

POLICY V-C: FAMILY SUPPORT FUND

01/2012

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The Division shall ensure that staff has prompt access to the Family Support Fund to support birth, adoptive, and foster families. The purpose of the fund shall be:

- A. To prevent children from entering or remaining in Out-of-Home Placement due to the parents' financial inability to meet the children's basic needs.
- B. To pay for Out-of-Home Placement incidental items that are outside of the contracting process and are not covered by board payments. Examples include school field trips, camping dues, dance supplies, musical instruments, registration fees, specialized school supplies (e.g. graphing calculators required by the school; standard school supplies shall be covered by personal needs monies within the board payment), sport fees or equipment, social club fees, summer programs, specialized art supplies, and school pictures.

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PROCEDURE V-C1: Cash Assistance

01/2010

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The Family Service Worker will:

- A. Complete the CFS-496: Assessment for Income Assistance to make a determination of the basic unmet needs and appropriateness of using the fund to address the need(s).
- B. Route the CFS-496 to the DCFS County Supervisor for review and approval.

The DCFS County Supervisor will:

- A. Monitor the county's allocation to ensure the county's funds are sufficient to meet client needs.
- B. Review and approve/deny requests.
- C. Maintain a log of approved requests, CFS-332: Income Assistance Request Log.
- D. Determine the payment mechanism through the DHS-1914: DHS Requisition. Payment will only be made to service providers.
- E. Ensure completion of process to develop the purchase order.
- F. Monitor activities to ensure payment to service providers and management of county funds.

PROCEDURE V-C2: Foster Care Incidentals

01/2010

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The Family Service Worker will:

- A. Assess and determine the needs of the child receiving Out-of-Home Placement Services and the appropriateness of using the fund to meet the assessed need.
- B. Request the use of the fund from the DCFS County Supervisor/Designee.
- C. Complete any additional paper work required by the method of payment chosen by the DCFS County Supervisor.
- D. Provide a receipt to the DCFS County Supervisor/Designee within two business days following the dating of the check. Attach the receipt to the CFS-333: Client Information Sheet. If the amount of the check exceeds the amount of the receipt, the balance must be returned to the DCFS County Supervisor/Designee immediately.

The DCFS County Supervisor/Designee will:

- A. Monitor the county's allocation to ensure the county's funds are sufficient to meet client needs.

B. Approve or deny the request.

C. For approved requests, the Supervisor will access the Family Support Fund in one of the following ways:

- 1) Trust Accounts - if available and ample for purchase. Fill out the CFS-334: Foster Care Authorization for Billing for amount of purchase and submit to finance.
- 2) Process - Purchase Order using the DHS-1914: DHS Requisition. Follow guidelines in the Purchase Order manual.

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POLICY VII-L: FINANCIAL SUPPORT TO FOSTER PARENTS

01/2012

Title IV-E foster care maintenance payments for a child in foster care may cover the costs of (and the cost of providing) food, clothing, shelter, daily supervision, school supplies, a child's personal incidentals, liability insurance with respect to the child, and reasonable travel to the child's home for visitation with family or other caretakers. Local travel associated with the preceding list of items is also an allowable expense.

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When a youth in foster care has a child who is placed in the same foster home or public/private child placement or child care agency, foster care maintenance payments made on behalf of the youth shall include and be limited to amounts that cover allowable cost (as defined above) for the child.

The Division shall review the amount of payment made for foster care maintenance every five years to assure continued appropriateness.

The Division shall provide foster parents with a monthly board payment as an aid to cover the items listed above for each child receiving out-of-home placement services. When foster parents are caring for a child with special needs and the child's needs cannot be met with the regular board payment, the Division may provide the foster parents with an additional payment to cover the extra expenses incurred. The amount of these higher, special board rates will be based on the nature and extent of the child's special needs. The amount of this additional monthly payment will not exceed \$460.00 above the standard board rate for the child's age group. However, if the child is SSI eligible, the rate may exceed the SSI rate by up to \$460.00 if approved by the DCFS Assistant Director of Community Services or designee.

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A special board rate is approved for a specific placement and need and will be periodically reviewed and adjusted. A change in placement will require a new request and review.

PROCEDURE VII-L1: Financial Support to Foster Parents

11/09

DCFS shall pay foster parents a monthly board rate according to the following chart; these rates are effective for board payments of November 2009 and after:

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Birth through 5 years	\$410.00 Monthly
Board and Care	350.00
Clothing	45.00
Personal Needs	15.00
6 through 11 years	\$440.00 Monthly
Board and Care	365.00
Clothing	50.00
School and Personal Needs	25.00
12 through 14 years	\$470.00 Monthly

Board and Care	380.00
Clothing	60.00
School and Personal Needs	30.00
15 through 17* years	\$500.00 Monthly
Board and Care	395.00
Clothing	70.00
School and Personal Needs	35.00

*Refer to Policy VIII-B for requirements to continue board payments for youth age 18-20 (board payments must end the day the youth elects to leave foster care or the end of the month of his 21st birthday).

PROCEDURE VII-L2: Requesting a Special Board Rate

11/09

The Family Service Worker will:

- A. Check documentation of the child's special need(s) and the additional activities required of the foster parents to meet the need(s).
- B. Complete the CFS-304: Justification of Special Board Rate by determining the level of care needed in each of the three need categories, and adding the three levels.
- C. Submit the request for a special board rate with documentation attached to the County Supervisor for review and recommendation.
- D. Once approved, review the continuing need for the request on a quarterly basis and, if appropriate, resubmit for reevaluation by the County Supervisor and the Area Director.

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The County Supervisor will:

- A. Review the request for completeness and appropriateness and recommend approval or disapproval within three working days of receipt.
- B. If approved, forward the request to the Area Director for review and approval or disapproval.
- C. If disapproved, forward the request with a recommendation for disapproval to the Area Director for review and action as appropriate.
- D. Once approved, review the continuing need for the request and, if appropriate, resubmit the request on a quarterly basis for reevaluation by the Area Director.
- E. Inform the foster parent in writing of the ultimate approval or disapproval of the request and the reason for that decision, noting that approval is only for 90 days and the documentation of continuing need must be reviewed quarterly.

The Area Director will:

- A. Receive requests from the County Supervisor.
- B. Review the request for completeness and appropriateness, consider the County Supervisor's recommendation and either approve or disapprove the request within three working days.
- C. Have the authority to approve all Special Board Rates up to \$960.00.
- D. Refer the request to the Foster Care Unit Manager for a second-party review if the Area Director cannot decide on approval or disapproval. Inform the requesting County Supervisor of the request's disposition and reasons for approval, disapproval, or referral to the Foster Care Unit Manager. A Special Board Rate becomes effective the day the Area Director or Assistant Director, as appropriate, approves it. Retroactive payments will be determined on a case-by-case basis and must be approved by the Assistant Director of Community Services.
- E. Once approved, assure that the special board rate is reevaluated on a quarterly basis for continued appropriateness.

- F. Maintain a file for each approved special board rate. The file should contain the requesting memo, supporting documentation, CFS-304: Justification of Special Board Rate, Notification of Approval memo, and a printout of the computer entry of the special board rate.
- G. Maintain a log of special board rate approvals including the following column headings: Child's Name, Case Number, County, Effective Date, Termination Date, Rate, and Reason.

