5.1 Relative and Fictive Kin Placement Consideration

Cabinet for Health and Family Services

Department for Community Based Services
Division of Protection and Permanency
Standards of Practice Online Manual
Chapter:
Effective:
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Section:
5.1 Relative and Fictive Kin Placement Consideration
Version:
1

When a section of SOP has been revised users will see the following: Added {This is added material}, Deleted {This is deleted material}. The bold and strikethroughs will appear on the site for fifteen (15) days after a modification and will then be removed.

Forms and Resources

- Relative and Fictive Kin Caregiver Discipline Policy
- DPP-1277 Safety Check and Review.doc
- DPP-1278 Relative Placement Support Benefit Acknowledgment Form
- Relative Placement Support Benefit Payment Request
- Guide for Relative and Fictive Kin Caregivers
- Pediatric Abusive Head Trauma Certificate of Training Completion
- Kentucky Relative Caregiver Program Brochure
- DPP 178 Acknowledgement Statement Options and Available Services for Relative and Fict Kin Caregivers.docx
- Reporting Child Abuse and Neglect Booklet

Links to External Resources:

- Pediatric Abusive Head Trauma Certificate of Training Completion

Legal Authority/Introduction

- P.L. 113-183 Preventing Sex Trafficking and Strengthening Families Act
- KRS 199.011 Definitions for chapter
- KRS 199.462 Criminal background investigation of applicant to provide foster care, relative caregiver services or adoptive home and of applicant's adult household members-Request for conviction information-Form and fee for
Placement with a relative caregiver:

Placement with a relative is used as an alternative to foster care when the agency determines that a child can no longer remain safe in their home. The term 'placement with a relative' applies when a child is placed with a relative via a prevention plan or through temporary or permanent custody, given by the court to the relative or the Cabinet. Regardless of how the child came to be placed with the relative, P&P provides case management activities that seek to utilize a least restrictive placement, assist parent/caretakers in reunifying with their child(ren), providing supportive services to the relative and achieving alternative permanency for the child if reunification is not possible.

If the Cabinet is granted custody of the child, all applicable OOHc standard of practices (SOPs) are utilized. If the child is placed on a prevention plan with a relative or in the custody of the relative, in home SOPs are applicable. The following SOP is utilized for any placement with a relative regardless of who has custody.

Placement with a fictive kin caregiver:

Fictive kin are individuals who are not related to a child by birth, marriage, or adoption; however, they have developed an emotionally significant relationship with a child. These individuals may include a trusted school teacher, coach or neighbor. Fictive kin may be utilized when a child is removed from their home of origin and when no family members or relatives are identified as an appropriate placement option for a child.

Practice Guidance

- It is imperative to make a quality first placement for a child when placing with a relative or fictive kin caregiver. This minimizes the number of placement moves for the child.
- When a child is placed in a relative or fictive kin placement, all information remains in the case of origin. A new case is not opened for this purpose. If the relative or fictive kin resides in a different county than the primary caregiver, the case will remain where the primary caregiver resides. The case is then shared with the county in which the relative or fictive kin caregiver resides.
- The decision to place the child with a relative or fictive kin is based on the child's needs and which setting is most suited to meet those needs.
- Criteria for the SSW's assessment of whether it is appropriate to place a child with a relative or fictive kin caregiver may include, but are not limited to the:
  - Child's relationship with the relative or fictive kin;
  - Relative or fictive kin's ability to meet the child's basic needs;
Relative or fictive kin’s ability to meet the child’s medical, emotional, educational, or treatment needs;
• Possibility of placing siblings together.
• The DPP-1277 Safety Check and Review should be legible. The document shall be electronically prepared and uploaded into iTWIST upon approval by the FSOS.

Placement with a Fictive Kin Caregiver:

The SSW is not obligated to search for or seek out fictive kin placements however may utilize fictive kin if presented with an appropriate option. If a fictive kin caregiver becomes an approved foster home, per diem reimbursements will begin upon approval and will not be made retroactively.

Placement with a Relative Caregiver:

• Relative Placement Support Benefits (RPSB) is provided one (1) time to facilitate the placement of a child with a non-parental relative if it is determined that a child is at risk of being placed in foster care, or is in the custody of the Cabinet and residing in foster care due to abuse or neglect naming the child’s biological or adoptive parent as the perpetrator; or the death of both parents.

<table>
<thead>
<tr>
<th>Number of Eligible Children</th>
<th>Maximum Payment Amount</th>
</tr>
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<tbody>
<tr>
<td>1</td>
<td>$350</td>
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<tr>
<td>2</td>
<td>$700</td>
</tr>
<tr>
<td>3</td>
<td>$1,050</td>
</tr>
<tr>
<td>4</td>
<td>$1,400</td>
</tr>
<tr>
<td>5</td>
<td>$1,750</td>
</tr>
<tr>
<td>6 or more</td>
<td>$2,100</td>
</tr>
</tbody>
</table>

• Upon the initial relative’s receipt of temporary custody of the child, the SSW completes the RPSB Payment Request form timely and emails the form to the Division of Administration and Financial Management (DAFM) at rpsbdafm@ky.gov for payment directly to the relative. The relative should receive payment within seven (7) to ten (10) business days.
• The full amount of RPSB is issued by check or electronic fund transfer directly to the relative to support the initial relative placement.
• RPSB is available at the initial relative placement when the relative or Cabinet is granted temporary custody of a child. Retroactive RPSB payments will be made no further than ninety (90) days prior to June 2, 2017, and are not available if the child moves to a subsequent relative placement. Items purchased through RPSB follow the child(ren).

