



Resource Home Licensing

Section
5

Subsection
1

STATE of Maine
OFFICE OF CHILD AND FAMILY SERVICES POLICY

Approved by: Bobbi K. Johnson, LMSW
Director, OCFS

EFFECTIVE DATE:
November 30, 2008

LATEST REVISION:
February 16, 2024

Table of Contents

I. SUBJECT	2
II. STATUTORY AUTHORITY	2
III. DEFINITIONS	2
IV. POLICY	2
V. PROCEDURES	2
Recruitment of Resource Families	2
Eligibility Requirements.....	3
Standards for Resource Home Approval.	3
Applicant Inquiry.....	3
Home Study and Approval Process.	4
Relative/Kinship Families.....	6
Tribal Foster Home Approval.	6
DHHS Employees and Assistant Attorneys General (AAG).....	7
Resource Home Licenses.	7
Modifications/Waivers of Licensing Rules.	11
Resource Home Status and Placement Guidelines.....	12
Resource Home Investigations of Child Abuse or Licensing Violations.....	13
Records.....	14
Physical Plant Funds.....	15
VI. POLICY SUPERSEDES	16
VII. LINKS TO RELATED POLICIES	16
VIII. APPENDICES	16
Appendix A: Inquiry Procedures	16
Appendix B: Application Procedures	16
Appendix C: Resource Family Application.....	16
Appendix D: Resource Family Evaluation Report	16
Appendix E: Home Study Process.....	16
Appendix F: Home Study Content.....	16
Appendix G: Safety Evaluation Checklist (SEC)	16

Appendix H: Making and Implementing the Decision	16
Appendix I: Procedure for Resource Home Licensing and Adoption Renewal	16
Appendix J: Renewal Application	16
Appendix K: Resource Family Disaster Plan	16
Appendix L: Inter-district Transfer	16
Appendix M: Working Agreement	16

I. SUBJECT

Resource Home Licensing.

II. STATUTORY AUTHORITY

22 M.R.S. [§8102](#)

III. DEFINITIONS

For a complete list of definitions, see the [OCFS Policy Manual Glossary](#). In this document, the first reference to any word that is defined is hyperlinked to the Glossary.

IV. POLICY

The Office of Child and Family Services (OCFS) is committed to assuring that children in its care and custody have families that meet their needs for safety, [permanency](#), and well-being. OCFS seeks a partnership with resource families ([kinship](#)/foster/adoptive parents and permanency guardians) who can provide a safe, stable, and nurturing home environment and who are supportive of children and their families. OCFS seeks [resource families](#) that reflect the diverse backgrounds of the children in care. Families can be a resource to children in many capacities regardless of the children’s legal status in foster care.

V. PROCEDURES

Recruitment of Resource Families.

- a. Recruitment efforts are carried out by the contracted recruitment agency, A Family for ME, and district staff who collaborate regarding recruitment as needed.
- b. Application Procedure. Each District will have a system for responding to and managing applications for resource home licensing.
 - i. See Appendix B: Application Procedures
 - ii. See Appendix C: Resource Family Application

Eligibility Requirements.

- a. Applicants must reside in Maine and intend on residing in Maine for the period required for completion of the licensing process.
- b. Applicants must be at least 21 years of age.
- c. Applicants must have satisfactory background checks (Child Protection Services (CPS) history) in every state the applicant has resided in the last five years; State Bureau of Investigation (SBI), Adam Walsh Law Fingerprinting, Maine and National Sex Offender Registry (SOR), Bureau of Motor Vehicles (BMV) and FBI).
- d. Applicants will be automatically denied if they have a conviction for: rape; gross sexual misconduct; gross sexual assault; sexual abuse; incest; unlawful sexual contact or touching; visual sexual aggression against a [child](#); aggravated assault or elevated aggravated assault; kidnapping; promotion of prostitution; sexual exploitation of a minor; sex trafficking or aggravated sex trafficking; domestic violence assault; terrorizing, criminal threatening; stalking; murder; felony murder; manslaughter or similar conviction in any jurisdiction. Applicants will also be automatically denied if they have been convicted of felony assault, battery or a drug related offense or similar charge in any jurisdiction in the last five years.

Standards for Resource Home Approval. Applicants must meet the standards outlined in Chapter 15 and 16 of DHHS promulgated rules, OCFS [Rules Providing for the Licensing of Family Foster Homes and Rules Providing for Licensing of Specialized Children's Foster Homes](#).

