



The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Children and Families

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COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF CHILDREN AND FAMILIES
NOTICE OF PROPOSED AMENDMENT OF REGULATIONS

Notice is hereby given that the Department of Children and Families proposes to amend its regulations, 110 CMR 7.104: *Standards for Licensure as a Foster/Pre-adoptive Parent*, under the authority of M.G.L. c. 18B, § 7, and M.G.L. c. 119, § 37, and following M.G.L. c. 30A, §3.

The proposed amendment modifies 110 CMR 7.104(1)(d) to strike the requirement that a foster/pre-adoptive parent or applicant affirm a child's sexual orientation or gender identity and replaces it with a requirement that a foster/pre-adoptive parent or applicant affirm a child's individual identity and needs.

Individuals wishing to submit public comment may do so by sending comments to Thomas P. Weierman, Deputy General Counsel, Department of Children and Families, One Ashburton Place, 3rd Floor, Boston, MA 02108 or by email to Thomas.P.Weierman@mass.gov on or before February 6, 2026 by 5:00 p.m. Individuals wishing to review the current draft of the proposed amendments may find a copy at <https://www.mass.gov/info-details/department-of-children-and-families-dcf-proposed-amendments-to-regulations> or may request a copy in writing or in person from Office of the General Counsel, Department of Children and Families, One Ashburton Place, 3rd Floor, Boston, MA 02108 or by e-mail at Thomas.P.Weierman@mass.gov, or by calling (617) 748-2063.

By order of the Department of Children and Families

Staverne Miller

Commissioner

Small Business Impact Statement

(As required by M.G.L. c. 30A §§ 2, 3 & 5)

Agency: Department of Children and Families

CMR No: 110 CMR 7.104

Estimate of the Number of Small Businesses Impacted by the Regulation: 0

The obligations in this regulation apply to the Department of Children & Families and individuals applying for a license to provide foster care for children in the care or custody of the Department.

Select Yes or No and Briefly Explain

- **Will small businesses have to create, file, or issue additional reports?**
No. The regulation does not affect small business.
- **Will small businesses have to implement additional recordkeeping procedures?**
No. The regulation does not affect small business.
- **Will small businesses have to provide additional administrative oversight?**
No. The regulation does not affect small business.
- **Will small businesses have to hire additional employees in order to comply with the proposed regulation?**
No. The regulation does not affect small business.
- **Does compliance with the regulation require small businesses to hire other professionals (e.g. a lawyer, accountant, engineer, etc.)?**
No. The regulation does not affect small business.
- **Does the regulation require small businesses to purchase a product or make any other capital investments in order to comply with the regulation?**
No. The regulation does not affect small business.
- **Are performance standards more appropriate than design/operational standards to accomplish the regulatory objective?**
(Performance standards express requirements in terms of outcomes, giving the regulated party flexibility to achieve regulatory objectives and design/operational standards specify exactly what actions regulated parties must take.)
No. This is a proposed change to the Department's existing regulations.
- **Do any other regulations duplicate or conflict with the proposed regulation?**
No other regulations duplicate or conflict with this proposed regulation.
- **Does the regulation require small businesses to cooperate with audits, inspections or other regulatory enforcement activities?**
No. The regulation does not affect small business.
- **Does the regulation require small businesses to provide educational services to keep up to date with regulatory requirements?**
No. The regulation does not affect small business.
- **Is the regulation likely to deter the formation of small businesses in Massachusetts?**
No. The regulation does not affect small business.
- **Is the regulation likely to encourage the formation of small businesses in Massachusetts?**
No. The regulation does not affect small business.
- **Does the regulation provide for less stringent compliance or reporting requirements for small businesses?**
No. The regulation does not affect small business.
- **Does the regulation establish less stringent schedules or deadlines for compliance or reporting requirements for small businesses?**
No. The regulation does not affect small business.
- **Did the agency consolidate or simplify compliance or reporting requirements for small businesses?**
No. The regulation does not affect small business.
- **Can performance standards for small businesses replace design or operational standards without hindering delivery of the regulatory objective?**
No. The regulation does not affect small business.
- **Are there alternative regulatory methods that would minimize the adverse impact on small businesses?**

No. The regulation does not affect small business.