



Proposed Regulation Agency Background Document

Agency name	State Board of Social Services
Virginia Administrative Code (VAC) citation	22 VAC 40 -130
Regulation title	Minimum Standards for Licensed Private Child-Placing Agencies
Action title	Changes to conform to federal, interstate, and state requirements and include new or expanded programs
Document preparation date	August 17, 2005

This information is required for executive branch review and the Virginia Registrar of Regulations, pursuant to the Virginia Administrative Process Act (APA), Executive Orders 21 (2002) and 58 (1999), and the *Virginia Register Form, Style, and Procedure Manual*.

Brief summary

In a short paragraph, please summarize all substantive changes that are being proposed in this regulatory action.

This amended regulation:

- Incorporates changes to federal and state law, interstate compact, and other federal and state requirements including consistency in requirements between the public and private sectors and between foster and adoptive placements;
- Adds three new Parts: assisted conception, independent living placements, and treatment foster care, as well as content about intercountry placements; and
- Reorganizes and rewords standards so they are easier to find and understand.

Legal basis

Please identify the state and/or federal legal authority to promulgate this proposed regulation, including (1) the most relevant law and/or regulation, including Code of Virginia citation and General Assembly chapter number(s), if applicable, and (2) promulgating entity, i.e., the agency, board, or person. Describe the legal authority and the extent to which the authority is mandatory or discretionary.

Section 63.2-217 of the *Code of Virginia* requires the State Board of Social Services (Board) to adopt regulations that are necessary or desirable to carry out Title 63.2. Sections 63.2-1701 and 63.2-1734 of the *Code of Virginia* provide legal authority to the Board for licensure of child-placing agencies. These sections include the authority and responsibility of the Board for the development of regulations for activities, services, and facilities for those persons and agencies required to be licensed as child-placing agencies.

Purpose

Please explain the need for the new or amended regulation by (1) detailing the specific reasons why this regulatory action is essential to protect the health, safety, or welfare of citizens, and (2) discussing the goals of the proposal and the problems the proposal is intended to solve.

The amended regulation is revised to reflect current federal and state law, interstate compact, and program policy and to reflect other federal and state requirements. Standards for treatment foster care are added to reflect the current practice of licensed child-placing agencies and to allow certification of local departments of social services for Medicaid reimbursement of treatment foster care case management services. Standards regulating intercountry adoptions, assisted conception, and independent living are also added. The regulation clarifies and strengthens requirements for licensed child-placing agency staff and foster and adoptive parents. The amended regulation responds to technical and programmatic questions that have been raised since 1989, updates operational requirements including consolidating requirements for different programs as appropriate, clarifies terms, increases consistency between and among programs, and makes the regulation easier to understand.

The amended regulation is necessary to incorporate current program requirements at the federal and state level and provide standards for programs that have changed or expanded since 1989. A goal of the amended regulation is to integrate relevant federal, interstate, and state changes since 1989. The other major goal is to strengthen the regulation by addressing issues that have been raised during the past several years and by reorganizing and adding sections to make it more functional.

This regulatory action is necessary to protect the health, safety, and welfare of citizens because it provides content necessary to implement provisions affecting health, safety and welfare found in federal and state law.

Substance

Please briefly identify and explain the new substantive provisions, the substantive changes to existing sections, or both where appropriate. (More detail about these changes is requested in the "Detail of changes" section.)

Part I Definitions and Authority

- Adds definitions for terms used in the narrative, including terms related to three new Parts: assisted conception, independent living services, and treatment foster care

Part II Organization and Administration

- Explains sponsorship and legal and operational responsibility to reflect State Corporation Commission explanations
- Requires applicants to furnish financing plan and budget, program, description, and policies and procedures
- Provides specific caseload requirements for treatment foster care and independent living placement programs

Part III Personnel

- Establishes record requirements for volunteers, students, and interns
- Adds staff development requirements for professional staff and orientation and training for volunteers, students, and interns

Part IV Foster Care Services

- Requires written policies and procedures specific to foster care services
- Provides for child and parental involvement during intake and preparation of the social history, and their input in preparation of the foster care service plan
- Establishes consistency in intake requirements among foster care, adoption, and treatment foster care to support concurrent planning
- Separates required court service plans and individualized service plans
- Establishes consistency in approval requirements for foster parents, adoptive parents, and treatment foster parents to support dual approval
- Requires training prior to a child's placement in the home and ongoing training
- Changes first re-approval from 18 months to 24 months
- Establishes access to respite care by respite care foster parents

Part V Adoption Services

- Requires written policies and procedures specific to adoption services
- Provides for child and birth parent involvement during intake, preparation of the social history, and their input in preparation of the foster care service plan, as applicable
- Separates required court services plans and individualized service plans
- Requires narratives, in addition to child and family records
- Identifies the purposes for the required supervisory visits prior to final order of adoption
- Requires the licensee to inform families of a child's possible eligibility for adoption assistance (subsidy)
- Establishes consistency in approval requirements for foster parents, adoptive parents, and treatment foster parents to support dual approval
- Changes first home study update from 18 to 24 months, unless the requirements of other programs dictate otherwise
- Identifies home study requirements when initial homes studies were conducted by another agency

Part VI Interstate and Intercountry Placements

- Strengthens the oversight role of the Interstate Compact on the Placement of Children Office
- Provides standards to assist families in arranging for adoption of children from other countries

Part VII Assisted Conception

- Provides in regulation the authority provided in the *Code of Virginia* for licensed child-placing agencies to conduct the required home study of intended parents, surrogate, and surrogate's husband when children will be the result of assisted conception

Part VIII Independent Living Services

- Establishes a separate Part for independent living services
- Requires policies and procedures specific to independent living services
- Identifies the responsibilities of the licensee in determining the suitability of a youth for an independent living placement
- Provides for the involvement of the youth and the youth's parents, as appropriate, in the development of an individualized service plan, and separates this plan from the required court service plan
- Establishes that the responsibilities of the licensee and youth are to be in a written agreement
- Requires discharge planning prior to discharge

Part IX Reports

- Requires reporting of the serious illness of a child, as well as the possibility of a child being lost or a runaway
- Adds standards for reporting child protective services complaints and for deciding if a child should be removed from the home

Part X Care Record Requirements

- Allows electronic storage of records under certain conditions
- Adds standards about releasing identifying information

Part XI Treatment Foster Care

- Establishes a separate Part for Treatment Foster Care
- Includes standards required by the Department of Medical Assistance Services to receive reimbursement for treatment foster care case management services
- Requires policies and procedures specific to treatment foster care
- Provides for child and parental involvement during intake and preparation of the social history, and their input in preparation of the foster care service plan
- Establishes consistency in intake requirements among foster care, adoption, and treatment foster care to support concurrent planning
- Separates required court service plans and individualized treatment and service plans
- Establishes consistency in approval requirements for foster parents, adoptive parents, and treatment foster parents to support dual approval, and adds qualifications unique for treatment foster parenting
- Requires training specific to treatment foster care prior to a child's placement in the home and ongoing training
- Establishes treatment teams and identifies their responsibilities

Issues

Please identify the issues associated with the proposed regulatory action, including:

- 1) the primary advantages and disadvantages to the public, such as individual private citizens or businesses, of implementing the new or amended provisions;*
- 2) the primary advantages and disadvantages to the agency or the Commonwealth; and*
- 3) other pertinent matters of interest to the regulated community, government officials, and the public.*

If the regulatory action poses no disadvantages to the public or the Commonwealth, please so indicate.

The scope of authority and responsibility given to licensed child-placing agencies is extensive. Once a license is issued to an agency it may take legal custody of children, make permanent plans for their future, approve foster and adoptive homes to care for these children, and offer a number of services to assist the children and their families. These are significant functions. The department accepts a great responsibility in making the decision to issue a license to a child-placing agency. Children need the

department's oversight and supervision through licensing inspections and through standards that will establish expectations for the care and services they, and their families, receive.

Additional advantages of the proposed regulation are:

- Virginia's citizens who apply to adopt will be protected by the requirements governing international and domestic adoptions;
- Children will have been evaluated for suitability for independent living placements and will be served according to established expectations;
- Families will be protected by requirements governing counseling for birth parents, service plans for children, increased involvement by parents and children, and reunification of families as appropriate;
- Families will benefit from the availability of these private resources and from the knowledge that the Commonwealth has established standards to offer protection for them;
- Licensed child-placing agencies will benefit by having the services they offer given a higher level of credibility and accountability;
- Local departments of social services will benefit by knowing that licensed child-placing agencies are regulated and held accountable for the services they provide to foster children for whom the local departments hold custody;
- Families, licensed child-placing agencies, and local departments of social services will benefit because the general intake requirements for children will be the same across programs, thus allowing for smoother transition from one program to another to achieve permanency planning goals;
- Families, licensed child-placing agencies, and local departments of social services will benefit from application of consistent private and public sector general requirements for approving adoptive and foster parents; and
- Families transitioning from foster family to adoptive family, or wishing to serve in both capacities, will benefit from the same general home study requirements for foster and adoptive parents.

There are no disadvantages to the public or the Commonwealth of implementing this regulation.

Economic impact

Please identify the anticipated economic impact of the proposed regulation.

All amounts are aggregated annual costs and savings.

Projected cost to state to implement and enforce proposed regulation, including (a) fund source/fund detail, and (b) delineation of one-time vs. on-going expenditures	Medicaid Costs
	\$ 415 for children over three to have a dental exam at time of placement 1,653 for children over three to have a second dental exam per year 4,394 to bring children into the EPSDT well child check-up schedule at the time of placement Cost: \$6,462
	Medicaid Savings

	<p>\$ 2,941 based on older children in foster care to have EPSDT well child check every other year instead of every year</p> <p>46,151 based on older children in treatment foster care to have EPSDT well child check ever other year instead of every year</p> <p>Savings: \$49,092</p> <p>Revised savings: \$42,630 (estimated annual)</p>
<p>Projected cost of regulation on localities</p>	<p>None</p>
<p>Description of individuals, businesses or other entities likely to be affected by the regulation</p>	<p>Licensed child-placing agencies Prospective foster homes and foster homes approved by licensed child-placing agencies Prospective adoptive homes and adoptive homes approved by licensed child-placing agencies</p>
<p>Agency's best estimate of the number of such entities that will be affected. Please include an estimate of the number of small businesses affected. Small business means a business entity, including its affiliates, that (i) is independently owned and operated and (ii) employs fewer than 500 full-time employees or has gross annual sales of less than \$6 million.</p>	<p>71 licensed child-placing agencies. The estimated number of licensed child-placing agencies that are small businesses is 51. Up to 16 foster families Up to 100 adoptive families</p>
<p>All projected cost of the regulation for affected individuals, businesses, or other entities. Please be specific. Be sure to include the projected reporting, recordkeeping, and other administrative costs required for compliance by small businesses.</p>	<p>Licensed Child-placing Agencies</p> <p>\$114,468 for licensed child-placing agencies to add four case workers to accommodate change in caseload size for youth in independent living placements</p> <p>1,500 for licensed child-placing agencies to purchase file folders to have separate files for volunteers, youth, and interns</p> <p>50 for licensed child-placing agencies to secure and maintain written information about requirements of the Bureau of U.S. Citizenship and Immigration Services</p> <p>62,957 in staff salaries for licensed child-placing agencies to double the number of visits made to youth in independent living placements</p> <p>1,675 for postage and phone service for licensed child-placing agencies to notify parents and provide documentation of serious illness and suspected runaways</p> <p>3,200 for licensed child-placing agencies to recruit, train, and supervise new families to meet limit of two children per treatment foster home, unless justification provided</p> <p>Cost: \$183,850</p> <p>- 12,600 savings in staff salaries for licensed child-placing agencies in changing first repeat home evaluation from</p>

	<p>18 months to 24 months</p> <p>Revised Cost: \$171,250 (estimated annual)</p> <p>Aggregate cost for licensed child-placing agencies that are small businesses: \$85,625. (Although small businesses account for 72% of all licensed child-placing agencies, it is estimated that they account for no more than 50% of total staff and business.)</p> <p>Foster Families</p> <p>\$ 1,400 for five % of foster families to purchase second-hand bed and new mattress for siblings to have separate beds</p> <p>350 for one % of foster families to purchase second-hand bed and new mattress for separate bed and bedroom from foster parent for children over age two</p> <p>1,400 for five % of foster families to purchase second-hand bed and new mattress for separate bed for children of opposite sex over age two</p> <p>Cost: \$ 4,950 (estimated annual)</p> <p>Adoptive Families</p> <p>\$ 1,400 for one % of estimated adoptive families to purchase separate second-hand bed and new mattress for child instead of using family sleeping arrangement</p> <p>7,350 for five % of estimated adoptive families to purchase separate second-hand bed and new mattress for child of opposite sex over age two</p> <p>85 for one % of estimated adoptive families to purchase a window screen for a window that will be used for ventilation</p> <p>Cost: \$8,835 (estimated annual)</p>
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Alternatives

Please describe any viable alternatives to the proposal considered and the rationale used by the agency to select the least burdensome or intrusive alternative that meets the essential purpose of the action.

The Board is required to promulgate regulations necessary to carry out provisions in the *Code of Virginia*. This regulation encompasses all of the programs and services for which child-placing agencies may be licensed.

The other alternative was to include provisions for services new since 1989 to be included in a separate regulation. That alternative would have been cumbersome for licensed child-placing agencies because they may request licensure for any combination of services and may have required facilities to work from two separate documents.

Public comment

Please summarize all comments received during public comment period following the publication of the NOIRA, and provide the agency response.

Commenter	Comment	Agency response
Unit Director, LCPA	Retain narratives and visitation 90 day period to obtain initial physicals and dental exams problematic	These sections are retained Added an exception that there will be no violation if an appointment was made within 7 days of placement, but an appointment was not available until after 90 days
Staff, two LCPAs	Would have liked to see the complete draft before the end of the NOIRA public comment period	Since the NOIRA stage is when approval is sought to amend, repeal, or adopt a regulation, a complete draft was not available at the time of the NOIRA public comment period. Selected licensed child-placing agency (LCPA) staff provided comments about a previous proposed regulation, later withdrawn by State Board, that had included extensive input from the provider community. (The current proposed text is this withdrawn proposed text, with amendments.) In addition, selected LCPA staff participated in a focus group to consider specific issues; policy advisory group members provided input about possible changes and implications of legislation and solicited comments from organizations they represent. This input was used in preparing the proposed text

Family impact

Please assess the impact of the proposed regulatory action on the institution of the family and family stability.

This regulation respects the institution of the family and strengthens the rights of parents whose children are placed. It emphasizes the licensed child-placing agency's responsibility to include birth parents in service planning and other decisions made for their children. It clarifies the roles, rights, and responsibilities of foster, treatment foster, and adoptive families. It preserves contact between children and their birth families, when possible and appropriate. It protects the family by requiring release of information about a child whom prospective adoptive parents may wish to adopt.

This regulation strengthens marital commitment by requiring services to foster and adoptive parents who are having difficulty with children placed in their home. Marital commitment is also supported by services provided to birth parents and the inclusion of birth parents in planning for services for their children as well as by the home study required for couples considering assisted conception.

This regulation may increase disposable family income by requiring agencies to 1) assess adoption assistance for adoptive families who qualify and 2) discuss and agree upon the fees that will be charged for adoption services

Detail of changes

Please detail all changes that are being proposed and the consequences of the proposed changes. Detail all new provisions and/or all changes to existing sections.

If the proposed regulation is intended to replace an emergency regulation, please list separately (1) all changes between the pre-emergency regulation and the proposed regulation, and (2) only changes made since the publication of the emergency regulation.

For changes to existing regulations, use this chart:

Current section number	Proposed new section number, if applicable	Current requirement	Proposed change and rationale
Table of Contents			
General	Entire chapter	Title 63.1, <i>Code of Virginia</i> citations	Title 63.2, <i>Code of Virginia</i> citations Rationale: Reflects recodification of Title 63.1 in 2002
	Entire chapter	References to Division of Family Service policy manual	Updated references Rationale: Reflects changes in location and titles of policy sections for same subject matter
	Entire chapter	Technical changes; standards within paragraphs	Standards in lists Rationale: Separates standards to make compliance requirements easier to see and to make inspection citations distinct
	Entire chapter	References to governmental offices and programs	Updates names such as U.S. Bureau of Citizenship and Immigration Services and Interstate Compact on the Placement of Children Office Rationale: Provides currently accurate terminology
	Entire chapter	Grammar, sentence structure technical changes	Changes made to grammar and wording of sentences Rationale: Provides accurate punctuation and grammar and improves clarity
	Entire chapter	Use of term applicant	Eliminates confusion about the term applicant by defining the term in Section 10 and using the terms "prospective foster parent," "prospective adoptive parent," and "prospective treatment parent" to refer to persons undergoing the approval process for foster, adoptive, or treatment foster parent
Part I			Definitions added, revised, or deleted reflect the addition of program components and clarification of existing program components

<p>10</p>	<p>10</p>	<p><u>Definitions added:</u> Adoption assistance Rationale: Defines the subsidy funds discussed in new Section 365 Adoptive placement Rationale: Provides a placement category for the purpose of adoption Applicant Rationale: Identifies who can apply for licensure as a child-placing agency; complements Section 30 Assisted conception Rationale: Defines the service that is the subject of the new Part VI Birth parent: Includes <i>Code of Virginia</i> definition to clarify standards requirements Case management Rationale: Included to comply with Department of Medical Assistance reimbursement - required definition Casework trainee Rationale: defines a category of professional staff discussed in Part III Certification Rationale: Describes the permission given by the commissioner to local departments of social services in order to receive reimbursement for treatment foster care case management services Certified agency Rationale: Necessary because DMAS allows the department to give permission to local departments of social services to provide treatment foster care case management services Child Rationale: <i>Code of Virginia</i> definition included to specify to whom "child" refers Child-placing activities Rationale: Includes the activities allowed to be provided by licensed child-placing agencies Custody Rationale: Distinguishes legal custody from physical custody Discipline Rationale: Provides the parameters of discipline as referred to throughout the regulation Emergency placement Rationale: Defines the kinds of placements described in §§ 16,1-246 B and 63.2-1517 of the <i>Code of Virginia</i> Foster care placement Rationale: <i>Code of Virginia</i> definition used to</p>
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			<p>provide a placement category for the purpose of foster care Foster care services Rationale: Defines what services can be provided under what circumstances; complements Parts IV and XI Foster parent Rationale: Provides that parameters within which standards pertaining to foster parents apply Independent living Rationale: <i>Code of Virginia</i> definition included to correspond to new Part VIII, Independent Living Services Initial plan of care Rationale: Delineates what services are to be provided at the time of admission for a placement Intercountry placement Rationale: <i>Code of Virginia</i> definition added to expanded Part VI to include foster or adoptive placements made in accordance with the laws of foreign countries Life book Rationale: Defines one of the requirements of the licensee, in Section 340, to prepare a child for adoption Mental abuse Rationale: Uses another regulation to define one of the reasons a child may be taken into custody Noncustodial agreement Rationale: Provides a context within which some public agencies may have a placement agreement with a licensee Parent Rationale: Provides the parameters for use of the term in the regulation Parental placement adoption Rationale: Defines the kind of adoption explained in the Chapter 12, Article 3 of Title 63.2 and in the regulation at Section 410 Permanent entrustment agreement Rationale: Defines one of the possible authorities a licensee must have before placing a child for adoption, per Section 301 Permanent foster care placement Rationale: Provides the <i>Code of Virginia</i> definition as a context for Section 250 Physical abuse Rationale: Uses another regulation to define one of the reasons a child may be taken into custody Physical neglect Rationale: Uses another regulation to define one of the reasons a child may be taken into</p>
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			<p>custody Physical restraint Rationale: Provides the parameters for a physical intervention that is prohibited</p> <p>Placing agency Rationale: Provides the context in which the term is used</p> <p>Policy Rationale: Clarifies the meaning of the term in this Chapter</p> <p>Procedure Rationale: Clarifies the meaning of the term in this Chapter</p> <p>Professional staff Rationale: Identifies the staff categories addressed in this Chapter</p> <p>Program description Rationale: Clarifies the use of this phrase in this Chapter</p> <p>Prospective adoptive parent Rationale: Distinguishes the status of an individual who has applied to be an adoptive parent but has not yet been approved</p> <p>Respite care Rationale: Explains the use of this term in this Chapter</p> <p>Seclusion Rationale: Provides the parameters of a behavior that is prohibited</p> <p>Serious accident or injury Rationale: Provides description in order for caregivers and licensees to comply with reporting requirements in Part IX</p> <p>Short-term placement Rationale: Provides the circumstances in which some requirements do not need to be met</p> <p>Service plan Rationale: Provides a generic definition as the basis for understanding Sections 212, 213, 312, 313, 458, 459, 650, and 660</p> <p>Sexual abuse Rationale: Uses another regulation to define one of the reasons a child may be taken into custody</p> <p>Special needs Rationale: Defines the characteristics of children that must be registered with the Adoption Resource Exchange of Virginia, per the <i>Code of Virginia</i> at Chapter 13 of Title 63.2 and Section 361 of this regulation</p> <p>Surrogacy contract Rationale: Provides the <i>Code of Virginia</i> definition as a context for Section 453</p> <p>Time-out Rationale: Defines a term used in the</p>
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			<p>definition of “physical restraint”</p> <p>Treatment</p> <p>Rationale: Provides the Department of Medical Assistance Services definition of the services and interventions that constitute treatment foster care</p> <p>Treatment foster care</p> <p>Rationale: Provides the Department of Medical Assistance Services definition of a specific program for foster children</p> <p>Treatment foster parent</p> <p>Rationale: Describes those foster parents who are qualified to provide treatment</p> <p>Treatment and service plan</p> <p>Rationale; Distinguishes the plan used for treatment foster care from court service plans and individualized service plans</p> <p>Treatment team</p> <p>Rationale: Defines the group specifically identified to coordinate and implement the treatment and service plan</p> <p>Youth</p> <p>Rationale: Provides the characteristics of persons for whom licensees may provide independent living services</p> <p><u>Definitions changed</u></p> <p>Revises to use the term licensee</p> <p>Rationale: Reflects language used throughout the Chapter</p> <p>Adds <i>Code of Virginia</i> references for “child-placing agency” and specifies that public entities are not covered unless certified to provide Medicaid reimbursed treatment foster care case management services</p> <p>Rationale: Provides clarification for new Part XI</p> <p>Provides <i>Code of Virginia</i> citation for abuse and neglect and adds unwholesome influences or neglect or mistreatment, and the <i>Code of Virginia</i> citation</p> <p>Rationale: Increases accuracy of definition</p> <p>Changes to physical punishment</p> <p>Rationale: Change and technical re-wording make the original intent clearer</p> <p>Adds clarification that a foster home is one approved by a local department of social services or licensee</p> <p>Rationale: Eliminates any presumption of applicability of the chapter to children who live in households, other than by birth or adoption, that have not been approved by the licensee or a local department</p> <p>Adds to the <i>Code of Virginia</i> definition the explanation that it also refers to youth receiving independent living services in</p>
		Adoptive home	
		Child-placing agency	
		Complaint	
		Corporal punishment as inflicting pain or discomfort	
		Foster home	
		Independent living placement	

