

# Department of Children and Families



## 2023 FOSTER CARE LICENSING PRACTICE REPORT CGS 17A-114G

**Joint Standing Committee Report**  
**17a-114g Foster Care Licensing Practice**  
**October 2022- September 2023**

**1. Ensuring compliance with statutory and regulatory foster care licensing requirements**

The department ensures compliance with statutory and regulatory licensing requirements thru its policy and practice guides, which are posted and accessible to all via internet and can be found here: <https://portal.ct.gov/DCF/CTFosterAdopt/Foster-Care>. The Department's Foster Care Division is responsible to insure the promulgation of statutes, regulations and federal guidelines. It sets the standards and expectations and provides oversight and monitoring. Tools and procedure are developed and implemented to ensure compliance.

**2. Methods to assess the needs of children in foster care and providing support for the foster parent to enable them to meet the child's needs**

The assessment of needs and identification of services and support is an ongoing effort and process requiring engagement of family, the child (ren), collateral contacts and providers. The Department utilizes clinical, academic, medical, and legal consultation, as needed, to inform its assessment and service provision. It also utilizes tools such as the Structured Decision Making (SDM) instrument and documents the findings and plan in the Case Plan, which is available for review. There is an ongoing conversation and partnership amongst the Department's Foster Care Division, Licensed Caregivers, and the Child Protection Services Teams (CPS), and others to ensure the needs of children are identified and met.

The Foster Care Division receives early notification of potential removals and typically participates in Consider Removal Meetings, which provide initial information regarding the child and their family. When the decision leads to a child entering care, the CPS teams initiates a request for placement. The Foster Care Division receives the request, conducts a preliminary review of the record (narratives, Case Plans, medical, academic and placement history) and obtains needed information in conversation from the assigned CPS team. This information is shared with the identified caregiver and the caregiver's Foster Care support team.

Through ongoing contact, Foster Care Support Workers provide support and is a liaison between the assigned CPS worker and the caregiver. When the caregiver self identifies or the Department identifies a training or coaching need, the Foster Care Division works with the Connecticut Alliance of Foster and Adoptive Families (1 liaison in every office), the Department's Academy for Workforce Development, Foster Care Support Groups and community-based organizations and providers to address the need.

**3. Safeguards employed when seeking to license relative caregivers with a history of CPS, Criminal and Mental Health**

Regulation and policy require a child protective service history, registry and criminal background check for prospective licensing candidates and household members over the age of 16. The DCF -005 Background Searches document serves as a checklist to ensure necessary checks are completed. Both the CPS and Foster Care leadership reviews the DCF-005.

### Foster Care Division Responsibility

The Foster Care Division is the licensing agent with an expertise in applying licensing regulations (and background checks) to inform the decisions to recommend or deny licensing.

- Sec 17a-114 (b)(1)-"...no child in custody of the Commissioner shall be placed in foster care with any unless such person is licensed..."

It applies the same standard to non-urgent or emergency home assessment to determine if the candidate meets the preliminary licensing standards for placement.

- Sec 17a-114(3) (c) - "...the Commissioner may place a child with a relative or kin who has not been issued a license or approval...provided a satisfactory home visit is conducted; a basic assessment of the family is completed."

The Foster Care Division is the primary **owner of the assessment**; CPS is a contributor and partner in decision-making.

In general, the Foster Care Division:

- **Reviews** the **signed** DCF 005 Background Searches Form,
  - Foster Care Division is available to discuss the background check results prior to discounting a candidate.
- **Discusses**, preliminarily, with CPS barriers or concerns (includes needs of the child, parents etc...).
- **Reviews** any concerns or barriers (at home assessment) with the candidate regarding any mental health concerns and to understand the circumstances leading to the criminal or CPS history ("tell their story")
  - This may determine the need to consult with the Regional Office Clinical Team (RRG) for substance use or mental health concerns. The recommendations from the consultation determine the next steps which could be identification of a needed service or referral for evaluation.
- **Discusses** findings with CPS and, **as a team**, decide to support (or not) moving forward with approval for placement and/or licensing.
- A Commissioner level approval is required if the candidate for licensure:
  - Has **been convicted of injury or risk of injury to minor** or other similar offenses against a minor.
  - has **been convicted of impairing the morals of a minor** or other similar offenses against a minor.
  - has **been convicted of violent crime against a person** or other similar offenses.
  - has **been convicted of the possession, use, or sale of controlled substances within the past five (5) years.**
  - has **been convicted of illegal use of a firearm** or other similar offenses.
  - has ever had an allegation of child **abuse or neglect substantiated**; or
  - has had a **minor removed from their care** because of child abuse or neglect.
- The **CPS team** informs the Foster Care Division their reasons the identified family can offer a **safe** and **nurturing** environment and their **relationship** with the child can **meet** the child's **needs** and is in the child's **best interest** ('suitability').
- Disagreements are brought to the attention of the Office Director and Foster Care Director.
- If there is agreement, the Foster Care Division will draft the DCF -009 Foster Care Licensing Placement Waiver Request Form that is reviewed at the local level (Program Supervisors).

