

Foster Care FAQ - Licensing previously licensed programs

This FAQ provides guidance regarding issues related to licensing a home that was previously licensed and is now applying for another license.

1. Q: For a new applicant at our agency who was previously licensed by a different county or private licensing agency, what information can we request from the previous agency?

A: Rule 13 requires that if the licensing agency has knowledge that the applicant was previously licensed, a reference must be requested from the previous agency. While this is referred to as a “reference” in Rule 13, you should attempt to obtain general information related to their previous license, and not a formal reference. Examples of this may include copies of previous home study assessments and updates for child foster care, confirmation that they were licensed by the agency and concerns, previous correction orders if any, etc.

2. Q: Can we use the required three personal references obtained by the previous licensing agency?

A: No. You should not request references from the previous licensing agency, nor use previous references for a new license. You should make every effort to obtain new references for the applicants. You may consider granting a variance based on information or knowledge you may have of the applicant; however, best practice is to get three references as these are very helpful in assessing the applicant’s skills and their ability to provide a healthy and safe environment for persons served by the program.

3. Q: If a license holder requested to close their license, and then reapplied at the same county or private licensing agency for the same type of license, can we just reopen their license?

A: In general, a license cannot be reopened. If you have a specific circumstance that you would like to discuss, contact a DHS foster care licensing consultant.

For applicants with a previous license that has been closed longer than one year, the license should be processed as a brand new application. However, if their previous license was closed within one year, you may consider the following:

- Grant a variance to the requirement for references.
- Allow them to use their previous policies, making sure to review them to ensure they are still applicable and making any updates as needed. Best practice would be to have the applicant sign and date them to acknowledge they have been reviewed and are current.
- Review the emergency procedures to determine if they are still applicable. If not, new emergency procedures should be completed.
- Review training from the last licensed period and determine if any training needs to be completed. You may consider granting a variance to any training required in the program rule. Refer to question #7 below for specifics for child foster care (CFC) training.

- For all adult foster care (AFC) programs, and for CFC if a fire safety inspection was required based on a trigger, you may choose to contact the fire marshal to discuss the need for a new inspection. Make sure to maintain documentation of your discussion with the fire marshal in your agency file.

Specifically for child foster care:

- If you received a copy of the original home study assessment, you may complete a home study assessment update instead of doing a new home study assessment. See question #4 below for additional details and guidance regarding the home study assessment/update.
- Review the statement of intended use to determine if it still applicable. If not, a new statement of intended use should be developed.

The remaining requirements must be completed as you would with a brand new application:

- Background studies for all required individuals
- Applicable licensing checklist
- Any applicable variances
- Foster parent agreement form (CFC)
- Individual fact sheets (CFC)
- Home safety checklist (CFC)

Specific questions related to child foster care licensing

4. Q: Is there a timeline to know when we can do a home study assessment update, rather than a full home study, when we have a new CFC application from someone who was previously licensed?

A: In general, a home study assessment is considered valid if it was completed in the past five years. You may complete a home study assessment update if the applicants remain the same as in the previous studies. If not, for example if a previously licensed couple is now divorced and only one of them is on the new application, a new home study assessment must be completed.

It is the responsibility of the licensing agency to make every effort to obtain all home study assessments and assessment updates completed by a previous licensing agency. If you do not receive previous studies, you must complete a new home study assessment.

If you do receive the previous assessment and any updates, it is essential that you carefully review the previous information to ensure that each area was addressed completely in order to determine if a home study assessment update will be sufficient. Use the Instructions to Complete Commissioner's Designated Format for an Adoption and Foster Care Study DHS-4258 <https://edocs.dhs.state.mn.us/lfserver/Public/DHS-4258-ENG> to assist in your determination.

If you believe that the previous home study is comprehensive and meets the requirements, you may complete a home study assessment update. However, if the previous home study is lacking essential information, best practice would be to complete a new home study assessment. Remember that you can use the information from the previous home study assessment in the new assessment as long as you have confirmed that the information is correct.

In the home study assessment update, be sure to address any new references that were received, or if a variance has been granted. This may be added in the section titled "adoptive and foster parent history."

5. Q: Can we do a home study assessment update if the CFC applicant was licensed in another state?

A: No. It is required that the home study assessment be on the Minnesota Commissioner's Designated Format; therefore, a complete new home study assessment must be done. If you were able to obtain a copy of the previous home study, you can use information from it to complete the Minnesota home study assessment, as long as you are confirming the information with the applicant.

6. Q: If a license holder was previously licensed by a county agency, and then closes their CFC license and applies at a private licensing agency OR if they were licensed by a private licensing agency, close their license and apply at their county of residence, can it be considered a renewal of the previous license?

A: No. This would be considered a new license and all requirements for a new license need to be completed. However, if the new application is received within one year of closing the previous license, you may consider following the same guidance as provided in questions #3 & 4. Best practice is to have the applicant complete all requirements for a new license.

7. Q: If an applicant for a new CFC license was previously licensed for CFC, do they need to complete the required training again?

A: Refer to the following:

ORIENTATION TRAINING - A variance may be granted to this requirement if the applicant was previously licensed within the past five years, at the discretion of the licensing agency. The new licensing agency should attempt to obtain documentation of the topics that were covered in their initial orientation with the previous licensing agency and ensure they are providing any missing required information or information that is specific to their agency (if any). Be sure to keep a copy of the approved variance in the agency file. If it is determined that you can do a home study assessment update, rather than a full home study, address orientation in the area titled "training and experiences to enhance foster/adoptive parenting."

CHILDREN'S MENTAL HEALTH TRAINING (2 hours) – The two hour requirement must be completed within one year of a new license being issued.

CARS TRAINING – Must be repeated if previous training was completed more than five years ago.

SUID/AHT TRAINING – Must be repeated if previous training was completed more than five years ago.

PRUDENT PARENTING STANDARD – This is considered "one and done" and does not need to be repeated if an applicant was previously licensed for CFC. A review of the information is recommended, using the following guidance: <https://edocs.dhs.state.mn.us/lfserver/Public/DHS-7684-ENG>

If completing a home study assessment update, document the review in the area titled "training and experiences to enhance foster/adoptive parenting."