

DHS Children's Services Policy for Legal Personnel

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What Is DHS Children's Services Policy?

- Children's services policies do not have the force or effect of law. They represent the agency's interpretation of applicable law and instructions on how we implement that law.
- Policies are formulated through an internal process, not "promulgated" under Administrative Procedures Act.
- Interim policy is distributed to the field via bulletins and L-Letters.

Distinguish Policy from Administrative Rule

- DHS has promulgated administrative rules on various subjects, including child placing agencies, child caring institutions, foster homes, and the Child Care Fund.
- Administrative rules are promulgated pursuant to the APA.

Where Do I Find Policy?

- <http://www.mfia.state.mi.us/olmweb/ex/html/>

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PSM 711-5 1 of 7 DEPARTMENT RESPONSIBILITIES AND OPERATIONAL DEFINITIONS PSB 2009-001 9-1-2009	
CPS OPERATIONAL DEFINITIONS	<p>The legal definitions for child abuse, child neglect and child sexual abuse are found in PSM 711-4, CPS Legal Requirements and Definitions and are narrowly defined, based on the language of the Michigan Child Protection Law (CPL) and other laws that provide the legal base for Child Protective Services (CPS). The following definitions are broader in scope and are intended to assist workers in the intake, investigation and dispositional phases and in the provision of post-investigative services.</p> <p>The department is responsible for the investigation of complaints of child abuse allegedly committed by a person responsible for the child's health and welfare.</p>
Person Responsible	<p>A person responsible for the child's health or welfare means:</p> <ul style="list-style-type: none"> • A parent (including a minor parent or noncustodial parent whose parental rights have not been terminated). • Legal guardian. • Licensed foster parent. • Person 18 years of age or older who resides for any length of time in the same household in which the child resides (including live-in adult friends of the parent or foster parent, adult siblings and rela-

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FOB LOG 1 of 1 CHILDRENS FOSTER CARE BULLETINS		FOB 2010-001 2-1-2010
EFFECTIVE DATE	TITLE	MANUAL CODE/ NUMBER
2-1-2010	FOSTER CARE POLICY BULLETIN	FOB 2010-001
12-1-2009	FOSTER CARE INTERIM BULLETIN	FOB 2009-005
12-1-2009	CONSENT FOR PSYCHOTROPIC MEDICATIONS INTERIM BULLETIN	FOB 2009-004
12-1-2009	FOSTER CARE POLICY BULLETIN	FOB 2009-003
10-1-2009	DETERMINATION OF CARE INTERIM BULLETIN	FOB 2009-002
9-1-2009	NEW CHILD & FAMILY SERVICES MANUAL	FOB 2009-001

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FOB 2010-001 1 of 3 FOSTER CARE POLICY BULLETIN		FOB 2010-001 2-1-2010
EFFECTIVE	February 1, 2010	
SUBJECTS	<ol style="list-style-type: none"> FOM 722-11 interim bulletin information regarding consent for psychotropic medications has been added to policy. FOM 903-3 interim bulletin information regarding payment for foster family care has been added to policy. 	
1) FOM 722-11	See interim policy bulletin 2009-004. Delegation of Parental Consent The foster care (FC) worker or the supervisor may give written consent for psychotropic medications without contacting the MCI superintendent. A copy of consent must be filed in the case file, along with documentation within the child's DHS 221, Medical Passport.	
2) FOM 903-3	See interim policy bulletin 2009-003. Determination of Care Supplements The receipt of Social Security Income (SSI) benefits by a ward requires DOC assessments. When a determination of care supplement is due to a physical or mental disability, screen the youth for SSI eligibility; see FOM 902-10, SSI Benefits Determination. Justify the continuation of the level for a determination of care on the DHS 470, DHS 470 A, or DHS 1045. Since the DOC rate is based on	

CPS Policies of Note “PSM”

- 711-5: operational definitions of child abuse and neglect
- 713-8 and 716-1 to 716-9: special investigative situations
- 713-11: risk assessment
- 713-3 and 717-2 to 717-3: central registry/expungement
- 714-1: post-investigative services
- 715-1 to 715-3: court procedures

Foster Care Policies of Note “FOM”

- 722-3: placement and replacement
- 722-6B: permanency planning conferences
- 722-7: permanency planning
- 722-8C: parent-agency treatment plan
- 722-9: USP
- 722-10: review hearings
- 901-910: funding for placement and care
- 931-932: interstate placements
- 950 and 960: youth in transition and educational training vouchers

Adoption Policies of Note “ADM”

- 210: referral to adoption services
- 300: child adoption assessment
- 510: family adoption assessment
- 800 to 880: MCI
- Adoption Subsidy Manual (“AAM”)

Other Policies of Note

- Services Requirements Manual (“SRM”)131: confidentiality/release of information
- Children’s Guardianship Manual (“GDM”): juvenile guardianships, juvenile guardianship assistance program, and EPIC guardianships (forthcoming)
- Juvenile Justice Field Services and Juvenile Justice Residential manuals
- Native American Affairs Manual

Questions or Comments

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