

1731 ORDERS TO COMPLY

Chapter: **Foster Care Provider**

Section: **Licensing**



New Hampshire Division for Children, Youth and Families Policy Manual

Policy Directive: **12-07**

Approved:

Effective Date: **September 2012**

Scheduled Review Date:

Handwritten signature of Maggie Bishop in black ink.

Maggie Bishop, DCYF Director

Related Statute(s): [RSA 169-C](#), and [RSA 170-E](#)

Related Admin Rule(s): [He-C 6446](#)

Related Federal Regulation(s):

Related Form(s):

Bridges' Screen(s) and Attachment(s):

Purpose

This policy describes the process followed for a written Order to Comply when there is a violation of the Foster Family Care Licensing Requirements, He-C 6446.

Policy

- I. To effectively enforce the foster family care licensing requirements, DCYF must inform foster parents when there is non-compliance with the foster family care licensing requirements, He-C 6446.
- II. If the Special Investigations Unit is investigating a non-compliance issue, an Order to Comply must not be issued during the open investigation [[Policy Item 1186 Investigating Allegations of Abuse/Neglect in Foster Homes](#)].
- III. In order to assist foster parents to correct violations of the foster family care licensing requirements, the Resource Worker must notify the foster parent(s) of the violation and develop a corrective action plan with them.
- IV. The corrective action plan must specifically cite the rule being violated, the plan to come into compliance including the person(s) responsible, and the timeframe to successfully complete the corrective action.
- V. DCYF uses whatever resources are available at the time of the violation to assist the foster parent(s) to comply with the rule.
- VI. Licensed foster parents have 60 days from the date of the Order to Comply to correct the violation specified in the order.
- VII. The Order to Comply must explain the consequences of non-compliance, including but not limited to:
 - A. Changes in the license status;
 - B. Removal of the child(ren)/youth in care;
 - C. Denial of renewal; or
 - D. A revocation of the foster home license.

Procedures

- I. The Resource Worker must:
 - A. Identify the non-compliance issue, and prepare an Order to Comply;
 - B. Review the Order to Comply in supervision;
 - C. Notify the foster parents of the violation by certified mail and describe the steps necessary to come into compliance;
 - D. Develop a corrective action plan with the foster parent(s) that will satisfy the intent of the rule;
 - E. Monitor the plan over the 60 days for adherence to the plan;
 - F. Conduct a review of the violation status at the end of the 60 days;
 1. Notify the foster parent(s) of their corrected action or the consequences of their non-compliance;
 - (a) File letters of corrected action in the foster home record; and
 - (b) Send copies of letters of corrected action to the Foster Care Unit.
 2. Follow the procedures for changing the license status [[Policy Item 1722 Changes in Licensing Status](#)], denial [[Policy Item 1718 Denial of an Application](#)], or revocation [[Policy 1732 Revocations of a License](#)] as determined necessary in supervision.
- II. The Supervisor must:
 - A. Review the violation of the rule and the Order to Comply;
 - B. Discuss options to include in the corrective action plan with the Resource Worker;
 - C. Review for completeness and approve the corrective action plan;
 - D. Review the status of the violation and progress towards resolving the issue prior to the expiration of the 60 days; and
 - E. Recommend a plan to resolve non-compliance including changing the foster home status, denial, or revocation.