The DCFS Assistant Director of Community Services will:

- A. Have the authority to approve or disapprove all Special Board Rates over \$960.00.
- B. Receive completed request packets for special board rates over \$960.00 from Area Directors.
- C. Check each request packet for completeness to include:
 - 1) A completed CFS-304: Justification for Special Board Rate.
 - 2) Clear and convincing documentation of any emotional, physical, and/or auxiliary problems the child has that may justify a special board rate.
 - 3) The Area Director's dated signature on the CFS-304 as evidence of his review.
 - 4) A Cover Memo from the Area Director to the Assistant Director that:
 - 5) Identifies the proposed subsidy as over \$960.00.
 - 6) Provides a justification for the proposed special subsidy, and
 - 7) Makes a recommendation regarding approval or disapproval.
- D. Review the request for appropriateness and consider the Area Director's recommendation.
- E. Refer the request to the Foster Care Unit Manager for technical assistance if desired.
- F. Reach a disposition regarding the request within three working days.
- G. Inform the requesting Area Director in writing of the request's disposition and reasons for approval or disapproval.

The Foster Care Manager will:

- A. Provide only technical assistance when requested regarding special board rates.
- B. Return the request to the Area Director or Assistant Director, as appropriate, for decision and action.

CHRIS Procedures

If the special board rate is approved for the initial entry date at the Provider placement service, the Family Service Worker will complete the Provider Recommendation screen in CHRIS. The FSW will:

- A. In the Payment Scale information grouping, select the **Child requires Special Rate** checkbox.
- B. Enter the total approved Special Board Rate monthly amount in the **Monthly Authorized Amount field**.
- C. Select the appropriate **Reason for Special Rate** pick list value of Special Board Rate Justification or Other.
- D. Enter a brief justification for the Special Board Rate in the **Explanation for Special Rate** text box. This is mandatory if Other is selected as the Reason for Special Rate.
- E. Click Add button
- F. Click Approval button to check the Request for Approval checkbox.

If the special board rate is approved after the initial entry date at the Provider placement service, the Family Service Worker will complete the Payment Scale screen in CHRIS. This can also be completed if the Special Board Rate was approved but was not entered on the Provider Recommendation screen as it should have been. The FSW will:

- A. Enter the End Date of the open Payment Scale (such as Normal or Clothing and Personal Allowance) and click Change button;
- B. Select the OK button to the following message:

382-This is the open placemen for this client. Please open a new Payment Scale or remove the End Date for the last Payment Scale.

C. Click Clear button to complete the following:

- Select the **Child requires Special Rate** checkbox.
- Select the appropriate **Reason for Special Rate** picklist value of Special Board Rate Justification or Other.
- Enter the total approved Special Board Rate monthly amount in the **Monthly Authorized Amount field**.
- Enter a brief justification for the Special Board Rate in the **Explanation for Special Rate** text. This is mandatory if 'Other' is selected as the Reason for Special Rate.
- Enter the start date of the approved Special Board Rate in the **Begin Date** field.
- Enter the Review Date if deemed necessary.

D. Click Add button

E. Click Approval button to check the Request for Approval checkbox.

The Special Board Rate Approvals are three-tier – FSW Requests, Supervisor Recommends, and Area Director Approves. The FSW Request portion was described in the procedures above. To complete this three-tier process, the following operations should occur:

A. Family Service Worker Supervisor will:

- 1) Highlight the Payment Scale Request for Approval in their Supervisor Approvals' Box and click Show button
- 2) Review information for accuracy and click Approval button to click Recommend checkbox
- 3) If information is not accurate, click Approval button to click Deny checkbox and enter Denial Reason. If denied, the denied Special Board Rate Payment Scale must be end dated and a new one entered.

B. Area Director will:

- 1) Highlight the Payment Scale Request for Approval in their Supervisor's Box and click Show button
- 2) Review information for accuracy and click Approval button to click Approve checkbox.
- 3) If information is not accurate, click Approval button to click Deny checkbox and enter Denial Reason. If denied, the denied Special Board Rate Payment Scale must be end dated and a new one entered.

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If the special board rate is approved, the Family Service Worker will complete the Payment Scale screen in CHRIS. The FSW will:¶
<#>Enter End Date of Standard Board Rate and click Change button; ¶
<#>Click Clear button to enter: ¶
<#>Click the **Child Requires Special Rate** checkbox¶
<#>Select 'Special Board Rate Justification' in the **Reason for Special Rate** picklist field¶
<#>Enter the approved Special Board Rate amount in the **Monthly Authorized Amount** numeric field¶
<#>Enter a brief justification for the Special Board Rate in the **Explanation for Special Board Rate** text field¶
<#>Enter the start date of the approved Special Board Rate in the **Begin Date** field. ¶
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 - Enter the start date of the approved Special Board Rate in the **Begin Date** field.
 - Enter the Review Date if deemed necessary.
- D. Click Add button
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- B. Area Director will:
- 1) Highlight the Payment Scale Request for Approval in their Supervisor's Box and click Show button
 - 2) Review information for accuracy and click Approval button to click Approve checkbox.
 - 3) If information is not accurate, click Approval button to click Deny checkbox and enter Denial Reason. If denied, the denied Special Board Rate Payment Scale must be end dated and a new one entered.

PROCEDURE II-D1: County Office Response to the Child Abuse Hotline for Assessments That Are the Responsibility of the Division

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The County Supervisor or designee will:

- A. Assign the report to a Family Service Worker(s) or a Unit Group who will conduct the assessment when a report is received in the CHRIS county in-box.
- B. Make entries on the "Inv. Notes" as the assessment is conducted.
- C. Consult with and advise the Family Service Worker as the assessment is conducted.

The FSW will:

- A. Begin the child maltreatment assessment immediately and no later than 24 hours after receipt of a report by the Hotline, if the allegation is severe maltreatment (Priority I), excluding an allegation of sexual abuse if the most recent allegation of sexual abuse was more than one year ago or the alleged victim does not currently have contact with the alleged offender; or the allegation is that a child has been subjected to neglect as defined by Garrett's Law § 12-18-103(13)(B).
- B. Begin all other child maltreatment assessments within 72 hours of receipt of a report by the Hotline.
- C. Make immediate telephone notification to law enforcement on Priority I reports (FSW also has the option to send CFS-201-A: Notice of Child Maltreatment Allegation to Law Enforcement and Prosecuting Attorney in addition to the telephone notification).
- D. Notify the Prosecuting Attorney of an allegation of severe maltreatment (Priority I) within 5 business days via CFS-201-A: Notice of Child Maltreatment Allegation to Law Enforcement and Prosecuting Attorney, unless the Prosecuting Attorney has provided written notice that the Division need not send notification of the initial maltreatment report.
- E. Consider the assessment initiated:
 - 1) By interviewing or observing, when appropriate, the alleged victim child outside the presence of the alleged offender; or,
 - 2) If after exercising and documenting due diligence, an interview or examination of the child could not be made. Due diligence includes, but is not limited to:
 - a. Making an unannounced visit to the child's home at least 3 times at different times of the day or on different days in an attempt to interview the child;
 - b. Contacting the reporter again if the reporter is known;
 - c. Visiting or contacting the child's school, child care facility, and all other places where the child is said to be located;
 - d. Sending a certified letter to the location given by the reporter, if attempts to locate the child have failed;
 - e. Contacting appropriate local Division of County Operations staff and requesting research of the AASIS and ANSWER systems and other files to obtain another address.
- F. Submit the record to the supervisor for approval of due diligence to locate and interview the child after all these efforts have been made.
- G. Make notifications to the appropriate parties according to Procedure XIV-A1. Begin entering the "Child Maltreatment Assessment" into the "Investigation" section of CHRIS.

