home, on Form 04FC002E, Nonpaid Agreement;

(D) assists each adult applicant and all adult household members to complete the process to obtain fingerprints within five-calendar days;

(E) consults with the resource supervisor on a case-by-case basis to determine if a waiver to a non-safety requirement is appropriate; and

(F) assists the resource parent in completing Form 10AD006E, Travel Claim, for mileage, per OAC 340:75-7-65, when applicable.

14. Kinship Resource parent retention.

(1) Resource specialist response time. The resource specialist is the key person providing necessary information to the resource parent and engages in activities to support the resource parent's role and assists him or her navigate the CW system. The resource specialist commits to respond to the resource parent's questions and inquiries within one-business day.

(2) A monthly in-home visit with kinship resource parents is required. The resource specialist:

(A) prepares by reviewing previous resource contacts;

(B) utilizes Form 04AF041E, Guide for Monthly Resource Home Contact during the in-home visit; and

(C) provides ongoing support and addresses concerns or issues the resource family may have, potentially discussing additional supports which may include but are not limited to:

(i) an overfill support plan;

(ii) an on-going written plan of compliance (WPC);

(iii) an ongoing resource alert; or

(iv) other circumstances, as applicable.

(3) All monthly visits are documented as monthly contact in KIDS Resource Contacts.

15. Kinship resource family transfer to a resource family partner (RFP). When a kinship resource family is already approved as a supported foster home or is in the approval process with an RFP, the RFP may request the kinship resource family case be transferred to the RFP agency.

PART 4. ROLES AND RESPONSIBILITIES

340:75-7-38. Discipline for the child in Oklahoma Human Service Services (OKDHS) custody ~~placed in foster family care~~

Revised ~~9-15-24~~ 9-15-25

(a) **Discipline.** "Discipline" means safe practices or methods of teaching and enforcing acceptable patterns of behavior to ensure proper conduct and does not include corporal punishment. The resource parent assists the child in OKDHS custody placed in the resource home learn behaviors that promote the child's self-regard, personal ability, and socialization skills. The rules governing these efforts are outlined in Oklahoma Administrative Code (OAC) 340:75-7-38(b) through (d).

(b) **Positive interactions.** The resource parent and family interactions with a child:

(1) protect and nurture the child's physical and psychological well-being;

(2) advance the child's development;

(3) meet the child's needs;

(4) teach the child ways to prevent and solve problems;

(5) maintain and build the parent and child relationship;

(6) build the child's self-control and responsibility; and

(7) comply with OKDHS rules regarding discipline to provide a safe, nurturing environment that allows the child to experience security and positive self-esteem.

(c) **Teaching techniques.**

(1) **Positive behavior management.** Positive behavior management techniques include, but are not limited to:

(A) rewards. Rewards may be small gestures of approval, such as treats or toys, and symbols of recognition, such as stickers, stars, happy faces, or money. Rewards are for the interest, desire, and effort the child displays, not for performance, talent, or ability. This technique must not be used all the time;

(B) privileges. Privileges allow the child to experience greater freedom or opportunity and an increased responsibility. Privileges are used to encourage the child's interest and talents by supporting the child's efforts in pursuing interests; and

(C) praise. Praise may be communicated by verbal or non-verbal expression of the child's achievements or good qualities.

(2) **Self-control.** To promote the child's self-control, the resource parent clearly communicates expectations and provides a structured, safe environment. The resource parent's use of planning and preparation prevents confrontation, acting-out, and negative behaviors by:

(A) establishing expectations. The child in out-of-home care experiences varied expectations in each placement setting. Since each placement setting is different, the resource parent must communicate expectations to the child through setting rules, telling the child what to expect, and modeling. Clearly communicated expectations provide structure for the child and a structure for building and maintaining self-control; and

(B) modifying the environment. A structured, safe environment allows the child to succeed at identified tasks. The resource parent structures the environment by removing negative sources of stimulation for the child and establishing routines and consistency in the child's day-to-day schedule.

(3) **Direct intervention.** When the child does not have sufficient self-control to ensure acceptable behavior, the resource parent uses direct intervention and techniques, per OAC 340:75-7-38(c)(1) and (2). Techniques used are dependent upon the child's developmental needs and anticipated outcomes. Techniques appropriate for responding to lack of self-control include:

(A) rules. Rules are established guidelines that:

(i) allow the child to know what can and cannot be done;

(ii) help the child know right from wrong;

(iii) communicate to the child how something is done and help prevent problems; or

(iv) provide a way to respond to a problem;

(B) time out. Time out provides space between the child and a situation where the child exhibits behavior that is not acceptable or where the situation is dangerous. Recommended time out is one minute per age of the child. Time out is typically used for the younger child;

(C) restricting privileges. Privileges are restricted when a child is not allowed to do something for a specified time period, such as not playing with a particular toy, watching television, playing music or computer games, having phone privileges, or engaging in some other pleasant activity. Talking to parents or siblings is not included in restricting phone privileges;

(D) grounding. Grounding involves imposing restrictions on a child's interaction and involvement with friends or activities outside the placement setting, such as restriction to the house or leaving the premises to attend parties, movies, or visit friends. Grounding is typically used for the older child;

(E) logical consequences. Logical consequences require the resource parent to impose a response to the child's behavior consistent with and connected to the unacceptable behavior exhibited; and

(F) natural consequences. Natural consequences occur in response to the child's behavior. This technique is most appropriately used with adolescents and for the child who tends to get in power struggles. Natural consequences are never allowed when a child's safety or well-being is in question.

(4) **Physical discipline.** OKDHS prohibits the use of any form of physical discipline for the child in OKDHS custody in an out-of-home placement or any act or omission that would emotionally, physically, or psychologically harm the child.

(A) The resource parent contacts the child welfare (CW) or the resource specialist when the resource parent cannot successfully discipline the child. ■ 1

(B) OKDHS and the resource parent do not authorize school personnel to administer corporal punishment to the child in OKDHS custody. The resource parent does not, when requested, authorize corporal punishment by school personnel, but refers school personnel to the CW specialist to establish alternative discipline methods. ■ 2

(C) The developmental needs of the child and the desired outcomes define the discipline techniques used to modify the child's behaviors. Some of the circumstances that may affect the discipline technique used include:

- (i) the behavior the child is exhibiting;
- (ii) the resource parent's feelings about the behavior;
- (iii) the purpose assigned to the behavior;
- (iv) where the behavior occurs; and
- (v) who is present at the time of the behavior.

(5) **Punishment.** Unacceptable behavior management methods and techniques promote negative behavior, are punitive, and do not promote self-control. Unacceptable behavior management techniques for the child include, but are not limited to:

(A) the use of the hand or any object, such as a board, fly swatter, paddle, belt, switch, electrical cord, hair brush, or wooden spoon, to hit, strike, swat, or physically discipline the child;

(B) deprivation of food or sleep;

(C) deprivation of family visits;

(D) slapping, pinching, shaking, biting, pushing, shoving, thumping, or rough jerking;

(E) cursing or other verbal abuse;

(F) private or public humiliation or any act that degrades;

(G) derogatory remarks about the child, the child's biological family, race, religion, or cultural background;

(H) solitary confinement in areas, such as closets, cellars, and rooms with locked doors;

- (I) threatening to move the child from the resource home;
 - (J) use of any chemical agent, such as mace, sleeping pills, or alcohol;
 - (K) physical force or threat of physical force;
 - (L) assuming and maintaining an unnatural position that may include holding arms out-stretched from the body, placing the nose against a wall, or forced squatting;
 - (M) tying with a rope, cord, or other object;
 - (N) ordering, allowing, or encouraging physical discipline or hitting by other children or anyone else in the home;
 - (O) washing the mouth out with soap, eating certain foods that may include peppers, hot sauce, or other food stuff when intended for punishment; and
 - (P) forced physical exertion, such as running laps and push-ups.
- (d) **OKDHS rules.** The resource parent must abide by OKDHS rules regarding discipline of the child in OKDHS custody even when there is a difference between OKDHS discipline rules and the methods used to discipline the resource parent's own child.

PART 5. ELIGIBILITY AND PAYMENTS

340:75-7-51. Foster care claims

Revised ~~9-17-18~~ 9-15-25

(a) Foster care maintenance payments.

(1) A foster care claim for a maintenance payment is approved after:

(A) the resource family assessment is completed and approved, per Oklahoma Administrative Code (OAC) 340:75-7-18;

(B) the kinship resource parent receives final approval from Oklahoma Human Services (OKDHS) per Section 1-9-106 of Title 10A of the Oklahoma Statutes (10A O.S. § 1-9-106) and OAC 340:75-7-24;

~~(B)~~(C) pre-service training is completed by each parent in the resource home, excluding kinship, unless an exception applies, per OAC 340:75-7-14;

~~(C)~~(D) the results of national criminal history records searches based on fingerprints and results of any applicable child abuse and neglect registries are received regarding each applicant and each adult household member, per OAC 340:75-7-15;

~~(D)~~(E) a foster care contract is signed by each applicant; and

~~(E)~~(F) a Designated Client Number (DCN) is assigned to the foster care contract.

(2) A maintenance payment may not precede the date of the foster care contract.

(3) The resource parent authorizes direct deposit or obtains a debit card to receive foster care maintenance payments. ■ 1

(b) **Overpayment or underpayment of the foster care maintenance payment.** ~~The Oklahoma Department of Human Services (DHS)~~ OKDHS and the resource parent ensure the accuracy of the foster care maintenance payment upon receipt of the payment. When an error occurs, the procedures for adjustments listed in (1) through (3) of this subsection must be completed.

- (1) The resource parent immediately notifies the resource specialist or ~~DHS~~ OKDHS notifies the resource parent upon discovery of an error in the foster care maintenance payment.
- (2) ~~DHS~~ OKDHS authorizes foster care supplemental payments upon discovery of underpayments. When an overpayment coincides with the underpayment, the overpayment is recouped before the underpayment is paid.
- (3) ~~DHS~~ OKDHS authorizes repayment schedules when resource parents are paid for days the child was not in placement or for an amount greater than authorized.
 - (A) The resource parent reimburses ~~DHS~~ OKDHS for any overpayment, regardless of the party responsible for the error. Each monthly payment toward resolving the overpayment must equal at least 10 percent of the overpayment unless an exception was granted.
 - (B) The resource specialist assigned to the resource home notifies the resource parent of the overpayment and explains the:
 - (i) reason for the overpayment;
 - (ii) amount of overpayment;
 - (iii) resource parent's responsibility for repayment; and
 - (iv) repayment options.
 - (C) Repayment options are:
 - (i) payment in full by check or money order payable to ~~DHS~~ OKDHS;
 - (ii) a deduction from the monthly foster care maintenance payment while children in ~~DHS~~ OKDHS custody remain in the home; or
 - (iii) extra payments each month to ~~DHS~~ OKDHS as well as the deduction from the monthly foster care maintenance payment. ■ 2 & 3
 - (D) When the resource parent:
 - (i) closes the home and does not repay the overpayment, the amount of the overpayment remains in the ~~DHS~~ OKDHS electronic system indefinitely; and
 - (ii) reopens the resource home after closure, the overpayment is deducted from the foster care maintenance payment.

