



TITLE	POLICY NUMBER	
Overcapacity and Expedited Amendment Requests	DCS 15-35	
RESPONSIBLE AREA	EFFECTIVE DATE	REVISION
Office of Licensing and Regulation	09/27/18	3

I. POLICY STATEMENT

The Department of Child Safety (DCS) is committed to pursuing a safe and healthy environment for families. The Office of Licensing and Regulation may facilitate overcapacity and expedited amendment requests to an existing foster home license to allow placement of a child in order to preserve sibling connections, to prevent separation of siblings, to preserve connections children have to the foster parents as the result of a prior placement in the home, or to allow a kinship placement.

II. APPLICABILITY

This policy applies to licensed foster homes in good standing with the Department, to employees of DCS, and to licensing agency staff who facilitate license amendments.

III. AUTHORITY

[A.R.S. § 8-509](#) Licensing of foster homes; renewal of license; provisional license; exemption from licensure; immunization requirements

[A.R.S. § 8-514](#) Placement in foster homes

[A.A.C. R21-6-216](#) Amending the License

[A.A.C. R21-6-222](#) Waiver of Non-Safety Licensing Requirements for Kinship

Care

[A.A.C. R21-6-306](#)

Supervisory Responsibilities

[A.A.C. R21-6-309](#)

Capacity Requirements

[A.A.C. R21-6-331](#)

Requirements for Certification to Provide Specialized Services

[DCS Policy Chap. 4: Sec. 5](#) Selecting Out-of-Home Caregiver

IV. DEFINITIONS

Capacity: The number of children allowed and identified on a foster home's license. This number includes children placed by DCS or another Child Placing Agency.

Department or DCS: The Arizona Department of Child Safety.

Expedited amendment: A written request to expedite the review of a submitted amendment by a licensing agency. OLR will prioritize expedited requests for pending placements only or when a placement is made outside of licensing parameters.

Good standing: Describes the status of a foster home that has not expired and does not have current outstanding concerns, deficiencies, reports, or investigations known by the department.

Licensing Agency: An entity with which the Department contracts to recruit, train, and support foster parents and monitor a licensed foster home for compliance.

Office of Licensing and Regulation (OLR): The administration within DCS that is responsible for reviewing and evaluating applications for licensure; supervising and monitoring licensees; and completing all official licensing actions, including issuing, denying, amending, suspending, and revoking a license.

Overcapacity Request: A request submitted by the licensing agency or Designated DCS Placement Specialist/Coordinator that would allow placement of a child in a foster home outside the parameters of the current license held by the licensee where placement has been made within two business days or will be made within two business days.

V. POLICY

- A. The Department may place a child into a foster home in excess of the number of children identified on the license if the Department and licensing agency believe that the foster home has the ability to safely handle additional children.
- B. OLR may amend the license to bring the licensee into compliance if requirements of A.A.C. R21-6-309 are met and a completed amendment has been approved.
- C. If the license is issued for kinship care, OLR may waive non-safety requirements per A.A.C. R21-6-406(D) provided a [Preliminary Consideration Waiver NonSafety Licensing Standards for Kinship Care](#) form is approved.

VI. PROCEDURES

- A. When a decision is made for an overcapacity placement within the next two business days or within the last two business days, the licensing agency or the DCS Specialist/Placement Coordinator shall complete, in its entirety, the [Overcapacity Request \(CSO-1264\)](#) form.
- B. The completed [Overcapacity Request](#) form shall be submitted to OLR by the licensing agency or DCS Specialist/Placement Coordinator via email, FHLDocs@azdcs.gov, as soon as possible but no later than two business days after placement has been made.
- C. The Overcapacity Request form shall be reviewed for completeness the day it is received by OLR when it is for an amendment request that has not yet been submitted by the licensing agency. If the form is received by OLR during non-business hours, it shall be reviewed the next business day. If the form is determined to be complete, and if the current license is in good standing, OLR shall forward the completed form to the designated DCS staff (placement unit; assigned DCS Specialist and Supervisor if applicable) and assigned licensing agency (worker and supervisor).
- D. If applicable, an approved [Preliminary Consideration Waiver Non-Safety Licensing Standards for Kinship Care](#) and/or [Excess Capacity Request \(CSO1989\)](#) form shall be submitted with the [Overcapacity Request](#) form.

- E. The FHL Supervisor or Designee shall create the amendment in the Department's electronic database when it is determined the [Overcapacity Request](#) form is approved.
- F. The licensing agency shall submit the amendment application within two business days of approval from OLR. The effective date of the change in the license will be the date of placement.
- G. Expedited Amendment Request shall be submitted to OLR by the licensing agency or DCS Specialist/Placement Coordinator via email, FHLDocs@azdcs.gov, within one business day of placement of that child. The completed expedited amendment application shall be submitted within two business days of request approval.

VII. FORMS INDEX

[Excess Capacity Request \(CSO-1989\)](#)

[Overcapacity/Expedited Amendment Placement \(CSO-1264\)](#)

[Preliminary Consideration Waiver Non-Safety Licensing Standards for Kinship Care \(CSO-1240A\)](#)