



Emergency Kinship Caregiver Kinship Parent Manual



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In case of an Emergency Situation, How to Reach *A Second Chance, Inc.*:

When emergency situations arise on weekdays between the hours of 9:00 a.m. and 4:30 p.m., please call your Emergency Response Caseworker. If your caseworker is not available, or you receive the caseworker's voice mailbox, press "0" (zero). You will then be transferred to the receptionist and ask to speak with the caseworker's supervisor and tell the receptionist that an emergency exists.

When emergency situations arise on weekdays after 4:30 p.m. and on weekends or holidays, please call (412) 342-0600. The telephone will be answered by our answering service who will forward a message to the supervisor on-call for resolution of the emergency situation.

Message from the President and CEO of A Second Chance, Inc.



Relatives caring for children in crisis are valuable in our communities. As Kinship Caregivers who have volunteered to provide a safe and nurturing home, you are deserving of support and assistance to ensure that your home is a stable placement where children and youth received the care, guidance, love and supervision they need.

A Second Chance, Inc. is truly committed to providing the highest quality of kinship care services that emphasizes best practices in children and family programs; culturally responsive support services; and ongoing assessment of family strengths as the cornerstone of the case management process. As a Kinship Caregiver, you are not alone: approximately half of all children in formal, out-of-home placement reside with a kinship caregiver and these numbers are rapidly increasing as a national across the United States. Despite this growing demand for kinship care programming, *A Second Chance, Inc.* remains the only known nonprofit organization in the nation exclusively providing case management and support services to the entire kinship triad: the child, the birth parent, and the caregiver – creating a greater call for expansion in kinship care service delivery.

This manual is a culmination of over a decade of experience servicing nearly 11, 000 children and their families throughout Western Pennsylvania. Contributors to this manual are experienced kinship caregivers - like you - who love and protect children and youth who require emergency out-of-home care. Although the entire staff, leadership and the Board of Directors of *A Second Chance, Inc.* are committed to the safety, permanence, and well-being of children and youth, we form a partnership with you provide safe, stable and nurturing homes through our home visits, telephone contacts, our training material, assessment tools, and yes, even our reports.

We trust that the material that follows will answer questions you have concerning kinship care, the foster care system, and specific agency programs and support services. If there are questions you have after reading through the manual, please contact your caseworker who will be happy provide you with the answers to your questions. Thank you for your service in kinship care through *A Second Chance, Inc.*

Sincerely,

Dr. Sharon L. McDaniel, MPA
President and CEO

Frequently Asked Questions (FAQ)

1. What is A Second Chance, Inc.?

A Second Chance, Inc. is a private, community-based, not-for-profit kinship foster care agency, committed to providing safe, secure and nurturing environments for children placed in kinship foster care. Our primary aim is to ensure child safety, promote family wellness and provide culturally responsive services toward the goal of initial certification through a licensing process to assist relative caregivers in obtaining approval as foster parents in the Commonwealth of Pennsylvania.

Additionally, A Second Chance, Inc. will assist all communities in their efforts to preserve healthy families and support children in their right to have a safe, permanent and stable family environment. Our mission is to support kinship families through the certification process and assist service providers to increase reunification of children with their birth families whenever possible and achieve other permanency arrangements such as adoption, subsidized legal permanent custodianship or independent living when necessary for a more permanent status for children and youth.

Mission, Vision and Goals

Agency Mission: The mission of A Second Chance, Inc. is *to strengthen and preserve healthy kinship families for children.*

Agency Vision: The agency envisions a world where all youth are given an equal opportunity to grow into responsible adults and where abuse and addiction cycles are broken.

Agency Operating Principles: A Second Chance, Inc. provides a full range of kinship foster care and support services based on a four-principle approach: *CONVICTION, DIGNITY, RESPECT, AND HONESTY.*

2. What is the connection between A Second Chance, Inc. and the Allegheny Department of Human Services?

A Second Chance, Inc. is service provider for the Allegheny Department of Human Services, contracted to conduct emergency assessments and pre-certification activities for family members who want to become foster parents.

3. What is the connection between A Second Chance, Inc. and other Allegheny kinship foster care providers?

A Second Chance, Inc. works in cooperation with kinship care service provider agencies during the pre-certification process of kinship families to ensure a seamless transfer of kinship care services between the 14th and 17th day of service. ASCI will schedule a transition meeting with you, the on-going provider agency, ACCYF, the birth parent and all other interested parties that have been identified. A Second Chance, Inc. will collaborate with the kinship care service providers on behalf of the Allegheny Department of Human Services until this transition

meeting. At this time, the identified kinship care provider agency will complete the home study process and provide ongoing foster care services until permanency is obtained.

4. What is foster care?

Foster care is that care given to a child outside his/her home when the child's own parents are unable or unwilling to meet the basic minimal needs of the child. Foster care is provided primarily by foster family homes. Relatives who care for child in foster care must meet state standards for foster homes.

The child's birth parents are very important. The child's knowledge of the world, his/her physical and emotional growth, and his/her understanding of adults and relationships are all influenced in a major way by the child's birth parents. When children enter foster care, they bring that experience with them. Their experiences and relationships with birth parents will continue to be an important issue for children and youth while in foster care.

Sometimes, foster parents wish to protect a foster child from past hurts or new disappointments by encouraging the child to put aside past relationships and memories. This approach is usually not helpful and can even be destructive. As a foster parent, you must accept the whole foster child (and all of his/her experiences). While you may not approve of these experiences, or the actions of birth parents or other caretakers, you must accept the fact that their relationships are a part of life. Moreover, the child's birth parents have a right to continue and/or improve their relationship with the child through regular visits after the child enters foster care as ordered by the courts. Your caseworker can help you to determine how you can work best with your foster child and the birth parent around these issues.

When we defined foster care above, we stated that it is a service that is used when parents are unable to meet the basic minimal needs of the child. This definition is important to remember when discussing the role of the Allegheny County Department of Human Services as a team member, especially with respect to the words "basic minimal needs." Children do not come into foster care because the agency believes that someone else can do a better job than the birth parents of raising the child. Children come into care when parents cannot provide for the basic minimal needs of the child. These needs include physical safety, food, basic shelter and freedom from the presence of clear and serious psychological dangers. When these needs are being met, the Department of Human Services has no reason or right to remove a child. However, when one or more of these needs is not being met, the Department of Human Services' first responsibility is to use its resources and community resources to assist the parent and child to improve the level of care, at least to a minimal level, so the family can stay together. This is called "family preservation."

By the same token, children should remain in foster care only as long as it takes for parents to eliminate the specific problem or problems that resulted in the child(ren) coming into care. Sometimes, foster parents find themselves in conflict with the Department of Human Services when a plan is presented to return the child to the birth parents. Foster parents who have grown to love their foster child as one of their own children and who wish to give them all the material, educational and emotional benefits they possibly can, may find it difficult to accept a plan that intends to reunify the child with the birth family. Foster parents must be aware that the Department of Human Services and our agency understand this situation. However, the Department of Human Services is bound by its legal mandate to provide foster care only when conditions are such that birth parents cannot provide for the child's basic needs.

This mandate and the needs of the foster child are primary and must be placed above personal feelings, or the needs of any individual agency's staff person or foster parent. Moreover, our agency has learned that while foster care provides temporary safety for a child, there are emotional risks to the foster child, as well as the possibility of future placement instability, when a child cannot be raised with the birth family. Again, foster parents should consult with their caseworkers about the child's individual placement plan and share their thoughts and feelings related to any changes in that plan.

Types of Foster Care

Traditional Foster Care

Prior to placement of a child in your home, the Department of Human Services social worker is to furnish you with information about the child(ren) being considered for placement in your home. This information is intended to assist you in deciding whether the child under consideration is suitable for your home. Unless this placement is a clear emergency and/or all reasonable efforts have failed to obtain information about the child, you should always be given the following information:

- the child's medical history, health needs and medical insurance coverage;
- a description of the child's general behavior patterns and any special behavioral problems;
- the child's school adjustment, academic performance and special educational needs;
- the circumstances that led to placement;
- important life experiences which may affect the child's adjustment, including information about any prior placements;
- the child's relationship with his own parents and siblings;
- the child's religious affiliation, if any;
- the child's likes and dislikes, including special interests and strong fears.

The above information is provided to you not only to aid you in your care of the child, but also to help you decide if a particular child is right for you. Please make this decision carefully. Removing a child and re-placing him/her is very disturbing to a child. We want to avoid any unnecessary or failed placements, especially those that apparently result from a lack of information, or a lack of understanding, on the part of foster parents about the child's needs and background. In addition, it should be clearly understood that this information and any other information you receive about any foster child or the child's family is confidential and not to be shared with any other person.

In regard to pre-placement visits, unless it is a placement for emergency shelter care, each child is to have at least one pre-placement visit to his proposed foster home. When the agency plans to move or relocate a child from a foster home, the Department of Human Services social worker is to notify the foster parents in writing of the plan at least 15 days prior to the move. If you have objections to the planned move based on the needs of the child, you should communicate your objections to the caseworker and to their supervisor, preferably in writing. If the move is to be accomplished through a Juvenile Court hearing, you are to be notified of the pending hearing and may be present at the hearing to voice your objections or concerns regarding the plan. The agency may also remove a child from a foster home without the above

notification if a court order sets a removal date, which allows less than 15 days notice, or if an investigation of a report of alleged abuse by the foster parents indicates prompt removal is necessary for the child's safety and well-being.

Circumstances in which the Department of Human Services may remove a child from a foster home without an appeal procedure for foster parents include removal when a child has been with the foster family less than six months, removal by Court order, removal to return child to parents, to place the child for adoption, or as the result of an investigation into foster parent abuse.

As noted above, you are entitled to be informed of, and appear at any Juvenile Court hearing involving the foster child in your home, whether the Juvenile Court hearing is related to replacement or a routine review of the child's current placement status and adjustment. You may choose to be represented by an attorney. However, arrangements for and the cost of counsel are the sole responsibility of foster parents. The child placed in your home will be represented by an attorney at all Juvenile Court hearings (this is their Child Advocate Attorney).

When a foster home caseworker does an annual re-evaluation of your foster home as required by the Foster Care Regulations, in order to update agency information about your home as a continuing resource, you may be asked to secure a current physical examination from a physician and you will be asked to review and sign the evaluation. You will receive a copy of this written annual evaluation. A copy of the applicable regulations governing foster family care is included in this manual. A working knowledge of these regulations will enable you, as a foster parent, to better understand many aspects of foster family care.

Non-Traditional Foster Care (Kinship Care)

In kinship care, the child is placed with a relative or long-time friend of the family. Given this scenario, the family may or may not have some knowledge about the child's background. If not, the information provided in the traditional foster care placement is also necessary for the kinship placement. Confidentiality rules apply here also.

With regard to pre-placement visits, in kinship care, oftentimes the child is already in the home and a pre-placement visit is not necessary. The same procedures regarding plans to relocate a child and the foster parents' right to object to this also apply in kinship foster care cases.

Explanation of Roles in Kinship Care

1. Your Role and Responsibilities as a Kinship Foster Parent

As part of the kinship foster care team, your role and responsibilities as a foster parent are very clear. As a foster parent, you are expected to provide for the child's basic needs, as well as any special needs that the child may have by virtue of his experiences or his status as a foster child. You should plan to transport your foster child to medical, dental and any special therapy appointments, and to the child's visits with his birth parents and siblings. You are also expected to keep a record of the child's health care and educational progress, and to stay in contact with your caseworker regarding the overall adjustment of the foster child in your home. You may also be asked to follow certain behavioral management or discipline practices based on the child's individual needs, even though such practices may be different from those you have used in the past. Of course, our agency should be informed immediately of any emergencies (see page 1).