<p>20 B</p>	<p>25</p>	<p>Interstate placement</p> <p>Licensee as entity to whom license is issued</p> <p>Licensing representative</p> <p>Foster care</p> <p>Permanent foster care</p> <p>Misdemeanor to operate a child-placing agency without a license</p>	<p>accordance with § 63.2-905.1 of the <i>Code of Virginia</i></p> <p>Adds clarification that the placement be in an adoptive home, foster care placement, or home of child’s parent or relative or guardian only when the full legal rights of the child’s parent or nonagency guardian has been voluntarily terminated or limited</p> <p>Changes to a licensed child-placing agency</p> <p>Rationale: Section 30 provides detailed information about the individual, association, partnership or corporation that is the legal sponsor of the licensed child-placing agency; the new definition of licensee distinguishes the agency that will be inspected to determine adherence to the standards of this chapter</p> <p>Changed to include the authority of the licensing representative</p> <p>Rationale: Clarifies that the licensing representative is the agent of the commissioner</p> <p><u>Definitions deleted:</u></p> <p>Deletes a definition whose content is included in the Chapter narrative</p> <p>Rationale: Avoids repetition</p> <p>Deletes a definition whose content is included in new definition of “permanent foster care placement”</p> <p>Rationale: Provides a more accurate context for the information</p> <p>Adds the exception that a local department of social services is a lawful child-placing agency, per § 63.2-1712 of the <i>Code of Virginia</i></p> <p>Rationale: Necessary because Medicaid reimbursed treatment foster care is now in the chapter and local departments are eligible to be certified to provide this service</p> <p>Adds section about scope and applicability in response to public comment about previous proposed regulation to specify that it applies to licensed child-placing agencies that provide foster care services, adoption services, foster or adoptive parents approved by licensees, home studies related to the status of children of assisted conception, independent living services, treatment foster care and the treatment foster parents who provide this care, and local departments of social services with Medicaid certification to provide treatment foster care case management services and treatment foster parents they approve; specifies that the scope is confined to this chapter</p>
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Part II			
30	30	Title is "Sponsorship"	Reflects content recommended by the State Corporation Commission (Commission) Rationale: recognizes the expertise and oversight responsibility of the Commission Adds legal and operational responsibility to the title and to the content of this section Rationale: Provides a more accurate and complete understanding of what a sponsor is and the responsibilities of the sponsor; reflects content recommended by the State Corporation Commission
30 A	30 A	Sponsor may be an individual, partnership, association, or corporation	Adds limited liability company Rationale: Reflects an additional entity the Commission may certify that may be a sponsor
30 A 1-4	30 A 1-5		Adds an explanation of limited liability company as a sponsor Rationale: Reflects an additional entity the Commission may certify that may be a sponsor
30 A 1-4	30 A 1-5		Adds requirement that at least one member of the sponsor has knowledge of and experience in the programs and services of the licensee Rationale: Reflects public comment on previous proposed regulation of the importance of at least one member of the sponsor having knowledge and skills in programs and services of the licensee
30 A 1-4	30 A 1-5		Adds explanation that whoever is the licensee has legal and operational responsibility Rationale: Makes clear the role of the sponsor
30 A 3, 4	30 A 3, 4, 5		Adds explanation the governing board is the licensee for an association, the board of directors is the licensee for a corporation, and the members of the licensee for a limited liability company Rationale: Reflects explanation from the Commission
30 B			Adds clarification that sponsor information does not apply to a certifying agency Rationale: The authority and responsibilities of local departments of social services are provided for in the <i>Code of Virginia</i>
40 A	40 A 1, 2	Licensee meets and maintains standards	Adds that certified agency responsible for meeting and maintaining standards Rationale: Required due to addition of Part XI Specifies that licensees and certified agencies comply with the "General Procedures and Information for Licensure" and "Background Checks for Child Welfare Agencies" regulations

60	<p>40 B, C</p> <p>40 D</p> <p>60</p> <p>60 A</p> <p>60 B</p> <p>60 C 1</p>	<p>Process</p>	<p>Rationale: These regulations are part of the total regulation set for licensed child-placing agencies</p> <p>Adds that licensees shall allow licensing representatives the opportunity to interview the licensee's agents, employees, and persons under its control direction, or supervision; and to conduct announced and unannounced inspections of the licensee's of certified agency's offices and approved homes during hours of operation or service</p> <p>Rationale: Reflects customary practices for all programs under the regulatory oversight of the Division of Licensing Programs</p> <p>Adds that the licensee or certified agency is responsible for correcting areas of noncompliance, including revision of procedures and practices</p> <p>Rationale: Reflects customary practices for all programs under the regulatory oversight of the Division of Licensing Programs</p> <p>Initial and renewal application</p> <p>Rationale: More clearly defines the subject matter for Section 60</p> <p>Adds that applicants comply with "General Procedures and Information for Licensure" and "Background Checks for Child Welfare Agencies" regulations</p> <p>Rationale: This regulation outlines the procedural steps to follow, as well as appeal rights</p> <p>Adds that applications for initial or renewal licensure are made to the commissioner in form and content the commissioner requires including agency information; sponsorship information; information about children and types of programs; a financing plan; identification of someone to serve in the executive director's absence; staff information; and a signed statement by the board president, executive director or designee attesting to an understanding of the applicable statutes and regulations and agreement to abide by them</p> <p>Rationale: Provides discrete information about responsible parties and assurance of coverage in the absence of the executive director</p> <p>Adds that the initial application include the documents referenced in Section 30</p> <p>Rationale: Provides documentation that the sponsor is a legally operating entity</p>
60 A 2	60 C 2	Requires balance sheet of current assets and liabilities and projected budget for	<p>Adds documentation of cash on hand or a line of credit to cover the first 90 days of operating expenses</p>

290 C	60 C 3-7	the year Copy of program statement or summary accompanies initial application	Rationale: Ensures sufficient start-up solvency Adds that a copy of program description, policies and procedures, job descriptions, forms, and fee schedule, be submitted with the application
60 B 1-3 80	60 D 1-6	Renewal applications include actual income and expenditures, balance sheet of current assets and liabilities, budget with income and expenses for current year if licensee less than six months into current fiscal year, for the next fiscal year if licensee more than six months into current fiscal year, and latest quarterly statement of income and expenditure when the licensee is more than three months into current fiscal year	Rationale: Provides an opportunity to determine if the information is in compliance with the provisions of the chapter Changes are to require (1) income and expenditures to include actual and anticipated revenue and expenses for Virginia office about licensees more than six months into the fiscal year and quarterly statements, (4) either an approved budget for the next fiscal year or statement of current finances and status of projected budget and submission of the next fiscal year's budget for Virginia office within 30 days after it is completed and approved, (5) an auditor's report (currently in Section 80) the licensee has operated more than twelve months, except that a licensee with less than \$30,000 income may submit a copy of tax return submitted to the Internal Revenue Service as certified by a certified public accountant not associated with the licensee, (6) a twelve month plan of financing, (7) a report of major changes during the past year, (8) either report of fee schedule or statement that no change, and (9) changes made in response to provisional license, if applicable
290 C	60 E 60 F		Rationale: Provides more explicit information to cover different situations and provides an exemption for licensees with limited income, in response to public comment for a previous proposed chapter Provides that the program description and policies be submitted to the licensing authority within 30 days after any change has been adopted Rationale: Ensures that that the licensing authority has current information as well as the opportunity to make sure the change complies with the chapter Provides that any change in the individual who has knowledge of and experience in the programs and services offered by the agency be submitted to the licensing authority within 30 days after the change, plus qualifications Rationale: Ensures that the licensing authority has current information and the sponsor includes a knowledgeable person
100	100	Agency maintains an office in Virginia from which child-	Changes "agency" to "individual, partnership, limited liability company, association, or

		placing activities are carried out	corporation” and adds that professional staff be in the Virginia office Rationale: Identifies the responsible party as the sponsor and incorporates the intent that this be a functioning office by providing that professional staff be in the office (and in Part III defining professional staff”
110 1 and Note	110 1 and Note	Confidentiality and safekeeping of records and rooms and offices serve multiple functions	Adds that records be kept in locked metal cabinets and deletes Note about multiple function Rationale: Provides the conditions in which records are considered safe and confidential and removes an unnecessary provision
120	120 1 and 2	Current licenses posted in a conspicuous place near the entrance of agency and any branch offices	Provides that licensees comply with whatever is current in the “General Procedures and Information for Licensure” regulation and the <i>Code of Virginia</i> related to the posting of documents, as these sources supersede a posting requirement found in this chapter Rationale: Defers to superceding sources
130 A	130 A	Refers to agency capacity	Clarifies by specifying licensee caseload capacity Rationale: Information is clearer
130 A 1	130 A 1	Maximum of 25 children for full-time child-placing staff person	Changed to maximum of 25 children for full-time professional staff person (described in Part III) except in treatment foster care and independent living programs – Parts VIII and XI Rationale: Clarifies which staff persons are considered in caseload size and excepts treatment foster care and independent living because of the casework needed for those programs
130 A 2,3,4	130 A 2-4	Maximum caseload of 10 children for a beginning caseworker first 12 months; allows 15 at end of first year, and 20 at the end of the second year	Deletes “beginning,” divides the caseload size by first and second 12 months, and allows a caseload size of 25 when the trainee qualifies as a case worker, except for treatment foster care and independent living placement programs Rationale: Provides more description and provides the necessary exclusion for newly added treatment foster care as well as independent living
130 A 5	130 A 5		Adds the word “caseload” and excepts treatment foster care and independent living programs Rationale: Caseloads for these programs follow
	130 B 1-3, Exception		Adds caseload provisions for treatment foster care to include a maximum caseload of 12 children for a full-time staff person, except for a case worker trainee and less if 1. job responsibilities exceed those for case

<p>130 B</p>	<p>130 C 1- 3</p> <p>130 D</p> <p>130 E 1-5</p> <p>130 F 1,2</p> <p>130 G</p>	<p>Children counted in agency caseload are those in licensee custody including those for whom an interlocutory order has been entered and are awaiting final order and children not in agency custody but who are supervised in foster or adoptive home, group home, institution, or independent living arrangement for another agency or individual</p>	<p>worker, 2. the client population requires more intense supervision and training of the treatment foster parents, or 3. Provides an exception that a case worker may have a caseload of 15 if no more than 10 of the children are in treatment foster care and none of the above conditions for decreasing caseload size apply Rationale: Complies with existing Department of Medical Assistance Services regulation case management requirements and responds to public comment for previous proposed regulation requesting an exception for mixed caseloads. Adds treatment foster care caseload provisions for case worker trainees to include a maximum caseload of six children for the first twelve months, nine for the second twelve months, and a maximum of 12 when the case worker trainee qualifies as a case worker Rationale: Complies with existing Department of Medical Assistance Services regulation case management requirements Provides for a maximum caseload of three children for each student intern Rationale: Considers the unique circumstances of students Adds specific independent living caseload maximums of 15 youth for a professional staff person, eight for a case worker trainee for the first twelve months, 12 for the trainee for the second twelve months, 15 when the trainee qualifies as a case worker, and five for a student intern Rationale: Reflects the intensity of independent living supervision Revised to distinguish between agency capacity and professional staff caseload size and added treatment foster home Rationale: Reduces confusion and adds program new to this chapter</p> <p>Adds clarification that licensees that place youth aged 18-21 provide the level of services described in the program description and count them in the licensed capacity and</p>
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<p>140 B</p>	<p>140 B</p> <p>155 A – L</p> <p>155 A</p> <p>155 B</p> <p>155 C</p> <p>155 D</p> <p>155 E</p> <p>155 F</p>	<p>Parent of a child currently placed by a licensee or certified agency may not serve on the board of the agency</p>	<p>caseloads. Rationale: Clarifies the licensee’s responsibility for older youth and responds to public comment for a previous proposed regulation</p> <p>Adds clarification that the parent of a child previously placed may serve as a board member Rationale: Allows involvement of persons with experience with the agency to serve on the board while avoiding conflict of interest</p> <p>Mostly new Section about policies and procedures explaining: A. They shall be written and monitored Rationale: Provides for the documents to be a formal reference B. Reviewed and evaluated at least annually, with documentation provided upon request of licensing representative Rationale: Provides a formal vehicle for ongoing consideration of the appropriateness of policies and procedures C. Changes submitted to licensing representative within 30 days after the change Rationale: Provides for the licensing authority to have current information and to review it for compliance with the standards in the chapter D. Include a statement allowing access of authorized representatives of the department at all times to all children placed by it and to the home in which the child is placed Rationale: Documents an agreement to the requirement at § 53.2-1706 of the <i>Code of Virginia</i> E. Include a statement that the foster parent or parents will be informed in writing if they are required to release custody on request of the licensee or certified agency or when the commissioner determines it is in the best interest of the child EXCEPT that there shall be a court order if a child is in a permanent foster placement Rationale: Provides for an orderly removal of a child and official notice to the foster parent or parents F. Statement the licensee shall not remove a child placed by an adoptive home placement agreement except with consent of adoptive parents, upon order of the juvenile and domestic relations court of circuit court of competent jurisdiction, or when the child is being subjected to unwholesome influences</p>
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	<p>155 G</p> <p>155 H</p> <p>155 I</p> <p>155 J</p> <p>155 K</p> <p>155 L</p>	<p>Same</p>	<p>or neglect or mistreatment, when commissioner orders removal and there has been a review by the juvenile and domestic relations court upon petition of the adoptive parents, when the consent has been revoked as authorized by the <i>Code of Virginia</i>, or when the circuit court denies the petition for adoption for a child for whom there is an interlocutory order of adoption</p> <p>Rationale: Provides details about the circumstances in which children can be removed from adoptive home placements</p> <p>G. Address plans for active cases if the licensee or certified agency should cease operation</p> <p>Rationale: Provides an important safety net for children and families; reflects public comment for previous proposed regulation</p> <p>H. Include a policy that no person will be denied the opportunity to be placed solely on the basis of the race, color, or national origin of the person</p> <p>Rationale: Conforms to the federal Multi Ethnic Placement Act of 1994</p> <p>I. Include written policies and procedure for immediately reporting suspected child abuse and neglect to the local department of social services or Child Abuse and Neglect Hotline</p> <p>Rationale: Complies with § 63.2-1509 of the <i>Code of Virginia</i></p> <p>J. Include a policy ensuring that children under its legal or physical supervision are not subjected to corporal punishment, physical abuse, mental abuse, or sexual abuse; not subjected to verbal abuse; not subjected to physical neglect or denied essential program or treatment services, meals, water, clothing, bedding, sleep, or personal care products; or subjected to humiliating, degrading, or abusive actions by anyone subject to this chapter</p> <p>Rationale: Increases protection and care of children by explicitly identifying actions that are not permitted</p> <p>K. Include the licensee’s compliance with licensing requirements identified in the <i>Code of Virginia</i> and with the provisions of the “Background Checks for Child Welfare Agencies” regulation</p> <p>Rationale: Verifies that the licensee is aware of and agrees to abide by these requirements</p> <p>L. Describe and implement a policy of acceptable methods of control and discipline including 1) an agreement with the foster, treatment foster, or adoptive parents that there is an agreed upon plan of discipline</p>
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			and that mechanical, chemical, and physical restraint and seclusion Rationale: Provides the parameters within which a foster parent must control and discipline children who have been placed
Part III 170 A	170 A	Staff classifications include duties and responsibilities	Adds educational requirements, work experience and job title of immediate supervisor Rationale: Helps to ensure staffs are qualified; job title added in response to public comment for previous proposed regulation
170 B	170 B	Licensing representative receives job descriptions at time of initial application and when changed	Adds that job descriptions be given licensing representative when there are additions or deletions Rationale: Additional and deleted job descriptions have an impact on the operation of the licensee
180 A 2	180 A 2	Personnel record includes educational credentials and relevant work experience	Further describes educational credentials as copy of diploma or official transcript and requires a listing of relevant work experience Rationale: Eliminates confusion about what constitutes a credential
180 A 3	180 A 3	Requires two written references or record of interviews with references	Adds that the agency requests the written references, clarifies that interviews with references are agency interviews, and that these references be obtained prior to employment Rationale: Increases likelihood that information is objective and that it was available for consideration prior to hiring
	180 A 5		Adds documentation of training received Rationale: Assures credibility of information
180 A 5		Copies of professional licensure when required by law	Deleted Rationale: The regulation for the applicable law provides the necessary oversight
180 A 6	180 A 6	Criminal record certificate check, sworn disclosure statement, child abuse and neglect registry check	Changed to reference the Code and the relevant regulation Rationale: Compliance is determined through another regulation
	180 A 7		Adds signed statement that staffs will not use corporal punishment with children in care or give others permission to do so Rationale: Implements a required policy
	180 A 8		Adds the job description for the position hired Rationale: Provides a reference point for checking for appropriate credentials
190 I 1	180 B		Requires a separate record for each volunteer and student or intern containing 1) a written plan for their orientation, training, supervision, and assignment; 2) qualifications if performing a staff function or responsibility; 3) documentation of

			<p>compliance with background checks requirements; 4) a written plan for evaluation; 5) documentation of supervision by an individual with a doctor's or master's degree in social work from an accredited college or university; and 6) documentation that a supervisor has approved all placement recommendations prior to their implementation</p> <p>Rationale: All persons who will be in the same proximity to children as staffs need to provide the same safety guarantees and volunteers, students; interns need qualified supervision, as noted in public comment for previous proposed regulation; and placement decisions are the responsibility of licensee staff</p>
	190 C		<p>Adds that the functions of the licensee described in this chapter must be performed from an office located in Virginia</p> <p>Rationale: Ensures there is licensee oversight where the functions occur; complements 100</p>
190 C 1	190 D 1	Individual licensee may be an executive director Supervisor of social services and director	<p>Adds clarification that a member of a partnership, association, or corporation may also be an executive director</p> <p>Rationale: Provides consistency among types of sponsor</p>
190 C 5 & D 1	190 D 4 & E 1, 2		<p>Changes to director of social services</p> <p>Rationale: Consistent with use of designation of executive director and program director at 190 D and adds program to director at E 1 to be consistent with same designation at 190 D 4</p>
190 D 1 b	190 E 1 b	Program director assists in formulation and implementation of policies and procedures	<p>Clarifies that this assistance is in the specific program in which the person works</p> <p>Rationale: Promotes policy-making by those with specific expertise</p>
190 E 1	190 F 1	Agency	<p>Adds licensee or certified agency to describe agency</p> <p>Rationale: Clarifies what agency means</p>
190 F 1	190 G 1 c		<p>Changes to service plans</p> <p>Rationale: Corrects ambiguity in current chapter</p>
	190 G 1 g-j	Social plans	<p>Adds to case worker responsibilities 1) providing guidance and training to prospective current foster and adoptive parents and treatment foster parents; 2) coordinating referrals and arranging appropriate services; 3) monitoring service delivery; and 4) assessing progress</p> <p>Rationale: Reflect current practice</p>
190 F 2	190 G 2	Doctor's or master's degree	<p>Adds that the degree must be from an accredited college or university</p> <p>Rationale: References commonly accepted</p>

190 F 3	190 H 1 b 2, 3	Training plan for case worker trainee lists topics to be covered	standards Adds number of hours of supervision and that the licensee or certified agency place of a copy of the training plan in the trainee's personnel record Rationale: Provides a way to assess the adequacy of supervision of each case worker trainee
190 F 3 c	190 H 2	Placement decisions by case worker trainee	Changes to placement recommendations Rationale: Trainees are not sufficiently prepared to make placement decisions
190 G		Consultants be qualified according to <i>Code of Virginia</i>	Deleted Rationale: The regulation for the applicable law provides the necessary oversight
190 H 1	190 I 1	Volunteers; written plan for orientation, training, and assignment	Adds students and interns to volunteer category; adds to written plan supervision and evaluation; Rationale: Increases oversight of volunteers and provides for oversight of students and interns
190 H 1	190 I 1	Staff who usually perform or supervise assigned tasks supervise volunteers (except that case worker trainers shall not supervise volunteers)	Moved Rationale: More logical placement
190 H 2	190 I 2	Volunteer meet qualifications for function or responsibility	Changes volunteer to individual (to include students and interns) and adds the exception that a undergraduate student or intern not required to have a baccalaureate degree or experience providing case work services to children and families Rationale: Reflects that section is expanded to include students and interns and the reality that an individual working toward a degree cannot already possess that degree
190 H 3 & I 3	190 I 3	Agency not wholly dependent on volunteers	Combines standards that agency not wholly dependent on volunteers, students or interns receiving professional training Rationale: Reflect broadening of this section to include students and interns
190 I 2 & 3	190 I 4	Supervisor approve placement decisions of students or interns prior to implementation	Supervisor approve placement recommendations Rationale: Students and interns do not have sufficient expertise or agency standing to make placement decisions
	195		Staff development section added Rationale: Provides requirements for initial and ongoing training
	195 A 1		On first day of service professional staffs receive copy of policies and procedures and an orientation about confidentiality, handling emergencies, and mandated reporting of suspected abuse or neglect of a child Rationale: Professional staffs have direct

	195 E		<p>vary, per public comment for previous proposed regulation</p> <p>Adds requirement for treatment foster programs to provide additional staff development in the agency’s philosophy and skill training, including crisis intervention techniques; and ongoing training on working effectively with children with emotional and behavior problems and who may have been abused or neglected</p> <p>Rationale: Reflects the characteristics of the treatment foster care caseload and the specialized skills needed</p>
Part IV	198 A & B		<p>References parts of this chapter that pertain to foster care services</p> <p>Rationale: Avoids confusion about what Parts of the chapter must be met for a license to provide foster care services</p>
200	200	Program statement	<p>Changed to program description</p> <p>Rationale: More reflective of the overview that is intended</p>
200 A	200 A	Agencies have statement of their services	<p>Expanded to require a comprehensive written description of services, organizational structure, policies, and record keeping procedures</p> <p>Rationale: Services offered gives an incomplete picture of the agency</p>
200 A 3	200 A 2	Description include requirements	<p>Changed to intake requirements</p> <p>Rationale: Former term too generic</p>
200 A 4	200 A 3	Services provided to foster families	<p>Adds services provided to prospective foster families</p> <p>Rationale: Separately identifies services provided before and after approval as foster families</p>
200 A 8	200 A 6		<p>Adds a description of the responsibilities and workload of child-placing staff and the division of workload among professional staffs</p> <p>Rationale: Provides a defined organizational structure and workload for professional staffs</p>
	200 A 7		<p>Adds a description of the organization and contents of the child’s case record</p> <p>Rationale: Provides case record requirements for agencies and parents wishing to use the services of the agency</p>
	200 A 8		<p>Adds a description of specific orientation, preplacement, and ongoing training topics for</p>

