



# South Carolina Department of Social Services

## Child Welfare Services Manual

### 750.4 License Amendments

Effective Date: 07-21-2016

#### **Purpose Statement:**

As the life circumstances of foster families change, it is important that their licensing information remains up-to-date. This section sets forth the procedures to be followed when a license must be amended.

#### **Policy:**

The race, color, national origin, religion, state of residence, age, disability, political belief, sex, or sexual orientation of the applicant and/or the child involved may not be considered in making decisions about managing a family's license. Culture may not be used as a proxy for race, color, or national origin in making such decisions.

#### **Procedures:**

1. The Regional Foster Family and Licensing Support Coordinator (FSC) shall initiate a request for an amended license when changes occur within a foster home, including the following:
  - a. Marriage, separation or divorce of the foster parents;
  - b. Death of a foster parent;
  - c. The number of children for which the home is licensed changes;
  - d. The age range of children placed in the home changes;
  - e. The gender(s) of children for which the home is licensed changes;
  - f. A change of address for the foster family;
  - g. The foster family requests that the home be closed; or
  - h. The family's license is revoked.
2. The FSC shall complete Sections A and C on [DSS Form 1513: Original Licensing/Relicensing/Changes for Foster Home Licensing](#), indicating the necessary changes.
3. The FSC shall attach other documentation, as appropriate, including:
  - a. A narrative statement summarizing the change(s) and an indication of the reason(s) why the license should be amended;
  - b. If the family has moved to a new residence within the county, a written description of the new location and a copy of fire report of the new address with no deficiencies listed or the inclusion of the follow-up inspection report verifying the deficiencies have been corrected;
  - c. A copy of a health report of the new address or documentation that an inspection has been requested or a written description of the new location and a copy of the health

- report of the new address with no deficiencies listed or the inclusion of the follow-up inspection report verifying deficiencies have been corrected;
- d. If the family has moved out of the region, a statement that the family wishes to remain licensed and documentation that actions to share appropriate information and transfer licensing responsibility to another region or state has been initiated in a timely manner;
  - e. If the license is being revoked or the home closed, a written explanation of the action and documentation to support the decision and to verify required procedures have been followed; and/or
  - f. The current license if available or a written explanation of why the license is not included.
4. The FSC shall confirm that the issuance date for the amended license is the effective date of the change and that the expiration date continues to be two years from the issuance date of the original or renewal license, not two years from the issuance date of the amended license (i.e. the expiration date does not change).
  5. The FSC shall submit materials to the Foster Family and Licensing Support team leader (FSS) for review and follow the issuance procedures set forth in [Section 742: Application Determination](#).
  6. The FSC shall immediately notify the Foster Care workers of each child in the home of any changes of address or other major changes which would impact the children in care or necessitate their removal.

#### **Documentation:**

- Contacts with the foster family
- Amended [DSS Form 1513: Original Licensing/Relicensing/Changes for Foster Home Licensing](#) Correspondence with agency staff

#### **Legal Citations:**

##### Multi-Ethnic Placement Act & Interethnic Adoption Provisions

- 42 U.S.C.A. § 671(a)(18): general mandates
- 42 U.S.C.A. § 622(b)(7): diligent recruitment
- 42 U.S.C.A. § 674 & 45 C.F.R. § 1355.38: enforcement
- 42 U.S.C.A. § 1996b: Title VI violation
- 42 U.S.C.A. § 2000a et seq.: Title VI of the Civil Rights Act

##### The Americans with Disabilities Act

- 29 U.S.C.A. § 794: Section 504 of the Rehabilitation Act of 1973
- 29 U.S.C.A. § 705(20)-(21): Section 504 definition of disability
- 42 U.S.C.A. § 12102: ADA definition of disability
- 42 U.S.C.A. § 12103: ADA definition of auxiliary aids and services
- 42 U.S.C.A. §§ 12131-12134: ADA Title II, Public Services
- 42 U.S.C.A. §§ 12181-12189: ADA Title III, Public Accommodations
- 28 C.F.R. § 35.101 et seq.: ADA Title II regulations
- 28 C.F.R. § 36.101 et seq.: ADA Title IV regulations
- 28 C.F.R. § 42.501 et seq.: Section 504 DOJ regulations
- 45 C.F.R. § 84.1 et seq.: Section 504 DHHS regulations
- 42 U.S.C.A. § 671(a)(10): licensing standards, RPP requirements
- S.C. Code Reg. § 114-550: licensing regulations