

Initial Eligibility Determination for Financial Participation

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Overview

This policy provides guidelines for Eligibility Workers in meeting Federal and State compliance standards and implementation of different programs linked to Foster Care (FC) The procedural guide is applicable to all new and existing cases.

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Version Summary

This Policy Guide was updated from the 08/23/2010 version, as part of the Eligibility Redesign and reflects current procedures to align with the implementation of the California Statewide Automated Welfare System (CalSAWS).

POLICY

Financial participation programs are structured from the United States Code. Regulations and laws for the federal financial participation under an approved state plan are part of the Social Security Act and provide the basis for programs available to dependent children.

It's purpose is to provide financial assistance, rehabilitation and other services, as far as practicable eligible dependent children, their parents and/or other caregiver with whom they are living to support, maintain and strengthen the family and ensure proper care of the child(ren) in the home.

Title IV-A Emergency Assistance Program

Emergency Assistance (EA) is a federally funded program under Title IV-A of the Social Security Act. The program will provide funding for assistance that can be offered to families in crisis. The EA program is designed to provide emergency assistance for the purpose of preserving the family through family-based, child-focused services.

The EA program allows for federal funds to match state and county funds for the cost of emergency shelter care and federally ineligible foster care. Counties should continue to

use [Title IV-E](#), federal Aid to Families with Dependent Children - Foster Care (AFDC-FC), in those situations where cases are eligible for foster care that could be funded under either source.

The following federal eligibility criteria must be met before a family (child) can be determined eligible for assistance:

- An emergency must exist within the family. In the amendment to California's Title [IV-A State](#) Plan an emergency is defined as "...a child is at risk of abuse, neglect, abandonment or exploitation."
- The child/youth is living with, or within the past six months has lived with a specified, by federal regulations, relative.
- The family has not been authorized for assistance during the previous twelve months in California.
- The total family (child) income cannot exceed 200% of California's median family income, as certified by the applicant. This amount will be recalculated every fiscal year.
- The emergency did not arise because an adult family member refused without good cause to accept employment or training.

Title IV-D Child Support Enforcement Program

In California there is a Child Support Enforcement program established for the purpose of identifying and locating absent parents, establishing paternity, and enforcing the child and spousal support obligation. The responsibility of parents to support their children continues even though a parent does not live with his or her child(ren). All parents, regardless of their age or their marital status, are responsible to the extent of their ability for the support and care of their child(ren) whether they are natural or adopted, including minor parents and children in foster care.

In any case of separation or desertion of a parent or parents from a child/youth that results in aid, under the [Family Code Section 17552](#) the Department of Children and Family Services (DCFS), shall determine whether it is in the best interests of the child to have the case referred to the local child support agency for child support services. In making the determination, the department shall consider the following factors as part of a *good cause* determination:

- Whether the payment of support by the parent will pose a barrier to the proposed reunification, in that the payment of support will compromise the parent's ability to meet the requirements of the parent's reunification plan.
- Whether the payment of support by the parent will pose a barrier to the proposed reunification in that the payment of support will compromise the parent's current or future ability to meet the financial need of the child.

This policy supports the Department's efforts to reduce recidivism, for families who have or will reunify with a child(ren) who were in out-of-home care, by agreeing that money that would otherwise be spent to pay a child support debt would be better spent on meeting the child's needs and ensuring a successful reunification with the family. A finding of good

cause must be re-evaluated annually by the Children's Social Worker (CSW) with follow up by the Redetermination Eligibility Worker (EW).

If the CSW determines that a child support referral should be submitted, a copy of the Child Support-Good Cause Claim for Noncooperation, CW51 will be forwarded to the designated EW for filing in the Income Maintenance Folder, if the parent is referred to child support, a Notice of Referral to Child Support Related Terms, [DCFS 5125](#) is to be sent to the parent by the EW.

After information concerning an AFDC-FC case has been referred to the Child Support Service Division, they will attempt to locate the absent parent(s), establish paternity and/or obtain a court order for enforcement of child support

On November 1, 2008, the Los Angeles County Child Support Services Department (CSSD) transitioned to a new statewide computer system called, Statewide California Child Support Automated System (CCSAS). The new system was designed to enhance services and allow all California counties to share information in order to more effectively manage child support cases.

The CSW will make a decision whether it is or is not in the best interest of the child to make a referral to the local Child Support Agency.

Title IV-E Federal Participation

Federal participation in foster care payments must be claimed to the maximum extent possible. Initial Determination of federal eligibility is the responsibility of the Foster Care Intake EW. However, the federal eligibility requirements are complex. They require coordinated effort between the placement CSW and the Foster Care Intake EW to exchange information, in order to correctly determine federal status, and for the child/youth's case to be financially aided from federal funds.

There are eight (8) conditions of federal eligibility and each condition must be met in order for a child/youth to be federally eligible. The eight conditions are:

- The child/youth must meet the general AFDC eligibility requirements of age, property, residence, citizenship, social security enumeration, and income.
- There must be either a court order which authorizes placement. It can be either a detention order or a suitable placement order with the required language or a voluntary placement agreement.
- The court order must designate responsibility for placement and care to either the Department of Children and Family Services or the Department of Probation.
- During the month of the removal, the child/youth must have been receiving or eligible to receive federal public assistance as of July 16, 1996 in the home of the relative from whose custody they were removed.
- The child/youth must be placed with a non-relative or a relative other than the relative from whose custody they were removed.
- The child/youth must be placed in an approved relative home, non-related extended family member (NREFM) home, licensed family home, FFA or a State-

licensed nonprofit group home. They cannot be placed in a profit-making group home

- The child/youth cannot be their own payee, unless the youth is a nonminor Dependent (NMD) in a Supervised Independent Living Placement (SILP).
- The child/youth can under certain conditions (SSI) receive federal funds concurrently.