INSTRUCTIONS TO STAFF 340:75-7-51

Revised 9-17-18 9-15-25

- 1. Direct deposit authorization or debit card. The resource specialist discusses the options for foster care maintenance payments with the resource parent that include a:**
 - (1) debit card.**
 - (A) When the debit card option is selected, the resource parent automatically receives the card by mail. The resource specialist reminds the resource parent to use caution not to assume it is "junk" mail and throw it away.**
 - (B) When the resource parent receives other types of Oklahoma Department of Human Services (~~DHS~~) (OKDHS) payments by debit card, the foster care maintenance payment is added to the existing card; or**
 - (2) direct deposit.**
 - (A) ~~When selecting direct deposit as the form of payment for the foster care maintenance payment, the resource parent completes the Direct~~**

Deposit Enrollment Form found at InfoNet/Quick Links/Electronic Payment System/Oklahoma Direct Deposit Enrollment Form The resource parent may select direct deposit by calling the number on the back of the debit card, or by visiting www.goprogram.com, selecting "special services" and choosing, "recurring transfers".

(B) When the resource parent receives other types of DHS OKDHS payments by direct deposit, the foster care maintenance payment is also direct deposited.

2. **Overpayment notice.** The resource supervisor is notified by the resource specialist of the overpayment agreement. When the resource parent is non-responsive or non-compliant with the overpayment agreement, the field manager is notified. The resource specialist:
 - (1) completes a payment agreement in KIDS/Financial Management/Resource History screen/Repayment Agreement;
 - (2) documents each payment in the repayment agreement when it is paid or deducted from the maintenance payment; and
 - (3) when the local district office receives a payment for an overpayment, completes Form 04FC010E, Notification of Overpayment in Foster Home, and immediately submits it to DHS OKDHS Financial Services with the payment.
3. **Status of foster care maintenance payment.**
 - (1) When there is an issue with the foster care maintenance payment, the resource specialist reviews the financial management screens in to determine the reason.
 - (2) When the reason for the foster care maintenance payment issue is undetermined and assistance is needed, the resource specialist contacts the resource supervisor who consults with the field manager.
 - (3) When the resource parent has questions about debit card funds or when the debit card is lost, the resource parent contacts the debit card Help Desk at 1-888-401-9843. Five free calls to the Help Desk per month are allowed but each subsequent call for the month costs \$.85 per call.
 - (4) The resource parent may access debit card account information any time without charge at www.goprogram.com.

340:75-7-52. Foster care contracts and maintenance payments

Revised ~~9-17-18~~ 9-15-25

(a) **Foster care contracts.** The rules in this Section and the provisions of the foster care contract for services define the resource parent and Oklahoma Department of Human Services (DHS) (OKDHS) responsibilities regarding the care of the child in a resource home. The foster care contract is signed when each requirement for approval as a resource parent is satisfied, per Oklahoma Administrative Code (OAC) 340:75-7-18, except for kinship, per OAC 340:75-7-24.

- (1) Foster care contracts are perpetually renewed and considered in effect unless a specific action by one of the parties to the contract terminates the contract. The resource parent is eligible for foster care maintenance payments effective the date

the home is approved. The kinship resource parent is not paid retroactively to the date of the child's placement.

(2) Foster care maintenance payments are authorized for intervals of care provided to a child in foster care:

(A) placed by ~~DHS~~ OKDHS; or

(B) by a tribe with an approved Tribal/State Agreement with ~~DHS~~ OKDHS.

(3) On a case-by-case basis, the kinship resource parent may be approved for maintenance payments based on ~~an exception~~ a waiver to a non-safety requirement, per OAC 340:75-7-24.

(4) The kinship resource parent who meets the degree of relationship, per OAC 340:10-9-1, may apply for assistance through Temporary Assistance for Needy Families (TANF) at a local ~~DHS~~ OKDHS office pending resource home approval.

(b) Foster care maintenance payments. ■ 1 When the child is eligible for a benefit payment, the resource family may opt to receive the larger of either the ~~DHS~~ OKDHS foster care maintenance payment or the benefit payment, per OAC 340:75-7-52.1. The foster care contract authorizes foster care maintenance payments to offset the additional expense of caring for a child in ~~DHS~~ OKDHS custody.

(1) A foster care maintenance payment is not paid until the home is granted final approval. The foster care maintenance payment is issued the month after the care is provided. No foster care maintenance payment is paid after the effective date of the cancellation or termination of the contract.

(2) The ~~DHS~~ OKDHS Director authorizes the amount of the foster care maintenance payment and difficulty of care payment rates. Foster care maintenance payment rates are reviewed annually to ensure continued appropriateness, per Section 1356.21(m) of Title 45 of the Code of Federal Regulations. When additional funding is needed, a request is made through the Oklahoma legislative budget process for state agencies.

(3) The foster care maintenance payment is a fixed monthly amount and corresponds to the child's age, per ~~DHS~~ OKDHS Appendix C-20, Child Welfare Services Rates Schedule. When a change in the child's age qualifies for a new rate, the new rate becomes effective on the first day of the month following the child's birthday.

(4) The foster care maintenance payment is provided to the resource parent to address the costs of room, board, clothing, and incidentals for the child in ~~DHS~~ OKDHS custody.

(5) The resource parent's monthly foster care maintenance payment includes a clothing allowance for each child in ~~DHS~~ OKDHS custody, per OAC 340:75-13-45.

(6) The medical expense of the child in foster care is covered through Medicaid (~~SoonerCare~~) when private insurance is not available to the child or through state funds when the child is not eligible for Medicaid (~~SoonerCare~~), per OAC 340:75-13.

(7) The foster care maintenance payment received through the foster care contract is not considered income, per Section 131 of Title 26 of the United States Code and the resource family does not receive Form 1099 from ~~DHS~~ OKDHS at year's end. The resource parent consults a tax advisor for advice, as needed.

(8) When a partial month of foster care service is provided, the foster care maintenance payment begins on the child's date of entry to the resource home and

concludes on the day before the child's departure from the home. A prorated sum is paid:

- (A) based on the number of days of service provided, multiplied by the daily rate, per ~~DHS~~ OKDHS Appendix C-20; and
- (B) automatically by KIDS.

(9) When a child is out of the resource home for family reunification purposes, pre-placement visits, or is missing from care for up to seven consecutive days, the resource parent receives a foster care maintenance payment when the child is expected to return to the resource home by the end of the seven consecutive days.

(10) The resource parent is eligible for prorated foster care maintenance payments when the child attends an Indian boarding school, Oklahoma Schools for the Deaf or Blind, or a similar residential program and returns to the resource home for weekends or school vacations. ■ 2

(A) When the child returns to the resource home for a summer vacation, the monthly rate is used.

(B) The days the child spends in the resource home are documented in KIDS, and the foster care maintenance payment is automatically generated.

(11) The resource parent is eligible for the foster care maintenance payment for up to 10-calendar days during each of the child's health or behavioral health hospitalization events when the child is expected to return to the resource home. ■ 1

(12) The foster care maintenance payment is generated electronically based on the child's placement episode in KIDS.

(c) **Termination of the foster care contract.** Termination of the foster care contract occurs, per OAC 340:75-7-94 and results in closure of the resource home.

INSTRUCTIONS TO STAFF 340:75-7-52

Revised ~~9-17-18~~ 9-15-25

1. Foster care maintenance payment.

(1) Foster care contract. When the resource family ~~assessment is approved~~ meets requirements for approval, per Oklahoma Administrative Code (OAC) 340:75-7-18 or OAC 340:75-7-24, the resource specialist:

(A) explains the foster care contract to the resource family;

(B) obtains each resource parent's signature on the original contract with each resource parent's name listed on the contract;

(C) ensures the contract is saved in KIDS DMS, and has original signatures and attaches legible copies of the primary and secondary contractor's Social Security card and driver license or state-issued identification to the contract. The names on the contract must be the same as the names listed on the Social Security cards;

(D) ensures the contract has the most recent Certification for Competitive Bid or Contract, found at www.dcs.ok.gov, attached with original signatures. A separate certification is needed for each person signing the contract;

(E) scans and emails a vendor update request with legible copies of the Social Security cards to *STO.Finance.VUR@okdhs.org;

- (F) verifies the vendor is added to the Finance screens before the contracts are submitted to the Resource Unit;
- (G) emails the contract with original signatures within three-business days of receipt to *CWS.FosterCare.Contracts for Oklahoma Department of Human Services (~~DHS~~) (OKDHS) signature and assignment of the contract number. The Resource Unit emails a copy of the ~~DHS-signed~~ OKDHS-signed contract to the resource specialist within 15-business days; and
- (H) scans the contract into KIDS Resource File ~~Cabinet~~ DMS, files the contract in the resource file, and provides a copy of the signed contract to the resource parent.
- (2) Foster care claims. Foster care claims are generated automatically through KIDS when the child's placement is updated. Resource staff approves the monthly claims for the resource and tribal resource parent by 5:00 p.m. on the seventh calendar day of the month. The unapproved claims are monitored daily.
- (3) Hospitalization events. The resource parent is eligible for the foster care maintenance payment for up to 10-calendar days during each of the child's health or behavioral health hospitalization events when the child is expected to return to the resource home.
2. Pro-rated payments when the child attends Oklahoma Schools for the Deaf or Blind. The resource parent may receive a pro-rated payment for days the child, who attends Oklahoma Schools for the Deaf or Blind is actually in the resource home. These days are entered into KIDS for payment. Coordination with the counties of placement for Oklahoma Schools for the Deaf or Blind procedures are listed in (1) through (5).
- (1) Murray County is the liaison county for the Oklahoma School for the Deaf.
- (2) Muskogee County is the liaison county for the Oklahoma School for the Blind.
- (3) The county of jurisdiction notifies Murray or Muskogee County of the child's placement in either school.
- (4) The child welfare supervisor for the county of jurisdiction assigns a secondary responsibility to Murray or Muskogee County with the description of County of Service to the case on KIDS.
- (5) Inquiries or inquiry replies regarding the child in ~~DHS~~ OKDHS custody are sent to Murray or Muskogee County and not directly to the individual schools.