Applicant Inquiry. All applicants applying to become a resource family will complete an application, submit required documents, participate in a home study, safety inspection, and background checks, complete the Resource Family Introductory Training (RFIT), and meet the Standards for Foster Care Licensing and Adoption Approval. [Resource parent](#) applicants must also comply with the Licensing Rules. This policy is designed to provide children in DHHS care and custody with the quality of care necessary for their safety, permanency, and well-being. This policy supports an efficient and timely licensing/approval process that enables OCFS to provide a licensing/approval decision. *Timeframe:* The steps of the application process shall be completed within 120 days from the date the application is entered into the child welfare information system, using the following:

- a. Inquiry. When an individual contacts either OCFS or the contracted recruitment agency for information regarding becoming a resource parent they will be responded to within one business day.
- b. Information. This will be available online, if the family cannot access a digital copy, a copy will be mailed to them within one business day. The information includes:
 - i. An introductory letter which includes a checklist of the following required documents:
 1. The application (required to begin the licensing process)
 2. Vendor Form
 3. Income Verification (a copy of the applicant's most recent IRS 1040 Tax Return – only front page is needed)
 4. Fingerprinting Disclaimer Release Form
 5. Birth/Marriage/Divorce/Death Certificates (all applicable)
 6. Resource Home Disaster Plan
 7. Medical Statement (completed by your medical provider)

8. Three references.

- c. Informational Meeting. The informational meeting will be delivered electronically. Families without access to technology may be assisted by district staff or staff from the contracted recruitment agency to view the online informational meeting and take the associated quiz.
- d. All applicants will be provided with information and assistance to comply with the Adam Walsh Law, which requires prospective resource parents to undergo fingerprinting for checks against the national crime information databases. Participants may contact the Community Care Worker (CCW) or the contracted recruitment agency if assistance is needed to complete the application. Staff will call potential applicants two weeks after sending the application if it has not been returned to the district.
- e. RFIT must be completed prior to licensure. Trainings will be offered at various times to ensure accessibility to participants with varied scheduling needs. Note: Any [waiver](#) for RFIT will be rare and require supervisory approval.
 - i. OCFS and community partners will coordinate updates to ensure training material is consistent with laws, rules, policy, and practice.
 - ii. Once the application is complete (including receipt of CPS, BMV, SBI check, and Maine and National SOR results), applicants should be referred concurrently for both their home study and RFIT. Applicants may only be approved for licensure when the results of the Federal Bureau of Investigation (FBI) criminal background check are received.

Home Study and Approval Process.

- a. The home study process consists of both a family assessment and training. Applicants will complete the RFIT offered collaboratively by OCFS and other contracted agencies.
- b. Applicants will complete RFIT prior to licensure/approval and placement of a child in their home. Resource Parent training completed in another state may be counted as having completed RFIT training if the resource home applicant can show evidence of completion of a comparable training and the training was taken within the past five years or the resource parent applicants have been providing foster or adoptive care in another state and completed that state's pre-service training. Exception Requests will be approved/denied by the Resource Manager.
- c. The purpose of the home study is to:
 - i. Provide resource family applicants with assistance in clarifying their ideas and feelings about providing care for a child in DHHS custody, the characteristics of children who would fit into their families, and what they would need in order to provide a successful placement experience for a child placed in their home.
 - ii. Provide OCFS with information necessary to decide if applicants meet the Standards for Foster Care Licensing and Adoption Approval and Licensing Rules.
 - iii. Provide the applicants with information about OCFS policies and procedures related to placement to assist them during and after placement. Included in the information provided to applicants is information about planning for natural or man-made disasters and developing the family's own disaster response plan (Appendix K) in the event of a natural disaster.
 - iv. Provide OCFS information to assist in making appropriate placement decisions.

- d. Prior to beginning the home study, the CCW will:
 - i. Ensure the family has been given the Resource Family Evaluation Report (Appendix D). This will give families an opportunity to correct any facility deficiencies identified by licensing and submit the water analysis while they are engaged in other aspects of the licensing process.
 - ii. Assist families in reviewing the Resource Family Evaluation Report.
 - iii. Ensure that the family understands that by signing the Resource Family Evaluation Report they are signing an agreement to follow all rules related to being a licensed resource home, which includes, but is not limited to, a statement of agreement not to use corporal or other demeaning forms of discipline, and a statement of awareness and compliance with use of appropriate vehicle passenger restraint systems for children ([Rules Providing for the Licensing of Family Foster Homes and Rules Providing for the Licensing of Specialized Children's Foster Homes](#)).

