

Maurita Johnson, Deputy Director
Authorized Signature

Number: CW-PT-13-001
Issue Date: 01/15/2013

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

Policy/rule title:	I-B.1, Monthly Contact and Monitoring Child and Young Adult Safety I-B.1.6, CANS Screening and Enhanced Supervision I-B.2.3.1, Family Support Services I-B.2.3.5, Youth Transitions I-B.3.1, Developing and Managing the Case Plan I-B.3.4.2, Interstate Compact on the Placement of Children I-E.3.1, Placement Matching I-E.3.6.3, Another Planned Permanent Living Arrangement I-G.1.10, Supervision and Support of an Adoptive Placement		
Policy/rule number(s):	413-080-0040 through 0067 413-020-0200 through 0255 413-030-0000 through 0030 413-030-0400 through 0460 413-040-0000 through 0032 413-040-0200 through 0330 413-070-0600 through 0645 413-070-0520 through 0565 413-120-0800 through 0880	Release no:	_____

Web Address:	http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-b1.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-b231.pdf http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-b235.pdf http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-b31.pdf http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-b342.pdf http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-e31.pdf http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-e363.pdf http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-g110.pdf
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Discussion/interpretation:

These rules have been revised to align with the child face-to-face contact requirements required under federal law.

These rules also have been revised to fully incorporate the provisions of P.L. 110-351, Fostering Connections to Success and Increasing Adoptions Act of 2008 and P.L. 106-169, Foster Care Independence Act of 1999 to provide certain children in substitute care information about their credit report annually, information regarding designating another individual to make health care treatment decisions if he or she is unable to participate in those decisions, and to require Department participation in the National Youth in Transition Database.

OAR 413-020-0236 about development, documentation, and termination of a supervision plan is amended to clarify and correct the administrative rule reference to required contact with a child.

OAR 413-020-0245 about responsibilities in monitoring a child or young adult's supervision in a certified family is amended to clarify and correct the administrative rule reference to required contact with a child.

OAR 413-030-0000 about the purpose of rules about family support services is amended to clarify the rule and indicate when terms are defined.

OAR 413-030-0003 about the definitions of terms used in family support services rules is amended to clarify the terms used in rules about family support services and to reflect current Department terminology.

OAR 413-030-0006 about eligibility for family support services is amended to clarify who is eligible for family support services under these rules.

OAR 413-030-0009 about determination of service needs is amended to clarify cross-references and use current Department terminology.

OAR 413-030-0013 about requirements when obtaining medical, psychological, or psychiatric evaluations; OAR 413-030-0016 about requirements for the family support services case plan; OAR 413-030-0019 about developing service agreements; OAR 413-030-0026 about family support services case plan review; and OAR 413-030-0030 about closing a family support services case plan are amended to clarify cross-references and use current Department terminology.

OAR 413-030-0023 about contact and monitoring requirements for a family support services case plan is amended to specify when monthly fact-to-face contacts are required, clarify cross-

references, and use current Department terminology.

OAR 413-030-0405 defining terms used in rules about youth transitions is amended to clarify the terms used in these rules and to reflect current Department terminology.

OAR 413-030-0410 about eligibility for youth transition services is amended to describe the circumstances when an exception to eligibility requirements may be approved.

OAR 413-030-0445 about development of the comprehensive transition plan and OAR 413-030-0454 about benchmark review of the comprehensive transition plan are amended to use of current Department terminology about legal guardians and guardians.

OAR 413-030-0449 about review of the comprehensive transition plan is amended correct the administrative rule reference to required contact with a child.

OAR 413-030-0456 about health care notifications, credit reports, and data tracking is adopted to describe the Department responsibilities for notification of health care proxy to youth over 17 years, for ensuring an annual consumer credit report is reviewed with any youth in care over age 16, and to describe the requirements for collection and reporting of data for the National Youth in Transition Database.

OAR 413-040-0005 about definitions used in rules about developing and managing the case plan is amended to clarify the terms used in these rules and to reflect current Department terminology.

OAR 413-040-0006 about requirements for establishing the conditions for return and conducting the protective capacity assessment is amended to clarify the caseworker responsibility to identify and review the conditions for return.

OAR 413-040-0009 about requirements for conditions for return has been incorporated into 413-040-0006.

OAR 413-040-0008 about requirements for a family decision-making meeting, OAR 413-040-0010 about requirements for the case plan, and OAR 413-040-0011 about requirements of action agreements are amended to use current Department terminology.

OAR 413-040-0013 about requirements for monitoring the case plan is amended to clarify reasonable efforts requirements and to correct administrative rule reference to required contact with a child.

OAR 413-040-0016 about requirements for review of the case plan, OAR 413-040-0017 about requirements for return and reunification, OAR 413-040-0024 about requirements for an in-home ongoing safety plan prior to return and next day contact, and OAR 413-040-0032 about requirements for closing the in-home ongoing safety plan and closing the case are amended to use current Department terminology.