PART 6. RESOURCE HOME SUPPORT SERVICES

340:75-7-65. Child care and support services for the resource home

Revised 9-14-24 9-15-25

- (a) **Child care subsidy.** ■ 1 Child care subsidy benefits paid by Oklahoma Human Services (OKDHS) for a child in OKDHS or tribal custody are available, when:

- (1) a foster child attends an Early Head Start (EHS) program contracted with OKDHS to receive child care subsidy payments;
- (2) the resource is a:
 - (A) paid or non-paid resource parent authorized for child care subsidy benefits by Child Welfare Services (CWS);
 - (B) tribal resource family providing care for the child in tribal custody in a paid placement when authorized by the OKDHS tribal program staff;
 - (C) coordinated foster care parent when authorized by the district of service;
 - (D) shelter host home when authorized by the assigned child welfare (CW) specialist in the district of service;
 - (E) supported home when authorized by the assigned OKDHS resource family partner liaison; or
 - (F) therapeutic foster home when authorized by the therapeutic foster care (TFC) program staff; or
- (3) the need for child care is met:
 - (A) when a single resource parent is:
 - (i) employed 20 hours a week or more;
 - (ii) enrolled and attending a formal education program for at least six credit hours per semester. A formal education program is defined as a course of study that leads to the attainment of an associate, bachelor's, or post-graduate degree;
 - (iii) enrolled and attending a training program. A training program is defined as a course of study that when completed, qualifies a person to meet requirements for a job the individual could not have obtained without the certificate of completion, accreditation, or licensure resulting from completion of training;
 - (iv) employed during night hours and needs OKDHS paid child care to allow him or her to sleep during the day. During the night working hours, a feasible alternative is used at no cost to OKDHS. Night working hours are defined as the hours between 11:00 p.m. and 7:00 a.m. The maximum amount of child care time the resource specialist approves allows the resource parent eight hours of sleep plus travel time to and from the child care provider; and
 - (v) approved for child care by the resource program staff for reasons other than those listed in this subparagraph. These decisions are made on a case-by-case basis; or
 - (B) in a two-parent resource home, when:
 - (i) both resource parents are employed 20 hours a week or more and have the same working hours;
 - (ii) one resource parent works and the other resource parent has a significant disability that precludes providing care for the child; ■ 2
 - (iii) one resource parent works during the same hours the other resource parent is enrolled and attending a formal education or training program as defined in (3)(A) of this subsection;
 - (iv) sleep-time child care is needed during the day because one or both resource parents work nights. During the night working hours, a feasible alternative is used at no cost to OKDHS. When one resource parent works

nights, the other resource parent must work or need child care for a reason that requires the approval of resource program staff during the hours the other resource parent is sleeping. Night working hours are defined as the hours between 11:00 p.m. and 7:00 a.m. The maximum amount of child care time the resource specialist approves allows the resource parent eight hours of sleep, plus travel time to and from the child care provider; or

(v) one resource parent works during the same hours the other resource parent needs child care for a reason other than those listed in this subparagraph. In this situation, resource program staff approve the need for subsidized child care on a case-by-case basis; or

(4) child care is provided:

(A) in a licensed and contracted child care center with a ~~one star plus~~ two star or higher star status, unless there are no centers with a ~~one star plus~~ two star or higher star status in the community or special exception criteria are met. Special exception criteria are:

(i) the child was already approved for care at the one star center ~~prior to January 1, 2003, or~~ prior to the provider's star status being reduced to one star. The child may remain in this facility, unless the child stops attending there for more than 30-calendar days. The child may be approved at this same facility again when the only reason the child did not attend for more than 30-calendar days was because of a school break or due to circumstances beyond the control of the resource home, such as the child's illness;

(ii) care is requested for a child living in the same home as a child already approved for care per (3)(A)(i) of this paragraph for the same one star child care provider; or

(iii) the resource parent demonstrates no other child care option meets the family's needs; ■ 3 or

(B) in a licensed and contracted child care home regardless of star level; or

(C) by an approved in-home provider who cares for the child at the resource parent's home, per Oklahoma Administrative Code (OAC) 340:40-13-2.

(b) **Child care subsidy benefits available through Adult and Family Services (AFS).** Child care subsidy benefits may be available through local OKDHS AFS for child care, per OAC 340:40, to:

(1) resource parents who finalized an adoption of a foster child;

(2) a child in tribal custody placed by the tribe in a home without a resource case in KIDS; and

(3) a child in the custody of another state placed in a foster or kinship home in Oklahoma through the Interstate Compact on the Placement of Children.

(c) **Foster care child care subsidy benefits not paid by OKDHS.** Foster care child care subsidy benefits are not paid by OKDHS, when the:

(1) resource parent has an ownership interest in the chosen child care center;

(2) foster child attends a family child care home where the child lives, unless:

(A) the child care home provided child care to the child immediately prior to the foster care placement; and

- (B) it is in the child's best interests to remain in the kinship provider's child care home; or
 - (3) resource parent works in the child care home during the same hours the child attends child care;
 - (4) resource parent chooses more than one child care provider to provide service to a child on the same day;
 - (5) resource parent makes informal arrangements for child care;
 - (6) provider is receiving state or federal funds, such as Head Start or public schools, and is not charging all parents for the hours the subsidy payment is requested. EHS programs are exempt from this rule; ■ 4 or
 - (7) provider is caring for a school-age child during the regular school day when such student could be attending a public or private school during those hours. ■ 5
- (d) **Child care subsidy benefits for a child with disabilities.** A child with disabilities is potentially eligible for the higher special needs rate for child care subsidy benefits. Each child with disabilities requires a separate and specific certification of the child care provider. ■ 6
- (1) A child with disabilities is defined as a child receiving:
 - (A) Supplemental Security Income (SSI). This includes those whose SSI payment stops because of financial reasons, but who still meet the medical definition of disability as determined by the Social Security Administration;
 - (B) ~~SoonerStart~~ (Medicaid) early intervention services; or
 - (C) special education services provided per an Individualized Education Program (IEP) by the child's school district.
 - (2) When the child with disabilities is 13 years of age and older, the resource parent provides a statement from a licensed health care professional verifying that the child is physically or mentally incapable of self-care as age-appropriate before care is approved, and annually at review. Subsidized child care benefits are not approved when a licensed health care professional states that the child is capable of self-care as age-appropriate.
- (e) **Resource parent's responsibility for electronic benefit transfer (EBT).** Refer to OAC 340:40-10 for information regarding the EBT system that includes the manual claim process. Resource parent responsibilities for EBT include:
- (1) watching the EBT training video;
 - (2) completing and submitting a signed Form 04MP042E, Application for Child Welfare Child Care Benefits;
 - (3) swiping the EBT card every day the child attends child care or recording attendance using the ECC Connect mobile app at the childcare facility;
 - (4) ~~not swiping the EBT card~~ recording attendance for any day the child does not attend child care;
 - (5) checking the message on the point of service machine for correct times of attendance and approval;
 - (6) not giving the EBT card or personal identification number to anyone, including the child care provider; and
 - (7) paying for care that OKDHS does not pay because the:
 - (A) EBT card was not swiped or attendance recorded through the ECC Connect mobile app for the correct days and times the child attended child care;

(B) swipes or attendance records were denied and not corrected within 10-business days; or

(C) provider loses the weekly rate payment for absent days because the correct attendance for every day the child attended that month was not swiped.

(f) **Therapeutic child care services.** ■ 7 Therapeutic child care services are paid by OKDHS when recommended by a mental health professional and supporting documentation is provided. Prior authorization from the CWS Finance and Business (FB) is required. CWS FB makes the determination of the availability of funds.

(g) **Overpayment of child care.** ■ 8 OKDHS seeks repayment for any child care subsidy benefit paid in error to a licensed child care center, home, or professional in the resource parent's own home. The resource parent reimburses these costs to OKDHS when the overpayment occurs due to the resource parent's ineligibility.

(h) **Informal care arrangements for the foster child.** Resource parents may make informal care arrangements with friends, neighbors, or relatives for the foster child's occasional care.

(1) Resource parents apply the reasonable and prudent parent standard when selecting an informal care provider to care for the foster child and ensure he or she possesses the maturity and skills to address the child's needs.

(2) The foster child may stay with a friend, when the resource parent:

(A) knows the family;

(B) reasonably believes the family, household members, and environment are safe for the child; and

(C) exchanges contact information, including names, addresses, and phone numbers.

(3) The resource parent notifies the resource specialist when using informal care arrangements. The resource parent may not use an informal care provider who the resource specialist determines is unsafe.

(4) The resource parent obtains permission from the foster child's assigned CW specialist before allowing the foster child's relatives to provide informal care for the child.

(5) An informal care provider, living outside of the resource parent's home, must be 18 years of age and older.

(6) A teenager living in the resource parent's home must be 16 or 17 years of age, related to the resource parent, and is limited to providing 12-consecutive hours of informal care. The resource specialist and the resource parent assess the teen's ability and appropriateness to assume responsibility for the foster child and ensure his or her needs and well-being can be met.

(7) The resource parent does not use a child in OKDHS custody to care for a younger child unless approved by the resource specialist.

(8) Informal care providers are notified on how to reach the resource parent and other emergency contacts.

(9) An individual providing care for more than seven-consecutive days must be an approved alternate caregiver.

(i) **Alternate caregiver selected by the resource parent.** ■ 9 The resource parent is required to identify at least one formal, alternate caregiver, but no more than two, who can fulfill the resource parent's role for the child in OKDHS custody placed in the

resource home in case of family emergencies, or when the family needs an extended break for up to 14-consecutive days. The alternate caregiver is limited to providing care only for resource families for which the caregiver is approved.

(1) The alternate caregiver is not used as a placement for the child.

(2) The resource parent identifies and reimburses the alternate caregiver. When funding is available, respite vouchers may be used for reimbursement.

(3) The alternate caregiver is at least ~~24~~ 18 years of age.

