

## **CHEMICAL USE PROBLEMS GUIDELINES CHILD FOSTER CARE AND FAMILY CHILD CARE**

The following guidelines are provided to assist in determining what may be considered a chemical use problem if, as designated in the applicable rule, an individual is not able to meet the timelines.

*“Chemical use” includes alcohol abuse, abuse of prescription controlled substances, and use of illegal substances.*

**For child foster care:** Timeline - free of chemical use problems for the past two years.

If the applicant, license holder or adult household member:

1. has received treatment for alcohol or chemical abuse or chemical dependency within the past two years.
2. has used chemicals while providing care and supervision to foster children to the extent that their use has or may have a negative effect on the basic needs and safety of foster children

**OR**

has been charged or convicted of driving while impaired (DWI) within the past two years

**THEN**

the licensing agency must request that the individual complete a chemical use evaluation by a qualified CD professional to determine if the individual's chemical use may impact their ability to provide a safe environment for foster children.

- If the CD professional determines there is not a chemical use problem or if there are no recommendations that result from the evaluation, a variance is not required.

- If the CD professional determines there is not a chemical use problem; however, recommendations are provided as a result of the evaluation, a chemical use variance may be requested.

- If the CD professional determines there is a chemical use problem and the individual has demonstrated a period of compliance with all recommendations from the assessment, a chemical use variance may be requested.

- If the individual refuses to comply with the request for an evaluation or is not complying with recommendations from a chemical use evaluation, the agency cannot ensure the safety of foster children. The county or private agency licenser must consult with DHS-Family Systems regarding the situation to determine the next action.

**For family child care:** Timeline – 12 months of verified abstinence.

If the applicant, license holder, person living in the residence or present during the hours children are in care, or any caregiver:

- 1) has received treatment or therapy for chemical abuse or chemical dependency within the past twelve months.
- 2) has used chemicals during the hours children are in care.
- 3) has used chemicals to the extent that their use has or may have a negative effect on the basic needs and safety of children in care

**OR**

has been charged or convicted of a DWI within the past twelve months

**THEN**

the licensing agency must request that the individual complete a chemical dependency or abuse evaluation by a qualified CD professional to determine if the individual's use, abuse, or dependency on chemicals has a negative effect on their ability to give care.

- If the CD professional determines there is not a chemical use problem and if there are no recommendations that result from the evaluation, a variance is not required.

- If the CD professional determines there is not a chemical use problem; however, recommendations are provided as a result of the evaluation, a chemical use variance may be requested.

- If the CD professional determines there is a chemical use problem and the individual has demonstrated a period of compliance with all recommendations from the assessment, a chemical use variance may be requested.

- If the individual refuses to comply with the request for an evaluation or is not complying with recommendations from a chemical use evaluation, the agency cannot ensure the safety of children in care. The county licenser must consult with DHS-Family Systems regarding the situation to determine the next action.