Determine if the court detention order or custody removal warrant has the following required findings to qualify for federal funding:

- Continuance in the home is contrary to the welfare of the minor, or a finding to that effect. If this finding is not made at the first hearing, which removes the child from his/her home, the child is ineligible for federal AFDC-FC funding for the duration of that stay in foster care. If the minor is not placed with a relative, they may be eligible for state funding once the finding is ordered.
- Placement and Care is vested with either the county welfare or probation department, as appropriate or a finding to the effect. This finding may be in any court order, however state and federal AFDC-FC eligibility does not exist prior to the date of the finding.
- Reasonable efforts to prevent or eliminate the need for removal have been made by the county or were not required. If this finding is not made within 60 days from the date the child is removed, the child is ineligible for federal AFDC-FC funding for the duration of that stay in foster care. If the minor is not placed with a relative, they may be eligible for state funding once the finding is ordered.

State/Non-Federal Participation

When a child/youth placed by the DCFS is not eligible to [Title IV-E](#) federal participation but meets all the [AFDC-FC requirements](#), the child's placement costs are paid from state foster care.

The child/youth's eligibility determination is non-federal if they are:

- Non-federal at the time of the initial eligibility determination.

There is no state foster care for relative caregiver cases. When the child's eligibility determination is considered to be non-federal and the child is placed with a relative; relative has the available options for placement funding, the options may include:

- The relative can apply for the Approved Relative Caregiver (ARC) Program. This gives the Department the option to make the amount paid to an approved relative caregiver for the care and supervision of a child who is under the jurisdiction of the California Juvenile Court, and who is *ineligible* for federal Aid to Families with Dependent Children-Foster Care (AFDC-FC)—equal to the basic amount paid on behalf of such a child who is eligible for AFDC-FC.
- The relative caregiver may be eligible for public assistance as a non-needy payee under the CalWORKs program which is administered by the Department of Public Social Services (DPSS)

- The child/youth may be included in the relative's family Assistance Unit (AU), if the relative is also in need of CalWORKs.

Approved Relative Caregiver (ARC)

[The ARC Funding Program](#) was established and provides payments on behalf of children/NMDs who are placed with approved relatives that are not eligible for federal funding under the Aid to Families with Dependent Care-Foster Care (AFDC-FC) payments, meet other existing eligibility requirements, and are under the jurisdiction of the Juvenile Court. Relative caregivers are the preferred placement type for children/NMDs being placed into foster care.

The ARC payments are comprised of the applicable California Work Opportunity and Responsibility to Kids (CalWORKs) payment for an assistance unit of one and state general funds to equal the payment amount that the child/NMD would have received if they were eligible for AFDC-FC.

The ARC amount is equal to the rate paid on behalf of such a child/NMD who is eligible for AFDC-FC, inclusive of any specialized rate determinations.

County Funds

When a child placed by the DCFS is not eligible for AFDC-FC or for EA, the child may be aided with General Relief Ineligibles (GRI) funds, after DCFS, in its discretion, has reviewed the totality of the circumstances and a determination that GRI funding is necessary and/or applicable, in the best interest of the child, placed in out-of-home care. The Director and/or the Deputy Director's (DD) signatures is required. GRI is not available for children placed by the Probation Department or private adoption agencies. Children receiving GRI are not automatically eligible for Medi-Cal. A separate application for Medical Assistance Only (MAO) is required.

The CSW will notify the Eligibility Supervisor (ES), via the Automated DCFS 280, at the time of initial placement of a child in out-of-home care, change in the authority for placement, change in court order status, replacement, placement facility licensing status or payee.

Eligibility

The eligibility determination is not complete until the ES, signs the Statement of Facts Supporting Eligibility for Foster Care ([FC 2](#)). The Intake EW shall process the eligibility determination within 30 days, and 15 days for the ES to approve.

- If the home of the relative or Non Related Extended Family Member (NREFM) is in the status of pending approval, the intake EW and ES are not to sign the FC2 nor [FC3](#).

Level of Care (LOC)

The LOC Protocol was designed to support a consistent, statewide rate determination process using four (4) core domains: Physical, Behavioral/Emotional, Educational, and Health. It is a strength-based rate setting methodology that identifies an Out of Home Care (OHC) LOC payment rate in which the eligible child/youth's individual care and supervision needs. Each domain is scored separately to identify a LOC payment rate.

Specialized Care Increment (SCI)

The SCI rate provides a supplemental payment to the OHC provider who care for children/youth/NMDs with extraordinary needs in the medical, emotional/behavioral and/or developmental domains. It compensate for the cost of supervision to meet the additional daily care needs. The new three-tiered SCI rate structure was developed to replace the D and F Rate protocols for cases on or after April 1, 2021. For Reassessment cases, this rate applies to cases on or after January 1, 2017 and amended agreements signed on or after April 1, 2021.

Non-Related Legal Guardian (NRLG) Eligibility Determination

Probate Cases

A new case from probate court shall receive state financial participation. Probate cases can continue for payments if the Mutual Agreement for 18 Year Old, SOC155B and the School Verification form, DCFS 1725.1 are provided prior to the minor turning 18, and if the youth is expected to graduate from high school prior to age 19, whichever event comes first.

In the case of a Probate Legal Guardianship, if the child/youth is undocumented, the Department cannot pay foster care and do not have authorization to pay using GRI funds. The child/youth must have first been a Dependent Ward of the Court, prior to filing PRUCOL on their behalf. Without the ability to file PRUCOL the child/youth does not meet the citizenship and alienage requirements.

Jurisdiction Terminated (JT) Cases

Former foster youth in a NRLG's JT placement established in juvenile court are eligible for extended state-only (aid code 40) AFDC-FC payment benefits if they meet eligibility requirements and at least one of the following Extended Foster Care (EFC) participation criteria:

- The youth must sign the Mutual Agreement for Extended Foster Care, SOC 162 to continue funding after turning 18 years old while remaining under the care and support of the NRLG.
- The NRLG will receive the EFC payment unless the youth can satisfy the conditions and become their own payee as stated in the [Eligibility and Assistance Manual section 45-301.214](#).
 - Consult with the ES to determine if youth meets the standards for EFC participation.