(4) The alternate caregiver and each adult household member in the alternate caregiver's home must be willing to:

(A) submit to a name-based records search by the Oklahoma State Bureau of Investigation, per OAC 340:75-7-15;

(B) submit to an OKDHS records search including, but not limited to:

(i) CWS history, per OAC 340:75-7-15;

(ii) Restricted Registry; and

(iii) Community Services Worker Registry; and

(C) submit to an Oklahoma State Department of Health Nontechnical Services Worker Abuse Registry search;

(D) submit to a Juvenile Online Tracking System records search for each child, 13 through 17 years of age, living in the home, per OAC 340:75-7-15;

(E) engage in an evaluation of the home to assess the location, condition, and capacity to accommodate the child in OKDHS custody;

(F) provide one reference on Form 04AF026E, Alternate Caregiver Reference Letter;

(G) comply with discipline policy, per OAC 340:75-7-38, and confidentiality policy, per OAC 340:75-1-42; and

(H) participate in a yearly update.

(j) **Respite care.** ■ 10 Respite care may only be provided by an approved resource home. A resource home is not limited to providing respite care to only one resource family.

(k) **Resource home insurance.** Liability insurance is provided for resource families for damages caused by the child in OKDHS custody per the terms of the policy. Resource families have the right to receive a copy of the liability insurance policy, per Section 1-9-119 of Title 10A of the Oklahoma Statutes (10A O.S. § 1-9-119). Resource parents are responsible for any deductibles.

(l) **Foster care associations.** ■ 11 OKDHS cooperates with and promotes the development of foster care associations for resource parents in each district. OKDHS provides information to resource families about local foster care associations.

(m) **Foster Care and Adoption Support Center.** The Foster Care and Adoption Support Center, 1-800-376-9729, is maintained by the Foster Care and Adoption Support Unit and assists with questions and problem resolution.

(n) **Foster parents' rights.** Foster parents' rights are found in 10A O.S. § 1-9-119 and a copy is given to every resource parent at the annual update.

(o) **Shared information.** Information shared between CWS employees, resource parents, and parents includes, but is not limited to the:

(1) child's legal status;

(2) upcoming court hearings;

- (3) reason for the child's foster care placement;
- (4) child's and parent's prior and present living experiences; and
- (5) child's medical, psychological, and behavioral information, current photographs, and educational records.

(p) **Foster care grievance procedures.** The resource parent and child in foster care have access to OKDHS grievance procedures through the Office of Client Advocacy, per OAC 340:2-3. Foster parent grievances are confidential and the foster parent has the right to be free from harassment and retaliation, per 10A O.S. § 1-9-119.

(q) **Foster care mediation program.** The resource parent may access the foster care mediation program through the Oklahoma Commission on Children and Youth (OCCY), per OAC 340:75-7-291.

(r) **Resource parent complaints about OKDHS employees.** Resource parents may file a complaint with OCCY Office of Juvenile System Oversight about an action of an OKDHS employee involving retaliation or discrimination against a resource parent, per OAC 340:75-7-292.

(s) **Training topics relevant to fostering.** ~~Pre-service and in-service training~~ Training is provided to enhance the resource parent's foster parenting skills.

(t) **Travel reimbursement for the resource parent.** ■ 12

(1) The resource parent, including a tribal resource parent, may be reimbursed for four trips per month for mileage incurred when providing transportation for the child in OKDHS custody placed in the resource home. When multiple children are included on a trip, the trip is counted as one trip for the group. Travel reimbursement may occur when the:

(A) resource parent provides travel associated with the child's permanency and well-being, limited to:

- (i) visits with parents and any person approved by the child's CW specialist;
- (ii) visits with the child's sibling; or
- (iii) court hearings; and

(B) round trip for a single event is 26 miles or more; and

(C) trips are documented and filed monthly on Form 10AD006E, Travel Claim, provided by a CW specialist, and processed through the Foster Care and Adoption Support Center.

(2) Travel reimbursement may occur when transporting a child to and from the foster placement to Oklahoma Schools for the Blind or Deaf on a bi-weekly basis after all other options are exhausted.

(u) **Tax deduction available.** An Oklahoma income tax deduction may be available for resource parents who meet requirements, per 68 O.S. § 2358.5-1. A resource parent with tax questions related to the care of a child in OKDHS custody contacts a tax professional.

INSTRUCTIONS TO STAFF 340:75-7-65

Revised 9-14-24 9-15-25

1. (a) **Approval process for child care.** Form 04MP042E, **Application for Child Welfare Child Care Benefits**, is not approved until the resource parent or the resource parent's authorized representative completes the child care interview

and provides the work schedule, class schedule, or medical disability documentation to the resource specialist.

(b) Child care may be approved for a child younger than 3 years of age to attend an Early Head Start (EHS) program without the resource parent meeting a need factor for child care.

(c) When the resource parent contacts the resource specialist to request child care, the resource specialist:

(1) staffs with the child's child welfare (CW) specialist to determine if the child's needs can be met in a child care setting;

(2) completes Form 04MP042E, and reviews the form with the resource parent, securing his or her signature on the form;

(3) verifies the resource parent's employment, educational enrollment, or disability and documents the child care need in the child's Child Abuse and Neglect Information System (KIDS) case and resource file;

(4) refers to the Child Care and Child Care EBTU How To's in KIDS/Help/How To's;

(5) enters the child care request in KIDS Child Care screens within two-business days with no time exceptions allowed, after receipt of verification necessary to approve or deny the application;

(6) determines the appropriate number of days child care is needed based on the resource parent's schedule including travel time or disability need.

The appropriate authorization is entered in KIDS Child Care screens.

(A) Monthly child care is authorized when care is needed for fewer than 15-calendar days per month or more than 23-calendar days per month.

(i) Full-time child care is authorized when care is needed for more than four hours each day.

(ii) Part-time child care is authorized when care is needed for four hours or less each day.

(B) Weekly child care is authorized when care is needed for more than four hours each day and at least 15-calendar days, but no more than 23-calendar days per month.

(C) Weekly child care is authorized when a foster child attends an EHS program regardless of the resource parent's need for child care.

(D) Blended child care is authorized for the child four years of age and older when care is needed Monday through Friday, part-time, the days school is in session, and full-time for school holidays. The resource specialist determines the appropriate blended unit type.

(i) The traditional school year blended unit type is authorized when the child attends a school with a traditional nine-month school calendar. The child care facility must be open on school holidays, except for summer break for traditional blended unit type approval.

(ii) The extended school year blended unit type is authorized when the child attends a school with a year-round or a continuous learning calendar. The child care facility must be open during school holidays including Christmas, fall, spring, and summer breaks;

(7) files the signed form in the resource file; and

- (8) evaluates the need for child care during the annual update and documents the child care need in the KIDS and resource files. A new Form 04MP042E with the resource parent's signature is required at the annual update when child care is still needed.
- (d) When approved, eligibility continues until the annual update even though the resource parent no longer meets the need for child care.
2. Resource parent with a significant disability. Medical information from the primary physician regarding the resource parent's disability is required and documented in the child's KIDS case and resource file. When child care subsidy benefits are provided for the disabled resource parent, the resource specialist and the resource supervisor evaluate the need for child care at the annual update and document the need in the child's KIDS case and resource file.
3. Exceptions for the use of a one star child care center.
- (1) The resource supervisor may grant exceptions for use of a one star child care center. Prior to granting an exception, the procedures in (A) and (B) of this paragraph are completed.
- (A) The resource specialist:
- (i) provides the resource parent a list of each contracted ~~one plus~~ two star or higher star centers and all contracted child care homes that meet the resource parent's search criteria.
- (I) The resource parent is not required to use a ~~one plus~~ two star or higher star child care home before considering a one star child care center.
- (II) When there are no ~~one~~ two star ~~plus~~ or higher star child care centers in the community, the resource parent is provided a list of one star child care centers.
- (III) An exception is not required when a one star child care center is the only available child care center in the community;
- (ii) uses the Child Care Locator, on the Oklahoma Human Services (OKDHS) InfoNet Tools to generate the list; and
- (iii) instructs the resource parent to contact each Child Care Locator provider on the list to determine if care is available during the hours needed.
- (B) When the resource parent is unable to find a provider that meets his or her needs, the resource supervisor reviews the resource parent's attempts to find a provider and determines whether to grant an exception.
- (2) Reasons to grant an exception may include when:
- (A) openings are not available during the hours child care is needed. For example, the resource parent works during the evening or overnight and no one provides child care during those hours;
- (B) providers are not willing to meet the child's special needs. For example, the provider is unable to meet the needs of the child with disabilities or provide transportation to and from the child's school;

- (C) providers are not within a reasonable distance from the resource parent's home; or
 - (D) other options are not available based on the case's specific circumstances.
- (3) When the resource supervisor agrees an exception is warranted, the resource specialist documents in KIDS Child Care screens why an exception was granted.
- 4. Programs receiving federal or state grant funds. Programs receiving federal or state grant funds, such as Head Start or pre-kindergarten, typically do not charge all parents for the designated program hours. In these instances, the provider only qualifies for subsidy payments for care before and after designated program hours, also known as wraparound care. The resource specialist approves the appropriate unit type based on the resource parent's need and the required number of subsidy hours.
- 5. Exceptions for child care for the school-age child. The school-age child is defined as a child 5 years of age through the day before he or she turns 19 years of age. Child care is not approved during regular school day hours because school is a feasible alternative to child care. An exception may be granted when the school-age child:
 - (1) with disabilities receives shortened-day services from the local school system; or
 - (2) is suspended or expelled from school and the school system verifies no other educational alternative is available to the child.
- 6. Special needs certification. The resource parent, child care provider, Child Care Services (CCS) licensing staff, and Adult and Family Services (AFS) staff complete the appropriate sections of Form 08AD006E, Certification for Special Needs Rate for Licensed Child Care Homes and Centers, when the special needs rate, per Oklahoma Administrative Code (OAC) 340:40-7-3.1, is requested. The child care provider initiates the process by accessing Form 08AD006E on the provider web or by contacting AFS Child Care Subsidy staff.
 - (1) Determination of special needs certification requirements are made by:
 - (A) CCS licensing staff for the provider; and
 - (B) AFS Child Care Subsidy staff for the child in OKDHS custody.
 - (2) When the provider meets certification requirements, CCS licensing staff sends Form 08AD006E to AFS Child Care Subsidy staff to determine if the child meets certification requirements. AFS Child Care Subsidy staff completes Form 08AD007E, Scoring Sheet for Special Needs Rate Determination, and determines whether to approve the child for the severe or moderate special needs rate or to continue services at the applicable daily or weekly rate.
 - (3) When approved, AFS Child Care Subsidy staff emails a scanned copy of Form 08AD006E to the KIDS Helpdesk and requests the appropriate special needs rate be applied in KIDS.
 - (4) KIDS Helpdesk staff uploads a copy of Form 08AD006E to the KIDS case.
 - (5) AFS Child Care Subsidy staff sends a copy of Form 08AD006E to:

