

**2960.3090 RESPITE AND SUBSTITUTE CARE FOR FAMILY SETTINGS.**

Subpart 1. **Notice requirements.** In nonemergency situations, the license holder, parent, and placing agency must agree on respite care and substitute care arrangements within ten working days prior to the use of respite care or substitute care or must agree on respite care according to an ongoing written agreement. In an emergency that may require the use of respite or substitute care, the license holder must notify the placing agency of the emergency as soon as possible. The license holder must notify the placing agency when respite care or long-term substitute care is being provided.

Subp. 2. **Qualifications of long-term substitute caregiver.** A substitute caregiver must:

- A. be at least 18 years of age;
- B. have completed a background study within the past 12 months;
- C. have no statutory or rule disqualification;
- D. if providing more than 30 cumulative days of substitute care in a 12-month period:

- (1) submit a signed statement attesting to good health and being physically able to care for foster children; and

- (2) have at least six hours of training or 20 hours of experience in caring for children with the particular needs of the foster children to be cared for; and

- E. provide documentation of medical equipment training on the equipment used to care for the foster child from an appropriate training source.

Subp. 3. **Short-term substitute caregiver.** As used in parts 2960.3000 to 2960.3340, "short-term substitute care" means less than 72 hours of continuous care for a child. A short-term substitute caregiver does not have to meet the requirements of subpart 2. However, the foster parent and the placing agency must agree that the short-term substitute caregiver is able to meet the needs of the foster child. The short-term substitute caregiver must provide documentation of medical equipment training on the equipment used to care for the foster child from an appropriate training source.

Subp. 4. **Information to respite caregiver.** The license holder must give a respite care provider the information in items A to D related to the foster child's health, safety, and welfare:

- A. information about the foster child's emotional, behavioral, medical, and physical condition;
- B. any medication the foster child takes;
- C. the foster child's daily routine and schedule; and

D. the names and telephone numbers of individuals to contact in case of emergency and information about medical providers and how to obtain medical care for the child.

Subp. 5. **Information to substitute caregivers.** The license holder must give a substitute care provider the information in subpart 4, and in items A to D:

A. the location of a fire extinguisher and first aid supplies;

B. emergency and fire evacuation plans;

C. information about child abuse and mandatory reporting laws; and

D. if an emergency occurs which involves the foster child, the substitute caregiver must notify the placing agency as soon as possible about the emergency.

Subp. 6. **Overnights and short trips.** The license holder must seek direction from the placing agency about whether or not the foster child may go on overnights or short trips outside the supervision of the license holder.

Subp. 7. **Foster residence settings.** Foster residence settings may not use respite caregivers, long-term substitute caregivers, and short-term substitute caregivers. Subparts 1 to 6 do not apply to foster residence settings.

**Statutory Authority:** *L 1995 c 226 art 3 s 60; MS s 241.021; 245A.03; 245A.09*

**History:** *28 SR 211*

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