



CDSS

WILL LIGHTBOURNE
DIRECTOR

STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES
744 P Street • Sacramento, CA 95814 • www.cdss.ca.gov



EDMUND G. BROWN JR.
GOVERNOR

August 29, 2016

CCL/CCR
Joint Information Release
2016 – 01

TO: ALL CHIEF PROBATION OFFICERS
ALL CHILDRENS RESIDENTIAL PROGRAM STAFF
ALL CHILD WELFARE SERVICES PROGRAM MANAGERS
ALL COUNTY WELFARE DIRECTORS
ALL COUNTY MENTAL HEALTH DIRECTORS
ALL FOSTER FAMILY AGENCIES
ALL TITLE IV-E TRIBES

FROM: SARA ROGERS
Acting Chief, Continuum of Care Reform Project Implementation Branch
Children and Family Services Division

ANGELA VALDEZ
Chief, Children's Residential Program Branch
Community Care Licensing Division

SUBJECT: FOSTER FAMILY AGENCIES INTERIM LICENSING STANDARDS
(Assembly Bill 403 and Assembly Bill 1997)

On January 1, 2017, specific sections of Assembly Bill 403 (Chapter 773, Statutes of 2015) will become operative and Assembly Bill 1997, if signed into law, will become effective, establishing new requirements for all Foster Family Agencies (FFA). AB 403 and AB 1997 were sponsored by the California Department of Social Services to administer the Continuum of Care Reform (CCR), the main goals of which are to further improve California's child welfare system and its outcomes by reducing the use of congregate care placement settings, increasing the use of home-based family care and decreasing the length of time to achieve permanency. This will be accomplished in part through the strengthening of cross-agency networks of services and supports, coordinated through an effective child and family team process, which support the ultimate goal of finding and maintaining a stable, permanent family.

The California Department of Social Services' Continuum of Care Reform Branch and Community Care Licensing Division have together, in consultation with stakeholders, developed the attached Foster Family Agency Interim Licensing Standards, which implement the AB 403 and AB 1997 sections that are applicable to **all FFAs** including the requirements for Resource Family Approval (RFA) as implemented by an FFA.

The following are sections that provide more details regarding specific components of the Foster Family Agency Interim Licensing Standards (ILS).

Structure of Interim Licensing Standards

The structure of the ILS builds on the current California Code of Regulations Title 22, Division 6, Chapter 1 General Licensing Requirements and Chapter 8.8 Foster Family Agencies. The ILS begins with Article 9 which incorporates the new mandates of the Continuum of Care Reform. All licensed FFAs shall be governed by the ILS in Article 9 along with the provisions in Chapter 8.8.

Subchapter 1: Resource Family Approval governs the administration of the RFA Program as implemented by an FFA. This subchapter includes the provisions of the County RFA Written Directives (Version 3.0). *Please note: the county RFA Written Directives apply to county implemented RFA programs and do not apply to an FFA implementing RFA.*

The Application Process

In addition to existing licensure requirements, an FFA applicant will be required to submit a copy of the program statement to all county agencies from which the FFA anticipates receiving placements or provide services and must obtain at least one letter of recommendation from a county placement agency. Specifically, the FFA application shall now include:

- At least one letter of recommendation
- A list of the counties to whom the FFA submitted its program statement
- Documentation received in response to the applicant's request for a letter of recommendation
- Documentation of accreditation, or of the application of accreditation

To assist with the application process, attached is an Application and Supporting Documentation Checklist, LIC 281B (8/16).

Plan of Operation and Program Statement

The ILS now clarifies and expands the specific requirements of the program statement, which is a component of the plan of operation. The plan of operation shall describe the FFA's administrative policies and procedures as they relate to the facility's organization structure, operation, and staffing. The program statement component shall describe the FFA's program which includes interventions, practices, services and supports related to the care and supervision of the children and nonminor dependents in the care of the families certified or approved by the FFA.

New Requirements for the Plan of Operation include:

- A detailed program statement (see below)
- An enhanced description of administrative organization and staffing plan for the FFA
- A detailed description regarding how the FFA will engage, coordinate, and/or contract with community resources or counties
- A detailed description of the policies, procedures, and practices concerning the FFA's continuous quality improvement

New Requirements for the Program Statement include a description of the following:

- The interventions, practices, services and supports that shall be trauma informed, culturally relevant, and age and developmentally appropriate
- The core services and supports to be offered
- The policies and procedures for the development, review, implementation, and modification of needs and services plans
- A plan for the supervision, evaluation, and training of staff
- How the FFA will provide or arrange for treatment, services, and supports for children, nonminor dependents, and families
- How the FFA will participate in, collaborate with, and support the goals of the child and family team
- How the FFA will convert existing certified family homes to Resource Families (RF)
- How the FFA will comply with the RFA standards and requirements, as specified in Subchapter 1 of the ILS

Certified Family Home Applications

Effective January 1, 2017, an FFA shall no longer accept applications for certified family homes. An application for a certified family home received on or before December 31, 2016 shall be processed as an application for a certified family home unless withdrawn by the applicant.