You are also expected to inform the agency immediately of any changes in your own family situation. They would include changes in your housing, health, household income, marital status, and marital stability. Also, if other persons plan to move into or out of your home, our agency must be advised immediately. As foster parents, a major part of your role is to insure the day-to-day conditions that enable a foster child placed in your home to benefit from a safe and stimulating physical environment, good nutrition, adequate privacy, and appropriate involvement with schools and other community resources. In other words, foster parents provide for the ongoing basic needs of a foster child in their care. Very often however, foster parents do much more. In cooperation with the child's caseworker and other community services, foster parents are often called upon to implement individual plans of a therapeutic nature for the foster child. All of the above responsibilities are a reflection of the fact that you are a valued and indispensable member of the foster care team. Your time, observations, patience, daily care and concern for your foster child are the fundamental elements of a positive kinship foster care experience for the child placed in your home.

Foster Parent "Appeal Rights" (Chapter 3700)

While foster parents do not have specific or unique rights in a strictly legal sense, the state Department of Public Welfare does have certain regulations or guidelines related to foster parents' right to appeal the decision to relocate your foster child through this Department. These guidelines define what you need or should have in order to effectively carry out your role as a foster parent, and pertain to the sharing of information about the child; his/her movement into and out of your home; Juvenile Court hearings; and your role in agency re-evaluations of your home.

a) Foster parents may appeal the relocation of a child from their foster family, except under one of the following conditions:

- 1) The child has been with the foster family less than 6 months
- 2) The removal is initiated by the Court
- 3) The reason for the removal is to return the child to his parents
- 4) The reason for the removal is to place the child in an adoptive home; or
- 5) An investigation of a report of alleged child abuse indicates the need for protective custody, *i.e.*, removal to protect the child from further serious physical or mental injury, sexual abuse or

serious physical neglect as defined in Chapter 3490 (relating to Child Protective Services Law -child abuse).

b) The FFCA shall inform the foster parents in writing that they may appeal the relocation of a child in accordance with Subsection (a) at least 15 days prior to the relocation date for the child.

c) Foster parents who wish to appeal the relocation of a child shall submit to the FFCA a written appeal to be postmarked no later than 15 days after the date of the notice of their right to appeal the child's relocation.

d) Upon receipt of the foster parent's appeal, the FFCA shall date stamp the appeal and submit it to the Department's Office of Hearings and Appeals, Post Office Box 2675, Harrisburg, Pennsylvania 17105, within 5 working days.

e) If a foster parent submits an appeal in accordance with Subsection (c) and the foster parent has the right to appeal in accordance with Subsection (1), the child shall remain in the foster family home pending a decision on the appeal.

f) Parties to an appeal of a child's relocation may be represented by an attorney or other representative.

Note: The foster parents can also appear at the Juvenile Court hearing regarding the relocation issue, if one has been scheduled.

2. A Second Chance, Inc. Caseworker Responsibilities

When you become a kinship caregiver who agrees to participate in the foster care home study process, your family will be assigned a caseworker from A Second Chance, Inc. The caseworker is your primary contact person with our agency. It is the caseworker's responsibility to coordinate services for the foster child in your home, so that the needs of the foster child can be met. Some of the caseworker's duties concerning you and your foster child include the following:

1. obtaining and sharing information with you about the child's background, health, and educational history;
2. collecting information from you and others about the foster child's adjustment in your home, ongoing medical care and school adjustment;
3. monitoring the adequacy of the day-to-day care the foster child receives, as well as the quality of the environment in which he/she resides by making home visits with you and the foster child; .
4. planning and arranging special services needed for the child;
5. coordinating visitation arrangements for the child and his/her birth family;
6. helping the child to understand the reasons for his/her separation from his birth family;
7. helping the child to adjust to your home and maintain a relationship with his/her birth family; and
8. helping the child with the reunification process (with their birth family) and helping the foster parents assist the child in this process.

It is important that you and your caseworker establish a cooperative working relationship in which you can freely exchange information and ideas about the child. If you disagree with

something that the caseworker has requested of you, we urge you to openly and calmly discuss those matters with your worker to reach a mutually agreeable solution. If you find that you are unable to reach an agreeable solution, we ask that you consider requesting a meeting with your caseworker and his/her supervisor to solve the issue. If this discussion fails to correct the problem, you may then request a meeting with the Director and/or Vice President.

Initial Kinship Certification/Licensing (Act 160)

A. Initial Kinship Certification/ Licensing

As you may know, it is necessary for you to become certified/ licensed as a foster parent by the Commonwealth of Pennsylvania. There are certain requirements that must be met in order for your home to be certified. These requirements include:

- operable smoke detectors on each level
- running water with an operable sink or bathtub
- an operable toilet
- an operable heating system when seasonally appropriate
- an operable telephone
- a fire extinguisher in the kitchen or any other cooking area
- an appropriate designated sleeping area for the child which meets the following criteria:
 1. No unsuitable area such as a hall, stairway, unfinished attic or basement, garage, bathroom, eating area, closet, shed or detached building may be used as a sleeping area for children.
 2. Foster children of the opposite sex who are 5 years of age or older may **not** share the same bedroom.
 3. Each foster child shall be provided with a clean, comfortable mattress and clean linens, blankets and pillow
 - The kinship care home may not have exposed electrical wiring or structural damage that would be detrimental to the child's health and safety.
 - Kinship caregivers must be at least 21 years of age.
- All household members age 14 and older in the kinship caregiver's home:
 1. Must complete and sign applications for written State Police and Child Abuse clearances.
 2. Must complete a Title 18 disclosure form.
 3. Verbal clearance(s) for all adults in the household must be obtained from ChildLine. If there is any prior history of abuse, emergency placement may not occur.
 4. The Allegheny county Children, Youth and Families database must be searched. If there is a prior history of involvement with the Department emergency placement may not occur.
- All household members age 18 and older in the Kinship caregiver's home: Must complete a FBI clearance.
- Kinship caregiver(s) must participate in an assessment as to their ability to address the needs of child/ren being placed with them and assure their safety and well-being. The assessment shall include but not be limited to the following:
 1. The ability to provide care, nurturing and supervision to children.
 2. A demonstrated stable mental and emotional adjustment.

3. Supportive community ties with family, friends and neighbors.
 4. Existing family relationships, attitudes and expectations regarding the kinship caregiver's own children and parent/child relationships, especially as they might affect a foster child.
 5. Ability of the kinship caregiver to accept the foster child's relationship with his own parents.
 6. The applicant's ability to care for children with special needs, such as physical handicaps and emotional disturbances, if applicable.
- Kinship caregivers must participate in an initial orientation that addresses the following:
1. ACCYF/agency philosophy;
 2. ACCYF/agency practices;
 3. ACCYF/agency discipline policy;
 4. first aid;
 5. the role of foster parenting/kinship care giving;
 6. roles of the foster family care agency in assisting the kinship caregiver(s) in serving children;
 7. applicable statutes, regulations and general procedures.
 8. reporting of critical and unusual incidents

B. Act 160

In 2004, the Commonwealth of Pennsylvania passed Act 160. Act 160 requires some additional information from foster parents in order for certification to occur. The additional information includes:

1. Previous addresses within the last ten years.
2. Composition of the resident family unit.
3. Protection from abuse orders filed by or against either parent,
4. Details of any proceedings brought in family court provided such records are accessible to the agency.
5. Drug or alcohol related arrests, if criminal charges or judicial proceeding are pending, and any convictions or hospitalizations within the last five years. If an applicant provides information about convictions or hospitalizations within that five-year period, information on the prior five years shall be requested related to additional convictions or hospitalizations.
6. Evidence of financial stability including income verification, employment history, current liens, credit history reporting, and bankruptcy findings within the last ten years.
7. Number and ages of foster children and other dependents currently placed in the home.
8. Detailed information about children with special needs currently living in the home.
9. Previous history as a foster parent, including number and types of children served.
10. Related education, training or personal experience working with foster children or the child welfare system.

Respite Care and Substitute Caregivers (Purpose)

A. Respite Care

Respite Care was designed to help foster families with childcare situations that may arise, such as vacations, illness, removal of a foster child (ren), or any extreme emergency that may occur.

Respite Caregivers are fully licensed through the state as foster parents. They provide a break for families who either want to take a vacation, need a rest, or need to use respite care in an emergency situation such as hospitalization, death of a family member, etc. They also provide care for child(ren) who must be removed from their current placement until permanent placement can be made. Respite homes are intended to be used on a short-term basis.

B. Substitute Caregivers

A Substitute Caregiver is an individual(s) that have been identified by you to provide temporary care for their foster child. Some situations in which a Substitute Caregiver may be utilized are vacations, illness, removal of foster child from the home, or any extreme emergency. Substitute Caregivers are able to be used for a period of less than 72 hours and not more than 30 days, unless child has been removed from Kinship Caregiver's home because of safety concerns. Substitute Caregivers that complete agency requirements may be used as Respite Caregivers. A Second Chance, Inc. will assist you in identifying a Substitute Caregiver. A Second Chance, Inc. will also complete criminal/child abuse clearances and a DPW Home Inspection on the identified individual(s).



Policies and Procedures

I. Fiscal/Finance Reimbursement Policies

A. Reimbursement:

1. Room and Board

Our agency pays support for all foster children. The starting rate of board is \$18.00 per day for each child in care, and is based on the rate established by the Department of Human Services.

- Discuss PAT labels and how the rate is attached to the PAT level.
- State the clothing amount and how often submitted?
- May also want to discuss what the board is to be used for.

Question:

What if the foster child leaves the home a few days after the clothing money is received by the foster parents?

If this happens, the foster parents should still shop for the child and buy the items that are needed and appropriate to the season. They should be forwarded to the child's caregiver via the caseworker. Please keep receipts, as you will be asked to show these to verify your purchases. If it is absolutely impossible to shop for the child, the money is to be returned to our agency. If a return is made, please send a check or money order made out to "A Second

Chance, Inc.", in care of the child's caseworker, with the name of the child and reasons for the return. **DO NOT SEND CASH!**

For example:

A ten-year-old foster child is returning to his birth family and is leaving the foster home on June 30. On June 23, the foster parents receive a check for \$337.85. Of this amount, \$243.35 is for board for May and is to be kept: \$94.50 is the child's clothing allowance. The \$94.50 is to be used to buy clothing for the foster child to be use at his birthparent's home or be returned to ASCI.

If the foster parents bought \$94.50 worth of clothing for the child during June and have the receipts, the foster parents may keep this money, but must send the t receipts to our agency to verify their purchases.

2. Prescriptions

Payments you make to a pharmacist for a foster child's prescriptions, if not covered by the Medical Assistance card or School Medical Program, are reimbursable. Send a copy of the prescription and receipt as your proof of payment to your caseworker. If your foster child has a Medical Assistance number/card or is covered by a medical plan, it must be used to pay for prescriptions. The agency cannot reimburse you if you fail to use these plans.

3. Transportation:

Transportation that directly involves a foster child in order to fulfill a request by our agency is reimbursable; it will cover your personal car mileage and parking, or bus fare for your foster child and yourself. You are eligible to receive repayment for the following trips:

- a) Taking the child to our agency or the Department of Human Services for a specific purpose. (for example, an interview with a caseworker)
- b) Taking the child to receive medical and dental attention or to an agency-approved therapy program.
- c) Visiting the foster child in cases of hospitalization.
- d) Taking child to visit with his natural family.

If there are any questions about transportation services rendered to the foster child that cannot be answered by this manual, please consult your caseworker.

Questions:

1. What is the rate of reimbursement on automobile mileage?

Reimbursement for automobile mileage is 40.5 cents /mile. If your own car is used, please keep a record of the mileage and send this record to your caseworker. A receipt is necessary if parking is involved. These expenses must be submitted to your caseworker.

2. Can a taxicab ever be used?

If no other transportation resource is available and an emergency exists, a cab may be used. Because of the expense involved, a cab should be used only in case of extreme emergency. A receipt is necessary for cab fare reimbursement therefore, only recognized and licensed cab companies may be used.

3. Are there any reimbursement arrangements for school transportation?

If it is necessary for the foster child to use public transportation to and from school, it is possible for you to be reimbursed for these expenses, with prior written approval. Your caseworker will assist you in determining if reimbursement or student rates are available via the school.

