

620.180 Administrative regulations.

- (1) The cabinet may promulgate administrative regulations to implement the provisions of this chapter. The cabinet may also promulgate administrative regulations pursuant to the requirements of Public Law 96-272 as to the maximum number of children who at any time during a fiscal year, will remain in foster care after having been in such care for a period in excess of twenty-four (24) months, together with the steps to be taken to achieve such goal.
- (2) The cabinet shall promulgate administrative regulations to provide the following:
 - (a) The method used to periodically review the status of children placed in foster family homes which shall include, but not be limited to, the following:
 1. Within ten (10) calendar days of the temporary removal hearing provided for in this chapter, a case conference shall be held on all children placed with the cabinet for the purpose of establishing a specific treatment plan which may include preventive and reunification services for the child and his parent or other person exercising custodial control or supervision. Additional case conferences and reviews shall be held as appropriate, but shall be held at least every six (6) months. The parent or other person exercising custodial control or supervision and his counsel, if any, shall have the right to be present at and participate in such conferences. The child; the child's attorney, if any; the parent or other person exercising custodial control or supervision and his attorney of record, if any; and the county attorney shall be notified of, and may be present at and participate in such conferences;
 2. On-going case work and supportive services shall be provided as indicated to best meet the needs of the child as established by the review and planning process; and
 3. There may be procedures for providing for appropriate visitation between the parents and the child based on the needs of the child;
 - (b) The procedures for reporting to a committing court the status and plans for children committed to the cabinet as dependent, neglected or abused and placed in foster family homes;
 - (c) By January 1, 2019, the establishment and implementation of the processes, procedures, and requirements to ensure that children committed to the cabinet as dependent, neglected, or abused and placed in foster family homes are timely reunified with their biological family or identified for and placed in a new permanent home. These processes, procedures, and requirements shall include but not be limited to the following:
 1. A case review and recommendation submitted to the committing court related to whether the best interest of the child is reunification or termination of parental rights after the child has been committed to the cabinet a total of six (6) cumulative months;

2. An additional case review and recommendation submitted to the committing court every three (3) cumulative months after the initial six (6) months if a child is still in the custody of the cabinet;
 3. A petition to the court of appropriate jurisdiction seeking the termination of parental rights and authority to place the child for adoption in accordance with this chapter and KRS Chapter 625 no later than after a child has been committed to the cabinet for a total of fifteen (15) cumulative months out of forty-eight (48) months; and
 4. A plan to ensure, no longer than thirty (30) working days after a court enters a judgment of termination of parental rights to a child that is committed to the cabinet, that the cabinet shall complete and submit to the court all necessary paperwork to facilitate the child's permanency plan, including but not limited to the presentation summary and identification of an adoptive home if determined; and
- (d) By October 1, 2019, the establishment and implementation of the processes, procedures, and requirements to ensure that children committed to the cabinet as dependent, neglected, or abused and placed in qualified residential treatment facilities are subject to case reviews within sixty (60) days of the start of each placement in accordance with 42 U.S.C. sec. 675a(c)(2).

Effective: June 27, 2019

History: Amended 2019 Ky. Acts ch. 33, sec. 11, effective June 27, 2019. -- Amended 2018 Ky. Acts ch. 159, sec. 22, effective July 14, 2018. -- Amended 1988 Ky. Acts ch. 350, sec. 55, effective April 10, 1988. -- Created 1986 Ky. Acts ch. 423, sec. 79, effective July 1, 1987.