
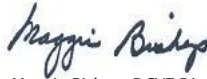


1732 REVOCATION OF LICENSE	
Chapter: Foster Care Providers	Section: Licensing
	New Hampshire Division for Children, Youth and Families Policy Manual Policy Directive: 12-07 Effective Date: September 2012 Scheduled Review Date:
	Approved:  Maggie Bishop, DCYF Director
Related Statute(s): RSA 170-E Related Admin Rule(s): He-C 200 , and He-C 6446 Related Federal Regulation(s):	Related Form(s): FORM 2104 and FORM 2369 Bridges' Screen(s) and Attachment(s):

Purpose

DCYF requires licensed foster parents to meet all the requirements outlined in He-C 6446. DCYF expects that foster parents who do not maintain these standards will have their license to operate a foster home revoked. This policy outlines the conditions for revocation and the procedures followed by DCYF staff and child-placing agency staff who request the revocation of a foster home license.

Policy

- I. In addition to the reasons for revocation set forth in RSA 170-E: 35, the Department must revoke a license for foster family care if a foster parent:
 - A. Is the subject of a founded report or complaint of child abuse or neglect in New Hampshire or any other state;
 - B. Has been convicted of a felony, a crime against a child/youth or a violent or sexually related crime against an adult;
 - C. Has an arrest record, motor vehicle record or is the subject of a report from another source, which following assessment shows that the applicant might reasonably be expected to pose a threat of harm to a child/youth;
 - D. Does not comply with the foster family care licensing requirements in He-C 6446;
 - E. Violates the provisions of the license or permit;
 - F. Furnishes false information, makes false statements or reports, or omits information in statements or submissions to the licensing agency;
 - G. Refuses to submit or make available the written reports that are required by the rules for licensing or re-licensing in accordance with He-C 6446.03 to 6446.13;
 - H. Refuses or does not submit to a child abuse and neglect report investigation;
 - I. Refuses or does not admit authorized personnel for the purpose of a child abuse and neglect report investigation, home assessment, or pre-arranged visit;

- J. Does not provide and maintain a safe and sanitary home in accordance with RSA 170-E:35 and He-C 6446.08;
 - K. Does not maintain resources adequate for the care of the child(ren)/youth in care in accordance with He-C 6446.03 and 6446.15;
 - L. Substantially or repeatedly fails to work cooperatively with DCYF staff, the parents of a child/youth in care, or service providers in implementing the child/youth's case plans in accordance with He-C 6446.16;
 - M. Interferes with the transition of the child(ren)/youth in care into an alternative setting;
 - N. Makes unfounded derogatory statements with malicious intent about DCYF staff, child-placing agency staff, the family of the child(ren)/youth in care, other foster parent(s), or service provider(s); or
 - O. From the information provided pursuant to He-C 6446.03 to 6446.12 or conduct pursuant to He-C 6446.15 to 6446.24 presents a set of qualifications which, when taken as a whole, does not affirmatively show a commitment to the purposes of foster family care and the Bill of Rights for Foster Children, as described in Appendix A.
- II. Foster parents have the right to appeal any decision of DCYF and will be given the opportunity to file an appeal with the Administrative Appeals Unit (AAU) pursuant to He-C200.
 - III. The license remains open if the foster parents choose to appeal the decision of DCYF through the AAU until a decision is made.
 - IV. If a hearing is scheduled as a result of the revocation, the Resource Worker, immediate Supervisor and the Licensing Specialist must participate in the appeals process. Additionally, legal counsel may be requested to represent DCYF at the hearing.
 - V. DCYF staff must document the reasons for revocation and be prepared to show proof that the revocation is based in fact.
 - VI. Revocation of a foster home license by a licensed child-placing agency must proceed in a similar manner with cooperation from the staff of the child-placing agency.

Procedures

- I. The Resource Worker must:
 - A. Consult with the District Office Supervisor to determine the grounds for revocation;
 - B. Draft a revocation letter that will be sent to the foster parent(s) from State Office by certified mail, under the signature of the DCYF Director stating the rule or law and the circumstances of the revocation;
 - C. Obtain the Supervisor's approval of the letter's content;
 - D. Send the draft revocation letter to the attention of the Licensing Specialist;
 - E. File a copy of the revocation letter in the foster home record; and

- F. If the revocation is not appealed or is upheld following an appeal, complete the "Resource Care Enrollment/Change" (Form 2104), enter the licensing action on a copy of the "Foster Family Care License" (Form 2369), and forward these to the Licensing Specialist at State Office stating the reason for closure.
 - G. A notice of the revocation must be distributed to the local fire department and health officer in accordance with RSA170-E:33, I.
- II. The Licensing Specialist must:
- A. Review the request for revocation and any supporting documentation submitted by the Resource Worker;
 - B. Seek additional information or clarification as necessary;
 - C. Review and prepare the letter of revocation for the Director's signature, including the information regarding the foster parent(s)' right of appeal;
 - D. Copy the letter to:
 - 1. The Resource Worker; and
 - 2. The Foster Home Record;
 - E. Ensure that the letter of revocation is sent via certified mail;
 - F. Notify the Resource Worker if an appeal is filed; and
 - G. Provide consultation and support to the Resource Worker and Supervisor if an administrative hearing is held.