

### **7.304.1 DESCRIPTION**

A. Placement services are services provided to children in Program Areas 4, 5, and 6 who:

1. Meet the criteria for out-of-home placement and the target group criteria; and,
2. Are placed outside their homes because of a temporary emergency removal by law enforcement, court action, or a voluntary placement agreement; and,
3. Are in a placement approved by the county department.

B. The range of placement services for children for whom the goal is to return home includes kinship care, family foster care, county group care, child placement agency foster and group care, and residential child care facilities, including Residential Treatment Centers.

C. The range of placement services for children for whom the goal is other than to return home includes adoption, kinship care, family foster care, county group care, child placement agency foster and group care, and residential child care facilities, including Residential Treatment Centers.

D. Placement options in this section do not apply to Native American children. Refer to Section 7.309.7 for order of placement preference as required by the Indian Child Welfare Act.

### **7.304.2 PLACEMENT OPTIONS**

#### **7.304.21 Kinship Care [Rev. eff. 2/1/10]**

A. Definition: Kinship care is the full time nurturing and protection of children by kin. Kin are relatives or persons ascribed by the family as having a family-like relationship. These relationships take into account cultural values and continuity of significant relationships.

B. Kinship care shall be utilized to:

1. Maintain children in their families in order to provide meaningful emotional and cultural ties across the life span.
2. Minimize the trauma of out-of-home placement.
3. Support and strengthen families' ability to protect their children and to provide permanency.

C. Kinship care services when the county department has not assumed legal authority for placement or taken legal custody:

When a child meets target group eligibility and his/her parent(s) do not pose an ongoing threat to the child, the county department shall:

1. Enable the family to make voluntary arrangements for temporary custody or guardianship by kin.
2. For children who meet the out-of-home eligibility criteria, the county department shall provide parents and kin caring for the child in-home family preservation services to ensure the child's safety, well-being, and smooth transition back to the parent's home. When return to parent's home is not a viable option, family preservation service to kin shall be used to help to provide permanency for the child. The child may receive such in-home services without court involvement.
3. It is not required that the county department complete the kinship care or foster care certification process in these cases. A family assessment using the Department's modified Structured Analysis

Family Evaluation (SAFE) for uncertified kinship families to determine the character and suitability of the family, appropriateness of the home and child care practices may be completed.

4. The county department is not required to provide legal representation to kinship families.

5. These kinship providers are eligible for all forms of support listed in Section 7.304.21, D, 3, except certified foster care payments.

6. Complete a background check in all cases for each adult (18 years and older) living the home for the following:

a. Child abuse/neglect records in every state where the adult has resided in the five years preceding the date of application; and,

b. Fingerprint-based criminal history checks from the Colorado Bureau of Investigation (CBI) and the Federal Bureau of Investigation (FBI), which shall be initiated by the county department the next working day following the placement of a child, except when the placement is completed in compliance with Section 19-3-406, C.R.S. (see Section 7.304.21, D, 2, f, on emergency placement).

D. Kinship care services when the county department has assumed legal authority for placement or taken legal custody:

1. Eligible Populations: The child shall meet the following criteria for placement in kinship care through the child welfare system:

a. Program Area 4, 5, or 6 target groups and out-of-home placement criteria.

b. Legal authority for placement as defined in Section 7.304.51 and the Children's Code through a court order, a Dependency and Neglect or Delinquency action, emergency removal by law enforcement, or a voluntary placement, followed within 90 calendar days by a Petition for Review of Need for Placement (PRNP).

c. Kinship care providers shall be advised of all support options available to them through the county department, including:

1) Family preservation,

2) Certification for kinship family foster care, and

3) The relative guardianship assistance program.

d. In the decision making process, funding and support options which encourage kinship care as a form of family preservation rather than a placement service shall be of primary consideration. However, if the kinship caregiver(s) meets all of the standards for family foster home certification, they may choose to be certified as a family foster home. Kinship providers for Title IV-E eligible children are entitled to the same level of reimbursement as non-related providers. Kinship caregivers may elect to receive no payment. Other funding and support services, including in-kind or concrete services, can be put into place as mutually agreed upon with the provider.

e. Relative kinship care providers and potential relative kinship care providers shall be informed about the relative guardianship assistance program (see Section 7.311, et seq.). The information shall be documented in the State Department's automated system.

## 2. Placement With Kinship Care Providers:

- a. When out-of-home placement is necessary, the county department shall determine whether there are available and willing kin to provide for the child.
- b. Parent(s) shall be included as part of the planning process placement with kin unless there are documented reasons for their unavailability to participate.
- c. If kin are available and willing, the county department shall assess the suitability of kin in accordance with the foster care certification requirements found at Sections 7.500 and 7.708.
- d. If the parent(s) do not agree to a specific kinship placement, the county department shall request court ordered assessment for possible placement with kin, identify other kinship placement possibilities, and/or revisit possible kinship placement at a later time if out-of-home placement continues to be necessary. If the assessment is favorable, and the parent(s) still object to the kinship placement, the county department may request that the court order the kinship placement.
- e. When removal from parents or guardians occurs on an emergency basis, children may be placed with kinship providers who may be provisionally certified as a kinship family foster care home in accordance with Section 7.500.311, C and D, or the certifying authority may allow the child to visit on an emergency visitation basis.

For emergency visitation:

- 1) The kinship foster home assessment shall begin as soon as possible and kinship foster care certification requirements shall be completed within 60 calendar days;
- 2) The family must sign the State prescribed forms.
- 3) The county department shall complete a background check for each adult (18 years and older) living in the home for the following:
  - a) Child abuse/neglect records in every state where the adult has resided in the five years preceding the date of application; and,
  - b) Fingerprint-based criminal history checks from the Colorado Bureau of Investigation (CBI) and the Federal Bureau of Investigation (FBI) shall be initiated the next working day, except for emergency placements, which are completed in compliance with Section 19-3-406, C.R.S. (see Section 7.304.21, D, 2, f).
- f. For the emergency placement with a relative or other available person that is identified and a potential and willing emergency placement for a child pursuant to Section 19-3-406, C.R.S.: when the county department elects to collaborate with local law enforcement agency to perform initial criminal history record checks, in cases of dependency and neglect where temporary custody by a law enforcement officer occurs and any time the court places temporary custody of a child with a county, the following steps are required in all cases:
  - 1) Prior to the placement of a child in the home, the county department shall contact local law enforcement to conduct an initial name-based state and federal criminal history record check. The results of the criminal record check shall be provided verbally to the county department.
  - 2) The child may not be placed in the home if the criminal history record check reflects one or more

convictions of the criminal offenses listed in Subsection 7, below.