Youth in a NRLG's JT placement established through juvenile court are not eligible to file a 388 to re-enter court jurisdiction, nor are they eligible for any of the other placement options available to NMD's who are court dependents, including Supervised Independent Living Placement (SILP) and THP+FC. These youth are not NMDs as they do not have a suitable placement order in effect on their 18th birthday. These youth must live with their NRLG to receive a payment; however, they may live in a college dorm or other setting as required to access education/employment opportunities, as long as the NRLG maintains support of the nonminor.

The completion of the SOC 163 is required with this population when:

- The nonminor under a NRLG stops participating or leaves the care and support of the guardian, and the nonminor wishes to return to the guardian's care and receive extended state-only AFDC-FC payment benefits.
- The youth must call the hotline to initiate this process.

The signing of the SOC 163 is an eligibility condition for a nonminor returning to the extended NRLG benefits program and documents the earliest possible beginning date of aid (BDOA). The BDOA is the day the nonminor and county sign a SOC 163 or the day the nonminor returns to the care of the guardian. The nonminor must meet all other eligibility requirements (e.g citizenship).

This youth will not file a 388 petition unless the nonminor is re-entering from Kin-GAP and AAP Programs or youth under the Special Population status such as: Indian Child Welfare Act (ICWA) and/or Parenting Youth.

The youth may qualify for re-entry under WIC 388.1 if there was a non-related legal guardianship established as part of a dependency proceeding to petition the court to re-enter foster care, and the guardian or adoptive parent dies before the youth reaches age 21.

The youth may qualify for re-entry under WIC 388.1 if a NRLG whose guardianship was established in dependency court, and whose former guardian or guardians no longer provide ongoing support to, and no longer receive aid on behalf of, the nonminor after the nonminor attained 18 years of age, but prior to attaining 21 years of age.

The legal guardian's home continues to be a valid eligible facility even after a youth turns 18 years old and the guardianship is dismissed.

Notice of Action (NOA)

All Notices of Action (NOA) are child specific and applicable to children who were determined to be federally or State (Non-Federal) eligible. A NOA is not applicable if the child is GRI funded.

A NOA is completed by the EW taking the action when aid is granted, increased, decreased, discontinued, deferred, terminated and/or request for a rate change is denied.

For a rate decrease, a notice of action should be sent at least ten (10) days prior to the

rate decrease. A NOA will also be sent when the County request repayment of an [overpayment](#) or when the County takes action after the claimant has conditionally withdrawn a request for a State Hearing. Two (2) copies are sent to the caretaker, one (1) copy to the CSW and one (1) copy is retained in the child's eligibility case. The NA Back 9 will be attached to all NOA's.

All Notification Letters are child specific, applicable to children who were determined to only be eligible for GRI to offset placement costs. The Notification Letter will be used when aid is granted or increased, denied, decreased, suspended, cancelled, discontinued or terminated. The NA Back 9 will not be attached to Notification Letters.

PROCEDURE

Escalation Process

1. EW will contact the case carrying CSW to request the necessary documentation, if there is no response.
2. The EW informs the Eligibility Supervisor (ES) to contact the Supervisor Children Social Worker (SCSW) to request the necessary documentation, if no response.
3. The ES refers the request to the Human Services Administrator I (HSA I) to inquire about the information/documentation needed from the Assistant Regional Administrator (ARA) and/or Regional Administrator (RA).

Initial Intake Eligibility Assignment

The CSW will notify the Technical Assistant (TA) Eligibility Supervisor (ES), via the Foster Care Search System (FCSS) DCFS 280, at the time of initial placement of a child in out-of-home care, change in the authority for placement, change in court order status, replacement, placement facility licensing status or payee.

The Technical Assistant/Eligibility Worker (TA/EW) submits a request to the transfer desk for an intake or redetermination eligibility assignment; once received, the transfer desk assigns the EW on rotation bases; when the EW is assigned, the TA/EW sends the DCFS Auto 280, the Foster Child's Data Record and AFDC-FC Certification, SOC 158A and the Statement of Facts Supporting Eligibility for AFDC-Foster Care, FC2 to the assigned Intake or Redetermination EW to initiate the eligibility determination for financial participation.

Intake Eligibility Worker (EW) Responsibilities

1. Receive the DCFS Auto 280, FC 2 and SOC 158 indicating the request to evaluate foster care eligibility for financial participation. Review the DCFS Auto 280 for completeness ensuring the following:
 - a. The signatures of the CSW and SCSW for all request.
 - If the DCFS 280, FC 2 and/or SOC 158 is missing, including necessary signatures, initiate the [escalation process](#).
2. When placed in the home of a relative or NREFM, make sure to receive the completed Resource Family Application, [RFA 01A](#) and/or Resource Family Approval Certificate, [RFA 05A](#) form with the appropriate signatures.
 - a. If there is no RFA 01A or RFA 05A attached to the DCFS 280, the Intake EW is to do the following:
 - i. Check the Binti system to determine if a completed RFA05A has been scanned into the system, verify that all information and signatures are on the form and keep a copy in the child's physical case.
 - ii. If there is no RFA 05A on Binti, the EW must request the home assessment documentation via e-mail to the CSW, SCSW and the Kinship CSW and SCSW. Set a five (5) day control for the return receipt of the RFA05A.
 - Due to Resource Family Home (RFH) approval regulations, the same standards for approval for licensing that is required for all foster family homes are now required for relative and NREFM homes. Certified license-pending status is now eliminated from state law.
 - [Relatives whose home does not meet the RFH](#) home approval criteria are ineligible to receive GRI funds, and should be eligible for ARC. This includes relatives with whom a child is authorized to be placed by the court, when the placement is ineligible for emergency caregiver financial support or AFDC-FC payments due to the denial of resource family approval.
3. A centralized DCFS LOC/SCI rate determination/re-determination Unit (LOC Unit) will complete rate determinations and re-determinations. An LOC CSW will collaborate with the assigned CSW in order to complete LOC and SCI protocols to determine the LOC level the child/youth needs, once determined:
 - a. The CSW submits the LOC/SCI referral to the TA/EW Unit.
 - b. If the rate is LOC 1, the TA/EW initiate the budget and generates an NOA to be sent to the OHC provider.
 - c. If the rate is LOC 2-4, the referral is forwarded to the Payment Resolution Unit (PRU) to process the rate change at PRU@dcfs.lacounty.gov.
 - When the LOC Unit determines the level of care, all paper work should have the appropriate signatures.
 - b. Set up a Case Follow-up DCFS 26-1 to control for the next rate reassessment due date.
4. Review the rate schedule level.

