

# NWF Health Network Policy & Procedure

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<b>Series:</b>	700: Provider Network & Licensing	
<b>Policy Name:</b>	Traditional Foster Home, Specialized Therapeutic Foster Home and Facility Waivers	
<b>Policy Number:</b>	703	
<b>Origination Date:</b>	03/09/09	<b>Revised:</b> Board Meeting of 06/23/2022 <b>Reviewed:</b> 4/17/2023
<b>Regulation:</b>	409-175, F.S. 65C-13, F.A.C. 65C-14, F.A.C. 65C-15, F.A.C.	

## Referenced Documents:

700-703 x 1, Foster Home Waiver  
700-703 x 2, Over Five Attachment  
700-703 x 3, More Than Two Infants Attachment  
700-703 x 4, Facility Waiver  
700-703 x 5, Education Waiver – School Stability Attachment

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## Policy

It is the policy of NWF Health Network (NWFHN), to thoroughly evaluate the licensed capacity of family foster homes and facilities prior to considering a waiver to ensure the needs of children residing in that placement are met.

## Procedure

- A.** NWFHN's Intake Placement Specialists are responsible for coordinating the placement of children in licensed out-of-home care. The least restrictive setting that will meet the needs of the child must always be considered first and there should be documentation of other services provided to the child. The Intake Placement Specialist shall make every effort to identify placements for children in licensed care that are within a foster homes or facility's age range, gender, and capacity.
- B.** Waivers will be approved in writing or with an electronic signature prior to placement of a child. In the event the required approving authority is not available to provide a signature, approval may be provided through email. Documentation of approval should be attached to the waiver and may replace the required signature for the initial approval.
- C.** The initial waiver will be issued for no more than thirty (30) days. The renewal of waivers following this will be every ninety (90) days (3 months) for capacity exceeding five (5) children or for the placement of more than two (2) children under the age of two (2). The renewal of all other waivers will be every one hundred twenty (120) days (six (6) months). All waivers will be discussed monthly in the joint meeting with licensing and placement staff to ensure caregivers have the needed services and supports to ensure the wellbeing on the children in their care and that the placement continues to be in the best interest of the child or children placed there. Waivers should expire on the last day of the month unless it is a planned short-term need.
- D.** Waivers will be revised as needed to reflect any changes to licensed capacity, gender, age or household composition.

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- E. Efforts to eliminate the need for the waiver, such as license amendment, will be monitored.
- F. All foster home waivers will be recorded on a tracking spreadsheet.
- G. All foster home waivers will be provided to the assigned Foster Home Management (FHM) agency within five (5) working days of the child's placement.
  - 1. The written and approved assessment will be placed in the licensing file.
  - 2. The Licensing Specialist will conduct a home visit, when the waiver is for capacity exceeding five (5) children or for the placement of more than two (2) children under the age of 2, with the licensed out-of-home caregiver within seven (7) calendar days of the child's placement to ensure that all appropriate services identified by the Intake Placement Specialist are in place to support the foster parent.
- H. The primary Dependency Case Manager (DCM) for each child placed in the home will be notified and involved in the assessment and monitoring of the foster home.
- I. **Capacity Assessments and Expectations.**
  - 1. **Capacity.**
    - a. A recommendation shall be made by the FHM for the licensed capacity in each family foster home based on:
      - i. An evaluation of the skills, experience and support network of the prospective licensed out-of-home caregiver;
      - ii. The physical space in the home; and
      - iii. The needs of the children served.
    - b. There shall be no more than two (2) infants under twenty-four (24) months in a licensed home, including the out-of-home caregiver's own children.
    - c. Specialized Therapeutic foster homes (STFC) are limited to two (2) foster children. Medical foster homes are limited based upon the needs of the children in placement and waivers must be authorized by Children's Medical Services (CMS).
      - i. Authorization from CMS should be attached to the waiver document.
  - 2. **Placement.**
    - a. The total number of children placed in each family foster home shall be based on the recommendations of the FHM as well as Intake and Placement using the following criteria:
      - i. The needs of each child in care;
      - ii. The ability of the licensed out-of-home caregiver to meet the individual needs of each child, including any of the out-of-home caregiver's own children living in the home;
      - iii. The amount of space;
      - iv. The ratio of active and appropriate adult supervision to the number of children; and
      - v. The background, experience, and skills of the licensed out-of-home caregivers.
- J. **General Over-Capacity and Age/Gender Differential Approvals.**
  - 1. Written approval of the exception shall be obtained prior to placement when the licensed capacity and recommended ages of children are exceeded or if the gender of the child is different from what

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the home is licensed for. The exception shall be approved by the Intake Placement Director prior to placement. An electronic signature or email authorization is permissible when the Placement Director is not available to provide a signature. The email approval may replace the initial signature and should be attached to the waiver document.

2. The request for a waiver will include, at minimum:
  - a. The reason this home was selected:
    - i. To keep or return the child to his home county;
    - ii. To keep or place siblings together;
    - iii. The child is familiar with the foster parent.
  - b. Ages and gender of the other children in the home.
  - c. Sleeping arrangements.
  - d. The planned duration of the waiver if known.
  - e. The plan to eliminate the waiver.
  - f. Initial approval shall not exceed thirty (30) days. Subsequent approvals for the same child or children may be approved for 120-day extensions personally and in writing by the Placement Director.

