

Date – October 11, 2018

Manual - Child and Family Services Manual, Chapter E, Foster Care

Transmittal # - 284

The purpose of this transmittal is to provide new, revised, and clarified guidance for the Foster Care Chapter (E) of the Child and Family Services Manual. Unless otherwise stated, the provisions included in this transmittal are effective November 1, 2018.

Changes to the manual incorporate federal and state laws as well as state regulations into the guidance; clarifies existing guidance; and enhances guidance on meeting the safety, permanency, and well-being needs of children in foster care.

This transmittal and manual are available on Fusion at:

<http://spark.dss.virginia.gov/divisions/dfs/fc/manual.cgi>

Significant changes to the manual are as follows:

Section(s) Changed	Significant Changes
1.2 Definitions	Adds definitions for kinship guardianship assistance and kinship guardianship assistance agreement.
2.1 Introduction	Adds clarification that family engagement includes notifying both maternal and paternal relatives.
2.3 Notifying and informing relatives of child's removal	Clarifies that the sample relative notification letter should be sent to individuals that are confirmed to be relatives. Adds a link to a sample letter with language that should be used when contacting individuals who have not yet been confirmed to be relatives in order to protect the confidentiality of the family.
2.5 Searching for relatives and significant adults	Adds the requirement that relative search should be documented using the diligent search screen in OASIS. Adds that the continued efforts to search for family shall be documented in all foster care reviews throughout the life of the case.
3.9.1.1 Paying maintenance for minor child of youth	Clarifies that the minor child of a child in foster care is eligible for basic maintenance but is not eligible for enhanced maintenance.

3.9.2.1 Federal definition of Indian child	Adds the names of the 6 additional federally recognized tribes located in Virginia.
4.4 Setting up paper case records	Clarifies that each child in the case should have their own individual paper case record.
4.6 Referral for determination of Medicaid (title XIX) eligibility	Clarifies the process of applying for Medicaid for children found to be IV-E eligible and those who have not.
4.8 Arranging visitation with parent(s) or prior custodians	Adds that a positive drug screen at any point in the life of a case should not be the sole basis for suspending or cancelling a visit.
5.9.1.1 Who should be assessed with CANS	Adds the requirement that a CANS be completed within 90 days of a youth's discharge from foster care.
6.7.6 Placement Agreement with Code of Ethics and Mutual Responsibilities	Clarifies that the agreement was updated and approved by the Board of Social Services in August 2018.
8.1 Introduction	Clarifies that achieving the goal of return home refers to transferring custody to birth parent(s) (regardless of the circumstances at the time of removal).
8.3 Focus of services for reunification	<p>Adds information regarding working with both parents, regardless of the circumstances at the time of removal.</p> <p>Clarifies that in some cases visitation may serve to build a relationship if a parent had little to no involvement with the child prior to removal.</p>
8.5 LDSS efforts to support reunification	<p>Clarifies the need to search for both maternal and paternal relatives.</p> <p>Clarifies that the household of both parents shall be assessed and services shall be provided, regardless of the circumstances at the time of removal.</p>
8.5.1 Monthly supervisory conference	Section has been moved to 17.6.1 and subsequent sections have been renumbered.
8.6.5 Beginning visits and trial home visits	<p>Clarifies that the child may be placed on a trial home visit with either parent, regardless of the circumstances at the time of removal.</p> <p>Provides clarification around the letters received from the Office of Background Investigation when a background check is completed on another adult in the home prior to a trial home visit.</p>

	Adds information that the servicer worker should follow the Best Interest Determination Process to ensure school stability.
9.4.4.2 Preparing for termination of parental rights	Clarifies that fees associated with TPR can NOT be paid for as a foster care service (using CSA).
9.8.3 Deferment in AREVA	Adds that the service worker should call the AREVA Coordinator to discuss other circumstances that warrant ma7 deferment.
9.9.8 Opening and updating the adoption case	<p>The requirement to open adoption subsidy case and update the subsidy screen has been changed from five (5) calendar days to five (5) business days.</p> <p>Clarifies that the subsidy screen shall be updated with 5 business days of the effective date of the adoption assistance agreement.</p>
12.5.1 Children who are victims of sex trafficking	Additional resources have been added regarding working with children who are victims of sex trafficking.
12.11.7 Preventing misdiagnosis of children in foster care	Adds a new section with guidance to prevent misdiagnosis of children in foster care. Subsequent sections have been renumbered.
12.12.3.2 Educational Services that may be purchased	Provides clarification regarding purchasing private school or private day school and clarifies that students receiving special education services shall be placed in a school setting in accordance with their IEP.
13.2.2 Legal Citations	Adds proof of having been in foster care to the list of documents that shall be provided to youth that age out of foster care.
13.9 Credit Checks	Adds the requirement that the LDSS shall sign the Release of Information and Permission to Run Credit Checks for Minor Child in Foster Care in order for VDSS to run the credit check.
13.10.1 Services available to youth adopted or entering the Kinship Guardianship Assistance Program at age 16 or older	Adds language that youth entering KinGAP after age 16 are eligible for IL services.
13.11.2.2 Eligibility for adopted youth and youth in KinGAP	Adds language that youth entering KinGAP after age 16 are eligible for ETV.

