

The Philadelphia Department of Human Services
Children and Youth Division
Procedural Guide

June 1, 2003

TO: All CYD Social Work Staff

**FROM: Wanda Mial, Chief Deputy Commissioner
John McGee, Operations Director**

**RE: Request for a Waiver of Regulation of the Number of Children in an
Approved Foster/ Kinship Caregiver Home**

EFFECTIVE IMMEDIATELY

The purpose of this Procedural Guide is to inform staff of the process to request a waiver of the state regulation that limits the number of children allowed in an approved foster/kinship caregiver home, and to specify the required information to be submitted to the Department of Public Welfare (DPW). Per state regulation 3700.3, only **six** children are permitted in a foster or kinship care home, including the caregivers own children. Prior approval from the DPW Regional Office in the form of a waiver is required before the DHS social worker can place a child in a kinship caregiver home if the total number of children will exceed six.

Kinship caregivers must meet all regulatory requirements stipulated in Chapter 3700, Foster Family Care of the Pennsylvania Code and CYD policy. Temporary approval may be granted for up to 60 days if a home does not meet all the required standards. A waiver of a particular requirement may be requested from the State if it does not threaten the child's health or safety. (CYD Policy Manual, Section 5204, "Kinship Caregiver Placements"). If the waiver is granted the caregiver is excused from meeting that particular requirement.

A request to place more than six children in a foster/kinship caregiver home is the only waiver that the DPW Regional Office can directly approve. Requests for a waiver of any other regulation are sent to the Regional Office for review and forwarded by them to the main state office in Harrisburg for approval.

Procedure:

- When conducting a kinship caregiver assessment, if the social worker determines that the child(ren) to be placed in the home would bring the total number to more than six, a request for a waiver of the regulatory limit must be requested prior to placement. The request is made by the DHS social worker, prior to submitting the material to CRU.
 - A request should be made **only** if the kinship caregiver meets the other requirements for kinship caregiver approval, including clearances and the home inspection (see CYD Policy Manual, Section 5204).
- The Regional Office requires specific information to consider when reviewing the request. This includes demographic information, a description of the foster parent/kinship caregiver duties beyond routine child care, why the family is the most appropriate available resource for the child and the projected length of time for more than six children to be with the foster family.

- The DHS social worker completes the **Request for a Waiver of the Regulatory Limit of Six Children in a Foster Family/Kinship Caregiver Home**. The waiver request must be signed by the supervisor, administrator and director.
- The DHS social worker **must include a copy of the signed Kinship Caregiver Assessment form, which documents the results of clearances, the home inspection and safety requirements.**
- The completed documents must be brought to:
 - Policy and Planning Support Center
 - Three Parkway Building (1601 Cherry St)
 - 9th Floor
- Policy and Planning will review the documents for completeness and forward them to:
 - Ms. Anne Shenberger, Director
 - Department of Public Welfare
 - Office of Children Youth and Families
 - Southeast Region Field Office
 - 502 State Office Building
 - 1400 Spring Garden Street
 - Philadelphia, Pa. 19130-4088
- A Regional Office field representative will be assigned to review the request and visit the kinship caregiver's home. If it is an urgent situation, the Regional Office will attempt to expedite their visit to the home.
- The Regional Office will send written notice of their decision to approve or reject the request.

Emergency Requests:

- With an emergency request, Policy and Planning will contact Ms. Sylvia Wright at the Regional Office (215-560-2249) or in her absence, another member of the Philadelphia unit.
- A copy of the waiver request form and Kinship Caregiver Assessment will be faxed directly to Ms. Wright (fax number 215- 560-6893), in addition to the original that is sent to Ms. Shenberger.
- The Regional Office will attempt to send one of their staff members to the home right away and can provide verbal consent. They will then send a follow-up letter.

Follow-up:

- In those cases in which the waiver is approved, once a foster care provider is assigned, the DHS social worker must notify Ms. Wright of the name of the provider agency so that OCYF can follow-up with the provider agency.
- If the waiver is **not** approved, **the children may not be placed or left in the home.**

Questions regarding this Procedural Transmittal or the policy it reflects may be addressed to:

Wesley M. Brown, Administrator	x4112
Susan Weinberg, Program Supervisor	x4116