3) A relative or other available person who is not disqualified as an emergency placement and who authorizes the child to be placed in the home shall report to the local law enforcement agency for the purpose of obtaining fingerprints within five calendar days after the child is placed in the person's home or no later than fifteen calendar days when urgent circumstances exist. The cost of the fingerprints is the responsibility of the relative or other available person.

4) The county department shall contact the local law enforcement agency to assure the potential provider reported for the purpose of obtaining fingerprints within the specified timeframe. If the potential provider does not report, then the child shall be immediately removed from the physical custody of the person by the county department or local law enforcement officer.

5) A fingerprint-based record check will be conducted by CBI using state and national CBI and FBI records. The local law enforcement agency is the authorized agency to receive the results.

6) If the fingerprint-based criminal history record check indicates the person has a criminal history, the county department or local law enforcement officer shall immediately remove the child from the emergency placement and shall not place a child with the person who has the criminal history without court involvement and an order of the court affirming placement of the child with the person.

7) A county department or a local law enforcement agency shall not make an emergency placement or continue the emergency placement of a child with a person who has been convicted of one or more of the following offenses:

a) Child abuse, as described in Section 18-6-401, C.R.S.;

b) A crime of violence, as defined in Section 18 1.3 406, C.R.S.;

c) A felony offense involving unlawful sexual behavior, as defined in Section 16-22-102(9), C.R.S.;

d) A felony, the underlying actual basis of which has been found by the court on the record to include an act of domestic violence, as defined in Section 18-6-800.3, C.R.S.;

e) A felony involving physical assault or a drug-related offense, committed within the preceding five years;

f) Violation of a protection order, as described in Section 18-6-803.5, C.R.S.;

g) A crime involving homicide; or,

h) An offense in any other state the elements of which are substantially similar to the elements of any one of the offenses described in a-g, above.

### 3. Decision Making:

a. As part of the assessment process, the county department shall determine, with the kinship care provider, which funding options and support services will be necessary to support the placement. If eligible, at a minimum, the following funding sources shall be considered to support the child(ren) in a kinship care placement:

1) Child Support by the absent parent(s). For Child Support, a referral shall be made to IV-D;

2) Social Security and/or other death benefits;

- 3) Supplemental Security Income; (see Section 7.001.44);
- 4) Supplemental Security for Disability Income;
- 5) Temporary Assistance to Needy Families - for kinship care to be supported by Temporary Assistance to Needy Families, the caretaker relative must meet the Temporary Assistance to Needy Families definition in Section 3.600 of the Income Maintenance manual (9 CCR 2503-1);
- 6) Champus or other medical benefits;
- 7) Medicaid, if eligible;
- 8) Core Services, if eligible (Section 7.303);
- 9) Special Circumstance Child Care, if eligible;
- 10) Colorado Child Care Assistance Program, if eligible;
- 11) In-Kind Services or Donations;
- 12) Certified foster care payment, if eligible (Section 7.500.31, A);
- 13) IV-E or state adoption subsidy, if eligible.

b. This decision making process shall address the needs of the child, family and kin and focus on how the goals of safety, permanency, and child well-being can be most effectively achieved for the child.

c. The kinship care provider shall be advised of all support options available, and shall be advised of the grievance process available to certified and licensed providers.

d. Requests for approval for any exceptions for relatives to the family foster care rules outlined in Section 7.708 shall be submitted by the county department or child placement agency to the State Kinship Appeal Panel in accordance with procedures established by the Colorado Department of Human Services.

4. Services to kinship care providers shall:

- a. Include training, support and services specific to the needs of kinship care providers.
- b. Include supervision as described in the child's Family Services Plan and in Section 7.500.313, A.

5. Services to children in all kinship care placements shall:

Include the requirements of Section 7.301, assessment and case planning section.

6. Permanency Planning in Kinship Care

a. When a child has been placed by the county department into temporary kinship care and reasonable efforts to reunite the child with the parents are not successful, the county department shall consider permanent placement with the kinship care provider or other appropriate kin. The preferred permanent placement shall be adoption, legal guardianship, or permanent custody.

b. The grandparent, aunt, uncle, brother or sister must file a request with the court no later than twenty (20) days after the motion for termination has been filed, if the provider wishes to be considered as the guardian or to take legal custody of the child. Following the order of termination

of the parent-child legal relationship, the court shall give preference to this provider if it has been determined to be in the best interest of the child and the attachment of the child to the current caregiver has been considered.

#### 7.304.22 Independent Living and Adoption

The placement options of independent living and adoption are addressed in Sections 7.305.1 and 7.306, respectively.

#### 7.304.23 Whole Family Placement Services

##### A. Definition

Whole Family Placement (WFP), also known as Shared Family Care (SFC), is a situation in which adult parent(s) and child(ren) are placed together in the home of a family who is trained to mentor and support the biological parents as they develop skills and supports necessary to care for their child(ren) and move toward self-sufficiency.

##### B. Program Goals

Whole Family Placement may be used to:

1. Prevent placement of child(ren) away from parent(s) when such placement would otherwise be necessary for the safety of the child(ren).
2. Transition towards reunification, thus providing a safe environment in which to reunite a family that has separated.

##### C. Eligibility

To be eligible for Whole Family Placement, the following conditions must exist:

1. Child(ren) shall be in the placement in accordance with Section 7.304.51.
2. The mentor home shall be certified for foster family home care and other foster children shall not reside in the home during the time that the WFP participant family is placed in the home.

##### D. County Responsibilities

1. If the county chooses to offer WFP services directly or through a contract with a provider, the county department shall develop and maintain a written policy that defines its program. Such written policy must include, but is not limited to, the following components:

- a. Description of recruitment, training, supervision and support of mentor families specific to the needs of WFP. This shall include a description of specific training regarding mentoring, to be developed by the county, that shall be required of mentor families and is in addition to the standard requirements for foster care certification.
- b. Criteria for screening and matching of mentor and client families.
- c. A written agreement between participant families and mentor families that describes the rights and responsibilities of the participant family members and the mentor family members.
- d. A requirement for Family Services Plans to include how WFP is used with individual families.

- e. A plan for peer groups for mentor families and clients.
- f. A plan for respite for mentor families.
- g. A plan for sharing information about the purposes and procedures for WFP with referring agencies, judges, attorneys and agency staff.
- h. A plan for aftercare provisions.
- i. A plan for program evaluation.

2. When WFP is used, the county department shall identify the service as WFP by checking the "Whole Family Placement" check box on the service authorization window in the state's automated reporting system.

