

# FOR YOUR INFORMATION

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Issue 22-06 (REV)

Date: 03/11/22

## UPDATED GUIDANCE ON SUPERVISED INDEPENDENT LIVING PLACEMENT (SILP) APPROVALS, SUPERVISED INDEPENDENT LIVING (SIL) SETTINGS, AND TEMPORARY ABSENCES FROM TRANSITIONAL HOUSING PROGRAMS (THPs)

This FYI is to inform staff of updates from [ACL 21-95](#), including:

- The expansion of SIL settings, which now include “transitional living settings” (TLS);
- The allowance for [SILP](#) inspections to be conducted virtually;
- The allowance for a THP to be paid up to 14 days while a non-minor dependent (NMD) is absent; and
- The Department’s responsibilities in conducting an evaluation of the County’s placement resources and programs in relation to the needs of youth and NMDs placed in out-of-home care on a regular basis.

Note: A matrix of housing options and placement settings for NMDs is provided towards the end of this FYI.

### SIL Settings

In 2011, the SIL setting was created as a flexible placement type for NMDs participating in Extended Foster Care (EFC). The passing of [AB 1979](#) now allows for a TLS under the definition of SIL. Federal guidance allows for maximum flexibility for SIL settings, while ensuring the placement is safe for NMDs.

Accordingly, there are now three types of SIL settings defined in California law, including the following:

- A SILP, as specified in a NMD’s transitional independent living case plan;
- A residential housing unit certified by the THP provider operating a THP program for NMDs;
- A temporary TLS approved by the County to support youth who are entering or re-entering foster care or transitioning between placements (please refer to [PG 0100-535.65, Extended Foster Care: Re-Entry of Non-Minor Former Dependents](#) for detailed re-entry criteria and housing [resources](#) for those who do not qualify for re-entry).



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A SIL setting is not to include: detention facilities, forestry camps, or any other facility operated primarily for the detention of children who are determined to be delinquent.

## TLS

Sometimes NMDs need interim, short-term housing during EFC entry or re-entry, or while transitioning between placements. In these circumstances, NMDs may utilize a TLS such as a couch, a church, youth resource center, Airbnb or Airbnb-like housing, a friend or family's home, shared rooms, hotels, or other alternative housing options.

A TLS is not subject to the individual approval requirements like those of a SILP. They are intended to be temporary. Furthermore, a TLS approved by the County is not subject to licensing requirements that other housing providers, such as THP, are. Please note:

- If a NMD is in a TLS, the Children's Social Worker (CSW) must continue active efforts to secure permanent housing;
- Efforts must be documented in Child Welfare Services Case Management System (CWS/CMS); and
- If a more permanent housing plan will not be implemented by the 7<sup>th</sup> calendar day of the NMD being in a TLS, then a [CFTM](#) should be completed, as is required when all placement changes are being considered.

## Transitional Living Setting Initial Assessment and Payment Process

1. Regional/Emergency Response Command Post CSWs will complete the initial assessment to determine whether the TLS meets the NMD's basic needs. CSWs have significant discretion in determining what constitutes a TLS to meet the needs of the NMD. However, a TLS cannot include a youth homelessness prevention center or an adult homeless shelter. Some flexible criteria to consider are listed below. Not meeting the criteria listed below does not preclude the NMD from using this as a TLS; however, the CSW should discuss any concerns with the NMD. Criteria to consider include:
  - Access to running water;
  - Access to a functional toilet; and/or
  - A secure door, with a working lock/key.
- a. Once the TLS has been assessed, CSWs may initiate the modified Special Payment process by following the guidelines on the sample [DCFS 5540](#) attached at the end of this FYI.
  - These funds are flexible and may be used for such things as emergency food, clothing, or housing-related costs.



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- b. The Regional Administrator (RA) or Division Chief (DC) must email the Special Payment request (DCFS 5540) to Rogelio Tapia [tapiar@dcsf.lacounty.gov](mailto:tapiar@dcsf.lacounty.gov). Enter "TLS Payment Request" in the subject line.
- The TLS Payment generally takes 3-5 business days to process.
  - The TLS Payment will be issued directly to the NMD unless: (i) DCFS has decided to pay the TLS provider directly for easier payment administration, and (ii) the NMD has consented to this payment arrangement.

2. One of the options for a TLS is a NMD Emergency Shelter (hotel) **that has been arranged by DCFS**. Staff must contact their RA/DC for approval and to arrange entry for the NMD.

Note: The NMD Emergency Shelter (hotel) does not require a physical assessment.

## Annual SILP Inspection Update

Effective September 25, 2020, AB 1979 amended WIC section 11402.2, subdivision (b), allowing a County to elect to complete the SILP unit inspection through methods other than an in-person visit, including, but not limited to, videoconferencing and telephone calls that include pictures of the living space – this is still allowed. Also, required SILP forms may still be completed by the NMD with electronic signatures. However, the allowance for a SILP to be temporarily approved pending the submission of required forms by the NMD, based on the NMD's agreement that the forms will be submitted, expired as of June 30, 2021. As such, the required forms must be successfully submitted by the NMD prior to the SILP being approved.