<p>13.14 90-day transition plan prior to youth turning age 18</p>	<p>Adds Va. Code requirement that youth that turn 18 in foster care be enrolled in Medicaid provided they are eligible.</p> <p>Adds proof of having been in foster care to the list of documents that shall be provided to youth that age out of foster care.</p>
<p>16.2.4 Completing the foster care plan review form</p>	<p>Clarifies that only the adoption progress report shall be submitted to the court when there is an administrative panel review.</p> <p>Adds requirement to document the intensive, ongoing effort to achieve permanency.</p>
<p>16.2.6.3 Materials submitted to the court</p>	<p>Clarifies that a new foster care service plan is required to be filed at the permanency planning hearing unless the petition filed by the LDSS will result in permanency being achieved.</p>
<p>16.2.6.4 Submitting new foster care plan</p>	<p>Clarifies compelling reasons for not petitioning for TPR (youth 14 and older not wishing to be adopted, youth 16 and older in permanent foster care where the foster parents don't wish to adopt).</p>
<p>16.2.8 Foster care review hearings after permanency goal approved</p>	<p>Clarifies that all court hearings and reviews are discontinued once the final order of adoption is issued or the child is discharged at 18.</p> <p>Adds the requirement of the court to inquire about the possibility of restoration of parental rights for children who qualify.</p>
<p>16.4 Basic timeline</p>	<p>Clarifies that a new foster care service plan is to be filed at each permanency planning hearing unless the petition filed by the LDSS will result in permanency being achieved.</p> <p>Clarifies that the adoption progress report is due every six (6) months from the date the goal is changed to adoption.</p> <p>Clarifies that the foster care review form and the adoption progress report shall be completed if the goal is adoption.</p>
<p>16.5 Adoption Progress Report</p>	<p>Clarifies that the adoption progress report shall be filed within six (6) months of the hearing to approve the goal of adoption and adds the link to the regulation.</p> <p>Clarifies that following termination of parental rights, the LDSS</p>

	<p>should sync the adoption progress report with the annual court hearing which may result in the progress report being filed earlier than six months. The adoption progress report shall always coincide with either the APR or annual court hearing.</p> <p>Clarifies that the LDSS should only email the regional Adoption and Family Recruitment Consultant when an adoption progress reported has been completed. It is not necessary to email the foster care consultant.</p> <p>Clarifies that the adoption progress report should be used to notify the juvenile court when the adoption is finalized and that it should be submitted within ten (10) business days of receiving the final order of adoption.</p>
16.6.4 Conducting and documenting the Administrative Panel Review	Clarifies that if the goal is adoption, the foster care plan review form AND the adoption progress report shall be completed prior to the administrative panel review. Only the adoption progress report shall be filed with the court.
16.8 Additional information regarding required reviews	Title changed from “Exceptions to required reviews”
16.8.3 Foster Care Plan change to Adoption	Clarifies that the LDSS may file the petition to terminate parental rights at the same time the LDSS petitions to change the goal to adoption.
17.3.1 First three weeks requirement	<p>Clarifies that certain courses have several modules.</p> <p>Clarifies that these courses are pre-requisites for most of the other required courses.</p>
17.3.2 First three months requirement	Clarifies that these courses require that the worker has completed the three previous courses in the above section.
17.3.3 First twelve months requirement	Adds the prerequisites for each course.
17.6.1 Monthly supervisory conference	<p>Former section 8.5.1 has been moved to section 17 since it pertains to all cases, not just the goal of return home.</p> <p>Adds information regarding using the Practice Profiles during supervisory conferences.</p>
17.7.4.3 Out of state placements	Clarifies that supervision visits for children placed out of state can and should begin prior to the receiving state’s receipt of the ICPC Form 100 B if the receiving state has been informed by

	other means that the child has been placed.
17.7.5 Criteria constituting a monthly face to face contact	Adds that the worker is required to have one-on-one time with the child during a worker visit.
17.7.7 Recording caseworker contact in OASIS	Adds the requirement that case data be entered into OASIS within five (5) days once the agency has implemented the mobility application.
17.10 Working with foster parents and providers	Adds new Virginia Code requirements regarding information that is to be shared with foster parents and providers.
17.13 Working with Lesbian, Gay, Bi-sexual, Transgender, Questioning (LGBTQ) youth in foster care	Section has been added and subsequent sections have been renumbered.
17.16 Completing OASIS requirements	Adds the requirement that case data be entered into OASIS within five (5) days once the agency has implemented the mobility application.
17.16.1 Completing the case narrative	Adds the requirement that service workers should be using transcription services to ensure documentation is entered timely and efficiently.
18.1.4 General guidance regarding maintenance payments	<p>Clarifies that if there is a change in the maintenance payment a new financial agreement is required for both LDSS homes and LCPA homes.</p> <p>Clarifies that children may continue to be eligible for service payments (including child care) while on a trial home visit with FAPT approval.</p>
18.2.8 Reviews	Clarifies the payment the foster parent will receive after the VEMAT is completed and they have requested a review of the score pending the decision from the director/director designee.

Questions about this transmittal should be directed to the Regional Foster Care Consultants:

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Commissioner

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