4. Overpayment

Each foster parent agrees to accept financial support for the foster child only from ASCI, and only for the days that the foster child was actually in the foster home. In case of an error in the board check, you are to contact your caseworker at once, or in the caseworker's absence, their supervisor. Since the name of each foster child and the number of days in your care for each child is noted on the check stub, you can quickly determine if an error has been made. It is your responsibility to report promptly to your caseworker or caseworker's supervisor any error in the board check.

If an overpayment to you does occur, you must repay the agency. Also, you should remember that you are not entitled to receive support for a foster child from sources other than our agency. If you receive support for a foster child from another source (for example, from Welfare or Social Security) for a period during which A Second Chance Inc. paid board for the foster child, this also constitutes an overpayment, and you will be expected to repay our agency.

Please note: It is quite important that all requests for reimbursement be submitted promptly. For instance, expenses for June must be submitted at the end of June, and so on, on a monthly basis. The agency will not reimburse for prescriptions, transportation, disposable diapers or diaper service if reimbursement requests are not current (e.g. for the preceding month).

5. Income Tax

Foster children are not considered your dependents. Board reimbursements are not considered as income. No expenses may be deducted for a foster child. IRS says expenses

for which the kinship caregivers are not reimbursed may sometimes be deducted for a foster child. Consult with a tax expert regarding this.

B. Managed Care and Medical/Dental Care

1. Medical and Dental Services

If the child placed with you has known medical needs, the CYF social worker will inform you of these at the time of placement. You will be given information pertaining to immunizations, feeding schedule, toilet habits of infants and toddlers, *etc.* You are expected to keep an up-to-date record of your foster child's medical and dental appointments, as well as any illness and accidents requiring a doctor's attention. There are, of course, problems that may develop after placement, and these should be discussed with the caseworker. For children who are covered by Medical Assistance, you may use only those Medical Assistance-enrolled health care providers who accept Medical Assistance. Our agency will be unable to pay for, or reimburse to you, services secured from other doctors, dentists, therapists, pharmacists, *etc.* Your caseworker should discuss this with you at the initial home visit. This form is also referred to as OCYF #501.

During the completion of the enrollment form, you will be asked to provide a Primary Care Physician's (PCP) name and address as well as a Health Maintenance Organization (HMO). The three HMO plans available to our clients are Gateway, Unison (formerly known as United Health Care) and UPMC for You. If you are not sure what PCO choices are available, the Kinship caregiver or Point of Contact Caseworker should contact the A Second Chance, Inc. Managed Care Liaison (MC) for assistance. The forms are then submitted to the MCL, who faxes them to ACCYF's managed care department to activate insurance coverage.

Usually within a week, a Provider Notification letter is forwarded to the MCL with the following information: the child's MA # (also called the recipient #), health plan choice, date that the insurance becomes effective, insurance member #, and the name/ address of the PCP that was selected. If you request, a copy of the letter will be forwarded to you.

To avoid being billed for doctor's visits, no appointments should be made until the foster parent or Point of Contact caseworker has contacted the MCL to verify enrollment has been confirmed. If there is an emergency, please make sure the child receives medical care. The medical bill should be forwarded to your caseworker immediately for payment.

*Caregivers must use the **physician's practice or clinic specified** on the child's insurance card; however, the child can be seen by other doctors within that particular practice. A Second Chance, Inc. will be unable to pay for, or reimburse to you, services secured from other doctors, dentists, therapists, pharmacists, *etc.**

It should be noted, you cannot contact the HMO on your own to make changes; however, changes can be submitted to you Point of Contact Caseworker. Changes or corrections are

not effective immediately. Another Provider Notification Letter will be generated from ACCYF's managed care department through appropriate requests.

It should also be emphasized that out-of-pocket expenses can be incurred by you when permission is not obtained from the child's PCP first, before the child is seen in the emergency room for "non-life threatening" illnesses. In those cases where the PCP is not available, the caregiver should call the health plan member services number.

*Examples of life-threatening situations where the child **should be taken directly** to a hospital are difficulty breathing, loss of limb, loss of speech, overdose, heavy bleeding, car accident, broken bones, chest pain, or black outs. **The foster parent should not wait, but get medical attention as soon as possible in these circumstances!***

It is also required that all foster children participate in the Early Periodic Screening and Diagnosis Treatment program. This program encompasses the administration of specific health screening and testing for detection of such health risks as lead poisoning, anemia, hearing/vision loss, and developmental delays at the appropriate ages. You should keep in mind when choosing a PCP that you want to choose one that is familiar with the EPSDT program. Upon receiving an EPSDT exam, the parents should obtain appropriate documentation and submit it to the POC caseworker.

For children who are covered by Medical Assistance, you may use only Medical Assistance enrolled health care providers who accept Medical Assistance. Our agency will be unable to pay for, or reimburse to you, services secured from other doctors, dentists, therapist, pharmacists, etc.

The Managed Care Liaison is available to assist with any questions you might have in regard to the Managed Care process.

2. Payment for Medical Services

Each foster child will be issued a Medical Assistance Card, and you must present this card to the hospital or doctor at the time the child is taken for treatment. This card covers the payment for medical services provided to the foster child. If a child has not yet been provided with a Medical Assistance Card, the health care service needs prior approval from the Department of Human Services caseworker, and the clinic or physician should bill Department of Human Services directly. Our agencies cannot reimburse foster parents for medical bills that the foster parents pay. All financial payments are to be made by the agency and not by the foster parents in this instance. Our agency does not pay for services that are paid for by Medical Assistance. The Medical Assistance Card must be used unless foster parents are willing to pay the bills.

Questions

1. Who has responsibility for making sure that the child receives medical and dental attention when needed?

Since you are the person who is administering the child's daily needs, this is primarily your responsibility. If there is no car at your disposal, it is expected that you would use public transportation, extended family members or friends to help you, just as you would with your own child. If there are serious reasons why you cannot handle this duty, please discuss this with your caseworker.

2. What do I do in case of emergency need for medical treatment?

See that the child gets immediate medical attention at the nearest hospital and contact A Second Chance, Inc. as soon as possible. If an emergency occurs after working hours, on weekends, or holidays, please call our main phone number (215) 590-0790 to be transferred to our answering service. The answering service will contact the supervisor on-call. The supervisor can contact your caseworker, if necessary. Our agency must be notified immediately of a serious illness, injury or death of a foster child.

3. What do I do in the case of planned hospitalization?

If the hospitalization is not an emergency, notify your caseworker well in advance so that the worker can secure the necessary Medical-Surgical Consent signatures from the child's natural parents. You cannot legally authorize hospital admissions or surgery for your foster child.

4. Am I responsible for prescriptions?

You are responsible for having the prescriptions filled as needed. The Medical Assistance card does cover payment for prescriptions. If your foster child has an Access card, please present the card to the pharmacist when you obtain a prescription.

5. What is the procedure for eye examinations and glasses?

Since Medical Assistance will pay for making eye glasses in conjunction with an EPSDT referral or a School Medical referral, it is necessary to secure the EPSDT screening or the School Medical referral prior to the vision examination. Vision examinations are to be done by Medical Assistance-enrolled ophthalmologist; a prescription for eyeglasses should be written if glasses are necessary. The prescription, the child's Medical Assistance Card, and either the School Medical or EPSDT referral are to be taken to a Medical Assistance-enrolled optician or optometrist who will prepare the glasses; Medical Assistance should be billed for these services.

C. Additional Policies and Procedures

1. SCHOOL

For preschool-age foster children, find out whether the child has been immunized and ask the caseworker about verification of the child's birth date. This information is required for registration in school. As foster parents, you are responsible for ensuring that the foster child is registered in the public school in your area, and that attendance is regular. Your caseworker will want to be kept informed as to the child's progress in school. You should enlist the aid of

our caseworker, particularly if there are problems surrounding performance, attendance or behavior.

Question

Can I enroll my foster child in a private or parochial school?

If the school is accredited, this is left to your discretion. It should be noted, however, that there are no outside funds available to cover the expense of such schooling and you must take responsibility for the cost. Your caseworkers should be informed of your decision to enroll then in such a school. If specialized schooling is indicated because of a child's intellectual limitations, physical handicap, or emotional difficulties, special arrangements may be made in cooperation with the school; discuss this with your caseworker.

It should be noted that this foster-care placement shall be supervised by ASCI. Accordingly, it is imperative that any substantial changes that may have an effect on the child's adjustment or planning for said child must immediately be reported to ASCI.

2. Notification to A Second Chance, Inc. of changes within the Placement.

This includes notification of the following in the indicated timeframes:

Runaway:

- A child's runaway must be reported immediately when the kinship caregiver/resource family becomes aware. This will require action by A Second Chance, Inc., therefore, if this occurs during the hours contact your POC caseworker immediately, and if the POC caseworker is unavailable, speak with the receptionist who will direct your call to the appropriate supervisor. If a child runs away after business hours. A Second Chance, Inc.'s 24 hour answering service can be accessed by calling (412) 342-0600 and pressing zero (0) once the voicemail message begins to play.

Change in address, etc:

- Any change in address, health, marital status, i.e. marriage, separation, or divorce must be reported within 48 hours of the change for review by A Second Chance, Inc.

Change in household members:

- Any changes to the family and household composition must be reported immediately for review by A Second Chance, Inc.

Crimes/Arrest:

- Any criminal acts committed by any member of the household, including the kinship caregiver/resource family and any one over the age of 14 must be reported within 48 hours of the change for review by A Second Chance, Inc.

Medical Emergencies:

- All medical emergencies involving the child or caregivers/resource family, must be reported immediately (within 48 hours) of the change for review by A Second Chance, Inc.

Please be aware that any kinship caregiver/ resource family who knowingly fails to report any of the above mentioned information in the required time frames will be disqualified as

a kinship foster parent. This disqualification shall result in the recommendation from ASCI to CYF that the child immediately being removed from the home.

3. Vacations

For vacations or trips outside of Allegheny County that include your foster child, it is necessary to follow certain steps. First, discuss your plans well in advance with the caseworker who must secure permission for the child to go on the trip from the natural parents, ACCYF social worker, and Child Advocate Attorney.

If you are traveling either within Pennsylvania, or in any other state, and have a Medical Assistance Card for the foster child, this card is valid all over Pennsylvania and in other states and can be presented in case of medical needs. If your foster child does not have a Medical Assistance Card, or if the medical provider refuses to accept the card, payment can be made by Allegheny County Children, Youth and Families Services for emergency medical care.

Foster parents should request that be Allegheny County Children, Youth and Families Services Billed directly and avoid, if possible, making direct payment to the physician yourself. In the event the physician, dentist, or hospital refuses to bill CYF you may pay them for emergency medical and dental care and CYF will in turn, reimburse you.

If the child requires overnight hospitalization or emergency medical care, you are required to notify A Second Chance, Inc., immediately by telephoning your caseworker at (412) 342-0600, as this number answers 24 hours a day.

3. EMERGENCY IN FOSTER FAMILY

How to handle foster children during a crisis in your own family

- a) Illness - if it is not of a serious nature, it is hoped that this can be handled within your extended family. The ideal approach is to plan for the foster child as you would for your own child.
- b) Death -if there is a death in your immediate family, it is expected that you will make similar plans. However, if this is not feasible, ask the caseworker to help you plan for the foster child's needs during this time.
- c) An emergency which requires one or both foster parents to go out of town - refer to above paragraphs.

In any event, it is important to notify your caseworker immediately, per the instructions in Section C, page 18.

Question

Does the agency have a preferred plan or approach if we are faced with such crises?

Since the foster child has had to cope with a variety of environments in his/her young life, continuity of care and environment is very important to him/her. It is generally best if an approved relative who agrees to become a substitute caregiver can be brought into the home to care for the child, rather than have the child live away from the home.

