

Foster Care

OVERVIEW

What is it?

Foster care placement is temporary care provided to children whose parent, guardian or caretaker is unwilling or unable to provide adequate care.

Who is it for?

Children usually enter foster care placement as a result of child abuse, neglect, or dependency. Children are removed from their homes only when the county Department of Social Services (DSS) has determined that the child cannot be safely maintained within the family. Foster care may also be provided to children who are in the juvenile justice system and need placement but do not need to be in a locked facility. In addition, a parent/guardian may ask the DSS to take custody of the child for a short time due to family crisis. These voluntary placement agreements require the agreement of the parent or guardian and the agency director.

Where are applications taken?

The majority of children in DSS foster care placement entered as a result of a juvenile court order. Parents or guardians wishing to explore voluntary placement should contact their county DSS to determine the availability and appropriateness of the service.

INTRODUCTION

Foster care placement is temporary care provided for children whose parent, guardian or caretaker is unwilling or unable to provide adequate care. Typically, children are not placed in foster care unless the parent, guardian or caretaker has been offered services directed at preventing out-of-home placement. In emergency situations, children can be removed from their homes immediately. Generally, relatives are preferred as a first placement alternative to non-relative foster care placement.

Children who are placed in foster care should be placed in the least restrictive, most family-like setting that is appropriate to the child's safety and best interests. Foster care placements are intended to be temporary, until the child can be reunited with the family or provided with an alternate permanent living situation through adoption or guardianship.

BENEFITS/ SERVICES

Foster care services vary depending on the person receiving services.

- *For the child.* DSS will assess needs to ensure appropriate placement and services; arrange and monitor the child's placement; provide on-going risk assessment; arrange medical examinations and other services; provide transportation when needed; supervise the foster care facility to ensure

proper care during placement; provide independent living services to assist older youth in learning life skills; and prepare the child for adoptive placement. In addition, children who are in a foster care placement through the county DSS may be eligible for Medicaid. Medicaid eligibility is based upon the biological family's income and whether the child receives SSI.

- *For the child & family.* DSS will provide services to protect children at home, strengthen families, and prevent out-of-home placement; develop and arrange community-based services to support the child and family; collaborate with other community service providers already working with the family; refer the child and family to needed services, including clinical treatment; provide treatment services as appropriate; and provide counseling to help the child and family cope with the grief resulting from separation and placement.
- *For the family.* DSS will include the family in planning and decision making about placement; involve the kinship network to provide planning, placement and other support for the child and family; assess strengths and needs to determine appropriate plan for service; develop and implement the Family Services Case Plan with the family; help meet plan objectives by providing information, instruction, guidance and mentoring on parenting skills; monitor and update the plan with the family; and develop alternate option with the family to provide a permanent home to the child should reunification fail.
- *For the foster care family/facility.* DSS will recruit, develop and supervise foster care families and child care facilities; provide consultation, technical assistance, and training to expand and improve the quality of care provided; and involve the foster care family in planning and decision making for children in care.
- *For child, family and foster care.* DSS will prepare the child, family, and foster family or facility for separation and placement; negotiate visitation agreements for the family; provide case management; and maintain contact.

Foster Care Payments

There are two sources of governmental revenue for foster care payments: Title IV-E Foster Care Maintenance and State Foster Home Funds. The funding used depends on the family's income. If the child has income through Social Security Disability or Social Security death benefits, Veteran's benefits, child support, or an endowment, etc., the amount of foster care payment may be offset by some or all of the child's income.

The standard foster care payment is as follows:

Child:

- \$315 per month for children 0-5
- \$365 per month for children 6-12
- \$415 per month for children 13+

For children who have been perinatally exposed to HIV or who have developed symptoms of AIDS, supplemental payments of \$800-\$1600 are available, depending on the child's medical status:

- Children with indeterminate HIV status: \$800/month;
- Children with confirmed HIV-infected, asymptomatic: \$1,000/month;
- Children with confirmed HIV-infected, symptomatic: \$1,200 per month; or
- Children who are terminally ill with complex medical needs: \$1,600/month.

APPLICATIONS

There are no formal applications for this program.

By law, the county Director of Social Services has the authority to place a child in foster care if one of the following situations exists:

- The child has been placed in the legal custody of the Department of Social Services by a court, and the order gives the agency the authority to determine the most appropriate foster care placement;
- The family, guardian or legal custodian gives the agency a written agreement that the child may be placed in foster care;
- The child has been released to the county Department of Social Services for adoption; or
- An 18 year old or emancipated child signs a written voluntary agreement to remain in foster care.

ELIGIBILITY REQUIREMENTS

Foster care must be provided to any child residing in North Carolina if the county Department of Social Services has the legal authority for placement (see above) and believes that it is not safe for the child to remain in his or her home due to abuse, neglect or dependency. There are no other eligibility requirements for foster care placement. Thus, children do not have to meet any income, resource or citizenship requirements.

NUMBERS SERVED

As of June 30, 1998, there were 6,702 North Carolina children in foster care living arrangements. An additional 4,840 children were in the custody and placement responsibility of DSS, but were not in foster care placement. Approximately 1,050 of these children were still living with their parents, and approximately 2,000 were living with other relatives. The rest were in non-foster care placements such as hospitals, mental health facilities, and correctional facilities.

PRIORITIZATION SYSTEM All children entering foster care from the Child Protective Services system are entitled to receive these services.

APPEAL RIGHTS The initial determination to remove the child from the parents' custody occurs at the District Court level. Parents have the right to appeal the district court's order to place their child(ren) in foster care. This appeal is heard by the state Court of Appeals. Once the DSS has custody, the agency has the legal right to make determinations regarding placement of the child. The District Court maintains its authority to determine if and when the child will be reunited with the family, and the conditions for reunification.

FINANCING There are two sources of governmental revenue for foster care payments: Title IV-E Foster Care Maintenance and State Foster Home Funds. The funding used depends on the family's income. Therefore, the portion of the total cost covered by federal, state and county funds varies from year to year according to the family income and eligibility for funding sources. The following is a breakdown of the FY 1997-1998 total expenses:

Federal:	\$50.8 million
State:	\$14.3 million
County & other private:	\$28.4 million
Provider match:	\$ 7.4 million

ADMINISTRATION The Foster Care program is administered on the national level by the Administration for Children, Youth, and Families. The Division of Social Services, within the NC Department of Health and Human Services, supervises the program on the state level. Services are administered on the local level by the county Department of Social Services.

SOURCES OF LAW Federal statute: PL 96-272
PL 99-272
State statute: NCGS 108A-48 (State Foster Home Funds)
NCGS 143-153(3) (Social Services Commission authority)
NCGS 131D-10
NCGS 7A-574, 7A-577, 7A-651, 7A-661, 108A-24, 108A-49

FOR MORE INFORMATION For more information contact:
Division of Social Services
NC Department of Health and Human Services
Children's Services
325 N. Salisbury St.
Raleigh, NC 27603
919-733-4622
<http://www.state.nc.us/DHR/DSS/ChildrensServices>