			<p>foster parents Rationale: This information can help parents and other agencies make placement decisions based on the preparation and ongoing training provided to foster parents</p>
	202 A		<p>Requires a written plan for back-up emergency care for a child Rationale: It is important that agencies have policies addressing what will happen to children if a placement is unexpectedly disrupted</p>
200 A 2	202 B	Open admissions policy	<p>Specifies that a written open admissions policy is required if public funds are involved Rationale: Requirement for use of Title IV-E funds</p>
200 A 2 a	202 B 1	Program open to all children without regard to race, color, religion, national origin, or sex	<p>Same; new location Rationale: Reflects the federal Multi-Ethnic Placement Act</p>
200 A 2 b	202 B 2	Children with handicaps accepted if needs can be reasonably accommodated	<p>Changed handicaps to disabilities Rationale: Complies with requirements of federal Americans with Disabilities Act</p>
	202 B 3		<p>Adds that race, color, or national origin shall not be the sole factor in determining the best placement for a child Rationale: Reflects requirements of the federal Multi-Ethnic Placement Act; reflects public comment for pervious proposed regulation</p>
	202 C		<p>Adds requirement that open admissions policy be included in all forms of advertisement Rationale: Ensures that interested parties will know who will be accepted for placement</p>
	202 D		<p>Requires licensee to have policies and procedures to determine that foster parents 1) properly administer medication; 2) know about side effects of medication as well as 3) actions to be taken in response to side effects; 4) will notify the licensee and appropriate medical and emergency personnel of adverse reactions to medicines; and 5) know about secure storage, retention, and disposal of medication Rationale: It is important for foster parents to know how to handle medications and medication emergencies</p>
	202 E		<p>Requires licensee to have a policy and procedure for assignment of designated staff to be available to foster parents at all times Rationale: Foster parents need to have access to the licensee in case of emergencies and for ongoing support</p>
	202 F		<p>Requires a written discharge policy including</p>

	202 G		<p>both planned and emergency discharges</p> <p>Rationale: The preplanning involved in preparing the written policy will avoid lapses in information and protocols when discharge occurs</p> <p>There shall be written policies and procedures emergency and short-term placements, if the licensee accepts them</p> <p>Rationale: Because of their short-term nature, it is important that all necessary actions are understood and adhered to immediately</p>
210	210 A 1	Authority to place by court commitment	<p>Changes to authority to place by any court of competent jurisdiction</p> <p>Rationale: Tightening the language ensures that the commitment is by an appropriate court</p>
210 A 3	210 A 2	Authority to place by permanent entrustment by the parent or other persons having legal custody	<p>Adds temporary entrustment and adds commitment by relatives. Gives reference for instructions for accepting a child through a temporary entrustment agreement: comply with <i>Code of Virginia</i>, Service Programs Manual, placement agreement from an agency with legal custody, or placement agreement signed by a local department of social services when a noncustodial agreement has been signed between the parent or legal guardian and a local department or another public agency</p> <p>Rationale: Acknowledges the category of temporary entrustment and specifies that relatives are among those persons who may have legal custody. Providing a Service Programs policy reference eliminates duplication and fosters coordination between the public and private sectors in complying with the <i>Code of Virginia</i></p>
210 A Exception	210 A Exception	Proprietary school for the handicapped	<p>Changes to refer to private day school for students with disabilities</p> <p>Rationale: Updates federal and Virginia Department of Education terminology</p>
210 B	210 B	Assessment	<p>General Rationale: To the extent the assessment information is not unique to a specific program, it is coordinated among programs to support concurrent planning for children</p>
	210 B		<p>Requires licensee to receive from the placing agency or assemble directly, review, and assess required information prior to a child's placement and indicate the date received by the agency</p> <p>Rationale: Information is necessary to achieve sound placement decisions and to plan for activities and services</p>
	210 C		<p>Adds requirement of date received by</p>

210 B 2 b	210 C 2	Current information	licensee Rationale: Verifies when material received; reflects public comment for previous proposed regulation Changes to information from the last 12 months
210 B 1 b	210 C 2 a	Health	Rationale: Defines current Changes to known physical and mental health history
210 B 1 b 3	210 C 2 d	Potential problems with the child's placement	Rationale: Complies with § 63.2-1232.3 of the <i>Code of Virginia</i> Changes to medications the child is taking, including dosages and reasons for taking
	210 C 2 e		Rationale: Potential problems is not specific Adds information on the child's skills, interests, and talents
210 B 2	210 D	Assessment written within 30 days of placement	Rationale: Adds strength-based qualities to the assessment Requires assessment information prior to any placement except that, in the case of an emergency placement, the reason for the emergency placement must be documented and the information obtained within 30 days
	210 E		Rationale: Makes provisions for emergencies, but requires that in other cases the information be provided timely to assist with placement decisions Requires licensee to interview with child and parent or legal guardian prior to placement, or document the reasons why not in the child's record
	210 F		Rationale: Provides Important input from those affected by placement decisions and impacted by permanency planning Requires the licensee to consider the match between the child and foster family including 1) foster parent 's specific skills, abilities, and attitudes needed to work with this child, and 2) the family composition, willingness, and ability to work with the child's family
210 C 4 c	210 G	Make recommendation of type of home best suited to child	Rationale: Emphasizes the importance of child/family compatibility Same; new location
210 C 4 c	210 G 1	Siblings placed together whenever possible unless it clearly not in their best interest	Rationale: Requires use of assessment information to identify general foster home characteristics Same; new location
210 B 1 d	210 G 2	Reason or reasons child accepted and date decision made	Rationale: Designed to maintained family relationships
210 C 5	210 G 3	Worker explains why home chosen	Changed to require documentation why a child suitable for the program Rationale: Makes a clear connection between the child and the type of program Expands to require licensee to document why a particular home was selected, the date

210 C 5	210 H	Worker explains why home chosen	of the decision, and the staff persons involved in the decision-making Rationale: Requires documentation of placement decision-making process Changes to provide that placement decisions made by 1) person with qualifications of case work supervisor, 2) case work supervisor, or 3) committee when case work supervisor present and in agreement Rationale: Highlights the importance of placement decisions by requiring that a supervisor level staff make or agree to the decision
	210 I		Requires the licensee to prepare the child for placement, arrange a preplacement visit or document the reason the visit could not be arranged, and record the results of the preplacement visit in the child's record Rationale: Allows child and foster family access to each other prior to the child being placed with the family
210 B 2	210 J	Assessment written within 30 days of placement	Specifies that the written assessment be a report and that the licensee is responsible for its being written Rationale: Provides accountability
210 C 1	210 K	Social history	General Rationale: To the extent social history information is not unique to a specific program, it is coordinated among programs to support concurrent planning for children
210 C 1	210 K	Social history completed within 30 days of placement and include the date	Changed to require receipt prior to placement in order to determine the appropriate goal and identify needed services; provides that the 1) licensee may utilize a social history provided by the placing agency if it is current within 30 days of application for placement and 2) completes an addendum identifying any changes in the last 30 days; and 3) the licensee prepares a social history within two days of admission and places it in the child's file if the social history from the placing agency is not current within 30 days Rationale: Retains the 30 days but changes it from 30 days of actual placement to 30 days from admission for placement so the information can be used to establish goals and determine appropriate activities and services
210 C 3 e	210 K 3 e	Emotional, psychological problems of child including strengths and needs	Makes child's strengths and needs separate items Rationale: Emphasizes the importance of the child's strengths and needs
210 C 3 e	210 K 3 f	Emotional, psychological problems of child including strengths and needs	Adds psychiatric problems and professional treatment received, if applicable Rationale: Required for foster care court report prior to adoption; included to support concurrent planning

	210 K 3 g		Adds psychological and psychiatric reports, if any Rationale: Reports are a useful reference for activities and services in service plans; reflects Child Welfare League of America standards
	210 K 3 j		Adds background information from other sources Rationale: These are a useful reference for activities and services in the service plan
	210 K 3 k		Adds child's history as a victim of abuse or neglect, including pre-natal neglect or substance abuse of mother, if applicable Rationale: Complies with requirement to provide physical and mental condition of the child prior to adoption per § 63.2-1208 of the <i>Code of Virginia</i> and thus supports concurrent planning for children
210 C 2	210 K 4		Requires documentation of reasonable efforts to obtain missing social history information within 30 days of placement Rationale: Increases likelihood that attempts were made to obtain the information
210 D 1 & 2	210 L 1	Examination within 90 days before placement or 30 days after placement; or report no more than a year old, together with report of medical treatment in the interim and child in continuous placement of a public or private agency	Changed to requirement to be up-to-date according to EPSDT and have documentation that the child can be considered free from tuberculosis in a communicable form. No violation if appointment made within 7 days of placement but first available placement more than 30 days after placement Rationale: Complies with the age-differentiated check-up schedule for EPSDT for which foster children are eligible; reflects required coordination in requirements with public sector; supports concurrent planning
210 D 3	210 L 3	Child over three years to have dental exam within 12 months before placement or 60 days after placement	Changed to requirement that child have dental exam by third birthday and then according to American Academy of Pediatric Dentistry. Rationale: Provides a professionally recognized schedule, reflects required consistency in requirements with public sector; supports concurrent planning
	210 L 4		Adds that documentation of medical and dental exams shall be in the child's record Rationale: Verifies that a requirement has been met and provides a consistent location for the information
	210 L 5		Adds that medical and dental exams must be up-to-date within 30 days of placement, but there will be no violation if an appointment is made within 7 days of placement but the appointment not available until after 30 days Rationale: Supports concurrent planning; provides a remedy when there is a good faith

210 E	210 M	Contact school authorities within five days of placement to arrange for enrollment of school-age child	<p>effort to comply with standard Changed; when licensee has custody of child, 1) enroll any school-age child within 72 hours of placement, 2) provide enrollment documentation or written statement that to best of knowledge child meets enrollment requirements, 3) notify principal and school division superintendent of placement 4. notify principal of status of parental rights, 5) notify principal of any subsequent change in status of parental rights within five business days, 6) provide documentation, and 7) if provided statement at time of enrollment, submit documentation within 30 days of enrollment and maintain copy of documentation in child's record</p> <p>Rationale: Changes comply with §§ 22.1-3.4 and 63.2-900</p>
	211		<p>New section that separates acceptance of child and placement agreements from the rest of the intake process</p> <p>General Rationale: To the extent that requirements are not program specific, they are coordinated among programs to support concurrent planning</p>
210 F 1	211 A 2	Obtain placement agreement before placement covering financial and other responsibilities, including services to child, biological family, and foster family	<p>When another child-placing agency retains custody, adds to these requirements 1) provision for receiving consent for medical and dental care for child, 2) permission for out-of-state travel, and 3) permission for child to participate in fund-raising activities</p> <p>Rationale: Provides protection for licensee by documenting consent from custodian Also adds that agreement contain custodian's arrangements for enrolling any school-age child in school within 72 hours, 2)providing documentation, 3) providing notification to principal and school superintendent of enrollment and to principal of status or parental rights, and 4) making arrangements for notifying principal of subsequent changes in status of parental rights</p> <p>Rationale: Changes comply with §§ 22.1-3.4 and 63.2-900</p>
210 F 2	211 A 3	Agreement signed by someone from agency with authority to commit agency to the provisions	<p>Changes that agreement signed by receiving agency and custodial agency, or by local department of social services when placement authorized through noncustodial agreement with parent or parents</p> <p>Rationale: Identifies the agencies and includes signing requirements when there are noncustodial agreements</p>
	211 A 4		<p>Adds requirement to amend agreement if changes made and appropriate person sign or initial change</p>

210 F 3	211 A 6	Receiving agency develop service plans or plans compatible with court plan	<p>Rationale: Keeps agreement up-to-date and provides accountability</p> <p>Names the compatible plan the "individualized service plan"</p> <p>Rationale: Distinguishes between the plan required by the court and the plan required of the receiving agency that doesn't have custody</p>
210 G 1	211 A 7		<p>Adds requirement that licensee or certified agency cooperate with custodial agency and allow custodial agency access to the child at all times</p> <p>Rationale: Implements the required policy at 150 D</p> <p>When accepting a child for placement from a parent or other individual holding custody, adds requirement that licensee or certified agency follow requirements of Service Programs Manual</p>
210 G 4	211 B 1 b	Explain service plan	<p>Rationale: Providing this reference eliminates duplication and fosters coordination between the public and private sectors in complying with the <i>Code of Virginia</i></p> <p>Changes title to "Describe the contents of an individualized service plan"</p> <p>Rationale: Identifies the plan being described and the contents, in general</p> <p>Adds requirement to provide placing parent or legal guardian with written information about services upon request</p> <p>Rationale: Provides a way to hold licensee or certified agency accountable for providing information</p> <p>Adds documentation in writing of discussion with parents or guardians about long-term plans for child, their own responsibilities for child, and the case worker's responsibilities</p> <p>Rationale: Written documentation promotes clarification and accountability on the part of all entities</p> <p>Adds requirement to explain concept of service planning to parent or guardian, their involvement in this process, and their plans for visitation and financial support</p>
210 H 1 a	212 A	When licensee holds custody, service plan filed with court within 60 days unless court grants extension or child returned home or placed for adoption within 60 days	<p>Same; different placement</p> <p>Rationale: Complies with § 16.1-281 of the <i>Code of Virginia</i></p>
210 H 1	212 B	Details about court service plans when agency has custody	<p>Changes to require the licensee to follow 1) State Board regulations about service plans, dispositional hearings, permanency planning hearings, and foster care review hearings; 2)</p>

<p>210 H 1</p>	<p>212 C 1 & 2</p> <p>212 D 1 & 2</p> <p>213</p>	<p>Consult child's parent or parents in development of foster care plan unless parental rights have been terminated</p>	<p><i>Code of Virginia</i> requirements at §§ 16.1-281 and 16.1-282 of the <i>Code of Virginia</i>; 3) Service Programs Manual Rationale: References the sources for requirements that must be met by both the public and private sectors instead of duplicating information, updates the references, supports concurrent planning Changes to involving parent or parents in development of foster care plan or fully describe why not involved Rationale: Rewords current language and complies with §§ 63.2-906 A and 16.1-281 of the <i>Code of Virginia</i> Adds requirement for licensee to involve the child in the development of the foster care plan or fully describe why not involved Rationale: Complies with § 63.2-906 A of the <i>Code of Virginia</i></p> <p>General Rationale: When the requirements are not program specific, they are coordinated among programs to support concurrent planning</p>
<p>210 H 2</p>	<p>213</p>		<p>Adds a new section specific to individualized service plan to be developed within 60 days of placement Rationale: Makes it easier for the reader to distinguish the difference in responsibilities when the licensee does not have custody; reflects required consistency between public and private sectors; reflects public comment for previous proposed regulation</p>
<p>210 H 2 a, b</p>	<p>213 A 1-10</p>	<p>When do not have custody of child, plan includes goal for child, services to child and parents or prior custodians, type of placement recommended and how relates to goal; and target day for goal achievement Arrangements for visits by parents</p>	<p>When licensee does not have custody of child, professional agency staff develop an individualized service plan in consultation with custodial agency to include 1) list of emotional, social, behavioral, educational, developmental, nutritional, medical, and supervision needs; 2) goals and month/year projected for achievement of each goal; 3) activities and services and description of how licensee working with community resources, if any; 4) permanency planning goals, plans for visitation, and plans for reunification of child and child's family, where appropriate; 5) Adds documentation in child's record of child's and parent's involvement in development of plan or reasons for non - involvement; Rationale: Reflects coordination of requirements between the public and private sector since is required for public custodial agencies 6) Adds licensee approved plan for</p>
<p>270 C 4 v (6)</p>			

<p>210 H</p>	<p>213 B</p> <p>213 C</p> <p>213 D</p> <p>213 E</p>	<p>Parents consulted; prior custodians or foster parents shall be consulted when appropriate</p>	<p>supervision in absence of foster parent; Rationale: Provides for approval of plans for supervision in the absence of the foster parent 7) Adds licensee-approved plan for respite care; Rationale: Licensee responsible for care in foster parent's absence Rationale: Provides the option for the licensee to include other areas 8) if child 16 and over, the programs and services to assist in transition to independent living, where appropriate; Rationale: Foster care policy and the Code of Virginia require foster care for children 16 and over; "where appropriate" added in response to public comment for previous proposed regulation because providing independent living skills may not be appropriate for certain children 9) discharge plan including month, day, year targeted for discharge; and Rationale: Requires focused attention on meeting targets and discharge of the child 10) Other areas where applicable Rationale: Provides the option for the licensee to include other areas Parents, prior custodians or foster parents consulted or document why not Rationale: Acknowledges who is responsible for the child and who has unique information Adds requirement for individualized service plan developed be signed and dated by staff person who completed the plan Rationale: This provides documentation of the staff person responsible for completing the plan Adds requirement for licensee to include and works with any child who has the ability to understand and the placing agency in developing the individualized service plan and provides copy to placing agency Rationale: Child Welfare League of America standards encourage participation of the child in care in determining and achieving service plan objectives Licensee may also provide copy to foster parent and parents, where appropriate, as long as confidential information is not released Rationale: Having a copy of the service plan will assist foster parents in understanding the goal and implementing portions of the plan, as appropriate; not releasing confidential information about the birth parent or foster parent to the other party is in response to</p>
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	213 F		public comment made for a previous proposed regulation to preserve confidentiality of personal information Adds provision that short-term placements comply only with G, H, and I Rationale: Acknowledges the nature of short-term placements
230 B	214	Narratives, quarterly summaries and service plans in child's record	Re-names quarterly summaries progress reports and establishes a new section specific to progress reports and ongoing service plans Rationale: Makes it easier for the reader to locate information about progress reports and ongoing service plans General Rationale: When the requirements are not program specific, they are coordinated with other programs to support concurrent planning
	214		Progress reports 90 days after date of first service plan and every 90 days Rationale: Number of days added in response to public comment from previous proposed regulation to avoid ambiguity Adds time period covered Rationale: Verifies that the report is prepared each 90 days
230 B 1S	214 A	Summaries and service plans made quarterly; date of initial plan the beginning date of first quarter	Changes to evaluate and describe progress in each specified area of need in service plan Rationale: Reflects outcome-based measurement
	214 B 1		Evaluate new or magnified area of need Rationale: Keeps focus on current situation
230 B 1 b	214 B 1	Evaluate services provided the child	Include changes to goals, reasons for changes, and month/year projected for attaining Rationale: Changes focus from service delivery to goal to be achieved because of services
230 B 1 b	214 B 2	Evaluate continued suitability of goal	Changes recommended to needs, activities, and services Rationale: Links activities and services to needs
230 B 2 b and d	214 B 3	Plan for next quarter cover services needed for child and their availability and progress anticipated	Contacts between child and child's family Rationale: Focuses on the nuclear family in response to permanency goal; others may be included as part of activities and services Adds child's assessment of his progress and his description of needed activities and services, when appropriate Rationale: Recognizes that the child's perspective is an important factor to consider for ongoing planning
230 B 2 b	214 B 5	Services needed and availability	Adds updated permanency planning goals, including reunification of family or placement with relatives
230 B 2 c	214 B 6	Contacts planned with foster parents, school, biological parent or parents and other relatives	
	214 B 7		
	214 B 8		

	214 B 9		Rationale: Places attention on the requirement for permanency planning goals for every foster child and the need to revise as circumstances warrant Document child's and parent's involvement in development of the progress report
	214 B 10		Rationale: Provides accountability for including the input of the subjects of the progress report For children 16 and over, progress in attaining independent living skills, as appropriate
	214 B 11		Rationale: Provides consistency with the similar requirement for service plans; requires documentation of response to requirement in <i>Code of Virginia</i> to prepare children for independent living Requires progress reports to include discharge plans
	214 C		Rationale: Keeps focus on permanency plans Adds requirement that each fourth progress report also evaluate and update the service plan for the upcoming year
	214 D		Rationale: Provides for an annual update of the service plan to reflect progress during the previous four quarters; reflects public comment for previous proposed regulation Requires staff who completed report date and sign
	214 E		Rationale: Provides verification of the responsible staff Include each child with ability to understand in preparation of service plan and progress report or document reasons not possible
	214 F		Rationale: Augments 214 E 7 and allows child input about what is needed or desired; Child Welfare League standards encourage participation of the child in care in determining service plan objective Document child's comments in the report Rationale: Documents the child's perspective
220	220	Ongoing services	Changes to contacts with child Rationale: Separates section 220 into visitation (220) and medical care (221) Rationale: Makes it easier for the reader to locate information about visitation and medical care following the child's placement
220 A 1, 2	220 A	Face-to-face contact between child-placing staff and child every 30 days during first year of placement and contacts every 60 days in placement setting	Changes to face-to-face contact every 30 days and more often as needed to assess child's progress, monitor service delivery, and allow child to communicate concerns; contacts every 60 days in the home Rationale: Adds the reasons for the contacts
	220 B		Adds description of contacts documented in

220 A 3 a	220 C	Contact every quarter with child in a group care facility	<p>the narrative Rationale: It is necessary to document the contacts to assist in monitoring progress Deleted Rationale: Not relevant to this chapter Add private interview of children who are able to communicate once a month Rationale: Provides the child the opportunity to express confidential thoughts about the plan, placement, etc.</p>
220 A 3 b	220 D	Children in permanent foster care visited every six months according to Service Programs Manual	<p>Children in custody of licensee and in permanent foster care made every six months and more often if needed Rationale: Makes a distinction for children in custody of agency to make more frequent visits and deletes reference to Service Programs Manual that is duplicative</p>
220 A 3 c	220 E	Youth not meeting requirements for court-approved permanent foster care because over 18, but placed for a year, visited at least every six months	<p>Adds as an exception those youth in the licensee's approved independent living arrangement or in treatment foster care Rationale: In these situations, more frequent visitation and supervision are necessary</p>
220 A 3 d	220 F	Visits in out-of-state placements the responsibility of agency supervising the placement	<p>Changed to requiring the licensee to ensure that visits in out-of-state placement are in accordance with this chapter when conducted by agency supervising the placement Rationale: Makes clear that out-of-sate supervising agencies must abide by this chapter</p>
	220 G		<p>Adds that another licensee or public agency that doesn't have custody may conduct visits; but must provide documentation, including dates and substance of contacts, that is kept in the child's record Rationale: Requires the same documentation and maintenance of information regardless of what agency makes the visits</p>
	220 H		<p>Adds that foster children shall have access to regular contact with their families, as described in the service plan Rationale: Acknowledges the important role of the birth family and the child's right to contact that has been approved in the service plan</p>
	220 I		<p>Adds that, after consultation with placing agency, the licensee works actively to support and enhance child-family relationships and work toward reunification as specified in the service plan Rationale: Acknowledges the licensee's responsibility to promote reunification that is specified in the service plan</p>
220 B	221	Ongoing services	Medical Care