4. VISITING

Regular visiting of the foster child by his birth parents, siblings, and other family members is encouraged by our agency, since its primary function is to reunite the family when circumstances permit. Regular visiting is considered to mean at least once every week. Where appropriate, your foster child may have overnight and weekend visits with his/her birth family by prior agreement of the Allegheny County Children, Youth and Families caseworker and the birth parents. Your caseworker will be informed of these arrangements. Visits should take place in a setting and under circumstances that allow birth parents, siblings and child to relate in as normal and relaxed a manner as possible. The setting may be the foster home, the agency, the parents' own home or any other agreeable, appropriate location. The child is not to be taken away from your home except by agency staff, for any reason, unless you have been informed of this by your caseworker in writing, prior to the occasion.

The exact visiting plan for each child is a part of an overall placement and individual care plan developed by the Allegheny County Children, Youth and Families (CYF) in collaboration with our agency and the child's birth parents and the caregivers of siblings. Foster parents will be consulted in developing this plan in areas which involve them. Foster parents can expect to play a major role in carrying out the visitation plan ranging from transportation to hosting visits. Close cooperation between the caseworker and foster parents is critical to a successful visiting plan.

Question

What happens if the birth parents arrive at my home unexpectedly?

As previously stated, it is agency policy for all visits to be pre-arranged. If the birth parents should arrive unexpectedly, you must inform them that you do not have the authority to permit such a visit. Simply instruct them to notify their Department of Human Services the Identified Service Provider caseworker. Under no circumstances should you allow the visit to occur.

5. BIRTH PARENT CONSENT

Foster parents should be aware that while a child is in foster care, the child's natural parents retain certain rights with regard to the child, unless those rights are terminated by a Court action. One of the most obvious rights is the right to visit regularly and frequently (at least every week) with the child.

Other rights involve the right to consent or deny consent for a variety of procedures and activities. You should know the steps needed to allow sufficient time to secure parental consent; ask your caseworker.

Consent of the child's natural parent(s) is needed for the following:

- Hospital admission (except in severe emergency);
- Consent for surgery and anesthesia;
- Consent for out of county travel;

- Individual Educational Plan (I.E.P.), a plan developed for children who require special education;
- Consent to play some contact sports (often football);
- Giving others pictures and/or identifying information of and about the child for any publication or media purpose;
- Any waiver of liability concerning the child (sometimes part of camp application);
- Enlistment in the Armed Forces (prior to age 18);
- Marriage (prior to age 18); and
- Consent for abortion.

These are some of the situations which require consent. Again, please notify your caseworker if any of the above situations (or others) arise which may require consent of the natural parents.

6. DISCIPLINE OF FOSTER CHILDREN

We wish to take this opportunity to remind foster parents that **physical punishment of foster children is not permitted**. This has been our agency's policies from the start, and there are a number of reasons why this policy was developed. As most foster parents know, foster children may have suffered physical abuse while living with their natural families. This abuse may leave emotional scars as well as physical injuries, which even a mild form of physical punishment can reactivate. Any injury to a foster child that results from physical punishment while in a foster home is a most serious matter for the child, our agency, and the foster parents. In fact, foster parents can be legally liable in such a situation. We do not wish to alarm you, but believe you must know that excessive physical discipline that results in serious physical injury to a child is considered abuse by Pennsylvania Act 124, the "Child Protective Services" law. Such injury must be reported and investigated by the Pennsylvania Department of Public Welfare; the results must be reported to their Harrisburg office. In addition, the Pennsylvania Foster Family Care Service for Children Regulations specifically prohibits "any form of abusive, degrading, or vindictive punishment for foster children".

We urge you to discuss any problems or questions you may have in the area of disciplining your foster child with your caseworker. We know that discipline is necessary and we will do our best to help you decide on an appropriate form of discipline that helps your foster child.

A copy of the agency approved Discipline Policy Statement is attached in the Appendix.

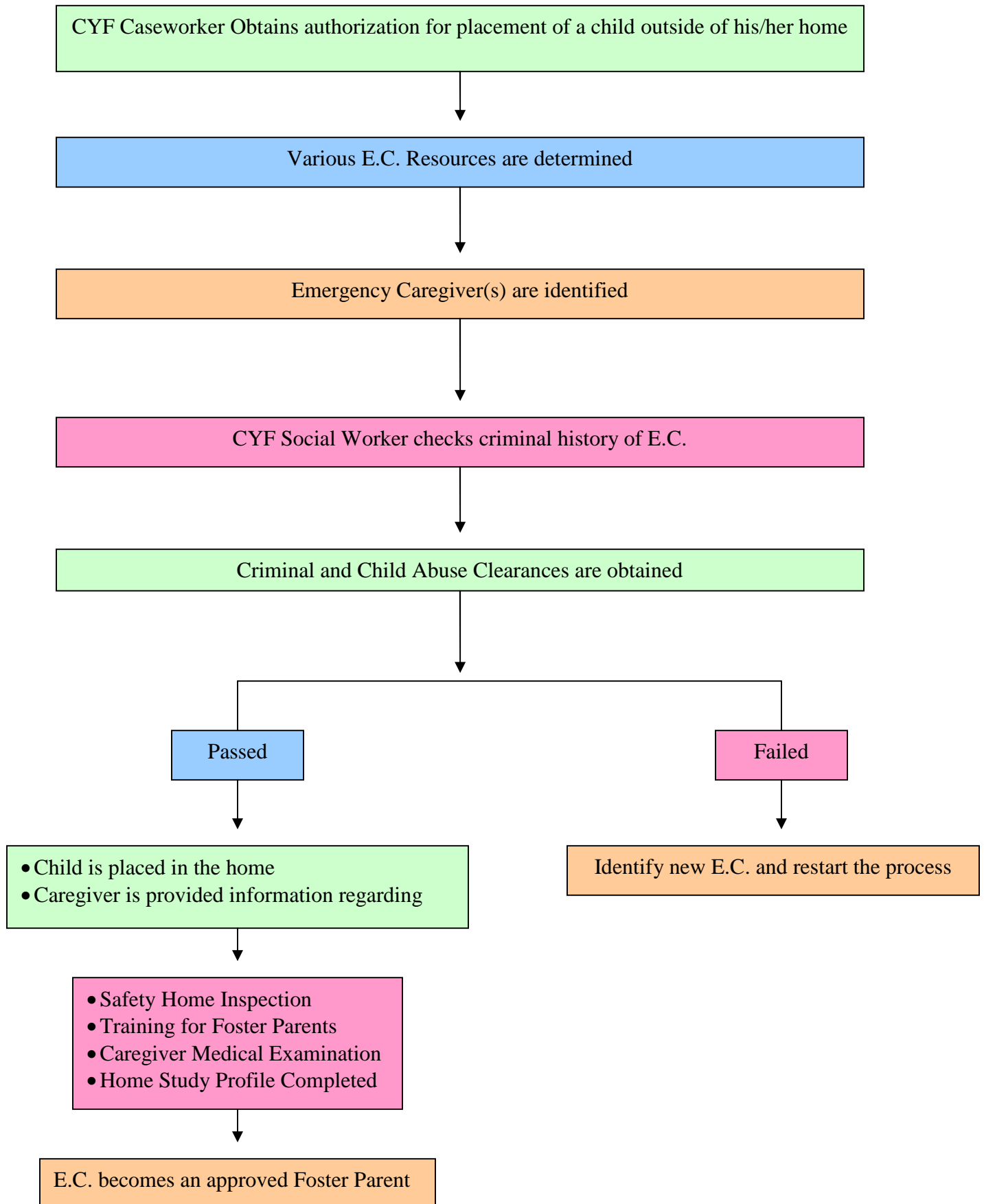
Foster Parent Association : The Foster Parent Association (FPA) is a countywide organization with local chapters in various localities. While the FPA is an organization independent of our agency, we recognize and support the services provided by the FPA. These services include: an opportunity for foster parents to meet one another to discuss common concerns and needs; to plan social events; to engage speakers knowledgeable about areas related to child and foster parenting; and to provide information about pending legislation that may influence foster parents.

Children, Youth and Families Child Welfare Process



How Do Children Become Involved Into the Foster Care System

Emergency Care (E.C) Placement Process



STEPS TO BECOMING A FOSTER PARENT

1. Referral made by Allegheny County Office of Children, Youth and Families to A Second Chance, Inc.
2. Contact made to kinship caregiver by a supervisor of A Second Chance, Inc.
3. Home visit made to the kinship caregiver by a caseworker of A Second Chance, Inc. (within 24 hours) – Safety assessment completed, initial home inspection conducted, policies reviewed, Act 160, FBI, Child Abuse and Criminal Investigation Clearances completed.
4. Kinship Family Enrichment Workshop (training includes foster parent orientation).
5. Documentation of a medical examination of the Kinship Caregivers provided to A Second Chance, Inc. Caseworker;
6. Kinship caregiver obtains certification approval as foster parent if requirements are met



Permanency Planning and PLC Eligibility Criteria

A. Permanency Planning

Permanency Planning is designed to help children live in families, offer continuity of relationships with nurturing parents or caretakers and the opportunity to establish lifetime relationships. The goal of permanency is to implement a plan to insure that any child who has entered the child welfare system will be placed in a permanent family home in a timely manner. The child's developmental needs should guide both the content of the plan and the time frame in which it is implemented.

Principles of Permanency Planning:

- Children deserve consistent, healthy and permanent attachments. All efforts should be made to minimize the number of times a child must move to avoid disrupting healthy attachments and to minimize the amount of time a child spends without permanence.
- Permanency planning should incorporate multi-disciplinary concepts to case planning. Law, psychology and social work professionals should have significant input. All professionals should work towards a specific time frame for permanence.
- Sibling bonds should be strongly nurtured. Whenever possible, siblings should be placed together.
- The lifelong emotional connection to birth parents and legally responsible caregivers must be acknowledged.

B. PLC Eligibility Criteria

Permanent legal custodianship is the third of five permanency goals for children in out-of-home placements authorized under the Juvenile Act. As a permanency option, it is available when children and youth are no longer viable candidates for reunification with their parents or adoption.

Pennsylvania provides funds to enable an approved custodian to receive a subsidy to assist in the care of the child. In most cases, the subsidy equals the foster care board rate.

Pursuant to state law, foster parents can be approved as custodians in order to care for children until they are age 18. Therefore, the custodian has the legal right to make decisions and provide consent regarding care, custody and supervision of the child. The Office of Children, Youth and Families and Juvenile Court would no longer be involved with the child.

Child Eligibility:

- The child must qualify in the following areas: dependency; in the legal custody of The Allegheny Department of Human Services a minimum of (6) consecutive months of placement and custodian for a minimum of (6) consecutive months.

- The child must participate in an age-appropriate discussion on the meaning of legal custodianship, particularly if the child is over the age of 12 and capable of understanding the information presented.
- The child must not be a candidate for reunification or adoption.
- The consent of the birth parent is not required.

Custodian Eligibility:

- Foster homes should be safe, nurturing & stable, i.e., foster parents(s) must be willing to provide a permanent home for the child, but unable or unwilling to adopt.
- Full foster home approval status is not required at the time of a permanency planning conference; however, it is required to recommend a goal change to Juvenile Court. For two-parent foster homes, both adults must be fully state-approved for a recommended goal change to SPLC.
- Foster / Adoptive Care Applicants, Emergency Caregivers, Foster Home Studies, Non-Paid Caregivers, and Court-Ordered / Non-Certified Homes are **ineligible** for custodianship until they are fully approved foster homes.



Post Service Assessment

Children often times are lost or forgotten upon reunification with birth parents, or entering into independent living. Birth parent(s) often requires assistance in restructuring various aspects of their lives along with their child(ren) lives, due to the length of the separation period. Guidance to the child(ren) or birth parent(s) may be required in the areas of enrollment into school, ensuring proper medical/dental care, budgeting, and researching and utilizing family support programs within their communities.

Recognizing the seriousness of this missing link, A Second Chance, Inc. designed a Post Service Assessment. The main objective of the Post Service Assessment is to provide follow-up services with the families for approximately six months (1, 3, and 6 month intervals).

The ultimate goal of the Post Service Assessment is to be pro-active in ensuring that kinship families receive all of the necessary services in order to promote the safety, permanence and well-being of the child (ren) in care.



