

Division of Children and Family Services Protection and Safety Procedure #8-2016	
Regarding:	Exception Process for Maximum Number of Persons Cared for in Licensed Foster Homes
Date Effective:	2/29/16
Contact:	Jodi Allen at Jodi.allen@nebraska.gov
Issued by:	Douglas J. Weinberg, Director, Division of Children and Family Services

Philosophy

Safety and quality of care are DCFS priorities for children placed in foster care homes. Licensed foster care homes shall not exceed the maximum number of children in their care per their foster care license, unless placing an additional child or children is in the best interest of each child in the home.

Procedure:

Per 395 NAC, Chapter 3, licensed foster care homes shall not exceed the maximum number of persons for whom care can be provided unless one or more of the following apply:

- 1) Placement of a sibling* group allows the sibling group to stay together in the foster care home.
- 2) Placement of a child (ren) who are siblings to a child (ren) currently placed in the foster care home.
- 3) Placement of child (ren) who had previously been placed in the foster care home.
- 4) The individual is the child (ren) of a ward placed or a ward to be placed in the foster care home.

The CFS Specialist is responsible for completing the following steps prior to making a recommendation about exceeding the placement maximum:

- 1) Consult with all other CFS Specialists who have children placed in the foster care home to determine whether placement would be detrimental to any child currently living in the foster care home. If placement would be detrimental to any child currently living in the foster care home, **placement shall not be made**; and,

- 2) Discuss the potential placement with the foster parent(s) and CPA to ensure the foster parent(s) is/are able to meet the needs of the child (ren) to be placed. Consult with the CPA to determine whether or not they will be able to provide adequate support to all children in placement in the home; and,
- 3) Consult with the CFS Supervisor for approval to place a sibling group, to place sibling(s) to children already in the home, to place the child or children of a ward in the same home as their parent (whether that child is a ward or non-ward), or to place children who had previously been placed in the foster care home. Written documentation of the approval shall be provided to the RD Worker who will document the approval in the foster care home organization within N-FOCUS, home detail, consultation point narrative.

Placement Decisions when:

- a. The child does not have a sibling in the home.
- b. The child's parent is not a state ward currently placed in the home.
- c. The child has not previously been placed in the home.
- d. The foster care home is able to meet the unique needs of the children (ren) as determined and agreed upon by the Child and Family Services (CFS) Specialist, foster parent(s) and the Child Placing Agency (CPA) supporting the foster care home.

When any of the above conditions exist, the CFS Specialist will consult with the CFS Supervisor. Final approval to make this placement is the responsibility of the Service Area Administrator. Written documentation of the approval shall be provided to the RD Worker who will document the approval in the foster care home organization within N-FOCUS, home detail, consultation point narrative.

When a foster care home exceeds the maximum number of persons cared for, the supporting agency will update the support plan (s) to ensure support is readily available to the foster parent (s) to meet the needs of all children in the home. The support plan (s) shall be provided to the CFS Specialist (s) for their review.

When the decision is made to deny an exception to exceed the maximum number of persons cared for, the person responsible for the denial shall e-mail the RD worker who will document the denial in the foster care home organization within N-FOCUS, home detail, consultation point narrative.

*Definition of sibling: A sibling is a brother or sister who is related by blood, marriage or adoption, or who would have been considered a sibling if not for the termination or other disruption of parental rights.

References:

395 NAC 3-001.10
Protection and Safety Procedure #10-2015