270 C 4 b (3)	221 A	Arrangements for medical care	<p>Rationale: Separates section 220 into visitation (220) and medical care (221)</p> <p>Rationale: Makes it easier for the reader to locate information about medical care</p> <p>Adds requirement that licensee ensure routine and emergency medical care</p> <p>Rationale: Explicitly indicates that the licensee is responsible for the ongoing medical care of children it has placed</p>
220 B 1 a, b	221 A 1 a, b	Frequency of examinations by physician recommendations children under one and no more than 13 months apart over one	<p>Changed to be according to schedule for EPSDT check-ups including Virginia EPSDT Periodicity Schedule and "Recommended Childhood Immunization Schedule - United States"</p> <p>Rationale: Complies with the age-differentiated check-up schedule for EPSDT for which foster children are eligible, reflects required consistency in requirements with public sector, supports concurrent planning</p> <p>Adds physician's designee or official of the local health department</p>
220 B 3	221 A 4 221 B		<p>Adds requirement for licensee to record medications prescribed for each child and any reported side effects or adverse reactions</p> <p>Rationale: Provides ongoing documentation of medication use as a reference for ongoing treatment and in case of emergencies</p>
220 C 1	221 C	Children over three dental exams within 13 months of last exam and every 13 months after that	<p>Changes to dental exams according to check-up schedule of American Academy of Pediatric Dentistry</p> <p>Rationale: Provides a professionally recognized schedule, reflects required consistency in requirements with public sector; supports concurrent planning</p>
220 D	221 D 223 223 A	Agency arrange for psychiatric or psychological services if need has been identified	<p>Adds that licensee consult with placing agency, includes other clinical services and if the service has been recommended</p> <p>Rationale: Added in response to public comment for previous proposed regulation because custodial agency should be involved in this decision</p> <p>New section: Other responsibilities of licensee</p> <p>Rationale: Identifies licensee responsibilities when a child is moved</p> <p>Adds requirement for licensee to consult with placing agency, or parent if parental placement, prior to moving a child unless an emergency situation or due to child abuse and neglect; if can't consult with placing agency or parent prior to move, must do so within 24 hours of the move</p>

	223 B		<p>Rationale: The parent or custodial agency should be involved in placement decisions whenever possible; standard provides for notification when that involvement is not possible; provides ongoing information about the child's residence to parent/placing authority</p> <p>Requires documentation in the child's record by the end of the next business day the circumstances around moving a child to another foster home</p> <p>Rationale: Provides for timely documentation of a change in residence of a child and information that may precipitate a change in the service plan</p>
230	230	Narratives, quarterly summaries and services plans in child's record	Moves quarterly summaries and service plans to independent sections
	230		General Rationale: Unless the requirements are program-specific, they are coordinated with other programs to support concurrent planning
230 A	230 A	Entries in narrative for or recorded on contact sheet	Deleted
	230 A 3		Rationale: Provides licensee discretion in format as long as all information is provided
	230 A 4		Adds contacts mad with others on behalf of child
	230 A 5	School-age children shall have allowance	Rationale: Provides for verification of implementation of a service plan requirement
223 F 270 C 4 b (5)		Arrangements for spending money for the child	Adds documentation of enrollment of school-age child by custodian, including submission of required documentation and notification of school officials
	230 A 6	Each child in care own supply of clothing for indoor and outdoor wear, suitable to season	Rationale: Complies with §§ 22.1-3.4 and 63.2-900 of the <i>Code of Virginia</i>
223 E 270 C 4 b (4)		Arrange for provision of clothing	Changes to documentation of amount and frequency and written verification of its distribution
			Rationale: Documentation allows the child, licensee staff, and foster parents to decide on the specific amount and verify its receipt; added in response to public comment for previous proposed regulation
240	240	Termination of care	Adds clothing in good condition, documentation of provision of clothing, and verification every 90 days that clothing suitable and in good condition
			Rationale: Clothing should be suitable for the child and in good condition; documentation enhances ability to verify
			Discharge from care
			Rationale new Section title more appropriately reflects that the child is being discharged from care of the licensee and not

240 A	240 A	Closing narrative	that care will end Changes to discharge report and adds within 30 days of discharge Rationale: Establishes a discharge report as a distinct document, as are quarterly reports and service plans; reflects public comment for previous proposed regulation
240 A 2	240 A 2	With whom child has been placed or discharged to	Adds contact information Rationale: There may be a legal or other reason for needing to contact the child following discharge from the licensee's care
240 A 4	240 A 3, 4	Brief statement of what was accomplished in care	Description of services provided while in care and progress made Rationale: Functions as a final progress report so information is up-to-date at time of discharge
	240 B		Adds discharge planning developed with child, child's parents or guardian, if applicable, and placing agency Rationale: Implements the intent of § 63.2-906 of the <i>Code of Virginia</i> and reflects Child Welfare League of America standards that encourage participation of the parent and of the child in care
	240 C		Adds that parents, unless parental rights terminated, or guardian be notified of child's discharge Rationale: Parents/guardians have the right to this information, especially in the context of permanency planning
	240 D		Adds that children under 18 only discharged to parent, guardian, or agency having legal custody Rationale: Complies with the <i>Code of Virginia</i>
240 B	240 E	If licensee has custody, gives copy of medical and school records and birth certificate to parent or receiving agency	Explains that this occurs at the time of discharge and must be documented in child's record Rationale: Eliminates current ambiguity
260			Deleted Rationale: One paragraph section replaced with the new Part VIII, Independent Living Services
270	261	Foster family and foster home study	Title adds orientation
270	261		General Rationale: Home study requirements reflect required coordination of requirements with the public sector and the requirement at § 63.2-906 B 2 of the <i>Code of Virginia</i> that home studies allow for dual approval of foster and adoptive homes
270 A	261 A	Gather information listed below to assess suitability of a home and types of	Changed to conduct thorough home study and determine approval or denial; licensee may add requirements

270 A	261 B	children Gather information listed below to assess suitability of a home and types of children	Rationale: Requires adherence to the requirements of the Chapter, but allows the licensee to consider additional factors Separates reason for gathering information as new standard B and its subsequent use in determining type of child and adds assessment of prospective foster parent's capabilities Rationale: Requires that all factors be considered in making a decision and in determining the type of child suitable for the home
270 A 8 & 270 A 8 b	261 C	Interviews with household members interview all other household members face-to-face at least once	Changed to interview all family household members and document date and content of interviews Rationale: Recognizes the impact each household member will have on the placement and provides for verification of interviews; reflects public comment for previous proposed regulation
270 A 8 a	261 D 261 E		Same; new location Adds that orientation during home study does not count as interviews Rationale: Provision of information by staffs does not provide input about family members
270 A 9	261 F	Three references for the family	Allows licensee to obtain additional references Rationale: Provides for additional input, if needed to make a decision
270 A 3	261 G	Household members obtain health report	Adds that specialists consulted if difficulties noted, exam, and report includes both mental and physical health Rationale: Provides for input from specialists; reflects § 63.2-1208 of the <i>Code of Virginia</i> and public comment for previous proposed regulation
270 A 3 1 (1)	261 G 1	Evaluation of current health	Adds evaluation within 12 months of approval and includes evaluation of drug or alcohol abuse Rationale: Drug and alcohol abuse are specifically identified because of their impact on family relationships and safety of the home; the 12 month time frame is in response to public comment for previous proposed regulation
270 A 3 a (2)	261 G 2	Statement that individual does not have tuberculosis, including date, time, and results	Adds screening or testing Rationale: Department of Health now allows screening
270 A 3 a (2) (3)	261 G 2 a, b 261 G 3		Same; new location Adds opinion whether health of individual will affect care or present hazard to health of children Rationale: This provides the health professional the opportunity to provide a

<p>270 A 3 a 270 A 3 c</p>	<p>261 G 4 261 H</p>	<p>Requires another examination upon request of agency or licensing representative if indications that safety of children may be jeopardized by physical or mental health of household member</p>	<p>medical opinion based on examination results Same; new location Broadens to update required if licensee or licensing representative has concerns about health of members of foster family household Rationale: Redirects the emphasis to the health of members of the household; safety added elsewhere</p>
<p>270 A 1</p>	<p>261 I</p>	<p>Foster parent at least 18</p>	<p>Changes to 21 and adds exception if foster parent also a sibling, aunt, uncle, niece, or nephew of child to be placed Rationale: Reflects required consistency between the public and private sectors and concurrent planning; acknowledges special circumstances of relatives</p>
<p>270 A 6 a</p>	<p>261 J</p>		<p>Licensee consider impact of age and stamina of prospective foster parent and medical information of less than norm life expectancy might have on care of child Rationale: This is a subjective consideration to be combined with all other factors in making a decision; reflects public comment for previous proposed regulation</p>
<p>270 A 6 a</p>	<p>261 K</p>	<p>Consent to search of central registry, not use home if founded or unfounded reason to suspect record, repeat if child-placing staff believes necessary</p>	<p>Changed to reference <i>Code of Virginia</i> sections and the relevant background checks regulation Rationale: It is not necessary to repeat the requirements of law or of another regulation that pertains specifically to background checks</p>
<p>270 A 6 b</p>	<p>261 L 1</p>		<p>Requires verification that foster home has available transportation Rationale: Transportation is necessary for health and safety reasons and to provide access to community resources and activities</p>
<p>270 A 6 b</p>	<p>261 L 2</p>		<p>Requires liability insurance on vehicles used by family members to transport foster child Rationale: This is important protection in case of an accident</p>
<p>270 A 6 b</p>	<p>261 L 3</p>		<p>Requires family members who transport children have valid drivers licenses Rationale: This requirement is a safety measure and state law</p>
<p>270 A 6 b</p>	<p>261 L 4 261 L 5</p>		<p>Same; new location Adds prospective foster parent discloses any moving violations in last five years Rationale: This information may influence the approval/denial decision when combined with other information</p>
<p>270 A 2</p>	<p>261 M</p>	<p>Workers see marriage licenses for couples applying to be foster</p>	<p>Changed to licensee verification that most recent divorce from spouse is final Rationale: The change verifies the legal</p>

		parents and worker ascertains that divorces from former spouses final	composition of the household
270 A 4	261 N		Adds discussion of employment history and management of income and financial resources of prospective foster parent Rationale: Employment and money management demonstrate economic stability
	261 O	Income and financial resources of foster family sufficient; if amount in monthly payment more than required for needs of child, counted as income	Deletes portion about portion of monthly payment Rationale: Requirement in last sentence does not apply to an initial home study
	261 P		Licensee and prospective foster parent develop plan of child care and financial resources if parent approved and is later incapacitated Rationale: Preplanning will help to avoid crisis decision-making in the event of subsequent incapacitation of a foster parent; supports concurrent planning; reflects public comment for previous proposed regulation
	261 Q		Licensee request information from prospective foster parent if has previously applied to be a foster or adoptive parent through another agency Rationale: This information will help to identify the prospective foster parent's expectations or suggest areas to be carefully considered, as well has help determine need to make sure there is no other open application
	261 R		Adds requirement that prospective foster parent sign a statement that he will not use corporal punishment nor give others permission to do so Rationale: Reflects requirement in foster home agreement
270 A 8 c	261 S	Agency considers applicant's reasons for and expectations of foster parenting	Adds commitment , and ability of prospective foster parent Rationale: Commitment and abilities are necessary for a successful placement
270 A 8 c (4); 270 A 8 c (5); 270 A 8 c (6)	261 S 1	Consider social and academic adjustment of applicants children; family relationships including marital; and general patterns of family life	Changed to family relationships, how members of household resolve conflict and express affection, relationships with children living outside the home Rationale: Focuses on family members in relationship to a placement
270 A 8 c (7)	261 S 2	Applicant's relationships with extended family and friends	Changed to extended family, social, and community relationships Rationale: It is important for children in foster care to experience the services and opportunities of various community settings
270 A 8 c (5)	261 S 3	Family relationships including marital	Changed to stability of marriage, where applicable

<p>270 A 8 c (2)</p>	<p>261 S 4</p> <p>261 S 5</p>	<p>Applicant's parenting skills, understanding of types of children to be placed, prior experiences with children, attitudes toward natural parents and toward working with agency</p>	<p>Rationale: Recognizes the impact of marriage stability on the household Changed to each prospective foster parent's experiences with children and as children, including childhood relationships with parents, siblings, and peers Rationale: Refocuses on factors that impact parenting skills</p> <p>Adds requirement to assess interests and activities of family members and a judgment if family life patterns can accommodate a child Rationale: Provides information about accommodations needed to include a child in the home</p>
<p>270 A 8 c (3)</p>	<p>261 S 6</p> <p>261 S 7 a-d</p> <p>261 S 8</p> <p>261 S 9</p> <p>261 S 10</p> <p>261 S 11</p>	<p>Abilities of all household members to accept foster child, including experiences in sharing with and caring for children not related to them</p>	<p>Changed to value system of family and ability to accommodate child of different religion, culture, and/or ethnicity Rationale: Ability to accept a child includes this broader array of factors</p> <p>Adds discipline considerations including discipline of prospective foster parent as a child, current discipline practices, opinion and attitudes towards discipline, and discipline techniques to be used with child who is placed Rationale: Because of the circumstances predating the child's placement, and because the person would parent under the authority of the Commonwealth, a foster parent must know acceptable techniques for teaching desired behavior</p> <p>Adds willingness to assist in service plan Rationale: This is a responsibility of persons approved as foster parents</p> <p>Adds education and attitudes toward education Rationale: Education is an expected component of preparing a child for independence</p> <p>Adds willingness to work with school and all other professionals involved in care of the child Rationale: The foster parent serves as the liaison between the child and community resources</p> <p>Adds willingness to provide food and water appropriate to daily nutritional needs, as prescribed by physician or in accordance with religious, ethnic or other special needs Requirements: This requirement may necessitate adaptation on the part of the foster parent and needs to be part of the decision-making process for the prospective</p>

	261 S 12		foster parent and the licensee; reflects required consistency between the public and private sectors and concurrent planning Adds ability to communicate effectively, orally and in writing, as applicable to the parenting responsibilities and willingness to increase English proficiency, as applicable Rationale: Communication skills are necessary for the child's safety, instruction, family relationships, and for performing the liaison role with community resources
270 A 8 c (2)	261 S 13	Attitudes toward natural parents and working with agency, etc.	Separated into a distinct standard Rationale: Current statement contained several standards
	261 S 14		Adds age, sex, and type of child desired Rationale: Provides information to assist licensee in making a compatible match between family and child
	261 S 15		Adds supervision arrangements when prospective foster parent will be out of the home Rationale: Need to know that prospective foster parent is able and prepared to arrange for alternate supervision
280 C 3	261 T	Foster home record include record of orientation and training provided to foster parents	Adds requirement that prospective foster parent participate in face-to-face orientation during home study process that describes permanency planning and importance of concurrent planning Rationale: Prospective foster parents need to understand permanency and concurrent planning because they will be expected to support these practices; all parents accepting a placement need to be prepared for such a decision, understand fees, as applicable, and related laws; reflects public comment for previous proposed regulation
270 A 7 c (5)	261 U	Assess neighborhood and accessibility of applicable community facilities	Changed to assess and approve residence and surrounding area Rationale: Specifies that the following part of the home study references the home and surrounding property
270 A 7 c (2) and 7 c (4)	261 U 1	Availability of play or recreations areas appropriate for ages of children to be placed, housekeeping standards	Adds residents and surrounding property free of hazards to health and safety of children, clean, in good physical repair Rationale: Licensing representatives need authority to check for physical hazards and cleanliness; physical repair of the home is especially important as it includes such items as loose nails and lead-based paint that directly affect health and safety; reflects required consistency between the public and private sectors and concurrent planning
270 A 7 c (3)	261 U 2	Availability of study areas if school age children to be placed	Changes to rooms used by children well-lit for activities and safety Rationale: All areas used by children need to

270 A 7 a (6)	261 U 3	Written plan for evacuation in case of fire	be well-lighted Changed to written plan for evacuation in case of emergencies, including contacting 911 and other emergency officials Rationale: Fire is not the only emergency that could require evacuation
270 A 6 b	261 U 3 a, b	Foster parent review evacuation plan with child old enough to understand within five days of placement; requirement in agreement or other document parent signs	Adds requirement to rehearse the plan with children every month and changes to review plan with child developmentally able to understand within 48 hours of placement Rationale: Adding the monthly rehearsals keeps the plan fresh in the child's mind and shortening the time to review the plan prepares a child in a new placement for an emergency
	261 U 4		Adds that attics and basements used by children have two emergency exits, one leading directly outside Rationale: A second exit precludes a child being trapped in a basement or attic; reflects required consistency between the public and private sectors and concurrent planning
270 A 7 a (2,3)	261 U 5	Home has screens on all doors and windows used for ventilation and some method of ventilation for rooms where children sleep	Changed to requirements that home have operable heating and ventilation system and all doors and windows used for ventilation appropriately screened Rationale: Ventilation is needed throughout the home; reflects required consistency between the public and private sectors and concurrent planning
	261 U 6		Adds that possession of weapons, including firearms, in compliance with federal and state laws and local ordinance Rationale: This is a reminder of additional laws governing weapon possession
270 A 7 b	261 U 7 a, b	If family possesses firearms, stored in locked cabinets or locked areas not accessible to children; ammunition stored in locked place separate from firearms	Revised to provide that firearms kept unloaded and firearms and ammunition locked in separate secure locations; safety mechanisms activated; any glass cabinets used to store weapons shatter-proof Rationale: Adds protection by identifying additional safety measures; reflects required consistency between the public and private sectors and concurrent planning
	261 U 8		Adds that key, or combination to locks, inaccessible to all children in the home Rationale: Adds an additional element of safety
270 A 7 c (1)	261 U 9	Availability and use of sleeping space	Adds that children over two sleep in separate beds and bedroom from foster parent unless licensee has approved a plan based on documented needs, disabilities, or other conditions Rationale: Prevents a condition that could lead to exploitation
	261 U 10		Adds requirement for 70 square feet in room

	261 U 11		<p>occupied by one child and 50 square feet for each child in room shared by two or more children Rationale: This is minimal space; reflects required consistency between the public and private sectors and concurrent planning</p>
270 A 7 a (5) and c (1)	261 U 12	<p>Separate beds for each foster child except two siblings of same sex may share double bed; availability and use of sleeping space</p>	<p>Adds that children under five years of age, and with insufficient cognitive of physical ability, not use top bunks of bunk beds Rationale: Based on research on injuries involving bunk beds; reflects required consistency between the public and private sectors and concurrent planning</p>
270 A 7 a (4)	261 U 13		<p>Changed to separate bedrooms for children of opposite sex over age two and children over age two sleep in separate beds Rationale: Reflects instances of sexual abuse by children of young ages; reflects required consistency between the public and private sectors and concurrent planning</p>
	261 U 14		<p>Adds that children's bedrooms are not to be used as passageways and shall have doors for privacy Rationale: Promotes good sleep patterns and provides privacy</p>
	261 U 15		<p>Same; new location</p>
270 A 7 a (1)	261 U 16		<p>Adds requirement for adequate space and equipment for food preparation, service, and proper storage Rationale: Adequate space and equipment for food activities supports good nutrition, eating habits, and family interaction; reflects required consistency between the public and private sectors and concurrent planning</p>
	261 U 17		<p>Adds requirement that cleaning supplies and other toxic substances stored away from food, secured, and out of reach of children developmentally unable to understand the dangers, except adolescents may have access to and use cleaning supplies, when appropriate Rationale: Reflects standard in other child welfare regulations; reflects public comment for previous proposed regulation</p>
	261 U 18, 19, 20		<p>Same; new location</p> <p>Adds requirement that presence of pets documented, children protected from pets, and animals kept in compliance with the <i>Code of Virginia</i> and local ordinances Rationale: While a pet can be a source of enjoyment and teach responsibility, it can also be a safety concern. This provides authority for a licensing representative to verify that children are protected from pets; is</p>

	261 U 21		a reminder of additional laws pertaining to pets; reflects required consistency between the public and private sectors and concurrent planning Adds that first aid supplies easily accessible in case of accidents Rationale: Reflects standard in other child welfare regulations; reflects required consistency between the public and private sectors and concurrent planning
	261 U 22		Adds that prospective foster parent agree to permit inspection of home's private water supply and sewage disposal system by local health department if need indicated and licensee or licensing representative request it Rationale: Gives the licensee and licensing representative authority to request such inspection to ensure adequate health and safety standards have been met; reflects required consistency between the public and private sectors and concurrent planning
	265		New Section about approval or denial Rationale: Distinguishes between the home study process and the approval/denial process
	265		General rationale for section: reflects required consistency between the public and private sectors and concurrent planning
270 A 10 a	265 A	Child-placing staff recommend approval or disapproval and record date of the action	Changed to licensee recommend approval or disapproval based on assessing information in home study process and foster parent's participation in home study process, including orientation Rationale: Specifies the evaluation areas used to recommend approval or denial
	265 B		Adds decision made by child-placing supervisor, licensee staff person with qualifications of case work supervisor, or in staff meeting where case work supervisor or equivalent present and in agreement
270 A 10 a	265 C		Same; new location
270 A 10 c	265 D		Same; new location
270 A 10 b	265 E	Prospective parent informed within a week	Adds requirement for licensee to offer an interview to explain denial Rationale: Offering an interview when there is a denial provides the opportunity to avoid misunderstandings about the reasons for denial; reflects public comment for previous proposed regulation
270 A 11	265 F	Total children in foster home is eight including foster parent's	Same; new location
270 B	265 G		Adds provision that total may be less depending on physical accommodations, the