3. As part of the assessment process, the county department shall determine, with the prospective participant family and the mentor family, which funding options and support services will be necessary to support the WFP (see Sections 7.406.1 and 7.406.2).

### **7.304.3 OUT-OF-HOME PLACEMENT CRITERIA**

Not every child at risk needs out-of-home placement. These criteria are designed to provide a decision making model to assist in determining whether Core Service Program services and/or out-of-home placement are indicated. All three criteria must be met.

Criterion 1: The child may be at imminent risk of out-of-home placement, as defined in Section 26-5.3-102(1)(b), C.R.S., because one or more of the following conditions exist:

- A. Abandonment by or incarceration of parents/relatives/caretakers;
- B. Abuse/neglect - as defined in the Children's Code;
- C. Domestic violence - as defined in Section 18-6-800.3, C.R.S.;
- D. Conditions that exist to such a degree for either the child or caretaker so that the caretaker is unable to care for the child:
  - 1. substance abuse; drug exposed infants
  - 2. mental illness
  - 3. disability
  - 4. physical illness
  - 5. homelessness
- E. Beyond control of parents;
- F. Danger to self, others, or community;
- G. Infant or young child of teen parent in placement;
- H. Delinquency - adjudicated delinquent meeting current out-of-home placement criteria written pursuant to Section 19-2-212, C.R.S.;
- I. Relinquishment or termination of parental rights;

J. Child returning home from out-of-home placement or moving to less restrictive level-of-care.

Criterion 2: Before considering placement, an assessment is completed to determine the level of risk. If assessment of risk determines that the child is at imminent risk of out-of-home placement, then child/family strengths are determined, and the appropriate services and/or community supports (reasonable efforts) needed to address the existing Criterion #1 conditions are identified. When these services are not immediately available, or are absent, unsuccessful, or exhausted, placement in the Core Services Program and/or out-of-home may be considered.

Reasonable efforts include the intervention strategies and advocacy efforts used:

A. To identify/locate appropriate parent/relative/caretakers if necessary to prevent out-of-home placement;

B. To assess the parent/relative/caretaker's ability to protect children;

C. To assist the parent/relative/caretaker and/or child in accessing and utilizing the identified services to address the presenting conditions.

Criterion 3: When placement is the best choice of available options/alternatives at this time to reduce risk to the child while continuing reasonable efforts to resolve the conditions which led to imminent risk, then, placement in the Core Services Program and/or out-of-home may occur.

#### **7.304.4 AGE AND RESIDENCY REQUIREMENTS AND PAYMENT RESPONSIBILITY FOR CHILDREN IN OUT-OF-HOME CARE [Rev. eff. 3/2/11]**

A. A child is eligible for placement services on the basis of need from birth to age 18 when the child meets target group eligibility and all three of the placement criteria, regardless of whether the placement is voluntary or court ordered. A child from age 18 to age 21 continues to be eligible for placement services if the court had jurisdiction prior to the 18th birthday and the placement is court ordered.

B. All children residing or present in the state are eligible for placement services when the criteria in the Target Group sections 7.201, 7.202, and 7.203, the Out-of-Home Placement Criteria section 7.304.3, and the Authority for Placement section 7.304.51, are met.

C. The child's county of residence shall be the county department which has financial and case decision-making responsibility for a child in out-of-home placement shall be the child's county of residence. The child's residence follows the parents' residence unless one or more of the following circumstances exist:

1. When the parent-child legal relationship has been terminated, the child's residence is the county in which the county department has legal custody of the child.

2. When the court has transferred legal custody to a county department and the parent-child legal relationship has not been terminated, the child's residence is that county until the court transfers custody to some other entity, including changes of venue as described in the following section, 7.304.4, E.

3. When a county department has legal custody and the court has also appointed a guardian, the child's residence is that of the county department holding legal custody.



4. When a child is in parental custody, the child's residence is that of the parents, or of the last caretaker parent, unless there is a court order giving custody to one of the parents. In that case, the child's residence is that of the parent with legal custody.

5. When a child is in the legal custody of an individual, the child's residence is that of the individual.

D. Residence for school purposes may be determined on other factors, such as the type of facility in which the child is placed or the legal status of the child. See Educational Assessments in the Assessment and Case Planning section.

E. The county department shall transfer financial and service planning, and financial responsibility as follows:

If a parent whose residence is used to determine the county department's financial responsibility for a child in out-of-home placement moves to another Colorado county, the county department shall initiate procedures to transfer the financial responsibility to the new county, unless:

1. The court or the county department finds that the transfer of jurisdiction would be detrimental to the best interest of the child(ren); or,

2. The legal custodian has a history of frequent moves, except when there is evidence of stability in the most recent move, such as a signed lease whose term is six or more months, or there is other firm evidence of the intent to remain in the new residence for six or more months; or,

3. The case is within 3-6 months of resolution; or,

4. The custodial parent is committed to a state mental institute or correctional facility; or,

5. The custodial parent is residing temporarily in the receiving county to receive rehabilitation services, employment training, education, medical care, or shelter services; or,

6. Adjudication has not taken place; or,

7. Change in venue hinders achieving the child's permanency goal; or,

8. The case is an expedited permanency planning case, unless pursuant to Section 19-3-201(2), C.R.S., wherein it states that it shall be presumed that any transfer of proceedings without good cause shown that results in a delay in the judicial proceedings would be detrimental to the child's best interest. Such presumption may be rebutted in court by preponderance of evidence; or,

9. When parental rights have been terminated for the child(ren); or,

10. If the case involves a juvenile for whom a juvenile delinquency filing has been made, pursuant to Section 19-2-105(1)(b), C.R.S.

F. Each county shall designate a Change of Venue coordinator.

G. When a motion for a Change of Venue has been made by the sending county, the sending county shall mail the Change of Venue motion to all parties and attorneys of record in the case and to the county attorney in the receiving county.

H. Within fifteen (15) calendar days after a court signs an order granting a Change of Venue and transferring jurisdiction, the sending county shall:

1. Provide written case information, if not located in the state automated system, to the designated Change of Venue coordinator in the receiving county which shall include, but need not be limited to:

- a. Permanency goals;
- b. Target dates related to the case;
- c. Evaluations;
- d. A current Family Services Plan;
- e. Court reports;
- f. Dates of placement moves;
- g. Progress of the child(ren) in placement;
- h. All Title IV-E eligibility determinations; and,
- i. Recommendations for continuing progress in the case.

2. Update all documentation in the case file and in the state automated system.

3. Provide information, to the extent known, concerning the physical location of the child's parents, guardians, legal custodians, and relatives.

