

# Redetermination of AFDC-FC Eligibility

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## Overview

This provides guidelines for Eligibility Workers in meeting Federal and State compliance standards for the Foster Care (FC) program; this procedural guide is applicable to all existing cases.

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## Version Summary

The Policy Guide has been revised in an updated format from the 12/14/2009 version and reflects current procedures to align with the implementation of the California Statewide Automated Welfare System (CalSAWS).

# POLICY

The approved Eligibility Worker (EW) shall be responsible for the completion of required case reviews and/or case modifications whenever the eligibility status changes (i.e. annual court reviews, voluntary placement agreement expiration, incomplete and/or unmet judicial findings, home assessment expirations, etc.) and annual re-establishment of foster care eligibility and ensure accurate financial participation. The process includes but is not limited to research for evidence of verification of citizenship, social security number and home assessment (relative homes/NREFM homes) for the child in foster care placement.

At the time of the first eligibility redetermination, following the initial determination of eligibility, the EW shall review the Emergency Assistance (EA) program presumptive eligible application to obtain the missing eligibility element and achieve the final authorization. The EW shall ensure that the EA financial participation is claimed for the entire episode and, at the 12<sup>th</sup> month from the application date, convert the financial participation to the accurate funding source.

The Emergency Caregiver (EC) funding was established as a natural continuation of state's and counties' ongoing commitment to support families who are caring for children/youths placed with relatives or NREFM on an emergency or compelling reason basis and have pending Resource Family Approval (RFA) applications.

- Out of State placements are not eligible for EC funding

## **Title IV-E Federal Participation**

The review and/or reevaluation of federal eligibility is the responsibility of the Foster Care Redetermination EW to ensure all maximum federal participation in foster care. However, the federal eligibility requirements are complex. They require continued coordinated effort between the Children Social Worker (CSW) and the Foster Care Redetermination EW to exchange information, in order to correctly determine federal status, and for the child/youth case to be financially aided from federal funds.

- The CSW may request a Redetermination of Federal Eligibility under Title IV for purposes of Kin-GAP when previously denied.

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

1. The child/youth must meet the general AFDC eligibility requirements of age, property, residence, citizenship, social security enumeration, and income.
2. 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.
3. The court order must designate responsibility for placement and care to either the Department of Children and Family Services or the Department of Probation.

4. 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 he/she was removed.
5. The child/youth must be placed with a non-relative or a relative other than the relative from whose custody he/she was removed.
6. 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. He/she cannot be placed in a profit-making group home
7. The child/youth cannot be his/her own payee, unless the youth is a Non Minor Dependent (NMD) in a Supervised Independent Living Placement (SILP).
8. The child/youth can under certain conditions (SSI) receive federal funds concurrently.

Determine if the court detention or removal order 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/youth from their 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/youth'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/youth's eligibility determination is considered to be non-federal and the child/youth is placed with a relative; relative has a few options for placement funding, such as:

- The relative caregiver may be eligible for public assistance as a needy or non-needy payee under the CalWORKs program which is administered by the Department of Public Social Services (DPSS)
- Minor may be included in the relative's family assistance unit (AU), if the relative is also in need of CalWORKs as long as the relationship is within the 5<sup>th</sup> degree based on CalWORKs policy.
- Relative can apply for the Approved Relative Caregiver (ARC) Program which gives the Child's Welfare Department (CWD) 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.
- According to [SB 354](#) and [ACL 22-33](#) a relative may qualify for the ARC program when the Resource Family Assessment (RFA) has been denied regardless of child/youth's case being federal or state eligible.

## **County Funds**

When a child/youth placed by the DCFS is not eligible for AFDC-FC or for Emergency Assistance (EA), the child may be aided with General Relief Ineligible (GRI) to AFDC-FC 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; required signatures are necessary from the department's Director and/or the Deputy Director (DD). 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 Children's Social Worker (CSW) will notify the Eligibility Supervisor (ES), via the FCSS DCFS 280 for any changes on the child/youth placement status, these changes may include:

- The time of initial placement of a child in out-of-home care
- The change in the authority for placement
- The change in court order status
- Replacement
- Placement facility licensing status or payee changes.

