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Sent: Thursday, December 21, 2023 5:13 PM

Subject: Implementation plan for House Bill 1744 (2023) and Mutual Family Assessment Model Form

The attached document is being sent to licensed child-placing agencies (LCPAs) from the Virginia Department of Social Services Email Distribution Service.

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COMMONWEALTH of VIRGINIA

DEPARTMENT OF SOCIAL SERVICES

DATE: December 21, 2023

TO: Licensed Child-Placing Agencies

FROM: Tara Ragland, Director, Division of Licensing Programs

SUBJECT: Implementation of House Bill 1744/*Amended Standards for Licensed Child-Placing Agencies (22VAC40-131)*

This memo is to inform you of the implementation plan for [House Bill 1744](#) requiring home studies and all related approval documents, other than background checks, conducted by local departments of social services (LDSS) or licensed child-placing agencies (LCPA) for the purpose of placing a child in a foster home, independent living arrangement, or with an adoptive family shall be transferrable between all LDSS and LCPA within the Commonwealth at the request of the foster parent or adoptive parent.

Additionally, all home study assessments by the LDSS and LCPA for prospective foster or adoptive parents and independent living arrangements shall be conducted using the Department's Mutual Family Assessment Home Study model form or an assessment consistent with the model form.

Both requirements become effective on **January 1, 2024**, requiring the transferability of home studies and conducting home studies using the Mutual Family Assessment Home Study model form or a form consistent with the model form.

- The *Standards for Licensed Child-Placing Agencies (22VAC40-131)* will be revised to incorporate the requirements of House Bill 1744; however, the revised regulation will not be in effect by January 1, 2024. The licensee shall ensure compliance with relevant state laws (22VAC40-131-40 A) and is required to implement §§ 63.2-900, 63.2-904, 63.2-1231, and 63.2-1734 on January 1, 2024.
- The Mutual Family Assessment model form is attached to this memo, and will be posted on the Virginia Department of Social Services website on the Licensing/Licensed Child-Placing Agencies [webpage](#) by January 1, 2024 for

completing initial home study assessments on prospective foster or adoptive parents and independent living arrangements.

House Bill 1744 requires DSS to promulgate regulations to establish a market rate for home studies conducted by LCPA for the purpose of foster care, independent living arrangements, and adoption placements. This requirement is not effective until the regulation for the *Standards for Licensed Child-Placing Agencies* is revised to add the market rate requirements.

The regulation process is underway, but the regulation is not approved yet. Notice and an effective date for the revised regulation will be given when the regulation changes are approved. Licensing will not be inspecting for any of the new requirements in mandated inspections until the regulation is approved and becomes effective.

Please contact your licensing inspector if you have any questions.

MUTUAL FAMILY ASSESSMENT HOME STUDY

Virginia Department of Social Services, Division of Licensing Programs
Licensed Child-Placing Agencies Model Form

Instructions

The licensee will use this Mutual Family Assessment Home Study model form or an assessment consistent with the model form to assess information gathered through the home study process to determine whether a prospective provider and home meets the requirements to recommend approval or disapproval.

Applicant and Household Member Information (Page 1)

Complete all fields. The first column is for the applicant and the second column is for the co-applicant, if any. If there is no co-applicant, mark not applicable (N/A) in the name field.

Sections I – V

Document the requirements for the home study process in accordance with the *Standards for Licensed Child-Placing Agencies*, 22VAC40-131. The narrative documents the collective information gathered during the home study process that is used to assess the applicant. In addition to requirements, each section includes examples of the type of information that can assist in meeting requirements of 22VAC40-131-180 J 2 e (1) – (10).

Section VI

Document the recommendation of approval or disapproval of the applicants, type of approval, and description of the children the prospective applicants are best able to parent (age, gender, and number of children). List the names and roles of each individual involved in completing the home study. The individual completing the home study and the licensee's executive director, or designee, will sign and date the home study assessment.