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Discovery of New Victims and/or Allegations in an Ongoing Investigation

When during the course of an ongoing investigation, if the DCFS or CACD investigator discovers new victims or new allegations of child maltreatment, the following actions will be taken:

The FSW/CACD Investigator will:

- A. Call the Child Abuse Hotline to report the new allegation only under the following conditions:
 - 1) The existing allegation is a Priority II and the new allegation is a Priority I.
 - 2) The new allegation involves an alleged offender outside of the home.

Otherwise, any other new allegation(s) should be added to the investigator's existing report.

- B. Update the information in "Collected During Investigation" in the "Abuse/Neglect" screen in CHRIS.
- C. Update the "Abuse/Neglect" screen with the addition of the new allegations and/or new victims.
- D. When there is a new victim, change the role of the child from "non-victim" to "victim" in the "Role in Referral" in each child's "General Information" screen in CHRIS.
- E. Document the additional information and the date the update was made on the "Notes" screen in the investigation.

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- C. Consult with and advise the Family Service Worker as the assessment is conducted.

The FSW will:

- A. Begin the child maltreatment assessment immediately and no later than 24 hours after receipt of a report by the Hotline, if the allegation is severe maltreatment (Priority I), excluding an allegation of sexual abuse if the most recent allegation of sexual abuse was more than one year ago or the alleged victim does not currently have contact with the alleged offender; or the allegation is that a child has been subjected to neglect as defined by Garrett's Law § 12-18-103(13)(B).
- B. Begin all other child maltreatment assessments within 72 hours of receipt of a report by the Hotline.
- C. Make immediate telephone notification to law enforcement on Priority I reports (FSW also has the option to send CFS-201-A: Notice of Child Maltreatment Allegation to Law Enforcement and Prosecuting Attorney in addition to the telephone notification).
- D. Notify the Prosecuting Attorney of an allegation of severe maltreatment (Priority I) within 5 business days via CFS-201-A: Notice of Child Maltreatment Allegation to Law Enforcement and Prosecuting Attorney, unless the Prosecuting Attorney has provided written notice that the Division need not send notification of the initial maltreatment report.
- E. Consider the assessment initiated:
 - 1) By interviewing or observing, when appropriate, the alleged victim child outside the presence of the alleged offender; or,
 - 2) If after exercising and documenting due diligence, an interview or examination of the child could not be made. Due diligence includes, but is not limited to:
 - a. Making an unannounced visit to the child's home at least 3 times at different times of the day or on different days in an attempt to interview the child;
 - b. Contacting the reporter again if the reporter is known;
 - c. Visiting or contacting the child's school, child care facility, and all other places where the child is said to be located;
 - d. Sending a certified letter to the location given by the reporter, if attempts to locate the child have failed;
 - e. Contacting appropriate local Division of County Operations staff and requesting research of the AASIS and ANSWER systems and other files to obtain another address.
- F. Submit the record to the supervisor for approval of due diligence to locate and interview the child after all these efforts have been made.
- G. Make notifications to the appropriate parties according to Procedure XIV-A1. Begin entering the "Child Maltreatment Assessment" into the "Investigation" section of CHRIS.

Discovery of New Victims and/or Allegations in an Ongoing Investigation

When during the course of an ongoing investigation, if the DCFS or CACD investigator discovers new victims or new allegations of child maltreatment, the following actions will be taken:

The FSW/CACD Investigator will:

- A. Call the Child Abuse Hotline to report the new allegation only under the following conditions:
 - 1) The existing allegation is a Priority II and the new allegation is a Priority I.
 - 2) The new allegation involves an alleged offender outside of the home.

Otherwise, any other new allegation(s) should be added to the investigator's existing report.

- B. Update the information in "Collected During Investigation" in the "Abuse/Neglect" screen in CHRIS.
- C. Update the "Abuse/Neglect" screen with the addition of the new allegations and/or new victims.
- D. When there is a new victim, change the role of the child from "non-victim" to "victim" in the "Role in Referral" in each child's "General Information" screen in CHRIS.
- E. Document the additional information and the date the update was made on the "Notes" screen in the investigation.

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PROCEDURE XIII-A8: Child Maltreatment Central Registry Review Team

01/2012

If the offender's name is not eligible to be automatically removed from the Child Maltreatment Central as described in Procedure XIII-A7 above, the Child Maltreatment Central Registry Review Team shall review removal requests. The Child Maltreatment Central Registry Review Team shall operate as follows:

- A. The Director of DCFS will appoint the members of the Child Maltreatment Central Registry Review Team. The Review Team will be made up of DCFS central office and field staff, CACD and a representative from OCC. There should be five members with alternates in case of scheduling conflicts.
- B. The Review Team will select an alternating chairperson for each quarter.
- C. The Review Team will shall determine a regular meeting schedule for the review any requests that meet all criteria, but shall meet no less-frequently than on a quarterly basis.
- D. Review requests must be received 60 days in advance of the review meetings and all Review Team members will be provided with the case information 15 days prior to the review team meeting. All decisions will be by a majority vote of the team members.
- E. All team decisions will be in writing.
 1. Denials will be sent to the applicants by certified mail within 15 days of the review team meeting.
 2. Approvals will be sent to the applicants by regular mail within 15 days of the review team meeting.

PROCEDURE XIII-A9: Name Removal from Child Maltreatment Central Registry by an Adult Offender's Request

01/2012

REMOVAL CRITERIA

An adult offender is defined as a person age 18 years or older at the time of the act or omission that resulted in a true finding of child maltreatment.

If an adult offender has been entered into the Child Maltreatment Central Registry for the types of child maltreatment listed below, the adult offender may request that his or her name be removed from the Child Maltreatment Central Registry when:

- A. The individual has not had a subsequent true report of this type for one year; and,
- B. More than one year has passed since the adult offender's name was placed on the Child Maltreatment Central Registry, and,
- C. The individual was entered into the Child Maltreatment Central Registry for the following types of child maltreatment:
 - 1) Medical Neglect-Priority II
 - 2) Mental Injury-Priority I
 - 3) Medical Neglect of an Infant with Disabilities-Priority I
 - 4) Munchausen Syndrome by Proxy or Illness Falsification by Proxy-Priority II (Non-Serious Injury)
 - 5) Sprains /Dislocations-Priority II
 - 6) Striking a Child Age Seven or Older on the Face or Head -Priority II
 - 7) Striking a Child Age Six or Younger on the Face or Head -Priority I
 - 8) Throwing or Kicking a Child-Priority II (Non-Serious Injury)
 - 9) Abandonment-Priority I
 - 10) Cuts, Welts, or Bruises- Priority I or II
 - 11) Human Bites- Priority II
 - 12) Inadequate Supervision- Priority II
 - 13) Lock-Out- Priority II
 - 14) Substance Misuse- Priority II

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- 15) Sexual Contact-Priority I (Non-Coercive Contact between two juveniles and the victim was not under the age of 13)
- 16) Failure to Thrive-Priority I
- 17) Pornography/Live Sex Act Exposure-Priority I
- 18) Indecent Exposure-Priority I
- 19) Threat of Harm-Priority I
- 20) Failure to Protect-Priority I or II
- 21) Shaking a Child Age Four or Older-Priority I
- 22) Tying/Close Confinement – Priority II
- 23) Pinching or Striking a Child in the Genital Area - Priority II
- 24) Extreme or Repeated Cruelty to a Juvenile – Priority II
- 25) Voyeurism – Priority I

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(Arkansas Code Ann. § 12-18-908 allows these to be set at the discretion of the Director of the Department. However, these can only be changed through normal promulgation *after* a special review by the House Interim Committee on Aging, Children and Youth, Legislative and Military Affairs and the Senate Interim Committee on Children and Youth [Arkansas Code Ann. § 12-18-908].)

