

**441—108.7 (238) Foster care services.**

**108.7(1) Program statement.** An agency authorized to place children in foster care shall have a current written program statement. This statement shall be made available to all agency foster parents, foster children, their parents, referring agencies, and all persons making formal inquiry regarding foster care. The program statement shall include all of the following:

- a. Types of foster care provided.
- b. Types of children accepted for foster care.
- c. Types of services provided to the children, their families, and their foster families.
- d. Fees and application costs, if any.
- e. A statement informing applicants of the right to appeal the agency's decision regarding nonapproval of the family for placement of a child for foster care.

**108.7(2) Agency's authorization to place.** The agency shall obtain a signed placement agreement from the child's custodial parent or legal custodian within 48 hours of placement.

**108.7(3) Preplacement documentation.** Except for emergency placements, a child shall be placed in the agency's foster care program only after the agency determines that its foster care program is an appropriate resource.

**108.7(4) Placement of siblings.** Preference shall be given to placing children from the same family together. If this is not in the best interest of the child, the reasons shall be documented in the child's record.

**108.7(5) Consideration of racial and cultural identity.** Race, color, or national origin may not be routinely considered in placement selections. Placement decisions shall be made consistent with the best interests and special needs of the child.

**108.7(6) Placement preparation.** An agency shall document the preparation for each child placed in foster care. Preparation shall be appropriate to the child's age, individual needs, the circumstances requiring placement, and the special problems presented. Preparation activities shall, when possible, include:

- a. Face-to-face visits.
- b. A description provided to the child of the foster family.
- c. A description of the child's strengths and needs and safety-related information provided to the foster family. Safety-related information shall be withheld only if:
  - (1) Withholding the information is ordered by the court; or
  - (2) The department or the agency developing the service plan determines that providing the information would be detrimental to the child or to the family with whom the child is living.

d. Any other activities deemed significant.

**108.7(7) Initial placement outline.** If a placement outline is not in the child's case permanency plan, a brief outline documenting all of the following shall be entered in the child's case record within five working days after placement:

- a. Name, birthdate, sex, race, and other significant identifying information.
- b. Date of placement.
- c. Name and address of parents or legal guardian.
- d. Names and whereabouts of siblings.
- e. Religious preference.
- f. Immediate and significant health needs including the child's physical and emotional state at the time of placement.
- g. The circumstances leading to the need for foster care.
- h. Known previous out-of-home placements.
- i. The immediate needs of the child and parents and services to be provided to meet these needs.
- j. The name, address, and telephone number of the referring agent or worker.

**108.7(8) Education.** Within ten school days of placement, provisions shall be made by the agency for enrollment of each child of school age into a school program.

**108.7(9) *Clothing.*** An agency shall make provisions for adequate and individualized clothing for each child admitted into foster care.

**108.7(10) *Monthly visit.*** Each child in care shall be personally visited by the assigned caseworker at least once a month.

**108.7(11) *Parent and child contact.*** Provisions for contact between parents and children shall be made except where the parental rights have been terminated or where the court has determined that visits or contact are detrimental to the child.

*a.* If the mother is breastfeeding the child:

(1) An assessment shall be made whether continuation of breastfeeding is in the best interest of the child; and

(2) A plan shall be developed to support the mother's breastfeeding efforts, if appropriate.

*b.* The parents and child shall be informed of the contact plan in a manner consistent with their capacity to understand.

**108.7(12) *Health and dental program.*** An agency shall provide for a complete health and dental program for each child. An agency shall have a written procedure for handling medical emergencies on a 24-hour basis. A copy of the procedure shall be given to each foster home.

*a.* The agency shall obtain written authorization from the parent or legal guardian to provide medical, psychiatric, dental, anesthesia, immunization, substance abuse evaluation, and emergency surgical treatment. Only the parent or legal guardian shall consent to nonemergency surgery, unless ordered by court. If the child's parent prohibits medical examination, immunization, or treatment based on religious grounds, the agency shall obtain a signed statement from the parent that specifies the prohibitions. In potentially life-threatening situations, the agency shall refer the child's care to appropriate medical and legal authorities.

*b.* A child shall have a physical examination at least annually. This shall be performed by a licensed physician, physician's assistant or licensed nurse practitioner.

*c.* A child shall have current immunizations as required by the department of public health. If documentation of prior immunization is unavailable, immunizations shall begin within 30 days of placement, unless contraindicated and unless a statement from a physician to that effect is included in the child's medical record. A statement from physician, referring agency, parent, or guardian indicating immunizations are current is sufficient documentation of immunizations.

*d.* An agency shall provide for dental examinations and treatment; the initial referral at 12 months of age, the next at 24 months of age, then every 6 months.

*e.* A health record shall be maintained for each child and shall include all of the following:

(1) Authorization for medical care.

