

NORTH DAKOTA CANDIDATE FOR FOSTER CARE

Definition	<i>A candidate for foster care is a child who is at serious risk of removal from the home as evidenced by the agency either pursuing his/her removal or making reasonable efforts to prevent such removal.</i>
Agency Means	County/ Human Service Zone – In-Home Program clients ND Department of Human Services – Human Services Centers eligible clients Tribal Social Services – Family Preservation clients Division of Juvenile Services – Custodial clients living in their home “community clients”. <ul style="list-style-type: none"> • Does NOT include foster care placements or clients placed at YCC and DETENTION
Home Means	The parental or relative dwelling where the child primarily resides
Serious Risk Means	Circumstances and characteristics of the child, parent, guardian, or children in the home that may affect the parent’s ability to safely provide care to the child
Circumstances Or Characteristics May Include But Are Not Limited to	Mental health diagnosis Substance use disorder Lack of parental capacity Limited capacity to function in parenting roles Parent’s inability to address serious needs of the child Parent’s need for additional support to meet the needs of a child’s behavior Physical or intellectual disability Kinship or relative placement in need of support and services Adoption or guardianship at risk of disruption
Candidacy Highlights	<ol style="list-style-type: none"> 1. Candidacy is eligibility criteria, not a service 2. States claim IV-E reimbursement for activities provided to children not in foster care. 3. Candidacy is not a service or activity. Candidacy is not maintenance reimbursement. 4. A child may not be considered a candidate for foster care solely because the ND Department of Human Services or its authorized agents are minimally involved with the child and his/her family. 5. In order for the child to be considered a candidate for foster care, the ND Department of Human Services or its authorized agents involvement with the child and family must be for the specific purpose of either satisfying the reasonable efforts requirement with regard to preventing removal from the home or if needing removing the child and placing him/her in out of home care. Section 471(a)(15)(B)(i). 6. Determinations for foster care candidacy must be made by employees of the State agency or another public agency that has entered into an agreement with the State title IV-E agency pursuant to section 472(a)(2) of the Social Security Act. (45 CFR 205.100): <ul style="list-style-type: none"> • NDDHS ~ CFS, Behavioral Health and Field Services (contracts as applicable) • County/Human Service Zone ~ Authorized agents of the Department per law • DJS ~ Valid agreement with NDDHS • Tribes ~ Valid agreement with NDDHS 7. Three acceptable forms of documentation that establish a child's candidacy for title IV-E support; including a case plan, an eligibility form or evidence of a court proceeding. North Dakota made the decision the agency or its agent must make the determination with respect to candidacy and have on file a defined case plan. 8. Foster youth who are pregnant or parenting (their child is a candidate)
Case Plan	Plan must indicate in writing <i>“absent effective preventative services, out of home care is the planned arrangement for the child.”</i> ✓ ND will proceed with required case plan language to not only meet eligibility, but to revisit the need/risk ongoing. ✓ Case plan must be updated at least every <u>six months</u> .