

NOTICE OF RULE MAKING

The Department of Human Services (DHS) announces for a public comment period of thirty (30) calendar days a notice of rulemaking for the following proposed rule under one or more of the following chapters, subchapters, or sections of the Arkansas Code: §§ 9-28-103, 9-28-401 et seq., 12-18-105, 20-76-201, 20-77-107, and 25-10-129. The projected effective date of the rule is February 1, 2027, if approved. There is no fiscal impact.

The Department of Human Services (DHS) promulgates updates to the Minimum Licensing Standards for Child Welfare Agencies. The rule results from updated standards approved by the Child Welfare Agency Review Board (the Board), Act 824 of 2025, and guidance from the U.S. Department of Health and Human Services, Administration for Children and Families, regarding updates to the National Model Foster Family Home Licensing Standards. In making the updates, DHS repeals the current manuals containing separate standards for Placement and Residential (9 CAR Pt. 30 and 31), and combines them into a new, streamlined single rule (9 CAR Pt. 32).

The rule updates definitions; revises application and licensing procedures; clarifies adverse action civil penalties and background check and Child Maltreatment Central Registry check criteria; updates criteria for foster homes, and foster and adoptive families and child placement agency responsibilities; updates kinship foster care and kinship foster homes; revises therapeutic foster care standards; updates traditional foster care standards; streamlines licensing and status changes; updates and details inspection and investigation standards; implements requirements for admitting children to a facility, behavior management, and record keeping, with detailed criteria for facility programs, grounds, buildings, safety, sleeping arrangements, transportation, discharge, and emergency licensing standards; updates standards for long-term residential care, independent living, and transitional living; updates requirements for therapeutic treatment programs for children with sexually maladaptive behaviors; and adds authority to make child placement determinations in emergency situations.

Act 824 amended the training and certification process for traditional foster parents, providing that no more than fifteen (15) hours of initial training to become an approved foster home or more than six (6) hours of annual training to maintain the foster home's status as an approved foster home. The Act also streamlined the process for provisional foster home training. Also, the rule implements guidance from the Administration for Children and Families on National Model Foster Family Home Licensing Standards. The updates provide flexibility for those with limited living space and revised training standards for licensure and ongoing caregiver training.

The proposed rule is available for review at the Department of Human Services (DHS) Office of Policy and Rules, 2nd floor Donaghey Plaza South Building, 7th and Main Streets, P. O. Box 1437, Slot S295, Little Rock, Arkansas 72203 1437. You may also access and download the proposed rule at ar.gov/dhs-proposed-rules.

Public comments can be submitted in writing at the above address or at the following email address: ORP@dhs.arkansas.gov. All public comments must be received by DHS no later than November 21, 2026. Please note that public comments submitted in response to this notice are considered public documents. A public comment, including the commenter's name and any personal information contained within the public comment, will be made publicly available and may be seen by various people.

If you need this material in a different format, such as large print, contact the Office of Policy and Rules at 501-320-6428. The Arkansas Department of Human Services is in compliance with Titles VI and VII of the Civil Rights Act and is operated, managed, and delivers services without regard to religion, disability, political affiliation, veteran status, age, race, color, or national origin.

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