A SILP no longer needs to be assessed annually if the NMD remains continuously in the previously assessed unit while still demonstrating the ability to live independently as assessed via the [SOC 157A](#) agreement form, and if the CSW is not aware of any updated safety concerns. The role of the CSW is to identify any issues in the home which pose immediate safety threats, and/or issues that could potentially lead to impacts on the safety and well-being of the NMD if not addressed.

Additionally, a County may elect to certify that a SILP unit continues to meet health and safety standards once every 12 months, if the caseworker has no information to suggest the presence of any updated safety concerns. This enables counties to utilize a SILP unit that has been approved within the prior 12 months, and that is being vacated by the current tenant, or to permit the addition of another NMD without further approval of that SILP unit.

The three SILP forms utilized in the reassessment process ([SOC 157A](#), [SOC 157B](#), and [SOC 157C](#) – optional) remain applicable to the NMD population. None of these forms are required annually for NMDs who remain in the same placement (i.e., same location, address, and unit) for over 12 months. This includes those who reside in college dorms, room rentals, an apartment setting, single residency occupancy, or on or near a tribal reservation. However, the abovementioned forms are still required to be completed when an NMD moves to a new SILP location regardless of the length of time the NMD resided in the previous placement. In addition, the CSW should ensure continuity of payment while the NMD is awaiting approval of their new SILP.

## Continued Payment For Temporary Absences in a THP



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ACL 21-95 encourages counties to continue to approve payment during temporary absences from a THP program as a best practice, consistent with Federal law, to prevent NMD housing instability. The Department will continue to approve payment to a THP provider for a period of up to 14 days in a calendar month in which the NMD is absent from the placement, if the NMD provides notice to the THP provider that they intend to return to that placement within 14 days, or if the THP provider has reason to believe the NMD will be returning within 14 days. If the County continues to pay the board and care costs for up to 14 days during the NMD's absence, the THP provider shall not provide a removal notice or fill an NMD's place in the program. Counties are encouraged to discuss the NMD's placement responsibilities, while ensuring that the NMD understands the policy and will cooperate by clearly communicating their plans with their caseworker.

## DCFS' Evaluation of Placement Needs

On a regular basis, DCFS must conduct an evaluation of the County's placement resources and programs in relation to the needs of youth and NMDs placed in out-of-home care. The Department must examine the adequacy of existing placement resources and programs and identify the type of additional placement resources and programs needed. DCFS must specifically examine both of the following:

- Placements that are out-of-county shall be assessed to determine the reason the placement was necessary; also additional placement resources and programs should be identified which need to be developed and available to allow a child to remain within the county and as close as possible to their home.
- The county's ability to meet the emergency housing needs of NMDs in order to ensure that all NMDs have access to immediate housing upon reentering foster care or for periods of transition between placements.

Each out-of-county and out-of-state placement must be documented in the Child Welfare Services Case Management System (CWS/CMS) because the CDSS will utilize that data to evaluate out-of-county and out-of-state placements and to assist in the identification of resource and placement needs.

## NMD Placement Options / Living Settings



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Placement/ Living Setting Type	Description and/or Eligibility	Entry Process
<b>Supervised Independent Living Placement (SILP)</b>	<ul style="list-style-type: none"> <li>NMD identifies a place to live independently, or with a friend, relative, parent, or roommate(s).</li> <li>If approved, NMD will receive monthly payments</li> <li>See <a href="#">SILP Policy</a></li> </ul>	<ul style="list-style-type: none"> <li>NMD must pass SILP Readiness Assessment (<a href="#">SOC 157C</a>)</li> <li>Location must pass SILP Inspection (<a href="#">SOC 157B</a>)</li> </ul>
<b>Transitional Housing Placement – Non Minor Dependent (THPP-NMD)</b>	<ul style="list-style-type: none"> <li>A licensed THP provider provides housing and supportive services</li> <li>See <a href="#">Transitional Housing Services Policy</a> and/or <a href="http://ilponline.org">ilponline.org</a> for more information</li> </ul>	<ul style="list-style-type: none"> <li>NMD to fill out application (<a href="#">DCFS 6083</a>)</li> <li>CSW to check for openings and submit referral packet</li> <li>NMD to participate in interview</li> </ul>
<b>Resource Family (RF) Home</b>	<ul style="list-style-type: none"> <li>RF homes that accept NMDs are limited</li> </ul>	<ul style="list-style-type: none"> <li>CSW to submit <a href="#">FCSS 280</a> to request placement search</li> </ul>
<b>Short-Term Residential Therapeutic Program (STRTP)</b>	<ul style="list-style-type: none"> <li>Residential care is limited to circumstances in which the NMD requires residentially-based, short-term interventions designed to successfully transition into a more permanent, home-based setting.</li> <li>See <a href="#">STRTP Policy</a> and <a href="#">FYI 21-17 (REV)</a></li> </ul>	<ul style="list-style-type: none"> <li>Qualified Individual (QI) assessment</li> <li>Court approval (complete forms <a href="#">JV-235 through 239</a>) and an interim report for the Court hearing stat addresses the STRTP placement</li> </ul>
<b>Regional Center Placement</b>	<ul style="list-style-type: none"> <li>NMD must be a Regional Center client with specific housing needs</li> </ul>	<ul style="list-style-type: none"> <li>Consult with <a href="#">DCFS Regional Center Section</a> for help</li> </ul>
<b>PodShare Interim Housing</b>	<ul style="list-style-type: none"> <li>PodShare Interim Housing Program is intended to provide a short-term housing solution to youth working on securing more permanent housing.</li> </ul>	<ul style="list-style-type: none"> <li>CSW to email request to <a href="mailto:B6HomelessServices@dcfs.lacounty.gov">B6HomelessServices@dcfs.lacounty.gov</a> and Gail Winston at <a href="mailto:Winstj@dcfs.lacounty.gov">Winstj@dcfs.lacounty.gov</a></li> <li>Detailed instructions will be sent to the CSW</li> </ul>
<b>Transitional Living Setting (TLS)</b>	<ul style="list-style-type: none"> <li>Short-term setting that can be flexible (i.e., couch surfing, church, Airbnb, friend’s, shared rooms, etc.) when an NMD is re-entering or transitioning between placements</li> </ul>	<ul style="list-style-type: none"> <li>CSW to approve the TLS</li> <li>For funding, CSW submits modified Special Payments request</li> </ul>
<b>DCFS NMD Emergency Shelter (Hotel)</b>	<ul style="list-style-type: none"> <li>To be used as a <u>last resort</u> for emergency use (after exhaustive efforts have already been made to place elsewhere)</li> </ul>	<ul style="list-style-type: none"> <li>Requires ARA, RA, and DD approval for each night</li> </ul>

