



**Arkansas Department of Human Services** **Exhibit H**  
**Division of Children and Family Services**

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December 14, 2011

**RECEIVED**

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BUREAU OF  
LEGISLATIVE RESEARCH

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, 5<sup>th</sup> 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 December 14, 2011 to January 12, 2012, with an effective date of February 20, 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](mailto:christin.harper@arkansas.gov) or fax 682-6968.

Sincerely,

  
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 to Policy VIII-L: Subsidized Guardianship regarding eligibility requirements and payment structure per Administration for Children and Families' request
- Additions of "school official" and "school" to Appendix I: Glossary
- Revised and new notification forms for juvenile offenders
- Revisions to Procedure XIV-A4: Notices of True Investigative Findings and Procedure XIV-A5: Notices of Unsubstantiated Allegations of Child Maltreatment to include references to revised and new notification forms for juvenile offenders
- Clarification on Adoption Assistance Agreement for State Funded Subsidies that agreement will remain in effect until the child's eighteenth (18<sup>th</sup>) birthday (as opposed to one year only)
- Questions added on form for In Home Consultation Visits to collect information on provisional placement date (if applicable) and applicant's training time preferences

The proposed changes are available for review at the Division of Children and Family Services, Policy Unit, 5<sup>th</sup> floor Donaghey Plaza South, 7<sup>th</sup> and Main Streets, Little Rock, AR. 72203-1437. All comments must be submitted in writing to the Policy Unit no later than January 12, 2012. 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

12/13/11

Date

# DCFS SUMMARY OF CHANGES FOR DECEMBER 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 eligibility requirements and payment structure for Subsidized Guardianship; to update the glossary by adding further explanation of the definitions of "school" and "school officials"; to adjust form numbers in order to improve overall categorization of forms; to develop juvenile notification forms to better align with A.C.A. § 12-18-703.

### Revised

- Policy VIII-L: Subsidized Guardianship
  - Clarified eligibility requirements and payment structure per the Administration of Children and Family's request
- Procedure XIV-A4: Notices of True Investigative Findings
  - Revised to include references to new and revised notification forms
- Procedure XIV-A5: Notices of Unsubstantiated Allegations of Child Maltreatment
  - Revised to include references to new and revised notification forms
- Appendix I: Glossary
  - Added further explanation of "school official" and definition of "school"
- CACD-222-T: Child Maltreatment True Investigative Determination Notice to Facility Director
  - Changed form number only (from CACD-223-T) to improve overall categorization and organization of forms
- CACD-223-T4: Child Maltreatment True Investigative Determination Notice to Alleged Juvenile Offender (if currently age 18 or older)
  - Changed from number (from CACD-224-T4) to improve overall categorization and organization of forms
  - Added specifications related to at what age offender committed maltreatment
- CACD-224-T1: Child Maltreatment True Investigative Determination Notice to Legal Parents and Legal Guardians of Underaged Juvenile Offender (under 13 years old)
  - Changed form number (from CACD-224-T2) to improve overall categorization and organization of forms
  - Added information that an administrative hearing may be requested even though child's name will not be placed on Central Registry
- CACD-224-T2: Child Maltreatment True Investigative Determination Notice to Legal Parents and Legal Guardians of Alleged Juvenile Offender 13 through 15 Years of Age
  - Changed form number (from CACD-224-T5) to improve overall categorization and organization of forms
  - Added explanation of administrative hearing process for juveniles who are criminally convicted or adjudicated delinquent based on the same set of facts in report (thereby creating only one form for any juvenile offender ages 13-15)
- CACD-224-T3: Child Maltreatment True Investigative Determination Notice to Legal Parents or Legal Guardians of the Alleged Juvenile Offender (16 through 17 Years of Age)
  - Changed form number (from CACD-224-T1) to improve overall categorization and organization of forms
  - Added information about possibility of a supportive services case or a protective services case being opened for the family
- CFS-222-T: Child Maltreatment True Investigative Determination Notice to Facility Director
  - Changed form number only (from CFS-223-T) to improve overall categorization and organization of forms
- CFS-223-T4: Child Maltreatment True Investigative Determination Notice to Alleged Juvenile Offender (if currently age 18 or older)
  - Changed from number (from CFS-224-T4) to improve overall categorization and organization of forms

## DCFS SUMMARY OF CHANGES FOR DECEMBER 2011 PROMULGATION

- Added specifications related to at what age offender committed maltreatment
- CFS-224-T1: Child Maltreatment True Investigative Determination Notice to Legal Parents and Legal Guardians of Underaged Juvenile Offender (under 13 years old)
  - Changed form number (from CFS-224-T2) to improve overall categorization and organization of forms
  - Added information that an administrative hearing may be requested even though child's name will not be placed on Central Registry
- CFS-224-T2: Child Maltreatment True Investigative Determination Notice to Legal Parents and Legal Guardians of Alleged Juvenile Offender 13 through 15 Years of Age
  - Changed form number (from CFS-224-T5) to improve overall categorization and organization of forms
  - Added explanation of administrative hearing process for juveniles who are criminally convicted or adjudicated delinquent based on the same set of facts in report (thereby creating only one form for any juvenile offender ages 13-15)
- CFS-224-T3: Child Maltreatment True Investigative Determination Notice to Legal Parents or Legal Guardians of the Alleged Juvenile Offender (16 through 17 Years of Age)
  - Changed form number (from CFS-224-T1) to improve overall categorization and organization of forms
  - Added information about possibility of a supportive services case or a protective services case being opened for the family
- CFS-224-T4: Child Maltreatment True Investigative Determination Notice to Current Foster Parents of the Alleged Offender in Foster Care
  - Changed form number only (from CFS-224-T3) to improve overall categorization and organization of forms
- CFS-428-A: Adoption Assistance Agreement for State Funded Subsidy Payments
  - Clarified that agreement will remain in effect until the child's eighteenth (18<sup>th</sup>) birthday (as opposed to one year only) unless termination of the Agreement occurs
- CFS-446: In Home Consultation Visit Report
  - Added information regarding date of provisional placement if applicable and questions regarding applicant's training time preference

### New Rule

All of the following forms were developed to better align with A.C.A. § 12-18-703:

- CACD-223-T1: Child Maltreatment True Investigative Determination Notice to Underaged Juvenile Offender (under 13 years old)
- CACD-223-T2: Child Maltreatment True Investigative Determination Notice to Alleged Juvenile Offender 13 - 15 Years of Age
- CACD-223-T3: Child Maltreatment True Investigative Determination Notice to Alleged Juvenile Offender 16-17 Years of Age
- CACD-240-U1: Unsubstantiated Child Maltreatment Investigative Determination to Alleged Underaged Juvenile Offender (Under 13 years old)
- CACD-240-U2: Unsubstantiated Child Maltreatment Investigative Determination to Alleged Juvenile Offender (13-17 years of age)
- CFS-223-T1: Child Maltreatment True Investigative Determination Notice to Underaged Juvenile Offender (under 13 years old)

## DCFS SUMMARY OF CHANGES FOR DECEMBER 2011 PROMULGATION

- CFS-223-T2: Child Maltreatment True Investigative Determination Notice to Alleged Juvenile Offender 13 - 15 Years of Age
- CFS-223-T3: Child Maltreatment True Investigative Determination Notice to Alleged Juvenile Offender 16-17 Years of Age
- CFS-240-U1: Unsubstantiated Child Maltreatment Investigative Determination to Alleged Underaged Juvenile Offender (Under 13 years old)
- CFS-240-U2: Unsubstantiated Child Maltreatment Investigative Determination to Alleged Juvenile Offender (13-17 years of age)