- e. Home Study:
 - i. Engagement with the resource family applicant is essential to the home study process. The CCW will inform the family of the purpose for gathering information for the home study and partner with them during the process.
 - ii. The home study process includes interviewing all adults that live in the household and provides an opportunity for the applicant's children, excluding any foster children who are currently placed in the home, to participate in the home study. The applicant's adult children may also be interviewed. During the interview of the applicants, the CCW will explore their childhood history, family life, social, educational/vocational history, health, and finances. (See Appendix F, Home Study Content)
 - iii. A draft of the home study should be reviewed by the family, allowing the family the opportunity to provide additional information and to check the home study content for factual accuracy. The home study is written in a succinct manner, using language that is straightforward and non-judgmental. The Conclusion section of the home study briefly summarizes the strengths of the family system, the challenges identified, as well as recommendations regarding licensing and placement of children.
 - 1. See Appendix D: Resource Family Evaluation Report
 - 2. See Appendix E: Home Study Process
 - 3. See Appendix F: Home Study Content
 - 4. See Appendix H: Making and Implementing the Decision
 - 5. See Appendix K: Resource Family Disaster Plan
 - iv. The CCW must visit the home at least one time prior to licensure in order to:
 - 1. Review the rules, standards, and expectations with the family, and
 - 2. To complete the Safety Evaluation Checklist (SEC) (Appendix G). Note: The Safety Evaluation Checklist, once approved, is valid for the period that the license is valid.

- v. The signed copy of the Resource Family Evaluation Report will be uploaded into the child welfare information system. *Timeframe:* The initial draft of the Home Study is due to the Resource Unit Supervisor within sixty (60) days from receipt of the completed application.
- f. The CCW and Resource Unit Supervisor will make the decision regarding approval/denial once all licensing requirements are completed and will enter this decision in the child welfare information system. If the resource home is approved the supervisor will state that all applicable rules/regulations/procedures are satisfactorily met. If the resource home is denied the supervisor will state which rule/regulation the family was unable to meet.

Relative/Kinship Families.

- a. When [relatives](#) are interested in providing foster care for a relative child in DHHS custody, the caseworker will explore their interest in being a placement option for the child, as outlined in the [3.27 Relative Placement and Kinship Care Policy](#). Kinship families will be encouraged to complete an application to become a resource parent as soon as they are identified as a possible resource.
- b. When immediate placement of a child is needed and a relative would like the child placed with them, the Relative Placement/Kinship Care Assessment and the Safety Inspection must be completed. At the time of placement, staff will instruct the relative to complete a Vendor Form.
- c. Staff will inform the relative/kin how to apply online. If the family cannot access a digital application form, a copy will be given to them. The completed application must be returned to OCFS within thirty (30) days or the foster care board payment will be suspended. The CCW will assist the relatives in the application process when needed. The family should be referred for RFIT and their home study should begin immediately upon receipt of the completed application. The standards that apply to resource parents also apply for relative caregivers, unless a specific standard is waived by the Resource Parent Program Manager. Waivers are only for provisions that are not mandated by Maine Statute, specific to the family, and addressed on a case-by-case basis.
- d. Placement decisions are made by the child's caseworker and supervisor.
- e. Staff will review board payments to ensure that licensed or approved relative or kinship foster family homes are provided the same amount in foster care maintenance payments that would have been made if the child was placed in a non-relative/non-kinship foster family home.

Tribal Foster Home Approval. The approval of tribal resource homes either on the reservation or within other tribal lands is conducted by the tribe or band, with the exception that a family requests and the tribe agrees, that OCFS can complete the home study and licensing process. For Native families not residing on the reservation or other tribal lands, the process can be conducted by either the tribe or band, if they choose, or they can request that OCFS conduct the licensing of the home.