Federal Assistance Received by the Child and Parent within 45 Days of the Application Date for Public Assistance (SAWS1)

Intake EW Responsibilities

1. Gather information through investigation and research of the parents' household status and income in the removal month. Document the foster care eligibility process in the Case Notes.
2. Review the CalSAWS system to determine if a public assistance program (i.e. CalWORKs) is currently open and/or approved. CalSAWS and MEDS inquiries will indicate whether the child/youth and the person for whom the child was removed are currently aided or not. This information is critical in documenting that the linkage requirement has or has not been met.
 - a. If CalSAWS or MEDS inquiries indicate that public assistance is open and approved, obtain the CalSAWS inquiry that verifies the payee as the parent and the amount issued in the removal month.
 - b. If CalSAWS or MEDS inquiries do not indicate open Public Assistance.
 - i. Request Income Evidence Verification System (IEVS) to verify any income in the family.
 - c. Obtain and review the Detention Court Report from CWS/CMS and the Detention Minute Order.
3. If the MEDS inquiry indicates another county, contact the other county for verification of assistance paid in that county.
4. Inform the other county's CalSAWS EW that the child is currently in foster care placement and verify eligibility by requesting the following information:
 - a. Aid status for the child in the month of removal.
 - b. Payee in the month of removal.
 - c. [SAWS 1](#)/Semi Annual Report (SAR) Application or Quarterly Statement of Facts.
 - d. Income verification of the parent and/or child.
 - e. Birth Certificate/Immigration Documentation.
 - f. Social Security Card.
5. Upon receipt of the above documents, process the foster care eligibility determination for federal financial participation.

Supplemental Security Income/Social Security Administration (SSI/SSA)

If the child/youth is receiving federal public assistance from the SSA during the month of removal, the case may be eligible for Title IV-E; the EW is to continue with the intake eligibility case procedure.

Intake EW Responsibilities

1. Review the rate schedule level in the CWS/CMS and the print outs from the Medi-Cal Eligibility Date System (MEDS) Title II and XVI to determine the child/youth's SSI/SSA status or his/her eligibility; compare the foster care payment rate to the SSI/SSA benefit amount to determine the [child/youth's payee](#).
 - a. If the foster rate is equal to or less than the SSI/SSA benefit amount, the caregiver may elect to become the SSI/SSA payee; a person or their representative who believes the applicant meets the eligibility requirements for more than one category of aid has the right to choose the type of aid they will apply for, since AFDC-FC and SSI/State Supplemental Payment (SSP) are both aid program, the county representative can choose the program that best meets the needs of the foster child [EAS Section 40-109.2](#).
 - i. Contact the relative or non-related legal guardian and explain the procedure to become the SSI/SSA payee by requesting for a change of payee, and going in person to apply at the Social Security Office.
 - ii. If the caregiver decides to become the SSI/SSA payee, complete the action to deny Foster Care and mail an NOA of denial; one (1) copy is to go to the CSW for their record, and one (1) copy is to remain in the eligibility physical file.
 - b. If the foster care rate is greater than the SSI/SSA benefit amount, continue with the [initial determination process](#). Do not deny eligibility to foster care and submit the following forms to the SSI/SSA Unit in Special Operations:
 - i. An email [Referral](#) to the SSI Unit in San Dimas at SSIREDD@dcfs.lacounty.gov to initiate the change of payee.
 - Annotate the initiation of an SSI referral in the CWS/CMS Case Notes and in the CalSAWs Journal.
 - If the agency is to be the payee, upon approval, the case is then referred to the SSI/SSA Unit in the San Dimas office.
 - ii. A Court Minute Order indicating DCFS has jurisdiction of the child/youth.

Federal Eligibility Criteria

Intake EW Responsibilities

1. Review the services case record/notebooks or CWS/CMS reports (i.e. Court Order Summary, Detention Court Report and Legal Status History).

2. Process the evaluation for foster care eligibility by obtaining the documentation and evidence to establish that the following conditions of FEDERAL eligibility are met:
 - The child meets all the general AFDC eligibility requirements of deprivation, age, property, residence, citizenship, social security enumeration, and income.
 - The child was removed from the custody of a parent or relative as a result of a court order or voluntary placement agreement. This must be either a Detention or Jurisdictional Dispositional Order or a Voluntary Placement Agreement giving placement and care responsibility to DCFS or the Probation Department.
 - Non-related legal guardianship cases are non-federal unless a dependency or ward ship (Probation) order is concurrent.
3. The federal AFDC linkage requirement must be met for the petition filing month. This requirement is met when it is determined that the child met one of the following in the month of the removal:
 - The child lived in the home of the relative from whose custody (s)he was removed from and received federal public assistance as of July 16, 1996.
 - The child lived in the home of the relative from whose custody (s)he was removed and would have received federal public assistance as of July 16, 1996 had an application been made.
 - The child lived in the home of the relative from whose custody (s)he was removed within any of the six months prior to the removal month and would have received federal public assistance as of July 16, 1996 during the removal month had s(he) still been living with that relative and had an application been made.
 - If factual information is not available, federal eligibility may be made available using Preponderance of Evidence Model (POEM). CalWORKs demonstrates that a child and family meet the age and residence requirements. Acceptable documentation is the MEDs inquiry or public assistance payroll. All other requirements shall be reflected on the FC 2 and FC 3 as they are related to the AFDC program in effect on July 16, 1996.
 - When a court orders a child removed from the custody of a parent or relative, the child cannot be placed back in that home. The placement must be with another relative or a Non-Relative Extended Family Member (NREFM).
 - The child must reside in an approved relative or NREFM home or licensed family home, FFA or licensed non-profit group home.
 - The family home must be currently licensed or meet the RFH home approval standards and recorded in the services case record; Relatives pending RFH might qualify to receive Emergency Caregiver (EC) funding through the Title IV-A EA program.

