

	INDIANA DEPARTMENT OF CHILD SERVICES CHILD WELFARE POLICY	
	Chapter 18: Licensing of Child Placing Agencies Section 05: License Revocation	
	Effective Date: August 1, 2022	Version: 1

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POLICY OVERVIEW

A Child Placing Agency's (CPA) license may be revoked if there is concern for child safety or wellbeing when the agency does not follow all regulations and requirements as mandated by Indiana Code (IC), Indiana Administrative Code (IAC), and Indiana Department of Child Services (DCS) Policies.

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PROCEDURE

DCS may revoke a CPA's license if sufficient grounds exist. See IC 31-27-6-28 and IC 31-27-6-29 for additional information regarding sufficient grounds for revocation of a license.

The Residential Licensing Specialist (RLS) will:

1. Ensure the RLS Supervisor is aware of concerns regarding the agency's license;
2. Discuss the concerns with the agency and request documentation regarding the concerns;
3. Consult with Residential Licensing Unit (RLU) regarding concerns with the agency's license;
4. Participate in a consultation with the DCS legal team and the Deputy Director of Child Welfare Services or designee and make a collective decision regarding the agency's license;

Note: See policies 18.06 Referral Holds, 18.07 Contract Termination, and 18.15 Review for Licensing Action for additional information regarding action that could be taken.

5. Complete the following when the decision is made to revoke the agency's license:
 - a. Monitor the agency's progression throughout the revocation process,
 - b. Notify the DCS Family Case Manager (FCM) and/or Probation Officer (PO) if a child is placed with the agency through DCS and request that the FCM/PO notifies the parent, guardian, or custodian (if Termination of Parental Rights [TPR] has not occurred), and
 - c. Assist the DCS Foster Care Unit and other Licensed Child Placing Agencies (LCPA) with the transfer process, if applicable.
6. Staff with the RLS Supervisor, as needed, throughout the license revocation process; and

7. Upload the following to the case management system:
 - a. License Revocation Letter, upon receipt from the Deputy Director of Child Welfare Services or designee,
 - b. Documentation to support the license revocation, and
 - c. Written confirmation of the license revocation from the agency.

The RLS Supervisor will:

1. Ensure the RLU Manager is aware of any concerns regarding the agency's license;
2. Consult with the DCS attorney advising on licensing and the Deputy Director of Child Welfare Services or designee and make a collective decision regarding the agency's license;
3. Monitor the agency's completion of required actions upon a decision to revoke the agency's license, as outlined in the License Revocation Letter (see below);
4. Assist the RLS with any needs related to the license revocation;
5. Staff with the RLU Manager, as needed, throughout the revocation process; and
6. Close the agency's license in the case management system when all necessary steps for license revocation have been completed.

The RLU Manager will:

1. Provide notification to the DCS Deputy Director of Child Welfare Services or designee and the DCS Central Office Foster Care Unit regarding the concerns discovered, if applicable;
2. Request DCS legal consultation to determine next steps;
3. Consult with the DCS attorney advising on licensing and the Deputy Director of Child Welfare Services or designee and make a collective decision regarding the agency's license;
4. Inform the following DCS Deputy Directors of the license revocation, who will then ensure the appropriate DCS staff are notified:
 - a. Child Welfare Services,
 - b. Field Operations, and
 - c. Juvenile Justice Initiatives and Support.
5. Monitor and support the DCS RLU, as needed, throughout the license revocation process.

The DCS Deputy Director of Child Welfare Services or designee will:

1. Review documentation regarding the revocation of the agency's license and discuss next steps with the DCS RLU;
2. Participate in consultation with the DCS RLU and the DCS legal team and make a collective decision regarding the agency's license;
3. Provide the License Revocation Letter (outlined below) to the DCS Director for final approval upon a decision to revoke the agency's license;
4. Send the License Revocation Letter and attach the Request for Administrative Hearing – Residential License Denial or Revocation via email to the agency upon approval and signature from the DCS Director; and
5. Ensure the DCS RLU receives a copy of the License Revocation Letter.

The DCS attorney advising on licensing will:

1. Consult with the DCS RLU and the Deputy Director of Child Welfare Services or designee and review documentation to determine if sufficient grounds exist for license revocation;

2. Make a collective decision regarding the agency's license;
3. Continue communication with the agency and the DCS RLU throughout the revocation process; and
4. Develop a License Revocation Letter to notify the agency upon a decision to revoke an agency's license. The letter should include the following and will be sent by the Deputy Director of Child Welfare Services or designee:
 - a. Reason for license revocation,
 - b. Timeframe for license revocation,
 - c. A list of DCS and/or Probation youth placed with the agency,
 - d. Timeframe for appropriate transition of the foster home licenses, foster home license applications, and ongoing adoption processes,
 - e. Steps for appropriate transfer of records,
 - f. A request for the agency to acknowledge the license revocation,
 - g. Applicable code references, and
 - h. Notice of a Right to Request an Administrative Appeal Hearing.

The Deputy Director of Field Operations and the Deputy Director of Juvenile Justice Initiatives and Support will notify appropriate staff upon learning of the revocation of an agency's license.

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RELEVANT INFORMATION

Definitions

N/A

Forms and Tools

- [Request for Administrative Hearing – Residential License Denial or Revocation \(SF 57115\)](#)

Related Policies

- [18.06 Referral Holds](#)
- 18.07 Contract Termination – Coming Soon
- 18.15 Review for Licensing Action – Coming Soon

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LEGAL REFERENCES

- [IC 31-27-6-17: Administrative hearings](#)
- [IC 31-27-6-24: Notice](#)
- [IC 31-27-6-28: Grounds for revocation of license; waiver](#)
- [IC 31-27-6-29: Compliance with rules; disciplinary sanctions; revocation of license](#)
- [465 IAC 2-2-1: Definition of child placing agency or business of placing children](#)

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PRACTICE GUIDANCE – DCS POLICY 18.05

Practice Guidance is designed to assist DCS staff with thoughtful and practical direction on how to effectively integrate tools and social work practice into daily case management in an effort to achieve positive family and child outcomes. Practice Guidance is separate from Policy.

N/A

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