**REGULATIONS GOVERNING FOSTER FAMILY CARE
COMMONWEALTH OF PENNSYLVANIA :**

**PENNSYLVANIA CODE TITLE 55,
CHAPTER 3700 FOSTER FAMILY CARE AGENCY**

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- 3700.2. [Goal.](#)
- 3700.3. [Legal base.](#)
- 3700.4. [Definitions.](#)
- 3700.5. [Waivers.](#)
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- 3700.73. [Foster parent appeal of child relocation.](#)

Authority

The provisions of this Chapter 3700 issued under Articles II, VII and IX of the Public Welfare Code (62 P. S. § § 201—211, 701—774 and 901—922), unless otherwise noted.

Source

The provisions of this Chapter 3700 adopted October 1, 1982, effective October 1, 1982, 12 Pa.B. 3669, unless otherwise noted.

Cross References

This chapter cited in 55 Pa. Code § 3130.5 (relating to definitions); and 55 Pa. Code § 3800.3 (relating to exemptions).

INTRODUCTION

§ 3700.1. Applicability.

(a) This chapter applies to:

(1) An agency operated by a person, organization, corporation or society, public or private, for profit or not-for-profit, which approves or supervises foster families or provides foster family care.

(2) An individual providing foster family care to children placed by an approved foster family care agency.

(b) This chapter does not apply to agencies and homes licensed or approved by the Department's Offices of Mental Health and Mental Retardation.

Authority

The provisions of this § 3700.1 amended under Articles II, VII, IX and X of the Public Welfare Code (62 P. S. §§ 201—211, 701—774, 901—922 and 1001—1080).

Source

The provisions of this § 3700.1 amended January 23, 1987, effective January 24, 1987, 17 Pa.B. 392. Immediately preceding text appears at serial pages (86949).

§ 3700.2. Goal.

The goal of this chapter is to reduce risk to children in placement; to protect their health, safety and human rights; to establish minimum requirements for the operation of a foster family care agency; and to establish minimum requirements to be applied by foster family care agencies when approving and supervising foster families.

Authority

The provisions of this § 3700.2 amended under Articles II, VII, IX and X of the Public Welfare Code (62 P. S. §§ 201—211, 701—774, 901—922 and 1001—1080).

Source

The provisions of this § 3700.2 amended January 23, 1987, effective January 24, 1987, 17 Pa.B. 392. Immediately preceding text appears at serial page (86949).

Notes of Decisions

Authority

Section § 3700.61 delegates the authority to inspect for compliance with requirements covering health, 55 Pa. Code § 3700.51, safety, 55 Pa. Code § 3700.67, and necessary facilities, 55 Pa. Code § 3700.66, and approve foster homes to an approved foster family care agency as defined in 55 Pa. Code § 3700.4, so as to effectuate the purposes of the regulations set out in 55 Pa. Code § 3700.2. *In re Lowry*, 464 A.2d 333 (Pa. Super. 1983).

§ 3700.3. Legal base.

The legal base of this chapter is Articles II, VII and IX of the Public Welfare Code (62 P. S. §§ 201—211, 701—774 and 901—922); 42 Pa.C.S. §§ 6301—6365 (relating to the Juvenile Act); and the Child Protective Services Law (23 Pa.C.S. §§ 6301—6384) (relating to the Child Protective Services Law).

Authority

The provisions of this § 3700.3 amended under Articles II, VII, IX and X of the Public Welfare Code (62 P. S. §§ 201—211, 701—774, 901—922 and 1001—1080).

Source

The provisions of this § 3700.3 amended January 23, 1987, effective January 24, 1987, 17 Pa.B. 392. Immediately preceding text appears at serial page (86950).

§ 3700.4. Definitions.

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

Child—an individual who:

- (i) Is under 18 years of age.
- (ii) Is under 21 years of age, committed an act of delinquency before reaching 18 years of age and remains under the jurisdiction of the juvenile court.
- (iii) Is under 21 years of age, was adjudicated dependent before reaching 18 years of age, and while engaged in a course of instruction or treatment, requests the court to retain jurisdiction until the course has been completed.

County agency—the single county children and youth social services agency.

Department—the Department of Public Welfare of the Commonwealth.

Family service plan or service plan—a written document describing short- and long-range objectives for the provision of care and services to a child and his family, prepared by the placing agency or individual.

Foster family—the living unit, including the foster family residence and foster parent, approved by a foster family care agency to provide foster family care to children.

Foster family care—Residential care and supervision provided to a child placed with a foster family.

Foster family care agency or *FFCA*—a public or private agency which recruits, approves, supervises and places children with foster families.

Foster family residence—the primary domicile of a foster parent. The residence may be owned or rented by the foster parent; or it may be provided to the foster parent by the FFCA.

Foster parent—an individual responsible for providing foster family care to children placed by an FFCA.

Individual Service Plan or *ISP*—descriptions of the activities which implement the family service plan.

Licensure or *approval*—the certification of FFCA and foster family compliance with this chapter.

Passive physical restraint—the least amount of direct physical contact required to prevent immediate harm to the child or others.

Placement—Twenty-four hour out-of-home care and supervision of a child.

Placing agency—the agency or individual with legal authority to refer or place a child for foster family care. Included are courts, county children and youth social service agencies and parents.

Authority

The provisions of this § 3700.4 amended under Articles II, VII, IX and X of the Public Welfare Code (62 P. S. § § 201—211, 701—774, 901—922 and 1001—1080).

Source

The provisions of this § 3700.4 amended January 23, 1987, effective January 24, 1987, 17 Pa.B. 392. Immediately preceding text appears at serial pages (86950) to (86951).

Notes of Decisions

Section 3700.61 delegates the authority to inspect for compliance with requirements covering health, 55 Pa. Code § 3700.51, safety, 55 Pa. Code § 3700.67, and necessary facilities, 55 Pa. Code § 3700.66, and approve foster homes to an approved foster family care agency as defined in 55 Pa. Code § 3700.4, so as to effectuate the purposes of the regulations set out in 55 Pa. Code § 3700.2. *In re. Lowry*, 464 A.2d 333 (Pa. Super. 1983).

§ 3700.5. Waivers.

- (a) A waiver of a requirement of this chapter may be requested, by the legal entity, as specified in procedures established by the Department.
- (b) Approval to waive a requirement of this chapter may be granted if the Department has determined that the need for the waiver is not due to simple noncompliance with this chapter, and the approval:
- (1) Does not alter the applicability, scope or purpose of this chapter.
 - (2) Is based on evidence, supplied by the requesting agency, that the objective of the requirement will be achieved in another way.
 - (3) Is based on evidence, supplied by the requesting agency, that a waiver will have no adverse effect on the health, safety and rights of children.
 - (4) Does not violate or condone noncompliance with Federal statutes and regulations or State statutes and regulations other than the requirement of this chapter for which the waiver is approved.
 - (5) Does not jeopardize receipt of Federal monies.

Authority

The provisions of this § 3700.5 issued under Articles II, VII, IX and X of the Public Welfare Code (62 P. S. §§ 201—211, 701—774, 901—922 and 1001—1080).

Source

The provisions of this § 3700.5 adopted January 23, 1987, effective January 24, 1987, 17 Pa.B. 392.

§ 3700.11. [Reserved].

Source

The provisions of this § 3700.11 reserved January 23, 1987, effective January 24, 1987, 17 Pa.B. 392. Immediately preceding text appears at serial pages (86951) to (86952).

§ 3700.12. [Reserved].

Source

The provisions of this § 3700.12 reserved January 23, 1987, effective January 24, 1987, 17 Pa.B. 392. Immediately preceding text appears at serial page (86952).

§ 3700.13. [Reserved].

Source

The provisions of this § 3700.13 reserved January 23, 1987, effective January 24, 1987, 17 Pa.B. 392. Immediately preceding text appears at serial page (86952).

§ 3700.14. [Reserved].

Source

The provisions of this § 3700.14 reserved January 23, 1987, effective January 24, 1987, 17 Pa.B. 392. Immediately preceding text appears at serial page (86952).

§ 3700.21. [Reserved].

Source

The provisions of this § 3700.21 reserved January 23, 1987, effective January 24, 1987, 17 Pa.B. 392. Immediately preceding text appears at serial page (75187).

PROGRAM REQUIREMENTS

§ 3700.31. Number of children allowed in a foster family home.

FFCA's shall limit the number of children living with any foster family to six. The maximum of six children includes the foster parents' own children. Exception to this requirement may be made only with prior approval obtained in writing from the appropriate regional office of the Department.

Authority

The provisions of this § 3700.31 amended under Articles II, VII, IX and X of the Public Welfare Code (62 P. S. § § 201—211, 701—774, 901—922 and 1001—1080).

Source

The provisions of this § 3700.31 amended January 23, 1987, effective January 24, 1987, 17 Pa.B. 392. Immediately preceding text appears at serial page (75187).

§ 3700.32. [Reserved].

Source

The provisions of this § 3700.32 reserved January 23, 1987, effective January 24, 1987, 17 Pa.B. 392. Immediately preceding text appears at serial pages (75187) to (75188).

§ 3700.33. [Reserved].

Source

The provisions of this § 3700.33 reserved January 23, 1987, effective January 24, 1987, 17 Pa.B. 392. Immediately preceding text appears at serial page (75188).

§ 3700.34. Family service plan.

A private FFCA shall implement a family service plan and placement amendment as developed by the placing agency.

Source

The provisions of this § 3700.34 amended January 23, 1987, effective January 24, 1987, 17 Pa.B. 392. Immediately preceding text appears at serial page (75188).

§ 3700.35. [Reserved].

Source

The provisions of this § 3700.35 reserved January 23, 1987, effective January 24, 1987, 17 Pa.B. 392. Immediately preceding text appears at serial page (75189).

§ 3700.36. Discipline policies.

The FFCA shall provide foster parents with a copy of the discipline policy as described in § 3700.63 (relating to foster child discipline, punishment and control policy).

Authority

The provisions of this § 3700.36 amended under Articles II, VII, IX and X of the Public Welfare Code (62 P. S. §§ 201—211, 701—774, 901—922 and 1001—1080).

Source

The provisions of this § 3700.36 amended January 23, 1987, effective July 23, 1987, 17 Pa.B. 392. Immediately preceding text appears at serial page (75189).

§ 3700.37. [Reserved].

Source

The provisions of this § 3700.37 reserved January 23, 1987, effective January 24, 1987, 17 Pa.B. 392. Immediately preceding text appears at serial pages (75189) to (75190).

§ 3700.38. Orientation and information for foster families.

- (a) The FFCA shall provide an orientation for new foster families before placing a child with them. The orientation shall include information about:
- (1) FFCA philosophy.
 - (2) FFCA practices.
 - (3) Roles of the foster family.
 - (4) FFCA policies and procedures for discipline, punishment and control of foster children.
 - (5) Roles of the FFCA in assisting the foster family in serving children.
 - (6) First aid procedures.
 - (7) Applicable statutes, regulations and general procedures.
- (b) The FFCA supervising the foster family home shall give the foster families an emergency telephone number which provides 24-hour access to the FFCA.
- (c) Foster families shall be provided information from the case record which is necessary to protect the child's health and safety and to assist in the child's successful accomplishment of necessary educational, developmental or remedial tasks.
- (d) Foster families shall be provided information from the case record which will enable them to function safely and in cooperation with the FFCA.

Authority

The provisions of this § 3700.38 amended under Articles II, VII, IX and X of the Public Welfare Code (62 P. S. § § 201—211, 701—774, 901—922 and 1001—1080).

Source

The provisions of this § 3700.38 amended January 23, 1987, effective July 23, 1987, 17 Pa.B. 392. Immediately preceding text appears at serial page (75190).

§ 3700.39. [Reserved].

Source

The provisions of this § 3700.39 reserved January 23, 1987, effective January 24, 1987, 17 Pa.B. 392. Immediately preceding text appears at serial page (75190).

HEALTH CARE REQUIREMENTS

§ 3700.51. Medical and dental care.

