

DHS Responses to Public Comments Regarding Minimum Licensing Standards

Tressa Hamilton

Comment: Submitted on behalf of the Arkansas Chapter of FFTA

To whom it may concern,

The Therapeutic Foster Care Providers met and reviewed the proposed minimum licensing standards and have concern regarding the above-proposed standard. While we fully agree that, the children in our care absolutely need to remain safe around swimming pools and while engaging in water activities there is major concerns around the cost of what is being proposed as the new licensing standards.

One of my therapeutic foster parents looked in to the approved pool cover meeting the American Society for testing materials (ASTM) that requires the cover to hold a minimum of 485 pounds per five (5) square feet. They found out that to purchase the cover and have it installed, it will cost them \$3,000.00.

The alternative listed to the pool covering is also be VERY expensive, as it is very specific in the requirements (5 feet tall, no more than 4 inches in diameter, no openings, handholds, footholds to be climbed over) and the again very specific requirements on the gate and the gate lock. Any foster parent that has a pool already with a fence will likely have to have it totally replaced, as it will not meet these very specific standards.

Again, we absolutely agree that the children in our care need to be safe around swimming pools, however, these requirements are going to be an excessive expense that foster parents do not have, especially since they become effective December 1, 2020.

We feel that this standard will cause us to lose current and future foster homes, both regular and therapeutic if this standard remain. We are in a placement crisis right now with foster children and do not need to lose homes, surely there is a more affordable way to protect our children.

Response: The Child Welfare Agency Review Board did consider the cost to foster parents when they approved the standards that have been put forth regarding swimming pool safety. The standards are to mitigate the potential for any serious injury or death to children in the custody of the State of Arkansas. The Child Welfare Agency Review Board does acknowledge that the cost could be potentially prohibitive to some current and future foster parents.

Consevilla James LCSW, Executive Director, Treatment Homes, Inc.

Comment: To Whom It May Concern:

There appears to be an error in Section 310.4 in the Approval of Foster Homes in the proposed changes in the Minimum Licensing Standards for Child Welfare Agencies (Placement & Residential).

Section 310.4 was removed: Foster parents shall be trained in crisis prevention and intervention before a child is placed in the home.

However, Section 305.5 states: Physical restraint shall be initiated only by a trained person and only to prevent injury to the child, other people or property, and shall not be initiated solely as a form of discipline.

I suspect this must have been an error. This training requirement remains in Section 411.4 for Therapeutic Foster Care - Sexual Rehabilitative Programs.

Response: Section 310.4 was removed in error. Public comment was correct.