

Steve Sisolak
Governor

Richard Whitley, MS
Director



DEPARTMENT OF HEALTH AND HUMAN SERVICES

DIVISION OF CHILD AND FAMILY SERVICES
Helping people. It's who we are and what we do.



Cindy Pitlock, DNP
Administrator

MTL # 1304 – 10072022
10/07/2022

TO: Timothy Burch, Administrator – Clark County Department of Family Services
Betsey Crumrine, Social Services Manager V – DCFS – District Offices
Laurie Jackson, Social Services Manager V – DCFS -District Offices
Amber Howell, Director – Washoe County Human Services Agency

FROM: John Bradtke, Deputy Administrator, Division of Child and Family Services

POLICY DISTRIBUTION

Enclosed find the following policy for distribution to all applicable staff within your organization: 1304 Respite Policy

This policy is/was effective: 9/14/2022

- ☐ This policy is new. Please review the policy in its entirety
- ☒ This policy replaces the following policy(s): MTL # 1007 Policy Name: 1007 Respite Care – Rural Region Only
- ☒ This policy has been revised. Please see below for the type of revision:
- ☒ This is a significant policy revision. Please review this policy in its entirety.
 - ☐ This is a minor policy revision: (List page number & summary of change): _____
 - ☐ A policy form has been revised: (List form, page number and summary of change): _____

NOTE:

- Please read the policy in its entirety and note any areas that are additionally required by your agency to be in compliance with the policy enclosed.
- This is an **ALL STAFF MEMO** and it is the responsibility of the person listed above to disseminate the policy enclosed to appropriate staff within his/her organization and to ensure compliance.
- The most current version of this policy is posted on the DCFS Website at the following address: <http://dcfs.nv.gov/Policies>
Please check the table of contents on this page for the link to the chapter you are interested in.

CC:

Judy Tudor (Judy.tudor@clarkcountynv.gov)

Jill Marano (Jill.marano@clarkcountynv.gov)

Abigail Frierson (Abigail.frierson@clarkcountynv.gov);

DFSPandP@Clarkcountynv.gov

Maria Hickey (mhickey@dcfs.nv.gov)

Kim Martin (ksmartin@washoecounty.us)

1304 Respite Policy

Policy Approval Clearance Record

<input checked="" type="checkbox"/> Statewide Policy <input type="checkbox"/> Administrative Policy <input type="checkbox"/> DCFS Rural Region Policy	<input type="checkbox"/> New Policy <input type="checkbox"/> Modified Policy <input checked="" type="checkbox"/> This policy supersedes: 1007 Respite Policy (DCFS Only)
Date Policy Effective:	09/14/2022
Attorney General Representative Review:	4/15/2022
DCFS Deputy Administrator Review	09/14/2022
DMG Original Review	09/14/2022
DMG Revisions Review	

STATEMENT OF PURPOSE

Policy Statement: To ensure that caregivers, who are fostering children are able to access planned or emergency respite services. Respite is not intended to replace the duties or obligations originally agreed to by caregivers, but instead provide the opportunity to support caregiver(s). Respite can include a temporary break of a couple of hours up to and including a break of multiple days from caregiving responsibilities.

Purpose: This policy provides guidance, direction and parameters for family foster care including relatives and fictive kin homes to use prudent parenting decision making when selecting an appropriate respite provider when the licensed foster parent needs assistance in caring for a foster child. All identified respite providers are expected to adhere to the child welfare agency guidelines and expectations as the caregiver would during respite.

AUTHORITY

NRS: [NRS 424.077](#)

NAC: [NAC 424](#); [NAC 424.505](#); [NAC 424.646](#); [NAC 424.805](#)

DEFINITIONS

Agency which provides Child Welfare Services: In a county whose population is less than 100,000, the agency is a local office of the Division of Child and Family Services; or in a county whose population is 100,000 or more, the agency of the county, which provides or arranges for necessary child welfare services. May also be referred to as "Agency" or "Child Welfare Agency".

