

**GOVERNMENT OF THE DISTRICT OF COLUMBIA**  
**Child and Family Services Agency**



**Administrative Issuance: CFSA-08-4**

TO: All CFSA and contracted agency staff

FROM: Audrey L. Sutton, Deputy Director for Program Operations

DATE: July 1, 2008

RE: Emergency Kinship Placements in Maryland

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CFSA and the Maryland Department of Human Resources (MD DHR) have agreed to establish a Pilot Program for Emergency Kinship Placements in Maryland of District children. Until now, if a child's kin in Maryland was identified as a placement resource the child could not be placed there until the family was fully licensed. The pilot process is similar to one already used by CFSA to place children with kin on an emergency basis in the District. A key difference for the pilot process is that social workers who are dually licensed in DC and MD within the Office of Licensing and Monitoring (OLM) will conduct a safety and a clinical assessment of the kin's home prior to the child's placement. Normally, this assessment is performed by the child's social worker.

According to Maryland regulations, "An individual or couple not certified as a foster parent by an agency may not provide care for a foster child" (COMAR 07.01.01.03). MD DHR has granted a waiver of these regulations to two (2) of CFSA's Maryland child placing agencies so that that this pilot may be implemented. Once the temporary license is approved, the family will be referred to these agencies for full licensure. Please note that for the purposes of this pilot, only children who are case managed by CFSA are eligible to be placed through this process.

This administrative issuance outlines the process for emergency kinship placements in Maryland. If you have any questions about this administrative issuance, please contact Rula Swann at 202-724-7201.

**Criteria for Temporary Licensure of Kinship Placements in Maryland**

Prior to placing a child in foster care, the social worker may place a child with a kin provider who has received a temporary foster home license. The safety, health, and well-being of the child, as well as the child's best interest, shall guide the placement decisions.

1. A child may be placed with kin if the kin has a valid temporary license to operate a foster home.
2. A temporary license to operate a foster home may be issued only if:
  - a. The applicant is kin to each foster child who would be placed in her or his home;
  - b. The applicant resides in Maryland;
  - c. The applicant has submitted a Maryland Emergency Temporary Licensing Packet;
  - d. The applicant has:
    - i. Received a satisfactory criminal records checks from the Interstate Identification Index System, also known as the National Crime Information Center (NCIC);

- ii. Received a criminal records check (FBI and local police clearances) in accordance with COMAR;
  - iii. Received a satisfactory Maryland Child Protective Register (CPR) check in accordance with COMAR;
  - iv. Received a satisfactory safety and clinical assessment of the prospective kinship foster home; and
  - v. Demonstrated the willingness and ability to provide a safe and secure environment for a foster child.
3. There exist exigent circumstances. Exigent circumstances exist if a child:
- a. Must be removed from the home immediately because of suspected or substantiated child abuse or neglect; or
  - b. Is in CFSA's custody and must be removed from the placement immediately; or
- Note: It is CFSA practice to give preference to appropriate kinship placements as they are identified throughout the life of the case.*
- c. Has been removed from the home because of child abuse or neglect.
    - i. A petition alleging neglect of the child has been filed before the Family Division of the Superior Court of the District of Columbia; and
    - ii. **A disposition of the neglect petition has not yet occurred.**
4. All persons 18 years of age or older residing in the prospective kinship foster home shall also have:
- a. Received a satisfactory criminal records checks from the NCIC;
  - b. Received a criminal records check (FBI and local police clearances) in accordance with COMAR; and
  - c. Received a satisfactory Maryland CPR check in accordance with COMAR.
5. CFSA may only issue a temporary license to operate a foster home to an individual who is kin to the child. An individual is kin to a foster child if the individual is at least 21 years of age and either:
- a. A relative of the foster child by blood, marriage, or adoption; or
  - b. An individual, identified by a relative of the foster child by blood, marriage, or adoption, in a sworn affidavit, to have close personal or emotional ties with the foster child or the foster child's family which pre-dated the foster child's placement with the individual.
6. A foster child who is not kin to the foster parent shall not be placed in a foster home that has temporary license.

## Referral Process

When a child must be removed from the custody of a parent or caregiver, the child's social worker shall be responsible for completing the Maryland Emergency Temporary Licensing Packet for any kin who might be willing and able to care for the child until the parent is able to resume that responsibility. Based on the information collected by the child's social worker, it is the responsibility of the Office of Licensing and Monitoring (OLM) to conduct the safety and clinical assessment of the kinship home to determine whether to approve a temporary foster home license.

1. Each kin foster parent shall be subject to the same standards, including foster parent training, that apply to a non-kin foster home.