- (a) The FFCA shall ensure that a child receives a medical appraisal by a licensed physician within 60 days of the child's admission to foster family care, unless the child has had an appraisal within the last 90 days and the results of the appraisal are available. The appraisal shall include:
- (1) A review of the child's health history.
 - (2) Physical examination of the child.
 - (3) Laboratory or diagnostic tests as indicated by the examining physician, including those required to detect communicable disease.
- (b) The FFCA shall arrange for immediate medical attention when a medical problem is recognized at the time of referral.
- (c) After the initial health appraisal, the FFCA shall ensure that a child has contact with a licensed physician according to the following schedule:
- (d) The FFCA shall ensure that a child, 3 years of age or older, receives a dental appraisal by a licensed dentist within 60 days of admission, unless the child has had an appraisal within the previous 6 months and the results of the appraisal are available. The appraisal shall include:
- (1) Taking or reviewing the child's dental history.
 - (2) Examination of the hard and soft tissue of the oral cavity.
 - (3) X-rays for diagnostic purposes, if deemed necessary by the dentist.
- (e) After the initial appraisals, the FFCA shall ensure that dental examinations are given to children 3 years of age or older at least once every 9 months of placement.
- (f) The FFCA shall confirm the immunization record of the child within 60 calendar days of placement. An appropriate immunization schedule shall be established for the child based on his immunization status.
- (g) The FFCA shall ensure that children receive necessary medical care when they are ill.
- (h) The FFCA shall encourage parents to participate in the program of regular and appropriate medical and dental care for their child.

- (i) The FFCA shall ensure that a continuing medical record is maintained for each child by assisting with retrieval of past medical records and transfer of current records to the child's ongoing source of child care.

Authority

The provisions of this § 3700.51 amended under Articles II, VII, IX and X of the Public Welfare Code (62 P. S. § § 201—211, 701—774, 901—922 and 1001—1080).

Source

The provisions of this § 3700.51 amended January 23, 1987, effective July 23, 1987, 17 Pa.B. 392. Immediately preceding text appears at serial pages (75190) and (97999).

Notes of Decisions

Authority

Section 3700.61 delegates the authority to inspect for compliance with requirements covering health, 55 Pa. Code § 3700.51; safety, 55 Pa. Code § 3700.67; and necessary facilities, 55 Pa. Code § 3700.66; and approve foster homes to an approved foster family care agency as defined in 55 Pa. Code § 3700.4, so as to effectuate the purposes of the regulations set out in 55 Pa. Code § 3700.2. *In re Lowry*, 464 A.2d 333 (Pa. Super. 1983).

§ 3700.52. [Reserved].

Source

The provisions of this § 3700.52 reserved January 23, 1987, effective January 24, 1987, 17 Pa.B. 392. Immediately preceding text appears at serial page (97999).

REQUIREMENTS FOR FFCA APPROVAL OF FOSTER FAMILIES

§ 3700.61. Transfer of approval authority.

The Department delegates its authority under Article IX of the Public Welfare Code (62 P. S. § § 901—922) to inspect and approve foster families to an approved FFCA.

Authority

The provisions of this § 3700.61 amended under Articles II, VII, IX and X of the Public Welfare Code (62 P. S. § § 201—211, 701—774, 901—922 and 1001—1080).

Source

The provisions of this § 3700.61 amended January 23, 1987, effective January 24, 1987, 17 Pa.B. 392. Immediately preceding text appears at serial page (98000).

Notes of Decisions

Appellate Review

The Department of Public Welfare's role, when an appeal is taken from a determination by a local Children and Youth Services, is to conduct a fact-finding hearing and not simply apply a "review" standard on appeal. *Children and Youth Services v. Department of Public Welfare*, 533 A.2d 1148 (Pa. Cmwlth. 1987).

Authority

Section 3700.61 delegates the authority to inspect for compliance with requirements covering health, 55 Pa. Code § 3700.51, safety, 55 Pa. Code § 3700.67, and necessary facilities, 55 Pa. Code § 3700.66, and approve foster homes to an approved foster family care agency as defined in 55 Pa. Code § 3700.4, so as to effectuate the purposes of the regulations set out in 55 Pa. Code § 3700.2. *In re Lowry*, 464 A.2d 333 (Pa. Super. 1983).

§ 3700.62. Foster parent requirements.

- (a) Foster parents shall be at least 21 years of age.
- (b) Foster parents shall pass an initial medical appraisal by a licensed physician prior to being approved. The appraisal must establish that the foster parents are physically able to care for children and are free from communicable disease. Further medical examinations may be required by the agency if the agency has reason to believe that additional medical appraisal is appropriate.
- (c) Effective January 1, 1986, foster family care agencies shall require prospective foster parents to comply with section 23.1 of the Child Protective Services Law (11 P. S. § 2223.1) and Chapter 3490 (relating to protective services).

Authority

The provisions of this § 3700.62 amended under Articles II, VII, IX and X of the Public Welfare Code (62 P. S. §§ 201—211, 701—774, 901—922 and 1001—1080).

Source

The provisions of this § 3700.62 amended January 23, 1987, effective January 24, 1987, 17 Pa.B. 392. Immediately preceding text appears at serial pages (98000) to (98001).

Notes of Decisions

Foster Parent Requirements

Evidence that foster parents had placed pepper on the tongue of a foster child who refused to eat; tied a child to a bed; locked a child in a bedroom and strapped a child to a car seat located inside the home was sufficient to demonstrate that more than physical passive restraint was

imposed, which was conduct prohibited by the regulations. *Martz v. Department of Public Welfare*, 536 A.2d 496 (Pa. Cmwlth. 1988).

The Department regulations addressing the inspection and approval of the home custodian reach concerns ranging from the assurances that the drinking water is potable, § 3700.67(h) (relating to safety requirements), and that the intended custodian is physically able to care for the child, § 3700.63 (relating to foster parent discipline policy), to the assurance that the custodian is apprised of the approved policy with regard to the discipline of the child, § 3700.63. *In re. Lowry*, 484 A.2d 383 (Pa. 1984).

Cross References

This section cited in 55 Pa. Code § 3700.69 (relating to annual reevaluation); and 55 Pa. Code § 3700.70 (relating to temporary and provisional approvals of foster families).

§ 3700.63. Foster child discipline, punishment and control policy.

(a) *Discipline.*

- (1) Foster children shall be directed with techniques that stress praise and encouragement.
- (2) Foster children may not be subjected to verbal abuse, derogatory remarks or threats of removal from the foster home.

(b) *Punishment.* The following forms of punishment are prohibited:

- (1) Abusive discipline practices.
- (2) Physical punishment inflicted upon the body.
- (3) Punishment for bedwetting or actions related to toilet training.
- (4) Delegation of punishment to another child.
- (5) Denial of meals, clothing or shelter.
- (6) Denial of elements of the service plan or ISP.
- (7) Denial of communication with, or visits by, the child's family.
- (8) Assignment of physically strenuous exercise or work solely as punishment.

(c) *Control.* Passive physical restraint is the only allowable method of restraining a child.

Authority

The provisions of this § 3700.63 amended under Articles II, VII, IX and X of the Public Welfare Code (62 P. S. § § 201—211, 701—774, 901—922 and 1001—1080).

Source

The provisions of this § 3700.63 amended January 23, 1987, effective January 24, 1987, 17 Pa.B. 392. Immediately preceding text appears at serial page (98001).

Notes of Decisions

Home Inspections

The Department regulations addressing the inspection and approval of the home custodian reach concerns ranging from the assurances that the drinking water is potable, § 3700.67(h) (relating to safety requirements), and that the intended custodian is physically able to care for the child, § 3700.63 (relating to foster parent discipline policy), to the assurance that the custodian is apprised of the approved policy with regard to the discipline of the child, § 3700.63. *In re Lowry*, 484 A.2d 383 (Pa. 1984).

Punishment

Department of Public Welfare regulation permitting foster parents to use “passive physical restraint” as a method of restraining a child and prohibiting foster parents from the use of any “physical punishment inflicted upon the body” binds all county children and youth agencies, but does not bind *In re D. T.*, 35 D.&C. 4th 454 (1998).

Evidence that foster parents had placed pepper on the tongue of a foster child who refused to eat; tied a child to a bed; locked a child in a bedroom and strapped a child to a car seat located inside the home was sufficient to demonstrate that more than physical passive restraint was imposed, which was conduct prohibited by the regulations. *Martz v. Department of Public Welfare*, 536 A.2d 496 (Pa. Cmwlth. 1988).

Cross References

This section cited in 55 Pa. Code § 3700.36 (relating to discipline policies); 55 Pa. Code § 3700.69 (relating to annual reevaluation); and 55 Pa. Code § 3700.70 (relating to temporary and provisional approvals of foster families).

§ 3700.64. Assessment of foster parent capability.

- (a) The FFCA shall consider the following when assessing the ability of applicants for approval as foster parents:
- (1) The ability to provide care, nurturing and supervision to children.
 - (2) A demonstrated stable mental and emotional adjustment. If there is a question regarding the mental or emotional stability of a family member which might have a negative effect on a foster child, the FFCA shall require a psychological evaluation of that person before approving the foster family home.
 - (3) Supportive community ties with family, friends and neighbors.

(b) In making a determination in relation to subsection (a) the FFCA shall consider:

- (1) Existing family relationships, attitudes and expectations regarding the applicant's own children and parent/child relationships, especially as they might affect a foster child.
- (2) Ability of the applicant to accept a foster child's relationship with his own parents.
- (3) The applicant's ability to care for children with special needs, such as physical handicaps and emotional disturbances.
- (4) Number and characteristics of foster children best suited to the foster family.
- (5) Ability of the applicant to work in partnership with an FFCA.

Notes of Decisions

Foster Parent Capability

The Department regulations addressing the inspection and approval of the home custodian reach concerns ranging from the assurances that the drinking water is potable, § 3700.67(h) (relating to safety requirements), and that the intended custodian is physically able to care for the child, § 3700.63 (relating to foster parent discipline policy), to the assurance that the custodian is apprised of the approved policy with regard to the discipline of the child, § 3700.63. *In re Lowry*, 484 A.2d 383 (Pa. 1984).

In approving a foster home, the agency must consider, among other factors, the would-be foster parents' ability to cooperate with the agency and to accept the relationship between the child and the child's parents. *In Re Adoption of Crystal D.R.*, 480 A.2d 1146 (Pa. Super. 1984).

Cross References

This section cited in 55 Pa. Code § 3700.69 (relating to annual reevaluation); and 55 Pa. Code § 3700.70 (relating to temporary and provisional approvals of foster families).

§ 3700.65. Foster parent training.

A foster parent shall participate annually in a minimum of 6 hours of agency approved training.

Authority

The provisions of this § 3700.65 amended under Articles II, VII, IX and X of the Public Welfare Code (62 P. S. § § 201—211, 701—774, 901—922 and 1001—1080).

Source

The provisions of this § 3700.65 amended January 23, 1987, effective January 24, 1987, 17 Pa.B. 392. Immediately preceding text appears at serial page (98002).

Notes of Decisions

Foster Parent Requirements

The Department regulations addressing the inspection and approval of the home custodian reach concerns ranging from the assurances that the drinking water is potable, § 3700.67(h) (relating to safety requirements), and that the intended custodian is physically able to care for the child, § 3700.63 (relating to foster parent discipline policy), to the assurance that the custodian is apprised of the approved policy with regard to the discipline of the child, § 3700.63. *In re. Lowry*, 484 A.2d 383 (Pa. 1984).

Cross References

This section cited in 55 Pa. Code § 3700.69 (relating to annual reevaluation); and 55 Pa. Code § 3700.70 (relating to temporary and provisional approvals of foster families).

§ 3700.66. Foster family residence requirements.

(a) The FFCA shall ensure that the foster family residence has:

- (1) At least one flush toilet, one wash basin and one bath or shower with hot and cold running water.
- (2) An operable heating system.
- (3) An operable telephone.

