

Lois Ann Day, Administrator
Office of Safety & Permanency for Children

Authorized Signature

Number: CW-PT-11-003

Issue Date: 07/01/2011

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-A.5.2 Contested Case Hearings I-B.1.6 Enhanced Supervision I-E.1.1 Search for and Engagement of Relatives I-E.5.1 Foster Care Payments for a child or young adult living with a certified family or living independently I-E.8 Educational Services		
Policy/Rule Number(s):	OAR 413-010-0500 thru 0535 OAR 413-020-0200 thru 0255 OAR 413-070-0060 thru 0093 OAR 413-090-0000 thru 0050 OAR 413-100-0900 thru 0940	Release No:	
Effective Date:	June 30, 2011	Expiration:	
References:			
Web Address:	http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-a52.pdf http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-b16.pdf http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-e11.pdf http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-e51.pdf http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-e8.pdf		

Discussion/Interpretation:

I-A.5.2, Contested Case Hearings is being amended to incorporate the appropriate provisions for contested case hearings rights for certain determinations, denials, reductions or terminations of assistance. It is being further amended to use terms commonly defined in other child welfare rules and to clarify timelines regarding contested cases when the subject matter of the contested case is a payment from certain federal funds.

I-B.1.6, Enhanced Supervisions is being amended to more fully describe the process for conducting a CANS screening, and specifically describe the circumstances under which a CANS screening can be requested when the child is in the process of having his potential guardian or pre-adoptive family apply for guardianship assistance or adoption assistance. These rules were also further amended to use terms commonly defined in other sets of child welfare rules.

I-E.1.1 Search for and Engagement of Relatives is being amended to define the term relative as it is defined in other child welfare rules, and to clarify the conditions under which a foster parent is considered a relative for the purposes of eligibility for guardianship assistance.

I-E.5.1, Foster Care Payments for a Child or Young Adult living with a Certified Family or Living Independently, is being amended to implement the provisions of Fostering Connections to Success and Increasing Adoptions Act of 2008 (122 Stat. 3949-3981), and to allow the Department to claim reimbursement for federal IV-E eligible children or young adults.

I-E.8, Educational Services, is being amended to implement the provisions of Fostering Connections to Success and Increasing Adoptions Act of 2008 (122 Stat. 3949-3981), to allow the Department to claim reimbursement for federal IV-E eligible children when transportation is being provided through the Department to allow the child to remain in the school the child was attending at the time the child was removed from the home. These rules are being further amended to clarify when the Department can request a child's special education records.

Implementation/Transition Instructions:

The Department will claim federal IV-E reimbursement for Title IV-E eligible children in the first quarter in which these rules are effective.

Training/Communication Plan:

The Federal Compliance Unit is conducting regular phone conferences with the Title

IV-E Specialists and their Supervisors to explain and implement the Title IV-E changes effective with these rule changes.

The Level of Care Unit is preparing a web-based training on the caseworker's responsibilities for the review of the results of a CANS screening and the development of a supervision plan with the certified family. It is anticipated that this training will be available within the next two months. Specific questions regarding supervision plans should be directed to the Level of Care Manager, or one of the Foster Care Coordinators.

The Adoption and Guardianship program will be available for specific questions on whether or not to refer a child for a CANS screening when a potential guardian or pre-adoptive family has submitted an application for guardianship assistance or adoption assistance.

Local/Branch Action Required:

Local child welfare offices are expected to read and review these administrative rules.

Central Office Action Required:

Central Office is expected to respond to policy implementation questions, case consultation, and implementation of continued training opportunities for branch staff.

Field/Stakeholder review: Yes No

If yes, reviewed by: Policy Council, Rule Advisory Committee

Filing Instructions:

If you have any questions about this policy, contact:

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