

NWF Health Network Policy & Procedure

Series: 400: Child Welfare Services
Policy Name: Adoption Applicant Review Committee
Policy Number: 419
Origination Date: 03/09/2009 **Revised:** Board Meeting of 04/25/2024
Regulation: 65C-16, F.A.C.
CFOP 170-12
Adoption Process memo, January 26, 2024

Referenced Documents:

400-419 x1 CF-FSP 5448
400-419 x2 CF-FSP 5449
400-419 x3 Adoption Applicant Review Committee Recommendation Template

Check List

Policy

It is the policy of NWF Health Network (NWFHN) to establish, maintain, and manage the adoption applicant review committee staffing in accordance with 65C-16, F.A.C.

Procedure

A. Overview and Purpose

1. The Adoption Applicant Review Committee (AARC) will provide consultation and assistance to the adoptions provider on any child specific adoptive home study in which the Adoption Specialist and Adoption Supervisor are recommending a denial or adoption case situations that present challenging issues.
2. While the committee is available to review any challenging case, cases with the following issues must be referred to the committee in accordance with 65C-16 F.A.C. These situations include, but are not limited to:
 - (a) Health;
 - (b) Abuse History which reveals Verified or Not Substantiated which did not result in a disqualifying felony conviction as per 65C-16.005(9)(b)(3) F.A.C.
 - i. This section applies to child abuse, abandonment, and neglect record check findings for:
 1. An applicant, not household member;
 2. An applicant who was the alleged perpetrator or caregiver responsible in the investigation, not just mentioned in the report.
 - (c) Criminal History - An applicant or other household member was convicted of a law violation listed in Section 39.0138(4). F.S. within the last five years, the applicant cannot be considered for approval until 5 years after the date of the conviction. After the 5 years have passed, the applicant shall be referred to the Adoption Applicant Review Committee if the applicant submits a new Adoption Application CF-FSP-5071, incorporated in Rule 65C-16.004, F.A.C.. "65C-16.005(9)(b)(4). F.A.C.

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- i. An AARC is not required if the applicant was not convicted of a law violation listed in 39.0138(4), F.S. Adjudications withheld is not a conviction:.
 - ii. Section 65C-077(2)(c), F.A.C. provides, "If the criminal records check reveal that the applicant or a household member has been found guilty or entered a plea of guilty or nolo contendere for crimes other than those listed in Section 39.0138(3) or 39.0138(4). Referrals for these applicants for an AARC are not required but they must be submitted to the appropriate entity in the community-based care lead agency or designee for approval.
 1. The applicant shall be evaluated to the extent of their rehabilitation. Factors to consider are:
 - a. The severity of the action resulting in the record;
 - b. How much time has elapsed since the offense;
 - c. Circumstances surrounding the incident;
 - d. Do records indicate a pattern or a single incident
 - (d) Current or former foster parent with previous care or supervision concerns to include but not limited to a Corrective Action Plan (CAP);
 - (e) When multiple approved adoptive families have applied to adopt a child with whom they have a relationship.
3. If the need for an AARC exists and the applicant resides in another county of Jurisdiction or state, the area of jurisdiction is responsible for convening the AARC.

B. Adoption Applicant Review Committee (AARC)

1. The AARC committee shall consist of a minimum of five individuals. All committee members must:
 - a. Have completed the Department of Children and Families' (DCF's) approved Adoption Competency Training, and
 - b. Have no personal or current professional relationship with the children or the adoption applicant.
 - c. At least one representative must be from NWFHN. This NWFHN representative must have knowledge/experience in the area of adoption, will serve as the committee chair, and will have final decision-making authority.
 - d. At least one representative must be from DCF
 - e. At least one representative must be from the Adoption sub-contractor providing supervision. This representative may not directly supervise the adoption case manager requesting the AARC review.
2. Each committee member will receive training on his/her role as an AARC Committee member prior to serving on a committee.
3. Scheduling
 - a. All requests for an AARC review will be submitted in writing to the Committee Chair and adoption AARC members (*CR-FSP 5448 Form*) with supporting documentation no less than eight (8) business days before the AARC requested date. AARC Members are

