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Interpretation

Applicable To: **Licensing Standards for Foster Family Homes**

Policy Citation: 402.2: Definitions

“License applicant” means the operator or person with direct responsibility for daily operation of the facility to be licensed. (Section 4.4 of the Child Care Act of 1969)

Question: **An adult is caring for her elderly parent, who has Parkinson’s disease. The adult lives in her mother’s home. She also is a relative caregiver to her grandchildren who live with her in her mother’s home. She has applied for a foster home license. Can she be considered as the licensing applicant if she lives in her mother’s home and is “not the head of the household”?**

Discussion: The definition for license applicant in Rule 402 and the Child Care Act of 1969 indicates that the applicant has to have *“direct responsibility for daily operation of the facility”*. It does not require that the applicant own or rent the home where he or she resides nor does it require the applicant to be the eldest in the household.

Section 402.12 defines the qualifications of the foster family. Section 402.12 does not require that a foster parent be considered the “head of the household”.

In the case presented, the adult applying for a foster home license, has the *“direct responsibility for daily operation of the facility”*. She cares for her elderly parent who cannot care for herself and she also is a relative placement through the Department for her own two grandchildren. She meets the definition of licensing applicant. A licensing study will determine if she meets the Section 402.12, Qualifications of Foster Family.

Response: An adult, living in his or her parent's home, caring for an elderly parent, can be considered an applicant for foster care. The adult must be directly responsible for daily activities in the home.