

## Select originating cluster

Lois A. Day  


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**Authorized Signature**

**Number:** cw\_pt\_09\_010  
**Issue Date:** 11/3/09

**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):**

- |   |   |
|---|---|
| <input type="checkbox"/> All DHS employees                        | <input type="checkbox"/> County Mental Health Directors       |
| <input type="checkbox"/> Area Agencies on Aging                   | <input type="checkbox"/> Health Services                      |
| <input checked="" type="checkbox"/> Children, Adults and Families | <input type="checkbox"/> Seniors and People with Disabilities |
| <input type="checkbox"/> County DD Program Managers               | <input type="checkbox"/> Other (please specify):              |

Policy/Rule Title:	I-B.2.3.5 Youth Transitions I-A.4.1 Rights of a Child I-E.3.6.1 Permanent Foster/Kinship Care I-E.3.6.3 Another Planned Permanent Living Arrangement		
Policy/Rule Number(s):	OAR 413-010-0170 thru -180 OAR 413-030-0400 thru 0455 OAR 413-070-0700 thru 0750 OAR 413-070-0520 thru 0560	Release No:	
Effective Date:	11/03/2009	Expiration:	
References:			
Web Address:	<a href="http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-b235.pdf">http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-b235.pdf</a> <a href="http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-a41.pdf">http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-a41.pdf</a> <a href="http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-e363.pdf">http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-e363.pdf</a>		

**Discussion/Interpretation:** The rule changes in I-E.3.6.1 and I-E.3.6.3 are necessary to describe the types and use of APPLA as a child’s permanency plan and to clarify that permanent foster care is a type of APPLA. I-E.3.6.1 is repealed and the provisions of permanent foster care are incorporated into the APPLA rule revisions.

Important changes to these rules:

- Clarification that although APPLA is a type of permanency plan, the Department is required to continue to seek a higher level of permanency.
- Proposed permanency plan of APPLA will be considered and recommended by the following entities: caseworker and supervisor, the child's team, a Permanency Committee, the Child Welfare Program Manager, and the court.
- The annual review of the APPLA plan will need to document attempts to achieve a higher level of permanency, that is, return to parent, adoption or guardianship, and compelling reasons why APPLA is the most appropriate, and documentation of search for relatives for either placement or connection and support.
- Rule revisions clarify that APPLA-PFC is not a higher level of permanency than APPLA – Permanent Connections and Support and clarifies that PFC means no further placement changes while the child remains in foster care, but a higher level of permanency is always the long term goal.
- Rule revisions further clarify that permanent placement with a fit and willing relative is either through adoption or guardianship.
- Any child 14 or older and in an APPLA plan will also need a Comprehensive Transition Plan.

The rule changes in I-A.4.1 and I-B.2.3.5 are necessary to clarify the Department's responsibilities for transition planning and the rights of children who are in the Department's legal custody. It describes the responsibilities of the Department as a youth transitions into independent living.

Important changes to these rules:

- These rules are restructured to describe the responsibilities of the Department for successful youth transition which include, but are not limited to providing independent living services.
- These rules clarify eligibility requirements for each of the independent living services provided through the Department.
- These rules describe the Department responsibility to develop a comprehensive transition plan which includes specific domains.
- These rules describe the responsibilities of the Department to include the youth in the process of transition planning.

- These rules describe the benchmark review of the comprehensive transition plan.
- These rules include a new rule with specific requirements for providing a youth with information and with certain records at independence.

### **Implementation/Transition Instructions:**

These rules become effective November 3, 2009. Those responsible for developing permanency plans other than a child's return home and those responsible for working with any youth 16 or older or any youth 14 or older with a permanency plan of APPLA must use the processes and implement the activities described in this rules.

### **Training/Communication Plan:**

Child Welfare Managers, supervisors and casework staff were given information about the changes to APPLA administrative rules as part of the state-wide training during the legislative road show presentations this fall.

The Department is developing further training opportunities for managing APPLA cases.

The Independent Living Program staff have developed training on the administrative rules regarding Youth Transition. This training is available upon request.

### **Local/Branch Action Required:**

Ensure all managers and casework staff are aware of these administrative rule changes. In addition, managers and supervisors can request additional training as needed.

### **Central Office Action Required:**

Provide technical assistance to field personnel. The staff of the Foster Care Program are available to answer questions.

**Field/Stakeholder review:**      Yes      No

**If yes, reviewed by:**

The child welfare policy council review the policy changes. A public hearing was held in Salem on October 22, 2009.

### **Filing Instructions:**

*If you have any questions about this policy, contact:*

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