

HJR 44: FAMILY FOSTER CARE SYSTEM BECOMING A FOSTER PARENT

BACKGROUND

House Joint Resolution 44 requests a study of the state's foster care system. The study looks at requirements for and barriers to becoming a foster parent, the legal standing and rights of foster parents, foster care funding sources, and foster care matters related to adoption and to the Indian Child Welfare Act. This briefing paper provides an overview of the requirements to become a foster family and the licensure process, which takes approximately six months.

ELIGIBILITY

Foster parents must be 18 years of age and in good physical and mental health. Couples must have lived together for a minimum of 24 months, but do not need to be married. They generally have not experienced a “family change” in the past 12 months: the death of a spouse or child, marital separation or divorce, adoption or birth of a child, or loss of employment.

While there is no income threshold, foster parents must be capable of meeting the financial needs of their existing household independent of foster care reimbursements. Foster parents may rent or own their home, as long as it conforms to the health and safety requirements for licensure. There is no fee for licensure, per [52-2-621 MCA](#).

APPLICATION

Interested parties are assigned to a resource family specialist (RFS), who assists them throughout the application and approval process. The first step is a [four-page application](#), which collects information about the prospective foster parent(s) and their household; the age range, sex, and number of children for whom they can care; and references.

After the application is reviewed, prospective foster parents and each adult in their household complete a [personal statement of health](#), a [financial statement](#), and a notarized [release of information](#). They also submit immunization records for household children under 12. The Child and Family Services Division (CFSD) may request a physical or psychological examination; applicants pay the cost of examinations or evaluations.

BACKGROUND CHECKS

Prospective foster parents and each adult residing in their household must complete a criminal, child protective services, and Montana motor vehicle background check. The check includes previous states of residence when applicable. CFSD pays for or reimburses fingerprinting costs.

Any indication that a home may be unsafe, or the applicant and adults in their household may not be able to care for children, are reasons for denial. For example: substantiated claims of child abuse or neglect, having children placed in foster care or involuntarily removed, violent felony crimes, and misdemeanor and felony crimes pertaining to children and families.

TRAINING

Once the prospective foster parent and their household have cleared the background check, the foster parent must complete two free trainings. These trainings cover topics like positive discipline, trauma, child development, and cultural competency.

The 8-hour pre-service training is provided by CFSD resource family specialists and must be completed prior to licensure. There are virtual and in-person options for this training.

The 10-hour [resource family training](#) is delivered virtually through the University of Montana. Foster parents must complete this training prior to the end of their first licensing year.

FAMILY AND HOME ASSESSMENT

After pre-service training, the resource family specialist conducts a home and family assessment. The family assessment includes questionnaires about the foster parent's household and parenting strategies, interviews with the prospective foster parent(s) and members of their household, and discussions with the prospective foster parent's references. The dual purpose of the family assessment is to ensure the parent and household can safely care for children, and pair children needing care with a household that suits them best.

The resource family specialist also tours the home to ensure it is safe, healthy, and comfortable. Homes must comply with requirements outlined in the following administrative rules:

- [37.51.815 Youth Foster Homes: Child Privacy Rights](#)
- [37.51.816 Youth Foster Homes: Sleeping Arrangements and Requirements](#)
- [37.51.901 Youth Foster Homes: Environmental and Safety Requirements](#)
- [37.51.902 Youth Foster Homes: Fire Safety Requirements](#)

EXCEPTIONS, PROVISIONAL LICENSURE, AND KINSHIP CARE

Exceptions to licensure requirements and provisional licensure may be granted at the discretion of local CFSD leadership. Most foster parents who are granted provisional licensure achieve full licensure. Kinship care families may or may not choose to become licensed; unlicensed kinship families still complete background checks and undergo home safety assessments.

SOURCES

Administrative Rules of Montana

[37.51.202 Youth Foster Homes: Licensing Procedures](#)

[37.51.207 Youth Foster Homes: Provisional Licensure](#)

[37.51.210 Youth Foster Homes: Granting Licensure Exceptions](#)

Becoming a Foster Parent in Montana

Child and Family Services Division Policy Manual

[402-4 Substitute Care for Children, Placement in Unlicensed Kinship Care](#)

[802-1 Resource Family Overview, Initial Inquiry and Application/Assessment](#)

[802-2 Resource Family Training Requirements](#)

[802-3 Resource Family Criminal Records and Protective Service Checks](#)

[802-4 Kinship Foster Care Licensing Procedure](#)

Resource Family – Case File Compliance Checklist, Initial License