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## FOSTER/ADOPTIVE PARENTS & HOUSEHOLD MEMBERS

### FREQUENTLY ASKED QUESTIONS

[Pennsylvania Child Protective Services Law \(CPSL\), 23 Pa.C.S. Chapter 63 \(relating to child protective services\)](#)

#### Who needs foster care/adoption clearances?

- A prospective foster parent.
- An adult (age 18+) who resides in the home of a foster parent for at least 30 days in a calendar year.
- A prospective adoptive parent (seeking approval) or pre-adoptive parent (approved and awaiting child placement).
- An adult (age 18+) who resides in the home of a prospective adoptive parent for at least 30 days in a calendar year.

#### Which clearances are required?

Prospective foster and adoptive parents and adults (age 18+) residing in these homes must submit the following clearances prior to approval:

- 1) PA Child Abuse History Certification from DHS ([PA Child Abuse](#));
- 2) Pennsylvania State Police Criminal History Record Check ([PSP](#));
- 3) DHS fingerprint-based Federal Bureau of Investigations Criminal

History Background Check ([DHS FBI](#)); and

- 4) If the applicant has resided outside of PA at any time within the previous five-year period – a Child Abuse clearance or its equivalent in each state they have resided in the previous five-year period, obtained within the previous one-year period.

*Note: An adult (18+), who has resided outside of PA within the previous five-year period and begins residing in an approved foster family home or a prospective adoptive family home, must submit a Child Abuse clearance or its equivalent in each state they have resided in the previous five-year period within 30 days of beginning residence.*

#### How do I obtain the clearances?

The PA Child Abuse, PSP, and DHS FBI clearances can each be applied and paid for electronically. The DHS FBI also requires a fingerprint submission.

All necessary instructions and links to apply for these clearances can be found on the DHS Keep Kids Safe [Clearances](#) webpage.

#### Is the use of a third-party vendor to apply for the clearances acceptable?

Third-party vendors may be used to apply for the PA Child Abuse, PSP, and DHS FBI but are not permitted to process clearances through other databases in lieu of these three clearances. In addition, agencies remain responsible for the approval decision based on the information obtained.

#### How much do the clearances cost?

- 1) The PA Child Abuse costs \$13.00.
- 2) The PSP costs \$22.00.
- 3) The DHS FBI costs \$24.95.

#### Who pays for the clearances?

The applicant is responsible for paying the cost of the required clearances. However, some agencies choose to pay by establishing business accounts.



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### How do agencies establish business accounts to pay for the clearances?

#### PA Child Abuse

Agencies can purchase one-time payment codes by registering for a Business Partner user account using the "Organization Account Access" link via the [Child Welfare Portal](#). The pre-purchased codes can only be used once and allow the agency to access the applicant's result once processed.

#### PSP

Agencies can call 1-888-783-7972 and select option 3 to request a business account to pay for clearances in bulk, or they can pay on an individual basis by using a credit card (if applying online) or by submitting a paper check (if applying by mail).

#### DHS FBI

IDEMIA offers agencies the option to pay for digital fingerprinting services using a [No Charge Authorization \(NCAC\) Agreement](#) which is backed by a credit card that must be provided at the time of account set up.

### How often do foster care/adoption clearances need to be obtained?

Foster/adoptive clearances must be obtained every 60 months.

*Note: Adoptive parents who are not planning to adopt in the future do not need to renew their clearances every 60 months.*

#### Are there any other requirements?

- If a foster parent, a prospective adoptive parent or pre-adoptive parent, or an adult (age 18+) residing in these homes is arrested for or convicted of an offense that would constitute grounds for denying approval or is named as a perpetrator in a founded or indicated report, the individual must provide the foster family care/adoption services agency with written notice not later than 72 hours after the arrest, conviction or notification.
- Foster parents and prospective adoptive parents must report any other change in the family household composition within 30 days of the change for review by the foster family care/adoption services agency.
- If an adult (age 18+) who has resided outside of PA at any time within the previous five-year period begins residing in an approved foster family home or a prospective adoptive family home and their PA Child

Abuse or its equivalent in each state they have resided within the previous five-year period shows that they are named as a perpetrator within the previous five-year period, the foster family care/adoption services agency shall forward the certification to the department for review. If the department determines that the person is named as the equivalent of a perpetrator of a founded report within the previous five-year period and the person does not cease residing in the home immediately, the county agency must immediately seek court authorization to remove the foster child or children from the home.

- In cases where foster parents knowingly fail to submit the information required above and upon recertification, such that it would disqualify them as foster parents, the county agency shall immediately seek court authorization to remove the foster child(ren) from the home. In emergency situations when a judge cannot be reached, the county agency shall proceed in accordance with the Pennsylvania Rules of Juvenile Court Procedure.



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### **What clearances are needed to place a child in the home of a caregiver on an emergency basis?**

As it relates to children being placed in foster care, there are situations in which a child can be placed in the home of a caregiver on an emergency basis pending full approval. The PA Child Abuse and PSP must be completed for all adults who will serve as an emergency caregiver. An expedited DHS FBI cannot be completed; however, all emergency caregivers must follow the process outlined by DHS for submission of an FBI clearance. The requirements for emergency caregivers are outlined in the [OCYF Bulletin Number 3140-04-05/3490-04-01 entitled "Child Placements with Emergency Caregivers"](#) and must be completed prior to the child being placed with the emergency caregiver.

As it relates to children being placed in a home for purposes of adoption, an interim placement may be permissible only in full compliance with section 2530(c) of the Adoption Act.

### **Is an agency/organization required to keep a copy of foster care/adoption clearances?**

Yes, the employer, administrator, supervisor or other person responsible for acceptance decisions shall maintain a copy of each applicant's required information/clearance results.

Agencies are reminded that clearance information is confidential and may not be released to other individuals except as permitted by DHS through regulation.

### **Can an agency/organization institute additional standards?**

Yes, nothing in the CPSL prohibits an agency from establishing additional standards. DHS recommends every agency consult with their solicitor/legal counsel when making these determinations as well as consult with their insurer regarding possible insurance coverage implications.

### **Are foster care/adoption clearances portable/transferrable?**

Foster/adoptive clearances in accordance with section 6344 of the CPSL may be used for employment under section 6344 of the CPSL or for volunteering under section 6344.2 of the CPSL so long as:

- The clearances were obtained within the last 60 months; and
- Prior to commencing employment, the employee swears or affirms in writing that they have not been disqualified from employment or service under section 6344(c) of the CPSL or have not been convicted of an offense similar in nature under the laws or former laws of the U.S. or one of its territories or possessions, another state, the District of Columbia, the Commonwealth of Puerto Rico or a foreign nation, or under a former law of PA. \*see [Disclosure Statement for Employment](#) and [Disclosure Statement for Volunteers](#)\*

*Note: An employer, administrator, supervisor or other person responsible for employment decisions is prohibited from accepting clearances that were obtained for volunteering purposes under section 6344.2 of the CPSL. \*see [Volunteers FAQ](#)\**