



**State of Florida
Department of Children and Families**

Ron DeSantis
Governor

Chad Poppell
Secretary

DATE: April 12, 2019

TO: Regional Managing Directors
Community-Based Care Lead Agency CEOs
Sheriff's Offices Conducting Child Protective Investigations

THROUGH: Patricia Babcock, Deputy Secretary *Patricia Babcock*

FROM: JoShonda Guerrier, Assistant Secretary for Child Welfare *JS*

SUBJECT: CFOP 170-11, Chapter 12 – Foster Home Licensing

PURPOSE: The purpose of this memorandum is to provide notification that CFOP 170-11, Placement, has been updated with the addition of Chapter 12, Foster Home Licensing, which has been finalized.

BACKGROUND: The new CFOP 170-11, Chapter 12 – Foster Home Licensing, has been developed to align with changes made to s. 409.175, Florida Statutes. In March of 2018, the Foster Care Licensing rule 65C-13, Florida Administrative Code, was promulgated. Although statutes and rule provide policy guidance for the licensing of foster homes, additional policy guidance is needed to standardize the procedures for program requirements and maintaining data integrity. Florida Safe Families Network (FSFN) will have new functionality to support the new licensure system.

This new chapter provides information regarding foster parent inquiries and documentation requirements, the new levels of licensure, ongoing supports for licensed caregivers, and documentation and issuance of a license in FSFN.

ACTION REQUIRED: Please share this memorandum and the new CFOP 170-11, Chapter 12, with all appropriate staff in the regions, circuits, Community-Based Care Lead Agencies, case management organizations, and sheriff offices conducting child protective investigations.

CONTACT INFORMATION: If you have questions or need clarification regarding this memorandum or the new CFOP chapter, please contact Teanna Houston, Foster Home Licensing Specialist, at Teanna.Houston@myflfamilies.com or 850-717-4203.

cc: Regional Family and Community Services Directors
Center for Child Welfare

1317 Winewood Boulevard, Tallahassee, Florida 32399-0700

Mission: Work in Partnership with Local Communities to Protect the Vulnerable, Promote Strong and Economically Self-Sufficient Families, and Advance Personal and Family Recovery and Resiliency

Chapter 12

FOSTER HOME LICENSING

12-1. Purpose. This chapter describes the department's policies and procedures for licensing and relicensing of family foster homes, providing ongoing supports, and required documentation for Florida Safe Families Network.

12-2. Legal Authority.

- a. Federal statutes, regulations, and policy statements.
- b. State statutes, administrative rules and plans:
 - (1) Section 409.145, Florida Statutes (F.S.).
 - (2) Section 409.175, F.S.
 - (3) Section 39.01, F.S.
 - (4) Rule 65C-13, Florida Administrative Code (F.A.C.).

12-3. Definitions.

- a. "Foster parent inquiry" means an inquiry made to the department or Community-Based Care Lead Agency (CBC) regarding becoming a licensed foster parent for children that have been removed from their homes due to abuse, abandonment, or neglect.
- b. "Waivable non-safety licensing requirement" means a licensing requirement waivable under a Level I license.

12-4. Foster Parent Inquiry.

a. Level I Foster Parent Inquiry. The child welfare professional must offer relatives, non-relatives, and fictive kin caregivers the opportunity to pursue Level I licensure.

(1) The child welfare professional must ensure that the relative, non-relative, or fictive kin caregiver is provided with information related to requirements to become a licensed caregiver as well as the benefits of licensure prior to beginning the process.

(2) The child welfare professional must notify the Level I licensing entity of the caregiver's interest in pursuing licensure within two (2) business days of becoming aware of such interest.

(3) The child welfare professional shall ensure that a "Notice of Non-Participation in Licensure" (form CF-FSP 5443, available in DCF Forms) is signed by the relative, non-relative, or fictive kin caregiver should the caregiver not be interested in the process of licensure.

