



INDIANA DEPARTMENT OF CHILD SERVICES

CHILD WELFARE POLICY

Chapter 18: Licensing of Child Placing Agencies

Section 06: Referral Holds

Effective Date: August 1, 2022

Version: 1

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POLICY OVERVIEW

Placement referrals from the Indiana Department of Child Services (DCS) to a Licensed Child Placing Agency (LCPA) may be placed on hold to ensure the safety and well-being of children if the LCPA does not adhere to the guidelines outlined by Indiana Code (IC), Indiana Administrative Code (IAC), DCS policy, and/or the DCS contract.

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PROCEDURE

DCS may implement a referral hold on a LCPA when an issue is discovered with child safety, statutory noncompliance, DCS policy, and/or DCS contract noncompliance.

Upon Discovery of an Issue that may Warrant a Referral Hold

The LCPA Licensing Unit will:

1. Review supporting documentation regarding the issue identified (e.g., audit findings or documentation that support complaints) and prior agency history;
2. Collaborate with the DCS Foster Care Unit, the DCS legal team, and the DCS Institutional Child Protective Services (ICPS) Unit (see policy 4.30 Institutional Child Protective Services [ICPS] Unit Assessments for additional guidance regarding a potential risk to the health and safety of a youth while in the care of an institution); and
3. Determine if a referral hold is the best course of action.

The Licensing Specialist will follow up with the LCPA to gather additional information, as needed, during the referral hold process.

The LCPA Licensing Manager will:

1. Create the referral hold in the case management system, upon the LCPA Licensing Unit coming to a joint decision;
2. Schedule and attend a meeting with the Deputy Director of Child Welfare Services (or designee) and the DCS attorney advising on licensing for final approval when a referral hold is being recommended;
3. Send a Notice of Referral Hold letter to the agency, upon the decision to proceed with a referral hold and send the Plan of Correction (POC) request, including the timeframe for which the POC is due, within five (5) business days after the issuance of the Notice of Referral Hold Letter; and

Note: The LCPA Licensing Manager may work with the DCS attorney advising on licensing to send the Notice of Referral Hold letter and the POC to the agency.

4. Send a notification of the referral hold to the following Deputy Directors, including the reason for the referral hold and the start and anticipated end date of the hold:
 - a. Child Welfare Services,
 - b. Field Operations, and
 - c. Juvenile Justice Initiatives and Support.

The Deputy Director of Child Welfare Services (or designee) will meet with LCPA Licensing Unit team members to review documentation and to make the determination to place a referral hold on the agency, if deemed appropriate.

The DCS attorney advising on licensing will meet with the LCPA Licensing Unit to review documentation provided by the LCPA Licensing Unit and provide legal guidance, upon request, regarding referral hold implementation.

Once a Referral Hold has been Implemented

The LCPA Licensing Unit will:

1. Review the agency's progress regarding the POC to determine if the agency has substantially satisfied the POC;
2. Work with the agency to remedy any issue identified to prevent future noncompliance and to ensure child safety; and
3. Develop a continued plan if it is determined the agency needs ongoing evaluation of POC compliance. See Practice Guidance for additional information.

The Licensing Specialist will:

1. Review the POC, upon receipt from the agency, and present the POC to the LCPA Licensing Manager to determine if the POC is satisfactory;

Note: The Deputy Director of Child Welfare Services (or designee) and the DCS attorney advising on licensing may be consulted for review.

2. Monitor the agency's response through documentation review, visits to the agency (announced and unannounced), and increased contact with the agency (e.g., weekly meetings and agency reports); and
3. Staff with the LCPA Licensing Manager throughout the referral hold process.

The LCPA Licensing Manager will:

1. Staff with the Licensing Specialist throughout the referral hold process and discuss progress regarding the agency's POC; and
2. End the referral hold in the case management system, upon the LCPA Licensing Unit coming to a joint decision.
3. Maintain communication with the Deputy Directors referenced above throughout the referral hold process and provide notification of the referral hold being lifted; and
4. Send the Notice to Lift Referral Hold letter to the agency when it is determined the agency has substantially satisfied the POC.

The Deputy Director of Child Welfare Services (or designee) will meet with the LCPA Licensing Unit to discuss progress regarding the agency's POC and recommendations to lift the agency's referral hold.

The DCS attorney advising on licensing will meet with the LCPA Licensing Unit team members to:

1. Review documentation provided by the LCPA Licensing Unit; and
2. Provide legal guidance, upon request, regarding:
 - a. Extending a referral hold,
 - b. Lifting a referral hold, and/or
 - c. Developing a continued plan if it is determined the agency needs ongoing evaluation of POC compliance.

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RELEVANT INFORMATION

Definitions

N/A

Forms and Tools

- POC Worksheet – Available from LCPA Licensing Unit

Related Policies

- [4.30 Institutional Child Protection Services \(ICPS\) Unit Assessments](#)
- 18.XX Contract Termination – Coming Soon

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LEGAL REFERENCES

- [IC 31-27-6: Regulation of Child Placing Agencies](#)
- [465 IAC 2-2-1: Definition of child-placing agency or business of placing children](#)

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PRACTICE GUIDANCE- DCS POLICY 18.06

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.

Referral Holds and Next Steps

Upon continued noncompliance, several considerations will be taken to determine next steps (e.g., extend referral hold, remove children from the agency, or termination of agency contract) with the identified agency. There is not a limit to the amount of referral holds that may be placed on an agency and each referral hold will be handled on a case-by-case basis.

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