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However, in accordance with Arkansas Code Ann. § 12-18-908, if an adult offender is found guilty of, pleads guilty to, or pleads nolo contendere to an act that is the same act for which the offender is named in the Child Maltreatment Central Registry regardless of any subsequent expungement of the offense from the offender's criminal record, the offender shall always remain in the Child Maltreatment Central Registry unless the conviction is reversed or vacated.

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APPLICATION FORMAT FOR AN ADULT OFFENDER

An application for name removal from the Child Maltreatment Central Registry shall conform to the following:

- A. The adult offender will submit his request to the Director of DCFS via the CFS-328a: Request for Name Removal from the Child Maltreatment Central Registry, which shall:
 - 1) Outline the request and must mention the date and type of maltreatment, and the victim's name, as well as any other identifying information.
 - 2) Include an Arkansas Crime Information Center (ACIC) check free from child maltreatment-related offense for the preceding one year.
 - 3) Include a state background check from the offender's current state of residence and any state in which the offender has resided in the preceding year free from child maltreatment-related offense for the preceding one year.
 - 4) Include evidence of the offender's rehabilitation, including:
 - a. A personal letter from the offender describing his rehabilitation
 - b. Documents proving participation in treatment, remediation, or rehabilitation programs as related to the specific offense.
 - c. One to three letters of reference from professionals (not to include DCFS employees), employers, spiritual counselors, friends, or family describing the offender's rehabilitation
 - i. No more than one letter of reference can be submitted from a family member.
 - 5) The Child Maltreatment Central Registry Review Team, as described in Procedure XIII-A9, may select additional, non-child maltreatment-related offenses which prevent name-removal from the Child Maltreatment Central Registry.

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DETERMINATION OF NAME REMOVAL REQUEST BY AN ADULT OFFENDER

The Child Maltreatment Central Registry Review Team will consider requests for removal of names from the Registry. In determining whether or not to remove an offender from the Child Maltreatment Central Registry the Review Team shall consider any relevant evidence, which may include, but is not limited to the following:

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- A. The circumstances surrounding the maltreatment;
- B. The seriousness of the harm caused by the maltreatment to the child or children;
- C. The probability of the offender engaging in future maltreatment;

- D. Evidence of the offender's completion of training, rehabilitation, and efforts to learn effective strategies to care for children;
- E. And any other information that is relevant to the specific offense.

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If the child maltreatment type is in the removal-by-request category, and the adult offender has not had a subsequent true report of this type for one year and more than one year has passed since the offender's name was placed on the Child Maltreatment Central Registry, he will have a right to a review of the case.

If the Review Team denies the request-for-removal of the name from the Child Maltreatment Central Registry, the Review Team shall send a denial letter to the adult offender explaining the reason for denial as it relates to:

- A. The circumstances surrounding the maltreatment;
- B. The seriousness of the harm caused by the maltreatment to the child or children;
- C. The probability of the offender engaging in future maltreatment;
- D. Evidence of the offender's completion of training, rehabilitation, and efforts to learn effective strategies to care for children;
- E. And any other information that is relevant to the specific offense.

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~~The adult offender shall wait one year from the date of the request for removal before filing a new petition with the Division requesting the offender's name be removed from the Child Maltreatment Central Registry. However, if the Review Team needs additional information from the adult offender in order to make the determination as to whether to remove his or her name from the Child Maltreatment Central Registry, the Review Team may request that the adult offender provide the additional information without requiring the adult offender to wait an additional year to file a new petition. The Review Team shall inform the adult offender in writing of the specific additional information requested. The adult offender shall have ten (10) calendar days from the date of the request to submit the requested additional information. If the request is sent via mail, the adult offender shall be given an additional three (3) calendar days to submit the information. If the requested information is not submitted within the specified timeframe, then the adult offender shall wait one year from the date of the request to file a new petition requesting his or her name be removed from the Child Maltreatment Central Registry.~~

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 <#>The Director of DCFS will appoint the members of the Child Maltreatment Central Registry Review Team. The Review Team will be made up of DCFS central office and field staff, CACD and a representative from OCC. There should be five members with alternates in case of scheduling conflicts.¶
 <#>The Review Team will select an alternating chairperson for each quarter.¶
 <#>The Review Team will shall determine a regular meeting schedule for the review any requests that meet all criteria, but shall meet no less-frequently than on a quarterly basis.¶
 <#>Review requests must be received 60 days in advance of the review meeting, and all Review Team members will be provided with the case information 15 days prior to the review team meeting. All decisions will be by a vote of the team members.¶
 <#>All team decisions will be in writing and be sent to the applicants by certified mail within 15 days of the review team meeting. All approved decisions will be submitted via the CFS-327: Notification of Name Removal from the Child Maltreatment Central Registry.¶

If the Review Team denies the request-for-removal of the name from the Child Maltreatment Central Registry, the adult offender may request an administrative hearing within 30 days from the receipt of the Division's decision.

PROCEDURE XIII-A10: Name Removal from Child Maltreatment Central Registry for a Juvenile Offender

01/2012

REMOVAL CRITERIA

Pursuant to A.C.A. § 12-18-908, the name of an offender who was a juvenile at the time of the offense shall not be removed from the Child Maltreatment Central Registry if the offender was found guilty of, pleaded guilty to, or pleaded nolo contendere to a felony in circuit court as an adult for the act that is the same act for which the offender is named in the Child Maltreatment Central Registry unless the conviction is reversed or vacated.

However, the name of an offender who was a juvenile at the time of the offense shall be removed from the Child Maltreatment Central Registry, as provided by A.C.A. § 12-18-908, when:

- A. The juvenile has reached the age of 18 or more than one year has passed from the date of the act or omission that caused the true finding of child maltreatment and there have been no subsequent acts or omissions resulting in a true finding of child maltreatment; and,
- B. The juvenile offender can prove by a preponderance of the evidence that he/she has been rehabilitated.

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An application for name removal from the Child Maltreatment Central Registry shall conform to the following:

- A. The juvenile offender will submit his request to the Director of DCFS via the CFS-328a: Request for Name Removal from the Child Maltreatment Central Registry, which shall:
- 1) Outline the request and must mention the date and type of maltreatment, and the victim's name, as well as any other identifying information.
 - 2) Include an Arkansas Crime Information Center (ACIC) check free from child maltreatment-related offense for the preceding one year.
 - 3) Include a state background check from the offender's current state of residence and any state in which the offender has resided in the preceding year free from child maltreatment-related offense for the preceding one year.
 - 4) Evidence of the offender's rehabilitation, which may include:
 - a. A personal letter from the offender describing his rehabilitation;
 - b. Documents proving participation in treatment, remediation, or rehabilitation programs;
 - c. One to three letter of reference from professionals (not to include DCFS employees), employers, spiritual counselors, friends, or family describing the offender's rehabilitation.