<p>270 C 2 270 C 3</p>	<p>265 H 265 H 1 265 H 2 265 H 3 265 H 4 265 I 268 268 268 A</p>	<p>Prior to placement family assisted to make informed decision whether particular child appropriate for them</p>	<p>capabilities and skills of provider, or other individuals require special attention; adds exception that number may be more than eight if placement of sibling group in one home in best interest of siblings and needs of all children can be met Rationale: The ability to license for fewer children is necessary to address adequate supervision for children in the home; reflects required consistency between the public and private sectors and concurrent planning Adds that there is a list of services provided for foster parents following approval Rationale; Provides accountability of licensee following approval of foster family Adds preplacement training, in addition to first aid and cardiopulmonary resuscitation training Rationale: Requires the licensee to prepare foster parents prior to placing a child in the home; reflects required consistency between the public and private sectors and concurrent planning Adds ongoing training Rationale: Confirms that the foster parent will continue to receive training after approval Same; new location Adds that foster parent has right to refuse a placement; focuses on the match between a particular child and family Adds requirement that licensee document the provision of these services and place documentation in foster home record Rationale: Provides a means of verification General Rationale: When the requirements are not program specific, they are coordinated among programs to support concurrent planning Adds a new section specific to training for foster parents Rationale: Makes it easier for the reader to find information related to training Adds requirement for approved foster parents to complete pre-placement training in addition to first aid and cardio-pulmonary resuscitation training Rationale: Although the current regulation requires agencies to provide training prior to placement, there is no requirement for approved foster parent to complete this training prior to a child being placed; reflects required coordination in requirements between the public and private sectors and concurrent planning</p>
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270	268 B	Foster family	<p>Adds requirement that training curriculum be written and include but not be limited to 1) strengths and needs of children; 2) impact of separation and loss for all parties; 3) laws, regulations, policies, procedures, and values of licensee's foster care program; 4) policies on acceptable methods of control, supervision, and discipline; 5) knowledge and practice skills necessary for foster parents including behavior management; 6) impact of fostering on parents, their children, and all aspects of family life; 7) knowledge and understanding of types of children who may be placed; 8) mandated reporting of child abuse and neglect; 9) attachment and bonding issues; 10) care of children with pre-natal drug exposure or other medical needs, where applicable; 11) awareness of behavioral and emotional signs and other concerns that should be reported; 12) methods for sharing information; and 13) preparation for each individual child prior to placement</p> <p>Rationale: These topics include reporting required by law, agency policies to which they are expected to adhere, basic skills required for successful foster parenting, and training targeted to the needs of the specific child to be placed</p>
	268 C		<p>Adds requirement to provide annual on-going training for foster parents</p> <p>Rationale: Recognizes that there is a continued need for skill development; reflects required coordination in requirements between public and private sectors; supports concurrent planning</p>
	268 D		<p>Adds requirement to consult with foster parents on their training needs</p> <p>Rationale: Promotes training in areas where foster parents indicate they need assistance; reflects public comment for previous proposed regulation</p>
	271		<p>Deleted</p> <p>Rationale: Information incorporated into other sections</p>
	271		<p>General rationale: When the requirements are not program specific, they are coordinated among programs to support concurrent planning</p> <p>Adds a new section specific to the foster home agreement</p> <p>Rationale: Makes it easier for the reader to find information related to the agreement</p>

270 C 4	271 A 271 B		Same; new location Adds requirement to state date approval of the home begins and ends Rationale: Reflects required consistency in requirements between public and private sectors; supports concurrent planning
270 C 4 a	271 C	Foster home agreement signed on or before placement of child in home	Adds inclusion of statements of agreement by foster parent or parents and signing by licensee and foster parent Rationale: Specifies that there are required agreements
	271 C 1		Adds agreement to cooperate with licensee staff in implementing plan for care including return of child to birth parent, facilitation of adoptive placement or re-placement in foster care Rationale: Documents willingness to assist in the service plan, as discussed during the home study
	271 C 2		Adds agreement to accept licensee supervision of child Rationale: Makes clear that the child is the responsibility of the licensee
270 C 4 b (8)	271 C 3		Same; new location
	271 C 4		Adds agreement to give advance notice if decide to discontinue being foster parent Rationale: Provides for transition services for the child, time for revising the service plan, and time to notify parent or legal guardian
	271 C 5		Adds agreement to accept only children from or approved by licensee while child in care Rationale: Avoids potential conflict of accountability
	271 C 6		Adds agreement to keep confidential all information shared by licensee about child Rationale: Complies with confidentiality requirements in the <i>Code of Virginia</i>
	271 C 7		Adds agreement to maintain close contact with licensee staff regarding significant matters relating to adjustment and welfare of child Rationale: Is the foster parent complement to D of this Section by providing that the foster parent will keep the licensee informed
	271 C 8		Adds agreement to abide by licensee's visiting plan for child and birth family Rationale: Reflects the foster parent's willingness to assist in the service plan, as discussed during the home study
	271 C 9	Adds agreement to report changes in family/household composition; serious illness in the household; and illnesses, injuries, and significant behavioral changes in the child Rationale: Documents changes in composition of approved foster home and	

	271 C 10		<p>provides documentation that is required to be in the child's case record</p> <p>Adds agreement to report any criminal convictions, child protective services finds, and any motor vehicle offenses of any member of the household</p> <p>Rationale: Necessary because may affect whether the family is allowed continued approval status</p>
270 C 4 b (3) 270 C 2	271 C 11	<p>Arrangements for medical care</p> <p>Agency provide foster family written procedures for handling emergencies during and outside agency's regular office hours</p>	<p>Changed to agreement to abide by licensee's policies relating to preventive medical care and non-emergency and/or emergency care in case of illness or injury</p> <p>Rationale: Reiterates requirement that licensee ensure routine and emergency medical care</p>
	271 C 12		<p>Adds requirement to notify licensee of vacation plans</p> <p>Rationale: Reflects appropriate practice standard</p> <p>Same; new location</p>
270 C 4 b (7)	271 C 13		
	271 C 14		<p>Adds willingness to participate in English language proficiency program, as appropriate</p> <p>Rationale: Use of the dominant language will enhance the child's development and assist in protecting health and safety</p> <p>Same; new location</p>
270 C 4 b (9) 270 C 4 b (1,2)	271 D		
	271 E	<p>Agreement include payment for foster care and payment for other expenses</p>	<p>Adds licensee's agreement to 1) place a specific child with foster parent, 2) provide information about child related to current behavior functioning including strengths, talents, and problems, and well as expected duration of care; and 3) pay foster parent by specified method by a certain date each month for specified services</p> <p>Rationale: Provides specifics about payment to provide protection for foster parent</p>
	271 F		<p>Adds agreement that foster parent agrees to immediately support suspected abuse, neglect, or exploitation to local department of social services or hotline</p> <p>Rationale: Complies with § 63.2-1509 of the <i>Code of Virginia</i></p>
	271 G		<p>Adds that licensee may include additional requirements</p> <p>Rationale: Allows the prerogative of licensee to require additional agreements</p>
	272		<p>General rationale: When the requirements are not program specific, they are coordinated among programs to support concurrent planning</p>

270 D	272 272 A	Re-evaluate foster home after one year and every two years after that covering topics in initial home study	New Section Rationale: Makes it easier for the reader to locate information about repeat evaluations of foster homes Changed to evaluate foster home every 24 months
270 D	272 B	Re-evaluation take place in home when both parents present and may be done at time of one of regular home visits	Rationale: Reflects required consistency in requirements between public and private sectors; supports concurrent planning Adds provision for telephone interview if possible, if one foster parent is absent due to employment requiring extended absence from home, and repeat evaluation with foster parent who is present; documentation of reason for telephone interview with absent foster parent; and an interview with absent foster parent within 14 days of return to home Rationale: Military service or other employment circumstances require modified repeat evaluation procedures
270 D 4	272 C 272 D 272 E 272 F	Re-evaluation cover stability of home and problems or significant changes since last evaluation	Changed to re-evaluation whenever a change in physical location, marital status, or household composition Rationale: Relates to standards such as 261 C, 261 R3, 261 R 1 and 261 T, as they involve factors used to determine approval or denial of a home Adds requirement for licensee to make a re-determination about continued approval relative to the change Rationale: Continuing approval is dependent on the current status of factors assessed during the previous home study Adds medical exam updated if licensee or licensing representative have concerns about health of a member of the household Rationale: Reflects willingness of the prospective parent at the time of the home study to consent to a repeat exam, if it is requested; reflects required consistency in requirements between public and private sectors; supports concurrent planning
270 D 1	272 G (1) 272 G (2)		Adds requirement for licensee to immediately remove any foster child if medical exam reveals health of safety of child might be in jeopardy Rationale: Complies with § 63.2-904 of the <i>Code of Virginia</i> Same; new location Evaluation also includes reason for removal of any children from home during the time period Rationale: The reason may impact the licensee's assessment of the home's continued suitability of the home for a particular child, any foster children

270 D 2 C	272 G (iii) 1		Same; new location
270 D 3, 4	272 G (iii) 2 272 G (iii) 3		Same; new location
			Adds reason for removal of any foster children from the home during this time period
			Rationale: This information will help determine suitability for continued approval
270 D 2 d	272 G (iii) 4	Ability to work with licensee in meeting needs of child	Adds ability to work with birth parent in meeting needs of child
	272 H		Adds requirement to require drivers record for any new drives in home if they transport foster children, and a re-check of the record on request of licensee or licensing representative
			Rationale: Reflects understanding during home study
	272 I		Adds that licensee make recommendation for continued use of home, further training needs of foster parent, and age, sex, number based on sex and appropriate bed space and behavioral characteristics
			Rationale: Reflects public comment for previous proposed regulation
	275		General rationale: When the requirements are not program specific, they are coordinated among programs to support concurrent planning
	275		Adds a new section specific to respite care
	275 A		Rationale: Makes it easier for the reader to find information about respite care
			Adds provision that foster parent have access to planned and crisis respite care for foster children placed in home
			Rationale: This support is needed to provide relief from the stress of foster parenting responsibilities
	275 B		Adds provision that respite care provided only in foster homes selected and trained according to standards in Chapter
			Rationale: Maintains trained caregiving during respite care
	275 C		Adds provision that respite providers be informed of child's service plan and assisted in its implementation
			Rationale: Provides the respite provider information necessary to support the implementation of the service plan
	275 D		Adds provision that licensee and respite foster parent sign agreement for respite care prior to provision of respite care
			Rationale: Validates the provision of respite care
280	280	Foster care records	Changed to requirements for foster care

<p>280 A</p>	<p>280 A</p> <p>280 B</p> <p>280 C 1</p> <p>280 C 2</p> <p>280 C 3</p>	<p>Agency maintain record for child, biological family, and foster family; biological family record may be part of child's record</p>	<p>records Rationale: The changed title more accurately reflects the contents of the section Adds that the records are indexed indicating the organization and documentation in the record Rationale: Provides for a logical, consistent organization of foster care records Adds requirement that entries in chronological order, dated, identify person making entry, and be typed or legibly handwritten in ink Rationale: Allows for tracking of record information Adds requirement that child case record include all services provided to the child Rationale: Documents information from service plan and progress reports Adds requirement that child case record include placement agreement between placing agency and licensee or the entrustment agreement between legal guardian and licensee Rationale: Provides placement in child record so that agreements follow the child Adds requirement to identify specific office, if licensee has more than one Rationale: This is a useful reference in case additional information must be located in the future</p>
<p>280 A 1 280 A 1 a</p>	<p>280 C 4 280 C 4 a 280 C 4 b</p>		<p>Same; new location Same; new location Adds requirement that child's record include a written description of child's appearance and a photograph no more than six months old at time of child's placement Rationale: this information could be critical if there is an emergency</p>
<p>280 A 1 b 280 A 1 c</p>	<p>280 C 4 c</p> <p>280 C 4 d</p> <p>280 C 4 e</p>	<p>Child's record includes parents' names, addresses, marital status, telephone numbers</p>	<p>Adds requirement to include Social Security number, if available, and the same information about grandparents and close relatives, when known Rationale: Social Security number is a good identification link and information about grandparents and close relatives will help in maintaining contact between them and the child; reflects public comment for previous proposed regulation Adds requirement that child's record include names of persons not authorized to call or visit the child Rationale: Provides a consistent location for this legal information Adds requirement that child's record include names, addresses, and telephone numbers of person or agency holding custody</p>

	<p>280 C 4 f</p> <p>280 C 5</p> <p>280 C 6</p> <p>280 C 7</p> <p>280 C 8, 9, 10, 11</p> <p>280 C 12</p> <p>280 C 13</p> <p>280 C 14</p> <p>280 C 15</p>		<p>Rationale: Provides a consistent location for information to support routine and emergency contacts Adds requirement that child's record include the names and telephone numbers of persons to be contacted in an emergency Rationale: Provides a consistent location for this emergency location so licensee can comply with Section 271, if needed Adds requirement that child's record include intake assessment information Rationale: This information is needed in the record as it was the basis for accepting the child for placement Adds requirement that child's record include social history Rationale: Provides documentation upon which individual service plan based Adds requirement that child's record include copies of foster home placement agreements, agreed upon plans of discipline, and authorization for routine and emergency medical care and for out-of-state travel and overnight sleepovers with friends of the child, participation in special activities, publicity releases Rationale: This documentation verifies approval Adds requirement that child's record include child's birth certificate, if possible; ongoing school and educational records, ongoing medical and dental treatment, and clinical treatment including progress notes and psychological or psychiatric evaluations, except for short-term placements Rationale: Exception for short-term placements because would be burdensome; reflects public comment for a previous proposed regulation Adds requirement that child's record include service plans, progress reports if child in placement long enough for these reports to be required, and discharge report, if applicable Adds requirement that child's record include names, addresses and dates of all placement the child has had while in the licensee's care Rationale: Provides a concise history of placements Adds requirement that child's record include all correspondence related to the child Rationale: Correspondence related to the child belongs in the child's record Adds requirement that child's record include narrative Rationale: Provides for consistent location for</p>
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	280 C 16		the required narrative Adds requirement that child's record include documentation of any serious incidents, accidents, or injuries Rationale: Provides a reference for information required in the agreement; reflects required consistency of requirements between public and private sectors; supports concurrent planning
	280 C 17		Adds requirement that child's record include reason for and date of closure, as applicable Rationale: Provides a reference for progress of permanency planning and verification of date of closure for business/legal purposes
	280 C 18		Adds requirement to document information given to a child who has turned 18, if applicable Rationale: Provides verification of released information
	280 C 17		Adds requirement that other material related to child in foster care identified by the standards and any other applicable standards and law be included in the child's record Rationale: Designates a location for placement of other child-specific information
	280 D		Adds requirement that information on previous foster families, and services provided to them, be documented in record of previous foster family and cross-referenced in child's current record Rationale: Designates a consistent location for maintenance of foster family information related to the child
280 B 1 c	280 E	Biological parent record cross-references to the child's record	Changed to provide for it to be part of the child's record Rationale: Maintains the information link between the child and birth family
280 C	280 F 1	Foster home record has face sheet listing all members of household and relationship to foster parent	Adds dates of birth and sex Rationale: Necessary to identify persons needing background checks and which persons, if any, are in a placement
	280 F 2		Adds requirement that face sheet be updated whenever there is a change Rationale: Keeps the face sheet information current
	280 F 4		Adds date of approval and approval period to face sheet Rationale: Reflects required consistency in requirements between public and private sectors; supports concurrent planning
280 C 6	280 F 9	Foster home record include foster home agreement	Adds agreed upon plans of discipline for each child placed in the home Rationale: Provides a consistent location for discipline techniques discussed during home study and training on licensee's policies on

280 C 9	<p>280 F 10</p> <p>280 F 11</p> <p>280 F 13</p> <p>280 F 14 280 F 15</p>		<p>acceptable methods of control and discipline Adds requirement that foster home record include documentation of services provided to foster parent Rationale: Provides consistent location to verify that services identified in agreement were provided</p> <p>Adds requirement that foster home record include documentation of all complaints involving the foster parents, including the investigation report and findings and police and child protective services' involvement Rationale: Keeps all information about the foster parent in a single location for historical and evaluation purposes</p> <p>Adds requirement that foster home record include narrative identifying concerns about foster home after initial approval and before repeat evaluations and resolution of concerns Rationale: Keeps all information about the foster parent in a single location for historical and evaluation purposes</p> <p>Same; new location Adds requirement that foster home record include other material about foster family required in the chapter and any other applicable standards and laws Rationale: Designates a location for placement of the foster family-specific information</p>
<p>Part V</p> <p>Part V</p> <p>Part V Note</p> <p>290 A 1-4 290 A 5</p>	<p>Part V</p> <p>Part V</p> <p>289</p> <p>290 A 1-5 290 A 6 290 A 10</p> <p>290 A 11</p>	<p>Adoption Services</p> <p>Adoption Services</p>	<p>General rationale: When the requirements are not program specific, they are coordinated among programs to support concurrent planning; reference to specific program is adjusted for each Part , i.e., "foster care" to "adoption," as appropriate General rationale: If the rationale for a change was provided in a previous Part, it is so indicated by inserting "previously explained" Previously explained</p> <p>Previously explained Previously explained Adds requirement for program description to include fee policy Rationale: Fees may vary depending on the needs of the child being placed; interested parties need to know fees to help decide whether to seek services or not Adds requirement for program description to</p>

	290 A 12		include intercountry services and licensee's roles and responsibilities regarding provision of these services Rationale: There is an array of intercountry services; identifying specific services avoids misunderstanding Adds requirement for program description to include a description of parental placement adoption services, if any, and licensee's roles and responsibilities in providing these services Rationale: Makes explicit if these specialized services are available, or not; provides overview of legal requirement of licensees Previously explained
	290 A 13,14		
300 A 2	300 A	Alternatives to adoptive placement discussed	Adds discussion is with birth family Rationale: Defines with whom alternatives to adoption will be discussed
300 A 1	300 B	While parents may have decided to place child before coming to agency, counseling offered to assure the following	If birth parents decide to place child for adoption counseling offered to ensure the following Rationale: Use of "ensure" previously explained
300 A 1 b	300 B 2	Decision [to place] firm	Changed to decision informed Rationale: Licensees can never guarantee that a parent's decision to give a child up for adoption is firm. The expectation is that the license ensure that parents are informed of all options before making this decision
	300 B 3		Adds that there is an opportunity to discuss reasons for decision [to place] Rationale: Provides an opportunity to evaluate the decision with a third party
	300 B 4		Adds counseling to ensure that birth parents aware of potential lifelong impact of placing a child for adoption on themselves, the child, and other family members Rationale: Reflects requirements at §§ 63.2-1224 and 63.2-1232 A of the <i>Code of Virginia</i>
300 A 3	300 C	Additional counseling sessions offered as needed	Adds documentation that additional counseling sessions were offered
300 A 5	300 E	Agency adoption services explained	Adds explained to birth parents and include licensee policies and procedures, adoption process, and rights and responsibilities of all parties Rationale: This overview helps the birth parent better understand the adoption process and roles of all parties in the process
	300 F		Adds that licensee shall document services offered to birth parents and dates they were offered and their responses, including why each alternative was not chosen Rationale: This documentation verifies compliance with applicable laws
300 A 6	300 G, G1, G2	If parents chose adoption,	Updates Service Programs Manual reference

		agency secures termination of parental rights in accordance with Service Programs Manual	and adds applicable <i>Code of Virginia</i> sections Rationale: Gives current references for instructions for securing termination of parental rights
301 A 1 a	301 A 1 a	Court commitment	Changed to commitment by any court of competent jurisdiction Rationale: Previously explained
301 A 1 c	301 A 1 c	Temporary entrustment by parent or parents or other person holding custody	Adds three <i>Code of Virginia</i> references Rationale: Gives current references for instructions for approval of a temporary entrustment
301 A 2 b (1), (2)		Authority to place include 1) if court finds remaining in home would be contrary to child's welfare and 2) child has been living with parent within six months of initiation of court proceedings; agency consult with local department of social services to determine if another relative acceptable; agency try to make child eligible for Title IV E if likely to need a subsidy; if not eligible for subsidy, may be eligible for state and local funds for the same needs and services for child	Deleted, except 2) Rationale: These requirements have been replaced by requirements in the Service Programs Manual referenced in Section 365
	301 B		Adds that licensee comply with <i>Code of Virginia</i> Rationale: The <i>Code of Virginia</i> references provide requirements related to authority to place
	301 C, 1, 2, 3, 4		Adds when two agencies participating in placement of child, they develop a mutually acceptable written agreement 1) outlining roles and responsibilities of each agency, 2) assuring open communication, 3) addressing procedures for resolving cases when there is disagreement, and 4) specifying payment for services rendered Rationale: Provides written agreement to make sure that responsibilities and payments are clear and there is an agreed upon process for resolving differences
310 A	310 A	Foster home agreement signed by agency and foster parent	Adds that the agreement is the one specified in 22 VAC 40-130-271 Rationale: References the location of information about the agreement
310 B	310 B	Intake assessment	Adds that intake assessment is to determine appropriateness of accepting a child for

	301 B 1		placement and assessing the needs of a child Rationale: Provides the reason for collecting and analyzing information Adds information to be obtained directly or from the placing agency
	301 B 2		Rationale: Allows the option to use placing information or obtain it directly Adds requirement to include date
310 B	310 B 3	Information before accepting child for placement	Rationale: Verifies that the information is current Adds requirement to review and assess the information before accepting child for placement in a foster home, and there is required information
310B 2 b	310 B 3 b, (1) and (2)	If child less than a year and not coming directly from hospital, hospital summary and report of interim care signed by physician, but not more than 30 days old, and include if abnormalities were noted or not	Rationale: Requires review and assessment, in addition to collection of required information Changed to information from the time of the child's birth on the child's known physical health and medication, including dosages and reasons for taking each medication
310 B 4	310 C	Assessment completed within 30 days of placement	Adds that the report based on the assessment of the information be written prior to completion of the adoption placement agreement Rationale: The information is needed to make a sound placement decision
310 B 3 a 310 B 3 b 310 B 3 b 310 C	310 C 1 310 C 2 310 C 3 310 D 310 D 1		Same; new location Same; new location Same; new location Same; new location Adds that licensee request copy of referring agency's social history on child, if child referred from another agency Rationale: Attempt to avoid unnecessary duplication of efforts
310 C	310 D 2	If some item of information not available, record the reason	Changes to licensee record the reasonable efforts made to obtain it, and the reason it is not available Rationale: Allows the licensee to document efforts to obtain information that is not available to avoid being out of compliance with standard
310 C 1 d	310 C 1 d 310 D 3 f-i	Child's parents', siblings', aunts', uncles' and grandparents' medical and psychiatric history as it relates to selection of suitable home for the child	Changes psychiatric history to mental health history Rationale: More generic term reflects type of information useful in making a placement decision Adds to social history 1) who in family knows about birth parent's plan of care for the child;

	<p>310 D 3 j</p> <p>310 D 3 k</p>		<p>2) relatives contacted for possible placement; 3) description of birth parent's personality, life style, and childhood; 4) child's placement history with dates and names of previous caretakers including addresses and phone numbers</p> <p>Rationale: The social history is the main source of background and family information for the child; adult adoptees may wish to learn as much as possible about their background and this document is critical; it is important that the history be as complete as possible; reflects public comment for previous proposed regulation</p> <p>Adds social history include description of child's prenatal care and any serious illnesses or substance abuse by mother during the pregnancy</p> <p>Rationale: This information is necessary to provide appropriate foster and medical care to children under one year of age</p> <p>Adds social history include description of type of adoptive family with whom birth parent would like to have the child placed</p> <p>Rationale: Reflects preference of birth parents revealed during required discussions</p>
<p>310 C 1 f</p>	<p>310 D 3 l</p>	<p>Expected length of placement in foster care</p>	<p>Changed to anticipated length of placement in pre-adoption foster care</p> <p>Rationale: This could affect the selection of the particular foster parent for this placement</p>
<p>310 C 3</p>	<p>310 D 4</p> <p>310 D 5</p> <p>310 D 6</p> <p>310 D 7</p>	<p>Worker describe type of adoptive home appears to be best for child</p>	<p>Adds explanation if determination has not yet been made</p> <p>Rationale: The determination of type of adoptive home is the result of an individualized process that may take longer than 30 days for some children</p> <p>Adds requirement that social history be complete within 30 days of placement in foster home and include date and document efforts to obtain missing information</p> <p>Rationale: Gives the licensee the opportunity to identify reasonable efforts to obtain missing information</p> <p>Previously explained</p> <p>Adds that the worker review the social history with the selected adoptive parents</p> <p>Rationale: Complies with the standard at 22 VAC 40-130-401 J 2 that the licensee provide assistance to adoptive parent in making a sound decision</p>
<p>310 D</p>	<p>310 F - K</p> <p>310 L</p>	<p>Case worker face-to-face contact with child every 30 days and visits every 60 days in foster home</p>	<p>Previously explained</p> <p>Adds that case worker trainee may also make visits and contacts with children over one year of age in accordance with section 220 of chapter</p> <p>Rationale: Since the case worker trainee is</p>