(4) The "Notice of Non-Participation in Licensure" shall be uploaded into the Florida Safe Families Network (FSFN) in the provider file cabinet under the provider originally created during the child's initial placement.

(5) The child welfare professional shall make contact with the individual/family seeking Level I licensure within two business days of receiving notification.

(6) Every effort shall be made to have relatives/non-relatives/fictive kin licensed as Level I foster parents within 60 business days of notification having been made to the licensing agency.

b. Level II-V Foster Parent Inquiries. Inquiries received by the CBC or its providers shall be documented in FSFN.

(1) The child welfare professional shall make contact with individuals/families inquiring about becoming licensed as foster parents within two business days of an inquiry having been made;

(2) A provider inquiry shall be completed in FSFN for each individual that contacts the agency seeking to become a licensed foster parent.

(3) If a record is present in FSFN, the child welfare professional shall review the provider record and update any new information obtained from the provider;

12-5. Levels of Licensure. The levels of licensure identify the specific license type for each foster home license issued by the department.

a. Level I Child Specific Licensure. Licensure type designated for relatives, non-relatives, and fictive kin that are seeking licensure for a specific child or children.

(1) Pursuant to s. 409.175(5)(a)(1)(b), F.S., Level I licensure may have non-safety related items waived on a case-by-case basis.

(2) All Waivable non-safety requirements have been identified in Chapter [65C-13](#), F.A.C.

(3) The identified waivable items may require alternative accommodations to be made to ensure the placement meets the needs for the child.

b. Justification for waivable requirements are required if waiving the licensing requirement. Justification must be documented in FSFN on the licensing checklist and may include, but is not limited to, the following:

(1) Infants 12 months of age or younger may share a bedroom with an adult provided the infant sleeps in his or her own crib.

(a) The crib shall be maintained in good and safe condition and have a clean mattress that fits snugly in the crib frame.

(b) Cribs shall not have drop sides or be placed close to windows with curtains or cords in which the child might become entangled.

(c) Bassinets, a pack n' play, or another approved sleeping apparatus that is appropriate for the infant's age and development may be utilized in the absence of a crib.

(2) Bunk beds shall be safe and sturdy pursuant to Rule [65C-13.030\(7\)\(f\)5](#), F.A.C. Children older than 5 years old but under 10 years old may sleep on the upper tier of the bunk bed if their level of development is appropriate.

(3) A child shall never share a bed with an adult or another child, regardless of age, pursuant to [Rule 65C-13.030\(7\)\(f\)9](#), F.A.C. Children may share a bed with a sibling when there is a sleeping space that is able to accommodate the children and no other safety concerns have been identified.

(4) Child care for children in licensed out-of-home care shall be in a licensed early education or child care program chosen by the caregiver pursuant to Rule [65C-13.030\(6\)\(d\)](#), F.A.C. Child care may be provided on an ongoing basis with an individual chosen by the caregiver that is not a licensed child care provider.

(5) Each family foster home shall have a working telephone in the home that is always accessible.

(a) Emergency telephone numbers shall be displayed prominently in the home.

(b) Licensed out-of-home caregivers shall notify the supervising agency within one business day if their telephone number changes.

(c) The foster family home may have a phone within proximity to the home for emergency purposes.

(6) Each licensed out-of-home caregiver shall have a current written plan for evacuation in the event of a natural or man-made disaster pursuant to Rule [65C-13.030\(7\)\(j\)1.](#), F.A.C. A separate evacuation plan is not required if the child welfare professional documents the evacuation plan in the unified home study.

(7) Each licensed out-of-home caregiver shall sign a Partnership Plan pursuant to Rule [65C-13.030\(1\)\(d\)](#), F.A.C. In the absence of the Partnership Plan, the child welfare professional shall document discussion of the Partnership Plan in the Unified Home Study.

(8) Each licensed home shall have a first aid kit in the home pursuant to Rule [65C-13.030\(7\)\(g\)2.](#), F.A.C. When unable to purchase a complete first aid kit, the caregiver shall have a mini first aid kit or essentials to administer first aid to a child.