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DETERMINATION OF NAME REMOVAL REQUEST BY A JUVENILE OFFENDER

The Child Maltreatment Central Registry Review Team will consider requests for removal of names from the Registry. In determining whether or not to remove a juvenile offender's name from the Child Maltreatment Central Registry, the Review Team shall consider the following:

- A. Whether the criminal history reveals any convictions as an adult for the same act for which the offender is named in the registry; and,
- B. Whether the juvenile offender has reached the age of eighteen (18); or one year has passed from the date of the act or omission that caused the true finding of child maltreatment; and,
- C. There have been no subsequent acts or omissions resulting in a true finding of child maltreatment; and,
- D. The information submitted proves, by a preponderance of the evidence, that the juvenile offender has been rehabilitated.

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The probability of the offender engaging in future maltreatment¶
Evidence of the offender's completion of training, rehabilitation, and efforts to learn effective strategies to care for children¶

¶ If the child maltreatment type is in the removal-by-request category, and the juvenile offender has not had a subsequent true report of this type for one year and more than one year has passed from the date of the act or omission that caused the true finding of child maltreatment, he will have a right to a review of the case. ¶

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If the Review Team denies the request-for-removal of the name from the Child Maltreatment Central Registry, the Review Team shall send a denial letter to the juvenile offender explaining the reason for denial. The juvenile offender shall wait one year from the date of the request for removal before filing a new petition with the Division requesting the offender's name be removed from the Child Maltreatment Central Registry. If the Review Team denies the request-for-removal of the name from the Child Maltreatment Central Registry, the juvenile offender may request an administrative hearing within 30 days from the receipt of the division's decision.

However, if the Review Team needs additional information from the juvenile offender in order to make the determination as to whether to remove his or her name from the Child Maltreatment Central Registry, the Review Team may request that the juvenile offender provide the additional information without requiring the juvenile offender to wait an additional year to file a new petition. The Review Team shall inform the juvenile offender in writing of the specific additional information requested. The juvenile offender shall have ten (10) calendar days from the date of the request to submit the requested additional information. If the request is sent via email, the juvenile offender shall be given an additional three (3) calendar days to submit the information. If the requested information is not submitted within the specified timeframe, then the juvenile offender shall wait one year from the date of the request to file a new petition requesting his or her name be removed from the Child Maltreatment Central Registry.

PROCEDURE XIII-A8: Child Maltreatment Central Registry Review Team

01/2012

If the offender's name is not eligible to be automatically removed from the Child Maltreatment Central as described in Procedure XIII-A7 above, the Child Maltreatment Central Registry Review Team shall review removal requests. The Child Maltreatment Central Registry Review Team shall operate as follows:

- A. The Director of DCFS will appoint the members of the Child Maltreatment Central Registry Review Team. The Review Team will be made up of DCFS central office and field staff, CACD and a representative from OCC. There should be five members with alternates in case of scheduling conflicts.
- B. The Review Team will select an alternating chairperson for each quarter.
- C. The Review Team will shall determine a regular meeting schedule for the review any requests that meet all criteria, but shall meet no less-frequently than on a quarterly basis.
- D. Review requests must be received 60 days in advance of the review meeting, and all Review Team members will be provided with the case information 15 days prior to the review team meeting. All decisions will be by a majority vote of the team members.
- E. All team decisions will be in writing.
 - 1) Denials will be sent to the applicants by certified mail within 15 days of the review team meeting.
 - 2) Approvals will be sent to the applicants by regular mail within 15 days of the review team meeting.

PROCEDURE XIII-A9: Name Removal from Child Maltreatment Central Registry by an Adult Offender's Request

01/2012

REMOVAL CRITERIA

An adult offender is defined as a person age 18 years or older at the time of the act or omission that resulted in a true finding of child maltreatment.

If an adult offender has been entered into the Child Maltreatment Central Registry for the types of child maltreatment listed below, the adult offender may request that his or her name be removed from the Child Maltreatment Central Registry when:

- A. The individual has not had a subsequent true report of this type for one year; and,
- B. More than one year has passed since the adult offender's name was placed on the Child Maltreatment Central Registry; and,
- C. The individual was entered into the Child Maltreatment Central Registry for the following types of child maltreatment:
 - 1) Medical Neglect-Priority II
 - 2) Mental Injury-Priority I
 - 3) Medical Neglect of an Infant with Disabilities-Priority I
 - 4) Munchausen Syndrome by Proxy or Illness Falsification by Proxy-Priority II (Non-Serious Injury)
 - 5) Sprains /Dislocations-Priority II
 - 6) Striking a Child Age Seven or Older on the Face or Head -Priority II
 - 7) Striking a Child Age Six or Younger on the Face or Head -Priority I
 - 8) Throwing or Kicking a Child-Priority II (Non-Serious Injury)
 - 9) Abandonment-Priority I
 - 10) Cuts, Welts, or Bruises- Priority I or II
 - 11) Human Bites- Priority II
 - 12) Inadequate Supervision- Priority II
 - 13) Lock-Out- Priority II
 - 14) Substance Misuse- Priority II

- 15) Sexual Contact-Priority I (Non-Coercive Contact between two juveniles and the victim was not under the age of 13)
- 16) Failure to Thrive-Priority I
- 17) Pornography/Live Sex Act Exposure-Priority I
- 18) Indecent Exposure-Priority I
- 19) Threat of Harm-Priority I
- 20) Failure to Protect-Priority I or II
- 21) Shaking a Child Age Four or Older-Priority I
- 22) Tying/Close Confinement – Priority II
- 23) Pinching or Striking a Child in the Genital Area - Priority II
- 24) Extreme or Repeated Cruelty to a Juvenile – Priority II
- 25) Voyeurism – Priority I

(Arkansas Code Ann. § 12-18-908 allows these to be set at the discretion of the Director of the Department. However, these can only be changed through normal promulgation *after* a special review by the House Interim Committee on Aging, Children and Youth, Legislative and Military Affairs and the Senate Interim Committee on Children and Youth [Arkansas Code Ann. § 12-18-908].)

However, in accordance with Arkansas Code Ann. § 12-18-908, if an adult offender is found guilty of, pleads guilty to, or pleads nolo contendere to an act that is the same act for which the offender is named in the Child Maltreatment Central Registry regardless of any subsequent expungement of the offense from the offender's criminal record, the offender shall always remain in the Child Maltreatment Central Registry unless the conviction is reversed or vacated.

APPLICATION FORMAT FOR AN ADULT OFFENDER

An application for name removal from the Child Maltreatment Central Registry shall conform to the following:

- A. The adult offender will submit his request to the Director of DCFS via the CFS-328a: Request for Name Removal from the Child Maltreatment Central Registry, which shall:
 - 1) Outline the request and must mention the date and type of maltreatment, and the victim's name, as well as any other identifying information;
 - 2) Include an Arkansas Crime Information Center (ACIC) check free from child maltreatment-related offense for the preceding one year;
 - 3) Include a state background check from the offender's current state of residence and any state in which the offender has resided in the preceding year free from child maltreatment-related offense for the preceding one year;
 - 4) Include evidence of the offender's rehabilitation, including:
 - a. A personal letter from the offender describing his rehabilitation
 - b. Documents proving participation in treatment, remediation, or rehabilitation programs as related to the specific offense.
 - c. One to three letters of reference from professionals (not to include DCFS employees); employers, spiritual counselors; friends, or family describing the offender's rehabilitation
 - i. No more than one letter of reference can be submitted from a family member.
 - 5) The Child Maltreatment Central Registry Review Team, as described in Procedure XIII-A9, may select additional, non-child maltreatment-related offenses which prevent name-removal from the Child Maltreatment Central Registry.

