

# ARKANSAS REGISTER

## Proposed Rule Cover Sheet



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Name of Department \_\_\_\_\_

Agency or Division Name \_\_\_\_\_

Other Subdivision or Department, If Applicable \_\_\_\_\_

Previous Agency Name, If Applicable \_\_\_\_\_

Contact Person \_\_\_\_\_

Contact E-mail \_\_\_\_\_

Contact Phone \_\_\_\_\_

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Name of Rule \_\_\_\_\_

Newspaper Name \_\_\_\_\_

Date of Publishing \_\_\_\_\_

Final Date for Public Comment \_\_\_\_\_

Location and Time of Public Meeting \_\_\_\_\_

## NOTICE OF RULE MAKING

The Director of the Division of Children and Family Services of the Department of Human Services announces for a public comment period of thirty (30) calendar days a notice of rulemaking for the following proposed child maltreatment investigation rule(s) under one or more of the following chapters, subchapters, or sections of the Arkansas Code: §§ 9-28-103, 9-28-402(12), 9-28-405, 12-18-105, 20-76-201, and 25-10-129.

### **Effective October 1, 2020:**

The Arkansas Department of Human Services (DHS), Division of Children and Family Services (DCFS) intends to issue guidance to Division of Children and Family Services staff regarding the purpose and utilization of Private Licensed Placement Agency (PLPA) Resource Homes. A PLPA is a child placement agency licensed by the Child Welfare Agency Review Board to recruit, train, approve, and support their own resource homes.

**Background:** A PLPA resource home provides care in a family-like setting twenty-four (24) hours a day. A PLPA maintains the resource homes it recruits by ensuring those resource homes continuously meet Minimum Licensing Standards for Child Welfare Agencies (Placement) and DHS policies and procedures. PLPA approval agencies intensively supervise and support PLPA resource homes and monitor them through quarterly and annual reevaluations. Each child in a PLPA resource home is assigned a DCFS Family Service Worker and a case manager who is active in the child's life. Placement in an approved and available PLPA resource home is an option for any child (ages 6-18 and sibling groups) in DHS custody when a PLPA resource home best meets the needs of a child. A resource parent must be financially able to care for their own needs without the foster care board payment to supplement his or her income. A resource home may not be both a PLPA home through a private licensed agency and a DCFS resource home.

**Policy VI:P: Private Licensed Placement Agency Resource Homes:** The rule defines PLPA and how they operate in conjunction with DCFS and DCFS approved resource homes. The rule requires PLPA's to ensure that resource homes meet minimum licensing standards, including background checks, home studies, pre-service training, continuing resource parent education, adherence to the reasonable and prudent parent standard and use of all types of alternate care, requests for changes in placement, and allegations of child maltreatment involving the resource home.

The rule establishes when placement of a child in DHS custody in a PLPA is appropriate and how a Family Service Worker begins the process and continues monitoring the child. The rule describes the population of children for which PLPA providers take placement. PLPA resource homes are expected to accept placement of older children (ages 6-18) and sibling groups. PLPA resource homes with space limitations are expected to seek and accept children over the age of six (6).

Also, the rule establishes monitoring and supervision requirements of the PLPA resources homes by the respective PLPA approval agency. It sets requirements for resource parents and a framework to no longer remain an active resource parent. It also details the process and steps conducted when a PLPA home wishes to become a DCFS approved home.

The table of contents is being updated to reflect the new policy and procedure changes.

The proposed rule is available for review at the Department of Human Services (DHS) Office of Rules Promulgation, 2nd floor Donaghey Plaza South Building, 7th and Main Streets, P.O. Box 1437, Slot S295, Little Rock, Arkansas 72203-1437. You may also access and download the proposed rule at <https://humanservices.arkansas.gov/resources/promulgation-of-new-rules>. Public comments must be submitted in writing at the above address or at the following email address: [ORP@dhs.arkansas.gov](mailto:ORP@dhs.arkansas.gov). All public comments must be received by DHS no later than **May 18, 2020**. Please note that public comments submitted in response to this notice are considered public documents. A public comment, including the commenter's name and any personal information contained within the public comment, will be made publicly available and may be seen by various people.

If you need this material in a different format, such as large print, contact the Office of Rules Promulgation at 501-320-6164.

The Arkansas Department of Human Services is in compliance with Titles VI and VII of the Civil Rights Act and is operated, managed and delivers services without regard to religion, disability, political affiliation, veteran status, age, race, color or national origin. **4501915183**



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Mischa Martin, Director  
Division of Children and Family Services