2. The child's social worker shall identify a kinship home in Maryland as a possible placement resource.
3. The child's social worker shall obtain a Maryland Emergency Temporary Licensing Packet (the packet) from the Office of Licensing and Monitoring (OLM) and meet with the prospective kinship foster parent to complete the packet, including completion of the Maryland Child Protection Register Clearances (CPR) request form.
4. OLM Staff shall contact perspective providers to be Live Scanned at CFSA and give them fingerprint cards and information about fingerprinting locations to obtain FBI and Local clearances in the state of Maryland.
5. OLM shall fax the Maryland local child welfare office the request for a CPR clearance on all persons 18 years and older residing in the prospective kinship foster home located in Maryland, in compliance with COMAR.
6. The Maryland local child welfare office will prioritize requests for the CPR clearance and respond by fax or email to the requesting OLM employee.
7. Once the packet is complete and clearances are obtained, OLM shall complete the Safety Check and the Clinical Assessment.

*Note: The packet will not be considered "complete" until all clearances have been received by OLM.*

8. A preliminary assessment of each prospective kinship foster parent and the home environment shall be performed by a social worker in OLM with a dual license to practice in both DC and Maryland, and supervised by a social worker with an LCSW-C. The preliminary assessment shall include a safety check and clinical assessment in compliance with COMAR.
9. If, based on the preliminary assessment, the OLM social worker determines that the prospective kinship foster parent may be an appropriate emergency kinship placement for the child, the packet shall be submitted to the OLM supervisor for review and approval.
10. If the decision is to approve the emergency kinship placement, the approval shall be issued immediately. The OLM Supervisor shall notify the child's social worker of the approval no later than two (2) business days of receipt of the complete packet. All licensing activities shall be documented in FACES within 24 hours of approval.
11. The child's social worker shall make the placement. Once the placement has been made, within 24 hours, the child's social worker shall notify the ICPC Program Supervisor of the placement via email. The email shall contain: the child's name, the name of the kinship provider, and the date of the placement.
12. The DC Licensing Unit of OLM, LCSW-C supervisor shall contact the Maryland Licensing Unit Supervisor within OLM via email within 24 hours of approving the packet. The kinship application, signed DC Corporal Punishment form, CPS clearance, criminal background checks, assessment and signed temporary license (MD Emergency Temporary Certification) shall be submitted to the Maryland Licensing Unit within 48 hours of approval.
13. The Maryland Licensing Unit shall refer the child to a Maryland child-placing agency for completion of the licensing process within 24 hours of approval.
14. The prospective kinship foster parent shall be immediately scheduled by OLM for the next accredited training classes provided by CFSA, conducted twice a week for five weeks.

15. Upon successful completion of training, the prospective kinship foster parent's certificate of completion and any other collected documents shall be submitted to the Maryland Licensing Unit supervisor within OLM for submission to the assigned child-placing agency in Maryland.
16. The temporary license shall expire 120 days from the date of issuance. During that time, the full licensing process, including foster parent training shall be completed.
17. If the decision is to deny the temporary license, the OLM Supervisor shall notify the prospective kinship foster parent in writing of the Agency's decision and the reason for denial. The OLM Supervisor shall notify the child's social worker of the decision no later than two (2) business days of receipt of the complete packet (including clearances).

*Note: The applicant **does not** have the right to appeal the decision to deny a temporary license.*

18. If the prospective kinship foster parent still wants to be considered as a foster parent, she or he may apply to be a foster parent through the regular kinship process with OLM.

### **ICPC Referral Process**

1. OLM shall notify the CFSA ICPC office within two (2) hours that a relative residing in Maryland is being assessed as a potential placement resource.
2. The CFSA ICPC office shall fax both the preliminary state clearance and the results of the FBI clearance to the Maryland ICPC Administrator along with the Kinship Emergency Placement form (see Attachment B).
3. Within 48 hours of the placement, CFSA's ICPC office shall fax the Kinship Emergency Placement form, a copy of the safety assessment narrative and Maryland clearances to both the Maryland ICPC Administrator and the Director of the Department of Social Services in the county in which the relative resides.
4. Within seven (7) business days of the placement, the CFSA ICPC office shall send via Express Mail a copy of the safety assessment narrative, Maryland clearances and the child's social information to the Maryland ICPC Administrator.
5. The Maryland ICPC office will review the safety assessment information sent from the CFSA ICPC office and will identify any concerns to the CFSA ICPC office within three (3) business days of receipt.
6. The Maryland ICPC office will forward a copy of the accepted packet of information to the Maryland jurisdiction where the family resides within three (3) business days of receipt.
7. The licensed Maryland child placement agency will complete the home study, certifying the home in accordance with COMAR and continue to monitor the foster home in accordance with ICPC requirements.
8. OLM shall forward the home study approval/license and Maryland clearances to the CFSA ICPC office within two (2) business days of receipt.
9. The CFSA ICPC office shall complete the ICPC 100-A form and the ICPC Check List (see Attachment C) and forward the request for ICPC approval to the Maryland ICPC office for final review and approval within three(3) business days of receipt.