4. Prepare the case for transfer by:

- a. Scheduling a family engagement meeting involving all parties, county department caseworkers and supervisors, and community providers; or,
- b. Conducting a case staffing between county caseworkers and supervisors in the sending and receiving county departments; or,
- c. Submitting a written case transfer summary.

5. Forward a complete copy of the case file, excluding any confidential attorney-client communications from the sending county attorney's office to the receiving county attorney's office.

I. The child, family, and foster care provider shall be prepared for the transition by the sending county department.

J. The sending county department is responsible for financial and service planning for the case and for payment of services through the calendar month in which the Change of Venue becomes effective. This date is to be confirmed by the sending county department in writing and there shall be no lapse in financial coverage during this process. If venue does not change, the sending county department retains financial responsibility.

K. The receiving county department shall provide courtesy supervision and available services during this transition. If venue does not change, the sending county department retains financial responsibility.

L. If a child is born while the mother is committed to a state mental institute or correctional facility, the county of residence prior to commitment shall be the county of fiscal responsibility.

M. When a child is placed for adoption, the county department holding legal custody and guardianship shall have fiscal responsibility for the child until the adoption is finalized.

N. If a child needs placement out of the home following finalization of adoption, the child's residence is that of the adoptive parents.

O. Residence related to subsidized adoption is addressed in the Adoption Services section.

### **7.304.5 SPECIFIC PROCEDURES FOR OUT-OF-HOME PLACEMENT**

#### **7.304.51 Authority for Placement**

The county department shall ensure that a child may enter any out-of-home placement only when:

A. Target group and placement criteria are met; and,

B. An emergency is determined to exist and s/he is removed from the home by a law enforcement officer, with or without a court order, or,

C. A parent has signed a voluntary placement agreement under conditions established by the county department and according to the Children's Code; or,

D. A juvenile court, or a court acting as a juvenile court (including a tribal court), has ordered the child to be placed out of the home and has transferred legal custody to the county department or a social services department of a federally recognized Indian tribe, for placement in a family care home or other child care facility.

#### **7.304.52 Diligent Search [Rev. eff. 2/1/10]**

A. Definition: Diligent search is the timely good faith effort to locate and contact any noncustodial parent, all grandparent(s), and other adult relatives of a child's or youth's removal from the custodial home. Diligent search shall extend beyond the United States, its territories, or Puerto Rico as appropriate.

B. Diligent search shall:

1. Be commenced for the noncustodial parent within three (3) working days. The county department must provide notification to the absent parent of the following:

a. The child or youth has been removed from the home; and,

b. The option to participate in the care, treatment, or placement of the child or youth.

2. Be completed for all grandparent(s) and other adult relatives within thirty (30) days. The county department shall provide notification of the following information:

a. The child or youth has been removed from the home;

b. Options to participate in the care or placement of the child or youth;

c. Options that may be lost by failing to respond; and,

d. The requirements to become a foster parent, and services and supports available to the child placed in the foster home.

C. The county department shall assure that:

1. Parents are consulted regarding their suggestions for appropriate caretakers.
  2. Children and youth are consulted as appropriate regarding their suggested relative caretakers.
  3. When the court orders a delay in contacting specific relatives for good cause including, but not limited to, domestic or other family violence, then the county department shall discontinue the diligent search involving the relative until otherwise authorized by the court.
- D. Diligent search shall occur for all children including Native American children at least every six (6) months throughout the life of the case until the child has achieved permanency, except as noted in Section 7.304.52, C, 3.
- E. The county shall document all efforts in the child's or youth's Family Services Plan and in the contact notes in the case record. Initial and ongoing diligent search results shall be reviewed and documented during ninety (90) day supervisory reviews.

#### 7.304.53 Court-Related Procedures [Rev. eff. 3/2/11]

A. County department staff shall work with the courts in order to best serve families, children, and adults. This includes, but is not limited to:

1. Providing competent and appropriate testimony. When the case involves the Indian Child Welfare Act, testimony shall be provided by a qualified Indian expert witness (see Indian Child Welfare Act, "Definitions" , Section 7.309.1, E).
2. Identifying witnesses and evidence to be presented.
3. Being in compliance with the Indian Child Welfare Act.
4. Working with the legal representative of the county department and all other attorneys involved to serve the best interest of the child(ren) and family.
5. Ensuring that the court is provided names and addresses of parents, foster parents, pre-adoptive parents, and kin who are providing out of home care for a child in order that the court can inform and allow these individuals an opportunity to be heard at all hearings and reviews involving the child.

B. The county department shall document the following court related procedures in the case file:

1. The child and family's legal status including custody, guardianship, parental rights, and other judgments issued by the court(s) of jurisdiction. The term "allocation of parental responsibilities" when used by the court shall be interpreted to mean custody for child welfare purposes. The term "allocation of parental responsibilities" shall not be used as a permanency goal.
2. Title IV-E related documents described in Section 7.001.41,B, of this staff manual.
3. The reasonable efforts which have been made to prevent removal of the child from her/his home, the reasonable efforts that have been or will be made to return the child to her/his home, and the reasonable efforts to finalize a permanent plan. The specific actions taken shall be documented and submitted to the court. When the case involves the Indian Child Welfare Act, "active efforts" rather than "reasonable efforts" must be provided (see Indian Child Welfare Act, "Definitions" , Section 7.309.1, A).

When applicable, the county department shall document and submit to the court existing

circumstances in which the court may determine that reasonable efforts are not required to prevent a child's removal from the home or to reunify the child and family. These circumstances are:

a. A court has determined that the parent has subjected the child to aggravated circumstances as specified in Section 19-3-604(1) and (2), C.R.S.

b. A court has determined that the parent has been convicted of:

1) murder or voluntary manslaughter of another child of the parent; or,

2) aiding or abetting, attempting, conspiring, or soliciting to commit murder; or, voluntary manslaughter of another child of the parent; or,

3) felony assault that results in serious injury to the child or another child of the parent.

c. The parental rights of the parent with respect to a sibling have been terminated involuntarily unless the prior sibling termination resulted from a parent delivering a child to a firefighter or a hospital staff member pursuant to the provisions of Section 19 3 304.5, C.R.S.

4. That the court and the parents are notified of any change in placement before the change unless the child is in immediate danger.

5. That a record is kept of all visits and of reasons planned visits did not occur.

6. That the court, the parents, and the child are given written notice ten days before any determination which affects the parent's visitation rights, unless the child's health or well being is endangered by delaying action or would be endangered if prior notice was given. The caseworker shall keep a copy of this notification in the case record.