## **Title IV-A Emergency Assistance (EA) 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 and state 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 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.

Los Angeles County implemented this program in September 1993.

## **Following the Initial Determination**

At the initial determination of eligibility, the annual redetermination month is established from the Intake ES approval date on the FC 2. A redetermination of all the child's circumstances, which are subject to change, shall be completed annually.

A redetermination is based on information and documents received at any time during the child's out-of-home care placement episode. Examples of a foster child's circumstances that are subject to change include but are not limited:

- Deprivation-for the first redetermination only.
- Financial need
- Authority for placement
- Eligible facility.

## **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.

The State Department of Social Services, in consultation with the Child Support Services Department (CSSD), shall promulgate regulations by which the County's CWD, in any case of separation or desertion of a parent or parents from a child that results in aid, 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.
- A child support referral is not required for a Non Minor Dependent (NMD) after the age of 19.
- When minor is Undocumented
- When parental rights have been terminated (Freed Minor).
- When Jurisdiction is terminated due to legal guardianship
- When parents are deceased

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 yearly be re-evaluated by the 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 CW51 will be forwarded to the designated EW for filing in the Income Maintenance Folder, if the parent is referred to child support, a 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, the following is to be established:

- Attempt to locate the absent parent(s).
- Establish paternity.
- Obtain a court order for enforcement of child support.

## **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. An NOA is not applicable if the child/youth is GRI funded.

An 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

An NOA will also be sent when the County demands 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.

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).

### **Prior to the Redetermination Date**

#### **Redetermination Eligibility Worker (EW) Responsibilities**

The EW shall determine if a child support re-determination has been completed so that general requirements regarding child support are met by following the next steps:

1. Send the DCFS 2322 Appointment Letter, if the parent(s) do not respond, send a second Appointment Letter to the last known address.
  - a. Ensure that the “good faith” effort has been accomplished by the following; if the first attempt was returned by the U.S. Post Office with a forwarding address, send the DCFS 2322 to the correct address.
  - b. If the U.S. Post Office returned the first attempt indicating unable to deliver, contact the CSW to determine if there is a more recent address or telephone number that parent(s) may be contacted. If there is, send the DCFS 2322 Appointment Letter with a new date.
  - c. If there is no new address, proceed with the redetermination.
  - d. The DCFS 2322 is not sent out if minor is freed or parents are deceased.
2. If the parent(s)/legal guardian respond to the DCFS 2322 schedule an appointment. Conduct the interview and have the parent(s) complete the “The Statement of Facts Supporting Eligibility for AFDC-FC” (FC 2)” and an affidavit (DCFS 853) if there is conflicting information.
  - a. Open the CWS/CMS new/create client document notebook.
  - b. Select “Statement of Facts.” Select print preview.
  - c. If required forms are missing in the case, reapply or request the document as needed.
  - d. Print the document for the eligibility segment.
  - e. Save to the database.
3. If the parent or legal guardian is unavailable or uncooperative, the Intake and/or Redetermination Eligibility Worker (EW) shall complete the Statement of Facts Supporting Eligibility for AFDC-FC (FC 2).
4. Obtain the following computer system print outs for research and investigation:
  - a. Under Medi-Cal Eligibility Data System (MEDS)/Assistance to Children in Emergency (ACE) - registration for the Emergency Assistance (EA) Program.
    - An EA Application (EA 1) is to be on file from the Intake Eligibility process, if the EA 1 is not on file request a copy from the EA Unit.
  - b. Review the rate schedule level on CalSAWS and CWS/CMS to verify the child/youth current rate and compare to the print outs from MEDS Title II and XVI to determine the child/youth’s SSI/SSA status or their eligibility; compare the foster care payment rate to the SSI/SSA benefit amount to determine the [child/youth’s payment](#) based on the following:
    - i. 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.

