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## Relative Licensing

### **Secs. 17a-114-1—17a-114-13.**

Repealed, March 22, 1995.

### **Certification of Relatives Providing Foster Care to a Related Child**

#### **Sec. 17a-114-14. Scope of regulations**

The Commissioner may grant certification to a relative of a child in lieu of a foster care license pursuant to section 17a-114 of the Connecticut General Statutes. (Effective March 22, 1995)

#### **Sec. 17a-114-15. Definitions. As used in sections 17a-114-14 to 17a-114-25**

(a) “Certified” means a relative granted permission by the department to provide foster care in lieu of a foster care license;

(b) “Commissioner” means the commissioner of the department of children and families;

(c) “Department” means the department of children and families;

(d) “Emergency” means any situation in which an immediate threat to the emotional or physical health or welfare of a child exists or is suspected; and,

(e) “Relative” or “Related” means an adult who is related to a child by blood, marriage or adoption descended from a common ancestor not more than three generations removed.

(Effective March 22, 1995)

#### **Sec. 17a-114-16. Placement of a related child in the home of a relative pending certification**

(a) The commissioner may place a child with a relative who is not certified for a period of up to forty-five (45) days provided:

(1) A satisfactory home visit is conducted;

(2) A basic assessment of the family is completed;

(3) Such relative attests that he and any adult living within the household have not been convicted of any crime or arrested for a felony against a person, for injury or risk of injury to or impairing the morals of a child, or for the possession, use or sale of any controlled substance;

(b) If a relative who has accepted the placement of a child pursuant to subsection (a) of this section becomes aware that any adult member of the household, has been convicted of any crime or arrested for a felony against a person, for injury or risk of injury to or impairing the morals of a child, or for the possession, use or sale of any controlled substance, such relative shall immediately notify the department of this fact; and,

(c) No child shall be placed into the home of a relative if such relative or any adult living within the household has been convicted of any crime or is under arrest for a felony against a person, for injury or risk of injury to or impairing the morals of a child, or for the possession, use or sale of any controlled substance.

(Effective March 22, 1995)

#### **Sec. 17a-114-17. Physical requirements of home. Food. Water. Clothing. Privacy**

(a) Dwellings and furnishing shall be reasonably clean, comfortable and in good repair;

(b) Dwellings shall be reasonably determined to be safe from fire;

(c) The home and grounds shall be reasonably free from anything that would constitute a hazard to children;

(d) There shall be sufficient indoor and outdoor space, ventilation, toilet facilities, light and heat to ensure the health and comfort of all members of the household;

(e) Sleeping rooms for children shall be consistent with the promotion of children's health and safety;

(f) All food for human consumption, food storage and preparation, personal cleanliness and general care of the home shall meet generally accepted health standards;

(g) The water supply shall be adequate;

(h) Adequate sewage and garbage facilities shall be maintained;

(i) The child's clothing shall be kept clean, in good condition, and shall be in keeping with the standards of the home and community;

(j) Each child shall be afforded privacy appropriate to his stage of growth and development;

(k) Firearms or other types of dangerous weapons are discouraged in certified homes. The department shall be notified by any relative if they or a resident in their home possess, prior to certification or obtained subsequent to certification, a firearm or other type of dangerous weapon. A certified relative shall ensure that:

(1) firearms and ammunition shall each be locked in separate places inaccessible to all children;

(2) whenever practicable, firearms shall be equipped with a trigger guard lock;

(3) other types of dangerous weapons shall be unstrung or unloaded and shall be stored in locked containers out of the reach of children; and,

(4) keys to the locked storage area of firearms, other types of dangerous weapons, trigger guards, and ammunition shall be kept in the secure possession of an adult or reasonably secure from children.

(Effective March 22, 1995)

### **Sec. 17a-114-18. Waiver of requirements**

A certified relative shall comply with all relevant regulations unless a waiver for specific requirements of such regulations has been granted by the commissioner, or designee. A waiver shall only be issued if the relative is in substantial compliance with the intent of the relevant statutes or regulations being waived or that the intent of the specific requirement to be waived will be satisfactorily achieved in a manner other than that prescribed by the requirement. A waiver shall specify the particular requirements to be waived, the duration of the waiver and the terms under which the waiver is granted. If the certified relative fails to comply with the waiver in any way the agreement shall be subject to immediate cancellation.

(Effective March 22, 1995)

### **Sec. 17a-114-19. Requirements relating to certified relatives**

(a) Certified relatives and all other members of the household shall attest to whether they are or are not free of communicable disease and physical, mental or emotional infirmities which would interfere with their ability to care for children;

(b) The certified relative shall notify the department whenever they or a member of the family contracts a communicable disease or if they develop a physical, mental or emotional infirmity which may interfere with their child-caring ability;

(c) The certified relative shall report by telephone to the department on the next working day any circumstances which alters the service as originally certified, or the statements of fact provided in the request for certification. The certified relative

shall also report to the department by telephone no later than the next working day, any serious injury to, or the death of a child in a certified relative's home or any fire in such home;

(d) Unauthorized absences of a child in care shall be reported immediately by telephone to the department or through Careline after regular business hours and on weekends or holidays;

(e) Certified relatives and other members of the household shall be of good character, habits and reputation.

