

2960.3030 CAPACITY LIMITS.

Subpart 1. **Maximum foster children allowed.** A foster home must have no more than six foster children. The maximum number of children allowed in a home is eight, including a foster parent's own children. The license holder must maintain a ratio of one adult for each five children.

Subp. 2. **Capacity limits.** The capacity limits in items A to C apply to foster homes.

A. A foster home must have no more than three children who are under two years of age or who are nonambulatory, unless the license holder maintains a ratio of at least one adult present when children are present for every three children under two years of age or children who are nonambulatory.

B. A foster home must have no more than four foster children at one time if any of the children have severe or profound developmental disabilities, have severe emotional disturbance, or is a person assisted by medical technology.

C. The number of foster children a foster home may accept must be limited based on the factors in subitems (1) to (5):

- (1) the license holder's ability to supervise, considering the adult-to-child ratio in the home;
- (2) the license holder's training, experience, and skills related to child care;
- (3) the structural characteristics of the home;
- (4) the license holder's ability to assist children in the home during emergencies; and
- (5) the characteristics of the foster children, including age, disability, and emotional problems.

Subp. 3. [Repealed, L 2019 1Sp9 art 2 s 134]

Statutory Authority: *L 1995 c 226 art 3 s 60; MS s 241.021; 245A.03; 245A.09*

History: *28 SR 211; L 2005 c 56 s 2; L 2019 1Sp9 art 2 s 134*

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