7. The treatment plans, including the Family Services Plan and court ordered plan, that have been attempted to return the child to the family home.

8. That the county has requested the court, in its periodic reviews, to make findings regarding the continued necessity and appropriateness of placement, the extent of compliance with the case plan, the extent of progress which has been made toward alleviating or mitigating the causes necessitating the placement, and projecting a likely date by which the child may be returned home or placed in an alternate permanent living arrangement.

C. The county department shall file a dependency and neglect petition when there are protective service issues that either present imminent danger or indicate that the environment is injurious and the case requires court jurisdiction.

D. When protective issues are not significant, county departments may refer children with intellectual, physical, or emotional disabilities to community or home-based services. If home-based or community services are not sufficient or successful, the county department may offer voluntary out-of-home placements for children who meet the criteria. If voluntary out-of-home placements are not offered, the county department shall have a written policy stating that voluntary placements are not provided.

The county department shall ensure that a placement contract is signed before a voluntary placement is made. The county department shall:

1. File a Petition for Review of Need for Placement within 90 calendar days of placement, if the

placement is expected to exceed 90 calendar days.

2. Ensure that the child's parents, guardian, and legal custodian are informed of the substance of the Petition for Review of Need for Placement.

3. File a review report with the court every six months, thereafter, or more frequently, when ordered by the court, until the placement is ended. When an Administrative Review conducted by the Administrative Review Division substitutes for a court review, a summary containing the same information as would be submitted to the court shall be completed and filed in the case record in accordance with 7.002.1, B. The county department shall submit this written summary with the Administrative Review findings to the court.

4. Ensure that a court decree giving the county placement and care responsibility is obtained within 180 calendar days of placement. The order must state that continued placement is in the best interests of the child and either that reasonable efforts have been made to reunite the child and family or that the plan is for the child not to return home.

5. Ensure that the permanency planning hearing order for voluntary placements conforms with the requirements discussed under that section.

E. When a child is returned to the home, the county shall request the court to return legal custody of the child to the parent or guardian, except in cases covered by the Interstate Compact for the Placement of Children.

F. When a child is removed from the home, the county department must initiate a request for temporary custody hearing per Sections 19-3-312 and 19-3-401, C.R.S. The Family Services Plan shall be used as an Interim Treatment Plan in Court involved cases, to be available 30 calendar days after the child's removal from the home or 30 calendar days after filing of the petition, whichever is earlier.

G. The county department shall notify the court of jurisdiction and other parties within 10 calendar days of receipt of a report that a child has run away from placement.

H. Copies of Administrative Review findings shall be filed in the case record and a summary of those findings shall be included in court reports. For those cases in which an Administrative Review substitutes for court reviews, counties shall submit a copy of the actual review findings to the court with the county's court report.

I. Recommendations to the court regarding out-of-home placement of a child who has been adjudicated a delinquent, shall contain specific facts and reasons supporting the recommendations and the cost of the recommended placement.

J. When a child is temporarily absent from placement because he or she is in detention, psychiatric or medical hospitalization, or on a trial visit home, the placement is considered to be continuous for up to six months for Federal review purposes if the county retains legal custody or has placement and care responsibility through a voluntary placement agreement or Petition to Review the Need for Placement. If the child returns to out-of-home placement during this time, a new removal order is not needed. Within the trial home visit time period, when the agency determines it is in the best interest of the child to continue to live in the planned permanent home, the county agency shall request the court to consider relieving the department of custody in these cases.

K. A trial home visit shall occur when it is necessary to assess the child's or youth's safety and well-being while residing in the planned permanent home. The time period of the trial home visit shall be determined by the agency and reviewed by the court as part of the reunification process prior to the permanent custodial return of the child or youth to the parents or planned caregivers.

1. Trial home visits shall be documented in the State Department's automated data system.

2. A trial home visit may exceed six months in duration if a court orders a longer trial home visit. If a trial home visit extends beyond six months and has not been authorized by the court or exceeds the time period the court has deemed appropriate, and the child is subsequently returned to foster care, that removal must then be considered a new removal and Title IV-E eligibility must be newly established. Under these circumstances, the judicial determination regarding contrary to the welfare and reasonable efforts to prevent removal are required.

L. Change in Venue procedures are outlined in Section 7.304.4, F, G, and H.

#### 7.304.54 Court Procedures Related to Permanency Planning [Rev. eff. 7/1/10]

A. The county department must develop a permanent plan for any child who is in out-of-home placement and is the subject of any court action, including Dependency and Neglect, Delinquency, or a Petition to Review the Need for Placement and a concurrent plan for cases filed under Section 19-3-102(2), C.R.S., regarding habitual abuse. The purpose of the plan is to establish treatment needs related to the stated goal for the child and to decide a method to provide a safe, stable, permanent environment for the child as quickly as possible.

B. The county department shall submit this plan at the permanency court hearing. That hearing must be held before twelve (12) months have elapsed from the date of the child's original out-of-home placement, and shall be held as soon as possible following the dispositional hearing. Following the initial permanency hearing, subsequent permanency hearings must be held every twelve months thereafter while the child remains in out-of-home care. These hearings shall be combined with a periodic review when possible.

C. The county department shall provide the court with documentation of the efforts made by the department to finalize the permanency plan for the child. The county department shall request the court to make a finding (if the evidence so warrants) that the department made reasonable efforts to finalize the permanency plan for the child.

D. Paper reviews, ex parte hearings, agreed orders or other actions or hearings which are not open to the participation of the parents of the child (if appropriate age) and foster parents or pre-adoptive parents are not permanency hearings.

E. When the court determines that reasonable efforts to return the child home are not required, the county shall request that the permanency hearing be held no later than thirty (30) calendar days after such court determination, unless the requirements of the permanency hearing are fulfilled at the hearing in which such a determination is made.

F. The county department shall ensure and document that a request is made to the court for such a hearing in sufficient time to assure that the hearing is held within the twelve (12) month time frame. Permanency hearings shall be combined with a review hearing when possible.

G. The county department shall include, in the permanency plan, recommendations to the court on

either:

1. Returning the child to his/her parent or guardian within the next six months; or,
2. Permanent placement with a relative through adoption; or,
3. Permanent placement with a relative through guardianship or permanent custody; or,
4. Adoption (non-relative); or,
5. Legal guardianship/permanent custody (no-relative); or,
6. Other planned permanent living arrangement through emancipation; or,
7. Other planned permanent living arrangement through relative long term foster care; or,
8. Other planned permanent living arrangement through non-relative long term foster care.

