



INDIANA DEPARTMENT OF CHILD SERVICES CHILD WELFARE POLICY

Chapter 17: Residential Licensing

Section 08: Referral Holds

Effective Date: July 1, 2022

Version: 1

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POLICY OVERVIEW

Referrals from the Indiana Department of Child Services (DCS) to a residential facility may be placed on hold to ensure the safety and well-being of children if the facility does not follow guidelines as outlined by statute, administrative rules, contract (if applicable), and DCS.

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PROCEDURE

DCS may place a referral hold on a residential facility when a child safety, statutory noncompliance, code violation, or contract noncompliance issue is identified or discovered. The Residential Licensing Unit (RLU) will determine the timeframe for a referral hold and will provide notification of the timeframe to the facility.

Upon Discovery of an Issue that may Warrant a Referral Hold

The RLU will:

1. Review supporting documentation regarding the issue identified (e.g., audit findings and/or Preliminary Report of Alleged Institutional Child Abuse or Neglect [310A]) that may result in a referral hold;
2. Collaborate with the DCS Institutional Child Protective Services (ICPS) Unit, if necessary. See policy 4.30 Institutional Child Protective Services (ICPS) Unit Assessments for additional information; and
3. Determine whether a referral hold is the best course of action.

The Licensing Specialist will follow up with the facility to gather additional information as needed.

The Licensing Supervisor will create the referral hold in the case management system upon the RLU coming to a joint decision.

The RLU Manager will:

1. Schedule and attend a meeting with the Deputy Director of Child Welfare Services (or designee) and the DCS legal team for final approval when a referral hold is being recommended;

Note: In extreme circumstances, removal of children currently placed with the residential facility may be discussed and pursued to ensure child safety.

2. Send a Notice of Referral Hold letter to the facility upon the decision to proceed with a referral hold and send the Plan of Correction (POC) request, including the timeframe for which the POC is due and the projected timeframe of the referral hold, within five (5) business days after the issuance of the Notice of Referral Hold letter; and

Note: The RLU Manager may work with the DCS legal team to send the Notice of Referral Hold letter and the POC to the residential facility.

3. Send a notification of the referral hold to the following Deputy Directors, including the reason for the referral hold and the start and anticipated end dates of the referral hold:
 - a. Child Welfare Services;
 - b. Field Operations; and
 - c. Juvenile Justice Initiatives and Support.

The Deputy Director of Child Welfare Services (or designee) will:

1. Meet with the RLU team members to review documentation; and
2. Make the determination to place a referral hold on the residential facility, if deemed appropriate.

The DCS legal team will meet with the RLU team members to review documentation provided by the RLU and provide legal guidance, upon request, regarding referral hold implementation.

Once a Referral Hold has been Implemented

The RLU will:

1. Consistently monitor the residential facility's progress through documentation review, visits to the facility (announced and unannounced), and increased contact with the facility (e.g., weekly meetings and facility reports) to determine if the facility has substantially satisfied the POC;
2. Develop a continued plan (e.g., extend referral hold, remove children from the residential facility, or termination of agency contract) if it is determined the facility needs ongoing evaluation of POC compliance. See policy 17.09 Termination of Residential Contract for additional guidance regarding termination of a facility's contract;
3. Review the POC, upon receipt from the facility, to determine if the POC is satisfactory. The Deputy Director of Child Welfare Services (or designee), DCS legal, and/or the Residential Clinical Specialist may be consulted for review; and
4. Maintain communication with the residential facility throughout the referral hold process to monitor and discuss progress regarding the residential facility's POC.

The Licensing Specialist will:

1. Review the POC, upon receipt from the residential facility, and present the POC to the Licensing Supervisor to determine if the POC is satisfactory;

Note: The Deputy Director of Child Welfare Services (or designee) and the DCS legal may be consulted for review.

2. Consistently monitor the residential facility's response through documentation review, visits to the facility (announced and unannounced), and increased contact with the facility (e.g., weekly meetings and facility reports); and
3. Staff with the Licensing Supervisor throughout the referral hold process.

The Licensing Supervisor will:

1. Staff with the Licensing Specialist throughout the referral hold process and discuss progress regarding the residential facility's POC; and
2. End the referral hold in the case management system, upon the RLU coming to a joint decision.

The RLU Manager will:

1. Maintain communication with the Deputy Directors referenced above throughout the referral hold process and provide notification of the referral hold being lifted; and
2. Send the Notice to Lift Referral Hold letter to the facility when it is determined the residential facility has substantially satisfied the POC.

The Residential Clinical Specialist will meet with the RLU team members to:

1. Review documentation provided by the RLU; and
2. Provide support/ recommendations throughout the referral hold process.

The Deputy Director of Child Welfare Services (or designee) will meet with the RLU team members to discuss progress regarding the facility's POC and recommendations to lift the facility's referral hold.

The DCS Legal team will meet with the RLU team members to:

1. Review documentation provided by the RLU; and
2. Provide legal guidance, upon request, regarding:
 - a. Extending a referral hold,
 - b. Lifting a referral hold, and/or
 - c. Developing a continued plan if it is determined the residential facility needs ongoing evaluation of POC compliance.

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RELEVANT INFORMATION

Definitions

N/A

Forms and Tools

- [Preliminary Report of Alleged Institutional Child Abuse or Neglect \(310A\) \(SF 49549\)](#)

Related Policies

- [4.30 Institutional Child Protection Services \(ICPS\) Unit Assessments](#)
- [17.09 Termination of Residential Contract](#)

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LEGAL REFERENCES

- [IC 31-27-3: Regulation of Child Caring Institutions](#)
- [IC 31-27-5: Regulation of Group Homes](#)
- [465 IAC 2-11-22: "Private secure facility" defined](#)
- [465 IAC 2-16-13: "Residential treatment services provider" defined](#)

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PRACTICE GUIDANCE- DCS POLICY 17.08

Practice Guidance is designed to assist DCS staff with thoughtful and practical direction on how to effectively integrate tools and social work practice into daily case management in an effort to achieve positive family and child outcomes. Practice Guidance is separate from Policy.

N/A

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