MUTUAL FAMILY ASSESSMENT HOME STUDY

Licensed Child-Placing Agencies Model Form
Virginia Department of Social Services, Division of Licensing Programs

	Applicant	Co-Applicant
Home Address:		
Home Phone:		
Cell Phone:		
Work Phone:		
Email Address:		
Date of Birth:		
Race/Ethnicity/Tribal Affiliation:		
Emergency Contact Name:		
Relationship to Applicant:		
Contact Phone:		

Other Household Members:

Name	Date of Birth	Gender	Relationship to Applicant/Co-Applicant

I. Interviews/References/Prior Experience

Interviews, references, and information regarding prior experience are intended to gather information to assess whether individuals possess the knowledge, skills, and abilities outlined in 22VAC40-131-180 J 2 e in order to be approved and whether the applicant’s home environment meets requirements indicated by 22VAC40-131-190 A – W.

Interviews: Interviews are an opportunity to get to know the applicants and household members to better understand the family’s relationships, culture, beliefs, daily routine, support system, and social history. Three face-to-face interviews are required. One shall be in the applicant’s home. One shall be with all members of the home. If there is a co-applicant, one shall be with both applicant’s present. Document the required interviews including the date completed, participants during the interview, and location of the interview.

Reference: 22VAC40-131-180 D – F

References: References provide insight of the applicants from another person’s point of view. Document a minimum of three references on each applicant from persons who have knowledge of the applicant’s character, applicable experience with children and experience in caretaking of others. At least one reference shall be from a nonrelative.

Reference: 22VAC40-131-180 G

Prior Experience: Obtaining information on the applicants' prior experience provides additional understanding of the knowledge and skill of the applicants. When applicants have prior experience, a signed authorization allows the previous child-placing agency to release information about previous applications, child-caring performance as an approved provider, and current status as a provider. Document the date of the signed authorization and any additional information from the previous child-placing agency. If the applicant has no prior experience or a completed previous application, note no prior experience.

Reference: 22VAC40-131-180 I

II. Training

Training is an opportunity for applicants to learn and practice skills in preparation of having a child in their home. In addition, training may provide the applicant opportunities to build relationships with other training participants and the licensee. Document training information to include information about the content of the training and date of completion. Provide an assessment of the applicant's comprehension of the training and understanding of the core competencies. Examples of additional information to document for the assessment include the applicants' level of participation in training and willingness to participate in future training.

Reference: 22VAC40-131-90 G 3, 22VAC40-131-200, 22VAC40-131-210,
22VAC40-131-220

III. Background Checks and Driving Record

Include a summary of all the required background checks and driving record checks.

Note: Background checks and driving record results are not transferrable.

Reference: 22VAC40-131-180 L, 22VAC40-131-370 M 6&7, 22VAC40-191, §§ 63.2-900,
63.2-901.1, 63.2-904, 63.2-1231, 63.2-1721, 63.2-1734

IV. Home Environment

The home environment provides a sense of safety and security and plays a key role in well-being, growth, and development. Include information that documents the home meets all requirements in 22VAC40-131-190.

Examples of additional information to document for assessment purposes include a description of the neighborhood, including proximity to community resources and a list of zoned public schools.

Reference: 22VAC40-131-190

V. Demographic and Background Information

Summarize the collective information gathered from interviews, references, observations, and other available information including: Knowledge about care necessary for children; understanding of the importance of establishing and enforcing rules; understanding of prohibition of using any form of corporal punishment; ability to articulate a reasonable process for managing emergencies and ensuring the adequate care, safety, and protection of children; attitudes that demonstrate the capacity to love and nurture a child/youth born to someone else; and stability in all household relationships.