DETERMINATION OF NAME REMOVAL REQUEST BY AN ADULT OFFENDER

The Child Maltreatment Central Registry Review Team will consider requests for removal of names from the Registry. In determining whether or not to remove an offender from the Child Maltreatment Central Registry the Review Team shall consider any relevant evidence, which may include, but is not limited to the following:

- A. The circumstances surrounding the maltreatment;
- B. The seriousness of the harm caused by the maltreatment to the child or children;
- C. The probability of the offender engaging in future maltreatment;

- D. Evidence of the offender's completion of training, rehabilitation, and efforts to learn effective strategies to care for children;
- E. And any other information that is relevant to the specific offense.

If the child maltreatment type is in the removal-by-request category, and the adult offender has not had a subsequent true report of this type for one year and more than one year has passed since the offender's name was placed on the Child Maltreatment Central Registry, he will have a right to a review of the case.

If the Review Team denies the request-for-removal of the name from the Child Maltreatment Central Registry, the Review Team shall send a denial letter to the adult offender explaining the reason for denial as it relates to:

- A. The circumstances surrounding the maltreatment;
- B. The seriousness of the harm caused by the maltreatment to the child or children;
- C. The probability of the offender engaging in future maltreatment;
- D. Evidence of the offender's completion of training, rehabilitation, and efforts to learn effective strategies to care for children;
- E. And any other information that is relevant to the specific offense.

The adult offender shall wait one year from the date of the request for removal before filing a new petition with the Division requesting the offender's name be removed from the Child Maltreatment Central Registry. However, if the Review Team needs additional information from the adult offender in order to make the determination as to whether to remove his or her name from the Child Maltreatment Central Registry, the Review Team may request that the adult offender provide the additional information without requiring the adult offender to wait an additional year to file a new petition. The Review Team shall inform the adult offender in writing of the specific additional information requested. The adult offender shall have ten (10) calendar days from the date of the request to submit the requested additional information. If the request is sent via mail, the adult offender shall be given an additional three (3) calendar days to submit the information. If the requested information is not submitted within the specified timeframe, then the adult offender shall wait one year from the date of the request to file a new petition requesting his or her name be removed from the Child Maltreatment Central Registry.

If the Review Team denies the request-for-removal of the name from the Child Maltreatment Central Registry, the adult offender may request an administrative hearing within 30 days from the receipt of the Division's decision.

PROCEDURE XIII-A10: Name Removal from Child Maltreatment Central Registry for a Juvenile Offender

01/2012

REMOVAL CRITERIA

Pursuant to A.C.A. § 12-18-908, the name of an offender who was a juvenile at the time of the offense shall not be removed from the Child Maltreatment Central Registry if the offender was found guilty of, pleaded guilty to, or pleaded nolo contendere to a felony in circuit court as an adult for the act that is the same act for which the offender is named in the Child Maltreatment Central Registry unless the conviction is reversed or vacated.

However, the name of an offender who was a juvenile at the time of the offense shall be removed from the Child Maltreatment Central Registry, as provided by A.C.A. § 12-18-908, when:

- A. The juvenile has reached the age of 18 or more than one year has passed from the date of the act or omission that caused the true finding of child maltreatment and there have been no subsequent acts or omissions resulting in a true finding of child maltreatment; and,
- B. The juvenile offender can prove by a preponderance of the evidence that he/she has been rehabilitated.

APPLICATION FORMAT FOR A JUVENILE OFFENDER

An application for name removal from the Child Maltreatment Central Registry shall conform to the following:

- A. The juvenile offender will submit his request to the Director of DCFS via the CFS-328a: Request for Name Removal from the Child Maltreatment Central Registry, which shall:
 - 1) Outline the request and must mention the date and type of maltreatment, and the victim's name, as well as any other identifying information.
 - 2) Include an Arkansas Crime Information Center (ACIC) check free from child maltreatment-related offense for the preceding one year.
 - 3) Include a state background check from the offender's current state of residence and any state in which the offender has resided in the preceding year free from child maltreatment-related offense for the preceding one year.
 - 4) Evidence of the offender's rehabilitation, which may include:
 - a. A personal letter from the offender describing his rehabilitation;
 - b. Documents proving participation in treatment, remediation, or rehabilitation programs;
 - c. One to three letter of reference from professionals (not to include DCFS employees), employers, spiritual counselors, friends, or family describing the offender's rehabilitation.

DETERMINATION OF NAME REMOVAL REQUEST BY A JUVENILE OFFENDER

The Child Maltreatment Central Registry Review Team will consider requests for removal of names from the Registry. In determining whether or not to remove a juvenile offender's name from the Child Maltreatment Central Registry, the Review Team shall consider the following:

- A. Whether the criminal history reveals any convictions as an adult for the same act for which the offender is named in the registry; and,
- B. Whether the juvenile offender has reached the age of eighteen (18); or, one year has passed from the date of the act or omission that caused the true finding of child maltreatment; and,
- C. There have been no subsequent acts or omissions resulting in a true finding of child maltreatment; and,
- D. The information submitted proves, by a preponderance of the evidence, that the juvenile offender has been rehabilitated.

If the Review Team denies the request-for-removal of the name from the Child Maltreatment Central Registry, the Review Team shall send a denial letter to the juvenile offender explaining the reason for denial. The juvenile offender shall wait one year from the date of the request for removal before filing a new petition with the Division requesting the offender's name be removed from the Child Maltreatment Central Registry. If the Review Team denies the request-for-removal of the name from the Child Maltreatment Central Registry, the juvenile offender may request an administrative hearing within 30 days from the receipt of the division's decision.

However, if the Review Team needs additional information from the juvenile offender in order to make the determination as to whether to remove his or her name from the Child Maltreatment Central Registry, the Review Team may request that the juvenile offender provide the additional information without requiring the juvenile offender to wait an additional year to file a new petition. The Review Team shall inform the juvenile offender in writing of the specific additional information requested. The juvenile offender shall have ten (10) calendar days from the date of the request to submit the requested additional information. If the request is sent via email, the juvenile offender shall be given an additional three (3) calendar days to submit the information. If the requested information is not submitted within the specified timeframe, then the juvenile offender shall wait one year from the date of the request to file a new petition requesting his or her name be removed from the Child Maltreatment Central Registry.

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**CHILD
PROTECTIVE
SERVICES**

**A
Caretaker's
Guide**

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ARKANSAS DEPARTMENT
of
HUMAN SERVICES
Division of Children and Family Services
in partnership with the Arkansas State Police
Crimes Against Children Division

What is child maltreatment?

Child maltreatment means abuse, neglect, or abandonment of a child by the caretaker (a parent, guardian, custodian, or foster parent). The caretaker may be anyone who is 13 years of age or older and entrusted with the care of the child. Child maltreatment occurs when the caretaker harms the child, lets harm come to the child, or fails to meet the child's basic needs. Child maltreatment also includes sexual abuse and exploitation of a child whether by a caretaker or by another person.