<p>310 E</p>	<p>310 M 310 N 310 O</p>		<p>supervised, it is appropriate to permit a person with this job description to make visits; provides consistency in visitation for all children over one year of age, regardless of the age when they were placed Previously explained Previously explained Previously explained</p>
<p>340 A</p>	<p>315 B 315 B 1,2 315 B 3 315 B 4 315 B 5, 6 315 B 7, 8</p>	<p>Child's concerns about adoption taken into account</p>	<p>Same; new location; adds that licensee prepares children with ability to understand for adoptive placement, recognizing rights of the child to information and plans affecting his future Rationale: Recognizes the importance of including a child in making plans for his future; "ability to understand" reflects public comment for previous proposed regulation Adds the preparation of the child include 1) discussion about being placed and notation of indicators that child ready for adoption; 2) discussion with child about birth family, past placements and relationships, and reason cannot return to birth parents Rationale: Provides a realistic framework in which the child considers being adopted Adds pre-placement visit in adoptive home with number to be determined by needs of child and adoptive family Rationale: Provides a transition phase; also helps to validate the fit of the placement Add discussion of child's relationship with social worker, foster family, and adoptive family Rationale: Provides a reminder of the roles of these parties and realistic expectations about future contact and support of the social worker and foster family, if different from adoptive family Adds that preparation of child for adoption include efforts to acquire photographs of child from birth through current age and provision, as appropriate, to adoptive family and for preparation of a life book with child, if developmentally appropriate Rationale: Supports social history requirements, training for adoptive parents, and the adoptive placement agreement Adds to requirements for preparation of child an assessment of child's attachment issues and description of services to address them and an assessment of the child's need for contacts with prior caretakers and birth relatives, including siblings Rationale: Provides documentation of need for services described at 22 VAC 40-130-310</p>

	<p>315 B 9</p> <p>315 B 9 Exception</p> <p>315 C</p> <p>315 D</p>	<p>Selecting adoptive home</p>	<p>H; the social history is the main source of information about a child to be placed for adoption and this documentation is critical; reflects public comment for previous proposed regulation Adds preparation of the adoptive family for the child identified for placement, including expected behaviors and the life-long impact of the child's history Rationale: Corresponds to the training requirements for adoptive parents at 22 VAC 40-130-402 Provides that the licensee provides the preparation services to children not in custody of the licensee with permission or, or by contract with, the custodial agency Rationale: Identifies who will provide these services prior to the child's placement Adds that the child be involve in adoption planning, where appropriate and that child's concerns and needs be taken into account Rationale: Complements the requirement for involvement of the child at § 63.2-906 A of the <i>Code of Virginia</i>; supports concurrent planning Adds requirement for licensee to document in the narrative contacts and services provided to the child in preparation for adoption Rationale: Identifies where this information is to be maintained Deleted Rationale: Incorporated into Section 395</p>
<p>320</p>			
<p>310 G</p>	<p>321 A</p> <p>321 B</p> <p>321 C</p> <p>321 D</p> <p>321 E</p>		<p>Same; new location Adds that licensee follow <i>Code of Virginia</i> requirements related to court review of service plan, court hearings, and completion of adoption progress reports Rationale: Complies with <i>Code of Virginia</i> Adds that licensee comply with permanency planning goals and the procedures in Services Programs Manual Rationale: Providing this reference eliminates duplication and fosters coordination between the public and private sectors in complying with the <i>Code of Virginia</i> Adds requirement for licensee to involve child's parent in development of foster care plan or fully describe why not involved Rationale: Complies with § 63.2-906 A of the <i>Code of Virginia</i> Adds requirement for licensee to involve child in development of foster care plan or fully describe why not involved Rationale: Complies with § 63.2-906 A of the <i>Code of Virginia</i></p>

	<p>324 A 324 B, B1 324 B 2</p> <p>324 B 3 324 B 4</p> <p>324 B 5 324 C - F</p> <p>327</p>		<p>Previously explained Previously explained Adds when licensee does not hold custody the service plan includes services to be offered to child and birth parent/prior custodian, including description of work with related community resources Rationale: Services for child previously explained; services to birth parents/prior custodians included to implement 22 VAC 40-130-300 C, if desired by parent or custodian Previously explained Adds service plan include exploration of relatives as placement resources, type of placement recommended for child, and how recommended placement relates to the goal Rationale: Exploration of relatives reflects public comment for previous proposed regulation; type of placement and relationship to goal provides required connection to required permanency goal and provides a framework for recruitment of an appropriate family Previously explained Previously explained</p> <p>Previously explained</p>
<p>330</p>		<p>Direct placement in adoptive home</p>	<p>Deleted Rationale: Incorporated into Section 341</p>
<p>320 B</p>	<p>331 B</p> <p>331 E</p>	<p>Consideration given to placing children with families of same racial or cultural or religious identity; not one or all of these factors determinative for best interest of child paramount</p>	<p>Changed to delete reference to consideration of race, culture, or religious identity and adds that selection is the responsibility of the licensee and the reasons for selecting the specific home for child stated in child's record Rationale: Federal Multi-Ethnic Placement Act of 1994 prohibits holding a child in care for racial matching; complies with § 63.2-1205 of the <i>Code of Virginia</i>; reflects public comment for previous proposed regulation Adds requirement that licensee provide prospective adoptive parent will full factual information about child and birth family (except for identifying information) including 1) social and cultural history and medical, developmental and mental history of child, birth parents, extended family and 2) about the child's birth Rationale: This information from the social history is the main source of information about the background and family information for the child and needs to be available to the adoptive parent</p>

	331 F		Adds requirement that written information be signed by adoptive parent, dated, and a copy filed in adoptive home record Rationale: Provides verification that the adoptive family was given full factual background and family information
	331 G		Adds requirement that family approved for adoption permitted to decide whether to accept a child and refusal to accept not the sole basis for excluding family from considering another child; requirement that reason for any refusal noted in adoptive family record Rationale: The intent of the standard is to prevent licensees from excluding families who do not accept a child who is offered from placements in the future
330 B	341 B	Direct placement in adoptive home recognized as a foster placement and an agreement signed by agency and foster parents	Adds that the agreement needs to follow the requirements of 22 VAC 40-130-271 Rationale: Provides the reference for the foster home agreement; avoids duplication
330 C	341 C	Adoptive placement agreement not signed until child legally free	Explains that free means free for adoption Rationale: There could be other meanings for the word and this addition clarifies
350	350	Agency responsibility after child placed in adoptive home	Changed to post placement supervisory visits and adoptive family support and preservation services Rationale: New section title gives better explanation of contents
350 B	350 B	<i>Code of Virginia</i> stipulates that child have lived in adoptive home continuously for six months before petition for adoption filed with court	Changes <i>Code of Virginia</i> stipulates to phrase in licensee placement adoptions, except in rare cases where an interlocutory order is entered Rationale: Identifies an exception found in the <i>Code of Virginia</i>
350 C	350 C	Minimum of three visits made during six months with at least 90 days between first and last visits	Adds requirement that licensee make additional visits to the home as needs of child and family require Rationale: Acknowledges that each placement has unique characteristics and needs
	350 C Exception		Adds exception that circuit court may waive visitation requirements Rationale: Identifies an exception in the <i>Code of Virginia</i>
	350 D		Adds that in case of adoptive placement of child with special needs, first visit be made within a maximum of two weeks after placement of a child Rationale: Complies with the Services Programs Manual and avoids duplication
	350 E		Adds that child seen at each visit and at least one visit in the home with child present and

	350 P		<p>requirement in § 63.2-1220 of <i>the Code of Virginia</i> about obtaining a birth certificate and the naturalization requirements of the U.S. Bureau of Citizenship and Immigration Services</p> <p>Adds requirement that licensee document efforts to ensure that the adoption petition is filed and, if there is a delay, to make an assessment of the situation; the exception is when the adoption has been finalized in another country</p> <p>Rationale: Fulfills the licensee's responsibility to promote the permanency goal of adoption for which the child was placed; not applicable when adoption finalized in another country; reflects public comment for previous proposed regulation</p>
	350 Q		<p>Adds that a licensee shall offer to provide, or refer the adoptive family to, available resources for services after the final order</p> <p>Rationale: This reflects the services that appear in the program description</p>
360	360	Referral to Adoption Resource Exchange of Virginia (AREVA)	<p>Changed to provide that children with special needs who are legally free for adoption be registered with AREVA within 30 days of termination of parental rights unless adoptive family has been identified</p> <p>Rationale: Provides consistency in requirements between public and private sectors</p>
360 A 1	360 A, B	Families willing to accept special needs children registered also	<p>Changed to licensee assists families interested in adopting children with special needs to register within 30 days of approval unless child already identified for approval and that licensee inform adoptive parent if child eligible for adoption assistance</p> <p>Rationale: Reflects current Service Programs Manual policy; complies with § 63.2-1302 B of the <i>Code of Virginia</i>; provides consistency between public and private sectors</p>
360 A 3	360 C	Agencies follow procedures for adoption resource exchange of Virginia in Service Programs Manual	<p>Changed to licensees shall comply with specific section of Service Programs Manual</p> <p>Rationale: Providing this reference eliminates duplication and fosters coordination between the public and private sectors in complying with the <i>Code of Virginia</i></p>
360 B, C			<p>Deleted</p> <p>Rationale: Subsidy information is replaced by the Service Programs Manual</p>
	365		<p>New section about adoption assistance</p> <p>Rationale: Provides information about the licensee's responsibilities with adoption assistance</p>
	365		<p>Adds that when licensee working with child</p>

	<p>365 1</p> <p>365 2</p> <p>365 3</p>		<p>who appears to meet eligibility for adoption assistance, licensee complies with Services Programs Manual Rationale: Specific reference eliminates duplication and fosters coordination between the public and private sectors in complying with the <i>Code of Virginia</i> Adds licensee responsibility of documenting the special needs of the child, if not already documented Rationale: Documentation is needed for registration purposes Adds licensee responsibility of recruiting and conducting home studies on prospective adoptive homes Rationale: Demonstrates a proactive approach for locating adoptive homes for children with special needs Adds licensee responsibility to document efforts to place child without adoption assistance Rationale: Reflects requirements of § 63.2-1301 of the <i>Code of Virginia</i></p>
<p>30 B 2 b (2)</p>	<p>365 4 a - f</p>	<p>Child living with parents for six months prior to initiation of court proceedings</p>	<p>Adds requirement of obtaining background information on birth parents to determine eligibility for Title IV-E including 1) with whom child residing the six months immediately preceding removal from the home; 2) whether child deprived of parental support as result of absence or disability of a parent; 3) financial situation of birth parent; 4) court determination in 180 days if child entered care through permanent entrustment agreement; 5) sending referral and documentation to eligibility unit in the local public agency; and 6) notifying the service unit in public agency of family's interest in adoption assistance Rationale: These subsidy payments are part of the federal Title IV - E allocation to the Commonwealth and may be expended only for those who are eligible Adds licensee requirement to assist public agency in working with family to complete and sign the adoption assistance agreement Rationale: This service is a function inherent in accepting a child for adoptive placement</p>
<p>370 & 370 1</p>	<p>365 4 g</p>	<p>Court may terminate parental rights under certain conditions and agency may take case to court</p>	<p>Changed to situation when licensees needs to petition court to terminate parental rights it follows <i>Code of Virginia</i> and Service Programs Manual Rationale: Action of a court is not within the purview of this chapter; Replaces narrative with specific references to the <i>Code of Virginia</i> and Service Programs Manual to</p>

380	380	Interlocutory orders	avoid duplication and foster coordination between the public and private sectors in complying with the <i>Code of Virginia</i>
380 A 2	380 A 2	Licensee issues consent to interlocutory order only if determines adoptive parent is suitable to care for the child	Adds of children in custody of an agency Rationale: Revised title provides additional information about the section contents Changed to the adoptive parents are approved to care for the child Rationale: For purposes of this chapter, approval constitutes being a suitable person
380 C	380 C	Child visited three times in six months following interlocutory order with not less than 90 days between first and last visits	Adds that at least one visit in the home with child and parent unless one of parents no longer resides in the home and that licensee will contact absent parent to determine absent parent's interest and status regarding finalizing the adoption Rationale: Reflects § 63.2-1212 B of the <i>Code of Virginia</i> and provides requirement when there is an absent parent
390 A	390 A	Licensee attach fee policy to application for licensure, explaining amounts charged, how amounts arrived at, and the services provided for the fees. For new agencies, requires explanation of the proposed policy on fees from new agencies	Deletes proposed policy on fees for new agency Rationale: This information is included in the required financing plan
390 B, B 1, and B 2	390 B, B 1, and B 2	Fees discussed with applicants before or at beginning of home study; applicants given explanation of amount of fee , how determined, and what services it covers	Changed to required a written explanation Rationale: A written explanation has more legal standing than a verbal explanation and helps to avoid misunderstanding
	390 B 3		Adds that the written explanation include the risk of disruption of the adoption before it is finalized Rationale: Provides a reminder that the licensee cannot guarantee finalization of an adoption
	390 C		Adds requirement that licensee develop a mutually acceptable written agreement with prospective adoptive parent regarding fees to be paid and services to be provided Rationale: Serves as a legal document to protect both the licensee and the prospective adoptive parent
400	395	Adoptive home study	Changed to adoptive family and adoptive home study; orientation Rationale: Corresponds with the other parts

400 A	395 A	Gather information to assess applicant's capacities as adoptive parent; if home approved, information used to determine type of child to be placed	of this Chapter; indicates that the study includes both the family and the home Adds gather information to comply <i>with Code of Virginia</i> requirements Rationale: Adds the <i>Code of Virginia</i> citation as a reference
400 C 3 g	395 B 1 395 B 3		Previously explained Same; new location
395 B 2	395 B 4	All members of household interviewed	Adds interviews to assess person's attitude toward proposed adoption and potential impact of the attitude on the family, other household members, and adoptive child Rationale: Interviews are a good assessment tool; standard recognizes the impact each household member will have on the placement
400 C 1 b		Interviews include physical appearance of applicant	Deleted Rationale: Relates to placement only as it might affect prospective adoptive parent's response to 395 O 12, "age, sex, and type of child desired"
400 D 1	395 B 5	Minimum of three references for family obtained	Changed to the licensee request and obtain a minimum of three nonrelative references for the family who has knowledge of each prospective adoptive parent and additional references may also be requested from relatives or others at licensee's discretion Previously Explained
400 D 2	395 C	Report of recent medical exam all members of household on physical and mental health and signed by physician	Adds that it can be signed by physician's designee or an official of the local health department Rationale: Corresponds with rest of the chapter and other child welfare program regulations
	395 D		Adds that the exam be conducted no earlier than 12 months prior to approval Rationale: Defines current
320 D	395 E		Previously explained
	395 F		Previously explained
	395 G - O		Previously explained
400 C 3 a	395 P		Previously explained
400 C 2 b	395 P 1		Previously explained
400 C 2 a	395 P 2		Previously explained
400 C 3 b	395 P 3		Previously explained
400 C 2 d	395 P 4		Previously explained
400 C 2 e	395 P 5		Previously explained
400 C 2 f	395 P 6		Previously explained
	395 P 7		Previously explained
400 C 3 c	395 P 8		Previously explained
	395 P 8 c		Previously explained
	395 P 9, 10		Previously explained
400 C 3 d	395 P 11		Previously explained

<p>and C 3 e 400 C 2 c 400 C 3 f</p>	<p>395 P 12 395 P 13 395 P 14 - 16 395 P 17 395 Q, Q 1 - Q 4</p>		<p>Previously explained Previously explained Previously explained Previously explained Adds the requirement that the licensee assess capacity of prospective adoptive parent to love child not born to him, ability to change in relation to needs of a child, understanding and abilities in 1) child's ethnic, religious and cultural experiences; 2) extended family's attitudes towards adoption; 3) prospective adoptive parent's infertility where applicable; and 4 critical issues in adoption covered in the licensee's orientation Rationale: These factors are included because adoption is a lifetime placement Previously explained Previously explained Previously explained Previously explained Adds requirement that licensee inform prospective adoptive parent that placement of an out-of-state child is governed by the Interstate Compact on the Placement of Children Rationale: Provides disclosure of additional requirements in these situations</p>
<p>400 C 1 a</p>	<p>395 R 395 S 395 T 395 T 1 - 21 395 U</p>		
<p>340</p>	<p>401</p>	<p>Placement of older children</p>	<p>Deleted Rationale: Incorporated into Section 315</p>
<p>401 A 401 B</p>	<p>401 A 401 B</p>		<p>Approval or disapproval; new Section Rationale: Adds a new section specific to approval or disapproval to make it easier for the reader to locate this information Previously explained Adds that the licensee may consider the recommendations of a physician or attorney licensed in the Commonwealth, or a clergyman familiar with the situation of prospective adoptive parents Rationale: Complies with § 63.2-1225 of the <i>Code of Virginia</i></p>
<p>401 C</p>	<p>401 C</p>		<p>Adds that prior to approval of home study the licensee requires prospective adoptive parent to sign statement that will not use corporal punishment on child placed in the home or give others permission to do so; agreement valid until adoption is final Rationale: Requires agreement to a provision that is included in the subsequent adoptive placement agreement</p>
<p>400 E 1</p>	<p>401 D 401 E - F 401 G</p>		<p>Previously explained Previously explained Adds requirement that case worker or case</p>

<p>400 F 400 E 3</p>	<p>401 H 401 I 401 J - M</p> <p>402</p> <p>402 A, B, B 1- B2 402 B 3</p> <p>402 B 4</p> <p>402 B 5</p> <p>402 B 6 a</p> <p>402 B 6 b</p>		<p>worker trainee state if approval for children with special needs, or children from other countries, and give basis for this recommendation Rationale: If the child has special needs, arrangements will need to be made to register with the Adoption Resource Exchange of Virginia; if the child will be from another country, the requirements of 22 VAC 40-130-452 must be met Same; new location Previously explained Previously explained</p> <p>Training for adoptive parents; new section Rationale: Adds a new section specific to training of adoptive parents to make it easier for the reader to locate this information Previously explained</p> <p>Adds training requirement of discussion of legal processes involved in adoption such as termination of parental rights, finalization, placement agreement, naturalization, and access to information from closed records Rationale: Adoptive parents need to be aware of legal processes and requirements of adoption</p> <p>Adds training requirement of discussion of adoption assistance, if appropriate, and any adoptive family preservation and support services offered by the licensee Rationale: Provides consistency of requirements between public and private sectors; reflects program description of services</p> <p>Adds training requirement of explanation of risks involved in adoption such as return of child to birth parent until child 25 days old, changes in laws and regulations, and licensee's approval criteria and policies Rationale: This disclosure provides protection for the licensee and helps the adoptive parent make informed decisions</p> <p>Adds training requirement of critical issues in adoption including adoption as a life-long process, impact of adoption on all aspects of family life, and prospective adoptive parent's ability to maintain a life-long commitment to a child Rationale: Reflects public comment for previous proposed regulation</p> <p>Continues critical issues requirements to include developmental states of adoption, including attachment and bonding issues Rationale; Reflects public comment for</p>
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	<p>402 B 6 c, d</p>		<p>previous proposed regulation Continues critical issues requirement to include impact of prospective adoptive parent's attitudes toward birth parents on the adopted child and importance of child's linkage to birth family and significant others, when appropriate Rationale: This recognizes the impact these attitudes can have on the child's sense of self and the importance of birth family bonds</p>
	<p>402 B 6 f</p>		<p>Continues critical issues requirement to include the importance of talking to the child about adoption throughout their lifetime Rationale: Reflects public comment for previous proposed regulation</p>
	<p>402 B 6 g</p>		<p>Continues critical issues requirement to include preparation for each individual child prior to placement in the home Rationale: Important to be prepared for individual child; reflects public comment for previous proposed regulation</p>
	<p>402 C</p>		<p>Previously explained</p>
<p>400 G</p>	<p>403</p>		<p>Same; new location; new section Rationale: Adds a new section specific to adoptive placement agreement to make it easier for the reader to locate this information</p>
	<p>403 A 403 B</p>		<p>Previously explained Adds requirement for adoptive home placement agreement to indicate if family will be using adoption assistance Rationale: The signatures verify a decision about use of adoption assistance</p>
	<p>403 C 403 D, D 1 403 D 2</p>		<p>Previously explained Previously explained Adds requirement that adoptive placement agreement include statement that adoptive parent will not commence court proceedings for adoption without consent of licensee Rationale: Acknowledges the licensee's control of the child until the final order of adoption</p>
	<p>403 D 3</p>		<p>Adds requirement that agreement include statement that adoptive parent understands that consultation and support from licensee acceptable and will not affect decision to consent to adoption Rationale: Including this statement in the agreement recognizes that consultation and support are services to expect from the licensee</p>
	<p>403 D 4 403 D 5</p>		<p>Previously explained Adds to agreement statement that adoptive parent understands right to request removal of child and, if so, to consult with licensee, seek additional counseling at licensee</p>