- The relative home, NREFM home or Non-Related Legal Guardian home with ongoing jurisdiction need not be licensed but must have an approved home assessment completed by a CSW from the KinSHIP Support Division. The KinSHIP Support Division is responsible for completing the Initial and Annual Home Reassessments and determining if the home meets or continue to meet the RFH home approval requirements set forth in Title IV-E.
 - Effective January 1, 2008, CSW's must check the child abuse and neglect registry of any state in which a prospective caregiver or any other adult in the home has resided in the past five years, if that state maintains a registry. This requirement is mandated by Public Law (PL) 109-248, known as the Adam Walsh Child Protection and Safety Act of 2006, (the Act), and signed into law on July 27, 2006. Senate Bill 703 was recently passed to bring California statute into conformity with the Act.
 - The timeline to obtain clearances based on information from other state registries may vary by state. Pending this information, a child may be placed in the relative/NREFM home as a [temporary/emergency placement](#), but the relative/NREFM home is not Title IV-E eligible until all out-of-state information is received and evaluated, and the home is assessed as meeting all approval standards
4. Determine eligibility based on the information and documents received then complete the following in CWS/CMS:
- a. Data enter the following in Case notebook:
 - i. Set up the appropriate federal aid code of 42 in the ID Num Page.
 - ii. Complete the ADFC-FC page, which will determine the next redetermination date.
 - iii. Special Projects page to follow up for any requested or needed documentation.
 - b. SAWS 1 notebook
 - c. FC 2 notebook. If the child has available income, record the data on the income/property page. Currently the CWS/CMS application will deduct the income amount from the foster care payment.
 - Annotate all actions and findings in the CWS/CMS case notes, remembering that the determination must be applicable to the federal assistance standards as of [July 16, 1996](#).
5. If the [birth certificate](#) is not on file, submit a Request for Verification/Certificate of Evidence ([DCFS 230](#)) or other appropriate form to the Central Clerical section by

sending an email to Vitalrequest@dcfs.lacounty.gov in the San Dimas RED office.

- Upon receipt of the birth certificate, submit a request for a Social Security Number Card ([SS-5](#)). Upon receipt of both, originals are sent to the case carrying CSW and a copy of each will remain in the case carrying EW's case.
6. Certify eligibility on the FC 2 for eligible children regarding the AFDC program in effect as of July 16, 1996.
 7. Explain the reason for ineligibility on the FC 2 and on CWS/CMS case notes for ineligible children.
 8. Access CalSAWS to complete the Intake Eligibility Determination by following the next procedure:
 - a. Complete the Legal Authority Page
 - b. Verifying the new Intake EW assignment and the case aid code under the Eligibility Case Summary.
 - c. Verify proper interface from CWS/CMS to CalSAWS under the Eligibility page by checking the information under the following sections:
 - i. Child/youth placement and rate under the Child Placement Detail section.
 - ii. Vendor Number.
 - If vendor number has not been issued, submit an RM 200 to the RMU unit via email at RMU@dcfs.lacounty.gov
 - iii. Placement License Approval under the Foster Care License List at the Resource Databank section.
 - License should display Approved or Emergency Approval, if the placement shows no license information, send a request for update to the RMU unit via email at RMU@dcfs.lacounty.gov
 - d. Complete the Deprivation page
 - e. Run Eligibility Determination and Benefit Calculation (EDBC) from initial placement date to Come-up month.
 - Come-up month is the latest month available.
 9. Complete and sign the [DCFS 6034](#) Initial Eligibility Determination Check List, ensuring accuracy of all required information.
 10. Submit the approval/denial eligibility segment to the ES for review.

Intake Eligibility Supervisor (ES) Responsibilities

1. ES receives the approved/denied eligibility segment.
2. Review the CWS/CMS notebooks and eligibility segment for accuracy and completeness.

- a. Prior to approval, ensure that the home assessment or licensing status is correct and that the appropriate aid code has been set up.
 - b. Confirm that the accurate foster care payment and funding source has been completed and that there are no unresolved payment problems.
Complete the approval process on CWS/CMS for payment.
3. Review the information set up on the Client notebook AFDC-FC page to ensure the correct dates have been entered that will reflect the date the child met all eligibility requirements for Foster Care.
4. Sign the appropriate forms/documents authorizing the eligibility segment approval/denial.
5. Review CWS/CMS case notes to ensure EW accurately reflected their case actions.
6. Review CalSAWS for completion and accuracy under the following sections:
 - a. Individual Demographics and Vital Statistic pages.
 - b. Placement Authority and Deprivation pages.
 - c. Issuance to verify ongoing payments with the correct amount and rate.
 - d. Notice of Action to verify if the correct NOA was generated and sent to the caregiver.
 - e. Case Summary to verify the correct aid code and Redetermination Due Date.
 - f. Authorize and approve the EDBC results and check for correct aid code and benefit amount.
 - Verify that the EW ran to the come-up month.
7. Review and sign the [DCFS 6034](#) Initial Eligibility Determination Check List indicating that the case has been reviewed and information on the check list is accurate.
8. Prepare the approved segment for transfer. Submit it to the Unit Clerk to initiate a transfer transmittal for the case to be forwarded to the Redetermination Unit.

Federal Assistance Not Received – Parent Cooperation within 45 Days Of the Application Date for Public Assistance (SAWS 1)

Intake EW Responsibilities

1. Process the foster care eligibility segment.
2. Access the CalSAWS and MEDS, if the computer systems do not indicate that the child or parent(s) has open public assistance, contact the parent(s) and set-

up an appointment for a face-to-face interview. Explain the eligibility determination process is to cover the cost of foster care placement. Request the Social Security numbers for both parent(s) and child(ren).