CANS Check: Refers to a Child Abuse and Neglect Screening which consists of a thorough search of the UNITY system for information on any reports and/or investigations pursuant to NRS 432B. CANS Checks are required to be conducted for all prospective foster/adoptive parent(s) and household members over the age of eighteen (18) prior to placement of children in foster/adoptive homes and/or licensure of foster/adoptive parent(s).

Caregiver: As used in this policy, refers to the person or persons licensed to provide family foster care or relative foster care for a child. May also be known as an alternative care provider.

Reasonable and Prudent Parent: The standard characterized by careful, nurturing and sensible parental decisions that maintain the health, safety, and best interests of a child, while at the same time encouraging the emotional and developmental growth of the child, that a nurturing caregiver shall use when determining whether to allow a child under the custody of an agency that provides child welfare services to participate in extracurricular, enrichment, cultural, and social activities.

Respite: A temporary break designed to give support to the caregiver from their caregiving duties and responsibilities to attend to personal needs or obligations and emergencies. Pursuant to [NAC 424.805](#), respite is the temporary care:

- a) provided for a child who is placed in a family foster home;
- b) provided by a person other than the current foster parent of the child; and
- c) provides a respite for the foster parent of the child from the stresses and responsibilities that result from the daily care of the child.

STANDARDS/PROCEDURES

Supervision of Foster Children and Normalcy:

1. A caregiver may use respite for personal matters, unforeseen family emergencies or illness, or to provide a temporary break allowing caregivers to meet their family needs and obligations. Identifying appropriate respite caregivers is important in balancing the respite needs of caregivers, while ensuring the safety of foster children. Respite determination should be based on the caregiver's need for support, the home environment, and specific case circumstances.
 - a. The child welfare agency supports and encourages caregivers to include foster children in their care in family holiday events, activities, and on family vacations and trips.
2. A respite care provider must meet the requirements for supervising the child, taking into account their unique special needs, as set forth in [NAC 424.505](#):
 - a. Foster children must be given supervision appropriate to their age and maturity.
 - b. Minors may supervise foster children when approved by the child's caseworker.
 - c. Foster children shall not babysit other children unless approved by the foster child's caseworker.
 - d. Children shall always be supervised by an adult when in or around a pool or other water hazards.
3. It is reasonable to expect that a child would want to spend time, including overnight period longer than 24 hours, with friends or family. This is considered a normalcy decision and not respite.
 - a. According to the reasonable and prudent parenting standards, a caregiver may make certain parenting decisions such as respite and use their internal support system (such as grandparents, family friends, etc.) as a respite resource. When using reasonable and prudent parenting, caregivers will consider a combination of factors in relation to the child and the specific situation including whether family, friends and friend's families are appropriate for the foster child to spend time with away from the foster parent and the foster home.
4. Each agency will determine the amount of respite days provided to caregivers per year. Best practice determines it is in the best interest of the child to remain in the home. As such, respite recommendations are that respite can be taken in increments from one (1) day to seven (7) days, unless otherwise approved by the child welfare agency. Furthermore,
 - a. Payment is based on if funding is available.
 - i. The child welfare agency may track number of days used and unused paid respite care days will not be carried over and will be forfeited.
 - b. Brief periods of childcare, up to twenty-four (24) hours, may be accessed by obtaining babysitting, and can be by any person in or away from the home.
 - c. The agency will follow an internal process to determine based on case circumstances if exceptions may apply.

How to Obtain Planned and Emergency Respite:

1. It is expected and encouraged that the caregiver identifies a possible respite provider for the child as respite with strangers may cause unnecessary trauma to a child. The caregiver should utilize their own internal support system, when possible, to maintain normalcy for the child. At times it may be necessary for the agency in partnership with the caregiver to identify a respite resource. The child welfare agency may be able to assist and can suggest respite caregiver(s) or help the caregiver widen their respective search.