- a. If a resource home is approved by the tribe or band, it will be accepted as an approved resource home and entered into the child welfare information system as a tribally approved home when the following has occurred:

- i. The tribe or band has completed a home study and the family has met the approval standards developed by the tribe.
- ii. The tribe or band has forwarded a copy of the home study, including a summary and recommendation section, to the OCFS Resource Unit Supervisor.
- iii. The background checks have been completed and forwarded to the OCFS Resource Unit Supervisor. The background checks must meet legal standards to qualify to be a resource parent and must include:
 - 1. A State Bureau of Investigation (SBI) and Sex Offender Registry (SOR)
 - 2. A criminal background check through the tribal legal system
 - 3. A fingerprint check in accordance with the Adam Walsh law
 - 4. BMV records
 - 5. A child protective background check through both the state of Maine OCFS and tribal child welfare
 - 6. The tribe or band may opt to have OCFS complete the background checks. If this is done, they must still provide OCFS with the tribal criminal background check and tribal child protective check.
- b. If a foster home, approved by the tribe, wants to be a resource for children for whom ICWA does not apply the resource parents must complete any additional steps required to meet OCFS licensing standards, including the RFIT, prior to OCFS placing any children for whom ICWA does not apply in their home.

DHHS Employees and Assistant Attorneys General (AAG).

- a. OCFS will accept applications to be a resource parent from DHHS employees and AAGs as they would anyone else applying to be a resource parent with the following expectations:
 - i. OCFS current and former employees must apply in a district other than the district within which they work or have worked within the past three years.
 - ii. If a DHHS employee, not employed by OCFS, applies to be a resource parent and would rather apply to another district or office within a district, due to relationships with local office staff, they should be offered the opportunity to do so.
 - iii. Office of the Attorney General current and former employees must apply in a district other than a district within which they oversaw or litigated child welfare cases within the past three years.
- b. Licensure does not guarantee placement and there are certain positions within DHHS and the Office of the Attorney General where there is a real or perceived conflict of interest (see the 3.4 [Placement with Department Employees and AAGs Policy](#)).
- c. Note: When the DHHS Employee or AAG is a relative of the foster child, the relative relationship will take priority over their position with DHHS or the Office of the Attorney General.

Resource Home Licenses.

- a. There are two categories of resource home licenses: Family Resource Homes for Children and Specialized Children’s Resource Homes. To apply to become a specialized resource home, the primary [caregiver](#) will have verifiable experience working with children who have moderate to severe disabilities. Such experience will be from one or both of the following:
 - i. One year experience as a family resource home parent.
 - ii. Six months' work experience working with children who have moderate to severe disabilities, which can include birth or legal children.
- b. Specialized licenses are only used for resource homes affiliated with a child placing agency that provides therapeutic foster care. If a family is operating under a Family Foster Home for Children license and wishes to provide therapeutic resource care, they must apply for a Specialized Children’s Resource Home license. When the family is granted a Specialized license, DHHS will cancel their Family Foster Home for Children license.
- c. Types of Licenses. There are two types of resource home licenses. They are as follows:
 - i. Full License. DHHS will issue a full license to an applicant who complies with all applicable laws and rules. The terms of a full license will be for two years.
 - ii. Temporary License. A temporary license may be issued when a resource family has a change in primary residence to maintain a valid license. *Timeframe:* the temporary license will be for a specific period, not to exceed 120 days.
- d. Licensing Actions.
 - i. Issuing Resource Home Licenses. Resource home licenses will be issued following the successful completion of the resource home licensing application process. The applicants will have met the Eligibility Requirements and the Standards for Resource Care Licensing and Adoption Approval. They will have submitted required documentation and completed RFIT.
 - ii. Denial of Initial License. If during the process it becomes clear that the prospective resource, adoptive, or legal guardianship family does not meet the Licensing Rules for resource home applicants and the Standards for Resource Care Licensing and Adoption Approval a denial may be issued. The denial will be done verbally and in writing. For resource home applicants, the CCW will review with the family their appeal rights and procedures as described in the Licensing Rules. The family may request an administrative hearing in accordance with [5 M.R.S. Chapter 375, Maine Administrative Procedure Act](#). Procedures for Administrative Hearings will be followed.
 1. Documentation must state the specific reasons for denial, which must be related to the Licensing Rules for resource home licensing applicants and the Standards for Resource Care Licensing and Adoption including:
 - a. The rules/standards that are not met.
 - b. A description of how each rule/standard is not met.
 - iii. Renewal. Resource home licensing renewals will be completed every two years. Included in the updated study will be a review of the Standards for Resource Care Licensing and Adoption Approval and the Licensing Rules focusing on life experiences and family relationships, support system, and experiences with fostering or adopting.