3. Complete the Appointment Letter [DCFS 2322](#) for the scheduled appointment. Check the boxes provided in the form of the documents needed to verify eligibility for financial participation.
4. At the scheduled appointment, conduct an interview to complete or process the following:
 - The Statement of Facts Supporting Eligibility for AFDC-Foster Care, FC 2.
 - Obtain and photocopy the evidence and/or documents. Write on the photocopy "original seen" date and initial.
 - Birth verification.
 - Alien registration card.
 - Social Security card.
 - Income verification and Affidavit DCFS 853 (if needed).
5. Obtain the Detention Court report, Removal Order and the Detention Minute Order.
6. Print out from the Medi-Cal Eligibility Data System (MEDS) the Title II and Title XVI print outs to review for potential income.
7. Access the Income Evidence Verification System (IEVS) that records quarterly income by Social Security Number. Inquire the computer system and request abstracts for all known SSN's.
8. Determine eligibility based on the documents and information received upon receipt of the IEVS abstract printouts.

Determine Eligibility Based on Preponderance of Evidence Model (POEM) for Federal Assistance Not Received or No Parent Cooperation within 45 Days of the Application Date for Public Assistance (SAWS 1)

Intake EW Responsibilities

1. Process the foster care eligibility segment.
2. Access the CalSAWS and MEDS computer systems; if there are no indications of the parent(s) or youth(s) to have an open public assistance case, and you are

unable to contact the parent(s) or lack of cooperation from the parent(s) with the foster care eligibility worker to determine foster care eligibility.

3. Proceeds with the following to determine eligibility based on POEM.
 - Review the services case record documents or information that would support federal financial participation including:
 - CWS/CMS notebooks.
 - JV 101 Petition/DCFS 4234 Petition.
 - Detention Hearing Report/DCFS 4345 Application for Petition
 - DCFS 4344 Family History.
 - Declaration of Due Diligence/DCFS 4388 Declaration of Due Diligence.
 - Police Report.
 - Any other documentation that contains information on income and resources of the family.
 - Father's Social Security Number.
 - Mother's Social Security Number.
 - Mother/Father public assistance from another program.
 - Title II and Title XVI printouts of child and parent(s).
4. Document all research and contacts in the CWS/CMS Case Notes.
5. If any Social Security Numbers are known, access IEVS from the MEDS computer system that records quarterly income statistics by Social Security Number.
6. Upon receipt of the IEVS abstract, review the printouts for information covering the removal month. If the IEVS abstract covers the removal month and there is no evidence or information to the contrary in the services record, determine foster care eligibility based on the information received.
7. If the IEVS abstract does not cover the removal month, but there is no evidence or information contrary in the service record, determine foster care eligibility based on the information received.
8. If the parent(s) Social Security Numbers are not available, make an attempt to obtain third party documentation. Third party documentation includes:
 - County Assessor records.
 - DMV.
 - Police Record.
 - Public Health Department Record.
 - Any persons, including family members' affidavits, which may have information regarding the living and financial circumstances of the

household in the month of removal. This may include information of a current or former employer for one or both parents.

Child Support Referral

The CSW documents their decision on the CW 51 generated on CWS/CMS, the EW will file a copy of the CW 51 form in the child's eligibility case.

Intake EW Responsibilities

If CSW submit a child support referral take the following actions:

1. Annotate in the documentation section of the FC 2 form that the CW 51 was initiated and processed. Retain a copy of the CW 51 form in the eligibility case, filing according to model case format requirements.
2. If the CSW has not created a CW 51 on CWS/CMS with the completed child support good cause determination, remind the case carrying CSW via email of the need for the completed documentation to be able to carry on with the eligibility determination process. If the CW 51 is not created within 24 – 48 hours from time of the email begin the [escalation process](#).
3. If the case has been referred to the CSSD for child support enforcement, and the CW 51 is created on CWS/CMS, the EW sends a Notice of Action DCFS 5125 to the parent(s) to inform them a child support referral has been submitted, the DCFS 5125 includes the Request for a Grievance Review.
 - The notice to parents will be mailed to the current or last known address.
 - If the parent(s) whereabouts are unknown, forward the DCFS 5125 notice to the case-carrying CSW who will deliver the form to the parent(s) at the next scheduled meeting.

Child Support Referral CW 51 Not Required

A child support referral is not necessary to be requested when one (1) of the following occur:

1. Parents of the child/youth have relinquished the minor for adoption. Case record shall have the California Department of Adoption document indicating a relinquishment.
2. Parent(s) is/are deceased. Acceptable evidence of the death of parent is.
 - a. A copy of the death certificate.
 - b. An award letter from the Social Security Administration (SSA) based on the death of the parent.
 - c. A newspaper account of the parent's death.
 - d. Other reliable documentation.

3. Child/youth is undocumented.
4. Child is placed with a Non-Related Legal Guardian and no ongoing jurisdiction and probate cases.
5. When the youth is a Non Minor Dependent (NMD) age 19 and up

County General Relief Ineligible (GRI) Participation

1. Certify General Relief eligibility on the [DCFS 151](#) for ineligibility to AFDC-FC and file a copy of the form in the physical case.
2. Update the Special Project Page with the proper aid code 45 reason.
3. Verify the proper aid code of 45 are reflected on CWS/CMS and CalSAWS.

Non Related Legal Guardian (NRLG) Probate/Jurisdiction Terminated Eligibility Determination

Whenever guardianship is granted to an unrelated caregiver and Juvenile Court jurisdiction is terminated or guardianship was granted through Probate Court, the aid code 40 must reflect State financial participation.