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- responsible for reviewing the documentation prior to the staffing and requesting any additional information needed prior to the AARC staffing.
- b. The AARC will convene a minimum of two times a month. Additional days may be requested.
 - c. The AARC chair will review the documentation to ensure all required information has been provided as required on the AARC checklist, OP, Florida Administration Code, and CFOP prior to scheduling the AARC.
 - d. Once all required documentation has been received the AARC chair will schedule the AARC and provide copies to the committee members.
 - e. The AARC chair will provide the Adoption Provider requesting the AARC the information as to the date and time of the scheduled AARC.
 - f. The adoption provider is responsible for notifying the adoption applicant regarding the need for an AARC and their right to be present at the staffing no less than 7 business prior to the AARC convening.
 - g. The adoption case manager shall notify and encourage the following participants to attend the AARC and submit recommendation/summary at it relates to the applicants application to adopt: No documentation is to be forwarded to participants.
 - i. Dependency Case Manager(s)/Supervisors
 - ii. Guardian ad Litem
 - iii. Licensed Mental Health Counselor; and,
 - iv. Individuals who have been involved in the child's case.
 - v. For Out-of-County (OCS) and Interstate Compact for the Placement of Children (ICPC) cases, the adoption provider who has had ongoing involvement will be invited to participate.

C. AARC Review Materials, Reporting and Documentation

1. The following process will be used to streamline the AARC staffing process:
 - a. The adoption provider shall discuss the reason(s) for requesting the AARC with the applicant and include the applicant's feedback in section 1 of (*CR-FSP 5448 Form*). The "Request for Review by Adoption Applicant Review Committee (AARC)" (Request for Review)
 - b. When the AARC convenes, the Chair and committee members shall not read aloud and repeat the information already reviewed by the committee but may ask questions to clarify the information previously submitted.
 - c. Cases in which the applicant is identified as a household member, or cases in which the applicant was not convicted, will not be addressed in the staffing unless one of the committee members has a clarifying question based on their review.
 - d. Participants who wish to address the AARC will have the opportunity to speak individually. Once a participant has addressed the AARC members, they will then be dismissed from the meeting.
 - e. After the participants are asked to exit the meeting space to allow for additional discussion among the AARC members, each member must verbally advised of their recommendation,

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which shall be documented in the Florida Safe Families Network (FSFN)/Comprehensive Child Welfare Information System (CCWIS) by the Committee Chair.

- f. If the verbal recommendation of the committee members is to “approve” the applicant’s application, the Chair shall notify the applicant, the adoption provider, and the Guardian Ad Litem program, it assigned, the date the recommendation is verbally provided. The adoption provider will at the time of notification resume steps to complete the adoption process.
- g. AARC members must provide written recommendations (*CR-FSP 5449 Form*) “Adoption Applicant Review Committee Recommendation” to the AARC Chair within 5 business days of the completion of the AARC staffing.

D. AARC Review Materials, Reporting and Documentation

1. The Adoption Case Manager will provide the following documentation to AARC for review:
 - a. Initial adoption home study and most recent addendum to home study
 - b. Initial foster care licensing home study and most recent addendum (if the applicant was previously licensed, also provide the initial home study)
 - c. Foster parent corrective action Plans and referrals
 - d. Background Screenings (if background related)
 - e. Current Child Study
 - f. Comprehensive Behavioral Assessments
 - g. Termination order and most recent court order(s) that address placement and visitation; and,
 - h. Any medical, mental health, behavioral or educational assessment for the child
2. Each AARC member will complete the Adoption Applicant Review Committee Recommendation Form (which includes the recommendation for approval or denial.) (*CR-FSP 5449 Form*) .
3. The Committee Chair will prepare a written report summarizing the consensus of the committee and recommendations (see *Adoption Applicant Review Committee Recommendation Template*). The report will be submitted to and reviewed by all AARC committee members.
 - a. Recommended for Approval. If the recommendation is for approval:
 - i. The applicants will be notified the date of the verbal recommendation unless a denial is recommended.
 - ii. Committee Chair or designee will upload the AARC final report and supporting documentation in the meeting module in FSFN/CCWIS.
 - iii. The Committee Chair or designee will provide a written report of the recommendation of the AARC to the DCF Region Family Safety Program Office within ten days of the committee’s decision.
 - b. Recommended for Denial. If the recommendation is for denial:
 - i. The case documents and AARC report will be forwarded to the Region Family Safety Program Office within ten (10) days of the final report.

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- ii. DCF Regional Managing Director (RMD) shall provide the applicant written notification of the decision to deny the application within ten (10) days of receipt of the AARC report. The written notification must include the reason for denial, and must advise the applicant of their judicial option for review of the denial as described in the Administrative Procedures Act, Chapter 120, F.S.
 - iii. The RMD will provide copies of the written correspondence the AARC Committee Chair regarding the final decision of the approval or denial of the applicant within fifteen business days from the receipt of the recommendation.
 - iv. The Committee Chair or designee will upload the AARC final report and supporting documentation into the meeting module in FSFN.
4. When the final decision regarding the prospective adoptive determines the outcome of the adoption home study/adoption application, the adoption case manager will update the adoption home study to reflect the final decision.