## **K. Waivers to Exceed the Maximum Capacity of Five (5) Children or More than Two (2) Children Under the Age of 2.**

1. Approval of Over-Capacity Assessments for Over Five (5) Children or More Than Two (2) Infants shall be given prior to placement and must be approved by the Chief Executive Officer (CEO) or their designee. The following circumstances require an assessment:
  - a. To accommodate a sibling group. This may be a sibling group with some of the children already in the home as well as a sibling group being placed for the first time;
  - b. To accommodate a child or sibling group needing placement who has previously lived in the home;
  - c. To allow a teen parent in care to have his or her child or children placed in the same home;
  - d. It is determined that the placement of the child in the home is in the best interest of the child.
2. The request for a waiver will include:
  - a. The reason this home was selected:
    - i. To keep or return the child to his home county;
    - ii. To keep or place siblings together;
    - iii. The child is familiar with the foster parent.
  - b. Ages and gender of the other children in the home.
  - c. Sleeping arrangements.
  - d. A description of the special services and/or support systems which will be put in place to assure that the waiver will not impact on the quality of care the children in the home receive.

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- e. In addition to the services and supports, a specific staff person must be designated to oversee and document that the added services and/or support system in the home are provided and are effective in maintaining an adequate level of care.
  - f. The planned duration of the waiver.
  - g. The plan to eliminate the waiver.
  - h. Adequate closet space and room for personal possessions and adequate privacy.
  - i. Information concerning how the needs of any particular vulnerable child currently in placement can be adequately protected.
  - j. Placement needs and risk factors for children who have been sexually victimized or who are sexually aggressive.
  - k. Verification that there are not active complaints, licensing standards in violation, active abuse reports or foster care referrals for the proposed placement.
  - l. The duration of the waiver; initial assessment approval shall not exceed thirty (30) days. Subsequent approvals for the same child or children may be approved for 90-day extensions personally and in writing by the Regional Administrator or by Big Bend CEO or their designee.
3. When such placement is needed during business hours when the CEO or designee, is not physically available to sign the waiver or when the placement occurs after hours:
- a. The Intake Placement Specialist will document and share the assessment results with NWFHN CEO or designee for verbal approval.
  - b. Written authorization will be obtained and may be in the form of an emailed approval.
4. The assessment will be included with the waiver document.
5. Waivers are specific to a child or sibling group and expire when the total number of children in a home drops below five (5) children or when there are no longer more than two (2) children under the age of 2. In the event a foster home's license is amended to allow more than five (5) children in the home, the waiver will no longer be required.

## **L. Specialized Therapeutic Foster Home Waivers.**

- 1. Any waiver request for an STFC home should first be reviewed and approved by the Higher Level of Care Multi-disciplinary Team (MDT). Written approval from the HLOC MDT team should be attached to the waiver prior to placement. If applicable, this waiver must follow NWFHN general waiver process.

## **M. Facility Waivers.**

- 1. A waiver is issued for a facility any time the placement of a child or group of children will exceed the home's licensed age range, gender, or capacity. The following considerations should be made when assessing a waiver on a facility's license:
  - a. The facility shall have adequate staff coverage at all times to provide for the services identified in the agency's statement of purpose.
  - b. The facility's staff to child ratio formula shall be appropriate to the facility's purpose and the types, ages, and functioning levels of the children in care. The staff to child ratio shall ensure the children's safety, protection and privacy, as well as that the physical, emotional and developmental needs are met. The staff to child ratio shall be at least:

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- i. One (1) direct care staff member or trained volunteer to six (6) children (1:6), when children 6 years of age or older are awake, and one (1) staff member to twelve (12) children (1:12) when children are sleeping; or
  - ii. Children under the age of 6, or children diagnosed as severely emotionally disturbed, profoundly retarded or physically handicapped children, shall be supervised by a staffing ratio of one (1) staff member to four (4) children (1:4) when children are present and awake and one to six (1:6) when children are sleeping.
- c. Contracted emergency shelters which accept male and female clients shall ensure that both male and female staff is on duty at all times.
2. In addition, the same considerations given to the other waiver types apply to facility waivers. The waiver form shall document why the facility is appropriate and what services/supervision will be provided to assure that the needs of all children in the facility are met.
3. Facility Waivers shall be approved prior to placement by NWFHN's Intake Placement UM Director and the DCF Northwest Region licensing designee.
4. A copy of the facility waiver will be provided to the facility and to the Department of Children and Families' Licensing Specialist.

## **N. Education Waivers.**

1. When a child in licensed care placement is in need of a placement change to another licensed care placement and the placement will result in a change of schools that is not a logical school change. (i.e., Elementary school to middle school, middle school to high school) an education waiver will be requested. The waiver will be approved by the NWFHN CEO or designee prior to the planned placement.
2. The Intake Placement Specialist will complete the Education Waiver School Stability Form with input from the primary DCM.
3. This policy would not apply to children whose placement is changing due to need for residential treatment or juvenile commitment program or their discharge from such programs, which may result in a change of placement.
4. A copy of the approved Education Waiver School Stability Form will be provided to the Well-being Specialist and will be tracked separately from waivers related to licensure.