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Authorized Signature

Number: CW_PT_07_15
Issue Date: 11/01/2007

Topic: Foster Care

Transmitting (check the box that best applies):

- New Policy
 Policy Change
 Policy Clarification
 Executive Letter
 Administrative Rule
 Manual Update
 Other: _____

Applies to (check all that apply):

- All DHS employees
 County Mental Health Directors
 Area Agencies on Aging
 Health Services
 Children, Adults and Families
 Seniors and People with Disabilities
 County DD Program Managers
 Other (please specify): _____

Policy/Rule Title:	Certification Standards for Foster Parents, Relative Caregivers, and Pre-Adoptive Parents Department Responsibilities for Certification and Supervision of Relative Caregivers, Foster PARENTS and Pre-Adoptive Parents		
Policy/Rule Number(s):	II-B.1, OAR 413-200-03-1 thru 413-200-0396, and II-B.1.1 OAR 413-200-0270 thru 413-200-0296	Release No:	
Effective Date:	November 1, 2007	Expiration:	N/A
References:	418.005		
Web Address:	http://www.dhs.state.or.us/policy/childwelfare/manual_2/ii-b1.pdf http://www.dhs.state.or.us/policy/childwelfare/manual_2/ii-b11.pdf		

Discussion/Interpretation: OAR 413-200-0270 is being amended to clarify the purpose of OAR 413-200-0270 to 413-200-0296 as these rules pertain to an adoptive applicant.

OAR 413-200-0272 is being amended to remove the definition of "firearm" which is no longer needed with the amendments to OAR 413-200-0335.

OAR 413-200-0274 about responsibilities for certification is being amended to clarify authority to approve certification after a child abuse or neglect disposition, parameters of requesting child abuse background history checks, parameters of issuing a two-year certificate of approval, and clarify parameters of verification of Foundations training.

OAR 413-200-0278 about responsibilities for issuing a certificate of approval is being amended to clarify timeframes for certification assessment activities and how the rules pertain to an adoptive applicant.

OAR 413-200-0281 is being amended to clarify parameters of child abuse and neglect and criminal history background checks for alternate caregivers.

OAR 413-200-0287 about responsibilities regarding a two-year renewal of the Certificate of Approval is being amended to change the title of the rule to clarify its purpose. This rule is also being amended to clarify when a child abuse history background check is required.

OAR 413-200-0292 about responsibilities regarding recertification of a previously certified home is being amended to change the title of the rule to clarify its purpose. This rule is also being amended to clarify requirements for criminal history background checks for new household members and the assessment process for family whose certificate of approval has expired. This rule is also being amended to add an approval for exemption from the requirement for Foundations training.

OAR 413-200-0296 about the denial or revocation of a certificate of approval is being amended to clarify the Department requirement for written notice of intent to revoke.

OAR 413-200-0306 is being amended to remove the definition of "firearm" which is no longer needed with the amendments to OAR 413-200-0335. Other changes to this rule are discussed below.

OAR 413-200-0314 about the process to apply for a certificate of approval is being amended to clarify requirements about references and the applicant's requirement for Department access to every member of the household.

OAR 413-200-0335 is being amended so that the storage and transportation of firearms in the presence foster children is no longer regulated in this rule, although the use of firearms by a child or young adult continues to require Department authorization.

OAR 413-200-0354 is being amended to clarify the certified family responsibilities regarding a child's education, including cross-referencing a definition of "surrogate" which is being added to OAR 413-200-0506.

OAR 413-200-0358 about requirements regarding a child or young adult's discipline is

being amended to cross-reference a definition of "physical restraint" which is being added to OAR 413-200-0506.

OAR 413-200-0371 is being amended to clarify the permitted use of relief or respite care providers.

OAR 413-200-0379 about education and training for applicants and certified families is being amended to clarify parameters of verification of Foundations training.

OAR 413-200-0383 is being amended to clarify parameters of required notification for certified families.

OAR 413-200-0390 is being amended to clarify how recertification requirements apply to an adoptive applicant.

These rule changes will make permanent temporary rules adopted on July 13, 2007.

Implementation/Transition Instructions: The temporary rules have been in effect since July 13, 2007.

Training/Communication Plan: Rule revisions have been discussed at certification quarterlies throughout the summer and fall of 2007.

Local/Branch Action Required: All staff should review and become familiar with the final rule sets.

Central Office Action Required: Central Office staff will provide ongoing consultation to branch offices on the implementation of new rule sets.

Field/Stakeholder review: Yes No

If yes, reviewed by:

Filing Instructions:

If you have any questions about this policy, contact:

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