- (A) the child care provider;
 - (B) the resource parent; and
 - (C) CCS licensing staff.
7. Therapeutic child care.
- (1) The CW specialist requests approval for therapeutic child care when:
 - (A) a letter from a behavioral health professional provider documents the:
 - (i) child's goal;
 - (ii) therapy needed to reach the goal; and
 - (iii) expected time requirement for this treatment; and
 - (B) the CW specialist staffs the case with the CW supervisor and resource specialist and all agree therapeutic child care is required.
 - (2) The CW specialist provides a memo to Child Welfare Services (CWS) Finance and Business (FB) with the behavioral health professional's letter. The memo includes the:
 - (A) child and case name;
 - (B) therapeutic child care program name;
 - (C) number of therapeutic child care hours needed per day;
 - (D) number of therapeutic child care days needed per week;
 - (E) name of the behavioral health professional recommending therapeutic child care;
 - (F) resource parent's name; and
 - (G) reason for therapeutic child care.
 - (3) CWS FB sends a memo notifying the CW specialist of the determination with specific instructions regarding payment of services, when approved.
 - (4) The CW specialist documents the circumstances and actions in KIDS Contacts. No service line is entered in the KIDS Child Care screen.
8. Child care services overpayment. OKDHS seeks repayment for any child care service paid in error. The CW specialist provides FB information that includes:
- (1) the child's case name and number;
 - (2) the child's name and date of birth;
 - (3) a summary of the circumstances that led to the potential overpayment, including the original and new family share co-payment amounts, when applicable;
 - (4) the period covered by the overpayment; and
 - (5) if the overpayment was caused by OKDHS, resource parent, or provider error, per examples in OAC 340:40-15-1.
9. Approving an alternate caregiver. The resource specialist:
- (1) obtains the name of the potential alternate caregiver, relationship, or connection to the resource family, and the length of time the alternate caregiver has known the resource family.
 - (A) The resource specialist makes personal contact with the alternate caregiver to determine the person's ability and willingness to provide temporary, short-term care and determines if he or she may experience the same family emergencies as the resource family.

- (B) The person or persons recommended to provide alternate care, such as a relative or close friend, must be at least 21 years of age;
- (2) completes, regarding the potential alternate caregiver and each adult living in the potential caregiver's home:
- (A) an Oklahoma State Bureau of Investigation name search;
 - (B) an Oklahoma Department of Public Safety check;
 - (C) an Oklahoma State Courts Network search at www.oscn.net;
 - (D) an Oklahoma District Court Records search at www.odcr.com;
 - (E) a Sex Offender Registry check at ~~<http://sors.doc.state.ok.us/>~~ <http://doc.state.ok.us/>;
 - (F) a Mary Rippy Violent Offender Registry check at ~~<http://sors.doc.state.ok.us/>~~ <http://doc.state.ok.us/>;
 - (G) an OKDHS records review, including:
 - (i) CWS records;
 - (ii) the Community Services Worker Registry at <https://cswrpublic.okdhs.org/cswrpublic>. When an individual's name is located on the Community Services Worker Registry, the resource specialist requests the individual's records, and includes that information in the overall assessment. When an individual's name is located on the Community Services Worker Registry, the applicant may not be approved without a Foster Care and Adoptions deputy director's approval; and
 - (iii) Restricted Registry at <https://ccrrpublicjl.okdhs.org/ccrrpublicjl/public/>. When an individual's name is located on the Restricted Registry, the individual is denied; and
 - (H) an Oklahoma State Department of Health (OSDH) Nontechnical Services Workers Abuse Registry search at <https://www.phin.state.ok.us/nar/>. When an individual's name is located on the OSDH Nontechnical Services Workers Abuse Registry, the resource specialist requests the individual's records, and includes that information in the overall assessment. When an individual's name is located on the OSDH Nontechnical Services Workers Abuse Registry, the applicant may not be approved without a Foster Care and Adoptions deputy director's approval;
- (3) completes, regarding any child of the potential alternate caregiver or child of an adult household member who is 13 through 17 years of age, a Juvenile Online Tracking System check;
- (4) documents the results of each background check on Form 04AF007E, Records Check Documentation;
- (5) assesses all CWS history and criminal or delinquency history, per OAC 340:75-7-15 Instructions to Staff;
- (6) obtains a copy of the potential alternate caregiver's driver license, or state-issued identification, and required vehicle liability insurance verification;

- (7) completes Form 04AF004E, House Assessment, and Form 04MP061E Water Safety Checklist and Agreement for the Resource Applicant or Parent;
 - (8) completes Form 04AF021E, Verification of Receipt of DHS OKDHS Rules, with the alternate caregiver;
 - (9) contacts one reference provided by the alternate caregiver using Form 04AF026E, Alternate Caregiver Reference Letter;
 - (10) makes a decision to approve or deny the potential alternate caregiver after assessing the information obtained and after consultation with the resource supervisor. The resource specialist documents all information in the KIDS Resource Alternate Caregiver screen, scans it into the KIDS Resource File Cabinet, and files it in the resource file;
 - (11) informs the resource parent of the decision; and
 - (12) reapproves the alternate caregiver during the annual update by completing (1) through (10) of this Instruction.
10. Respite care. A resource home providing respite care must meet all requirements of an approved resource home and is not required to have a relationship or direct connection with the family.
11. Foster care associations. The resource specialist provides the resource parent with information on how to contact the foster care association.
12. Travel Reimbursement. When the resource parent is eligible for travel reimbursement, the CW specialist submits approved Form 10AD006E, Travel Claim, directly to the Foster Care and Adoption Support Center. SoonerRide is expected to serve as the resource for all travel related to medical, behavioral health, dental, or vision appointments.

PART 8. RESOURCE HOME CONTINUOUS QUALITY ASSESSMENT

340:75-7-94. Resource home annual updates, non-compliance or rule violations, investigations, closures, and fair hearings, ~~and reassessment to re-open a previously closed resource.~~ ■ 2, 3, & 5

Revised 9-14-24 9-15-25

(a) **Annual update.** ■ 1 The resource family assessment is updated annually from the resource home's approval date in KIDS for any family approved per Oklahoma Administrative Code (OAC) 340:75-7-18.

(b) **Kinship annual update.** ■ 2 The kinship resource family assessment is reviewed annually from the resource home's approval date in KIDS for any family approved per OAC 340:75-7-24 to ensure the kinship resource family can continue to meet the child(ren)'s specific needs and provide a safe environment for the child(ren) in Oklahoma Human Services (OKDHS) custody.

(c) **Resource home non-compliance or rule violation issues for families approved by a Resource Family Assessment or Kinship Resource Family Assessment.** ■ 4 When non-compliance or rule violation issues in the home require remediation for continued use of the home, a written plan of compliance is developed as a tool to address the safety and stability of the child in ~~Oklahoma Human Services (OKDHS)~~ custody placed in the home.

(e)(d) Resource home investigation for families approved by a Resource Family Assessment or Kinship Resource Family Assessment. ■ 6 7

(1) When a Child Protective Services investigation results in removal of a child in OKDHS custody from the home:

(A) Form 04MP014E, Notice of Child's Removal from Out-of-Home Placement, is provided by the child welfare (CW) specialist, per Oklahoma Administrative Code (OAC) 340:75-6-86; and

(B) the resource parent receives Form 04MP031E, Notice of Decision Not to Return Child After Investigation, from the CW specialist when a decision is made not to return the child to the home.

(2) Per Section 1-9-119 of Title 10A of the Oklahoma Statutes, the resource parent has the right to request and receive a fair and impartial administrative hearing regarding decisions that affect certification, retention, or placement of a child in OKDHS custody in the resource home.

(d)(e) Closure of the resource home for families approved by a Resource Family Assessment or Kinship Resource Family Assessment. ■ 7 8 The resource home is closed and the contract is terminated, when:

(1) resource home services are no longer needed;

(2) kinship children are no longer placed in the kinship resource home;

(3) the child leaves a resource home jointly-approved for that specific child;

(4) the child is no longer placed in the resource home approved for the specific child;

(5) the resource parent requests closure;

(6) the resource parent fails to timely implement or maintain compliance with provisions of Form 04AF023E, Written Plan of Compliance, to resolve conditions that present a risk to the child or conditions that do not conform to the contract;

(7) there are non-compliance issues related to a rule, statute, contract, or a written plan of compliance that are unresolved including, but not limited to, failure of the resource parent or household member to meet or maintain the initial screening and requirements, per OAC 340:75-7-10.1 or maintain compliance with background requirements, per OAC 340:75-7-15; or

(8) rules, statutes, or contract violations by the resource parent or household member occurred that resulted in OKDHS determining the child to be unsafe in the resource home. ■ 2

(e)(f) Fair hearing for families approved by a Resource Family Assessment or Kinship Resource Family Assessment. ■ 8 When the approved resource home is closed, the resource parent has the right to appeal closure through the fair hearing process, per OAC 340:75-1-12.6.

