

NOTICE OF RULE ADOPTION—FINAL RULE

**STATE OF MISSISSIPPI
MISSISSIPPI DEPARTMENT OF HUMAN SERVICES
Division of Family & Children's Services**

FILED
OCT 03 2006

MISSISSIPPI
SECRETARY OF STATE



Mississippi Department of Human Services
Donald R. Taylor, Executive Director
c/o Rickie Felder, Director
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Specific Legal Authority Authorizing the promulgation of Rule:
Mississippi Code, Section 43-15-13(8)(h)

Reference to Rules repealed, amended or suspended by the Proposed Rule : Amending the DFCS policy manual

Date Rule Proposed: August 24, 2006

Explanation of the Purpose of the Proposed Rule and the reason(s) for proposing the rule: 1) Quoted the MS Code of "shall determine appropriate of placement of siblings" and 2) Instructions to the MDHS staff of selections to make if siblings are not placed together.

The Agency Rule Making Record for this rule including any written comments received during the comment period and the record of any oral proceeding is available for public inspection by contacting the Agency at the above address.

An oral proceeding was held on this rule:

Date: {Insert Date}
Time: {Insert Time}
Place: {Insert Place}

An oral proceeding was not held on this rule.

The Agency has considered the written comments and the presentations made in any oral proceedings, and

This rule as adopted is without variance from the proposed rule.

This rule as adopted differs from the proposed rule as there are minor editorial changes which affect the form rather than the substance of the rule.

The rule as adopted differs from the proposed rule. The differences however are:
Within the scope of the matters in the Notice of Proposed Rule Adoption, the logical outgrowth of the contents of the Notice of Proposed Rule Adoption and the comments submitted in response thereto, and
The Notice of Proposed Rule Adoption provided fair warning that the outcome of the proposed rule adoption could be the rule in question.

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.

Effective Date of Rule: September 29, 2006

Signature and Title of Person Submitting Rule for Filing
Rita C. Graham, Program Administrator/Policy

**MISSISSIPPI DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY AND CHILDREN'S SERVICES**

Cover Memorandum accompanying the September 29, 2006 filing of Adoption Rule-Final Notice by the Division of Family and Children's Services issuing new Siblings Placed Together policy for its policy manual.

Listed below are the two new or amended rules to the agency's policy manual that accounts for the substantive differences between the former policy about siblings' placements that was listed under the old policy as just Siblings and is now listed as Siblings Placed Together.

1. Proposed Rule:

Section 43-15-13(8)(h) of the Mississippi Code of 1972, as amended, states MDHS shall determine appropriateness of placement of siblings.

Current Rule:

Every effort should be made to place siblings together.

2. Proposed Rule:

If siblings are placed together, the worker must select the "yes" box on the Placement screen  in MACWIS. If "no" is selected that indicates siblings separated and worker must choose the appropriate justification from the pick list in the drop down box on the same screen. The worker's Supervisor and the Regional Director must approve any "no" selection. Prior approval must be received from the Supervisor and Regional Director before siblings are placed separately.

Current Rule:

The child's case record and case plan (ISP) must contain justification for the separation of siblings.

Siblings Placed Together

Section 43-15-13(8)(h) of the Mississippi Code of 1972, as amended, states MDHS shall determine appropriateness of placement of siblings. If siblings are not placed together initially, diligent efforts must be made to place them together as expeditiously as possible.

If siblings are placed together, the worker must select the “yes” box on the Placement screen  in MACWIS. If “no” is selected that indicates siblings separated and worker must choose the appropriate justification from the pick list in the drop down box on the same screen. The worker’s Supervisor and the Regional Director must approve any “no” selection. Prior approval must be received from the Supervisor and Regional Director before siblings are placed separately.

When siblings are not placed together it is very important that regular contacts be maintained, unless the case record justifies that this is not in the best interest of the children. The sibling’s visitation plan and any visits between siblings must be included on the appropriate  MACWIS screen.