- 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.
  - If the caregiver decides to become the SSI/SSA payee, complete the action to deny Foster Care and mail a 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.
    - ii. If the foster care rate is greater than the SSI/SSA benefit amount, continue with the redetermination process. Do not deny eligibility to foster care and submit the necessary forms to the SSI/SSA Unit in Special Operations.
    - iii. Send an e-mail Referral to the SSI Unit in San Dimas at [SSIREDD@dcfs.lacounty.gov](mailto: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.
    - iv. A Court Minute Order indicating DCFS has jurisdiction of the child/youth. MEDS - individual/primary inquiry for the child, whole case inquiry, Title XVI and Title II are to be present in the child/youth's physical case.
  - c. Income Evidence Verification System (IEVS) for parent(s) from whom child was removed and child (6 months after the date of removal) for first redetermination. On subsequent redeterminations, IEVS is explored for the child/youth only.
  - d. FC 3 and FC 3A on federal and non-federal cases.
  - e. Justice Partner Portal (JPP).
5. Review the physical case to determine if the following [documents](#) are on file:
- a. FC 4 – Program Choice Indicator, if minor is placed with a relative caregiver.
  - b. A copy of Birth Certificate or birth verification.
  - c. A copy of Social Security Card.
  - d. SOC 155 - Voluntary Placement Agreement (if applicable).
  - e. SOC 155B - Mutual Agreement for 18 year olds (if applicable).
  - f. [If the child is undocumented](#):
    - i. Confirm that the Permanent Resident Under the Color of Law (PRUCOL) request was filed on behalf of the child.
  - If no PRUCOL filing has been completed, contact the child/youth's CSW to initiate the PRUCOL packet for completion.
    - ii. If the child/youth's case has gone to Permanent Placement, confirm from the CSW whether Permanent Residency has been filed on behalf of the child.

- g. If the child is placed with a Non-Related Legal Guardian (NRLG), a copy of Guardianship granted documentation or a minute order granting guardianship is required to be in the case.
  - h. Take appropriate follow up action if any of the above is not in the case. Set a follow up control via the DCFS 26-1.
6. Access the child/youth's CWS/CMS case to review and/or update the following information:
- a. Under the Client Management Section, open existing client to record new or correct child information.
  - b. Under the Education and Education Provider notebooks, review the child/youth's school information that will populate the FC 2.
  - c. Under the Medi-cal Application, review and update any known SSI/SSA activity that will populate the FC 2.
  - d. Under the SAWS 1 Application, review the date to ensure completeness at first redetermination only. If minor is replaced in the home of a relative that is being referred to CalWORKs, a new SAWS 1 must be completed and the date must coincide with the date of denial for foster care.
  - e. Under the Case Management Section, open the child/youth's Existing Case and access the Special Project Page to review and/or determine if the child participates in an Independent Living Program (ILP).
  - f. Under the Placement Management Section, open the Existing Document-Placement and select the current placement's Foster Child's Data Record, SOC 158 A.
    - A current hard copy is to be signed by the CSW, and must be filed in the child's Income Maintenance Folder.
7. Use the Redetermination Check List to fill out the information in all applicable areas as you are completing the redetermination for ongoing eligibility.
8. 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](mailto:PRU@dcfs.lacounty.gov).
    - When the LOC Unit determines the level of care, all paper work should have the appropriate signatures.
9. The EW is to print the rate page validating the rate amount and the licensing status. This will be placed in the Income Maintenance Folder of the child's case.

10. The EW is to confirm that the code set up by the case carrying CSW on the Special Projects Page is for the correct placement type and rate (i.e. minor parent rates).
  - a. Host County/State Rate.
    - Out-of-State Rate verification is mandatory when setting up a budget for a child placed out-of-state.
    - The EW is to request from the CSW the State Rate Letter and the State License Home Approval Certificate and to include the following:
      - The placement rate
      - Clothing allowance
      - Any other special allowances authorized in the placement state.
    - This information is to be placed in the child's eligibility case for audit purposes. The EW will annotate in CWS/CMS case notes the documentation that validates the budgeted amounts.
  
11. When placed in the home of a relative or NREFM, make sure to receive the completed DCFS 5420, 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.
  