(9) Each licensed foster home shall complete radon testing pursuant to Rule [65C-13.025\(5\)\(b\)13.b.](#), F.A.C.

(a) When an unfavorable result is obtained and the caregiver, CBC, or contracted provider is unable to financially cover the cost of services to mitigate radon levels, the child welfare professional may contact the local building authorities or county health department to obtain information regarding the history of radon levels in the area.

(b) This information shall be documented in FSFN.

(10) Each licensed foster home shall have at least one operable smoke alarm on each floor and one in each bedroom area pursuant to Rule [65C-13.030\(7\)\(h\)7.](#), F.A.C. A smoke detector on each floor or near each bedroom is acceptable.

(11) Each licensed foster home shall have a fully charged, unexpired 2A10BC fire extinguisher on each floor pursuant to Rule [65C-13.030\(7\)\(h\)7.](#), F.A.C. If the caregiver, CBC, or its contracted provider is not financially able to provide a fire extinguisher, a discussion regarding fire safety measures must be documented in the Unified Home Study by the child welfare professional.

(12) Each bedroom shall have two means of exit pursuant to Rule [65C-13.030\(7\)\(h\)4.](#), F.A.C. One means of exit is acceptable if the home was remodeled to make an accommodation for the child.

(13) The child welfare professional completing the Unified Home Study must complete at least two home visits pursuant to Rule [65C-13.025\(1\)\(b\)](#), F.A.C. At least one visit to the home is required for the purpose of conducting a Unified Home Study.

(14) Children 36 months or older shall not share a bedroom with a child of the opposite gender unless efforts are being made to maintain a sibling group pursuant to Rule [65C-13.030\(7\)\(f\)10.](#), F.A.C.

(a) Children may share a room with another child of the opposite gender (i.e. sibling, relative, non-relative of similar age) if there are no other safety concerns based on the age and maturity of the child.

(b) Children of opposite gender who are over the age of 6 and are not related are not permitted to share a bedroom.

(15) Each child shall be provided with a clean, permanent bed and mattress of his or her own. The bed shall be of sufficient size to accommodate the child pursuant to Rule [65C-13.030\(7\)\(f\)3.](#), F.A.C.

(a) Children over the age of 18 months may share a bed with a sibling, relative, non-relative, of similar age and gender provided there are no other safety concerns.

(b) Children of opposite gender who are over the age of 6 and are not related are not permitted to share a bed.

(16) The home shall have space and furnishings to accommodate the number of people living in the home and be accessible to all members of the family pursuant to Rule [65C-13.030\(7\)\(e\)1.](#), F.A.C. Space and furnishings to accommodate family members must take into consideration the family's circumstances.

(17) Waterproof mattress covers and clean linens should be provided for all beds and cribs as developmentally appropriate and necessary pursuant to Rule [65C-13.030\(7\)\(f\)6.](#), F.A.C. Based on the child's age and level of maturity, a documented discussion should be included in the Unified Home Study regarding maintaining clean linens for all sleeping spaces.

(18) All fireplaces, space heaters, steam radiators, and hot surfaces shall be shielded against accidental contact.

(a) Access by children under 6 years of age shall be restricted by a barrier.

(b) In the absence of a hot surface shield, the child welfare professional must document safety measures with the caregiver to ensure child safety is met in the Unified Home Study.

(19) The home shall not be heated by un-vented gas-fired space heaters or oil heaters unless they are equipped with an oxygen depletion sensor and the home has a carbon monoxide alarm. In the absence of a carbon monoxide alarm, the child welfare professional must document safety measures with the caregiver related to child safety in the Unified Home Study.

(20) A licensing specialist who has been trained by the department or other state entity such as the local health department must complete a Foster Home Inspection Checklist pursuant to Rule [65C-13.025\(5\)\(b\)13.a.](#), F.A.C. Requirements of the Foster Home Inspection Checklist may be waived under the following conditions:

(a) Hot Water Temperature: If the age and level of maturity of the child allows for the child to adjust the temperature of the water.

