



Arkansas Department of Human Services Division of Children and Family Services

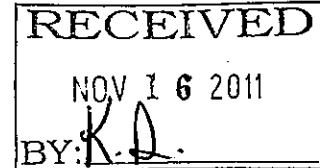
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November 16, 2011



Varnaria Vickers-Smith, Legislative Analyst
Senate Interim Children and Youth Committee and the
House Aging, Children and Youth, Legislative and Military Affairs Committee
Arkansas Bureau of Legislative Research
One Capital Mall, 5th Floor, Room R-516
Little Rock, AR 72201

RE: Initial Filing - Regular Promulgation

Dear Ms. Vickers-Smith:

Please place the Division of Children & Family Services on the Children & Youth Committee agenda for review of the Rules as listed on the Questionnaire. The public comment period is from November 16, 2011 to December 15, 2011, with an effective date of January 23, 2012.

Enclosed are copies of the Questionnaire, Summary of Changes, Financial Impact Statement and Rule.

If you have any questions or comments, please contact Christin Harper, Policy & Professional Development Administrator, Division of Children and Family Services, P.O. Box 1437, (Slot S570), Little Rock, Arkansas 72203-1437; phone 682-8541; email christin.harper@arkansas.gov or fax 682-6968.

Sincerely,

Handwritten signature of Cecile Blucker.
Cecile Blucker

Director, Division of Children and Family Services

NOTICE OF RULE MAKING

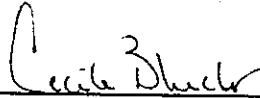
Pursuant to A.C.A. § 9-28-103, the Director, Division of Children and Family Services issues proposed changes to Policy and Publications. These include:

- Clarifications that child's board payment shall cover the cost of standard school supplies and that DCFS has discretion regarding determination of special board rates
- Revisions to procedures regarding Central Registry Name Removal Committee and notifications of severe maltreatment to Prosecuting Attorney to more closely align with state statute
- Updates to Child Protective Services Caretaker's Guide to comply with act passed during the 88th General Assembly, Regular Session 2011 and create CACD specific version

The proposed changes are available for review at the Division of Children and Family Services, Policy Unit, 5th floor Donaghey Plaza South, 7th and Main Streets, Little Rock, AR. 72203-1437. All comments must be submitted in writing to the Policy Unit no later than December 15, 2011. All the proposed changes may be viewed in their entirety at

<https://ardhs.sharepointsite.net/CW/Notice%20of%20Rule%20Making/Forms/AllItems.aspx>.

If you need this material in a different format, such as large print, contact our Americans with Disabilities Act Coordinator at 501- 682-8830 (Voice) or 501- 682-1442 (TDD). The Arkansas Department of Human Services is in compliance with Titles VI and VII of the Civil Rights Act and operates, manages and delivers services without regard to age, religion, disability, political affiliation, veteran status, sex, race, color or national origin.



Cecile Blucker

Director, Division of Children and Family Services

11/14/11

Date

DCFS SUMMARY OF CHANGES FOR NOVEMBER 2011 PROMULGATION

SUMMARY OF DCFS REGULAR PROMULGATION

The purpose of this regular promulgation is to make revisions to policy and publications in order to clarify that a child's board payment will cover the cost of standard school supplies and that DCFS has discretion regarding determination of special board rates; to align procedures regarding Central Registry Name Removal Committee and notifications of severe maltreatment to Prosecuting Attorney more closely with state statute; to update the Child Protective Services Caretaker's Guide to comply with act passed during the 88th General Assembly, Regular Session 2011 as well as to create a CACD specific version of this publication.

Revised Rule

- **POLICY V-C: FAMILY SUPPORT FUND**
 - Clarified that child's board payment shall cover the cost of standard school supplies.
- **POLICY VII-L: FINANCIAL SUPPORT TO FOSTER PARENTS**
 - Clarified that DCFS has discretion regarding determination of special board rates.
- **PROCEDURE II-D1: County Office Response to the Child Abuse Hotline for Assessments That Are the Responsibility of the Division**
 - Revised to align with A.C.A. § 12-18-504(b)(1) and allow DCFS to notify Prosecuting Attorney (PA) of severe maltreatment allegations within 5 business days unless PA provides written notice to Department that Department does not need to provide notification of initial child maltreatment report.
- **PROCEDURES XIII-A8-10: Child Maltreatment Central Registry Review Team and Removal Requests**
 - Added requirement that offender shall include state background check from offender's current state of residence and any state in which offender has resided in the preceding year free from child maltreatment-related offense for the preceding one year in order to be considered for removal from Child Maltreatment Central Registry.
 - Specified that documents proving participation in treatment, remediation, or rehabilitation programs must be related to the specific offense and that DCFS employees may not provide letters of reference.
 - Added voyeurism as type of child maltreatment for which Name Removal Committee may consider removing adult offender's name from Child Maltreatment Central Registry provided the individual has not had a subsequent true report of this type for one year and more than one year has passed since adult offender's name was placed on the Central Registry.
 - Inserted additional information pursuant to A.C.A. § 12-18-908 including clarification regarding removing a juvenile offender's name from Central Registry.
 - Updated formatting.
- **PUB-052 DCFS : Child Protective Services: A Caretaker's Guide**
 - Updated to comply with Child Maltreatment Act passed during the 88th General Assembly, Regular Session 2011 by adjusting age of juvenile offender from 10-17 to 13-17.
- **CFS-428-B: Adoption Assistance Agreement for Federal IV-E Funded Assistance**
 - Updated formatting to include existing special needs requirements for IV-E adoption assistance eligibility.

New Rule

- **PUB-052 CACD : Child Protective Services: A Caretaker's Guide**
 - Developed for CACD staff conducting child maltreatment investigations.

BUREAU OF LEGISLATIVE RESEARCH

DEPARTMENT OF HUMAN SERVICES
Division of Children and Family Services
AMENDING ADMINISTRATIVE REGULATIONS

TITLE:

Revised Rule

- POLICY V-C: FAMILY SUPPORT FUND
- POLICY VII-L: FINANCIAL SUPPORT TO FOSTER PARENTS
- PROCEDURE II-D1: County Office Response to the Child Abuse Hotline for Assessments That Are the Responsibility of the Division
- PROCEDURES XIII-A8-10: Child Maltreatment Central Registry Review Team and Removal Requests
- PUB-052 DCFS : Child Protective Services: A Caretaker's Guide
- CFS-428-B: Adoption Assistance Agreement for Federal IV-E Funded Assistance

New Rule

- PUB-052 CACD : Child Protective Services: A Caretaker's Guide

PROPOSED EFFECTIVE DATE:

January 23, 2012

STATUTORY AUTHORITY:

A.C.A. § 9-28-103

NECESSITY AND FUNCTION:

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Removal Committee may consider removing adult offender's name from Child Maltreatment Central Registry provided the individual has not had a subsequent true report of this type for one year and more than one year has passed since adult offender's name was placed on the Central Registry.

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 - Developed for CACD staff conducting child maltreatment investigations.

PAGES FILED:



Signature

Name: Cecile Blucker

Title: Director

Section: Division of Children and Family Services

Department of Human Services

PROMULGATION DATES:

November 16, 2011-December 15, 2011

CONTACT PERSON:

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