



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

## Summary of Issue

- Administration for Children and Families published a [final rule](#) 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.
- [Kin-Specific Licensing Model standards](#) were developed by a coalition of national nonprofit organizations. DCF plans to use these model standards to shape our state-specific rule.

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

- Promote first choice decision to place a child with a relative or like-kin caregiver.
- Promote quick licensure 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. This will replace DCF’s current use of the SAFE Questionnaire for relatives and like-kin licensing only.
- Support diverse like-kin and relative populations, especially those who have been historically marginalized or disproportionately denied placement or encountered hurdles on the pathway to licensure.

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- Use the definition of relative and like-kin that is defined under 2023 Wisconsin Act 119
- 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 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  |
|---|---|
| <p>This licensing process <b>minimizes the need for exceptions</b> to the rule because the requirements are based on federal law and state statute (i.e., not requiring anything additional).</p>                                   | <p>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.</p> <p>Licensing agency or DCF can also designate <b>non-safety related waivers for relatives</b> seeking licensure to be excluded from meeting certain requirements.</p> |
| <p><b>Application is uniform and designed by DCF</b>, 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.</p>      | <p><b>Requires</b> 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).</p>  |
| <p><b>Licensing decision should occur as close to date of placement</b> as possible.</p>  | <p>Has specific timeframes (<b>60-90 days</b>) when <b>licensing decision needs to occur</b> (issue license/relicense, deny application, modify license).</p>   |
| <p>Licensee <b>requirements are different because a relative and like-kin already know how to best meet the unique needs of the child.</b></p>  | <p>Licensee <b>qualifications are subjective and enhanced for all children.</b></p>   |
| <p><b>Physical home requirements meet relatives and like-kin in real-world situations.</b> The placing agency will assist the caregiver in creating a safe environment to provide care of a child.</p>                              | <p><b>More specific and restrictive physical home requirements for the wide array of children to whom caregiving is required.</b></p>   |
| <p><b>Caregiver’s responsibilities based on child’s specific needs.</b></p>   | <p><b>Wide range of responsibilities of the foster parent to meet wide array of children.</b></p>   |
| <p><b>Limits # of placements to 6</b> unless sibling/parental/meaningful relationship with caregiver connection (Federal Model)</p>   | <p><b>Expanded limits to up to 9 children with DCF panel exceptions.</b></p>  |
| <p><b>Does not require training</b> 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.</p> | <p>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)</p>  |

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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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