Who reports child maltreatment?

Anyone who suspects child maltreatment may make a report. Some people (for example, doctors, teachers, and school counselors) are required by law to report suspected child maltreatment.

What happens when there is a report of child maltreatment?

When the Child Abuse Hotline accepts a report of suspected child maltreatment, Arkansas law says that the Division of Children and Family Services (DCFS) or the Arkansas State Police Crimes Against Children Division (CACD) will investigate the report. Generally, CACD will investigate severe maltreatment allegations, referred to as Priority I allegations, but DCFS may help provide services to families involved in these cases if appropriate. DCFS will generally investigate less severe maltreatment allegations that are referred to as Priority II allegations and also provide services to families involved in Priority II cases if appropriate.

What happens if the report is true?

DCFS and/or CACD will work with you to make sure that children in your care are protected and their basic needs met. If you do not protect the children in your care, court action may be taken and your children could be removed from your home, if you are

named as an offender in a true investigative determination, you will be provided notice and have the opportunity to appeal the investigative determination before your name is placed in the Central Registry. A true report may be released only if: (1) the offender has failed to request an administrative hearing within thirty (30) days of receiving notification of the investigative finding; or, (2) a hearing has been held and the judge decides that investigative findings of true should remain as a true finding.

Under certain situations, your name can be removed from the Central Registry. Please contact your local DCFS County Office for more information. If there is a true finding of sexual abuse, but the offender is under 13 years old (Underage Juvenile Offender), his or her name will not be added to the Central Registry.

What if the report is unsubstantiated (not true)?

If you are the subject* of a report, you may request a copy of the report. See "Obtaining a Copy of the Report" below. Hard copy records of unsubstantiated reports are destroyed at the end of the month in which the determination is made. Therefore, requests for unsubstantiated reports must be made before the record is destroyed if a complete copy of the record is wanted. Information contained in the automated database will continue to be available to authorized recipients even after the hard copy is destroyed. The Division will not release any information regarding a pending child maltreatment report to you, if requested. DCFS can tell the court and the prosecuting attorney about the report.

How can you obtain a copy of the report?

DCFS will tell you in writing. You will not be told who made the report. If you are the subject* of the report, send a written,

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notarized request to get a copy of your report. The written request must give your name and address and the name of the child(ren) involved.

If you are a parent requesting a copy of a child maltreatment report on your child(ren), and you are **NOT** a subject* of the report, your request must include a statement attesting to your legal relationship to the child(ren).

The request for a copy of a report must be accompanied by a check or money order made payable to the Department of Human Services (DHS) in the amount of ten dollars (\$10.00).

Thank you for taking the time to review this important information.

Family Service Worker Signature Phone

or

CACD Investigator Signature Phone

* A subject of the report includes the offender, the victim child and the victim child's parents (custodial and non-custodial), guardians or legal custodians.

Where do I send the request?

You should send the written, notarized request to:

Arkansas Department of Human Services
Division of Children and Family Services
Central Registry Unit
P.O. Box 1437, (Slot 5566)
Little Rock, Arkansas 72203-1437

If I have more questions, where can I get the answers?

Call your own attorney or Legal Services in your community, if you have any legal questions.

Call your local DHS county office if you have questions about available services.

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Family Service Worker

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This information is available in different formats such as: large print, audiotape, etc. If you need another format, contact the Division's ADA Coordinator at 682-8760 or TDD 682-1442.

**CHILD
PROTECTIVE
SERVICES**

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ARKANSAS DEPARTMENT OF HUMAN SERVICES
DIVISION OF CHILDREN AND FAMILY SERVICES

Adoption Assistance Agreement For Federal IV-E Funded Assistance

The following Agreement has been entered into by and between:
Arkansas Department of Human Services, Division of Children and Family Services, P.O. Box 1437, Little Rock, Arkansas 72203

(Adoptive/Adopting Parent's or Parents' Full Names)
(Address) (Telephone #)

Hereafter called the "adoptive parent(s)," for the purpose of facilitating the legal adoption of and:

(Child's Full Adoptive Name) (Social Security Number) (Date of Birth)

to aid the adoptive family in providing proper care for this child, hereafter referred to as "the child" in this Agreement.

This document is the:

[] Initial Agreement: The prospective adoptive parent(s) agree(s) that he/she intends to adopt the child and has signed this document prior to finalization of the adoption for the purposes of receiving adoption assistance payments and/or services for the child under Titles XIX and XX from the time of placement.

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Reason/Special Needs (select all that apply):

- [] Serious Physical/Mental/Emotional Condition [] Race
[] Child at Risk of Serious Physical/Mental/Emotional Condition [x] Member of a Sibling Group
[] Age [] Other (Specify)

This Agreement will be effective UPON FINALIZATION and remain in effect until the child's eighteenth (18th) birthday, or unless termination of the Agreement occurs as a result of one or more conditions set forth in Section IV (Termination) of this Agreement.

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(Date of Finalization)

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[] Amended Agreement: This is an amendment of the Adoption Assistance Agreement for the child adopted on (Date)

This Agreement will be effective Date and remain in effect until Date

PROVISIONS OF AGREEMENT

I. Assistance

A. Monthly Cash Payment: Yes [x] No []

\$ For months and \$ For months

Yearly Total \$

The amount of this monthly cash payment (adoption assistance) is based on the needs of the child and the circumstances of the adoptive parent(s) and has been determined by mutual Agreement between the adoptive parent(s) and the Division. The amount of the payment cannot exceed the foster care maintenance payment for the child if he/she were in a foster family home in the State of Arkansas. Adjustments in cash assistance payment may be made with the concurrence of the adoptive parent(s) based upon changes in the needs of the child, changes in the circumstances of the adoptive family, or changes in the maximum allowable adoption assistance payment. Documentation of changes in the child's needs or family's circumstances may be required.

Subsidy Note:

Children at high risk for the development of a serious physical, mental, or emotional condition may be considered special needs if documentation of the risk is provided by a medical professional specializing in the area of the condition for which the child is considered at risk, but no subsidy payment will be made without documentation that the child has developed the actual condition.

B. Medical Care

1. Medical benefits as provided under Title XIX of the Social Security Act (Medicaid) will be available to the child in accordance with the procedure of the State in which the child resides.
2. Medical payments will be provided by the State of Arkansas for (specify condition, illness, treatment, etc.)

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if not provided by Title XIX, regardless of the State in which the child lives.

Total cost of treatment \$ _____

3. Procedures for meeting cost of medical care, including consideration of family's health insurance [Arkansas Act 99 of 1987 requires insurers to cover adoptive children from the date of the filing of the petition if the petition is filed within 60 days of the child's birth].

C. Social Services

1. Social Services as provided under Title XX of the Social Security Act will be available to the child in accordance with the procedures of the State in which the child resides.
2. Social Services will be provided by the State of Arkansas, if not provided by Title XX, regardless of the State in which the child resides.
3. How to access Title XX services: **Contact your local Department of Human Services county office.**

D. Procedures to be followed when moving from the State of Arkansas.

Adoptive parents must follow these procedures in order to receive adoption assistance medical care and social services when moving to or living in a state other than Arkansas. (Arkansas is a member of the Interstate Compact on Adoption and Medical Assistance.)