(b) Private Well Water Testing. If the caregiver is not financially able to cover the cost of the test, the licensing specialist may contact the local utility company or local water management company to obtain information regarding the history of the water supply (i.e., any public notices to boil the water for a period).

(c) Refrigerator Thermometer. In the absence of a refrigerator thermometer, the child welfare professional must ensure that the refrigerator is reasonably operable and cooling.

(d) Screens on All Windows and Doors. A family using a central air and heat system may have screens waived if the windows and the doors will provide for protection against outside rodents.

12-6. Initial Licensure. The child welfare professional is responsible for ensuring all requirements of initial licensure are met prior to submission of the licensure packet. Licensing requirements for initial licensure can be located in Rule [65C-13.025](#), F.A.C., Initial Licensing and Unified Home Study. The complete licensure packet shall be uploaded into the provider file cabinet in FSFN.

a. Background Screenings. Background screenings should be uploaded in FSFN separate from the licensure packet. Background screenings shall include all requirements pursuant to Chapter [65C-13](#), F.A.C.

(1) Background screening results obtained from the FBI and FDLE must not be uploaded into FSFN.

(2) Background screenings shall utilize the following naming convention: initial licensure, family member name, and year. Example: (Initial Licensure, John Doe, 2018).

(3) All background screenings shall be current at the time of the initial licensure.

b. Licensure Packet and Supporting Documentation. The approved initial licensing packet shall be uploaded into the provider file cabinet in FSFN.

c. The licensure packet documents shall be uploaded separately and shall include: name of the document, Initial, and year of licensure.

(1) The following items shall be uploaded in the provider file cabinet under the image category "Certification and Training:"

(a) Parent Preparation Training Certificates;

(b) Other Trainings or Certifications; and,

(c) Water safety training certificate.

(2) The following items shall be uploaded in the provider file cabinet under the image category "Required Signed Documentation:"

- (a) Release of Information;
- (b) Affidavit of Good Moral Character;
- (c) Partnership Plan;
- (d) Confidentiality agreement;
- (e) Application for Licensed to Provide Out-of-Home Care for Dependent Children; and,
- (f) Attestation.

(3) The following items shall be uploaded in the provider file cabinet under the image category "Provider Household Documents:"

- (a) Documentation of legal residency;
- (b) Driver's License;
- (c) Proof of insurance;
- (d) Floor plan;
- (e) Evacuation and disaster plan; and,
- (f) Family biographical profile/pre-service profiles.

(4) The following items shall be uploaded under the "upload image" tab on the Unified Home Study:

- (a) Acknowledgement of Firearms Safety Requirements;
- (b) Employment Verification/Reference;
- (c) Financial documents;
- (d) Fire inspection (if applicable);
- (e) Health inspection (if applicable)
- (f) Income Verification;
- (g) Photos of the home;
- (h) Radon testing results;
- (i) References; and,
- (j) Unified Home Study signature page.

d. The licensing checklist for initial licensure will be completed in FSFN by the CBC or contracted provider for review and approval by the regional licensing specialist.

(1) The due date on the licensing checklist must include the date that the licensing packet is due to the regional licensing staff.

(2) The date completed on the licensing checklist for Level I waiver requested items, shall only be completed by the regional licensing specialist upon approval of the waiver request.

(3) The completion date for all additional licensing checklist items shall be the date that the child welfare professional completed the item.

(4) The completion date for all licensing checklist items for Levels II-V shall be the date that the child welfare professional completed the item.

e. When an image type is listed that coincides with the document name, the document shall be uploaded under that image type.

