

2960.3060 LICENSE HOLDER QUALIFICATIONS.

Subpart 1. **Experience.** The prospective license holder must agree to cooperate with the licensing agency and:

A. have at least the equivalent of two years of full-time experience caring for or working with the issues presented by the children they will care for, whether they are the license holder's own children or other children;

B. agree to receive training in child care and development as needed in order to meet the individual needs of the children placed in the foster home;

C. be related to the child needing foster care; or

D. be an important friend with whom the child has resided or had significant contact.

Subp. 2. **Background study.** A license holder and individuals identified in Minnesota Statutes, sections 241.021 and 245A.04, subdivision 3, must submit to a background study.

A. Background checks conducted by the Department of Human Services must be conducted according to Minnesota Statutes, section 245A.04, subdivision 3.

B. Background checks conducted by the Department of Corrections must be conducted according to Minnesota Statutes, section 241.021, subdivision 6.

Subp. 3. **Personal characteristics of applicants.** The applicant must comply with the requirements of items A to G.

A. The applicant must be at least 21 years old at the time of application.

B. The applicant and household members must provide a signed statement which indicates that they are receiving all necessary medical care, do not pose a risk to the child's health, and are physically able to care for foster children and indicate any limitations the applicant and household members may have.

C. The applicant and adult household members must sign a statement that they have been free of chemical use problems for the past two years.

D. The applicant must help the licensing agency obtain at least three letters of reference that provide information about the license holder's support system, the observed license holder's interactions with children, and the ability of the license holder and foster family to accept different points of view.

E. The applicant must help the licensing agency get previous foster care studies completed on the applicant by any other agency to which the applicant has applied for foster care licensure.

F. The licensing agency must make a determination as to whether a prospective license holder and foster parent can provide appropriate structure and is suitable to be licensed if a prospective license holder or foster parent has had either of the following:

(1) a child for whom the applicant is legally responsible was removed from the applicant's home and placed in foster care, a correctional facility, or a residential treatment center for severe emotional disturbance under Minnesota Statutes, chapter 260C, within one year prior to the date of application; or

(2) the applicant has a child in voluntary foster care under Minnesota Statutes, section 260C.193, 260C.201, 260C.227, or 260D.11.

G. The licensing agency may consult with a specialist in such areas as health, mental health, or chemical dependency to evaluate the abilities of the applicant to provide a safe environment for foster children. The licensing agency and the specialist must evaluate each applicant individually. The licensing agency must request a release of information from the applicant prior to assigning the specialist to evaluate the applicant. The licensing agency must tell the applicant why it is using a specialist to evaluate the applicant.

Subp. 4. **Home study of applicant.** The applicant must cooperate with a home study conducted by the licensing agency. At a minimum, there must be one in-home interview and documented interviews with all household members over seven years of age. The home study must be completed using the commissioner of human services' designated format. The applicant must demonstrate the ability to:

A. provide consistent supervision, positive and constructive discipline, and care and training to contribute to the foster child's well-being;

B. understand the licensing agency's programs and goals;

C. work within agency and state policies;

D. share responsibility for the foster child's well-being with the foster child's social worker, school, and legal parents;

E. actively support the foster child's racial or ethnic background, culture, and religion, and respect the child's sexual orientation;

F. accept the foster child's relationship with the child's family and relatives and to support visitation and family reunification efforts;

G. have a current network of support that may include extended family, and neighborhood, cultural, and community ties that the applicant can use to strengthen the applicant's abilities, and for support and help;

H. meet the foster child's special needs, if any, including medical needs, disabilities, or emotional disturbance;

I. deal with anger, sorrow, frustration, conflict, and other emotions in a manner that will build positive interpersonal relationships rather than in a way that could be emotionally or physically destructive to other persons; and

J. nurture children, be mature and demonstrate an ability to comply with the foster child's care plan, and meet the needs of foster children in the applicant's care.

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

History: *28 SR 211; L 2012 c 216 art 6 s 13*

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