

	INDIANA DEPARTMENT OF CHILD SERVICES CHILD WELFARE MANUAL	
	Chapter 12: Foster Family Home Licensing	Effective Date: March 1, 2007
	Section 23: Investigation for Negative Licensing Action	Version: 1

POLICY	OLD POLICY: 613.21, 613.211, 613.212
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The Indiana Department of Child Services (DCS) will investigate any Child Abuse and/or Neglect (CA/N) allegation regarding licensees of Licensed Child Placing Agency (LCPA) or DCS local office licensed homes.

The DCS local office or LCPA responsible for licensing compliance will investigate allegations of licensing rule violations that do not meet the statutory definition of CA/N.

DCS or an LCPA licensing worker may use the results of the investigation as the basis for revocation of a license if CA/N is substantiated or a rule violation is established.

The results of the licensing allegation may be used as the basis for probationary status.

The option to use DCS investigative personnel to conduct an investigation will depend upon the nature of the allegations and the staff available (Child Protection Service (CPS), licensing, etc.). See separate policies, [3.4 Initial Evaluation of Child Abuse and/or Neglect \(CA/N\) Intake Reports](#) and [4.1 Reviewing the Child Abuse and/or Neglect Intake Report and Other Records](#).

In accordance with Indiana Code, when a complainant alleges CA/N the identity of the complainant is confidential. The identity of the complainant is not to be a part of the public record, is not available to the licensee, and shall not be revealed to any person during the investigation. Disclosure of this information by design or by neglect shall be considered grounds for disciplinary action.

An indicated finding is not grounds for any negative action.

Code Reference

1. [465 IAC 2-1-3\(a\): Foster family; full-time care; health; income; adult boarders; records and reports](#)
2. [465 IAC 2-1-8 \(a\) Personal care of child in boarding home for full-time care of children; supervision; education; religion](#)
3. [IC 31-27-4-17: Probationary status; duration; expiration; extension](#)
4. [IC 31-27-4-18: Inspection of foster family homes](#)
5. [IC 31-27-4-19: Records of monitoring activities and inspections](#)
6. [IC 31-27-4-20: Cooperation by licensees](#)
7. [IC 31-27-4-33: Compliance with rules; disciplinary sanctions; revocation of license](#)

PROCEDURE

DCS staff will:

1. Complete an Indiana Child Welfare Information System (ICWIS) intake and determine the appropriate disposition of the intake. See separate policy, [3.4 Initial Evaluation of Child Abuse and/or Neglect \(CA/N\) Intake Reports](#);
2. Assess CA/N allegations on resource family homes licensed by DCS local offices and LCPAs;
3. Evaluate the results of the assessment and make appropriate assessment findings; and
4. Submit the completed assessment findings to the licensing worker

Upon receipt of the assessment findings, the licensing worker will:

1. Evaluate the assessment findings and forward ALL substantiated cases of CA/N to Central Office Licensing Unit Manager;
2. If necessary, process the recommendation for probationary or negative action in ICWIS, after review by the DCS Local Office Director or designee, or the LCPA director, and DCS Local Office Attorney. See separate policies, [12.17 Probationary Status](#) and [12.21 Revocations](#);
3. Submit recommendation to Central Office Licensing Unit Manager for approval;
4. Cooperate with the Central Office Licensing Unit by providing necessary records, documentation, and witnesses upon the request of the Central Office Licensing Unit; and
5. Submit all completed assessment reports to the Central Office Licensing Unit Manager.

Upon receipt of the results of the allegations and assessments, Central Office Licensing Unit Manager or designee will:

1. Gather and review additional information as needed;
2. Make decisions concerning any appropriate sanctions and provide direction and recommendations to the licensing staff; and
3. Inform the appropriate parties of decision.

PRACTICE GUIDANCE

N/A

FORMS AND TOOLS

N/A

RELATED INFORMATION

N/A