12-7. Ongoing Supports for Licensed Caregivers. Ongoing supports for licensed caregivers shall be offered and shall include, but not be limited to, support groups, ongoing licensing standards review, and services and supports for children placed in the home.

a. Support Groups. Licensed caregivers shall be made aware of supports through their local foster/adoptive parent association (when applicable) or other supports that may be available for licensed caregivers.

b. Quarterly home visits shall be completed by the licensing agency for the Levels II-V licensed home to ensure it continues to meet licensing standards.

c. Quarterly contacts shall be completed by the licensing agency for the Level I licensed caregiver(s) to assess the need for additional supports.

d. The child welfare professional completing the quarterly home visit or quarterly contact with the licensed caregiver shall document the visit or contact and any compliance concerns within the home. This visit shall be documented as a chronological entry under the provider in FSFN.

e. Supports for Children Placed in the Home. The child welfare professional shall make available to licensed caregivers any identified and available services and supports necessary to care for children in their care.

12-8. Relicensure. The child welfare professional is responsible for ensuring all requirements of relicensure are met prior to submission of the licensure packet. Licensing requirements for relicensure are located in Chapter [65C-13](#), F.A.C., Foster Care Licensing.

a. Updated background screenings obtained from the FBI and FDLE must not be uploaded into FSFN.

b. Updated background screenings shall include all requirements pursuant to Chapter [65C-13](#), F.A.C. Background screenings shall utilize the following naming convention: relicensure, family member name, and year. Example: Relicensure, John Doe, 2019.

c. All background screenings shall be no older than sixty (60) days from the licensure expiration date.

d. Relicensure Packet and Supporting Documentation. The approved relicensing packet shall be uploaded into FSFN in the provider file cabinet.

e. The relicensing packet documents shall be uploaded separately and shall include: the name of the document, relicensure, and year of relicensure.

(1) The following items shall be uploaded in the provider file cabinet under the image category "Certification and Training:"

- (a) Inservice Training Certificates;
- (b) Updated water safety training certificate.

(2) The following items shall be uploaded in the provider file cabinet under the image category "Required Signed Documentation:"

- (a) Release of Information;
- (b) Partnership Plan;
- (c) Confidentiality agreement;
- (d) Application for Licensed Provide Out-of-Home Care for Dependent Children;

and,

- (e) Attestation.

(3) The following items shall be uploaded in the provider file cabinet under the image category "Provider Household Documents:"

- (a) Driver's License;
- (b) Proof of insurance; and,
- (c) Evacuation and disaster plan.

(4) The following items shall be uploaded under the "upload image" tab on the Unified Home Study:

- (a) Acknowledgement of Firearms Safety Requirements;
- (b) Employment Verification/Reference;
- (c) Financial documents;
- (d) Fire drill logs;
- (e) Health inspection (if applicable)
- (f) Photos of the home;
- (g) References (to include, exit interview, case manager reviews, community input forms, and foster parents review of case manager); and,
- (h) Unified Home Study signature page.

f. The licensing checklist for relicensure will be submitted via FSFN to the Regional Licensing Specialist for review and approval.

g. When an image type is listed that coincides with the document name, the document shall be uploaded under that image type.

12-9. Training and Licensure Verification for Approval of a License.

a. Preservice and inservice training are required for each level of licensure.

(1) CBCs or their contracted provider agencies must document preservice and inservice hours in FSFN prior to the approval of a licensure packet by the regional licensing authority.

(2) CBCs or their contracted provider agencies must ensure that the number of documented hours is based upon the training requirements for the specific level of licensure.

(3) DCF regional licensing specialists must manually review training hours inputted in FSFN for each provider prior to approving a license.

(4) DCF regional licensing staff will ensure that the number of documented hours is based upon the training requirements for the specific level of licensure requested.

b. Creating a License.

(1) Regional licensing staff are responsible for ensuring that the appropriate level(s) of licensure is(are) selected.

(2) Regional licensing staff shall select Level I Child Specific licensing type for providers being licensed for specific children.

(3) When licensing a home as a Level III-Safe Foster Home, Level IV Therapeutic Foster Home, and/or Level V Medical Foster Home, the regional licensing staff shall select Level II Non-Child Specific Foster Home in addition to the desired level of licensure being issued;

(4) All licenses issued for Levels I-V shall be issued using the licensing template located in FSFN.