



EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES  
**COMMONWEALTH OF MASSACHUSETTS**  
DEPARTMENT OF CHILDREN AND FAMILIES  
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COMMISSIONER

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 7.05: *Standards for Licensure of Foster/Pre-adoptive Homes*, under the authority of M.G.L. c. 18B, §§ 3 and 7, and M.G.L. c. 119, §§ 26 and 37, and following M.G.L. c. 30A, §3.

The proposed amendment modifies 110 CMR 7.105(18) to eliminate the Department's restrictions on certain breeds of dogs in foster homes to comply with the recently enacted G.L. c. 119, § 26D. The proposed amendment requires compliance with enacted G.L. c. 119, § 26D.

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, 3<sup>rd</sup> Floor, Boston, MA 02108 or by email to [Thomas.P.Weierman@mass.gov](mailto:Thomas.P.Weierman@mass.gov) on or before April 18, 2025 by 5:00 p.m.

Individuals wishing to review the current draft of the proposed amendments may find a copy at [www.mass.gov/dcf](http://www.mass.gov/dcf) or may request a copy in writing or in person from Office of the General Counsel, Department of Children and Families, One Ashburton Place, 3<sup>rd</sup> Floor, Boston, MA 02108 or by e-mail at [Thomas.P.Weierman@mass.gov](mailto:Thomas.P.Weierman@mass.gov), or by calling (617) 748-2063.

By order of the Department of Children and Families

Staverne Miller

Commissioner

<b>Small Business Impact Statement</b> <i>(As required by M.G.L. c. 30A §§ 2, 3 &amp; 5)</i>		
<b>Agency: Department of Children and Families</b>		
<b>CMR No.: 110 CMR 7.105: Standards for Licensure of Foster/Pre-adoptive Homes</b>		
<b>Estimate of the Number of Small Businesses Impacted by the Regulation: 0</b> <i>The obligations in this regulation apply solely to the Department of Children &amp; Families and families involved with the Department.</i>		
<b>Select Yes or No and Briefly Explain</b>		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Will small businesses have to create, file, or issue additional reports? <i>Small businesses will not have to create, file, or issue additional reports. The regulation applies solely to the Department of Children &amp; Families, Department foster families and Department foster family applicants.</i>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Will small businesses have to implement additional recordkeeping procedures? <i>Small businesses will not have to implement additional recordkeeping procedures. The regulation applies solely to the Department of Children &amp; Families, Department foster families and Department foster family applicants.</i>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Will small businesses have to provide additional administrative oversight? <i>Small businesses will not have to provide additional administrative oversight. The regulation applies solely to the Department of Children &amp; Families, Department foster families and Department foster family applicants.</i>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Will small businesses have to hire additional employees in order to comply with the proposed regulation? <i>Small businesses will not have to hire additional employees to comply with the proposed regulation. The regulation applies solely to the Department of Children &amp; Families, Department foster families and Department foster family applicants.</i>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Does compliance with the regulation require small businesses to hire other professionals (e.g. a lawyer, accountant, engineer, etc.)? <i>Compliance with the regulation will not require small businesses to hire other professionals. The regulation applies solely to the Department of Children &amp; Families, Department foster families and Department foster family applicants.</i>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Does the regulation require small businesses to purchase a product or make any other capital investments in order to comply with the regulation? <i>The regulation does not require small businesses to purchase a product or make any other capital investments to comply with the regulation. The regulation applies solely to the Department of Children &amp; Families, Department foster families and Department foster family applicants.</i>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	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.) <i>Performance standards are not more appropriate than an operational standard to accomplish the regulatory objective. The proposed amendment to 110 CMR 7.105(18) involves regulated activities about the licensure of foster homes, and how animal safety is assessed as part of licensing requirements. The regulation is structured so that if there is no safety or well-being impact to children,</i>

		<i>further assessment is not required. This provides flexibility in assessing safety as the more structured requirements of G.L. c. 119, § 26D, which includes an optional assessment of multiple factors and a request for a behavior/temperament assessment, will only be necessary if there are safety concerns.</i>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Do any other regulations duplicate or conflict with the proposed regulation? <i>No other regulations duplicate or conflict with the proposed regulation. The regulation applies solely to the Department of Children &amp; Families, Department foster families and Department foster family applicants.</i>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Does the regulation require small businesses to cooperate with audits, inspections or other regulatory enforcement activities? <i>The regulation does not require small businesses to cooperate with audits, inspections or other regulatory enforcement activities. The regulation applies solely to the Department of Children &amp; Families, Department foster families and Department foster family applicants.</i>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Does the regulation require small businesses to provide educational services to keep up to date with regulatory requirements? <i>The regulation does not require small businesses to provide educational services to keep up to date with regulatory requirements. The regulation applies solely to the Department of Children &amp; Families, Department foster families and Department foster family applicants.</i>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Is the regulation likely to <i>deter</i> the formation of small businesses in Massachusetts? <i>The regulation likely does not deter the formation of small businesses in Massachusetts. The regulation applies solely to the Department of Children &amp; Families, Department foster families and Department foster family applicants.</i>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Is the regulation likely to <i>encourage</i> the formation of small businesses in Massachusetts? <i>The regulation likely does not encourage the formation of small businesses in Massachusetts. The regulation applies solely to the Department of Children &amp; Families, Department foster families and Department foster family applicants.</i>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Does the regulation provide for less stringent compliance or reporting requirements for small businesses? <i>The regulation does not provide for less stringent compliance or reporting requirements for small businesses. The regulation applies solely to the Department of Children &amp; Families, Department foster families and Department foster family applicants.</i>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Does the regulation establish less stringent schedules or deadlines for compliance or reporting requirements for small businesses? <i>The regulation does not establish less stringent schedules or deadlines for compliance or reporting requirements for small businesses. The regulation applies solely to the Department of Children &amp; Families, Department foster families and Department foster family applicants.</i>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Did the agency consolidate or simplify compliance or reporting requirements for small businesses? <i>The agency did not consolidate or simplify compliance or reporting requirements for small businesses. The regulation applies solely to the Department of Children &amp; Families, Department foster families and Department foster family applicants.</i>

Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<p>Can performance standards for small businesses replace design or operational standards without hindering delivery of the regulatory objective?</p> <p><i>Performance standards for small businesses cannot replace design or operational standards without hindering delivery of the regulatory objective. As noted above, the regulatory objective is about the safety of foster homes. It does not apply to small business.</i></p>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<p>Are there alternative regulatory methods that would minimize the adverse impact on small businesses?</p> <p>The regulation does not affect small business.</p> <p><i>There are no alternative regulatory methods that would minimize the adverse impact on small businesses. The regulation applies solely to the solely to the Department of Children &amp; Families, Department foster families and Department foster family applicants.</i></p>