The youth who is in foster care receiving AFDC-FC and attending high school, the equivalent level of vocational or technical training on a full-time basis, or who is in the process of pursuing a high school equivalency certificate prior to his or her 18th birthday; the youth may continue to receive AFDC-FC following his or her 18th birthday if all of the following criteria are met:

- A youth continues to reside in foster care non-related guardian placement and remains otherwise eligible for AFDC-FC payments.
- Youth continues to attend high school, the equivalent level of vocational, a technical training or continues to pursue a high school equivalency certificate on a full-time basis.
- Youth may reasonably be expected to complete the educational training program or to receive a high school equivalency certificate, before his or her 19th birthday for probate cases, and to age 21 for NRLG jurisdiction terminated cases.

NRLG Jurisdiction Terminated Cases

Former foster youth in non-dependent NRLG's established in juvenile court are eligible for extended state-only AFDC-FC payment benefits if they meet eligibility requirements and at least one of the following [Extended Foster Care \(EFC\)](#) participation criteria:

1. The CSW shall submit a Six Month Certification of Extended Foster Care Participation [SOC 161](#) to the Intake EW verifying the nonminor's eligibility for EFC.
 - The SOC 161 is to be submitted every six (6) months.
2. The youth must sign the Mutual Agreement for Extended Foster Care [SOC 162](#), FC 2NM and FC 3NM in order to continue funding after turning 18 years old while remaining under the care and support of the NRLG.

Nonminor Dependent Voluntary Re-entry for Extended Foster Care

The completion of the [SOC 163](#) is required with this population when:

1. The nonminor under a NRLG stops participating or leaves the care and support of the guardian, and wishes to return to the guardian's care and receive extended state-only AFDC-FC payment benefits. The youth is to proceed as follow:
 - a. Call the hotline to initiate this process.
 - b. Complete and sign the SOC 163 which is an eligibility condition for a nonminor returning to the extended NRLG benefits program and documents the earliest possible beginning date of aid (BDOA). The BDOA is the day the nonminor and county sign a SOC 163 or the day the nonminor returns to the care of the guardian, whichever occurs later.
 - The nonminor must meet all other eligibility requirement. This youth will not file a 388 petition unless the circumstances under the Kinship Guardianship Assistance Payment (Kin-GAP) Program or the Adoption Assistance Program (AAP) take place.
 - The nonminor is to qualify for re-entry under WIC 388.1 if there was a non-related legal guardianship established as part of a dependency proceeding to petition the court to re-enter foster care, and the guardian or adoptive parent dies before the youth reaches age 21.
 - The nonminor is to qualify for re-entry under WIC 388.1 if a NRLG whose guardianship was established in dependency court, and whose former guardian or guardians no longer provide ongoing support to, and no longer receive aid on behalf of, the nonminor after the nonminor attained 18 years of age, but prior to attaining 21 years of age.

The CSW shall complete and submit the SOC 161 to verify the nonminor's eligibility to re-enter EFC every six (6) months.

Probate Cases

Intake EW Responsibilities

1. For a youth under probate to continue receiving AFDC-FC, the CSW must provide a Mutual Agreement for 18 Year Olds SOC 155B completed and signed by the youth prior to or in the month the youth's 18th birthday. Under certain circumstances it may not be necessary for the SOC 155B to be signed by the youth, the circumstances may be as follow:
 - A SOC 155B shall not be required if the youth is not capable of making an informed agreement, for example in situations wherein a youth has developmental, psychological or mental limitations that impair his or her ability to enter an agreement.
 - The income maintenance case record shall contain a statement from the CSW placement worker, the court report in the services case record shall inform or state the youth's incapability of making an informed agreement. This certification shall occur prior to or within the month the youth reaches age 18 and at re-determination of the youth's AFDC-FC eligibility. The incapability of the youth to sign the SOC 155B is to be reflected on the FC 2 and file in the physical case.
2. Complete and send an Authorization to Release Information form DCFS 1725 to the caretaker to verify if youth is in school and will be able to graduate before or on his or her 19th birthday and file upon receive.
 - Upon receive; make sure the school stamp, school employee and caregiver signature are present in the DCFS 1725.
 - If DCFS 1725 states child/youth will not graduate by the age of 19 stop payment at the end of the month that child/youth turns 18. .
3. Set up a DCFS 26-1, Case Follow-Up, to control for 10 working days prior to the youth turning age 19.
4. Terminate foster care the day prior to the date the youth turns 19 years old or graduates/completes a vocational training program whichever comes first.
 - a. The Intake EW completes and sends the NOA 403 of Termination within the 10 - day notification time period.
5. If a SOC 155B is not received by the end of the month that the youth turns age 18, contact the CSW to inquire whether they have one in their file. If they do not, then terminate the foster care effective the last day of the month in which the youth turned age 18.
 - a. Complete and send an NOA 403 ten (10) - day Notice of Termination.

HELPFUL LINKS

Forms

[DCFS 280](#), TA Action Request
[DCFS 151](#), Foster Care Ineligibility/General Relief Application
[DCFS 6034](#) Initial Eligibility Determination Check List
[FC 2](#), Statement of Facts Supporting Eligibility for AFDC Foster Care
[FC 2NM](#), Statement of Facts Supporting Eligibility for AFDC-Extended Foster Care
[FC 3](#), Determination of Federal AFDC-FC Eligibility.
[FC 3NM](#), Determination of Federal AFDC-FC Eligibility for NMD
[NOA 403](#), Notice of Action for Approval, Change or Discontinued
[RFA05A](#), Approval of Family Caregiver Home
[CW 51](#), Child Support-Good Cause Claim for Noncooperation
DCFS 26.1, Case Follow Up.
[SSI Referral](#)
[DCFS 5125](#), Notice of Referral to the Los Angeles Child Support Services Department with Attachment
DCFS 708, Child's Needs/Placement Authorization
DCFS 1725, School Verification Form
QR 7, Quarterly Statement of Facts
[SAWS 1](#), Application for Case Aid, Food Stamps and/or Medical Assistance
[SOC 155](#), Voluntary Placement Agreement
[SOC 155B](#), Mutual Agreement for 18 Year Olds
[SOC 157A](#), Supervised Independent Living Placement (SILP) Approval and Placement Agreement
[SOC 157B](#), SILP Inspection: Checklist of Facility Health and Safety Standards
[SOC 158A](#), Foster Child's Data Record and AFDC-FC Certification
[SOC 161](#), Six-Month Certification of Extended Foster Care Participation
[SOC 162](#), Mutual Agreement for Extended Foster Care
[SOC 163](#), Voluntary Re-Entry Agreement for Extended Foster Care
[SS-5](#), Application for a Social Security Card