Also included in this report is the caseworker's evaluations of the family; outcomes of any licensing reviews; updated medical statements; CPS, BMV, SBI clearances; SORs; income verification (such as pay stubs); motor vehicle registration and inspection; vaccination for domestic pets; review of the Family Disaster Plan; and training hours verifications will be obtained. Note: A resource family can only be in renewal in progress status for 60 days past the date of their resource home license expiration date before their current license becomes invalid.

1. During the renewal home visit, CCWs will assist the family in reviewing the Resource Family Evaluation Report. Included in this evaluation is the resource parent's signed statement of agreement not to use corporal or other demeaning forms of discipline. Also included in the evaluation report is the resource parent's signed statement of awareness and compliance with use of appropriate vehicle passenger restraint systems for children. The Resource Family Evaluation Report will be uploaded into the child welfare information system. See Appendix I for Procedure for Resource Home License and Adoption Approval Renewal
 2. The Safety Evaluation Checklist is completed at each renewal. Note: The previous Safety Evaluation is valid until the new license is issued.
 3. See Appendix K for Resource Family Disaster Plan and Emergency Supply Kit, which is to be completed at time of application, and reviewed at renewal.
- iv. Reissuing Resource Home Licenses. Resource home licenses are granted for fostering/adopting specific numbers of children. The recommendation to increase or decrease the number of children may be approved or denied by the resource unit supervisor. If approved, a new license/approval will be issued indicating the number of children permitted to be fostered/adopted.
1. For resource homes, a modified Resource Home License for the number of children will be issued and dated the same as the license currently in effect.
 2. If a resource parents' request to increase or decrease the number of children they are licensed for is denied, they will be notified in writing which will include how submit in writing a request for an administrative hearing in accordance with the provisions of the [5 M.R.S. Chapter 375, Maine Administrative Procedure Act](#). *Timeframe:* The resource parent's request for an administrative hearing must be made within ten (10) days after receipt of the decision.
- v. Licensing when a Resource Family Moves: A license is in effect for the address on the license. When a family moves to another address and intends to continue providing care to children in DHHS custody, a new application must be submitted. The existing license will become void 30 days after the move, unless the CCW completes a safety evaluation of the new resource home to ensure compliance with licensing rules.
- vi. Relinquishment of Licenses: Licensing Specific. When a licensee indicates a willingness to relinquish their license the CCW will:
1. Request that the licensee return the original copy of their current license.

2. If the license certificate has been lost, DHHS staff will accept the licensee's relinquishment verbally.
- vii. Working Agreements. Working agreements (Appendix M) can be created through a team approach (resource family, Child Placing Agency, OCFS and other interested parties) for the purpose of establishing a mutual agreement regarding challenges the family is encountering in complying with licensing rules or the Standards for Resource Care Licensing and Adoption Approval. Working agreements can encompass several solutions such as training, supervision, and support services. Working agreements are time and outcome specific with the possibility of negative licensing action occurring for noncompliance.
 - viii. Negative Licensing Actions: Licensing Specific. When a licensed resource home is out of compliance with a licensing standard, all recommended licensing decisions to take or not take a licensing action must have approval of the Regional Associate Director that supervises the Resource Parent Program or designee. All draft letters regarding notification of licensing findings and dispositions must be forwarded to the Resource Parent Program Manager. In the case of a recommended licensing decision as the result of a resource home being investigated for child [abuse and/or neglect](#), the CPS Supervisor, Permanency Supervisor or Adoption Supervisor, and the Resource Unit Supervisor involved in the investigation will be included in the discussion to ensure a shared understanding and clear communication to the resource parents. If consensus is not reached on the course of action to be taken, the issue will be forwarded to the District Program Administrator for a final decision.
 - ix. Revocations. The law provides that a license may be revoked at any time that the licensee fails to comply with the law or the rules and regulations. The steps outlined under "Negative Licensing Actions" are to be followed. Documentation must state the specific reasons for revocation and include:
 1. The law or rules that are not met.
 2. A description of how each law or rule is not being met.
 3. The date or approximate date of each violation if the action is related to an incident.
 4. The location of the incident if it was other than in the resource home.
 5. Name of the individuals in violation and their relationship to the licensee.
 6. D.O.B. and address of the perpetrator.
 7. Name and age of the victim and the relationship to the family or applicant and perpetrator.
 8. Admissions to the violation made by the perpetrator and the name and title of the person to whom the admission was made.
 9. If the licensee requests a hearing, the complaint is prepared by the Attorney General's Office and filed with the Administrative Court pursuant to [22 M.R.S. §7802\(3\) D](#) and [5 M.R.S. Chapter 375](#). Further procedure required by this statute is followed, including notification of the decision to the parties involved.
 - x. Appeals. At the time the applicant or licensee is notified of a negative licensing action or denial of a license, they will be notified of their right to request an administrative