(b) Sleeping areas shall meet the following criteria:

- (1) No unsuitable area such as a hall, stairway, unfinished attic or basement, garage, bathroom, eating area, closet, shed or detached building may be used as a sleeping area for children.
- (2) Foster children of the opposite sex who are 5 years of age or older may not share the same bedroom.
- (3) Each foster child shall be provided with a clean, comfortable mattress and clean linens, blankets and pillow.

Authority

The provisions of this § 3700.66 amended under Articles II, VII, IX and X of the Public Welfare Code (62 P. S. § § 201—211, 701—774, 901—922 and 1001—1080).

Source

The provisions of this § 3700.66 amended January 23, 1987, effective January 24, 1987, 17 Pa.B. 392. Immediately preceding text appears at serial page (98003).

Notes of Decisions

Authority

Section 3700.61 delegates the authority to inspect for compliance with requirements covering health, 55 Pa. Code § 3700.51, safety, 55 Pa. Code § 3700.67, and necessary facilities, 55 Pa. Code § 3700.66, and approve foster homes to an approved foster family care agency as defined in 55 Pa. Code § 3700.4, so as to effectuate the purposes of the regulations set out in 55 Pa. Code § 3700.2. *In re. Lowry*, 464 A.2d 333 (Pa. Super. 1983).

Foster Parent Requirements

The Department regulations addressing the inspection and approval of the foster family residence reach concerns ranging from the assurances that the drinking water is potable, § 3700.67(h) (relating to safety requirements), and that the intended custodian is physically able to care for the child, § 3700.63 (relating to foster parent discipline policy), to the assurance that the custodian is apprised of the approved policy with regard to the discipline of the child, § 3700.63. *In re. Lowry*, 484 A.2d 383 (Pa. 1984).

Cross References

This section cited in 55 Pa. Code § 3700.69 (relating to annual reevaluation); and 55 Pa. Code § 3700.70 (relating to temporary provisional approvals of foster families).

§ 3700.67. Safety requirements.

- (a) Medication and containers of poisonous, caustic, toxic, flammable or other dangerous material kept in the residence shall be distinctly marked or labeled as hazardous and stored in areas inaccessible to children under 5 years of age.
- (b) Emergency telephone numbers, including those for fire, police, poison control and ambulance shall be conspicuously posted adjacent to all telephones.
- (c) Fireplaces, fireplace inserts, wood and coal burning stoves and free-standing space heaters, if allowed by local ordinance, shall be installed, equipped and operated according to manufacturers' specifications and requirements specified by local ordinance.
- (d) An operable smoke detector shall be placed on each level of the residence. The detector shall be maintained in operable condition.
- (e) A portable fire extinguisher, suitable for Class B fires, shall be available in the kitchen and other cooking areas. The extinguisher shall be tested yearly or have a gauge to ensure adequate pressure.
- (f) Protective safety caps shall be placed in electrical outlets accessible to children younger than 5 years of age.
- (g) Exposed electrical wires are prohibited.

(h) Drinking water from an individual water source shall be potable as determined by an annual microbiological test conducted by a laboratory certified by the Department of Environmental Resources.

(i) (Reserved).

Authority

The provisions of this § 3700.67 amended under Articles II, VII, IX and X of the Public Welfare Code (62 P. S. § § 201—211, 701—774, 901—922 and 1001—1080).

Source

The provisions of this § 3700.67 amended January 23, 1987, effective January 24, 1987, 17 Pa.B. 392. Immediately preceding text appears at serial page (98005).

Notes of Decisions

Section 3700.61 delegates the authority to inspect for compliance with requirements covering health, 55 Pa. Code § 3700.51; safety, 55 Pa. Code § 3700.67, necessary facilities, 55 Pa. Code § 3700.66; and approve foster homes to an approved foster family care agency as defined in 55 Pa. Code § 3700.4, so as to effectuate the purposes of the regulations set out in this section. *In re Lowry*, 464 A.2d 333 (Pa. Super. 1983).

Cross References

This section cited in 55 Pa. Code § 3700.69 (relating to annual reevaluation); and 55 Pa. Code § 3700.70 (relating to temporary and provisional approvals of foster families).

§ 3700.68. [Reserved].

Source

The provisions of this § 3700.68 reserved January 23, 1987, effective January 24, 1987, 17 Pa.B. 392. Immediately preceding text appears at serial pages (98005) to (98006).

Notes of Decisions

Placement in Unapproved Homes

In ordering a disposition under 42 Pa.C.S. § 6351 (relating to disposition of dependent child), the court does have the authority to order the county institution district to place children in homes not yet approved, even though the provisions of subsection (b) and § 3130.39 (relating to services and facilities which may be used) prohibits the county institution district from doing so on its own initiative and the Superior Court judgment was reversed. *In re Lowry*, 484 A.2d 383 (Pa. 1984).

The courts cannot order a County Children and Youth Services agency to supervise the placement of a dependent child in a foster home that had not been inspected and approved by a foster family care agency, under this section. *In re Lowry*, 464 A.2d 333 (Pa. Super. 1983).

§ 3700.69. Annual reevaluation.

- (a) The FFCA shall visit and inspect annually each foster family to determine continued compliance with the requirements of § § 3700.62—3700.67 (relating to foster parent requirements; foster child discipline, punishment and control policy; assessment of foster parent capability; foster parent training; foster family residence requirements; and safety requirements).
- (b) The FFCA shall give each foster family written notice regarding the results of the annual evaluation.
- (c) The FFCA shall give written notice to foster families of its decision to approve, disapprove or provisionally approve the foster family. The written notice shall inform the foster parents that they may appeal the FFCA's decision to disapprove or provisionally approve the foster family.

Authority

The provisions of this § 3700.69 amended under Articles II, VII, IX and X of the Public Welfare Code (62 P. S. § § 201—211, 701—774, 901—922 and 1001—1080).

Source

The provisions of this § 3700.69 amended January 23, 1987, effective January 24, 1987, 17 Pa.B. 392. Immediately preceding text appears at serial page (98006).

§ 3700.70. Temporary and provisional approvals of foster families.

- (a) Foster families may be temporarily approved to provide foster care to children.
 - (1) Temporary approval is a time-limited status which may be authorized by an FFCA when a complete assessment of the foster family has not been made prior to the placement of a foster child.
 - (2) The FFCA may authorize temporary approval only if a partial assessment of the family indicates that a foster child's health or safety will not be jeopardized if placed with the temporarily approved foster family. The partial assessment shall include, at a minimum, the following:
 - (i) An on-site visit to the home.
 - (ii) An inspection of the physical aspects of the home.
 - (iii) A brief assessment of the social and emotional qualities of the parents as they affect their ability to care for a foster child.

(iv) The willingness of the parents to accept FFCA involvement and work cooperatively with the FFCA.

(v) The ability of the parents to meet the special needs of a child taken into the temporary protective custody of an agency.

(3) Temporary approval of a foster family may be authorized for a maximum of 60 calendar days, starting from the date on which the FFCA places the foster child with the foster family.

(4) If an assessment verifying compliance with the requirements of §§ 3700.62—3700.67 (relating to foster parent requirements; foster child discipline, punishment and control policy; assessment of foster parent capability; foster parent training; foster family residence requirements; and safety requirements) is not completed by the FFCA within 60 days, the approval of the home terminates automatically, and foster children shall be removed from the foster family.

(b) Foster families may be given provisional approval to care for foster children.

(1) Provisional approval of a foster family may be authorized by an FFCA when a previously approved foster family is determined, in a reevaluation, not to meet one or more of the requirements in §§ 3700.62—3700.67.

(2) The FFCA may authorize provisional approval only if the identified areas of regulatory noncompliance will not result in an immediate threat to the health or safety of foster children placed with the foster family.

(3) During a period of provisional approval, the FFCA may not place additional children with the foster family.

(4) For foster families approved before October 1, 1982, provisional approval may be maintained until children placed before October 1, 1982, have left the foster family.

(5) For foster families approved after October 1, 1982, provisional approval may be maintained for no longer than 12 months. The FFCA shall terminate the provisional approval of a foster family unable to achieve compliance within 12 months of receipt of provisional approval. Upon termination of a foster family's provisional approval, the FFCA shall remove foster children living with the foster family.

(c) (Reserved).

Authority

The provisions of this § 3700.70 amended under Articles II, VII, IX and X of the Public Welfare Code (62 P. S. §§ 201—211, 701—774, 901—922 and 1001—1080).

Source

The provisions of this § 3700.70 amended January 23, 1987, effective January 24, 1987 except subsection (a) effective April 24, 1987, 17 Pa.B. 392. Immediately preceding text appears at serial pages (98006) to (98007).

§ 3700.71. Foster family file.

The FFCA shall maintain a file for each foster family home. The file must contain a copy of the foster family home approval and the results of each annual foster family home reevaluation.

Notes of Decisions

Children in Foster Care—Disclosure of File

Appellants, a minor child and the child's grandmother, were entitled to receive the foster family file pursuant to this regulation. *S. M. v. Children & Youth Services of Delaware County*, 686 A.2d 872 (Pa. Cmwlth. 1996).

§ 3700.72. Foster family approval appeals.

- (a) The FFCA shall give written notice to each applicant of its decision to approve, disapprove or provisionally approve the foster family. The written notice shall inform the foster parents that they may appeal the FFCA's decision to disapprove or provisionally approve the foster family.
- (b) Foster parents who wish to appeal an FFCA decision to disapprove or provisionally approve the foster family shall submit to the FFCA a written appeal, postmarked no later than 15 calendar days from the date of the written notice. The appeals are subject to Title 9003 of the DPW Manual to be codified at Chapter 30 (relating to licensure or approval appeal procedures).
- (c) Upon receipt of the foster parent appeal, the FFCA shall date stamp the appeal. The FFCA shall review the appeal and determine if steps can be taken to resolve the appeal without a hearing. If, after considering the appeal, the FFCA is unable to resolve issues of disagreement, the appeal shall be sent to the Office of Hearings and Appeals, Post Office Box 2675, Harrisburg, Pennsylvania 17105 within 15 calendar days of the date stamp.

Authority

The provisions of this § 3700.72 amended under Articles II, VII, IX and X of the Public Welfare Code (62 P. S. § § 201—211, 701—774, 901—922 and 1001—1080).

Source

The provisions of this § 3700.72 amended January 23, 1987, effective April 24, 1987, 17 Pa.B. 392. Immediately preceding text appears at serial page (98007).

§ 3700.73. Foster parent appeal of child relocation.

- (a) Foster parents may appeal the relocation of a child from the foster family except under one of the following conditions:
- (1) The child has been with the foster family less than 6 months.
 - (2) The removal is initiated by the court.
 - (3) The removal is to return the child to his parents.
 - (4) The removal is to place the child for adoption.
 - (5) An investigation of a report of alleged child abuse indicates the need for protective custody removal to protect the child from further serious physical or mental injury, sexual abuse or serious physical neglect as defined in Chapter 3490 (relating to protective services).
- (b) The FFCA shall inform foster parents in writing that they may appeal the relocation of a child in accordance with subsection (a) at least 15 days prior to the relocation of the child.
- (c) Foster parents who wish to appeal the relocation of a child shall submit to the FFCA a written appeal to be postmarked no later than 15 days after the date of the notice of their right to appeal the child's relocation.
- (d) Upon receipt of the foster parent's appeal, the FFCA shall date stamp the appeal and submit it to the Department's Office of Hearings and Appeals, Post Office Box 2675, Harrisburg, Pennsylvania 17105, within 5 working days.
- (e) If a foster parent submits an appeal in accordance with subsection (c) and the foster parent has the right to appeal in accordance with subsection (a), the child shall remain in the foster family home pending a decision on the appeal.
- (f) Parties to an appeal of a child's relocation may be represented by an attorney or other representative.



DEFINITION OF TERMINOLOGY

The following are definitions to some commonly used terms.

Abuse, or Child Abuse: An injury or pattern of injuries to a child that is non-accidental and the result of acts or omissions of a child's caretaker. Types of abuse include physical abuse, sexual abuse and denial of critical care including medical or psychiatric care.