Reference: 22VAC40-131-180 J 2 e

Family Background: Document information on each applicant's marital history/status, including divorces and family composition and history. Examples of additional information that may assist during the assessment include the following: information about the applicant's childhood, how the applicant was parented; type of any discipline methods used; past and current relationships with parents, siblings, and extended family; location of parents, siblings, and extended family; and a description of the contact with family. Additional information may describe current support systems, decision making process, family rules, and how the applicant solves problems, communicates, and shows affection. Information may include any key events and losses and what the applicant learned from them.

Reference: 22VAC40-131-180 J 2 b (1) – (3)

Daily Life: Examples of other information that may assist during the assessment include the applicant's routines during a typical week and any hobbies and interests.

Parenting: Examples of additional information that may assist during the assessment include: the applicant's experiences with children (e.g. their own children, relatives' or neighborhood children, or children known through volunteering or coaching) and the applicant's plans regarding discipline and other parenting approaches, including how they intend to arrange for childcare. Other information may include the applicants' willingness to support the child's relationship with birth family and maintaining the child's connection to siblings as well as describing the applicants' feelings and ability to work with children who may have been abused and/or neglected and who are dealing with separation and loss of birth family.

Document the applicants' understanding that any form of corporal punishment is prohibited.

Reference: 22VAC40-131-180 J 2 e (4)

Employment/Education: Document information on employment status/history. Examples of other information that may assist during the assessment include the applicant's plans for the future and satisfaction with current job. Information may include the applicant's educational level, satisfaction with educational achievements, and any future educational plan.

Reference: 22VAC40-131-180 J 2 c (1)

Financial: Document financial information for each applicant except for applicants applying solely to provide short-term foster care/respice care. Include assets and resources, debts and obligations.

Reference: 22VAC40-131-180 J 2 c (2) – (3)

Medical: For each applicant and household member who will be in a caretaking role for children placed in the home, document the results of a medical examination administered by a licensed physician or designee. The examination results include comments that address the applicant and caretaker's mental and physical condition in relation to their ability to take care of a child. Document for each applicant and household member who come into contact with children the tuberculosis screening/test that includes a statement that the individual is free from communicable tuberculosis and the type of screening administered, date of screening, and results of the screening.

Reference: 22VAC40-131-180 J 2 e (2), 22VAC40-131-290 K 1 – 2, L, M

Religion/Belief System: Examples of other information that may assist during the assessment include the applicant's religion, religious practice, any religious upbringing, and the applicant's plan/expectation, if any, to provide for the child.

Substance Use: Examples of other information that may assist during the assessment include any current and past substance use (e.g. alcohol, tobacco, drugs) for each applicant, past efforts at treatment, and past progress if applicable.

Motivation to Foster/Adopt: Motives are examined and considered according to each applicant's personal circumstances and perspectives. Document the information that the applicants express appropriate motivation for reasons to foster or adopt. Examples of other information that may assist during the assessment include the decision to foster or adopt and their commitment to meet the child's developmental needs and support the child's service plan, if applicable.

22VAC40-131-180 J 2 e (7)

Additional information for approval: Document any additional information gathered for approving a treatment foster parent or adoptive parent. Information shall include additional training and adoption specific requirements.

Reference: 22VAC40-131-200 B, Article 5 (22VAC40-131-470 et seq.) of Part VIII of the *Standards of Licensing Child-Placing Agencies*, § 63.2-1200 et seq.

VI. Recommendation/Approval

Document the decision to approve or disapprove the applicants based on the assessment of the requirements in the *Standards for Licensing Child-Placing Agencies*, 22VAC40-131, including information received through the home study process and the applicants' participation in the home study process. When the home is approved, document the gender, age, and number of children who can be placed in the home as well as the type of approval (foster parent, treatment foster care, short-term foster parent, adoptive parent, and independent living arrangement provider).

Reference: 22VAC40-131-200

List of names and roles of each individual involved in completing the home study.

Reference: 22VAC40-131-180 J 2 d

Signatures:

Individual who completed the home study

Date

Executive director or designee

Date

Reference: 22VAC40-131-180 J 2 a (1) (2)