12. Check assignment page and verify that the library file is correct and that it corresponds to the redetermination month.
  
13. Review the Court Management Section case record/notebooks or CWS/CMS reports (i.e., Court Order Summary, Legal Status History) under the Open Existing Documents-Court on CWS/CMS.
  - a. Review to ensure there are no inconsistencies in the information with the court report and eligibility documentation (i.e. parents living together etc.)
    - i. If there are inconsistencies in the information, contact the CSW for clarification and complete action(s) to ensure accurate information in both Services and Eligibility file.

14. Obtain the current court minute order to determine if the required findings have been made from the Justice Partner Portal (JPP) system.
  - a. If it is the Permanency Hearings [WIC 366.21\(f\)](#), verify that the court has made a Permanent Plan (PP) finding in the court order that the agency has complied and made “reasonable efforts to finalize the permanency plan” or “reasonable efforts to reunify child and family”. Verify that this is in effect within 12 months of the “date the child entered foster care.”
    - i. If this finding is not made timely, the child ceases to be eligible for federal AFDC-FC at the end of the 12<sup>th</sup> month after they entered the foster care program. The child remains ineligible until the finding is made. Appropriate aid code change to State (40) or GRI (45) must be completed; a Medi-cal referral is to be submitted to the centralized Medi-cal unit for aid code change at [MEDS\\_Referral@dcfs.lacounty.gov](mailto:MEDS_Referral@dcfs.lacounty.gov).
    - ii. Set up a DCFS 26.1 as a reminder of the necessity of continued PP language 12 months from the date of the prior PP court language.
  - b. If it is an ongoing Review of the PP [WIC 366.3](#), verify that the court continues to make a finding in the court order that the agency has complied and made “reasonable efforts to finalize the permanency plan” or “reasonable efforts to reunify child and family” every 12 months from the date of the last permanency planning hearing.
    - i. If this finding is not made timely, the child ceases to be eligible for federal AFDC-FC at the end of the 12<sup>th</sup> month after the last hearing and remains ineligible until the finding is made.
    - ii. When the PP language cannot be documented, the appropriate aid code must be changed to 45 for relatives and 40 for all others. Notify the centralized Medi-cal unit of the need for an aid code change at [MEDS\\_Referral@dcfs.lacounty.gov](mailto:MEDS_Referral@dcfs.lacounty.gov).
    - iii. Advise the CSW of the need to do a walk on requesting establishment of the PP status. Begin the [escalation process](#).
    - iv. Complete a new FC3 when there is an aid code change.
  - c. If any of the court findings do not specify the following required language, obtain the petition filed date and the court # (i.e., J, BK, CK, or LK).
    - i. Contact the CSW via email specifying which required finding were not made and request the CSW to obtain the court transcripts, provide a copy to the EW to file in the child/youth physical case.
    - Nunc Pro Tunc is no longer acceptable to establish eligibility for aid in the Title IV-E Program. The only acceptable documentation is a court transcript that verifies the findings were made by the court
  - d. If the Substantial Danger finding is not made at the first hearing which removes the child/youth from their home; the child/youth is ineligible for federal AFDC-FC funding for the duration of their stay in foster care, however, State AFDC-FC funding is available for placements other than relative placements once the finding is made.
    - i. The responsibility for placement and care be vested in one of the agencies designated by law.