In addition to the above options, there are placement resources for Transition Age Youth (TAY) who have a closed DCFS and/or Probation case. Depending on the unique needs of the NMD and the resources that are available to them, it might be appropriate to explore with the NMD whether it is in



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their best interest to close their DCFS case for the purpose of gaining access to one of these specialized programs:

- Transitional Housing Program Plus ([THP-PLUS](#))
- Los Angeles Homeless Services Authority ([LAHSA](#))
- LAHSA Mental Health ([LAHSA/MH](#))
- Department of Mental Health ([DMH TAY Housing](#))
- Other community-based housing programs



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**SPECIAL PAYMENT AUTHORIZATION/REQUEST**

Date 01/01/2022

Case Name <b>Jane Smith</b>		State ID Number 123456		Placement Date 01/01/2022	
Child/Youth Name <b>Joe Smith</b>		Date of Birth 02/22/2002		Placement Type <b>TLS</b>	
Street Address 12345 Oak St.		City Los Angeles	State CA	Zip Code 90020	
Person Services Are Requested For <b>Joe Smith</b>		Caregiver Name <b>N/A</b>		Telephone Number <b>N/A</b>	
Type of Services Requested		Timeframe (Start/Stop Dates)	Frequency (How Often)	Amount (Cost per Session)	
<input type="checkbox"/> Respite Care ..... <input type="checkbox"/> Payment of medical and dental bills..... <input type="checkbox"/> Funeral Expenses..... <input type="checkbox"/> Counseling..... <input type="checkbox"/> Temporary in-home caretakers..... <input type="checkbox"/> Child care ..... <input type="checkbox"/> Court ordered services (attach Minute order stating the service) <input type="checkbox"/> Orthodontia..... <input type="checkbox"/> Computers ..... <input type="checkbox"/> Specialized educational equipment ..... <input type="checkbox"/> Tutoring..... <input type="checkbox"/> Glasses..... <input checked="" type="checkbox"/> Other items required to stimulate the child's physical and/or emotional growth. (SPECIFY ITEM) <b>TLS</b> .....		1/1/2022- 1/7/2022	7 days (cannot exceed 7 days per request)	\$37	
			<b>TOTAL AMOUNT</b>	<b>\$259</b>	

**VENDOR/CAREGIVER INFORMATION:**

**Name:** Joe Smith  
**Address:** 12345 Oak St.  
**City/State/Zip Code:** Los Angeles, CA 90020  
**Phone/Fax:** (213) 654-3210

**TAX ID/SOCIAL SECURITY #** \_\_\_\_\_  
 (9-DIGIT # REQUIRED FOR PAYMENT)  
**Contact Name (Vendors Only):** \_\_\_\_\_  
**Email (Vendors Only):** \_\_\_\_\_

CSW Name	CSW Signature	CSW Telephone	CSW Office/SPA
SCSW Signature	ARA Signature (Required under \$500)	RA Signature (Required over \$500) RA must email completed form to Rogelio Tapia <a href="mailto:tapiar@dcfs.lacounty.gov">tapiar@dcfs.lacounty.gov</a>	

**Note: Please send the DCFS 5540 to: [tapiar@dcfs.lacounty.gov](mailto:tapiar@dcfs.lacounty.gov). The subject line should state "TLS Payment Request".**