Access Card: In Allegheny, this is another name for the Medicaid program, which provides access to 'medical care for children in foster care.

Adoption: The creation of a new, permanent legal family for a child or youth. The adoption process involves the termination of the parents' rights and the creation of parental rights in a new caregiver(s). Adoptive families may or may not be related to the child or youth before the adoption.

Advocate, or Child Advocate: In this handbook, this term is used to describe the attorney assigned to represent the child or youth in all legal matters and court proceedings related to her case.

Adjudication or Adjudicatory Hearing: A hearing to determine if the allegations in a petition presented to the court are true.

Agency: An organization which has met certain standards and is allowed by law to provide services to children and families. In Allegheny, private agencies, also called "provider agencies" share many responsibilities with ACCYF for the care, protection and supervision of children and youth in foster care.

Agng Out: When a youth leaves foster care because they have reached a certain age (18 in most cases in Allegheny) without obtaining permanence through returning home, adoption or PLC.

Appeals: Someone asks for a hearing to change the court's decision. Any court decision is subject to an appeal.

Adoption and Safe Families Act (ASFA): A federal law, passed in 1997, which has many provisions related to the safety, permanence and well-being of children in foster care, including timelines states must follow, with some exceptions, related to termination of the parents' rights and securing permanent homes for children.

Biological Parents or Birth Parents: The child/youth's family of origin: the person(s) who gave birth or fathered the child.

Caretaker: A person responsible for the day-to-day care of a child or youth.

Case Assessment and Case plan: A plan that ACCYF and the provider agency, along with the youth and family, and their legal advocates, develop and updates every six months. It includes the services provided to the youth and family, and makes clear the expectations and progress made toward reaching the goal of permanent placement of the youth.

Child: In this handbook, the terms "child", "children" and "youth" are all used to describe individuals between birth and the age of 18. The term "child" is frequently used to describe younger children (birth to age 12) and the term "youth" is frequently used to describe adolescents (ages 12 to 18).

Child Protective Services (CPS): The portion of ACCYF charged with investigating abuse or neglect allegations and providing ongoing social services to families where abuse and neglect

of youth has been reported.

ChildLine: Pennsylvania's toll-free telephone number - 1-800-932-0313 - to report suspected abuse or neglect of a child. A "Childline clearance" documents that a person - such as a prospective foster parent - has not been found guilty of abusing a child in Pennsylvania and this clearance is required for foster parent approval.

Confidentiality: Protection of information related to a child's identity, life and circumstances, and that of her family, from inappropriate disclosure to other parties. A release of information may be signed to give permission for professionals and others to have access to that information if appropriate.

Custodian: A person or agency designated by the court with the rights and duties to provide for all of the child or youth's needs for protection, food, clothing, housing, education and medical care.

Dependency Case: This is the term used to describe the court case related to a child in foster care.

Detention Hearing: The hearing at which the court determines whether it is necessary to place or keep a child in out-of-home care. In Allegheny, this hearing must be held within 72 hours of a child's removal from her home.

DHS: Abbreviation for Department of Human Services, the over-seeing agency for foster care in Allegheny.

Disposition: This is the decision about where a child or youth should live (such as in state custody), as well as what the parents, ACCYF and the youth must do to address the problems that brought the youth into care.

Emancipation: A youth who is legally declared an adult (by a court) prior to age 18. A youth in foster care who emancipates is no longer a ward of the court (or in foster care).

EPSDT: The Medicaid Early, Periodic Screening, Diagnosis and Treatment Program. This program requires regular check-ups and screenings for physical and mental development. Services related to the diagnosis and treatment of any abnormalities, delays or diseases discovered must also be provided. Please see a more detailed description in Appendix Two on page 60.

Family Court: In Allegheny, this is the court that hears most cases related to children and youth in foster care. The Family Division, also referred to as Family Court, is one of the three major divisions of the Allegheny Court of Common Pleas. The Family Division is made up of two branches, the Juvenile Division and the Domestic Relations Division. Most of the court hearings related to children and youth in foster care take place in the Juvenile Division and are referred to as dependency cases.

Family Service Plan (FSP): A written plan, prepared by ACCYF with the child's family, which describes the family's strengths, needs, goals and services which will help the family address the problems that brought a child into foster care and move towards creating safe permanence for a child in a timely manner.

Foster Care: Temporary care provided to children or youth who are removed from their family's custody and are placed in state custody. Foster care is 24-hour care with a person or agency that is approved by the state to provide this care and includes placement with relatives,

foster families, group homes, shelters and other placements for children under the age of 18.

Foster Family or Foster Parent: A family, or parent, who has been approved by the state to provide temporary 24-hour care and protection to a child or youth who has been removed from her family generally for reasons of abuse or neglect. Foster families can be either relatives or non-relatives of the child being placed.

Foster Home: A temporary home where a youth may live while in the custody of the County.

GED: General Equivalency Diploma, a diploma that is equivalent to a high school diploma which demonstrates that a person has shown satisfactory competence through testing in a variety of subjects including literacy, math, social and natural sciences.

Group Home: A home that cares for several foster youth, often using social workers for supervision instead of foster parents.

Guardian, or Guardianship: A person who is not the parent of the child or youth, but has been appointed by the court to have responsibility for the youth including certain legal rights and duties.

Individual Education Plan (IEP): A written plan for children receiving special education services through the schools. The plan is developed with the participation of the child or youth, her parents, the school and others familiar with the child's educational needs. The plan must be periodically reviewed, updated, and must include specific goals and objectives.

Individual Service Plan (ISP): A written document, developed by the youth and the provider agency, describing long range goals and short range objectives for child or youth.

Judge: The judge decides what is best for the youth. The judge issues court orders, reads reports, hears arguments and decides whether the youth should be placed or continued in the custody of the state as well as making final decisions on permanency plans.

Kinship or Kinship Care: 24-hour care for children and youth provided by relatives such as grandparents, aunts, uncles or even older (adult) siblings. This may also be called relative care. In Allegheny, kinship caregivers are required to be approved by the same standards as non-relative foster parents when providing care for a child in ACCYF custody.

Medicaid: A federal and state funded medical and health care assistance program to which all children in foster care are eligible. In the five County region, Medicaid is a managed care program and includes special assessments and services for children under the EPSDT program.

Neglect: The failure of the person responsible for the care of a child to provide adequate food, shelter, clothing, medical care or supervision necessary for the child's health and welfare.

Notice of Hearings: Everyone involved in a youth's case must be served with a notice telling them when and where there's going to be a court hearing. People required to receive notice include the youth, parents, foster parents, the agency with custody, and legal advocates

assigned to all parties. A foster parent has a right to notice, but is not considered a "party" to the case and therefore, does not have an assigned legal advocate.

Permanency Hearing: A court hearing to consider a child or youth's need for secure and permanent placement in a timely manner. The hearing must be held within 12 months of a child's placement in foster care, and revisited thereafter until permanence is achieved.

Permanency Planning: Planning for a child or youth to have a permanent legal home and family. The preferred permanency options are reunification, adoption and PLC. Other legally available permanence options include placement with a fit and willing relative or "Another planned permanent living arrangement APPLA" although these last two are not as desirable as they do not provide the same level of emotional and legal security as the first three.

Permanent Legal Custodianship (PLC): makes another person, often a family member, the permanent legal guardian and is intended to be a permanent arrangement, but, unlike adoption, does not involve termination of the parents' rights. Under PLC, the parents may retain certain rights, such as visitation, that they would not have under adoption. The guardian receives a stipend equal to a foster care payment.

Respite Care: Temporary care for a child or youth, intended to give either the youth or caregiver (or both) a break.

Reunification: Services that can bring a youth back to the family from which she was removed by working on the problems that caused the separation of the child or youth from the family. Most often, reunification involves the child's birth family, but in cases where a child was removed from an adoptive family or PLC or other legal guardian, reunification can also occur.

Services to Children in their Own Homes (SCOH): A home based family program designed to stabilize a family and prevent placement in foster care when a child can be safely cared for in her own home.

Sibling or Sibling Group: A sibling is the brother or sister of a youth. A sibling group is a group of two or more siblings. ACCYF' policy is to keep siblings together when in foster care, and for the purpose of permanency planning.

Special Needs Child: Within foster care, this term usually refers to a child who is over the age of five, a member of a minority racial group, a member of a sibling group, and/or a child with a physical, mental or emotional disability. Children with special needs are generally eligible for special services and also for adoption assistance if they are adopted from foster care.

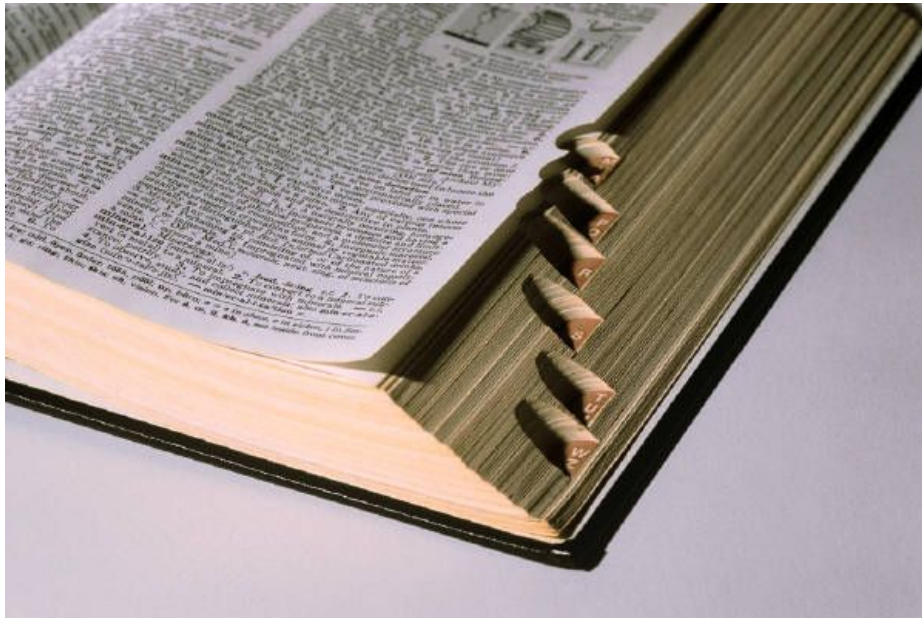
Social Worker: A person who works with youth and their families to provide services and support, with the goal helping the youth achieve permanency. Children and youth in Allegheny typically have both a provider agency caseworker and an ACCYF caseworker involved with their case. These workers are sometimes called social workers as well.

Supplemental Security Income (SSI): Funding provided through the Social Security Administration (SSA) to eligible children and adults with disabilities.

Surrogate Parent: A person who is appointed by the Department of Education to make sure that a child or youth's special education needs are being met.

Statewide Adoption Network (SWAN): Pennsylvania's program for expediting and supporting the adoption of children in foster care.

Termination of Parental Rights (TPR): If family reunification has been ruled out and adoption is a possibility for the child, the Department may petition (request) for termination of the parents' rights to the child. If the court terminates parental rights it means the child is free for adoption. It also means that the parents have no legal rights pertaining to the youth anymore.



APPENDIX

The following are suggested sample forms that the Point of Contact Caseworker of A Second Chance, Inc. will present to the kinship family on the first home visits during initial foster parent certification process.

- Placement Plan and Agreement
- Child Grievance Form
- Discipline, Transportation, Clean Indoor Air Act and Grooming and Hygiene Policy
- Application and Autobiography
- Department of Public Welfare Home Inspection
- Authorization and Disclosure Statement
- Consent/Release of Information Authorization for the Pennsylvania Child Abuse History Clearance
- Pennsylvania Child Abuse History Clearance
- Pennsylvania State Police Request for Criminal Record Check
- FBI Fingerprinting Applicant Registration
- Foster Family Caretaker Medical Examination Form
- Foster Family Caretaker and Household member medical exam form
- Foster Parents Bill of Rights
- Substitute Caregiver Checklist
- Resource Family Applicant Registration/ CY 131
- Managed Care Enrollment form (CYF 501).
- TECD Community Resources