- ii. Substantial danger in the home of that parent or relative would be contrary to the child's welfare.
    - iii. The child is placed into foster care, reasonable efforts have been made to prevent or eliminate the need for removal of the child from their home and to make it possible for the child/youth to return to their home.
  - This finding must have been made within 60 days from the date of the child/youth's removal from home or the child is ineligible for federal AFDC-FC funding for the entire foster care episode.
15. If child/youth is placed with a relative and the child/youth's case is determined to be a non-federal/state case, or if the RFA home assessment has been denied (under SB 354), the relative may be eligible for the Approved Relative Caregiver (ARC) program by submitting the following forms:
- a. [ARC 1](#), Statement of Facts Supporting Eligibility for the Approved Relative Caregiver (ARC) Funding Option Program.
  - b. Minute Order (court ordering placement with relative when RFA is denied).
  - c. [RFA 09](#), Notice of Action Regarding Resource Family Approval (when RFA is denied)
16. For the first redetermination period, review the IEVS abstract and determine if the income information reflects the same information obtain during the initial eligibility assessment.
- a. If the information does coincide, proceed with the redetermination.
  - b. If the information does not coincide, the EW will take appropriate action, which may include a complete reassessment of the original initial eligibility determination.
17. Review the MEDS/ACE registration. Determine the status of the ACE Emergency Assistance (EA) authorization. Refer to the redetermination EA procedure. If the status is Presumptive Eligible (PE), obtain the child's Social Security Number.
- a. If the number is not obtained, proceed with the redetermination.
  - b. If the number is obtained, send a copy of the social security card the designated Emergency Assistance unit EW to remove the PE status. Open the CWS/CMS existing case-ID NUM page. Change case to the appropriate aid code; 5K, 4K (Probation) for the entire EA episode. If the EA episode has expired, complete the conversion to foster care.
18. If the case is a Probate case, complete and send the School Verification DCFS 1725.1 along with the School Verification Instructions DCFS 1725-5 to the caregiver when the child/youth is seventeen (17) years and six (6) months of age. Set a 10 working day control via DCFS 26.1 for return of the DCFS 1725.1.
- a. If not returned within 10 working days, contact the caregiver to determine if they received, completed and forwarded the DCFS 1725.1 to the minor's school.

- b. If they have not received the DCFS 1725.1 and DCFS 1725-5, confirm the address and send a second set. Set a new 10 working day control by completing a DCFS 26-1.
  - c. If they again indicate that they have not received the DCFS 1725.1 and DCFS 1725-5, contact the CSW or SCSW (if CSW is unavailable) and request that they assist by taking these documents to the caregiver for completion and forwarding to the school.
  - d. Established if the child/youth has already graduated or if the child/youth is not expected to graduate by age 19.
    - i. If child/youth has already graduated, the budget stops the day of the graduation.
    - ii. If the child/youth is not expected to graduate by the age of 19, the budget is stopped on the day of the child/youth's 18<sup>th</sup> birthday.
19. If CSW submit a child support referral take the following actions:
- a. 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.
  - b. 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](#).
  - c. 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.

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

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

- d. Child is placed with a Non-Related Legal Guardian and no ongoing jurisdiction and probate cases.
  - e. When the youth is a Non Minor Dependent (NMD) age 19 and up
20. Record all activity on the Case Notes and Save to the database.
21. Set all controls (DCFS 26-1) for future actions that must be monitored to ensure timely actions are taken (i.e. home assessment for relatives and NREFM, return of birth certificates or social security cards, voluntary placement time frames, NTE date for EA, Specialized Rates, PP Language, Age of Majority, 1725.1, etc.)
- a. EW will review the DCFS 26.1 on a weekly basis and take necessary action.
22. Ensure all areas of the Redetermination Check List are complete, sign and date the form indicating that all information is correct.
23. Submit the eligibility case segment to the Eligibility Supervisor (ES).

### **Redetermination Eligibility Supervisor (ES) Responsibilities**

1. Receives the redetermined eligibility case segment or notification that a redetermination is complete.
2. Access CWS/CMS and open the existing case. Review the appropriate notebooks and eligibility segment for accuracy and completeness. Confirm the accuracy of the foster care payment and that there are no unresolved payment problems.
3. Record the redetermination of eligibility in the client notebook, AFDC-FC page. This includes all cases where the child is in paid placement including County Pay (GRI), aid code 45. Effective March 1, 2005 and continuing in subsequent months, cases scheduled for redetermination will be given a one-year redetermination date. Sign the appropriate forms/documents authorizing the redetermination.
  - a. Verify that the Library file number indicates the same redetermination month as is set up on the AFDC-FC page.
4. Review the Redetermination Check List, sign and date the form indicating that all information is complete and correct.
5. Return the redetermination eligibility segment back to the case-carrying eligibility worker.