H. For permanency goals 7 or 8, the county department shall ensure that the plan contains the name or other identifier, such as the system provider number, if the name of the provider must be kept confidential, of the specific placement and the date that placement shall end.

I. The county department shall request that the court order contain specific findings regarding the above goals.

J. The county department shall assure that the permanency hearings determine whether an out-of-state placement continues to be appropriate and is in the best interest of the child.

K. The county department shall assure that the permanency hearings determine whether the permanency plan includes independent living services for a child sixteen years of age or older.

L. Permanency hearings are required to be held if a termination is under appeal, for children placed in a permanent foster home with a specific caregiver, and for children who are free for adoption and are placed in adoptive homes pending the finalization of the adoption.

M. The county department shall file for termination of parental rights no later than the end of the 15th month of placement for any child who has been in foster care under the responsibility of the state for 15 of the last 22 months unless there is a compelling reason submitted to the court identifying why it is in the child's best interest to not terminate parental rights.

N. The county department shall file for termination of parental rights no later than 60 calendar days after the court determines that the child is an abandoned infant, unless there is a compelling reason submitted to the court identifying why it is in the child's best interest to not terminate parental rights.

O. The county department shall file for termination of parental rights no later than 60 calendar days after a judicial determination is made that reasonable efforts to reunify the child with the parent are not required, unless there is a compelling reason submitted to the court identifying why it is in the child's best interest to not terminate parental rights.

P. The county department shall discuss the purpose and responsibilities of relative guardianship with the parents or legal custodian of a youth or child and the importance of achieving permanency.

7.304.55 Court Procedures Related to Termination of the Parent-Child Legal Relationship [Rev. eff. 2/1/10]



A. The county department shall consider termination of the parent-child legal relationship as a part of the permanency planning process. Termination is a court action that permanently divests the child and parent of all legal rights and responsibilities with respect to each other. It does not modify the child's status as an heir at law, which occurs when there is a final decree of adoption. Termination of the parent-child legal relationship with both parents frees a child for adoption.

B. When the county department files a petition for dependency and neglect, the petition shall include a statement related to termination of the parent-child legal relationship as required in the Colorado Children's Code, Section 19-3-502(3)(a), C.R.S..

C. The county department shall give primary consideration to the physical, mental, and emotional conditions and needs of the child when considering filing a motion for termination, and when making any reports and recommendations to the court.

D. The county department shall ensure that the child's psychological and medical conditions have been evaluated and that the results of those evaluations indicate that termination is in the best interest of the child.

E. The county department shall consider termination of the parent-child legal relationship based on a finding of parental unfitness as outlined in the Colorado Children's Code, Sections 19-3-604(1)(a) through 19-3-604(1)(c), C.R.S. and 19-5-105 (3.1), C.R.S.

F. The county department shall gather information to present the court with clear and convincing evidence regarding the criteria for termination and evidence beyond a reasonable doubt in the case of children eligible under the Indian Child Welfare Act.

G. In planning for termination of the parent-child legal relationship, the county department shall:

1. Work with the county's attorney in preparation of the court case.
2. Provide a treatment plan for the court's approval.
3. Cooperate with any guardian ad litem for the case.
4. Provide prepared staff to testify at the termination hearing, identify other witnesses, and assist in preparation of witnesses.
5. Keep parents, children, and appropriate interested parties informed regarding hearings and the status of the case.
6. File a motion for termination no less than 30 calendar days before the hearing.

H. Prior to and following termination of the parent-child legal relationship by the court, the county department shall:

1. Consider legal custody or adoption by relatives when in the child's best interests.
2. Determine resources available for an adoptive placement or alternative permanent plan which best meets the needs of the child.
3. When filing a motion to terminate parental rights, county staff shall begin efforts to recruit, identify, process and approve a qualified adoptive family for the child and document such efforts in the Family Services Plan.

4. Prepare a report for the court to be presented at a hearing scheduled within 90 calendar days following the date of termination. The report shall indicate what disposition of the child's case has occurred.

I. Permanency hearings are required to be held if a termination is under appeal or if a child is in a pre-adoptive placement following termination.

J. When the county department has legal custody/guardianship following termination of the parent-child legal relationship, the county department shall not close the child's case until:

1. The child is adopted; or,
2. The child reaches 18 years of age and the court does not continue its jurisdiction; or,
3. The child is emancipated before 18 years of age; or,
4. The court transfers legal custody to another individual or agency; or,
5. The court otherwise terminates the county department's legal responsibility.

### **7.304.6 PLACEMENT ACTIVITIES**

#### **7.304.61 Pre-Placement Activities**

A. The child shall have a medical examination before placement or a screening as soon as is reasonably possible after placement. The county department shall assure that the screening is consistent with the Early Periodic Screening Diagnosis and Treatment initial screening described in Section 8.286.01 of the Department of Health Care Policy and Financing's Medical Assistance manual (10 CCR 2505-10). If a medical, dental, or psychological evaluation is necessary and cannot be covered under Medicaid, third-party insurance, or other sources, the county department may purchase it under program services. See General Information and Policies section (7.000) and Resources, Reimbursement, and Reporting Section (7.400) of this manual.

B. Prior to the placement of a child in a child placement agency or county family foster home, the placing agency may review the written family assessment, home study, and background checks of the foster parent(s) for use in determining if the home is appropriate for the needs of the child.

C. When the child is part of a sibling group and the sibling group is being placed out of the home, if the county department locates an appropriate capable, willing, and available joint placement for all of the children in the sibling group, it shall be presumed that placement of the entire sibling group in the joint placement is in the best interests of the children. Such presumption may be rebutted by the county by a preponderance of evidence that placement of the entire sibling group in the joint placement is not in the best interests of a child or of the children. If the child is a part of a sibling group, the county shall make thorough efforts to locate a joint placement for all of the children in the sibling group unless it is not in the best interests of the children to be placed as a group and these efforts do not unreasonably delay permanency for any child. Efforts to place siblings as a group shall be documented in the child's case record.

D. The county department shall share all available information about the child, including relevant social, medical and educational history, behavior problems, court involvement, parental visitation plans, and other specific characteristics of the child, with the provider before placement. It shall share additional information when obtained. The county department shall inform foster parents of

court hearings involving children in care.

E. A child's foster care placement shall not be delayed in order to recruit a same race home when a foster family is available who is of other ethnic or racial identity than that of the child.

