



November 17, 2015

Dear Provider:

In September 2014, Congress passed the “Preventing Sex Trafficking and Strengthening Families” Act, Pubic Law (P.L.113-183). In addition to other provisions, the Act establishes a “reasonable and prudent” parent standard for decision making. This standard addresses how to ensure that children who enter out of home care and children who are currently in care experience the same type of extracurricular, enrichment, and social activities that a child who is not in care may have the opportunity to experience. The decision and application of the “reasonable and prudent parent” standard is the responsibility of the foster parent. It is the responsibility of the licensed Child Placement Agency to ensure foster parents are knowledgeable and have the skills to make reasonable and prudent parent decisions regarding their foster child.

Effective immediately, all licensed Child Placement Agencies shall implement and document proficiency in the Reasonable and Prudent Parent Standard. Child Placement Agencies are required to comply with the new law by developing policies to implement the process. The policy should include the following instructions.

Instructions:

1. All employees that are assigned to work with placed youth are required to be trained in the Reasonable and Prudent Parent Standard.
2. Each employee’s personnel file shall document the acknowledgement of adequate Reasonable and Prudent Parent Standard training and a signed agreement of implementation.
3. All current and new foster parent applicants are required to be trained in the Reasonable and Prudent Parent Standard.
4. The licensed Child Placement Agency shall incorporate the Reasonable and Prudent Parent Standard into the Pride Pre-Service training.
5. The licensed Child Placement Agency shall develop an in-service training module for all existing foster parents.
6. The licensed Child Placement Agency shall add to the foster parent agreement the acknowledgement of adequate training and agreement with implementation at the initial and annual certifications. An example foster parent agreement statement: *I/We certify that I/we have been adequately trained and are knowledgeable of the “reasonable and prudent parent”*

standard and agree to apply the standard in making age or developmentally appropriate activity decisions for the child (ren) in my/our care.

7. The licensed Child Placement Agency is responsible for having liability insurance for the agency. COMAR 07.02.21.13
8. The treatment plan is required to have a statement of the Reasonable and Prudent Parent criteria efforts made on behalf of foster youth.
9. In applying the Reasonable and Prudent Parent Standard, the following areas should be taken into consideration: (1) Maturity, (2) Safety, and (3) "Normalcy".
The following are examples of questions to consider when applying this standard:
 - a. Maturity
 - i. What is the child's age?
 - ii. What is the child's developmental level?
 - iii. What is the child's maturity level?
 - iv. Is the youth able to make decisions that are appropriate?
 - v. What is the child's behavioral history and ability?
 - vi. What level of supervision does the child require?
 - b. Safety
 - i. Is the activity safe?
 - ii. What are the risks associated with the activity?
 - iii. Is the activity in line with the agency's policies or procedures?
 - iv. What are the legal or policy barriers (curfew, learner's permit)?
 - v. What level of supervision does the activity require?
 - c. Normalcy
 - i. Does the activity encourage the child's emotional growth?
 - ii. Does the activity encourage social or cultural interaction?
 - iii. Is the activity in the child's best interest?
 - iv. Does the activity promote the child's well-being?
 - v. Does the activity promote "normalcy" for the child?
10. The licensed Child Placement Agency is required to ensure foster parents are applying the standard correctly in parenting the child in their home and provide support and guidance to foster parents.
11. Foster parents should be able to demonstrate to the Child Placement Worker how they are applying the standard to all the foster children in their home.
12. Child Placement Workers are responsible for encouraging the foster parent and providing any suggestions that may support the foster parent in making the appropriate decision.

CPA - Reasonable and Prudent Parent Instructions

Thank you for your prompt attention to this matter. The Office of Licensing and Monitoring appreciates the services you provide for Maryland's children in out of home care. If you have any questions regarding this correspondence, please contact your Licensing Coordinator.

Sincerely,

A handwritten signature in cursive script that reads "Darlene Ham".

Darlene Ham
Executive Director
Office of Licensing and Monitoring