(f) Whenever the certified relative is away from the home, a competent adult shall be left in charge or other suitable arrangements approved by the commissioner, or designee made for the care of the child. The certified relative shall notify the department of the location and hours of employment, so that a finding can be made that such employment will not interfere with the supervision and care of the child;

(g) Certified relatives shall have the right to attend administrative case review and treatment plan review hearings and to provide pertinent information regarding their child's care;

(h) Certified relatives shall comply with the guardian's plan for the child and work cooperatively with the guardian in all matters pertaining to the child's welfare;

(i) No other children shall be taken into the household by the certified relatives without the consent of the commissioner, or designee. The certified relatives shall not have roomers or boarders without the approval of the commissioner, or designee. They shall not take additional children from other agencies or on a private basis without the prior knowledge and approval of the commissioner, or designee;

(j) Certified relatives shall accept and cooperate with arrangements made for the child to have contact with his parents and with the frequency indicated by the commissioner, or designee;

(k) Certified relatives shall be capable of providing:

(1) Care, guidance and supervision of the child, including the handling of emergency situations involving the child;

(A) All certified relative homes shall have a working telephone, or ready accessibility to a telephone. The department shall be immediately notified of any change in the telephone number; and,

(B) Written permission for emergency health care of children shall be obtained from the commissioner, or designee. Instructions shall be obtained from the child's physician if medications are to be administered by the certified relative. Medications shall be kept in labeled containers out of reach of children.

(2) Adequate opportunities for recreational, cultural and educational activities both within the family and in the community;

(3) The child with the opportunity for religious training appropriate to the child's religious denomination;

(4) For the child to attend school regularly;

(5) Cooperation with the proper authorities in relation to the child's educational needs; and,

(6) For the child's physical and emotional needs;

(l) Certified relatives shall give children humane and affectionate care. They shall establish limits and assist children to develop self-control. Discipline shall be appropriate to the child's age and level of development. Certified relatives shall not use abusive, neglectful, corporal, humiliating or frightening punishment and restraints not appropriate to the circumstances, particularly in the area of toileting, feeding, or sleeping practices.

(Effective March 22, 1995)

**Sec. 17a-114-20. Causes for denying certification**

(a) Certification may be denied for any of the following causes whenever in the judgment of the commissioner, or designee, the relative:

- (1) Fails to comply with the regulations prescribed by the commissioner;
- (2) Fails to comply with applicable state statutes or regulations, or local laws, ordinances, regulations, codes and rules including but not limited to building, health, fire protection, safety, sanitation and zoning;
- (3) Furnishes or makes any false or misleading statements to the commissioner, or designee in order to obtain certification;
- (4) Refuses or fails to submit information or documentation or make information or documents available when requested by the commissioner, or designee; and,

(b) Any relative who has applied for and is denied certification may appeal pursuant to section 17a-114-21 of these regulations.

(Effective March 22, 1995)

**Sec. 17a-114-21. Hearing on denial of certification**

Any relative may, within fifteen (15) days after receipt by certified mail of notice of denial, request an administrative hearing thereon in accordance with the Uniform Administrative Procedures Act, Chapter 54, Connecticut General Statutes. Denial of certification shall be stayed until a final decision is rendered in such hearing except as provided in section 4-182 subsection (c) of the Connecticut General Statutes. In the absence of a request for a hearing during this time period, the certification shall be denied.

(Effective March 22, 1995)

**Sec. 17a-114-22. Issuance of certification. Term. Recertification. Not transferable or assignable**

(a) A certification to care for a related child placed by the department shall be issued only to the relative for which request for certification is made and only for the address shown on the request and shall not be transferable or assignable;

(b) A relative certification shall be granted only for the child specified on the certification and only during the period the child is in placement with the relative. Certification shall terminate upon removal of the child from the home;

(c) If a child who has been removed from a relative placement is again placed in that same home within six (6) months, Recertification may be granted upon completion of a satisfactory home visit; and,

(d) Recertification shall occur annually in cases where a child continues in placement for a period of one (1) year or more.

(Effective March 22, 1995)

**Sec. 17a-114-23. Access of commissioner or designee to premises**

Each certified relative shall grant the commissioner, or designee access to the premises at any reasonable time as deemed necessary with respect to non-emergency child related issues. In emergency circumstances unrestricted access shall be granted.

(Effective March 22, 1995)

**Sec. 17a-114-24. Causes for revocation of certification**

(a) Certification may be revoked for any of the following causes whenever in the judgment of the commissioner, or designee, the certified relative:

- (1) Fails to comply with the regulations prescribed by the commissioner;

(2) Fails to comply with applicable state statutes or regulations, or local laws, ordinances, regulations, codes and rules including but not limited to building, health, fire protection, safety, sanitation and zoning;

(3) Violates any of the provisions under which certification has been issued;

(4) Furnishes or makes any false or misleading statements to the commissioner, or designee in order to obtain certification;

(5) Refuses or fails to submit information or documentation or make information or documents available when requested by the commissioner, or designee;

(6) Fails or refuses to admit the commissioner, or designee at any reasonable time as deemed necessary by him, or during emergency circumstances;

(7) Fails to comply with any waiver requirements; or,

(8) The health, welfare or well being of a related child is in the opinion of the commissioner, or designee not being served by such placement.

(Effective March 22, 1995; amended May 10, 1999)

**Sec. 17a-114-25.**

Repealed, May 10, 1999.