Procedure
The SSW:

1. May utilize fictive kin placements for children removed from their home of origin when biological parents and other family members are not considered a placement option for a child;
2. Assesses the relationship of the individual considered for fictive kin placement during the initial case planning conference.
3. Informs potential relative or fictive kin caregiver immediately upon placement consideration they may apply to become a foster home while the child in their care is in the custody of the Cabinet; however, if they choose not to seek approval as a foster parent they will not have the option to do this at a later time after they have received temporary custody;
4. Informs potential relative or fictive kin caregiver of the two permanency options that the caregiver may pursue per the Kentucky Relative Caregiver Program Brochure, Service Array Worksheet, and DPP-178 Relative and Fictive Kin Caregiver Acknowledgement Statement form;
   A. Caregiver obtains custody- Relative or fictive kin is granted custody, guardianship, or power of attorney (POA);
      i. Relative or fictive kin may be eligible for traditional benefits and supportive services, including but not limited to:
         a. KTAP, SNAP, KCHIP, child care assistance, and possibly other supports or forms of assistance; and
         b. Caregiver is initially granted temporary custody of the child and agrees to seek permanent custody of the child if the child cannot safely reunite with the birth or adoptive parent.
   B. DCBS obtains custody- Relative or fictive kin pursues approval as a child specific foster home per SOP chapter 12;
      i. Child enters and/or remains in the Cabinet’s custody;
      ii. The SSW or FSOS submits a copy of the completed section I of the DPP-1277 to the local recruitment and certification (R&C) supervisor within three (3) business days of the caregiver’s decision;
      iii. The SSW or FSOS submits a completed and signed copy of the DPP-1277 to the R&C supervisor upon completion;
      iv. The R&C supervisor assists the relative or fictive kin caregiver with the foster care approval as outlined in SOP chapter 12;
      v. Caregiver completes training and foster home study requirements, background requirements, etc. per SOP chapter 12;
      vi. Upon approval as a child specific foster home, caregiver is eligible to receive the child specific foster home per diem;
      vii. Caregiver may also choose to pursue approval as a basic DCBS foster home and complete the requirements; and
      viii. Caregiver agrees to pursue adoption of the child if the child cannot safely reunite with the birth or adoptive parent, or the caregiver may choose to pursue permanent custody. If permanent custody is granted, the caregiver would be made aware that any per diem being provided would be discontinued.
5. Advises the relative or fictive kin that the Cabinet must maintain custody of the child if the caregiver relative pursues foster or adoption certification;
6. Advises the relative or fictive kin that financial assistance, outside of public benefits, is not available unless the caregiver is pursuing approval as a foster parent, and provides the Kentucky Relative Caregiver Program Brochure and Service Array Worksheet;
7. Discusses the permanency options and provides relative or fictive kin with the Kentucky Relative Caregiver Program Brochure, Service Array Worksheet, and Acknowledgement form;
8. Advises that the caregiver must make their decision of which permanency option best suits their family’s needs by the initial court date;
9. Ensures that the relative or fictive kin signs the Acknowledgment form prior to the first court date;
10. Gathers the original signed Acknowledgement form from the caregiver and refers them to the local R&C team if the caregiver chooses to pursue approval as a foster parent (see SOP 4.10.4 Child Specific Foster Home); 3
11. Refers the caregiver to other supportive services if the caregiver chooses not to pursue approval as a foster parent;
12. Visits the relative or fictive kin home and if placement needs are immediate, conducts an initial placement assessment by completing section I of the DPP-1277 Relative Home Evaluation, which includes:
    A. An evaluation of the home environment;
    B. The relative of fictive kin caregiver’s willingness and ability to accommodate for the child within the home and meet the child’s needs (e.g. providing for the child’s sleeping and eating,
maintaining, adequate heat and ventilation in the home, using active smoke detectors in home, assuring the child’s inaccessibility to medication alcoholic beverages, poisonous or cleaning materials, ammunition, firearms, unsupervised contact with the child’s birth parent, understanding the child’s trauma, ability to seek treatment for the child as needed, etc.);
C. Anticipated Relative Placement Support Benefit (RPSB) needed to provide for the child’s immediate need for clothing, school supplies, additional furniture, or a deposit for a larger apartment after local community resources have been exhausted (is any);

13. Conducts background checks on the relative and fictive kin home members consistent with SOP 4.5.4 Background Checks for Caregivers to include;
   A. Completion of iTWIST check;
   B. Criminal background check; and
   C. Sex offender registry address checks.