F. The county department shall document all pre-placement activities in the case file.

G. The county department shall execute the Provider Contract and Agreement with county department certified foster homes and county department supervised group homes, and the agreement to purchase Child Placement Agency or Residential Child Care Facility services with Child Placement Agencies and Residential Child Care Facilities before placement. The Agreement to Purchase form is child specific and shall be completed for each child placed through a Child Placement Agency or with a Residential Child Care Facility. Placement contracts shall specify the responsibilities of the provider and the county in the services to be delivered to the child and family in conjunction with the Family Services Plan.

#### 7.304.62 Placement Activities [Rev. eff. 7/1/10]

The county department shall:

A. Give the provider a written record of the child's admission to the home at the time of placement.

B. Give the provider a written procedure or authorization for obtaining medical care for the child and assure that the provider receives the child's state identification number and Medicaid card for Medicaid eligible children in a timely manner.

C. Give the provider a copy of the Family Services Plan for the child at the time of placement or when it is completed following placement.

D. Document the above placement activities in the case file.

E. Add the placement in the Department's automated reporting system prior to the next payroll.

F. Within four weeks of the initial placement, give the provider a complete medical history for the child. The medical history shall contain, to the maximum degree possible, the information listed in the Department of Human Services Health Passport.

G. Provide the child with a full medical examination scheduled within fourteen (14) calendar days after placement and a full dental examination scheduled within eight (8) weeks after placement. The schedule of the appointments shall be documented in the case record. The county department shall maintain the medical and dental information in a record which is kept with the child during placement and upon return home, emancipation, or adoption. The county department shall document that ongoing medical and dental care is provided in a timely manner as defined by the department and by the health care provider. If the child received the required full medical examination at the time of the placement, then the regular schedule of appointments should be maintained in subsequent placements.

H. Document the exceptional circumstances which require an emergency or temporary placement to last longer than sixty (60) calendar days.

I. Except in emergency situations, make subsequent placements according to court order and shall notify all parties to the extent possible.

J. Not move a child from one short-term emergency placement to another unless all reasonable efforts to return the child to the child's home or to place the child in a more permanent setting have been exhausted and are documented in the Family Services Plan.

K. Not move a child more than twice unless such move results in a permanent placement or is determined to be in the best interests of the child and the reasons for the additional move are documented in the child's Family Services Plan.

L. Assure that all children placed in a Residential Treatment Center program be assessed for the appropriate level of care. The assessment tool used to assess for the appropriate level of care is the Colorado Client Assessment Record (CCAR).

M. Notify the guardian ad litem, parent(s) or legal guardian within one (1) business day upon a child's placement into a foster care home. The guardian ad litem's contact information shall be provided to the foster parents.

N. Provide notice of, and a right to be heard at, any Administrative Review to the child (if age appropriate), foster parents, pre-adoptive parents, or relatives providing care to a child and, upon written request, a written notice of the court hearing, which identifies the following:

1. The child's current court case number;
2. The date and time of the next court hearing; and,
3. The name of the magistrate or judge and the court division to which the case was assigned.

O. Not release personally identifying information. Upon receipt of written notice by a foster parent, employees of State and county departments, or others with the need to know, shall be prohibited from releasing personally identifiable information about a foster parent, other than the first name, to any adult member of the foster child's family, unless the foster parent subsequently provides written consent for the release of information.

P. Refer to Section 7.406.1, F, for the applicable criteria when a child will be absent from the designated out-of-home placement and the county elects to reimburse the provider using the seven (7) day or thirty (30) day policy.

#### 7.304.63 Out of State Placement Activities

A. All out-of-state placements for kinship, foster, group, or residential care must comply with the Interstate Compact for the Placement of Children, Section 7.307.

B. County departments must follow federal guidelines and shall not place children out of state who are in care under a placement contract (voluntary placements). Such placements can only be made by a parent or guardian.

#### 7.304.64 Visitation and Supervision [Eff. 11/1/2008]

A. Contact between the county department and the child shall be documented in the child's case record.

B. In all cases where counties have primary responsibility for a child in out-of-home placement, an appropriate visitation plan shall be established and documented in the child's case record. The visitation plan shall specify the frequency and type of contact by the parents (unless parental

visitation is determined to be detrimental to the child) and others with the child, as appropriate. At a minimum, the visitation plan should provide methods to meet the following interests and needs of the child:

1. The growth and development of the child;
2. The child's adjustment to the placement;
3. The ability of the provider to meet the child's needs;
4. The appropriateness of parent and child visitation, including assessment of risk;
5. The child's contact with parents, siblings, and other family members;
6. The child's permanency plan.

C. When a child in foster care and a sibling (defined in Section 7.000.5, Y) mutually request a visit or regular visits, or the guardian ad litem requests visits on behalf of a child, the county department shall perform and document the following activities in the visitation plan and contact notes: [Eff. 11/1/2008]

1. That visits are scheduled in a reasonable amount of time and with sufficient frequency to promote continuity of the relationships. [Eff. 11/1/2008]
2. That the county department has determined that it is not in the best interests of one or both of the children. [Eff. 11/1/2008]
3. That there has been consultation with the District Attorney to determine whether a criminal action is pending in any jurisdiction where either sibling is a victim or witness, prior to arranging a visit. [Eff. 11/1/2008]
4. That a visit is not required or permitted because it would violate a known existing protection order pending in any state. [Eff. 11/1/2008]
5. A child in foster care shall be informed of the right to sibling visits. [Eff. 11/1/2008]

D. Visitation between the child and his/her family shall increase in frequency and duration as the goal of reuniting the family is approached. The caseworker shall document this increase in visitation in the child's case record. [Eff. 11/1/2008]

E. The county department will notify parents of any determination which affects their visitation rights. The caseworker shall keep a copy of this notification in the case record. [Eff. 11/1/2008]

F. In cases where the goal is not to reunite the family, the caseworker shall discuss the issue of separation and help define the child's future relationship with the family. The caseworker shall document this discussion and planning in the case record. [Eff. 11/1/2008]

7.304.65 Administrative Review [Rev. eff 7/1/10]

Definition:

Administrative Review means a review conducted by the Colorado Department of Human Services, Administrative Review Division, that is open to the participation of the parents of the child, the child (if age appropriate, as determined by the caseworker), and the out-of-home care provider,

pre-adoptive parents, or relatives/kin who are providing out-of-home care for the child; and conducted by an Administrative Reviewer, who is not responsible for the case management of, or the delivery of services to, either the child or the parents who are the subject of the review. If there is no objection by any party to the action, the court may order that an Administrative Review substitute for a six (6) month periodic review. All attorneys of record must be invited to court ordered Administrative Reviews.

