

UNDERSTANDING CONCURRENT AND STAND-ALONE LICENSING COMPLAINT INVESTIGATIONS

Any allegation charging a licensed foster parent of abuse or neglect will result in a licensing complaint investigation. If the allegation was brought to the attention of the DCFS hotline, a DCFS Child Protective Investigator (CPSW) will be notified to investigate the allegation. This type of report will automatically cause a licensing complaint investigation that is conducted by the licensing worker at your agency. This type of investigation is called a **Concurrent Licensing Complaint Investigation**. While the licensing investigator and the CPSW are not required to conduct all investigative activities together, such cooperation is encouraged. Both the CPSW and the licensing investigator will jointly plan their respective investigation and exchange investigative information weekly. Once the CPSW and the licensing complaint investigations are completed, based on the findings, the agency will be responsible for monitoring the protective plan, developing a corrective plan (if needed), and additional follow-up casework. A main point of difference to understand is the CPSW is investigating the validity of the child abuse and/or neglect report and the licensing worker is investigating if the accused foster parent has violated any standards pertaining to foster care licensure. Further, the purposes of the CPSW and the licensing worker are not mutually exclusive.

If an allegation is received by the supervising agency and does not constitute a child abuse and/or neglect DCFS hotline report but does show credible evidence of licensing standard violations, then the licensing worker will investigate the claim individually in what is called a **Stand-Alone Licensing Complaint Investigation**.



Headquarters
8601 West Main Street
Belleville, IL 62223
Phone: 618-394-5900
Fax: 618-394-5908

East Alton
645 Berkshire Boulevard
East Alton, IL 62024
Phone: 618-258-8750

Mount Vernon
219 Withers Drive
Mt. Vernon, IL 62864
Phone: 618-244-0344

Carterville
10286 Fleming Road
Carterville, IL 62918
Phone: 618-651-0743

Effingham
1901 South 4th Street, Ste. 222
Effingham, IL 62401
Phone: 217-342-3970



WHAT YOU NEED TO KNOW ABOUT LICENSING COMPLAINT INVESTIGATIONS

WHAT YOU NEED TO KNOW

A licensing “complaint” is defined as any report claiming violations of DCFS Rule 402 : Licensing Standards for Foster Family Homes or the Child Care Act related to foster parenting, which can include child abuse or neglect.

Licensing complaints typically come from: (1) Written communication or phone calls to a private agency or DCFS. (2) DCFS or private agency staff who observe licensing violations in the course of their work. (3) Pending hotline reports of abuse or neglect on behalf of the foster parent or member of the household. If credible evidence of abuse or neglect exists within a foster family home the report automatically generates a licensing complaint, causing a licensing investigation. (4) Child Protection Investigators who find no credible evidence of abuse or neglect in a foster family home but do observe what may be licensing violations.

LICENSING INVESTIGATION PROCESS

A licensing complaint will be taken if the alleged violation has occurred within 60 days and the description of events or observations seem show violations. Once a foster parent is under investigation by the agency, the foster home will be put on what is called an **Involuntary Inactive Hold** through DCFS, which means that until the investigation process is finished the foster parent/s are not able to accept any new foster children into the foster home.

Within 2 Business Days of the Complaint

The private agency licensing staff within 2 business days must begin a licensing investigation with an unannounced visit to the foster home. **Foster Parent Rights:** To have a person of their choice with them during the licensing investigation as a witness or advocate. In the person of choice is not present at that moment, foster parent have at least 4 hours to have them present. The witness/advocate must agree to DCFS rules of confi-

dentiality. Any person who is a witness/advocate will not be notified of the outcome of the licensing complaint investigation.

Within 30 Calendar Days of the Complaint

An investigation should be completed within 30 calendar days of the complaint, but can be extended another 30 calendar days upon written notice of the foster parents. If the licensing investigation is concurrent with a pending DCFS investigation, the licensing complaint investigation may also be extended past this 30 day timeframe to allow the CPSW to make their finding recommendation.

15 Days After Completing the Investigation

The private agency must make a formal determination of whether or not a licensing violation has occurred.

5 Calendar Days After Determination

The agency will send the foster parent/s being investigated a certified letter summarizing the finding of the licensing investigation.

POSSIBLE RESULTS OF A LICENSING COMPLAINT INVESTIGATION

Substantiated: Substantiated allegations of an investigation mean that the licensing staff has determined that the foster parent/s have violated one or more of the Department’s licensing standards or the Child Care Act. If a substantiated decision is the result, the foster parent/s will be subject to a corrective action plan which could include disciplinary actions and/or have the parameters of their foster care license affected. The foster parent will be informed of this decision by certified mail. The foster home can only be taken off of Involuntary Inactive Hold when and if the corrective action plan is complete.

Unsubstantiated: Unsubstantiated allegations of an

investigation mean that the licensing staff has determined that there is no evidence to support the alleged violation of the Department’s licensing standards or the Child Care Act. If an unsubstantiated decision is the result, the foster parent will be informed of this by certified mail and the process stops and the foster parent is taken off of Involuntary Inactive Hold.

Foster Parent Right: If the foster parent disagrees with the licensing investigation decision, he/she may make a written request for an informal supervisory review of the decision within 10 days of the postmarked date of the letter. The licensing worker, the supervisor and the foster parent are required to attend this meeting. The foster parent may bring an attorney to representative to this meeting. Foster parent/s may share additional information at the meeting, which they believe to be relevant.

After the informal supervisory review, if the licensing decision is overturned, the process stops. If the decision is not overturned, there are several possible outcomes and enforcement actions will proceed.

POSSIBLE OUTCOMES OF A LICENSING COMPLAINT INVESTIGATION

Corrective Action Plan

If licensing violations are found and are correctable and the foster parent is willing and able to correct them in a short period of time, a written corrective action plan will be developed. The written corrective action plan always contains what licensing violations were found, a clear statement of what is expected for correction, and a specified time frame for completion.

Surrender of License

After a formal determination is made by the supervising agency, the foster parent/s may at any time decide to voluntarily surrender their license.