<p>400 F 400 G 1</p>	<p>403 D 6 403 D 7 403 D 8 403 D 9 403 D 10 403 D 11 403 E 403 F 403 G</p>		<p>request, prepare child for removal, and give at least two week's notice to licensee Rationale: Advance notice previously explained; requires time to consider the decision with the license and prepare the child for the change</p> <p>Adds to agreement statement that adoptive parent understands where will be at least three visits by licensee prior to adoption Rationale: Complies with §§ 63.2-1210 and 63.2-1212 of the <i>Code of Virginia</i></p> <p>Adds to agreement statement that licensee may remove child with consent of adoptive parent, upon order of commissioner or Juvenile and Domestic Relations Court of circuit court of competent jurisdiction, or upon determination that child is subject to abuse and neglect Rationale: Complies with § 63.2-1207 of the <i>Code of Virginia</i></p> <p>Adds to agreement statement that adoptive parent understands the child may be restored to birth parents by circuit court order upon proof of fraud or duress Rationale: Complies with § 63.2-1204 of the <i>Code of Virginia</i></p> <p>Adds to agreement statement that adoptive parent agrees to abide by licensee's visiting plan for child and birth family Rationale: Reflects discussion with adoptive parent or parents about birth family during home study and required training about the importance of the child's linkage to birth family, when appropriate</p> <p>Previously explained Previously explained Previously explained</p> <p>Adds requirement for adoptive home agreement to include licensee's responsibilities until final order is entered to include 1) provision of supervisory visits, 2) provision of agreed-upon training for adoptive parent, 3) maintenance of responsibility for child until final order of adoption, including removal of child from the home upon order of the commissioner or the Juvenile and Domestic Relations Court or circuit court of competent jurisdiction, or upon determination that the child is subject to abuse and neglect; and 4) other agreed upon services before and after final order Rationale: Identifies responsibilities of licensees in a signed document</p> <p>Adds requirement for licensees to cooperate with placing and custodial agency and allow custodial agency access to child at all times</p>
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<p>400 I 1, 2</p>	<p>404 A</p>	<p>If 12 months have elapsed from date of approval and licensee considering a placement, update be made including visit to home and face-to-face interviews with members living in household</p>	<p>Rationale: Acknowledges the legal authority of the custodial agency</p> <p>Home study updates; new section Rationale: Adds a new section specific to home study updates to make it easier for the reader to locate this information Changes 12 months to 24 months; reflects required consistency in requirements with public sector</p>
<p>400 I 1 c</p>	<p>404 A 1, 2, 3, 4</p> <p>404 A 7 404 A 8</p> <p>404 B</p> <p>404 C</p> <p>404 D</p>	<p></p>	<p>Adds requirements to home study update to include 1) review of compatibility of couple and stability of marriage, if applicable; 2) review of family, social and community relationships, including any children in the home; 3) income, employment status, and financial resources in relation to expenses; 4) review of adoptive parent's motivation for and expectations of adoption; 5) age and type of child desired and age of adoptive parent in relation to the child; and 6) review of the home and living arrangements Rationale: The identified items are repeats of elements of the original home study that may have changed since the original home study Same; new location Adds to home study update compliance with requirements of Bureau of U.S. Citizenship and Immigration Services, if intercountry adoption Rationale: The update time frame may be different for intercountry adoptions Adds to home study update explanation that if one adoptive parent cannot be present for visit due to employment, licensee has telephone interview, if possible, and an interview within 14 days of return to home setting and follow applicable requirements of Part VI of this chapter Absent parent previously explained Rationale: There are additional requirements related to the Interstate Compact on the Placement of Children and requirements of the U.S. Bureau of Citizenship and Immigration Services Adds home study update requirement that if prospective adoptive parent has move since initial approval and child has not been placed, licensee visits home and conducts review of residence according to 22 VAC 40-130-395 S and T Rationale: The referenced section is the resident and surrounding property part of the home study Adds home study update requirement if</p>

			<p>licensee did not conduct original home study, the update include a review of residence based on 22 VAC 40-130-395 S & T and have more than one face-to-face interview with prospective adoptive parent Rationale: This is necessary because the new licensee will be held responsible for having placed a child in the home</p>
400 I 2	406	For subsequent adoptions, agency reevaluate home covering all areas of original study; may note concrete areas that have not changed	<p>Subsequent adoptive placements; new section Rationale: Adds a new section specific to subsequent adoptions to make it easier for the reader to locate this information Deletes references to noting concrete areas that have not changed</p>
400 I 2	406 B	At least one visit with all family members present except for members out of home for extended periods	<p>Rationale: This statement is not necessary Adds requirement if licensee conducted original home study and no more than three years have elapsed, licensee conducts two visits, one face-to-face in office or home and home visit with all household members currently living in the home</p>
	406 C		<p>Adds requirement for subsequent adoption if original home study conducted by another agency 1) orientation and training required of the adoptive applicant and 2) make two visits if have copy of original home study and three visits if don't have original home study and follow requirements of initial home study Rationale: Additional visit requirements provide protection for the licensee who is held accountable for placements made; if copy of home study not available, there is no way to verify the findings</p>
410	410	Direct parental placement services	<p>Parental placement adoptions Rationale: The new title more accurately reflects the content of the section</p>
410	410 A	Follow provisions of four <i>Code of Virginia</i> citations	<p>Changes to a chapter of Title 63.2 of the <i>Code of Virginia</i>; adds compliance with Service Programs Manual Rationale: Providing these references avoids duplication and fosters coordination between the public and private sectors in complying with the <i>Code of Virginia</i></p>
	410 B		<p>Adds provision that licensee follow adoptive home study requirements of this chapter for parental placement adoptions Rationale: Provides consistency for all adoptions</p>
	410 C		<p>Adds requirement for licensee to have face-to-face contact with birth parent to assure awareness of 1) alternatives to adoption; 2) adoption procedures; and 3) opportunities for placement with other adoptive families</p>

	410 D		<p>Rationale: Complies with § 63.2-1232 of the <i>Code of Virginia</i></p> <p>Adds parental placement requirement for licensee to make effort to provide counseling regarding adoption if birth parent has not already had counseling, or to document the reasons it was not provided</p> <p>Rationale: Although counseling is preferable, it is not always possible; allows licensee to document when counseling could not be provided; reflects public comment for previous proposed regulation</p>
	410 E		<p>Adds parental placement requirement for licensee to make effort to have face-to-face contact with birth parent on different day from date of meeting to exchange identifying information; if not possible, document reason in birth parent record</p> <p>Rationale: Meetings on different days may be unrealistic if birth/adoptive parents live out of town. Allows licensee to document efforts to have meeting on different days; reflects public comment for previous proposed regulation</p>
	410 F		<p>Adds parental placement requirement that consent of birth parent shall be informed and not coerced</p> <p>Rationale: Complies with § 63.1231 A 2 of the <i>Code of Virginia</i></p>
	410 G		<p>Adds parental placement requirement that the parental placement requirements in the <i>Code of Virginia</i> apply when a licensee accepts custody of a child for the purposes of placing the child with adoptive parents designated by the birth parents or a person other than a licensed child-placing agency or local board of public welfare</p> <p>Rationale: Designation of adoptive parents carries with it <i>Code of Virginia</i>-designated responsibilities for the licensee</p>
	410 H, I		<p>Adds parental placement requirements that licensee meet at least once with birth parent and prospective adoptive parent simultaneously except if the adoptive parent is related to the child and licensee assists birth parent and prospective adoptive parent in exchanging written information including but not limited to full names, addresses, physical, mental, social, and psychological information</p> <p>Rationale: Reflects required consistency between the public and private sectors; complies with § 63.2-1231 of the <i>Code of Virginia</i></p>
420 B 1	420 B 1	Child's record include	Adds original birth certificate, whenever

420 D 4	<p>420 B 4,5,6,7,8,9,10,11, 12</p> <p>420 C 1</p> <p>420 C 2,3,4</p> <p>420 D 4</p> <p>420 D 5,6,7,8,9</p>	<p>identifying information including child's birth date, place of birth, sex, race, height, weight, hair color, eye color, and identifying marks</p> <p>Adoptive family record include closing summary</p>	<p>possible, Medicaid number (if applicable), and Social Security Number, if known Rationale: Original birth certificate, if possible, reflects public comment for previous proposed regulation; rest previously explained</p> <p>Adds to birth record 1) names and addresses of grandparents, close relatives and siblings; 2) names of persons not authorized to call or visit the child; 3) a written description of child's appearance and photograph no more than six months old at time of child's placement; 4) narrative; 5) documentation of serious incidents, accidents, injuries; 6) service plans if child in placement long enough for these reports to be required; 7) all correspondence related to the child; 8) reason for and date of closure and discharge report of final order of adoption, if applicable; and 9) other information required by chapter and standards and laws not identified elsewhere in the chapter Rationale: These additions are identified elsewhere in the chapter and this provides a consistent location for their maintenance</p> <p>Adds to birth family record Social Security number of birth parent, if available Rationale: Provides consistency with child record information</p> <p>Adds to birth family record 1) description of birth parent childhood and other background information when known; 2) birth parents' relationship to each other; 3) information about the knowledge other family members have about the birth parent decision to place the child for adoption Rationale: Reflects public comment for previous proposed regulation</p> <p>Adds to closing summary an explanation of reason for and date of closure and date the licensee forwarded the required information to the state adoption records unit for preservation, if applicable Rationale: Reason for and date of closure previously explained; verifies that information was forwarded to the state adoption records unit as required</p> <p>Adds to adoptive family record the 1) adoption home study and related documents; 2) orientation and training provided; 3) copy of full, factual information on child provided to adoptive parent or parents; 3) narrative account of licensee's preparation of family for placement of the child; 4) fees charged and agreement between licensee and adoptive parent regarding fees</p>
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	420 D 10		Rationale: Provides consistent location for maintenance of this information that is identified elsewhere
	420 D 11		Adds to the adoptive family record the date of approval and the approval period Rationale: Reflects required consistency between the public and private sectors
	420 D 12		Adds to adoptive family record documentation of any complaints or investigations by Child Protective Services Rationale: Corresponds to 22 VAC 40-130-320 F
	424		Adds to adoptive family record refusal to accept a child Rationale: This information will verify that there was a refusal and provide documentation that may be useful should there be a subsequent request to adopt
	424 A, B		Forwarding of adoption material; new section Rationale: Provides requirements for forwarding adoption material in a location that is easy for the reader to find Requires forwarding all pertinent material within 30 calendar days after finalization of the adoption to the Virginia Department of Social Services, Foster Care and Adoption Unit, for preservation and complying with requirements for preparation of adoption material found in the Service Programs Manual Rationale: Complies with § 63.2-1246 of the <i>Code of Virginia</i> and references Service Programs Manual to avoid duplication and foster consistency between the public and private sectors
Part VI			
430	430	Interstate compacts	Changed to interstate Compact on the Placement of Children Rationale: This is the official name of the compact, as found at Chapter 10 of Subtitle III of Title 63.2 of the <i>Code of Virginia</i> ; reflects recommendations of and review by staffs of the Interstate Compact on the Placement of Children Office
	430		General rationale: Entire Part was revised to reflect public comment for previous proposed regulation
430 A	430 A	Comply with the Compact for cross state placement for foster care or adoption and follow procedures in	Changes to give actual <i>Code of Virginia</i> citations, add treatment foster care and independent living, and moved reference to following procedures

	<p>450 F</p> <p>450 G, H, I</p> <p>450 J</p> <p>450 K</p> <p>450 L</p> <p>450 M</p>		<p>licensee to contact the Compact Office if it appears more frequent supervision visits are needed Rationale: Provides a source of consultation and liaison with another state, if needed Adds requirement for licensee to comply with requirements of the interagency agreement with the placing agency Rationale: Requires compliance with 22 VAC 40-130-450 B Adds provisions for licensee to 1) send reports of supervision and placement disruption, if any, to Compact Office and not directly to an entity in another state without approval from Compact Office, 2) record such permission in the narrative, and 3) not provide services in other states without written approval from the appropriate authorities in the other state - written approval may be a license to conduct the specified activities, a letter granting approval and stating that a license is not required Rationale: Recognizes the legal role of the Interstate Compact on the Placement of Children Office provided for in Chapter 11, Subtitle III of Title 63.2 of the <i>Code of Virginia</i> Adds requirement for licensee to provide Compact Office with copy of written approval to provide services in the other state Rationale: Provides documentation that the licensee has approval to provide services in the other state Adds requirement for licensee to notify the Compact Office within five business days of becoming aware of any placement that has been made without interstate approval Rationale: Licensees are in a good position to become aware of these illegal activities; supports the work of the Compact Office Adds requirement when licensee has agreed to complete an adoptive home study for prospective adoptive parent who has applied to an agency in another state of a family pursuing a parental placement of a child from another state, licensee completes home study in accordance with adoptive home study requirements in this chapter, but may also include additional information required by the other state Rationale: Complies with the conditions for placement in the Interstate Compact on the Placement of Children Adds requirement that licensee complete an adoptive home study for a family that has applied to an agency in another state, or a family pursuing parental placement of a child</p>
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	<p>450 N</p> <p>450 O</p> <p>452</p> <p>452 A</p> <p>452 B, C</p>		<p>for another state, only when the licensee's program description includes its plan to provide post placement supervision of the specified type of placement, such as children with special needs</p> <p>Rationale: The licensee must be able and prepared to provide supervision services for any placement it accepts responsibility for doing a home study; provides sound home study process for the type of placement</p> <p>Adds requirement when a child already in an adoptive placement moves from another state into Virginia, or if adoptive placement planned within three months of a family's relocation to Virginia, home study update completed according to 22 VAC 40-130-404 and 22 VAC 40-130-406; otherwise, a new home study completed in accordance with 22 VAC 40-130-395, 22 VAC 40-130-401, and 22 VAC 40-130-402</p> <p>Rationale: Allows use of previous home study information that is current within three months or was used for a placement that has already occurred</p> <p>Adds requirement when a child already in a foster home placement moves from another state into Virginia, a home study update completed in accordance with 22 VAC 40-130-272; otherwise, a new home study completed in accordance with 22 VAC 40-130-270</p> <p>Rationale: Allows use of previous home study information that was used for a placement that has already occurred</p> <p>Agency responsibility in intercountry placements/adoptions; new section</p> <p>Rationale: Adds a new section specific to intercountry adoptions to make it easier for the reader to locate this information</p> <p>Adds requirement for licensee to comply with the section in order to assist families in arranging for placements of children from foreign countries, either directly or through other agencies</p> <p>Rationale: Provides requirement that licensee comply with the section if assisting in intercountry placements of children</p> <p>Adds requirement for licensee to maintain and make available to staffs and prospective adoptive parent written information about Virginia's pre-adoptive requirements for intercountry placements and assist family in determining when these requirements applicable and maintain and make available to same parties written information about the</p>
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	<p>452 D</p> <p>452 D 1</p> <p>452 D 2</p> <p>452 D 3</p> <p>452 D 4, 4 a - e</p>		<p>requirements of the Bureau of U. S. Citizenship and Immigration Services Rationale: Making this information available assists prospective adoptive parents in making informed decisions about intercountry adoption and is a resource for staffs Adds requirements for licensees providing any type of intercountry services Rationale: Requires provision of consistent information if involved in intercountry services</p> <p>Adds requirement for licensee to obtain and disclose to prospective adoptive parent all available medical, developmental, and social history for child, birth family and extended family, and include child's placement history Rationale: Provides for provision of same information regardless of kind of placement, if it is available</p> <p>Adds requirement for licensee to file documentation in child's record where licensee has received custody, or in a separate section of adoptive parent record where prospective adoptive parent has received guardianship or a final decree of adoption in the foreign country Rationale: Provides a consistent location for maintenance of this information</p> <p>Adds requirement for licensee to notify prospective or current foster or adoptive parent within five working days when receives written information that a source or program in a foreign country is suspending its adoption program Rationale: Provides for prompt disclosure of information so foster or adoptive parent can make alternative plans</p> <p>Adds requirement for licensee to discuss with prospective adoptive parent 1) risks of intercountry adoption such as other country's laws, change in fees, legal availability of child, risks associated with lack of medical, developmental, and other background information, and placement of another child if child originally described no longer available; 2) prospective adoptive parent's ability to provide for child's care, guidance, and protection and meet needs of child of different race or ethnic background or language; 3) prospective adoptive parent's feelings and attitude toward sharing with child facts about the adoption including plans for teaching child about, identification with, and information about his native country; 4) prospective adoptive parent's expectations for a child who may have lived in an</p>
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	2		<p>ensure that all parties have received counseling concerning effects of the surrogacy contract and document the counseling</p> <p>Rationale: Helps to ensure that all parties are informed about the effects of the surrogacy contract and documentation of provision of counseling protects the licensee; reflects public comment for previous proposed regulation</p>
200 A 7	<p>Part VIII</p> <p>Part VIII</p> <p>Part VIII</p> <p>454</p> <p>455 A 455 A 1</p> <p>455 A 2</p> <p>455 A 3</p>		<p>Independent Living Services; new Part</p> <p>General rationale: Reflects a program licensees may provide previously included in one section of Part IV</p> <p>General rationale: When the requirements are not program specific, they are coordinated among programs to support concurrent planning; reference to specific program is adjusted for each Part, i.e., "foster care" to "independent living services"</p> <p>General rationale: If the rationale for a change was provided in a previous Part, it is so indicated by inserting "previously explained"</p> <p>Provides that Virginia law and requirements in Parts I, II, III, IX, X and, if applicable, interstate compact requirements must be met for a licensee to be authorized to provide independent living placement services to children in Virginia</p> <p>Rationale: Avoids confusion about what Parts of the Chapter must be adhered to for a licensee to provide independent living services</p> <p>Previously explained</p> <p>Provides that program description include licensee's philosophy on and purpose of supervised independent living placements and the geographical area to be served</p> <p>Provides that program description include criteria for admission and discharge from independent living, including requirements for emergency termination</p> <p>Rationale: Avoids ambiguity for entities considering placing a youth and clarity for the youth of circumstances that may result in the emergency termination of a placement</p> <p>Provides that program description include admission assessment, ongoing process, and methods used to determine appropriateness of independent living placements</p> <p>Rationale: Informs interested parties of the</p>

	<p>455 A 4</p> <p>455 A 5</p> <p>455 A 6</p> <p>455 A 7</p> <p>455 A 8</p> <p>455 A 9</p> <p>455 A 10, A 11</p> <p>455 A 12</p> <p>455 B</p> <p>456 1</p> <p>456 2</p>		<p>way 22 VAC 40-130-457 is implemented Provides that the program description include the nature and frequency of supervision provided to youth placed in independent living arrangements Rationale: Informs interested parties of responsibilities of the licensee found in 22 VAC 40-130-456</p> <p>Previously explained; addition of life skills requirements is a general reflection of the elements of the individualized service plan found at 22 VAC 40-130-459</p> <p>Provides that the program description include types of living arrangements approved by licensee and criteria used to approve the living arrangements Rationale: Gives interested parties information about the living arrangements used by the licensee to help them decide whether to apply for admission for a youth</p> <p>Provides that the program description include a crisis response system ensuring that youth have 24-hour access to licensee personnel Rationale: Recognizes the need for access to supervisors needed by youth who have not yet mastered life skills</p> <p>Provides that the program description include the means of financial support for the youth Rationale: Discloses the funding accepted to support the independent living placement including daily needs of the youth</p> <p>Provides that the program description include provisions for medical care ensuring prompt response to a youth's medical needs Rationale: Provides assurance that a plan is in place to address a youth's medical needs</p> <p>Previously explained</p> <p>Allows the program description to include other policies and procedures as necessary Rationale: Allows the licensee to include additional information in the program description</p> <p>Previously explained</p> <p>Identifies a licensee's responsibility to evaluate each youth's ability to assume responsibility and work towards the goal of independence within a specified time frame Rationale: This evaluation helps prevent acceptance of youth who are not ready for independent living</p> <p>Identifies a licensee's responsibility to obtain written approval of parent or legal guardian of youth under 18 regarding participation in the program</p>
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	456 3		<p>Rationale: Recognizes that the youth is a minor Identifies a licensee's responsibility to provide parent who is not the legal guardian with written notification of the youth's placement, when possible</p>
	456 4		<p>Rationale: Promotes the relationship between the youth and parent Identifies a licensee's responsibility to discharge a minor to parent or parents or legal guardian</p>
	456 5		<p>Rationale: This recognizes who has legal responsibility for the youth Identifies a licensee's responsibility to notify the court if licensee or legal guardian is the legal guardian and discharges a minor from an independent living program</p>
	456 6		<p>Rationale: Complies with § 16.1-282 D of the <i>Code of Virginia</i> Identifies a licensee's responsibility to develop a service plan in accordance with section 458, review the plan every three months, and revise and update as necessary Rationale: Although identified elsewhere, this requirement is included here so the list will be inclusive</p>
	456 7		<p>Identifies a licensee's responsibility to develop a monthly budget with the youth and meet monthly with the youth to review the budget, allowing less frequent budget reviews after the first six months if appropriate Rationale: Reflects the importance of money management as a life skill</p>
	456 8		<p>Identifies a licensee's responsibility to meet with the youth at least twice a month with face-to-face contact to discuss youth's progress as it relates to service agreement and to cover life skills assessment; at least weekly telephone contact with the youth if no face-to-face contact during the week; at least one meeting per month in youth's living arrangement unless youth in a college dorm, in which case there is a meeting every 90 days in the dormitory Rationale: Reflects the supervision necessary to guide the youth and evaluate progress in attaining life skills in the individualized service plan, as well as to observe the condition of the living arrangement; reflects public comment for previous proposed regulation</p>
	456 9		<p>Identifies a licensee's responsibility to document contacts with the youth in the youth's record Rationale: Provides verification of required</p>

	456 10		<p>contacts in a consistent location Identifies a licensee's responsibility to provide the youth with the name and telephone number of someone to contact in an emergency during business hours and how to contact a licensee representative after business hours Rationale: Reflects the crisis response system in the program description that recognizes the support youth need while learning life skills</p>
	456 11		<p>Identifies a licensee's responsibility to have a written plan to assure availability of resources to meet basic needs Rationale: The written plan helps to assure the placing entity that basic needs of the youth will be met</p>
	456 12		<p>Identifies a licensee's responsibility to provide or seek services to support the independent living placement until determined that youth no longer appropriate for program or has successfully completed the program Rationale: Emphasized the role of the licensee to address elements of the individualized service plan</p>
	456 13		<p>Identifies a licensee's responsibility for provision of medical care Rationale: Although identified elsewhere, this requirement is included here so the list will be inclusive</p>
	457 A		<p>Provides criteria for youth to be placed in an independent living arrangement to include: 1) at least 16, but not yet 21; 2) be in custody of local department of social services, a licensed child-placing agency, a parent or guardian; 3) have exhibited readiness to be able to live without daily substitute parental supervision; 4) not be a threat or danger to self or others in community determined by review of and recommendation from most recent discharge report, interview, and assessment of child; 5) be involved or be committed to be involved in an educational or vocational training program or employment; and 6) be determined to have the potential to be successful in an independent living placement Rationale: These requirements meet federal requirements for participants and emphasize criteria that suggest readiness for an independent living placement</p>
	457 B		<p>Requires licensee to document its authority to place the child Rationale: Documentation will verify that the</p>