(f)(g) Reassessment to re-open a previously closed resource, excluding kinship. When the resource is closed for more than 12 months but less than five years, the resource may be opened with an approved reassessment within 30-calendar days of the disposition date. ■ 10

INSTRUCTIONS TO STAFF 340:75-7-94

Revised 9-14-24

1. (a) Annual update. The annual update is required when a family provides out-of-home care to a child in OKDHS custody placed in the following resource

settings: traditional and supported foster care, therapeutic foster care, intensive treatment family care, and contracted foster care. The annual update:

(1) is completed yearly by the assigned resource specialist following the home's approval on Form 04AF038E, Annual Update. When a resource home is moving towards adoption of a child placed in the home, the resource specialist completes Form 04AF044E, Adoption Addendum, and Form 04AN037E, Request for Resource Family Adoption Reference;

(2) prior to completion of a home visit with the resource family, requires that the resource specialist:

(A) completes Form 04AF045E, Annual Update Records Check, including all new records since completion of previous Forms 04AF007E, Records Check Documentation or 04AF045E. The resource specialist reviews new and previous Forms 04AF007E and 04AF045E to ensure all applicable information is documented;

(B) reviews all resource alerts, written plans of compliance (WPC), policy violations, referrals, and investigations that occurred in the resource home;

(C) reviews the records found on Oklahoma State Courts Network (OSCN) and Oklahoma District Court Records (ODCR) including, but not limited to:

- (i) divorce records;
- (ii) protective orders; and
- (iii) civil lawsuits; and

(D) completes a search of the:

- (i) Community Services Worker Registry at <https://cswrpublic.okdhs.org/cswrpublic/>;
- (ii) Restricted Registry at <https://ccrrpublicjl.okdhs.org/ccrrpublicjl/public/>; and
- (iii) Oklahoma State Department of Health (OSDH) Nontechnical Services Workers Abuse Registry at <https://www.phin.state.ok.us/nar/>; and

(E) reviews the Oklahoma State Bureau of Investigation (OSBI) records and prosecution (RAP) Back report entered in the KIDS Resource document management system (DMS) regarding each resource parent and adult household member, when applicable. The resource specialist:

- (i) obtains the disposition of each arrest or charge reported on the OSBI RAP Back report; and
- (ii) discusses the report with the resource parent or adult household member; and

(F) conducts a Juvenile Online Tracking System check when a household member becomes 13 years of age;

(G) obtains fingerprints and a background check when a member of the household becomes 18 years of age; and

- (H) consults with the child welfare (CW) specialist assigned to each child in Oklahoma Human Services (OKDHS) custody placed in the resource home to identify any issues or concerns that have arisen with the resource family; and
- (3) includes documentation of face-to-face interviews with each resource parent, child, and any other adult household members. The visit is arranged at a convenient time for the resource family and is conducted in the resource home. The resource specialist provides Form 15GR008E, Notice of Grievance Rights – Foster Parents, a copy of the Statement of Foster Parents' Rights, and a copy of the liability insurance policy to the family during the home visit. The resource specialist provides the resource parent with materials to obtain the required 12 hours of in-service training and addresses concerns not previously addressed with the resource family;
- (4) consists of:
- (A) signed and dated Form 04AF038E, Annual Update;
 - (B) signed and dated Form 04AF045E;
 - (C) signed and dated Form 04AF004E, House Assessment, with:
 - (i) a copy of each resource parent's current driver license, state identification card, or for active military members and spouses, a current military identification card;
 - (ii) a copy of the current insurance verification for each resource parent's vehicle;
 - (iii) copy of pet vaccinations, per Oklahoma Administrative Code (OAC) 340:75-7-18; and
 - (iv) signed and dated Form 04MP061E, Water Safety Checklist and Agreement for Resource Applicant or Parent; and
 - (D) signed and dated Form 15GR008E;
 - (E) two personal references from the resource parent. The resource specialist sends Form 04AF034E, Resource Family Personal Reference Letter Annual Update, to each reference;
 - (F) Form 04AF014E, Resource Family Reference Letter for School Personnel, completed for each child in OKDHS custody. When a resource parent does not have a child in OKDHS custody enrolled in school, an additional personal reference is required;
 - (G) Form 04AF013E, Adult Behavioral Health Reference Letter, or Form 04AF012E, Child's Behavioral Health Reference Letter, when a household member, other than a child in OKDHS custody, received behavioral health services since the last assessment period. The resource specialist uses Form 13HI003E, Authorization to Disclose Medical Records, to obtain permission from the resource parent to receive his, her, or the child's behavioral health information. In addition to Form 04AF013E, the resource specialist requests behavioral records from the behavioral health professional;
 - (H) documentation of all completed resource parent training;

- (I) signed and dated Form 04AF021E, Verification of Receipts of OKDHS Rules; and
- (J) new fingerprints for all adults, whose fingerprints are more than five years old; and
- (5) every fifth year, the annual update includes a new:
 - (A) Form 04AF008E, Medical Examination Report, for each adult household member residing in the home; and
 - (B) Form 04AF017E, Resource Parent Health History, for each adult household member residing in the home; and
 - ~~(C) Form 04AF010E, Resource Family Financial Assessment, with copies of paycheck stubs.~~
- (b) Annual update review results.
 - (1) The resource specialist and resource supervisor discuss any concerns identified in Form 04AF038E, Annual Update.
 - (2) The resource specialist and each resource parent review and sign Form 04AF038E.
 - (3) The resource supervisor signs and approves Form 04AF038E.
 - (4) A signed copy of Form 04AF038E, except for the protected information section, is provided to the resource parent.
 - (5) The resource specialist scans Form 04AF038E and attachments into the KIDS Resource DMS and files a copy in the resource file.
- (c) Unfinished annual update.
 - (1) When an annual update is unfinished due to non-compliance or lack of cooperation by the resource parent, the resource specialist:
 - (A) staffs with the resource supervisor to determine the action to take;
 - (B) prepares Form 04AF042E, Request for Exception to Resource Home Requirements, and gives the resource parent 30-calendar days to meet the requirements; and
 - (C) does not place an additional child in the resource home until the requirements are met.
 - (2) When the requirements are not met within 30-calendar days and children are not currently placed in the resource home, the resource specialist closes the resource home, per OAC 75-7-94 ITS # 7.
 - (3) When the requirements are not met within 30-calendar days and children are currently placed in the resource home, the resource specialist:
 - (A) prepares a WPC; and
 - (B) does not place an additional child in the resource home until the requirements are met.
 - (4) When the WPC requirements are not met, the resource specialist staffs with the field manager.
- 2. (a) Kinship annual update. A kinship annual update is required when a family provides out-of-home care to a child in OKDHS custody placed in a kinship resource. The kinship annual update:
 - (1) is completed yearly by the assigned resource specialist following the home's approval and is documented as a contact in KIDS with a purpose selected as Annual Update. When a resource home is moving towards

adoption of a child placed in the home, the resource specialist completes Form 04AF044E, Adoption Addendum, and Form 04AN037E, Request for Resource Family Adoption Reference;

(2) prior to completion of a home visit with the resource family, the resource specialist:

(A) completes Form 04AF045E, Annual Update Records Check, including all new records since completion of previous Forms 04AF007E, Records Check Documentation or 04AF045E. The resource specialist reviews new and previous Forms 04AF007E and 04AF045E to ensure all applicable information is documented;

(B) reviews all resource alerts, written plans of compliance (WPC), policy violations, referrals, and investigations that occurred in the resource home;

(C) reviews the Oklahoma State Bureau of Investigation (OSBI) records and prosecution (RAP) Back report entered in the KIDS Resource document management system (DMS) regarding each resource parent and adult household member, when applicable. The resource specialist:

(i) obtains the disposition of each arrest or charge reported on the OSBI RAP Back report; and

(ii) discusses the report with the resource parent or adult household member; and

(D) conducts a Juvenile Online Tracking System check when a household member becomes 13 years of age;

(E) obtains fingerprints and a background check when a member of the household becomes 18 years of age; and

(F) consults with the child welfare (CW) specialist assigned to each child in Oklahoma Human Services (OKDHS) custody placed in the resource home to identify any issues or concerns that have arisen with the resource family; and

(3) includes documentation of face-to-face interviews with each resource parent, child, and any other adult household members. The visit is arranged at a convenient time for the resource family and is conducted in the resource home. The resource specialist provides Form 15GR008E, Notice of Grievance Rights – Foster Parents, a copy of the Statement of Foster Parents' Rights, and a copy of the liability insurance policy to the family during the home visit. The resource specialist provides the resource parent with materials to obtain ongoing resource parent training and addresses concerns not previously addressed with the resource family;

(4) consists of:

(A) signed and dated Form 04AF045E Annual Update Records Check;

(B) assessment of the kinship caregiver(s) physical environment;

(C) signed and dated Form 04MP061E, Water Safety Agreement;

(D) signed and dated Form 15GR008E Notice of Grievance Rights;

(E) signed and dated Form 04AF021E, Verification of Receipt of OKDHS Rules; and

(F) new fingerprints for all adults, whose fingerprints are more than five years old.

(b) Kinship annual update results.

(1) The resource specialist and resource supervisor discuss any concerns identified during the kinship annual update process and document the results of the discussion in KIDS Resource Contacts. This includes identifying any needs requiring follow-up and developing action steps to address the needs.

(2) The resource specialist and supervisor review the supporting documentation gathered during the kinship annual review process and ensure the required documentation according to subparagraph (a) above is scanned into the KIDS Resource DMS.

3. Continuous resource home approval. The resource home remains approved until there is a specific action by either party to cancel or terminate the contract or close the home.

~~3. Unfinished annual update.~~

~~(1) When an annual update is unfinished due to non-compliance or lack of cooperation by the resource parent, the resource specialist:~~

~~(A) staffs with the resource supervisor to determine the action to take;~~

~~(B) prepares Form 04AF042E, Request for Exception to Resource Home Requirements, and gives the resource parent 30-calendar days to meet the requirements; and~~

~~(C) does not place an additional child in the resource home until the requirements are met.~~

~~(2) When the requirements are not met within 30-calendar days and children are not currently placed in the resource home, the resource specialist closes the resource home, per OAC 75-7-94 ITS # 7.~~

~~(3) When the requirements are not met within 30-calendar days and children are currently placed in the resource home, the resource specialist:~~

~~(A) prepares a WPC; and~~

~~(B) does not place an additional child in the resource home until the requirements are met.~~

~~(4) When the WPC requirements are not met, the resource specialist staffs with the field manager.~~

4. (a) Safety and compliance concerns or issues in the resource home.

(1) Child Welfare Services (CWS) evaluates safety or compliance concerns or issues in the resource home at the time the concern or issue is observed or received that includes, but is not limited to:

(A) discipline practices;

(B) the resource parent's judgment or supervision; or

(C) concerns or issues that affect the safety of or placement stability for the child placed in the resource home.

(2) CWS staff evaluates and determines the need for a child abuse and neglect referral, per OAC 340:75-3-410.

(3) When the concerns or issues do not meet the criteria for abuse or neglect, per OAC 340:75-3, the CW specialist or resource specialist

documents the information on Form 04AF022E, Report of Violation of Rules in a OKDHS Resource Home and documents in the Policy Violation screen in KIDS. The resource specialist discusses the rules violation with the resource supervisor to determine if a WPC is needed.

(4) The resource specialist assesses the concerns or issues and takes action within 10-business days from the date the concerns or issues were received.

(b) Resource alert.

(1) Concerns or issues that affect the safety of or placement stability for a child placed in the resource home that require ongoing monitoring are documented as a resource alert. Resource alerts increase communication between specialists working with the resource parent(s) and children placed in the resource home. Resource alerts require ongoing monitoring by each specialist that works with a child placed in the resource home and the resource parent(s). Resource alerts include, but are not limited to, indicating:

(A) a resource parent(s) with high stress level;

(B) an identified inappropriate caregiver or caregivers denied by OKDHS;

(C) frequent visitors to the home that may require assessment;

(D) prior substance abuse history by the resource parent(s);

(E) lack of resources or support; or

(F) the home's physical environment presents potential safety risks to a child.

