

Administrative Rules Oversight Committee Notice
60 Day Requirement ([IC 4-22-2-19](#))
LSA Document #10-349

September 10, 2010

Senator R. Michael Young, Chair
Administrative Rules Oversight Committee
c/o Legislative Services Agency
200 West Washington Street, Suite 301
Indianapolis, Indiana 46204-2789
Attn: Sarah Burkman

Re: LSA Document #10-349 – Proposed Rule Regarding Licensing of Foster Family Homes for Children

Dear Senator Young:

On behalf of the Indiana Department of Child Services (DCS), I am submitting this notice to the Administrative Rules Oversight Committee in compliance with [IC 4-22-2-19](#), which requires an agency to begin the rulemaking process not later than sixty (60) days after the effective date of the statute that authorizes the rule, with certain exceptions not applicable to this notice.

This proposed rule is required by [IC 31-27-2-4](#), relating to rules concerning licensing and inspection of foster family homes and other facilities providing care of children in out-of-home placements. [IC 31-27](#) was added to the code by P.L.145-2006, following establishment of DCS in 2005 as a separate department of state government. It replaced the corresponding provisions of Title 12, [IC 12-17.4](#), that provided for licensing of residential child caring facilities and foster homes by the former Division of Family and Children of the Family and Social Services Administration (DFC). The DFC licensing rule for foster family homes was codified at [470 IAC 3-1](#). Following the establishment of DCS in 2005, the Legislative Services Agency transferred that rule, without change, to the new Title 465 created for DCS, where it is currently codified as [465 IAC 2-1](#).

This rule, although in form a new rule, actually is a revision and updating of the existing rule, that has not been substantively amended since 1947. While DCS has been administering the existing rule since 2005, it has undertaken a comprehensive review of the substance of the rule. This proposed rule represents the product of that review. The notice of intent to adopt this rule was posted to the Indiana Register on May 26, 2010. Upon posting of the proposed rule, DCS intends to proceed promptly with the public hearing and completion of the rule adoption process.

If you need additional information concerning this subject, please do not hesitate to contact me at (317) 233-6547 or by e-mail as shown below.

Sincerely,

John Wood
Deputy General Counsel
Department of Child Services
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cc: Indiana Register
James W. Payne, Director, DCS
Jeffrey M. Lozer, General Counsel, DCS

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An [html](#) version of this document.