All certified family homes that wish to continue to care for a child will need to convert to a RF by December 31, 2019. Instructions regarding the specifics for the conversion of certified homes, including homes that currently meet some or all of the RFA requirements, are forthcoming.

Accreditation

An existing FFA shall have until December 31, 2018 to obtain accreditation. A licensed FFA shall report their accreditation status to the licensing agency on July 1, 2017, January 1, 2018, and July 1, 2018. Once an FFA has been accredited, a copy of its final accreditation summary report shall be provided to the licensing agency.

An FFA licensed on or after January 1, 2017 shall have two years from the date of licensure to become accredited. Documentation of the FFA's accreditation status shall be reported to the licensing agency at 12 months and 18 months after the date of licensure. Once an FFA has been accredited, a copy of its final accreditation summary report shall be provided to the licensing agency.

CDSS will accept accreditation from the following agencies:

- The Council on Accreditation: www.COAnet.org
- Commission on Accreditation of Rehabilitation Facilities: www.CARF.org
- The Joint Commission (TJC): www.jointcommission.org

Mental Health

An FFA shall ensure children and nonminor dependents have access to mental health services consistent with the child or nonminor dependent's case plan provided by the county placing agency, or any other assessment or documentation identifying a mental health need.

- An FFA may directly provide specialty mental health services only with a current Medi-Cal certification as an organizational provider of a county mental health plan.
- An FFA that has not obtained a Medi-Cal certification shall provide children and nonminor dependents access to appropriate mental health services.

Implementation of Resource Family Approval

New RFA Background Check Procedures – An FFA implementing RFA must be authorized by the California Department of Justice (DOJ) to obtain criminal history information necessary to complete an RFA assessment. To become authorized, an FFA must establish mailing and billing information and obtain an Originating Agency

Identifier (ORI) code by completing the application package which can be found on the Attorney General's website at:

<http://oag.ca.gov/sites/all/files/agweb/pdfs/fingerprints/forms/all-others.pdf>

Additional information can be found at: <http://oag.ca.gov/fingerprints/agencies>.

All procedures related to background checks for certified family homes shall be retained.

New RFA Forms – Listed below are the **mandatory** or **optional** forms to be used by an FFA implementing RFA:

Mandatory Forms

- LIC 01A: Resource Family Application
- LIC 508D: Out-of-State Disclosure and Criminal Record Statement
- LIC 198B: Resource Family Out-Of-State Child Abuse/Neglect Report Request
- LIC 01C: Resource Family Application – Confidential
- LIC 03: Resource Family Home Environment Checklist
- LIC-05A: Resource Family Approval Certificate

Optional Forms

- [RFA-02](#): Resource Family Background Check Assessment
- [RFA-04](#): Resource Family Risk Assessment
- RFA-05: Resource Family Written Report
- RFA-06: Resource Family Written Report Update

FFA Web Application - An FFA is required to provide the Department with a log of the RF approved or rescinded during the month by the tenth day of the following month. A FFA may satisfy this requirement by using the [FFA Web Application](#). To log a newly approved RF into the FFA Web Application, please list the individual's last name first, first name, and then add "**RFH**" at the end. If there are two individuals or more, input them in alphabetical order. (For example: Flintstone, Fred & Wilma RFH.)

What existing FFAs must do by January 1, 2017

- ✓ **Submit revised program statement for review** - Submit copies to the licensing agency and to all county placing agencies from which the FFA receives placements or provides services, including the county in which the FFA facility is located.
- ✓ **Apply for Accreditation** – As the accreditation process may take up to two years, FFAs are highly encouraged to immediately begin the accreditation process.

- ✓ **Obtain ORI Number** – When implementing the RFA program, an FFA needs to obtain an ORI number from the Department of Justice to be able to receive the appropriate background information to complete the comprehensive RFA assessment.
- ✓ **Notice to Certified Family Homes** - No later than July 1, 2017, each FFA shall provide its certified family homes with a detailed description of the RFA program, and advise them that in order to care for a child beyond December 31, 2019 the family must be approved as an RF and that their certification of approval will be forfeited by operation of law.

For questions, please contact:

The Continuum of Care Reform Project Implementation Branch at ccr@dss.ca.gov
Teresa Owensby, CCR Policy Development Manager Teresa.Owensby@dss.ca.gov
Marisa Sanchez, CCLD Program Manger Marisa.Sanchez@dss.ca.gov

In closing, we would like to thank all that participated in the development of the Foster Family Agency Interim Licensing Standards, and look forward to continuing to collaborate to implement the Continuing of Care Reform.

Attachments:

Interim Licensing Standards, Version 1 (08/16)
Application Checklist (08/16)
FFA Program Statement Guide/Template (08/16)
Overview of Providers Requirements (08/16)

Resources:

[AB 1997 \(Stone, as amended August 19, 2016\)](#)
[AB 403 \(Stone, Chapter 773, Statutes of 2015\)](#)
[ACIN I-50-16 \(July 8, 2016\): CCR \(AB 403: General Information\)](#)
[ACL 16-10 \(February 17, 2016\): Resource Family Approval Program](#)
[RFA Website](#)
[CCLD Title 22, Division 6 Regulations](#)