hearing. The letter will be mailed to the applicant by certified mail, return receipt requested.

1. Upon receipt of a written request from the applicant or licensee for an administrative hearing, OCFS staff will initiate a request to the Director, Administrative Hearings Unit, on a form provided by that unit with a copy to the District Office supervisor.
2. The Administrative Hearings Unit notifies the appellant and the Resource Unit Supervisor of the time and place set for the administrative hearing.
3. The District Office, if necessary, will coordinate witnesses and documentation to be presented at the administrative hearing.
4. The applicant or licensee may withdraw their request for an administrative hearing prior to the hearing date.

Modifications/Waivers of Licensing Rules.

- a. A waiver to a licensing regulation may be requested to meet the provision in an alternative way if the regulation is not mandated by statute. OCFS staff submits a request for the waiver in writing for approval to the Resource Parent Program Manager. The request must include:
 - i. A statement of the rule/provision for which they are requesting a waiver
 - ii. An explanation of why the rule/provision cannot be met and why a waiver is being requested
 - iii. A description of the alternate method for meeting the intent of the rule/provision
- b. The resource unit supervisor will review and approve the request for a waiver prior to submission to the Resource Parent Program Manager. A waiver is in effect for the term of the license and may be reconsidered at the time of renewal. OCFS will respond to the request in writing. Documentation of the request and response will be uploaded into the child welfare information system.
- c. The following regulations are mandated by law and cannot be waived:
 - i. Satisfactory Safety Inspection for the home;
 - ii. Satisfactory results regarding the Adam Walsh Law;
 - iii. The two-year term of the license/approval;
 - iv. The appeal process;
 - v. Criminal convictions outlined in law as an automatic exclusion for licensure ([Rules Providing for the Licensing of Family Foster Homes and Rules Providing for the Licensing of Specialized Children's Foster Homes](#));
 - vi. Age requirements; and
 - vii. Residency requirement.
- d. Exceptions. An [exception](#) may be granted in special circumstances to certain resource home licensing rules. They include the following:
 - i. [Sibling](#) exception to allow siblings to be placed in a resource home when the number of children will exceed the number allowed by rule and law. Note: In order for a sibling exception to be approved, the resource home must have the physical space to

- accommodate the placement of an additional child.
- ii. A child may be placed in the third slot of a therapeutic resource home when that child had “stepped down” and remained in the home once therapeutic services ended and that child once again requires a therapeutic level of care.
- e. The following exceptions may be granted for resource home providers:
- i. In resource homes, the allowance of adult boarders or roomers or any other license to provide childcare.
 - ii. The use of a relative as a reference.
 - iii. The allowance of a child over the age of one to share a bedroom with an adult. Note: This decision is made in collaboration with the child’s caseworker and only done when it is in the [best interest of the child](#).
 - iv. The allowance of a resource family’s former foster child to continue residing in the home as an adult or the allowance of the former foster child to return at a later date to live in the home, without being considered a roomer or a boarder.
 - v. In rare circumstances a family may not be required to complete RFIT. This approval is made by the Resource Parent Program Manager.
- f. The Resource Parent Program Manager must approve the exception for a therapeutic child to be placed in the third slot of a therapeutic foster home. All other exceptions may be approved by the resource unit supervisor. The exception being requested, the reason for the request, the decision made, and the justification for the decision must be documented in the child welfare information system.

Resource Home Status and Placement Guidelines. Structured Decision Making (SDM)© tools determine if a report is assigned as a CPS investigation or, if there are no allegations of child abuse or neglect, is assigned to licensing as an Institutional Abuse (IA) report.re.

