

Program and Facility Licensing and Oversight

DCF shall safeguard children who receive its services by licensing and providing regulatory oversight of congregate care facilities and other types of privately-operated programs as required by state statute and regulations.

The Licensing Unit shall be responsible for licensing and monitoring privately-operated child caring (congregate care) facilities, child placing agencies, extended day treatment facilities, out-patient psychiatric clinics for children and substance use facilities for children.

See also: "Private Provider Licensing Practice Guide."

The Licensing Unit shall also be responsible for the approval of out-of-state child placing agencies that place children with Connecticut families who adopt privately.

Notes: The licensing of DCF foster and pre-adoptive homes is completed by the regional Foster and Adoptive Services Units.

Out-of-state congregate care facilities in which DCF places children shall be licensed in their home states and approved for DCF use by the DCF Office of Research and Evaluation.

The primary purposes of licensing are to:

- support DCF in its mission to protect children in out-of-home care from abuse and neglect;
- assure parents and the community that facilities, persons and agencies providing out-of-home care or other licensed services to children meet specific requirements;
- improve the quality of services to children and their families through regulation and consultation; and
- ensure that all licensed service providers meet established standards of quality.

The DCF Licensing Unit shall be responsible for:

- the development of initial and revised proposed regulations, policies and procedures concerning licensees;
- ensuring the integrity of DCF's licensing and license renewal responsibilities by conducting direct licensing activities as well as monitoring licensed facilities and agencies;
- preparing written guidelines for licensed providers to assist them with maintaining regulatory compliance;
- conducting such other communications with licensed providers as is necessary to ensure continued regulatory compliance and quality of care;
- initiating licensing actions including denials, suspensions, revocations, capacity changes and other adjustments to licenses, as authorized by the Commissioner; and
- providing program monitoring, technical assistance and consultation for and to Regional and Area Offices, Central Office divisions and private provider licensees.

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OFFICE OF THE DEPUTY COMMISSIONER FOR OPERATIONS

Private Facility and Program Licensing

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Legal references: R.C.S.A. §17a-20-6 through 17a-20-61 (Licensure of Outpatient Psychiatric Clinics for Children); R.C.S.A. §17a-145-48 through 17a-145-98 (Operation of Child Caring Agencies and Facilities); R.C.S.A. §17a-147-1 through 17a-147-36 (Licensing of Extended Day Treatment Programs), and R.C.S.A. §17a-150-51 through 17a-150-123 (Child Placing Agency Licensing and Responsibilities).

Pre-Licensing Siting

DCF shall collaborate with prospective providers when assessing the feasibility and appropriateness of a proposed congregate care site and in engaging the community for the provision of public information and program planning in order to establish a consistent and transparent process for locating and developing new DCF-licensed and -funded congregate care programs to better meet the needs of the children served by DCF. The Licensing Unit shall offer the following:

- provide technical assistance to a prospective provider regarding DCF licensing requirements prior to the provider searching for a location;
- provide ongoing technical assistance to a provider as potential sites are identified;
- ensure that the provider contacts the town in which a potential site is located for all appropriate inspections, permit approvals and variances; and
- visit a prospective site to determine the property's acceptability in relation to licensing requirements prior to the provider purchasing or renting the property.

Emergency Safety Interventions at Congregate Care Facilities

DCF shall only place children and youth in child caring facilities where the staff of the facility have been trained in the use of physical restraint and seclusion using a training curriculum that has been reviewed and approved by DCF.

DCF shall institute a process for the review and approval of prevention and emergency safety intervention training programs utilized by DCF-licensed child caring facilities in order to ensure the physical and psychological safety and personal dignity of children who are clients of those facilities prior to, during and subsequent to the use of emergency safety interventions (*e.g.*, physical restraint or seclusion).

Cross reference: DCF Policy 21-22, "Restraint of Clients", "Approval Process for Prevention and emergency Safety Interventions Training Programs Best Practice Guide."

Approval to Exceed Bed Capacity or Age Range

Private congregate care facilities licensed by DCF shall not exceed licensed bed capacity, or admit or extend the placement of children who are over or under the licensed age range for the facility, without written approval from DCF.

A request for an over/under-age or over-census placement shall begin with the Area Office staff who is requesting the placement. Area Office staff shall complete the first section of the DCF-2153, "Authorization for Private Facilities to Exceed DCF Licensed Bed Capacity or Licensed Age Range," providing detailed information regarding the need for the waiver and the plans for discharge disposition, including a discharge date. A DCF Regional Administrator shall sign the DCF-2153 approving the waiver request.

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Approval to Exceed Bed Capacity or Age Range
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The licensed provider shall complete the second section of the DCF-2153 and include a clear plan for returning to the licensed bed capacity or licensed age range and including any concerns that the facility has regarding the placement. The DCF-2153 shall include space for the provider to comment on whether it thinks placement is appropriate.

If the facility does not wish to accept or extend the placement, the Licensing Program Supervisor shall facilitate communication and resolution (in person or on the phone) between the facility and Area Office staff who requested placement.

The facility shall fax or email the waiver request to:

- the Program Supervisor of the DCF Licensing Unit, fax number 860-550-6665; or,
- after business hours, the Careline fax number 860-560-7072.

Note: Careline approval is effective only until the next business day. Careline shall fax the waiver to the Program Supervisor of the Licensing Unit on the next business day.

The Licensing Program Supervisor shall determine if there are regulatory issues which would impact the approval of a waiver. In making this determination the Licensing Program Supervisor may consult with the assigned Regulatory Consultant, DCF Risk Management, or the Program Development and Oversight Coordinator (PDOC) for the program type.

If the Licensing Program Supervisor approves the waiver, he or she shall sign the DCF-2153 and transmit it to the licensed provider and Area Office. The Licensing Program Supervisor shall fax the signed waiver to the facility and provide a copy to the Area Office or Juvenile Services staff who requested the placement. The waiver form with the original signatures shall be filed in the facility record in the Licensing Unit.

If the Licensing Program Supervisor does not approve the waiver, he or she shall inform the Regional Administrator of the decision and the reasons.

If the Regional Administrator supports the waiver, and the Licensing Program Supervisor does not, both shall consult with the Agency Legal Director with the goal of arriving at a consensus opinion.

Waivers with expiration dates must be renewed prior to that date if the over/under-age child remains in the facility or the licensed bed capacity continues to be exceeded.

Non-DCF Involved Cases Capacity or Age Range

For cases not involved with DCF, e.g., privately placed clients, the licensed provider shall complete the second section of the form and fax it to the Licensing Program Supervisor as indicated above. The waiver request shall be reviewed by the Licensing Program Supervisor, in consultation with a DCF Office of Legal Affairs Manager.