



Frequently Asked Questions

National Model Foster Family Home Licensing Standards

On February 4, 2019, the Children's Bureau released final [National Model Foster Family Home Licensing Standards \(National Model\)](#), as required by the Family First Prevention Services Act. The Information Memorandum (ACYF-CB-IM-19-01) containing that Model is available at www.grandfamilies.org.

The Family First Prevention Services Act (Family First Act) requires states and tribes operating IV-E child welfare agencies to compare their foster home licensing standards against the National Model standards and report to the Children's Bureau in the U.S. Department of Health and Human Services on their comparison and practices related to waiving non-safety standards for relatives. The purpose is to try to eliminate barriers caused by state licensing standards so more relatives caring for children in foster care can become licensed and receive ongoing monthly financial assistance, supports and pathways to exit the system with monthly assistance.

The Family First Act builds on long-standing federal law that states must be "in accord" with national standards. Up until now, the federal government did not point to any such standards, so the states created their own standards without any national guidance. The varying state standards often cause unnecessary barriers for relatives to become licensed. HHS, in releasing a National Model pursuant to the Family First Act, has for the first time given states and tribes guidance that seeks to address these unnecessary barriers to licensing relatives and non-relatives.

(1) What must Title IV-E child welfare agencies do with the National Model Foster Family Home Licensing Standards?

In its [July 9, 2018 Program Instruction](#) (PI) and [February 4, 2019 Information Memorandum](#) (IM), the Children's Bureau further clarified the reporting procedure and is requiring IV-E agencies to submit a Title IV-E plan amendment ([attachment X](#), of the pre-print) by **March 31, 2019**, and provide the following "specific and detailed" information:

- Are the agency's foster family home licensing standards consistent with the National Model? If not, why not?
- Does the agency waive non-safety licensing standards for relative foster family homes, as allowed by federal law? *If not, why not?*
- *Which standards are most commonly waived?*
- How are caseworkers trained to use the waiver authority?

- Is there a process or tools to assist caseworkers in waiving non-safety standards so they can place quickly with relatives?
- *What steps are being taken to improve caseworker training or the process?*

Please note: the questions listed here are from a reading of the Family First Act, the PI issued July 9, 2018, the Title IV-E plan pre-print attachment X, and the IM issued February 4, 2019. The PI and IM do not include the 3 italicized questions, and the pre-print attachment asks two of them, but not the final one about steps being taken to improve caseworker training. The Family First Act is clear in requiring states and tribes to answer all of the questions listed here.

(2) Is the final National Model similar to the proposed National Model released August 1, 2018 for public comment?

Yes, the final National Model is very similar to the proposed National Model. The modifications contained in the Final Model include:

- Allowing family friends and teen household members to drive the foster child, not just adults in the home, as is consistent with reasonable and prudent parent standards.
- Clarifying that foster parents can meet communication standards through communication aids and non-verbal means.
- Adding immunization requirements for caregivers, provided those immunizations are not contrary to the health of the caregiver.
- Explaining a few additional points raised in the public comment process, which can be found in the endnotes to the final National Model.

(3) How does the final National Model compare to the National Association for Regulatory Administration (NARA) Model Family Foster Home Licensing Standards?

The Children's Bureau used the [NARA Model Family Foster Home Licensing Standards \(NARA Model\)](#) as the "main source" for its proposed National Model, and then accorded it "considerable deference" in deciding whether to modify the proposed National Model. Although the National Model does not incorporate all of the NARA Model, it focuses on some of the most important NARA standards that address many of the licensing barriers faced by relatives. That focus is consistent with both the spirit of the Family First Act and the spirit with which the NARA drafters approached their "multiyear effort."

(4) Who developed the NARA Model, and why?

Generations United, the American Bar Association (ABA) Center on Children and the Law, and NARA, with support from the Annie E. Casey Foundation, developed the NARA Model. The process began with attorneys at Generations United and the ABA Center on Children and the Law researching all 50 states' licensing standards, along with standards found in national associations, including the Child Welfare League of America and the Council on Accreditation. This research informed the 12-month process of developing the standards in concert with NARA leadership, members and experienced licensors in Florida, Ohio, and Kansas. Input was also obtained throughout the process from other NARA members representing many states.