## **Suspension and Revocation**

1. The process for suspension or revocation of a temporary license shall be the process for suspension or revocation set forth in 29 DCMR Ch. 60.
2. The Office of General Counsel shall be contacted prior to the suspension or revocation of a temporary license.

## **ATTACHMENT A** **DEFINITIONS**

In this administrative issuance, the following terms have the meanings indicated:

- A. Affidavit:** A written statement signed under oath (which may include signature in the presence of a notary) that:
  - 1. Is made on personal knowledge;
  - 2. Sets forth facts that would be admissible in evidence; and
  - 3. Shows affirmatively that the individual signing is competent to testify to the matters stated in the affidavit
  
- B. Applicant:** The person(s) applying to be licensed as a foster parent, including as appropriate the person applying for a temporary license, under 29 DCMR Ch. 60.
  
- C. Kin:** When referring to kin of a foster child, an individual who is at least 21 years of age and either:
  - 1. A relative of the foster child by blood, marriage, or adoption; or
  - 2. An individual, identified by a relative of the foster child by blood, marriage, or adoption, in a sworn affidavit, to have close personal or emotional ties with the foster child or the foster child's family which pre-dated the foster child's placement with the individual.
  
- D. Live Scan:** Live Scan is inkless electronic fingerprinting. The fingerprints are electronically transmitted to the Department of Justice (DOJ) for completion of a criminal record check.
  
- E. Safety assessment:** An assessment of an applicant's residence, including but not limited to its general physical environment, sanitation and external environment.
  
- F. Temporary license:** A license to operate a foster home for a temporary period issued to a foster home that has complied with the requirements of 29 DCMR § 6027.
  
- G. MD Emergency Temporary Certification:** Terminology used by MD DHR to refer to the temporary license issued by CFSA (please see F above).

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**GOVERNMENT OF THE DISTRICT OF COLUMBIA  
Child and Family Services Agency**



Date:

**KINSHIP EMERGENCY PLACEMENT**

Stephanie Johnson-Pettaway, Administrator  
Maryland ICPC Office  
311 West Saratoga road  
Baltimore, Maryland 21201

Re: Children placed in Maryland on a Kinship Emergency Basis

Dear Ms. Pettaway,

This is to notify Maryland's Interstate Compact Office and Prince George's County that the children named below are in the care of the Child and Family Services Agency. They were placed in Maryland on a Kinship Emergency Basis.

We expect to complete ICPC packets for the children listed below and forward the packets to you within the next 5 – 7 business days.

Child's Name	D.O.B.	Placement Date	Foster Parent	Address

Thank you,

Regi Daniel  
ICPC Program Manager  
202-727-7956  
202-727-3347

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GOVERNMENT OF THE DISTRICT OF COLUMBIA  
Interstate Compact Office



ICPC-Packet Preparation Checklist

**General Child Information needed:**

1. \_\_\_ **Form-100A** (1 copy)
  - This is to be filled out and signed by the social worker.
  - If the child's legal status is Private Placement or Conditionally Released the presiding judge must sign the 100A.
  - A separate form 100A is to be completed for each child
2. \_\_\_ **Form 100B** (1 copy)
  - **If the child is already placed in the placement** 3 copies of ICPC Form 100B must be completed.
  - Be sure to fill-in the following three boxes:
    - (1) Identifying Information,
    - (2) Placement Status - (Fill in the box titled Initial Placement With and make sure you **indicate the date of the initial placement**)
    - (3) Signature Box - the social worker or supervisor should sign.
3. \_\_\_ **Social Summary and/or Current Court Report** (3 Copies)
  - A detailed Case Plan may also be used to substitute
  - The document must be signed by the Social Worker and be less than 1 year old.
  - The document should be on an agency letterhead.
  - The document must include the following information:
    - (1) The current progress of the parent(s) and the child(ren)
    - (2) A current assessment of the child
    - (3) An assessment of the parent(s) and family
    - (4) A brief history of the child and family
    - (5) The Permanency Plan for the child
4. \_\_\_ **Court Order** (3 Copies)
  - Must be the most recent court order
  - Must clearly specify the legal status
  - If the legal status is **commitment**, the date of jurisdiction must be clear. **(Date of jurisdiction cannot be expired)**
  - If the legal status is **private placement or conditionally released**, remember, the judge must sign the 100A
5. \_\_\_ **Copy of the Original Home Study (The home study must be conducted by an Agency Licensed in the State of Maryland).**
  - The home study must indicate that the home is approved for foster care and/or adoption placement. It must also specify the age range and gender(s) that the home is approved for.
  - This must be signed by the evaluator and supervisor.
  - **Include a Home Study Re-evaluation or Update, if the original is over a year old.**

The following background clearances are required on all adults above the age of 18 in the home:

- **FBI Clearances (update not required if completed after August 01, 2002)**
- **MD State Police Clearances (update not required if completed after August 01, 2002)**
- **Child Abuse and Neglect (CPS) (should be updated every 2 years)**

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