

Licensing Information Overview- Licensed Child-Placing Agencies (LCPA)

- **Why Become Licensed?**

The *Code of Virginia*, requires that private licensed child-placing agencies (LCPA) be licensed by the Virginia Department of Social Services (VDSS). In support of statutory requirements, licensing regulations and oversight are designed to assist agencies in providing appropriate, high quality services while reducing risk to those placed by the LCPA. The *Code of Virginia* makes it a misdemeanor to operate without first obtaining the required license. Each day of operating without the appropriate license constitutes a separate offense.

- **Is there a Need for Your Program?**

It is commendable to want to serve children, but it is essential to know whether there is a need for the program and services you want to offer. It is wise to conduct a needs assessment in the area where you want to locate. At a minimum, talk with potential referral agencies such as the local department of social services (LDSS).

- **Location**

An agency should be located near the families it expects to serve and also near a variety of community-based services. Consider access to schools, transportation, churches, medical and psychiatric resources, recreational and cultural opportunities, and emergency response services. Is the population sufficient to recruit an adequate number of foster and adoptive homes?

- **Is Funding Available?**

VDSS does not offer financial assistance to open new programs.

- **Comprehensive Services Act**

In Virginia, the Comprehensive Services Act (CSA) for at-risk youth and families governs the placement and funding for many of the children in need of placement. This law combined eight specific funding streams at the state level and put them under the control of local governments. A local Community Policy and Management Team (CPMT) approves funding for children referred by the local Family Assessment and Planning Team (FAPT) for placement. If the funds are approved for a child's placement, the LCPA is reimbursed, usually on a monthly basis, after the child is in care. The arrangements must be made between the LCPA and the locality involved. Children may be placed by a LDSS and have a worker assigned. Other placements include court commitment and parental entrustment.

Virginia places great importance on children remaining with their families whenever possible. When this is not possible, children are to be placed in settings as close to home as possible. Foster care providers are expected to involve families in services planning for each child, unless the local team/placing agency gives other direction or parental rights have been terminated by the court.

The CSA pool is the funding stream of last resort and must be used on a child specific basis. This means that pool funds may be spent only when purchasing services for specific children and their families. For more information about the CSA, please contact the Office of Children's Services, www.csa.virginia.gov.

- **Role of the Licensing Specialist**

The specialist provides consultation and training to applicants, to facilitate a LCPA becoming familiar with and complying with laws and regulations. Once licensed, the specialist conducts unannounced inspections to ensure compliance with laws and regulations and to investigate reports of violations. The licensing specialist represents VDSS and is given authority by the *Code of Virginia* to inspect, including interviews with employees and children in care.

- **How Long Does the Process Take?**

Before a license can be issued, the applicant must complete the department's pre-licensure training program focused on health and safety standards. The training also includes a review of the applicable laws and regulations as well as the documents required for a complete application. We suggest that applicants complete pre-licensure training prior to submitting the application.

The length of the process from application submission to issuance of the conditional (initial) license varies depending on the completeness of the application and the applicant's readiness for the initial site inspection. A complete application includes submitting all required attachments.

Once an application is submitted to the department, a licensing specialist reviews the application and will contact the applicant regarding any items missing or needing clarification. When the application is complete, a licensing specialist conducts the initial site inspection. The licensing specialist's work is reviewed by the licensing administrator who makes the issuance decision.

The department can expedite the process of processing of the complete application when the applicant has taken the time to become familiar with the standards and can demonstrate compliance with the standards.

- **Staffing Your Program**

How well you staff your program will, ultimately, be the single greatest factor in your success. As you complete the application process, you will likely be screening, hiring and training a variety of staff. Please pay close attention to both the education and experience requirements specified in the standards for LCPA. In smaller agencies, it is common to select staff to fulfill the duties of several positions listed in the standards. If you plan to staff in this manner, please ensure that the individual meets the education and experience requirements specified for each position to be covered. Pay close attention to the requirements specified in the standards for all staff positions.

- **Preparing for the Initial Site Inspection**

During the initial site inspection the licensing specialist visits your agency to review compliance with the standards. The initial site inspection consists of an announced inspection by the licensing specialist at a mutually convenient time. During the inspection, the specialist will review all licensing standards to determine whether your program is in compliance. At the initial inspection, an agency typically cannot fully demonstrate compliance with many standards simply because it is not yet in operation. The licensing inspector will determine compliance with certain standards and the adequacy of planning to assure future compliance with all standards. Then they will conduct an exit interview and review all findings with you. A written summary and violation notice, if applicable, may be left at the facility at the conclusion of the inspection; if not, it will be sent promptly by mail.

- **Issuance of Initial License**

The applicant must provide a compliance plan, if violations are cited. The compliance plan must state the action that will be taken to correct any violations, give time frames for correction, and identify the person or position responsible for making the correction. Once the corrective action plan is accepted by the Licensing Specialist, they will make a recommendation to the Licensing Administrator regarding issuance of a license. New agencies receive a conditional license period of up to six months to allow time for the agency to demonstrate full compliance with all standards.

- **When Can I place Children?**

You may not place children until after you have received a license from the department. While you will undoubtedly be eager to begin serving children, remember that it is a misdemeanor to do so without a license.

- **How Often Will My Agency Receive a Licensing Inspection?**

The *Code of Virginia* mandates that each agency receive at least two inspections per calendar year.