(2) When a concern or issue related to the resource home or a child placed in the home is identified, the CW specialist that identifies the concern or issue contacts the other assigned specialists the same day to discuss the concern or issue and develop a plan for ongoing monitoring.

(3) The resource specialist adds an Alert – Resource Notice contact in KIDS within two-business days. The contact outlines the concern or issues that require ongoing monitoring and describes the type of monitoring that must occur and for what length of time. Types of monitoring may include, but are not limited to:

(A) additional phone contact;

(B) additional visits in the home;

(C) unannounced visits to the home;

(D) assessment of individuals identified in the home frequently; or

(E) assessment of individuals providing care for a child outside the home.

(4) Prior to initiating monthly contact with the resource family, the resource specialist contacts each child's assigned CW specialist to discuss the resource alert and any new information related to the concern.

(5) The resource specialist documents in KIDS contacts each occurrence of ongoing monitoring. The contact type selected is Alert – Resource Notice Ongoing Monitoring in KIDS. Ongoing monitoring occurs monthly, at a minimum.

(6) When the concern or issue is resolved, the resource specialist documents how the issue was resolved and closes the resource alert in KIDS.

(c) **WPC.** When non-compliance issues or rule violations in the resource home require remediation for continued use of the home, Form 04AF023E, Written Plan of Compliance, is initiated. The WPC is a joint effort between the resource specialist, resource supervisor, assigned CW specialist, and CW supervisor along with the resource parent to identify action steps the resource parent and OKDHS may take to bring the resource home into compliance. This includes implementation of a plan to provide additional supports for the resource home, when needed.

(1) The resource specialist uses Form 04AF023E to develop the WPC with the resource parent to address issues regarding rule violations and concerns, per OAC 340:75-7-94.

(2) The resource specialist consults with the child's CW specialist each month to discuss the WPC or other concerns and documents in a resource case contact in KIDS.

(3) When a WPC is in effect and new non-compliance issues are identified, Form 04AF023E is reviewed to determine if additional action is warranted. When necessary, additional action steps are added to the current WPC.

(4) When the resource parent disputes the identified issues and refuses to sign Form 04AF023E, the resource supervisor forwards Form 04AF023E to the field manager for review. The field manager reviews and assists in developing a plan to resolve the issue within 10-business days that may include phone or face-to-face contact with the resource parent.

(d) **Preparing the WPC.** When developing, preparing, and executing Form 04AF023E the resource specialist:

(1) consults with all CW specialists with a child placed in the resource home and staffs the issues with the CW supervisors;

(2) in conjunction with the resource parent, identifies measurable action steps;

(3) identifies a time limit, generally not exceeding 90-calendar days;

(4) obtains each resource parent's signature on Form 04AF023E;

(5) signs and dates Form 04AF023E and submits it to the resource supervisor for approval. The resource supervisor approves the WPC in KIDS and signs Form 04AF023E;

(6) provides a copy of Form 04AF023E with each required signature to the resource parent and each child's CW specialist;

(7) consults with each child's assigned CW specialist either in-person or by phone monthly to review the progress during the specified time requirements;

(8) adds action steps to the current WPC on Form 04AF023E when new issues are identified;

(9) updates signatures and dates at each review and when new action steps are added; and

(10) consults with each child's assigned CW specialist and evaluates Form 04AF023E for completion, makes a recommendation regarding continued use of the resource home, and staffs the recommendation with the resource supervisor.

(A) The resource supervisor approves the WPC recommendation and resolution in KIDS and signs Form 04AF023E.

(B) The resource parent and the resource specialist sign and date the WPC resolution.

(C) Original Form 04AF023E is provided to the resource parent and a signed copy is filed in the resource file and scanned into the KIDS Resource DMS.

5. Screened-out consultations.

(1) The resource supervisor or the resource family partner (RFP) liaison supervisor assesses the screened-out referral within two-business days of receipt to determine if immediate action is needed. The supervisor:

(A) reviews all available information in the new report including the narrative, allegations, and reporter information;

(B) reviews all CWS and criminal history thoroughly to determine if a behavior pattern exists;

(C) discusses the new report with the resource specialist;

(D) determines if the resource specialist needs to gather additional information from the child, resource family, or collaterals to discuss during the screen-out consultation; and

(E) consults with the field manager, RFP agency director, or child's assigned supervisor regarding immediate action, when needed.

(2) The resource supervisor, the RFP liaison supervisor, or the RFP liaison schedules a conference call that is held within 10-business days to discuss the screened-out referral with the required participants in (A) through (J), who are the:

(A) permanency planning (PP) specialists;

(B) PP supervisors;

(C) resource specialist;

(D) resource supervisor;

(E) RFP, therapeutic foster care (TFC), or intensive treatment family care (ITFC) agency worker;

(F) RFP, TFC, or ITFC agency supervisor;

(G) RFP, TFC, or ITFC liaison supervisor;

(H) enhanced foster care field coordinator, if applicable;

(I) adoption specialist;

(J) youth transition specialist;

~~(I)~~(K) child's tribal worker; and

~~(J)~~(L) tribal resource worker, when any.

(3) Prior to the conference call, the resource specialist sends the Resource Information Sheet, located in the KIDS resource reports, and all completed record checks to all participants. Each participant reviews all available

information on the resource home including a review of previous referrals and investigations, resource alerts, policy violations, and WPCs.

(4) The screened-out consultation includes:

- (A) discussing the current allegations of the screened-out referral;
- (B) identifying any safety issues in the home;
- (C) discussing previous assigned or screened-out referrals in totality;
- (D) discussing previous resource alerts, policy violations, and WPCs;
- (E) discussing placement decisions for each child currently in the home;
- (F) assessing if additional supports are needed;
- (G) determining if a resource alert is warranted;
- (H) determining if a policy violation occurred;
- (I) determining if a WPC is warranted;
- (J) determining if more frequent PP contact with each child is needed;
- and
- (K) establishing each CW specialist's or RFP worker's role and responsibilities.

(5) During the conference call, a plan is developed to address identified needs including supports, responsible parties, and time frames for the plan's implementation and monitoring.

(6) During the conference call, when it is determined that a WPC is not sufficient to address identified concerns a higher-level staffing is initiated by the resource supervisor. This staffing is held within two-to-five business days from the screened-out consultation and the resource supervisor invites the workers, supervisors, field manager(s), RFP agency director, district director(s), and child's tribal worker, when any, involved in the resource and PP cases.

(7) All screened-out consultations are documented in the KIDS Resource Contacts screen within five-business days of the screened-out consultation. The referral(s) associated with the screened-out consultation is selected for the contact. Resource staff documents the screened-out consultation in the resource case using "Screen-out Consultation" as the contact purpose.

(8) When there is a concern that the referral was inappropriately screened-out or a conflict exists on how to proceed, the resource supervisor or the RFP liaison supervisor staffs with the field manager, field administrator, RFP agency director, and district director(s) for further referral review. When the review determines the referral warrants an investigation, the resource supervisor or RFP liaison supervisor contacts the CWS Hotline and requests the initial referral be assigned.

(9) When a duplicate screened-out referral is received, the resource supervisor and PP supervisor determine if a separate screened-out consultation is required. When all concerns can be addressed, including any new information from the duplicate screened-out referral, only one screened-out consultation is held.

(10) The resource specialist notifies the resource parent(s) within 30-calendar days that a screened-out referral was received. The resource specialist discusses the nature of the allegations, but the reporter's identity is not disclosed. The notification may occur face-to-face or by phone and may be discussed during the monthly contact or quarterly visit.

(11) The resource specialist documents all completed follow-up actions and information collected in the resource ~~contacts~~ Contacts screen in KIDS. The contacts must be clear that the behaviors or actions reported in the screened-out referral were addressed with all pertinent parties and include any action steps or resolution to the reported issue.

6. Referrals screened-out as policy violations.

(1) When a report of child abuse or neglect is received and subsequently screened-out with the reason of "policy violation," the Hotline specialist sends a same-day email to the assigned resource specialist, supervisor, and field manager notifying them that the report was received and requires follow-up.

(2) The resource supervisor or the RFP liaison supervisor conducts a review of the screened-out referral within two-business days, as previously outlined in ITS # 5.

(3) When the referral is screened out as a policy violation, the family's assigned resource specialist:

(A) reviews all available information in the new report including the narrative, allegations, and reporter information;

(B) reviews all CWS and criminal history to determine if a behavior pattern exists;

(C) contacts the reporter of the screened-out report for additional information, when needed;

(D) initiates face-to-face contact with the alleged victim and resource family within five-business days from receipt of the Hotline specialist's email notification to discuss the allegations of the referral and determine if a policy violation occurred;

(E) documents the contact with the alleged victim and resource family in the KIDS resource Contacts screen by associating the correct referral(s) and using "Policy Violation" as the contact purpose;

(F) gathers information from collaterals with pertinent knowledge about the screened-out report, such as other children in OKDHS custody in the home, child's therapist, medical provider, tribal partners, or the child's teacher;

~~(F)~~(G) consults with the resource supervisor and field manager or contract agency director, or child's assigned specialist and supervisor, as needed;

(H) completes the screen-out consultation within 10-business days of receiving notification of the screened-out referral;

~~(G)~~(I) communicates information gathered to all participants during the screen-out consultation; and

~~(H)~~(J) documents the screened-out consultation within five-business days.

(4) When the information gathered supports that a policy violation occurred or a WPC needs to be initiated, resource staff follows guidance in OAC 340:75-7-94.

(5) The resource specialist documents all completed follow-up actions and information collected in the resource contacts in KIDS. The contacts must clearly indicate that the behaviors or actions reported in the screened-out referral were addressed with all pertinent parties and include any action steps or resolution about the reported issue.

7. Resource home investigation.

(1) 10-day staffing. The resource specialist attends the 10-day staffing that occurs during the resource home investigation, per OAC 340:75-7-37.1.

(2) Use of the resource home during an investigation.

(A) The CW specialist assigned to conduct the investigation notifies the resource specialist when initiating an investigation of the resource home.

(B) A child is not placed in the resource home until sufficient information is available for a recommendation.

(C) When sufficient information is available, a recommendation as to the continued use of the resource home is made by the CW specialist assigned to the investigation, CW specialist assigned to the child, CW supervisor, resource specialist, and resource supervisor all applicable CW supervisors, per OAC 340:75-3-410.

(D) The discussion and decision are documented in the KIDS Resource Contacts by the resource specialist.