- The Foster Care Director reviews and submits to the Commissioner for final approval.
- In emergencies, the Foster Care Director has authority to provide a provisional waiver; however, a written document is needed for the Commissioner's approval within 24 to 48 hours.

**4. The process to reverse substantiations**

The Legal Division acts as the Commissioner’s designee for purposes of internally reviewing all substantiations of child abuse or neglect, or Central Registry findings, pursuant to Conn. Gen. Stat. § 17a-101k(c). The spirit and intent of the internal review process is to ensure fidelity to the statutory requirements. In August 2021, DCF promulgated Policy 22-5-1, Elimination of Barriers to Licensure, Placement, Family Arrangements and Limitations of Access. The policy supports the elimination of child protection and criminal histories as barriers to licensure, placement, family arrangements and limitations of access whenever safe and appropriate to do so. Requests for internal review are sent via email to the DCF-Legal Division email box, [DCF.APPEALS@ct.gov](mailto:DCF.APPEALS@ct.gov). The assigned attorney or paralegal conducts the internal review and sends notice of the determination to reverse or maintain the finding within the timeframe mandated by statute. If the decision is made to uphold or reverse, the DCF Legal Division sends out the required notice to the appellant.

DCF Staff sends emergency request related to a substantiation and/or registry decisions for prospective Kinship caregiver placement to the e-mail, [dcf.emergencyplacements@ct.gov](mailto:dcf.emergencyplacements@ct.gov). The review process is the same; however, the DCF Legal team makes every effort to expedite the review.

**5. Special Investigations**

During the period under review, the Department received **355** reports of child abuse or neglect regarding children residing with licensed caregivers. Of the reports received, 100% met the statutory threshold for investigation by the Special Investigations Unit (SIU). Of the reports investigated, **6%** resulted in a substantiation of abuse or neglect.

SIU	#	%
<b># Reports Received</b>	355	
<b># Reports Accepted for Investigation</b>	<b>355</b>	<b>100%</b>
<b># Completed Investigation</b>	354	
<b># Substantiated (DRS completed)</b>	<b>26</b>	<b>6%</b>

**6. The number of licenses revoked, and application denied**

**Revoked:**

During the period under review, the Department closed **689** licensed caregivers; **.006%** or 4 were revoked. The reasons cited:

- Failure to report information
- Substance use
- Substantiated abuse

**Denied:**

During the period under review, approximately **359** prospective caregivers were withdrawn or denied. The reasons for denials were due to the family not following through with the licensing process and having child protective services or criminal history. Those withdrawn were due to a lack of space or the home did not meet regulatory standards. Some did not follow through, did not attend an information session or were unresponsive to outreach.

Region	Denials	Withdrawn
1		57
2	1	80
3	1	49
4	3	71
5		49
6		48
Statewide		354

**7. Results of random audits of licensing process**

The Joint Standing Committee Report seeks results of random audits of the Department's licensing practices. The Department has not yet initiated a specific audit of licensing practice. However, in September 2023, the Department assigned a Quality Improvement Program Supervisor to split support between the Careline and the Foster Care Division. Work has begun to establish a continuous quality improvement workgroup and explore data management tools to inform and monitor practice. It will build on the 2017 random audit, utilize the Department's seven key results and the Child and Family Services Reviews to create and execute Foster Care's CQI plan. The effort is under development with the ambition to have an implementation plan before spring 2024.

**8. The number and type of safety and regulatory concerns identified, and corrective action taken**

For the period under review, the department issued approximately 60 Assessment for Regulatory Complaints (ARC). ARC addressed caregivers not meeting regulatory standards; caregivers unable or unwilling to meet the needs of children entrusted to their care and caregivers who were under investigation.