

State of Emergency Suspension of Licensed Child-Placing Agency Regulation Requirements May 8, 2020

1. Documentation and Training Requirements

Licensed Child Placing Agencies

- **22VAC40-131-80. Licensed Capacity and Maximum Caseload Numbers.**
Allow leniency for maximum caseloads assigned to account for staff absences.
- **22VAC40-131-150. Staff Development.**
Allow leniency for timeframes for additional training requirement to be completed within the first 30 days of hire and annual training requirements.
- **22VAC40-131-160. Personnel Records.**
Allow leniency for the time requirement for annual performance evaluations.
- **22VAC40-131-200 Initial Approval or Disapproval of Home**
For aspects of the initial home study and approval that cannot be completed due to the state of emergency (such as home visits, medical visits, face to face interviews, etc.), the LCPA shall document the challenges incurred and may approve the home. Any requirements which were not completed due to the emergency must be completed within 90 days once the state of emergency has ended.
- **22VAC40-131-230. Monitoring and Re-Evaluation of Provider Homes.**
Allow leniency for the modality and type of contact between staff of licensed child placing agencies and children and families served. If face to face visitation cannot occur due to health and safety risks, contact should be facilitated through phone calls and video conferencing.

For any elements of the re-evaluation that cannot be completed during the emergency (such as home visits, TB screenings), these items can be waived until the emergency has ended and the home can remain approved. Once the state of emergency has ended, all re-evaluation documents must be completed within 90 days for the home to remain approved.

- **22VAC40-131-340. Service Plans.**
Allow leniency for timeframes for medical, dental and psychiatric examinations due during the period of the pandemic unless contrary to physician and dentists' recommendations and orders. Document efforts to meet required timeframes and physician and dentists' recommendations and orders.

2. Medical and Dental Requirements

Licensed Child Placing Agencies

- **22VAC40-131-230. Monitoring and Re-Evaluation of Provider Homes.**
Allow leniency for the time requirement for the applicant and residing household members to provide a tuberculosis screening. Allow telephone and video contact with approved homes in lieu of home visits during the emergency. For any elements of the re-evaluation that cannot be completed during the emergency (such as home visits, TB screenings), these items can be waived until the emergency has ended and the home can remain approved. Once the state of emergency

Attachment A

has ended, all re-evaluation documents must be completed within 90 days for the home to remain approved.

- **22VAC40-131-290. Medical, Dental, and Psychiatric Examinations and Care.**
Allow leniency for timeframes for medical, dental, and psychiatric examinations due during the period of the pandemic unless contrary to physician and dentists' recommendations and orders. Document efforts to meet required timeframes and physician and dentists' recommendations and orders.

3. Program Activity Requirements

Licensed Child Placing Agencies

- **22VAC40-131-300. School Enrollment**
Allow leniency for enrolling children in school and the timeframe for notifying the relevant school division's principal or designee of the child's placement and status of the parental rights of the child.
- **22VAC40-131-330. Visitation and Continuing Contact with Children.**
Allow leniency on requirements for monthly face to face visitation if the visit cannot occur safely due to the COVID-19 pandemic. Contact should be facilitated through phone calls and video conferencing if the face to face visit is cannot occur.

4. Licensing Operations, Conducting Inspections

General Procedures and Information for Licensure

- **22VAC 40-80-120. Terms of the license.**
Allow leniency on the terms of the license including expiration dates (allowing additional time for renewals), maximum number of children to be in care and license modification requirements.
- **22VAC 40-80-100. Duration of licensure**
Consider allowing the terms of the license to be extended.
- **22VAC 40-80-190. Modification.**
Allow leniency for license modifications.
- **22VAC 40-80-210. Renewal process.**
Allow additional time for submitting renewal applications.
- **22VAC40-80-260 and 22VAC40-80-270. Problem Solving Conferences**
Allow only desk reviews with the assigned licensing representative's immediate supervisor. Extend the time for the supervisor to desk review findings to 30 days of receipt of request and materials. Extend license renewals by 90 days during the state of emergency.

5. Background Checks; Fingerprint Requirements

- **22VAC 40-131-40. Licensee**
Allow name-based criminal background checks be completed instead of the required national criminal fingerprint background checks for foster and adoptive parents during the state of emergency.

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