- a. On Hold – Under Investigation: When a resource home is being investigated by CPS for allegations of abuse/neglect the resource home will be placed in the status ‘on hold – under investigation’ in the child welfare information system. This status prevents any placement from being made in the resource home. Once the CPS investigation is complete the resource home will be referred back to the resource unit to review for licensing violations. The CPS investigation caseworker will send a closing or findings letter to the resource home, and the resource unit supervisor will send a letter indicating whether licensing violations have been found.
- b. Licensing Review: The report is referred to the resource unit, and the CCW will determine if licensing violations have occurred. The CCW will send a letter to the resource home indicating whether licensing violations have been found. Placement can be made.
- c. Needs PA (Program Administrator) Approval: This status requires a meeting to be held with the resource home to notify them that, although they are able to maintain their license, they will only be considered for placements in certain circumstances and PA approval is required. If a placement is going to be considered there must be a meeting with the PA, resource unit supervisor and casework supervisor prior to the placement to discuss why the placement is in the best interest of the child. Note: When a current OCFS employee is a licensed resource parent the resource will be designated as ‘PA Approval

Only' in the child welfare information system to ensure placements in these homes meet policy guidelines.

Resource Home Investigations of Child Abuse or Licensing Violations. When a referral is received by the CPS Intake Unit regarding allegations of possible abuse or neglect in a resource home or possible licensing violations the following occurs:

- a. Allegations of abuse and/or neglect: The CPS Intake Unit screens the report to determine whether or not the allegations reach the threshold for assignment for a CPS Investigation in the same way all referrals are screened (see the 2.1 [Intake Screening and Assignment Policy](#)). If the report is screened in, it is sent to the district office to be assigned for investigation.
 - i. The CPS Investigation caseworker will coordinate with the OCFS caseworker for the foster children placed in the home to ensure child safety and collaborate on the investigation as needed.
 - ii. The Investigation caseworker will coordinate with the CCW.
 - iii. The Resource Unit Supervisor or Resource Parent Program Manager will place the status of the resource home to “on hold – under investigation” in the child welfare information system and no new placements will be made while the home is in this status.
 - iv. The CCW will send the notification letter to the resource parents within one business day. If the resource home is affiliated with a therapeutic agency, the agency will also be notified by phone or email.
 - v. The CCW will remain in contact with the Investigation caseworker regarding the progress of the investigation.
 - vi. Once the investigation is completed:
 1. A meeting will be held with the Resource Unit Supervisor, CCW, CPS Supervisor, CPS caseworker, and the Permanency Supervisors and caseworkers for the children placed in the home to determine next steps. The findings will be discussed as well as any decisions to no longer place in the resource home, a corrective plan for the resource family, or licensing action.
 2. If the decision is made to place the resource home in “PA Approval” status, the CCW will notify the family immediately in a meeting and follow up in writing.
 3. The Resource Unit Supervisor and CCW will determine if there are any licensing violations that need to be investigated. If so, the steps below will be followed.
- b. Alleged licensing violations: If the CPS Intake Unit determines, through the screening process, that there are no allegations of abuse or neglect they will forward the report to the Resource Parent Program Manager.
 - i. The Resource Parent Program Manager will determine if there are potential licensing violations. If it is determined that there may be potential violations, the report will be placed in the queue in the child welfare information system to be assigned by the appropriate district resource unit supervisor.
 - ii. The assigned CCW will conduct the potential licensing violations review by:

1. Notifying the resource home by phone and through the notification letter within one business day, it has been alleged that there are potential licensing violations that need to be explored.
2. Informing the resource parents of the process to investigate the potential licensing violations and of support offered through both the Resource Parent Care Team and Adoptive and Foster Families of Maine.
3. Talking to the referent regarding the potential violations.
4. The CCW will interview the resource parents regarding the alleged violations. The CCW will also request records, make collateral contacts, and review the application materials as needed in order to complete the review.

Note: The CCW will not interview any children. For foster children placed in the home, the CCW will coordinate with the child's caseworker to ensure both the child's safety as well as information regarding the alleged licensing violations are explored.

