

September 16, 2004

ADMINISTRATIVE MEMORANDUM

To: Protection and Safety Workers  
Protection and Safety Supervisors  
Protection and Safety Administrators  
Resource Development Workers  
Resource Development Supervisors  
Resource Development Administrators  
Service Area Administrators

From: Todd Reckling, Administrator, Office of Protection and Safety

**RE: Approval of Unlicensed Foster Homes--Non-emergency Placements**

This memo clarifies the purpose and use of the "Request for Approved Status" form. Please also review NAC 390 7-004.02 Approval of Unlicensed Homes (Non-Emergency Situations.)

**Effective Date:** September 20, 2004

**Purpose of the "Request for Approved Status" form:** Non-emergency approval of a home in lieu of license is allowed by regulation only if the foster parent is a relative or a person previously known to the child. In the case of a non-emergency placement of a child into an unlicensed home of a relative or someone previously known to the child, an approval study, required criminal history and central register checks, and the "Request for Approved Status" form must be completed before the placement. (For emergency placements, please refer to Program Memo: #2-2004, Title 390, Initial and Emergency Placement Approval.) **Please note: as of September 20, 2004, only the official "Request for Approved Status" form, dated September 20, 2004, will be accepted by Central Office.** Any other version of the form will be sent back to the service area for resubmission. Please discard any copies of other versions of the form.

This form is not to be used to request exceptions to licensing regulations. There are no exceptions to the licensing regulations regarding criminal history (see 474 NAC 6-003.25B). If someone has a history that includes one of the crimes listed in licensing regulations, HHS cannot issue a license.

**Required signatures for "Request for Approved Status form:**

**A. Service Area Administrator or designee:** required for every approval.

**B. Central Office of Protection and Safety:**

1. Adults living in the home are not married to each other and are not related to each other by blood or adoption. (Exceptions: Central Office approval is not needed if the prospective foster parent is a former foster parent of the individual; has guardianship of the individual; or is responsible for providing physical care to and supervision of the individual and that individual's placement is supervised by a developmental disability agency); or

2. A household member has been identified as a perpetrator on the Central Register of Child Protection, the Adult Protective Services Central Registry; the Sex Offender Registry, or
3. A criminal history check reveals that a household member has a current charge, conviction, or pending indictment for any of the following crimes:
  - Aggravated or armed robbery
  - Arson
  - Assault, first or second degree
  - Child abandonment
  - Child abuse
  - Child molestation or debauching a minor
  - Child neglect
  - Commercial sexual exploitation of a minor
  - Criminal non-support
  - Domestic violence
  - Exploitation of a minor involving drug offenses
  - Felony controlled substances offenses
  - Felony violation of custody
  - Incest
  - Kidnapping
  - Murder, first or second degree
  - Robbery
  - Sexual abuse of a minor
  - Sexual assault
  - Sexual exploitation of a minor, including child pornography
  - Voluntary manslaughter

#### **Routing and Maintenance of Information:**

1. "Request for Approved Status" forms requiring Central Office approval must be sent to Central Office, attention of Patti Reddick, by the service area with a copy of all criminal history documentation ( sex offender, local, state, and national). On the form, the service area is to check the box, "Forwarded to Central Office for: Approval or Denial." Central Office will process the forms for approval or denial and return the original to the sending office. Central Office will retain a copy of the completed form and the related documents. (Note: each service area is responsible to establish its own routing process within the service area.)

2. A copy of all other "Request for Approved Status" forms that include a criminal history of conviction within the last five years for burglary, driving under the influence, misdemeanor controlled substances offense, or misdemeanor contributing to the delinquency of a child must be sent to Central Office, attention of Patti Reddick, by the service area, along with a copy of the criminal history documentation ( sex offender, local, state, and national). Before sending the copies to Central Office, the service area is to check the box that says, "Record-keeping Only." Central Office will record the information for record-keeping purposes but will not retain the copies. (Note: each service area is responsible to establish its own routing process within the service area.)

3. The completed "Request for Approved Status" form, with required signatures, a copy of any supporting documentation (including all criminal history documents), and a copy of the home study (approved by the supervisor), must be maintained in the child's file. (Note: this memo does not address whether responsibility for signing off on the home study belongs to Protection and Safety or Resource Development staff. That decision lies with the service area.)

If you have any questions, please contact Becky Henderson, at (402)471-9333, or Margaret Bitz, at (402)471-9457.



**REQUEST FOR APPROVED STATUS  
NON-EMERGENCY SITUATIONS 390 NAC 7-004.02**

**FORWARDED TO CENTRAL OFFICE FOR**  **APPROVAL/DENIAL**  **RECORD-KEEPING ONLY**

<b>PART I: To be Completed by Protection and Safety or Resource Development Staff for Each Child</b>			
Name of Foster Parent	Street Address	City	Zip Code
Case Manager's Name:	Local Office:	Case Manager's Phone Number:	
Name of Child:	SS#:	DOB:	
Anticipated Date of Placement:		Relationship to Foster Parent:	

- Approval requires the following background checks. Check if results have been received.  
 APS    CPS    SOR    Local    State    National
- Why is this home being approved rather than licensed?  
 APS    CPS  
 Criminal History (If the need for approval is due to criminal history, attach a copy of all criminal history.)  
 Adults living in the home not married to each other and not related by blood or adoption.  
 Other (Specify)
- Explain why this home is being approved for this specific child, despite circumstances listed above in #2. If request for approved status is due to criminal and/or CPS/APS history, please provide documentation of why this placement will not compromise the child's safety or safety standards, including safety plan, if appropriate.

Signature of Protection and Safety/Resource Development Worker		Service Area	Date
Decision: <input type="checkbox"/> Approved <input type="checkbox"/> Disapproved	Signature of Protection and Safety Supervisor/ Resource Development Supervisor		Date
Decision: <input type="checkbox"/> Approved <input type="checkbox"/> Disapproved	Signature of Protection and Safety Administrator		Date
Decision: <input type="checkbox"/> Approved <input type="checkbox"/> Disapproved	Signature of Service Area Administrator		Date
Decision: <input type="checkbox"/> Approved <input type="checkbox"/> Disapproved	Signature of Central Office		Date

Basis for Approval/Disapproval: