

	<b>INDIANA DEPARTMENT OF CHILD SERVICES</b> <b>CHILD WELFARE POLICY</b>	
	<b>Chapter 17:</b> Residential Licensing	<b>Effective Date:</b> November 1, 2021
	<b>Section 07:</b> Residential License Revocation	<b>Version:</b> 1

**POLICY OVERVIEW**

In the interest of child safety and well-being, a residential facility’s license may be revoked if the facility does not follow guidelines as outlined by statute, administrative rules, and/ or the Indiana Department of Child Services (DCS).

**PROCEDURE**

DCS may revoke a residential facility’s license. See IC 31-27-3-31 and IC 31-27-5-31 for additional information regarding sufficient grounds that constitute reasons for revocation of a license.

The Residential Licensing Specialist (RLS) will:

1. Ensure the RLS Supervisor is aware of concerns regarding the facility’s license;
2. Work with other Residential Licensing Unit (RLU) members and collect documentation regarding concerns with the facility’s license;
3. Participate in a consultation with the DCS legal team and collectively make a decision regarding the facility’s license;

**Note:** See policies 17.08 Referral Holds and 17.13 Assessment for Negative Licensing Action for additional information regarding action that could be taken.

4. Upon a decision to revoke the facility’s license:
  - a. Monitor the facility’s progression throughout the revocation process,
  - b. Notify the Family Case Manager (FCM)/ Probation Officer (PO) if a child is placed with the facility through DCS and request they notify the parent, guardian, or custodian (if Termination of Parental Rights [TPR] has not occurred), and
  - c. Assist DCS local office staff with the transfer process, including appropriate transition of DCS youth, if applicable. See policy 8.38 Placement Changes for additional guidance.
5. Staff with the RLS Supervisor as needed throughout the license revocation process; and
6. Upload documentation to the case management system upon receipt of the License Revocation Letter and written confirmation of the facility’s license revocation.

The RLS Supervisor will:

1. Ensure the RLU Manager is aware of concerns regarding the facility’s license;
2. Consult with the DCS legal team and collectively make a decision regarding the facility’s license;

3. Monitor the facility's completion of required actions upon a decision to revoke the license, as outlined in the License Revocation Letter (see below);
4. Assist the RLU with any needs related to the license revocation;
5. Staff with the RLU Manager as needed throughout the revocation process; and
6. Close the facility's license in the case management system, once all necessary steps have been completed.

The RLU Manager will:

1. Provide notification to the DCS Deputy Director of Child Welfare Services or designee regarding the concerns discovered;
2. Request DCS legal consultation to determine next steps;
3. Consult with the DCS legal team and collectively make a decision regarding the facility's license;
4. Inform the following DCS Deputy Directors of the license revocation, who will then notify the appropriate DCS staff:
  - 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; and
6. Ensure the Indiana Department of Health (IDOH) and Indiana Department of Homeland Security (IDHS) (i.e., fire marshal) are notified of the residential license revocation.

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

1. Review documentation regarding the revocation of the facility's license and discuss next steps with the DCS RLU;
2. Participate in consultation with the DCS legal team and collectively make a decision regarding the facility's license;
3. Provide the License Revocation Letter (outlined below) to the DCS Director for final approval upon a decision to revoke the facility's license;
4. Send the License Revocation Letter 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 legal team will:

1. Consult with the DCS RLU and review documentation to determine if sufficient grounds exist for license revocation;
2. Collectively make a decision regarding the facility's license;
3. Continue communication with the facility and the DCS RLU throughout the revocation process;
4. Develop a License Revocation Letter to notify the facility upon a decision to revoke an facility's license. The letter should include:
  - a. Reason for license revocation,
  - b. Timeframe for license revocation,
  - c. A list of DCS youth placed with the agency,
  - d. Timeframe for appropriate transition of DCS youth,
  - e. Steps for appropriate transfer of records,
  - f. A request for the facility to acknowledge the license revocation,
  - g. Applicable code references, and
  - h. Notice of a Right to Request an Administrative Appeal Hearing.

## LEGAL REFERENCES

- [IC 31-9-2-16.7: "Child caring institution"](#)
- [IC 31-9-2-48.5: "Group home"](#)
- [IC 31-9-2-76.3: "Licensee"](#)
- [IC 31-9-2-115: "Secure private facility"](#)
- [IC 31-27-3-1: License required for operation \(Child Caring Institutions \[CCI\]\)](#)
- [IC 31-27-3-27: Notice \(CCI\)](#)
- [IC 31-27-3-31: Grounds for revocation of license; waiver \(CCI\)](#)
- [IC 31-27-5-1: Group home operation; necessity for license; number of children and location of home](#)
- [IC 31-27-5-27: Notice \(Group Home \[GH\]\)](#)
- [IC 31-27-5-31: Grounds for revocation of license; waiver \(GH\)](#)
- [465 IAC 2-9 Child's Homes and Child Caring Institutions \(CCI\)](#)
- [465 IAC 2-9-15: "License" defined \(Children's Homes and CCI\)](#)
- [465 IAC 2-11 Private Secure Facilities](#)
- [465 IAC 2-12 Child's Homes and Child Caring Institutions Defined as Group Homes](#)
- [465 IAC 3-3-3 Request for hearing](#)

## RELEVANT INFORMATION

### Definitions

N/A

### Forms and Tools

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

### Related Policies

- [8.38 Placement Changes](#)
- [17.08 Referral Holds](#)
- [17.13 Assessment for Negative Licensing Action](#)