**1731 ORDERS TO COMPLY**

**Chapter:** Foster Care Provider  
**Section:** Licensing

New Hampshire Division for Children, Youth and Families Policy Manual  
Policy Directive: 12-07  
Effective Date: September 2012

**Approved:**  
Maggie Bishop, DCYF Director

**Related Statute(s):** RSA 169-C, and RSA 170-E  
**Related Admin Rule(s):** He-C 6446  
**Related Form(s):** Bridges’ Screen(s) and Attachment(s):

**Purpose**

This policy describes the process followed for a written Order to Comply when there is a violation of the Foster Family Care Licensing Requirements, He-C 6446.

**Policy**

I. To effectively enforce the foster family care licensing requirements, DCYF must inform foster parents when there is non-compliance with the foster family care licensing requirements, He-C 6446.

II. If the Special Investigations Unit is investigating a non-compliance issue, an Order to Comply must not be issued during the open investigation [Policy Item 1186 Investigating Allegations of Abuse/Neglect in Foster Homes].

III. In order to assist foster parents to correct violations of the foster family care licensing requirements, the Resource Worker must notify the foster parent(s) of the violation and develop a corrective action plan with them.

IV. The corrective action plan must specifically cite the rule being violated, the plan to come into compliance including the person(s) responsible, and the timeframe to successfully complete the corrective action.

V. DCYF uses whatever resources are available at the time of the violation to assist the foster parent(s) to comply with the rule.

VI. Licensed foster parents have 60 days from the date of the Order to Comply to correct the violation specified in the order.

VII. The Order to Comply must explain the consequences of non-compliance, including but not limited to:

   A. Changes in the license status;
   B. Removal of the child(ren)/youth in care;
   C. Denial of renewal; or
   D. A revocation of the foster home license.
Procedures

I. The Resource Worker must:

A. Identify the non-compliance issue, and prepare an Order to Comply;
B. Review the Order to Comply in supervision;
C. Notify the foster parents of the violation by certified mail and describe the steps necessary to come into compliance;
D. Develop a corrective action plan with the foster parent(s) that will satisfy the intent of the rule;
E. Monitor the plan over the 60 days for adherence to the plan;
F. Conduct a review of the violation status at the end of the 60 days;
   1. Notify the foster parent(s) of their corrected action or the consequences of their non-compliance;
      (a) File letters of corrected action in the foster home record; and
      (b) Send copies of letters of corrected action to the Foster Care Unit.
   2. Follow the procedures for changing the license status [Policy Item 1722 Changes in Licensing Status], denial [Policy Item 1718 Denial of an Application], or revocation [Policy 1732 Revocations of a License] as determined necessary in supervision.

II. The Supervisor must:

A. Review the violation of the rule and the Order to Comply;
B. Discuss options to include in the corrective action plan with the Resource Worker;
C. Review for completeness and approve the corrective action plan;
D. Review the status of the violation and progress towards resolving the issue prior to the expiration of the 60 days; and
E. Recommend a plan to resolve non-compliance including changing the foster home status, denial, or revocation.