460	<p>457 C</p> <p>457 C 1</p> <p>458 A, B</p> <p>459 A</p> <p>459 B</p> <p>459 C</p> <p>459 D</p>	<p>General reporting</p>	<p>licensee meets one of the criteria in 22 VAC 40-130-210 A Requires licensee to assess suitability and appropriateness for placement and document in the youth's record Rationale: Assessment helps to avoid placement of a youth not ready for independent living; documentation provides accountability for the licensee</p> <p>Requires licensee's assessment of youth to include information from parent, legal guardian, foster parent, and community resource person, if applicable, about youth's current behavioral functioning in home or community Rationale: These individuals have unique insight about the youth's readiness for independent living</p> <p>Previously explained</p> <p>Adds requirement that individualized service plan be placed in youth's record within 30 days of admission for placement and include 1) description of life skills; 2) youth's responsibilities; 3) parent's or guardian's responsibilities re. life skills; 4) services and training to be provided by licensee; 5) assessment of youth's physical and mental health; 6) assessment of youth's adjustment to living arrangement; 7) target date for discharge and youth's involvement in discharge planning; 8) document of youth's and parent's involvement in developing service plan or reasons why not involved Rationale: Reflects coordination of requirements between the public and private sectors</p> <p>Requires evaluation of service plan every 90 days from date of initial plan and progress report Rationale: Provides documentation of results or need for revisions</p> <p>Requires a separate file of documentation required by this Chapter for each youth Rationale: Reflects requirement for all other children in care</p> <p>Identifies contents of file to also include identifying information for youth, parent or legal guardian, and address/telephone number of youth's independent placement Rationale: Provides consistency in information available for children in care and a consistent location for contact information</p> <p>Deleted</p>
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	461 A 461 B-D 461 E 461 F 461 G		<p>Rationale: Incorporated into Section 481</p> <p>Adds requirement that the licensee complete a discharge summary within 30 days of discharge to include 1) reason for discharge, 2) to whom the youth was placed or discharged, 3) follow-up services to be provided, 4) description of services provided while youth in care, 5) evaluation of progress made, 6) recommendation of future services</p> <p>Rationale: Previously explained</p> <p>Previously explained</p> <p>Adds requirement that legal guardian be notified of youth's discharge</p> <p>Rationale: Legal guardians have the right to this information</p> <p>Previously explained</p> <p>Adds requirement that information provided to a youth age 18 or over complies with confidentiality requirements</p> <p>Rationale: Complies with § 63.2-104 of the <i>Code of Virginia</i></p>
Part IX 460 470 470	481 491	Death of a child Death of a child	<p>Same; new location</p> <p>Deleted</p> <p>Rationale: Incorporated into Section 491</p> <p>Adds serious illness and runaway</p> <p>Rationale: Recognizes the importance of the relationship between the parent and child as reflected in the service plan and the right of the parent or guardian to know when a child has been hospitalized; recognizes the importance of knowing the whereabouts of a child who has been placed</p>
470 1 470 2	491 A 1 491 A 2 491 A 3 a-e	Notify licensing representative within 48 hours	<p>Same; new location</p> <p>Changed to notify licensing representative in writing within 24 hours or by end of next business day</p> <p>Rationale: Changed to provide more immediate notification but clarifying what to do over a weekend; informs the department so representatives can respond to inquiries; reflects public comment for previous proposed regulation</p> <p>Adds requirement for licensee to document in the child's record day and time of death; description of event, including notification of police, medical personnel; identification of actions taken; and name of person making the report</p> <p>Rationale: Documentation provides a record of the event; provides information about who was responsible for the report</p>

470 2	491 B 491 C, C 1-2 491 D, D 1-3		Same; new location Adds requirement when child in licensee's custody or care suffers serious accident or injury 1) notify parent or legal guardian immediately (if a local board of social services, use emergency after hours on-call system); and 2) document in child's record date and time incident occurred, description of the event including notification of medical personnel, identification of actions taken, and name of person making the report Rationale: Hospitalization is a serious event and the parent or guardian needs to be informed Adds requirement when caregiver or person supervising independent living placement believes child is lost or runaway from the placement, licensee 1) notify parent or legal guardian immediately or document attempts and notification occur no later than close of next business day (if legal guardian local board of social services, use emergency after hours on-call system); 2) notify licensing representative in writing within 24 hours or by the end of the next business day; and 3) document in child's record date and time absence noted, description of event including notification of police, etc, identification of actions taken, notation of circumstances when child located, and name of person making the report Rationale: Same as for death
480		Abuse or neglect	Deleted Rationale: Incorporated into Section 501
480	501	Abuse or neglect, or both	Changed to abuse and neglect Rationale: Title now more straightforward
480 A	501 A 1 501 A 2	Agency immediately notify local department of social services of all complains or suspected cases of abuse and neglect of a child	Changed to licensee immediately notify appropriate Child Protective Services unit of local department or the Child Abuse and Neglect Hotline of all reported or known suspected cases of abuse and neglect of a child under the agency's supervision Rationale: Recognizes that a known suspected case may not yet be an official complaint; verifies that the Hotline is a legitimate place to report Adds that licensee immediately notify the custodial agency worker or supervisor and the parent or legal guardian unless inappropriate Rationale: Reflects required notification and recognizes the relationship between the child and parent or legal guardian and the right of

480 A 4	501 A 3	Report results of investigation to licensing representative within 90 days of receipt of complaint	the parent or legal guardian to the suspicion Changed to report results of investigation to licensing representative within 24 hours or by end of next business day after the results are known when allegations of abuse or neglect involve of a staff of the licensee, provider approved by the licensee, or adult member living in a home approved by licensee Rationale: Since these allegations involve a staff of an agency licensed by the department, or someone investigated prior to approval of a child's placement in the home, licensing representative need to be notified quickly so decisions can be made regarding licensure or approval and in order to respond to inquiries
480 3	501 A 5 501 B	Investigate each complaint to determine if its policies and procedures have been violated	Changed to investigate each complaint to determine if the licensee's policies and procedures have been violated Rationale: Clarifies that policies are investigated Adds requirement that findings (of investigation) shall be recorded in the staff or home record and child's record Rationale: Provides a consistent location for maintenance of this information
480 4	501 C, C 1 501 C 2	Report results of its investigation to the licensing representative within 90 days of receipt of the complaint	Changed to when complaint accepted by Child Protective Services and assigned to investigative track, licensee submit a written report of status of its investigation to licensing representative within 60 days of receipt of complaint and a final report within 90 days. Include Child Protective Services' disposition and any licensee action taken in the final report. If an appeal of disposition, licensee submit report of disposition within 30 days of its occurrence covering details of disposition and any licensee action taken Rationale: The addition provides a consistent procedure to follow by all licensees Adds licensee decide whether to immediately remove child from the home; decision based on an assessment of risk made in consultation with local department of social services and child's legal guardian; and decision documented in final report Rationale: Gives the licensee the prerogative to determine continued placement of the child, in consultation with the local department and legal guardian
Part VIII	Part X	Case Record Requirements	General rationale: When the requirements are not program specific, they are coordinated among programs to support concurrent planning

490		Inspection	Deleted Rationale: Incorporated into Section 521
490	521	Licensee gives licensing representative access to facilities, books, and records	Adds access to minutes of board and committee meetings for corporations and unincorporated associations Rationale: Clarifies that minutes are considered records
500		Storage	Deleted Rationale: Incorporated into Section 531
500	531	Active and closed case records kept in locked, metal files	Adds allowance for closed files to be stored electronically if there is a back-up and the license ensures that the material can be retrieved in accordance with the <i>Code of Virginia</i> Rationale: Provides for the emerging practice of electronic record-keeping
510		Entries in case records	Deleted Rationale: Incorporated into Section 551
510	541	Case records confidential	Adds <i>Code of Virginia</i> reference about confidentiality Rationale: Reduces ambiguity by referring directly to §§ 63.2-104 and 63.2-105 of the <i>Code of Virginia</i>
520	551	Case record entries dated, indicate who performed the service, and be signed or initialed	Adds requirements that entries be typed, neatly printed, or computer-generated and identify the office that provided the service Rationale: Helps to ensure that the information is usable in the future and can be tracked to a specific office location
530		Evidence of compliance	Deleted Rationale: Incorporated into Section 560
530	560		Same; new location
540		Retention of records	Deleted Rationale: Incorporated into Section 570
540 540 D	570 570 D	Records retained permanently for children not adopted nor reunited with families	Same; new location Adds explanation that section pertains when licensee has custody of a child Rationale: Distinguishes protocol when licensee has custody
	570 E		Adds requirement when licensee does not have custody of child to retain record until person's 23 rd birthday and then offer it to the custodial agency Rationale: Distinguishes protocol when licensee does not have custody; makes sure that the custodial agency has the opportunity

540 E	570 F	When licensee ceases operation, informs department in writing of location for retention of records	to have the records; reflects public comment for previous proposed regulation Changes to require that licensee stores all records with a public or licensed child-placing agency if ceases operations Rationale: Strengthens the standard by requiring that records be retained by an agency over which the department has oversight
550		Disclosure of information	Deleted Rationale: Incorporated into Section 580
550 550 B	580 580 B 580 C 580 D 580 E 580 F	Information concerning legally adopted children revealed according to provisions of § 63.1-236 of the <i>Code of Virginia</i>	Same; new location Adds explanation that this pertains when child has reached majority and been legally adopted and updates the <i>Code of Virginia</i> citations Rationale: Clarifies that the requirements for disclosure of records when a child has been adopted and reached majority are different from those when a child as been adopted Adds requirement that licensee comply with two sections of the Service Programs Manual Rationale: Specific references eliminate duplication and fosters coordination between the public and private sectors in complying with the <i>Code of Virginia</i> Adds standard that licensee may not release non-identifying information from adoption files unless the commissioner has approved the disclosure to the designated party Rationale: Complies with § 63.2-1247 of the <i>Code of Virginia</i> Adds requirement that licensee must share all non-identifying information parts of the record Rationale: Reflects public comment for previous proposed regulation Adds provision that counseling provided to the birth parent or parents that is not related to the placement decision does not need to be shared Rationale: Clarifies that the information that must be released is only that information related to the placement
	Part XI		Treatment Foster Care; new Part General rationale: Reflects a program licensees may provide and for which licensees and certified agencies may receive Medicaid Service Funds for treatment foster care case management services; reflects content required by the Department of Medical Assistance Services (DMAS) to

	Part XI		<p>receive Medicaid Service Funds General rationale: When the requirements are not program specific, they are coordinated among programs to support concurrent planning; reference to specific program is adjusted for each Part, i.e, "foster care" to "treatment foster care," as appropriate</p>
	Part XI		<p>General rationale: If the rationale for a change was provided in a previous Part, it is so indicated by inserting "previously explained"</p>
	600 A		<p>Adds applicability of other parts of this Chapter to be licensed to provide treatment foster care Rationale: Provides clear instruction about which Parts of the Chapter must be followed for treatment foster care</p>
	610		<p>Previously explained</p>
	620		<p>Previously explained</p>
	630 A, B, C, C 1 a		<p>Previously explained; Exception at A reflects public comment for previous proposed regulation</p>
	630 C 1 b		<p>Adds requirement to receive and assess services requested by the placing agency, parent, or guardian Rationale: Assessment of information prior to admission reflects public comment for previous proposed regulation</p>
	630 C 1 c		<p>Adds requirement to receive and assess information on child's health and behavior during last 12 months in place of residence Rationale: Health and behavior information is necessary for the treatment team to prepare a treatment plan as described at 22 VAC 40-130-660</p>
	630 C 1 d-f 630 C 1 g		<p>Previously explained Adds requirement to receive and assess known mental health history of child, including needs and professional treatment received</p>
	630 C 1 h		<p>Rationale: This information will help to determine an appropriate treatment plan Adds requirement to receive and assess the child's permanency planning goal and planned achievement date Rationale: Reflects that treatment foster care emphasizes permanency planning for the child in care</p>
	630 C 2		<p>Adds requirement to receive and assess current service or treatment plans and discharge plans from others, if any</p>

	<p>630 C 3 - 10 630 D</p> <p>630 E, F 630 G</p> <p>630 H, H 1-3</p> <p>630 H 4-6 630 I</p> <p>630 J</p> <p>640 A, A 1</p> <p>640 A 2</p>		<p>Rationale: Provides for continuity, or the need for a different approach, as appropriate Previously explained Allows licensee or certified agency 30 days to receive intake assessment information when an emergency placement Rationale: This information is not always available or possible to obtain prior to an emergency placement; reflects public comment for previous proposed regulation Previously explained; reflects public comment for previous proposed regulation Adds requirement for licensee to prepare within two weeks of placement a plan of care for the first 45 days of placement Rationale: The nature of treatment foster care requires immediate initiation of services upon placement Requires a written report on the assessment within 30 days of placement and include strengths and needs of child, summary of pre-placement interview and placement, and reason for selecting particular treatment foster home Rationale: 30 day due date previously explained; the purpose of gathering intake information, including social history, is to assist in making a placement decision Previously explained Requires the licensee or certified agency to ensure that treatment services are provided, there is a nurturing home setting with attention to health, safety and welfare of child Rationale: Adds requirement that the specialized treatment foster care is being provided and that there is adherence to requirements for any foster home Previously explained</p> <p>Provides that child accepted and placed only after careful consideration including treatment foster parent's specific skills, abilities, and attitudes to work with child in areas of behavior management, crisis intervention and stabilization, supportive counseling, and implementation of treatment and service plan Rationale: Reflects the treatment orientation of this specialized foster care Requires careful consideration of treatment foster family composition and willingness and ability to work with child's family Rationale: Because of the emphasis of treatment foster care on permanency planning, the treatment foster parent must be willing and able to work with the child's family</p>
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	<p>640 B - F</p> <p>650</p> <p>660 A, B, B 1</p> <p>660 B 2</p> <p>660 B 3</p> <p>660 B 4-5</p> <p>660 B 6</p> <p>660 B 7, B 8</p> <p>660 B 9 - 11</p> <p>660 C</p> <p>660 D</p>		<p>Previously explained</p> <p>Previously explained</p> <p>Previously explained; complies with DMAS requirement</p> <p>Requires the individualized comprehensive treatment and service plan to include treatment goals and objectives, including child's specific problems, behaviors, or skills to be addressed, measures for achievement, and month and year projected to meet each goal and objective</p> <p>Rationale: previously explained, but emphasizes the treatment nature of the placement by identification of specific problems, behaviors, or skills as well as measures for success</p> <p>Requires the individualized comprehensive treatment and services plan to include programs, therapies, activities, services and other support including case management plan to include 1) specific methods of intervention and strategies; 2) process for monitoring; 3) description of work with related community resources, including primary care physician, to provide continuity of care; 4) description of planned supervision of treatment foster parent; and description of planned evaluation of effectiveness of child's plan of treatment</p> <p>Rationale: Reflects requirements for "regular" foster care individualized service plan, but augments to recognize the treatment nature of the placement, careful monitoring, and evaluation of the treatment plan's effectiveness; complies with DMAS requirements</p> <p>Previously explained; complies with DMAS requirements</p> <p>Previously explained</p> <p>Previously explained; complies with DMAS requirements</p> <p>Previously explained</p> <p>Requires individualized comprehensive treatment and services plan to be signed and dated by case worker and include all members of treatment team who participated in its development</p> <p>Rationale: Complies with DMAS requirement</p> <p>Requires licensee or certified agency to work with child, placing agency, treatment foster parents, and parents unless parental rights terminated, in development of plan and provide a copy to the placing agency</p> <p>Rationale: Complies with DMAS requirement</p>
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660 E			Requires licensee or certified agency to provide a copy of the treatment plan to the treatment foster parent if confidential information about birth family is not revealed Rationale: Complies with DMAS requirement
660 F			Requires licensee or certified agency to provide a copy of treatment plan to the parents if confidential information about the treatment foster parent is not revealed Rationale: Complies with DMAS requirement
660 G			Requires licensee or certified agency to support contact and visitation between foster child, his family, and others as specified in the plan Rationale: Complies with DMAS requirement
670			Previously explained; complies with DMAS requirements
680 A			Previously explained; complies with DMAS requirements
680 B			Requires that face-to-face contact be no less than twice a month and one of them in foster home Rationale; Complies with DMAS requirement
680 C			Requires that one of contacts in the month include child and at least one treatment foster parent and assess relationship between child and treatment foster parent Rationale: Complies with DMAS requirement
680 D			Requires that contacts used to assess child's progress, provide supervision, training, support, and guidance in implementing plan, to monitor services delivery, and to allow child to communicate concerns Rationale: Complies with DMAS requirement
680 E - G			Previously explained; Complies with DMAS requirements
680 H			Requires licensee or certified agency work actively to support and enhance child-family relationships and work directly with families toward reunification as specified in plan Rationale: Complies with DMAS requirement
690 A			Previously explained
690 B			Requires licensee or certified agency to record all medications prescribed for each child and any reported side effects or adverse reactions Rationale: Previously explained; complies with DMAS requirements
690 C			Previously explained
690 D			Previously explained; complies with DMAS requirements

	<p>700</p> <p>710 A, B, B 1, B 2 710 B 3-8</p> <p>720 A</p> <p>720 B</p> <p>730</p> <p>740 A</p> <p>740 B 740 C</p>		<p>Previously explained</p> <p>Previously explained; complies with DMAS requirements</p> <p>Previously explained</p> <p>Requires licensee or certified agency to assure that a professional staff person provides leadership to the treatment team: 1) managing team decision-making; 2) providing information and training to team members; and 3) involving child, child's family, and placing agency in team meetings, plans, decisions, and keeping them informed of child's progress, whenever possible</p> <p>Rationale: Complies with DMAS requirement</p> <p>Requires treatment team members to consult as often as necessary, but at least every 90 days</p> <p>Rationale: Regardless of progress being made, the treatment team needs to meet at least quarterly to share information and make decisions</p> <p>Provides that use of chemical, mechanical, and physical restraint and seclusion prohibited; explains what physical restraint is not</p> <p>Rationale: Reflects the unique circumstances in which children are placed in homes with caregivers who do not have on-site supervision to monitor these techniques; the unsupervised setting precludes their being certified to employ such techniques; national trend is to move away from these approaches</p> <p>Requires licensee or certified agency to prepare before discharge written recommendations for after care that specify nature, frequency, and duration of aftercare services to be provided by licensee or certified agency; the recommendations determined and shared with placing agency and parents prior to child's discharge, if possible and where appropriate</p> <p>Rationale: Written discharge summaries, including aftercare recommendations are currently prepared; the intent of this standard is to ensure that discharge planning occurs prior to the child's discharge so that it can be documented in the discharge report and can occur upon discharge</p> <p>Previously explained</p> <p>Requires that discharge report include 1)date of and reason or reasons for discharge; 2)</p>
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	<p>740 D</p> <p>740 E</p> <p>740 F</p> <p>740 G 740 H</p> <p>740 I, J</p> <p>750 A</p> <p>750 B, B 1, B 2</p> <p>750 C - E</p>		<p>name of person with who child placed or was discharged, including contact information; 3) description of services provided to child while in care; 4) progress made while child in care; and 5) aftercare services to be provided to the child, family, and/or guardian by licensee or certified agency</p> <p>Rationale: Complies with DMAS requirement Requires that discharge report include evaluation of progress made towards achievement of child's treatment goals</p> <p>Rationale: Complies with DMAS requirement Requires that discharge planning developed with treatment team, child, parents or guardian if applicable, and placing agency</p> <p>Rationale: Complies with DMAS requirement Provides that children in custody of local department of social services of licensed child-placing agency not discharged without the knowledge, consultation, and notification of placing agency</p> <p>Rationale: Complies with DMAS requirement Previously explained</p> <p>Provides that parents or guardian notified of child's discharge from program when appropriate, including moving a child from treatment foster care to a residential facility</p> <p>Rationale: Keeps the parent or guardian involved in treatment planning, which includes discharge</p> <p>Previously explained</p> <p>Explains that treatment homes evaluated and approved according to home study requirements for other foster homes in this chapter</p> <p>Rationale: Directs the reader to the requirements for approval and the approval process</p> <p>Requires that no more than two treatment foster children in a home without justification to include placing a sibling group, the abilities of a particular family, and family's ability and capacity to take another child; requires justification to be written, dated, approved, and signed by supervisor and/or program director or director of social services prior to placement of additional children in the home; requires justification to include impact of the additional placement on other children in the home</p> <p>Rationale: Acknowledges the intense involvement of the treatment foster parent in implementing the treatment plan</p> <p>Previously explained</p>
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	<p>760 A - T7 760 T8</p> <p>760 T9 - V20</p> <p>770</p> <p>780 A, B, B1-3</p> <p>780 B 4</p> <p>780 B 5-7 780 B 8</p> <p>780 B 9</p> <p>780 B 10</p> <p>780 B 11, B 12 780 C</p>		<p>Previously explained Requires treatment foster family home study to include prospective treatment foster parent's ability to learn and apply the licensee's or certified agency's recommended behavior management techniques, willingness to assist in preparing the treatment plan, and commitment to become part of the treatment team Rationale: Recognizes that the treatment foster parent helps to write and implement the treatment plan and will be required to follow the provisions of the plan Previously explained</p> <p>Previously explained</p> <p>Previously explained</p> <p>Requires licensee or certified agency to train parent on knowledge and skills for treatment foster parenting with this agency Rationale: Helps to ensure that the parent provides care according to the requirements of the particular agency Previously explained Requires the training of treatment foster parents to include the licensee's or certified agency's policies on acceptable discipline and behavior management and skill training in treatment, behavior management, and crisis intervention Rationale: Adds to previously explained standard requirements specific to treatment foster care as these are needed to successfully parent children who are placed for treatment foster care Requires training to include how treatment team operates within the agency and the role of treatment foster parent as member of the team Rationale: This training will assist the parent in understanding about treatment teams and the treatment foster parent role as a team member Requires training to include differences between treatment foster parenting and other types of parenting, including birth, adoptive, and other foster parenting Rationale: Helps the treatment foster parent understand the unique therapeutic role of treatment foster parenting Previously explained</p> <p>Requires licensee or certified agency to develop an ongoing training plan for</p>
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	<p>780 D</p> <p>790</p> <p>800</p> <p>810 A - I 810 J</p> <p>820 A</p> <p>820 B-D 6 820 D 7</p> <p>820 D 8 - G</p>		<p>treatment foster parents to include 1) building on basic skills and building advanced skills such as working directly with parents of children in care to teach parenting skills; 2) helping children learn appropriate behaviors and develop self esteem; 3 responding to signs and symptoms of physical abuse, sexual abuse, neglect, and emotional maltreatment; 4) helping children with family reunification, adoption, and preparation for young adult life; and 5) reviewing crisis intervention procedures Rationale: These are topics especially pertinent to treatment foster parenting Requires licensee or certified agency to document in the treatment foster family record any completed annual training Rationale: Provides for documentation in a consistent location the training requirement at 22 VAC 40-130-820 G 4</p> <p>Previously explained</p> <p>Previously explained</p> <p>Previously explained Requires the licensee or certified agency to evaluate the skills and abilities of the treatment foster parents and identify any concerns and training needs Rationale: Allows for identification of an individualized response to concerns and training needs to maintain or improve quality of care</p> <p>Requires the licensee or certified agency to maintain a case record for each child that is indexed indicating the organization and documentation in the record Rationale: The indexing will make it easier to locate information Previously explained Requires documentation of the reason for placing a child in a particular treatment foster home Rationale: Documents that the decision was carefully made Previously explained</p>
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