Medical Care -

1. At least ten (10) days prior to the planned move the adoptive family should contact their Adoption Specialist.
2. Upon arrival in the new resident state contact the local state Medicaid office to surrender the Medicaid card issued by the State of Arkansas and make application for Medicaid in the new resident state. Take a copy of this Agreement with you.

Social Services -

1. Contact the state agency responsible for the provision of social services in your new resident state. Take a copy of this Agreement with you.

II. Notification of Change

- A. The adoptive parent(s) will notify the Division, in writing, within five (5) days if parent(s) is/are no longer legally responsible for the support of the child or is/are no longer supporting the child. A written statement is required.
- B. The amount of the subsidy may be adjusted automatically due to increases in age of the child. These are system-generated adjustments and no notice will be sent.
- C. Adoptive parent(s) will notify the Division of changes of address at least ten (10) days prior to the move.

III. Certification of Adoption Subsidy Eligibility

For federally funded subsidies, verification of circumstances to continue the subsidy must be documented annually. The Adoption Specialist will have annual face-to-face contact with the child or otherwise verify that the child is still with the adoptive family. To verify a continued need for subsidy in out of state cases the child's school, therapist, physician or clergy can provide verification by submitting a letter which states that the adoptive parent(s) still has the care and responsibility for the child.

I (we) agree to complete and submit, annually, the CFS-431 (Notarized Statement on Eligibility for State Subsidy) to the Adoption Services Unit within ten (10) working days of notification by the Adoption Specialist.

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IV. Termination

Termination will occur in any of the following circumstances:

- A. This Agreement will terminate upon the conclusion of the terms of this Agreement.
- B. This Agreement will terminate upon the adoptive parent's/parents' request.
- C. Adoption assistance payments will terminate when the child reaches the age of 18. Adoption assistance may be provided until the child is 21 years of age if the child has a mental or physical handicap, which warrants continuation.
- D. This Agreement will terminate upon the child's death. (The adoptive parent must notify the Division if a change occurs.)
- E. This Agreement will terminate upon the death of the adoptive parent(s) of the child (one in a single parent family and both in a two-parent family). (The adoptive parent must notify the Division if a change occurs.)
- F. This Agreement will terminate at the cessation of legal responsibility of the adoptive parent(s) for the child. (The adoptive parent must notify the Division if a change occurs.)
- G. This Agreement will terminate if the Division determines that the child is no longer receiving support from the adoptive parent(s). (The adoptive parent must notify the Division if a change occurs.)

V. Appeal

Adoptive parent(s) may appeal the Division's decision to reduce, change or terminate adoption assistance in accordance with rules and procedures of the State's hearing and appeal process. Information may be requested from the Department of Human Services, Division of Children and Family Services, Adoption Services Unit, P.O. Box 1437, Little Rock, Arkansas, 72203-1437.

This Agreement shall remain in effect regardless of the State in which the adoptive parent(s) are residents at any given time.

This Agreement will expire on the child's 18th birthday unless termination occurs as a result of one or more of the conditions set forth in Section IV, Termination.

Effective date for Titles XIX and XX: **UPON FINALIZATION**

Director's Signature
Division of Children and Family Services

Date

Adoptive Mother's Signature

Date

Adoptive Father's Signature

Date

Signed copy of the Adoption Assistance Agreement given/sent to adoptive parent(s) on _____
Date



ARKANSAS DEPARTMENT OF HUMAN SERVICES
DIVISION OF CHILDREN AND FAMILY SERVICES

Adoption Assistance Agreement for Federal IV-E Funded Assistance

The following Agreement has been entered into by and between:

Arkansas Department of Human Services, Division of Children and Family Services, P.O. Box 1437, Little Rock, Arkansas 72203

(Adoptive/Adopting Parent's or Parents' Full Names)

(Address)

()

(Telephone #)

Hereafter called the "adoptive parent(s)," for the purpose of facilitating the legal adoption of and:

(Child's Full Adoptive Name)

(Social Security Number)

(Date of Birth)

to aid the adoptive family in providing proper care for this child, hereafter referred to as "the child" in this Agreement.

This document is the:

Initial Agreement: The prospective adoptive parent(s) agree(s) that he/she intends to adopt the child and has signed this document prior to finalization of the adoption for the purposes of receiving adoption assistance payments and/or services for the child under Titles XIX and XX from the time of placement.

Reason/Special Needs (select all that apply):

- Reason/Special Needs (select all that apply):
- Serious Physical/Mental/Emotional Condition
- Child at Risk of Serious Physical/Mental/Emotional Condition
- Age
- Race
- Member of a Sibling Group
- Other (Specify)

This Agreement will be effective UPON FINALIZATION and remain in effect until the child's eighteenth (18th) birthday, or unless termination of the Agreement occurs as a result of one or more conditions set forth in Section IV (Termination) of this Agreement.

(Date of Finalization)

Amended Agreement: This is an amendment of the Adoption Assistance Agreement for the child adopted on (Date)

This Agreement will be effective Date and remain in effect until Date

PROVISIONS OF AGREEMENT

I. Assistance

A. Monthly Cash Payment: Yes No

\$ For months and \$ for months

Yearly Total \$

The amount of this monthly cash payment (adoption assistance) is based on the needs of the child and the circumstances of the adoptive parent(s) and has been determined by mutual Agreement between the adoptive parent(s) and the Division. The amount of the payment cannot exceed the foster care maintenance payment for the child if he/she were in a foster family home in the State of Arkansas. Adjustments in cash assistance payment may be made with the concurrence of the adoptive parent(s) based upon changes in the needs of the child, changes in the circumstances of the adoptive family, or changes in the maximum allowable adoption assistance payment. Documentation of changes in the child's needs or family's circumstances may be required.

Subsidy Note:

Children at high risk for the development of a serious physical, mental, or emotional condition may be considered special needs if documentation of the risk is provided by a medical professional specializing in the area of the condition for which the child is considered at risk, but no subsidy payment will be made without documentation that the child has developed the actual condition.

B. Medical Care

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2. Medical payments will be provided by the State of Arkansas for (specify condition, illness, treatment, etc.) if not provided by Title XIX, regardless of the State in which the child lives.

Total cost of treatment \$ _____

3. Procedures for meeting cost of medical care, including consideration of family's health insurance [Arkansas Act 99 of 1987 requires insurers to cover adoptive children from the date of the filing of the petition if the petition is filed within 60 days of the child's birth].

C. Social Services

1. Social Services as provided under Title XX of the Social Security Act will be available to the child in accordance with the procedures of the State in which the child resides.
2. Social Services will be provided by the State of Arkansas, if not provided by Title XX, regardless of the State in which the child resides.
3. How to access Title XX services: **Contact your local Department of Human Services county office.**

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Adoptive parents must follow these procedures in order to receive adoption assistance medical care and social services when moving to or living in a state other than Arkansas. (Arkansas is a member of the Interstate Compact on Adoption and Medical Assistance.)

Medical Care -

1. At least ten (10) days prior to the planned move the adoptive family should contact their Adoption Specialist.
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Director's Signature Division of Children and Family Services	Date
Adoptive Mother's Signature	Date
Adoptive Father's Signature	Date
Signed copy of the Adoption Assistance Agreement given/sent to adoptive parent(s) on _____	
	Date