OAR 413-040-0210 defining terms used in rules about the Interstate Compact on the Placement of Children is amended to clarify the terms used in these rules and to reflect current Department terminology.

OAR 413-040-0215 about required forms is amended to update the list of forms used in the rules.

OAR 413-040-0240 about the financial and medical responsibility of the sending agency is

amended to clarify and correct cross references.

OAR 413-040-0270 about preparing the referral to send a child out of Oregon is amended to correct a reference to a Department form, specify Department staff who may approve out-of-state residential placement, and clarify cross-references to defined terms.

OAR 413-040-0290 about requests for placement in Oregon is amended to use current Department terminology, correct and clarify cross-references, and correct the administrative rule reference to required contact with a child.

OAR 413-040-0300 about requests that by-pass the Oregon ICPC Office is amended to use current Department terminology and clarify cross-references.

OAR 413-070-0524 about definitions of terms used in rules about another planned permanent living arrangement is amended to clarify the terms used in these rules and to reflect current Department terminology.

OAR 413-070-0536 about consideration of APPLA as a permanency plan is amended to use current terminology and correct cross-references.

OAR 413-070-0551 about contents of an APPLA case plan and OAR 413-070-0556 about APPLA permanency plan reviews are amended to use current Department terminology.

OAR 413-070-0552 about ongoing Department responsibilities when APPLA is the child's or young adult's permanency plan is amended to correct the administrative rule reference to required contact with a child and to correct cross-references to other child welfare rules.

OAR 413-070-0565 about termination of APPLA is amended to correct cross-references.

OAR 413-070-0620 which defines certain terms used in rules about placement matching is amended to clarify the terms used in these rules and to reflect current Department terminology.

OAR 413-070-0625 about identifying and assessing the needs of the child or young adult when placement in substitute care is required is amended to use current Department terminology and to correct the required contact with a child.

OAR 413-070-0630 about monitoring the ongoing substitute care placement needs of the child or young adult is amended to remove administrative rule references that no longer apply.

OAR 413-070-0640 about placement assessment and matching is amended to use current Department terminology.

OAR 413-080-0040 about monthly contact and monitoring child and young adult safety is amended to fit the purposes of rules OAR 413-080-0040 to 413-080-0067 consistent with amendments to them.

OAR 413-080-0050 about definitions used in rules about monthly contact and monitoring child and young adult safety is amended to clarify the terms used in these rules and reflect current Department terminology.

OAR 413-080-0052 about mandatory reporting of a new safety threat on an open case is amended to clarify the actions Department staff must take when a new or unscreened safety threat is identified in an open case.

OAR 413-080-0054 about monthly face-to-face contact requirements is adopted to describe the monthly contacts required of Department staff.

OAR 413-080-0055 about monitoring an in-home ongoing safety plan is amended to clarify the requirements of the Department in monitoring child safety when there is an in-home ongoing safety plan.

OAR 413-080-0059 about monitoring an out-of-home ongoing safety plan is amended to clarify the requirements of the Department in monitoring child safety when there is an out-of-home ongoing safety plan.

OAR 413-080-0063 about additional documentation required when a child or young adult is placed in Oregon through the Interstate Compact for the Placement of Children is repealed because these topics are covered in other rules and procedures.

OAR 413-080-0067 about contact requirements and exceptions is amended to remove exceptions to required child contact not allowed under federal law.

OAR 413-120-0860 about placement and post-placement supervision is amended to clarify the requirements of the monthly contact required of Department staff and to correct the administrative rule reference.

In addition, the above rules have been changed to reflect new Department terminology and to correct formatting and punctuation.

Implementation/transition instructions: These rule changes will be discussed at future supervisor quarterly meetings. Staff are expected to read and review these rule changes. The face to face contact report is in the process of revision to incorporate the changes in face to face requirements. Field staff will be asked to participate in testing when the changes in the report are drafted into a revised report document.

Training/communication plan: Revisions to these rules is being incorporated into child welfare staff training. Specific training for SSAs is being incorporated into the spring SSA Summits around the state.

Local/branch action required: Read and review the permanent rules. Arrange for staff participation in training.

Central office action required: Ongoing consultation when requested and participation in supervisory quarterlies, staff training development, and reporting requirements.

Field/stakeholder review: Yes No

If yes, reviewed by: Rule Advisory Committee, Public Comment Period and Public Hearing, and Child Welfare Policy Council

Filing Instructions:

If you have any questions about this policy, contact:

Contact(s):	Contact: Aj Goins is the contact for I-B.1, I-B.1.6, I-B.2.3.1, I-B.2.3.5, I-B.3.1, I-E.3.1 and I-E.3.6.3 Contact: Harry Gilmore is the contact for I-B.3.4.2 Contact: Kathy Prouty, Carla Crane, and Gail Schelle are the contacts for I-G.1.10		
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