A. The county department shall participate in the statewide Administrative Review system for all children in foster care who meet the criteria for inclusion in the review system.

B. The county department shall provide all required case records, documentation and information to the Administrative Reviewer no later than 8:00 a.m. the day of the scheduled review to allow the reviewer sufficient time to read the case file in its entirety prior to each scheduled review. If the hard copy case record is not available to the reviewer by 8:00 a.m. the day of the scheduled review, case information shall be obtained through the Department's statewide automated system.

C. The county department shall provide office space for case record review and face-to-face reviews, access to the Department's statewide automated system, and teleconference capability.

D. The county department shall coordinate, with the Administrative Reviewer, timely scheduling of all initial and subsequent Administrative Reviews.

E. The county department shall invite parents, the child (if age appropriate as determined by the caseworker), out-of-home care providers, pre-adoptive parents, relatives/kin who are providing out-of-home care for the child, and the guardian ad litem to the Administrative Review in order that these individuals will have a right to be heard. All invitees shall be encouraged to attend.

F. If an Administrative Review has been ordered by the court and no objection has been made to the substitution of the Administrative Review for the six (6) month periodic court review, the county department shall also invite to the review all attorneys of record in the case. When an Administrative Review substitutes for a six month periodic court review, the county department shall complete a case summary containing the same information that would be submitted in a court report as required in Section 7.002.1, and the county shall submit this written summary with the Administrative Review findings to the court.

G. The county department shall send letters of invitation to all review participants at least two weeks prior to scheduled reviews, and ensure that invited parties are properly documented in the Department's statewide automated system prior to the time of the review. The parent or Indian custodian and the Indian child's tribe shall be sent notice at least two weeks prior to the scheduled review by registered mail with return receipt requested. Notification shall include date, time, location, and purpose of the review. If the case involves an Indian child, the requirements at 25 U.S.C. Section 1912(a) apply; no later amendments or editions are incorporated. Copies are available for public inspection by contacting the ARD Director during regular business hours at Colorado Department of Human Services, Administrative Review Division, 4045 S. Lowell Blvd., Denver, Colorado 80236; or at a state publications depository library.

H. The county department shall encourage all invitees to attend Administrative Reviews (see Section 7.304.661, A, regarding, provider attendance). If an individual is unable to attend, participation by conference call shall be offered.

I. Administrative Reviews shall be held at the county department having custody of the child, irrespective of the location of the child's placement.

#### J. Administrative Review Findings

1. Copies of Administrative Review findings shall be maintained in the Department's statewide automated system and a summary of those findings shall be included in court reports. For those cases in which an Administrative Review substitutes for a six month periodic court review, counties shall submit a copy of the actual review findings to the court with the county's court report.

2. For all narrative findings that contain "Issues for County Administration" , the county is required to respond to the Administrative Review Division within the time frame specified in the narrative depending on the issue identified.

a. A county response shall be sent to the Administrative Review Division.

b. If the county response is considered sufficient and timely, no further action is taken and the county shall be notified in writing within five (5) working days.

c. If the county's response is not timely or sufficient, notification will be given to the county and appropriate division(s) representative for further follow up/action.

d. An internal meeting will be held with the appropriate division(s) and their representatives within a maximum of twenty (20) working days to determine next steps and time frames for resolution.

e. If the issues are unresolved, a corrective action process may be pursued.

#### K. Confidentiality

1. The federal confidentiality requirements at Section 471(a)(8) of the Social Security Act provide safeguards which restrict the use of, or disclosure of, information concerning individuals served by the child welfare agency, and these same rules apply to the Administrative Review process.

2. Audio and/or video recording of Administrative Reviews shall not occur without releases of confidentiality forms signed by all parties to the case prior to recording.

### **7.304.66 Monitoring of Purchased Services for Out-of-Home Placement and Core Services**

#### 7.304.661 Out-of-Home Placement

A. The county department shall contract with providers for specific services using the state prescribed contracts. The contract shall specify the responsibilities of the provider and the county for services to be provided to the child and family, in conjunction with the Family Services Plan. The county department shall monitor the services purchased from Residential Child Care Facilities, Child Placement Agencies, Core Service Program and all out-of-home providers at least monthly, by face-to-face or telephone contact with the provider. The county department shall contract with providers to submit written quarterly progress reports to the county department and to attend Administrative Reviews in person or by conference call. The county department shall participate in staffings or planning meetings on a regular basis as defined in the case plan. The county shall contract with providers to comply with the county designated visitation plan as specified in the placement agreement.

B. The county department shall reassess the case plan with the provider at least every six months and

document progress toward goals, including discharge planning. It shall make necessary modifications to the plan based on mutual treatment planning with the provider.

C. If there are problems or complaints concerning the care or treatment of a child in a purchased Residential Child Care Facility or Child Placement Agency placement, or Core Services Program services, or a report of violations of child care standards, the county department shall report the circumstances to the licensing or certifying authority within 24 hours. If the nature of the complaint involves an allegation of abuse or neglect, a report to the local investigating authority shall be made within 24 hours.

#### 7.304.662 Core Services

A. Counties with a state-approved Core Service Program plan may directly provide or purchase Core Service Programs.

B. If a Core Service Program is purchased, state rule requirements in this manual. Section 7.003, "Purchase of Services" , shall be followed.

C. When the county purchases Core Services, the county has the responsibility to select contractors who have the skills and resources to deliver the services for which they are contracting. Counties shall monitor all purchase of services contracts to insure that contracted services are delivered.

D. Core Services may be purchased and provided for a child placed out-of-state with written state department approval.

E. County departments shall adhere to state guidelines regarding coding and state reimbursement requirements for provided or purchased services.

F. County Core Service Programs may only be used for a child in out-of-home placement when services are not available through the contract with the out-of-home provider or the county negotiates a lower rate with the provider.

G. Core Service Programs may only be used for clients when the client's private insurance and/or other funding sources are exhausted, insufficient, or inappropriate.

H. Core Service Programs that have duplicative components cannot be provided/purchase at the same time.

#### 7.304.67 Post-Placement Activities

A. The county department shall update the status of the child in the Department's automated reporting system within seven calendar days following termination of the placement.

B. The county department shall complete a written summary within 30 calendar days after termination of the placement. This summary may be included as part of a court report, six month summary, or case closing summary. The summary shall document that the caseworker has:

1. Discussed with the child and family the goals that have been achieved and not achieved.
2. Established a clear plan for follow-up services if needed.
3. Involved the foster care provider in the evaluation of services, progress, and the child's further needs.



C. The county department shall follow all required eligibility and documentation procedures to confirm the placement change.