

This is an amendment to 8.26.4 NMAC, Section 10, effective xx/xx/2020.

8.26.4.10 INITIAL LICENSURE:

A. A foster care license shall be granted or denied based upon the assessment and participation in the licensing process. The issuance of an initial foster care provider license is not an entitlement to full licensure.

B. The applicants shall complete all licensing requirements prior to full licensure. In the event of a household member who may not be able to meet all licensing requirements due to a disability, licensing requirements may be waived on a case by case basis by the PSD regional manager.

C. A foster care provider license shall be valid for a period of two years from the date of issuance.

D. An initial foster care provider license memorandum of agreement outlining the stipulations of licensure shall be reviewed by the licensing agent and the applicants. Signing of the agreement is an acknowledgement that all stipulations are understood and accepted by all concerned. The initial agreement shall be signed prior to the issuance of the two year license.

E. Foster care providers shall not be dually licensed by more than one licensing entity. Exceptions may be made for the purpose of adoption in the following situations:

(1) a treatment foster care provider seeks to adopt a child in the custody of PSD who is currently placed in their home; or

(2) a treatment foster care provider seeks to adopt a child in the custody of PSD who has a plan of adoption but does not have an identified resource. Consideration for adoption of a child in PSD custody by a treatment foster care provider shall be approved by a county office manager prior to the SAFE home study update of the potential adoptive family.

F. Individuals who are relative or fictive kin care providers who agree to have non-relative children placed in the home will be assessed in the initial home study or will require an update to their home study.

~~[G. Adoption of a child in the custody of PSD by a treatment foster care provider shall be approved by a PSD regional manager prior to the SAFE home study update of the potential adoptive family. Staffing of these types of licenses must take place between PSD and the CPA to determine which licensing agency will maintain the license.]~~

[8.26.4.10 NMAC - Rp, 8.26.4.15 NMAC, 2/11/2020; A, xx/xx/2020]