Related Policies

[E020-0500](#), Foster Care Eligibility General Requirements
[E090-0530](#), Child Support Reimbursement
[E090-0580](#), Foster Family Home/Facility Vacancy Search
[E090-0590](#), Foster Care Placement/Replacement
[E090-0600](#), Compromise of Child Support
[E100-0520](#), Income Evidence Verification Systems (IEVS)
[E100-0510.11](#), CWS/CMS Budget Actions
[0080-503.00](#), Contacts with the Child Support Services Department (CSSD)

Statutes

[Eligibility Assistance Standards \(EAS\) 40-100](#), Receptions and Application General.

[EAS 40-157](#), Methods of Periodic Determination of Eligibility

[EAS 42-100](#), Age Requirements.

[EAS 42-200](#), Property Requirements

[EAS 42-400](#), Residence Requirement

[EAS 42-430](#), Citizenship, Alienage and Language Fluency

[EAS 43-100](#), Responsible Relative Requirements

[EAS 44-100](#), Income Requirements

[EAS 44-300](#), Aid Payment Requirements

[EAS 48-000](#), Records Requirements

[EAS 82-502](#), Child Support Enforcement Program

[EAS 82-812](#), Temporary Absence

[EAS 82-832](#), Excluded Persons

[EAS 89-130](#), Restricted Accounts

[State Regulations - Division 45](#), Eligibility and Assistance Standards

AFDC-FC

[Welfare and Institutions Code \(WIC\) Sections 11401](#), Aid to Families with Dependent Children-Foster Care

[WIC Section 11450\(d\)](#), Computation and Payment of Aid Grants

WIC Section 11461.3,

[WIC Section 16121](#), Aid for Adoption of Children

[WIC Section 18251](#), County Wraparound Services Program

[All County Letter \(ACL\) 94-82](#), Treatment of Supplemental Security Income/State Supplementary Payment (SSI/SSP) Benefits in the Aid to Families with Dependent Children-Foster Care (AFDC-FC) Program

[ACL 12-01](#), California Work Opportunity and Responsibility to Kids (CalWORKS) Subsidized Employment (SE) Claimed Under Assembly Bill (AB) 98 (Chapter 589, Statutes of 2007/Senate Bill (SB) 72 (Chapter 8, Statutes of 2011)

[ACL 19-31](#), Re-Entry of Eligible Nonminors to Extended Foster Care (EFC) When Adoptive Parent(S) or Former Legal Guardian(s) no Longer Provide Support

[All County Information Notice \(ACIN\) 1-42-14](#), The Approved Relative Caregiver Funding Option Program

[ACIN 1-55-00](#), Aid Codes for Consumers Involved in The Wraparound Program Through Either Senate Bill (SB) 163 or The Title IV-E Waiver Child Welfare Demonstration Project

[ACIN 1-76-15](#), Extended Foster Care (EFC)

Update https://www.cdss.ca.gov/lettersnotices/EntRes/getinfo/acin/2015/I-76_15.pdf

CDSS Manual Letter No. CWS-05-01; EAS 05-01

[Assembly Bill \(AB\) 1449](#), Child Support FYI dated 03/28/05, issue 05-18

Specialized Care Increment (SCI)

Legal Basis

United States Code, Title 42, Public Health and Welfare Section Social Security Act, Section 402 - <http://uscode.house.gov/uscode-cgi/>
 Assembly Bill (AB) 1449, Chapter 463, Statutes of 2001
<http://www.leginfo.ca.gov/bilinfo.html> **The Adoption and Safe Family Act, Assembly Bill (1695) and the California Code of Regulation**, Title 22, Division 6, Chapter 9.5, Article 3 <http://www.leginfo.ca.gov/bilinfo.html> **State Regulation – Division 45-201.312(b)** http://www.dss.cahwnet.gov/cdssweb/PolicyandP_2316.htm
State Regulation – Division 31-503.1
http://www.dss.cahwnet.gov/cdssweb/PolicyandP_2316.htm **American Recovery and Reinvestment Act of 2009**
<http://thomas.loc.gov/cgi-bin/query/z?c111:H.R.1>:
 CDSS Online Manual of Policies and Procedures -
http://www.dss.cahwnet.gov/ord/CCRTitle22_715.htm

WAIVER DEMONSTRATION PROJECT FOSTER CARE ELIGIBILITY REQUIREMENTS CHILDREN RETURNING HOME

Eligibility Requirements	Policy Regulation	Federal/Waived	Waiver Authority
Age	45-201.1	No	
Property	45-201.12	No	
Residency	45-201.13	No	
Citizenship/Alienage	45-201.14	No	
Social Security Number	45-201.15	No	
Income	45-201.16	No	
Child Support	45-201.3	Yes	Program Policy
Redetermination	45-201.7 and .71	No (Annually)	
Deprivation	45-202.1	No	
Linkage	45-202.3	No	

Authority for Placement (I.e., removal by court order or VP, placement and care, contrary to	45-202.4 and .411	Yes	WIC 11401
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welfare, reasonable efforts)			
Eligible Facilities	45-202.212 and 45-202.51	Yes	WIC 11402
Placement and Care	45-202.61	Yes	WIC 11404
Periodic Review and Permanency Planning	45-0201.42 and .43	Yes	WIC 11404.1
SOC 158A	45-202.42 and 45-202.53	No*	
Foster Care Payment	45-302.21 and .22	Yes	WIC 11450(d)
* The SOC 158A must either indicate that the requirement was met or that it was waived via the Demonstration Project			