(3) Child's removal from the resource home during the investigation. When the child in OKDHS custody was in the resource home for three months or longer and is removed from the resource home during the investigation, the resource parent is provided a copy of Form 04MP014E, Notice of Child's Removal from Out-of-Home Placement. The CW specialist assigned to the investigation staffs with the CW supervisor, who consults with the district director, as necessary, in collaboration with other persons involved with the child per OAC 340:75-3-410 to determine whether to:

(A) return the child to the resource home; or

(B) seek a different placement for the child.

(4) Child not returning to the resource home. When the decision is to not return the child to the resource home, the CW specialist assigned to the child:

(A) notifies the resource parent of the decision immediately by phone; and

(B) provides the placement plan and the rationale behind the decision in writing using Form 04MP031E, Notice of Decision Not to Return Child After Investigation, to the resource parent within three-business days after the decision per OAC 340-75-3-410.

(5) Concerns after a referral or investigation. The resource specialist, resource supervisor, assigned CW specialist, and CW supervisor review all referrals, whether screened-out or accepted, all investigations, and all reports to the district attorney regarding the resource home for issues or concerns. The resource specialist consults with the assigned CW specialist and CW supervisors regarding needed action or additional supports for the family as a result of the resource home investigation. When a supported home is involved, the OKDHS RFP liaison facilitates a conversation with the RFP foster care worker, RFP foster care supervisor, assigned CW specialist, and CW supervisor regarding needed action or additional supports for the family as a result of the resource home investigation. Action is taken within 10-business days upon completion of the program review by the Child Protective Services Programs Unit staff, per OAC 340:75-3-500.

8. Resource home closure. The resource contract is terminated, per OAC 340:75-7-52.

(1) Reason for closure. A resource home is closed upon consultation with the resource supervisor when:

(A) the kinship resource home is no longer needed. Prior to closure, the resource specialist consults with the resource supervisor to determine if the kinship resource parent is in good standing, and if the family wants to convert to a traditional resource home, per OAC 340:75-7-12 and 340:75-7-19 Instructions to Staff # 3. ~~When the family wants to convert to a traditional resource home, Form 04AF037E, Resource Conversion Addendum, is completed prior to opening a new resource. The resource specialist opens a new resource in KIDS as Type -- CW Foster Family;~~

(B) services are no longer needed for a jointly-approved home that is child specific;

(C) a resource parent requests closure and the home is in good standing with no identified issues of concern. The home is closed per the resource parent's request;

(D) non-compliance issues cannot be resolved. The resource specialist completes the requirements to close the home; or

(E) an investigation results in a substantiated finding of abuse or neglect, the field manager reviews the results and considers the safety of a child in OKDHS custody, the resource parent's protective capacity, and the resource parent's compliance with recommended services in deciding to close the home. Substantiated findings of abuse or neglect do not automatically result in the closure of a resource home.

(2) Closure process following child removal from resource home. When a child(ren) was removed from the resource home due to a safety issue or investigation, the resource specialist:

(A) contacts the CW specialist assigned to the child and ensures Form 04MP014E, Notice of Child's Removal from Out-of-Home Placement, was provided to the resource parents(s). When Form 04MP014E was not

- provided, the CW specialist or resource specialist provides Form 04MP014E to the resource parent(s);
- (B) reviews KIDS Resource DMS for Form 04MP031, Notice of Decision Not to Return Child After Investigation, and any court hearing on that removal;
- (C) waits at least 10-business days from the date Form 04MP014E was provided before sending Form 04FC008E, Notice of Closure to OKDHS Resource Parents, to the resource parent(s); and
- (D) indicates on Form 04FC008E that an administrative hearing is not granted when the court:
- (i) already ordered child(ren) removed from the resource home; or
 - (ii) following the court hearing upheld the OKDHS decision to remove child(ren) from the resource home.
- (3) Closure process. The resource specialist:
- (A) contacts the resource parent to explain the reason for the closure and makes diligent efforts to resolve concerns or misunderstandings;
- (B) documents the action in KIDS Resource Contacts;
- (C) completes Form 04FC008E by:
- (i) describing the reason for closure of the resource home in concise language;
 - (ii) detailing OKDHS requirements the resource home no longer meets and attaching copies of relevant OKDHS rules, laws, or the foster care contract; and
 - (iii) mailing or hand-delivering original Form 04FC008E to the resource parent, filing a copy in the resource file, and scanning it into the KIDS Resource DMS; and
- (D) enters:
- (i) a contact in the KIDS Resource Contacts;
 - (ii) in concise language a summary outlining the reason for closure including the resource parent's performance history; and
 - (iii) a recommendation regarding future consideration of the resource family; and
- (E) enters a comment in the closure summary in the Open Close History tab in the KIDS Resource case referring to Contacts for complete closure summary.
- (4) Time requirements for closure of the resource home.
- (A) Action is taken within 10-business days of the decision to close the resource home to provide Form 04FC008E. Unless there has been a request for a fair hearing, the resource is closed in KIDS 30-calendar days from the date of the closure notice when the closure is based on:
- (i) policy violations;
 - (ii) non-compliance with a WPC; or
 - (iii) the resource parent's request.
- (B) When the substantiated finding of a child abuse or neglect investigation is appealed, action is taken within 10-business days following notification of the decision by the Appeals Program Unit.

9. Fair hearing. When a resource parent requests a fair hearing, the resource specialist provides the resource parent Form 13MP005E, Resource Family Request for a Fair Hearing. The resource specialist assists the resource parent with completing and submitting Form 13MP005E to the Legal Services Appeals Unit. The resource specialist:
 - (1) prepares a fair hearing summary by completing Form 13MP002E, Hearing Summary, per OAC 340:2-5-96 to:
 - (A) explain why the resource home is being closed;
 - (B) briefly describes the:
 - (i) action taken;
 - (ii) facts supporting the action; and
 - (iii) information relied upon in taking the action; and
 - (C) document:
 - (i) the number of children the family has cared for since approval;
 - (ii) the number, type, and outcome of child abuse and neglect referrals and rule violation episodes that occurred during the resource parent's tenure or association with OKDHS; and
 - (iii) when the resource parent requested an appeal of the findings of any investigation and, if so, the outcome; and
 - (D) describe the WPC history and results;
 - (E) list all training the resource family completed and completion dates;
 - (F) attaches attach documentation that supports the OKDHS decision to close the resource home, such as:
 - (i) the foster care contract;
 - (ii) Form 04FC008E; and
 - (iii) Form 04AF021E, Verification of Receipt of OKDHS Rules.
 - (I) Form 04KI003E, Report to District Attorney, is not used in the fair hearing process unless the administrative hearing officer presiding over the hearing orders it disclosed after an in camera review and based upon a finding of compelling reasons.
 - (II) The resource specialist informs the CW specialist who completed the child abuse or neglect investigation and the CW supervisor of the hearing.
 - (III) The CW specialist attends the fair hearing. When the CW specialist is no longer employed by OKDHS, the CW supervisor or district director attends the hearing; and
 - (2) submits original Form 13MP002E, Hearing Summary to the OKDHS Legal Services Appeals Unit;
 - (3) reviews OAC 340:2-5-90 through 340:2-5-105 regarding the administrative hearing process; and
 - (4) reviews all case-related information to prepare for the fair hearing.
- 10.(a) Reassessment to reopen a previously closed resource, excluding kinship. The reassessment:
 - (1) is completed by the assigned resource specialist using Form 04AF029E, Guidelines for the Resource Family Reassessment, and documented on Form 04AF030E, Resource Family Reassessment;

(2) requires that the resource specialist, prior to completion of a home visit with the applicant family:

(A) completes Form 04AF007E, Records Check Documentation, per OAC 340:75-7-15; and

(B) reviews OSBI records and prosecution (Rap) Back report entered in the KIDS Resource DMS regarding each applicant and adult household member, when applicable fingerprints are within 5 years of processing date. If fingerprints are expired, a new OSBI name-based search and fingerprints are required; and

(3) includes documentation of face-to-face interviews with each applicant, biological or adopted child, and any other adult household members. The resource specialist provides Form 15GR008E, Notice of Grievance Rights – Foster Parents, a copy of the Statement of Foster Parents' Rights, and a copy of the liability insurance policy to the family during the home visit. The resource specialist provides the applicant(s) with materials to obtain the required 12 hours of in-service training; and

(4) consists of:

(A) signed and dated Form 04AF030E;

(B) signed and dated Form 04AF007E;

(C) signed and dated Form 04AF004E, House Assessment, with:

(i) a copy of each applicant's current driver license, state identification card, or for active military members and spouses, a current military identification card;

(ii) a copy of the current insurance verification for each applicant's vehicle;

(iii) a copy of pet vaccinations, per OAC 340:75-7-18; and

(iv) signed and dated Form 04MP061E, Water Safety Agreement; and

(D) signed and dated Form 15GR008E;

(E) signed and dated Form 04AF017E, Resource Parent Health History, for all adult household members;

(F) completed Form 04AF008E, Medical Examination Report, for all adult household members;

(G) signed and dated Form 04AF010E, Resource Family Financial Assessment, and copies of recent paycheck stubs;

(H) signed and dated Form 04AF018E, Child Needs Information List;

(I) signed and dated Form 0FAF021E, Verification of OKDHS Rules;

(J) signed and dated Form 04MP042E, Application for Child Welfare Child Care Benefits, if applicable;

(K) signed and dated Form 04AF005AE, Notice to Resource Applicants;

(L) signed and dated Form 04AF001E, Resource Family Assessment Application, and a copy of each applicant's Social Security card; and

(M) references completed per OAC 340:75-7-18 ITS.

(b) Reassessment review results.

(1) The resource specialist and resource supervisor discuss any concerns identified in Form 04AF030E.

(2) The resource specialist and each resource parent review and sign Form 04AF030E.

(3) The resource supervisor signs and approves Form 04AF030E.

(4) A signed copy of Form 04AF030E, except for the protected information section, is provided to the resource parent.

(5) The resource specialist scans Form 04AF030E and attachments into the KIDS Resource DMS and files a copy in the resource file.

11. New kinship resource family assessment or kinship annual review to reopen families approved by a Kinship Resource Family Assessment and requesting to reopen as a kinship resource.

(1) When the kinship resource has been closed for less than 12 months, the resource specialist may reopen the kinship resource by engaging in the kinship annual update process, as outlined per this section, ITS 2.

(2) When the kinship resource has been closed more than 12 months, the resource specialist must complete the full Kinship Resource Family Assessment process, per OAC 340:75-7-24.