14. Discontinues the home evaluation process if a negative background check is returned (refer to procedure #3 in SOP 4.5.4);

15. Completes section II of the DPP-1277 Relative and Fictive Kin Home Evaluation, within thirty (30) working days, documenting the following factors;
   A. The relative or fictive kin caregiver’s willingness and ability to protect the child from abuse or neglect and provide full time care;
   B. The relative or fictive kin caregiver’s willingness and ability to participate in the child’s case permanency plan;
   C. Discussion of permanency tracks and resource options with the family per the Kentucky Relative Caregiver Program Brochure and the family’s ability to provide care for the child if they do not pursue approval as a foster parent, or are not eligible for other supportive benefits;
   D. Referral to the kinship support hotline and KY FACES for links to other appropriate supportive services; 4
   E. The relative or fictive kin caregiver’s willingness and ability to access transportation, telephone, medical services, first aid supplies, the child’s school, counseling and other needs for the child;
   F. The relative or fictive kin caregiver’s willingness and ability to understand the impact that familial abuse, neglect or substance misuse may have on a child and the child’s extended family;
   G. The results of the criminal background check(s), sex offender registry address check(s), and child abuse and neglect checks(s); and
   H. Assesses the family’s current income and expenses taking into consideration outside resources including public assistance that may be used to support the family. If there is an income deficit, the SSW discusses the feasibility of the placement and the relative’s ability to meet the needs of the child both in the short and long term.

16. Provides, at the home evaluation visit, a copy of Reporting Child Abuse Neglect and Dependency booklet to help relatives and fictive kin caregivers recognize and report child abuse or neglect, and documents this in the service recordings;

17. Provides information, within the first five (5) days of placement, about the requirement to complete a Cabinet approved one and one half (1.5) hours of Pediatric Abusive Head Trauma (PAHT) training to individuals caring for a child under the age of five (5), and documents completion of the training in the hard file; 5

18. Explains the Cabinet’s requirement to make monthly home visits, facilitate visitation between parents, children and siblings, and hold case planning conferences to meet the needs of the child and plan for permanency;

19. Completes the DPP-1278 Relative Placement Support Benefit Acknowledgment Form with a relative caregiver based on needs identified and documented in the home evaluation;

20. Submits to the FSOS, within thirty (30) working days of the placement, the completed DPP-1277 Relative and Fictive Kin Home Evaluation with attached background check documentation; 6

21. Enters each child who is in the custody of the Cabinet and placed with a relative or fictive kin in the out of home care (OOHC) screens as described on the Entering a Child Placed with a Relative in TWIST tip sheet and submits the DPP-1279 Adding a Relative to the Resource Directory electronically in TWIST;

22. Follows out of state placement guidelines when placing a child with relatives or fictive kin caregivers living in another state;

23. Informs the caregiver of any history of inappropriate sexual acts or other behaviors of the child that indicates a safety risk for placement as would be the case with any other type of substitute care placement;

24. Informs the caregiver within seventy-two (72) hours after receiving the information if such information is not known at the time of placement, per mandate; and

25. Petitions the court for an exit to temporary custody or legal guardianship for a relative or fictive kin who does not complete foster home certification within four (4) months of the child’s entry into the placement, and discusses the service array with the caregiver. Exceptions may be made on a case by case basis.
Procedure for ICPC Requests for Fictive Kin Caregivers:

The SSW:

Follows the same procedure in state placement procedures with the following exceptions:

1. Submits an ICPC request to the Kentucky Interstate office. The signed Caregiver Agreement must be included with the request packet. An expedited request cannot be completed since the Placement Resource (PR) is not a relative. Not all states will accept fictive kin requests. Contact the KY ICPC office to determine if the receiving state will accept a fictive kin request or if a foster home request will need to be submitted;
2. Receives a completed home evaluation from the receiving state;
3. Receives the one-time PAHT requirement from the PR prior to placement. This can be completed while the home study is being conducted or once approval is received, but must be completed before placement is to occur. The worker documents completion of the training in the case file and includes verification of completion with the 100B.

Footnotes

1. The decision by the relative to pursue foster parent approval does not guarantee approval.
2. Fictive kin caregivers are not eligible to receive the Relative Placement Support Benefit (RPSB).
3. Retains the original signed Acknowledgement Form in the case file.
4. Refer relative or fictive kin caregivers to the kinship support hotline and KY FACES for additional supportive services: 1-877-565-5608; relative.supports@ky.gov; https://prdweb.chfs.ky.gov/kyfaces/.
5. PAHT is a one-time requirement and may be viewed by the relative or fictive kin caregiver on the Cabinet's YouTube site (see link in Forms and Resources section). After completion of the training, the relative or fictive kin caregiver submits the Pediatric Abusive Head Trauma Certificate of Completion form to the worker, to be placed in the hard file.
6. The caregiver obtains a copy of the evaluation through open records.