- iii. The Resource Unit Supervisor and CCW will make a determination if any licensing violations were identified and determine next steps, which include, but are not limited to:
 1. Notifying the resource family, and therapeutic agency if applicable, of the licensing violations.
 2. Documenting the violations in the child welfare information system.
 3. Determining if a Working Agreement (Appendix M) is needed, and if so, developing the working agreement with the family and, if applicable, with the therapeutic agency.
 4. Determine if additional training is needed and if so, ensuring the family is enrolled in any recommended training.
- iv. Timeframe: The review must be completed within forty-five (45) days.

Records.

- a. A record, which includes the child welfare information system and the paper record information, is prepared for the resource home applicant and should contain the information outlined in Appendix H Procedure for Making and Implementing the Decision as well as the following:
 - i. Resource Family Home Study;
 - ii. Copy of the Waiver form;
 - iii. Copy of Exception Request and Decision;
 - iv. Documentation to support any changes to the license;
 - v. Reports of Complaint Investigations;
 - vi. Institutional Abuse Reports;
 - vii. Resource Family Disaster Plan; and
 - viii. Checklist, with sign-off by the resource unit supervisor, noting presence of all documents required for IV-E Eligibility Determination.

- b. Record Retention: All closed licensing records will be retained in district offices for ten years and then destroyed unless they are closed for the following reasons:
 - i. Denial;
 - ii. Revocation;
 - iii. Voluntary return of the license;
 - iv. Due to a serious substantiated abuse referral; and
 - v. If the record was closed for the first three reasons, the record will be kept in the district office for ten (10) years and then forwarded to archives for storage for ten more years.
- c. Record Disclosure: General licensing information that is available to the public is restricted to: whether the home is licensed, name and address of the licensee, number of children the home is licensed for, expiration date of the license, and the type of license including any condition placed on the license. The law governing records disclosure ([22 M.R.S. §7703](#)) must be applied to all other requests for information.
- d. Release of Information.
 - i. A signed release is required from the applicant for information to be obtained from any other office within DHHS or from other state Departments.
 - ii. If it is necessary in a resource home licensing or adoption/legal guardianship approval process to request additional information from DHHS or another agency's records, authorization must be given by the applicant. That authorization must include the following information:
 - 1. Type of application
 - 2. Name of individual providing the release
 - 3. Name of Department or agency being authorized to release information
 - 4. Name of Department and program to receive the information
 - 5. Specific nature of the information to be released
 - 6. Applicant signature and date of authorization

Physical Plant Funds.

- a. There are limited situations where OCFS may provide physical plant funds to a resource family when there is a barrier to licensure regarding the physical structure of the home that could be corrected, but the family cannot afford the repair. To be considered for funding the following must occur:
 - i. The resource family applicant must be a relative of a child in the custody of DHHS and the child must already be placed in the home.
 - ii. The family must meet all the other requirements of licensure, including a completed home study and satisfactory background checks.
 - iii. The resource family must own the home for which the physical plant funds are being requested.
- b. When a resource family meets the above criteria, the CCW will complete the physical

plant fund request form. The form includes the barrier to licensure, the repair needed, and three quotes for the cost of the repair. The Resource Unit supervisor will review the request and submit it to the Resource Parent Program Manager for approval.

- c. Note: Approval is dependent upon available funds and the total amount requested, and may not exceed \$5,000 for the lifetime of a resource family.

VI. POLICY SUPERSEDES

VIII. A. Family Standards Foster and Adoptive Care, Effective November 30, 2008.

VII. LINKS TO RELATED POLICIES

[2.1 Intake Screening and Assignment Policy](#)

[3.4 Placement with Department Employees and AAGs Policy](#)

[3.27 Relative Placement and Kinship Care Policy](#)

VIII. APPENDICES

Appendix A: Inquiry Procedures

Appendix B: Application Procedures

Appendix C: Resource Family Application

Appendix D: Resource Family Evaluation Report

Appendix E: Home Study Process

Appendix F: Home Study Content

Appendix G: Safety Evaluation Checklist (SEC)

Appendix H: Making and Implementing the Decision

Appendix I: Procedure for Resource Home Licensing and Adoption Renewal

Appendix J: Renewal Application

Appendix K: Resource Family Disaster Plan

Appendix L: Inter-district Transfer

Appendix M: Working Agreement

Note: The hyperlinks to these documents only work on DHHS issued computers. If you would like to request a copy of these documents, please email your request to:

OCFSPolicyTraining.DHHS@maine.gov