- a. Respite coordinated with other licensed providers should be reviewed on a case-by-case basis. The agency should consider the foster caregiver's ability to supervise the additional child and the home in its entirety.
2. Relative caregivers are often licensed for a specific child(ren) and may provide respite approved or staffed with the caseworker, licensing worker, and/or supervisor prior to providing respite care services. When considering a relative caregiver for respite, the agency should consider the following, including but not limited to:
 - a. Caregivers' ability to provide care,
 - b. Transportation needs
 - c. The foster child's needs including other children in the home.
3. In emergencies the agency should support and partner with the caregiver to identify a respite resource. The child welfare agency may be able to assist and can suggest respite caregiver(s) or help the caregiver widen their respective search
4. Each agency will create an internal process for respite notification and approval. The caregiver may request respite either verbally, or in writing, and must include at a minimum, the following information:
 - a. The dates of the requested respite.
 - b. The reason for the respite.
 - c. If available, an emergency number where the caregiver may be reached.
 - d. Details of the request must include arrangements that have been made that focus on normalcy for the child.

Responsibilities of the Caregiver

1. When selecting a respite care provider, caregivers are expected to use prudent parenting decision making which includes good, sound judgment when considering the age, gender, ability, appropriateness, and experience of the person providing respite care. The responsibilities of caregivers include:
 - a. Ensuring that the needs of the child are met, and that the child is in a safe environment at all times.
 - b. Selecting a respite care provider that best fits the needs of each child and situation.
 - c. Selecting a respite care provider that has the ability and training to meet the special needs and/or medical needs of the child.
 - d. Whenever possible, the foster parent should use an alternative care provider that the child knows.
2. For all respite stays of twenty-four (24) hours or longer, the respite care provider must be provided with the local child welfare agency's on-call telephone number so that in the unlikely event of a medical emergency the respite care provider will have access to someone who can consent to emergency medical treatment for the child.
 - a. If the respite care provided is identified by the caregiver, the care giver should be encouraged to provide this information or must provide the agency with contact information for the respite care provider.

Paid Respite

1. Caregivers are allowed to use funding to select and pay an approved care provider. As respite monies are limited, the agency will evaluate all respite requests on an individual bases until the annual respite monies are exhausted.
2. To qualify for paid respite, the caregiver must make the request through the child welfare agency prior to accessing services. Agencies can determine if there are additional requirements that must be met prior to receiving paid respite.
3. Paid respite for unlicensed providers will be that the discretion of the agency, based on funding and special circumstances.

4. Respite payment rates are determined by the child welfare agency and by the child's assessed foster care rate level. Agencies will have an internal process to determine how payments are provided for respite.
5. All foster parents who are paid \$600 or more in respite earnings will be issued a 1099 tax form, as respite is considered a taxable event by the IRS. If the total respite earnings are less than \$600, a 1099 will not be issued.
 - a. The specific manner in which these payments are issued by the agency may affect this requirement.
6. Unless approved by the agency, the caregiver receiving respite maybe responsible for any financial obligations incurred that is arranged by the caregiver outside of this program.
7. Licensed foster parents are welcome to provide an exchange of services in lieu of monetary payment as agreed upon by the parties.

Documentation:

All respite requests will be documented in UNITY. Respite meeting normalcy standards should be documented in UNITY Case Notes.

JURISDICTIONAL ACTION

Development of Internal Policies: Per [NRS 424.077](#), the agency shall establish and operate a program to provide respite, training and support to a provider of foster care in order to develop and enhance the skills of the provider to provide foster care.

Each agency will determine within an internal policy the qualifications and requirements needed for respite care providers. These qualifications could include the provider must be at least 18 years of age, background checks if determined by the agency, or any requirements defined in [NAC 424](#), and the licensing policy.

The child welfare agency shall develop internal policies and procedures as necessary to implement the provisions of this policy and provide a copy of this policy with the application for licensure ([NAC 424.646](#)).

Supervisory Responsibility: Supervisors will provide guidance to caseworker during times of concern or uncertainty in regard to this policy. Any exceptions to this policy need to be made by the caseworker and/or supervisor.

STATE RESPONSIBILITIES

The State will provide technical assistance regarding program development and implementation to the child welfare agencies.

POLICY CROSS REFERENCE

Policies: [1301 Training, Assessment and Licensing of Foster, Relative and Adoptive Homes](#)
[1303 Reasonable and Prudent Parent Standard](#)

History and Updates: This policy supersedes policy 1007 Respite (Rural Region Only) to become a statewide policy effective 9/14/2022.

ATTACHMENTS

N/A