# Relative & Like-Kin Standards within Chapter DCF 56 Licensing Administrative Rule

# **Summary of Issue**

- Administration for Children and Families published a <u>final rule</u> that allows Title IV-E
  agencies to create separate licensing standards for relatives and like-kin that "place as
  few burdens on families as possible, and do not include additional standards agencies
  require non-relative foster family homes to meet."
- The intent of creating separate standards is to expedite the timeframe of licensure for relative and like-kin caregivers and provide financial support that is **equitable** to what non-relative foster parents receive when a child is placed in their home.
- <u>Kin-Specific Licensing Model standards</u> were developed by a coalition of national nonprofit organizations. DCF plans to use these model standards to shape our statespecific rule.

The Department aims to align our standards as close to the Kin-Specific Licensing Model Standards as possible for multiple reasons:

- <u>Promote first choice</u> decision to place a child with a relative or like-kin caregiver.
- <u>Promote quick licensure</u> of a like-kin or relative foster home at level 2. This includes a
  placing/licensing agency providing the kin caregiver adequate support to care for that
  child.
- Use the National Organization's newly designed Caregiver Assessment and the Safety and Needs Assessment to focus licensing efforts on a caregiver's ability to meet the needs of the child(ren) and evaluation of a safe living space. <u>This will replace DCF's</u> current use of the SAFE Questionnaire for relatives and like-kin licensing only.
- <u>Support diverse like-kin and relative populations</u>, especially those who have been historically marginalized or disproportionately denied placement or encountered hurdles on the pathway to licensure.

DCF-P-5796 (N. 07/2024)

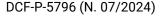


- Use the definition of relative and like-kin that is defined under <u>2023 Wisconsin Act 119</u>
- Provide equitable financial support to what non-relative foster parents receive when a child is placed in their home

### **Shifting Perspectives & Procedure**

There are several shifts in mental model required as part of a new relative and like-kin licensing process:

- The rule must attend to both a relative/like-kin who is taking placement in the moment and a relative/like-kin who is seeking licensure for a child already in care.
  - Typical pathway for non-relative licensing requires an applicant to prepare their home and all required paperwork and training before becoming licensed.
    - A licensor makes a decision about a home's suitability for future placements of children, and children might be of varying ages, backgrounds, needs, etc.
  - Relative/like kin licensing can mean that a child welfare professional has already determined this relative to be a safe and appropriate placement for this child at this time
    - An application should be swift and reflect the safety determination of that home, already determined by the placing agency.
    - The agency will then facilitate any remaining requirements swiftly that are needed to become licensed and paid equitably.
  - Relative/like kin licensing will reflect requirements for a specific child with a specific relative.
    - Background checks that that meet federal requirements under section 471(a)(20) of the Social Security Act.
    - Caregiver assessment focused on the caregiver's ability to meet the needs of the child(ren).
    - Safety and needs assessment focused on evaluating a safe living space and to assist the caregiver in meeting the needs of the child(ren).





# **High Level Overview of Difference Between Standards**

Relative & Like-Kin - Desired Future	Non-Relative Standards
This licensing process minimizes the need for exceptions to the rule because the requirements are based on federal law and state statute (i.e., not requiring anything additional).	This licensing process has <b>two mechanisms for exceptions</b> to specific parts of the rule. One is through licensing agency approval and the other requires DCF's approval.  Licensing agency or DCF can also designate <b>non-safety related waivers for relatives</b> seeking licensure to be excluded from meeting certain requirements.
Application is uniform and designed by DCF, initiation of this process is based on placement of the child or relative/like-kin being considered as placement option; information required will be less rigorous.	Requires applicant to provide licensing agency with specific information prior to licensure/re-licensure (medical exam, home/renters and auto liability insurance, employment history, income verification).
Licensing decision should occur as close to date of placement as possible.	Has specific timeframes (60-90 days) when licensing decision needs to occur (issue license/relicense, deny application, modify license).
Licensee requirements are different because a relative and like-kin already know how to best meet the unique needs of the child.	Licensee qualifications are subjective and enhanced for all children.
Physical home requirements meet relatives and like-kin in real-world situations. The placing agency will assist the caregiver in creating a safe environment to provide care of a child.	More specific and restrictive physical home requirements for the wide array of children to whom caregiving is required.
Caregiver's responsibilities based on child's specific needs.	Wide range of responsibilities of the foster parent to meet wide array of children.
Limits # of placements to 6 unless sibling/parental/meaningful relationship with caregiver connection (Federal Model)	Expanded limits to up to 9 children with DCF panel exceptions.
Does not require training as a contingency of being licensed. Licensing/placing agency should provide additional support like training opportunities for caregivers, but the content and amount are not prescriptive.	Foster parent <b>training requirements</b> (specific # of hours and content for pre-placement or 6 months after licensure for relatives, initial licensing, and ongoing training)

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# **High Level Overview of Same Requirements Between Standards**

**Background checks** (as required under federal law and state statute)

**Serious incident reporting** (requires foster parent to notify agency if child dies or has serious illness/injury)

#### Home requirements:

- Safe environment and safety evacuation and emergency response (Smoke and carbon monoxide detectors, fire extinguishers, firearms, hazardous equipment, outdoor areas, household pets, sanitary conditions, heat, water, electricity)
- Maintained in sanitary condition so it doesn't impact health of child.
- Children under age 1 cannot share sleeping space.

**CANS assessment and payment calculation information** (as relative/like-kin's payment should equate to what non-kin would receive for caring for the child)

#### Care of children:

- Reasonable and prudent parenting standard (required by federal law)
- Coordinate child's health care/appointments
- Prohibited discipline techniques
- Ensure children of school age attend school/receive equivalent education
- Confidentiality of child/family's information
- Physical restraint allowances

#### **Hearing procedures** for denials and revocations

Licensee receives **foster parent handbook/agency specific information** for procedures related to child's care

#### Licensing agency responsibilities:

- Complete assessment for licensure
- Provide support to licensed caregivers
- Contract requirements with foster parent and child

#### **School district notification** (required under statute)

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