

10A NCAC 70G .0402 DEFINITIONS

The following definitions shall apply to the rules in Subchapter 70G:

- (1) "Agency" means a child placing agency as defined in G.S. 131D-10.2 that is authorized by law to receive children for purposes of placement in foster homes or adoptive homes.
- (2) "Family Foster Home" has the meaning as defined in G.S. 131D-10.2(8).
- (3) "Family Foster Care" means foster care, as defined in G.S. 131D-10.2(9), that is provided in a family foster home.
- (4) "Guardian" means:
 - (a) an individual as defined in G.S. 7B-600 who is appointed by the court to serve as the guardian of the person for a juvenile;
 - (b) an individual appointed by the clerk of court in North Carolina to exercise all the powers conferred by G.S. 35A-1241, including a standby guardian appointed under Article 21A of Chapter 35A whose authority has actually commenced; and
 - (c) an individual appointed in another jurisdiction according to the law of that jurisdiction who has the powers consistent with G.S. 35A-1241.
- (5) "Legal Custodian" means a person or agency that has been awarded legal custody of a juvenile by a court of competent jurisdiction.
- (6) "Licensing Authority" means the North Carolina Division of Social Services.
- (7) "Out-of-Home Family Services Agreement" means a document prepared by a county department of social services regarding a child in the custody of a county department of social services who receives family foster care services or therapeutic foster care services. This agreement defines the primary permanency plan, identifies the family's strengths and needs, sets objectives and case activities to assist the family in resolving those issues that place the child at risk, specifies consequences if the plan does not succeed, and establishes the alternative permanency plan if the primary plan does not succeed.
- (8) "Owner" means any person who holds the ownership interest of five percent or more of the applicant. A person includes a sole proprietor, co-owner, partner or shareholder, principal or affiliate, or any person who is the applicant or any owner of the applicant.
- (9) "Parent" means the birth parent or adoptive parent.
- (10) "Person-Centered Plan" means a document prepared by the Division of Mental Health, Developmental Disabilities and Substance Abuse Services regarding a child receiving therapeutic foster care services that includes all planning for treatment, services, and support.
- (11) "Supervising Agency" means a county department of social services or a private child- placing agency that is authorized by law to receive children for purposes of placement in foster homes or adoptive homes. Supervising agencies are responsible for recruiting, training, and supporting foster parents. Supervising agencies recommend the licensure of foster homes to the licensing authority.
- (12) "Social worker" means an individual who has earned a bachelor's, master's, or doctorate degree in social work from a social work program accredited by the Council on Social Work Education (CSWE) as provided in the Social Worker Certification and Licensure Act (G.S. 90B).
- (13) "Therapeutic Foster Care" means a foster home in which the foster parent has received additional training in providing care to children with behavioral, mental health, or substance abuse problems.
- (14) The "reasonable and prudent parent standard" has the meaning set forth in G.S. 131D 10.2A.

History Note: Authority G.S. 131D-10.1; 131D 10.2A; 131D-10.3; 131D-10.5; 143B-153;
Eff. October 1, 2008;
Amended Eff. August 1, 2017;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 3, 2017.