(2) A medical history and copies of required physical examinations.

(3) A record of medical and dental care, treatment and prescribed medication, immunizations, accidents requiring medical treatment, and hospitalizations. At the time of discharge from agency foster care, a summary of this record shall be provided to the legal custodian. Information about drug evaluation or treatment, venereal disease tests, HIV tests, and pregnancy tests shall be excluded.

**108.7(13) *Service plan development and review.*** The provider shall develop and revise service plans for each child in placement. An initial service plan shall be developed within 30 calendar days of placement in foster care. The provider shall identify qualified persons to monitor the services identified in the service plan to ensure that the plan continues to be necessary, appropriate, and addresses the permanency goal. Service plans shall be developed and reviewed as follows:

*a.* The service plan shall be developed and revised in collaboration with the referral worker, child, family, and the foster parents unless the service plan contains documentation for the treatment rationale for the lack of involvement of one of these parties. The provider shall document the dates and content of the collaboration on the initial and revised service plans. The provider shall provide a copy of the initial and revised service plans to the child's parent and the referring agency, unless otherwise ordered by the court. The initial and revised service plan shall identify the following:

- (1) Strengths and needs of the child and parents.
- (2) Goals, which are statements of outcomes to be achieved in meeting the needs of the child including the child's permanency needs.
- (3) Objectives, which are specific, measurable and time-limited statements of indicators, levels of competence, or accomplishments which are necessary for progress toward each goal.
- (4) Specific treatment service activities to be provided to achieve the objectives.
- (5) Designation of the persons responsible for providing the services.
- (6) Date of initiation and service plan development.
- (7) Anticipated duration of services.

*b.* All service plans shall be reviewed 90 calendar days from the initiation of services and every 90 calendar days thereafter for the duration of the services or when the needs of the child or the services necessary for the parents to meet the needs of the child have changed and these changes significantly affect goals, objectives and service activities. The review shall determine if the services continue to be necessary, appropriate and consistent with the child's permanency goal. The reviewer shall revise the service plan to reflect the services that are necessary, appropriate, and consistent with the child's permanency goal.

**108.7(14)** *Information for foster parents.* At the time of placement, an agency shall provide foster parents with all of the following if known:

- a.* Name of the child, agency caseworker, and referring agency.
- b.* Information about the child's known behavioral characteristics including safety-related information, needs, and plans for the child and family. Safety-related information shall be withheld only if:
  - (1) Withholding the information is ordered by the court, or
  - (2) The department or the agency developing the service plan determines that providing the information would be detrimental to the child or to the family with whom the child is living.

*c.* Written consent to obtain routine, nonsurgical medical care and to authorize emergency medical and surgical treatment, anesthesia, and immunizations for each child placed in the foster home.

*d.* A copy of the child's current physical examination and medical history when completed.

As this information becomes available to the agency, foster parents shall be informed immediately.

**108.7(15)** *Religious policy.* The agency shall have a written policy on religious participation and training for foster children. The agency shall provide the policy to parents and foster parents and shall ensure that the policy is adhered to in each foster home.

**108.7(16)** *Mail.* There shall be a written policy which ensures that foster children are permitted to send and receive mail, unless documented that this practice is contraindicated.

**108.7(17)** *Allowance policy.* An agency shall have a written policy addressing payment of and accounting for personal allowances for foster children.

**108.7(18)** *Reporting hospitalization or death of child.* Any serious injury or illness requiring hospitalization of a child in care shall be reported to the parent and the responsible agency as soon as possible. Efforts to notify parents and responsible agency staff shall be documented in the child's record. The death of a child shall be reported immediately to the parent or next of kin and to the referring agency.

**108.7(19)** *Foster care records.* The agency shall maintain confidential individual records for each child placed in a foster home. The record shall include:

- a.* The initial placement outline. (Refer to subrule 108.7(7).)
- b.* All legal documents pertaining to the child.
- c.* The child's health record, including psychological and psychiatric reports.
- d.* The summary narrative which reflects the dates and content of the caseworker's contact regarding the child.
- e.* Educational records and reports.

- f.* All service plans developed by the agency.
- g.* Case permanency plans developed by the referring agency.
- h.* A record of foster placements made by the agency including foster parents' names and addresses and dates of placements.

**108.7(20)** *Termination of foster care.* When a foster care placement is terminated, all of the following information shall be documented in the child's record within 30 days:

- a.* Reason for termination.
- b.* Current location of the child, unless the child was placed for adoption. In that case the record shall state only that the child was placed for adoption and shall not disclose the identity of the adoptive family unless the adoptive family agrees to disclosure of identity prior to finalizing of adoption.
- c.* Steps remaining to achieve permanency plan goal.
- d.* Provisions for follow-up, if any.
- e.* For unplanned terminations, a summary explaining the circumstances.