The primary purpose of the NARA Model is to help ensure children in foster care are safe while also establishing a reasonable, common-sense pathway to enable more relatives and non-relatives to become licensed foster parents. The NARA Model contains a complete set of the categories necessary to license a safe family foster home and is designed to eliminate unnecessary barriers caused by licensing standards that have more to do with lawsuits and middle-class ideals than licensing safe homes. Gone are standards such as requiring applicants to have high school diplomas, own their own cars, and have homes that meet strict square footage requirements.

(5) Can IV-E agencies consider both the National Model and the NARA Model in assessing their standards as part of this process required by the Family First Act?

Yes, the NARA Model and its tools can be used by IV-E agencies to help compare and align their standards. While neither the proposed nor final National Model incorporate all of the NARA standards or tools, nothing in the National Model contradicts them.

(6) Will consulting the NARA Model provide IV-E agencies with further guidance?

Yes, there are certain NARA definitions, principles, standards, and tools that will provide state and tribes with important guidance and additional clarity. The NARA Model is available free of charge at www.grandfamilies.org.

- NARA Definitions: The National Model uses the terms “community standards,” “functional literacy” and “household member” as in the NARA Model, but does not define them. The NARA definition section can be of help to IV-E agencies wanting to include their own definitions of these critical terms.
- NARA Principles: Ten principles in the NARA Model may be of help to states and tribes. Principle #5, for example, emphasizes the importance of cultural considerations in licensing homes and that “[i]f necessary, the agency should assist the applicant with costs associated with meeting the standards.” Such costs could include buying a required fire extinguisher or crib or fixing a hazard in the home.
- NARA Standards: A variety of standards in the NARA Model may assist states and tribes striving to improve their licensing standards. As an example, the NARA standards provide further guidance on implementing the federal Adam Walsh criminal background check requirements and how to assess foster parent applicants who are convicted of non-Adam Walsh crimes.
- NARA Interpretative Guide: The guide contains additional information to help licensors make their compliance determinations.
- NARA Crosswalk Tool: This tool is available as part of the NARA Model package. The NARA partners are also creating a new crosswalk tool that will have both the National Model and NARA Model standards side-by-side with a column for states and tribes to

insert their standards and compare. Expect it to be posted to www.grandfamilies.org in mid-February 2019.

(7) Does the National Model include emergency placement procedures for relatives?

No, the National Model does not include emergency placement procedures, also known as provisional licensing standards. The Children's Bureau did not reject such procedures or standards, they simply considered them outside the scope of the Family First Act's legislative requirements.

(8) How about the NARA Model? Does it have emergency placement procedures that IV-E agencies could consider?

Yes, the NARA Model does have a section on emergency placement procedures. Title IV-E agencies should consider including such emergency procedures as they are often the first step in the process for relatives to become fully licensed. Unlike unrelated foster parent applicants, children are usually placed with relatives prior to licensing. These standards allow a child to be placed safely with a relative virtually immediately after removal from the parents' home. The relative then completes the remaining licensing process while the child is in their home. Using this type of emergency procedures, a child can be placed safely with a relative right away and does not have to experience multiple placements.

(9) What about tribal considerations in this process?

As stated in the NARA Model, "[w]hen working with American Indian and Alaska Native families, public and private agencies should consult with tribes and nearby urban Indian organizations with expertise in recruiting and licensing tribal family homes." Furthermore, those developing tribal standards should refer to NICWA materials at www.nicwa.org.

(10) Is there any special guidance for therapeutic foster homes, whether related or not?

Yes, for licensing standards for therapeutic foster homes, please see *Foster Family-based Treatment Association Program Standards for Treatment Foster Care*, www.ffa.org.

If you have any questions concerning this document, please contact Ana Beltran, Special Advisor, Generations United at abeltran@gu.org.