## APPROVALS

### Eligibility Supervisor (ES) Approval

## HELPFUL LINKS

### Forms

Birth Certificate/VSI/Other

Death Certificate

Case Notes

Checklist (Intake and Redetermination)

Court Reports and Minute Orders

IBPS Print Outs

IEVS Abstract

LEADER Print Outs

Meds Print Out

Title II and Title XVI Print Outs

Single Index Print Out

Placement History Print Out

Redetermination Check List

[ABCDM 228](#), Applicant's Authorization for Release of Information

CA 2.1, Support Questionnaire

[CW 51](#), Notification to Child Support Services Department (CSSD) RE: Compromise of Child Support/Good Cause (re) Determination.

DCFS 26-1 - Task Reminder

DCFS 151 - General Relief – Ineligible for Foster Care

DCFS 1726 - Request for School Report

DCFS 1725.1 - School Verification

DCFS 1725.5 - School Verification Instructions

DCFS 2322, Letter to Schedule an Interview Appointment

[DCFS 2426](#), Two-way Gram RE: Child Placed in Foster Care Related Term

[DCFS 280](#), Technical Assistant Action Request

DCFS 341, SSI/SSA Notification, Request to be Payee

[DCFS 853](#), Affidavit

[DCFS 5125](#), Notice of Referral to the Los Angeles Child Support Services Department with Attachment

[DCFS 5420](#), Declaration of Relative Status

[FC 2](#), Statement of Facts Supporting Eligibility For AFDC-Foster Care (FC)

[FC 3](#), Determination of Federal AFDC-FC Eligibility

[FC 3A](#), Supplement AFDC-FG/U Worksheet (11/04)

FC 4 – Foster Child Program Choice Indicator



NOA 290 - Notice of Action and NA Back 9  
PA 413 (If applicable)  
PA 751, Establishing primary wage earner (and check stubs)  
[SAWS 1](#), Application for Cash Aid, Food Stamps, and/or Medic-Cal/State County  
Medical Services Program (CMSP)  
[SAWS 2](#), Statement of Facts for Cash Aid, Food Stamps, and Medi-Cal/CMSP  
[SOC 155](#), Voluntary Placement – Placement Agreement  
[SOC 155B](#), Mutual Agreement for 18 Year Olds  
[SOC 158A](#), Foster Child’s Data Record and AFDC-FC Certification

## Referenced Policy Guides

[E020-0500](#), Foster Care Eligibility General Requirements  
[E020-0510](#), Initial Eligibility Determination for Financial Participation  
[E040-0510](#), Emergency Assistance Program  
[E040-0530](#), General Relief Ineligible to AFDC-FC  
[E050-0540](#), Foster Care Placement for Probation Youth  
E060-0520, Payment Issuance  
[E080-0570](#), Legal Guardianship-Approved Foster Care  
[E080-0580](#), Medi-Cal Benefits  
[E080-0620](#), Supplemental Security Income (SSI) Social Security Administration Benefits  
(SSA)  
[E080-0630](#), Voluntary Placement Agreement/Placement  
[E090-0570](#), Teen Parents in Foster Care  
[E090-0600](#), Compromise of Child Support

## Statutes

- [United States Code, Title 42](#), “The Public Health and Welfare,” Chapter 7, “Social Security,” Subchapter IV, “Grants to States for Aid and Services to Needy Families with Children and for Child Welfare Services”:
  - Part A, “Aid to Families with Dependent children” (Title IV-A of the Social Security Act), Sections 602 and 606(a) as of July 16, 1996.
  - Part B, “Child and Family Services” (Title IV-B of the Social Security Act), Section 620.
  - Part E, “Federal Payment for Foster Care and Adoption Assistance” (Title IV-E of the Social Security Act), Sections 670 through 679A, specifically 671(a)(15), 672(a)(2), 672 (a)(4), 672(b), 672(c), 673(a)(2)(C), and 673.
- Public Law 96-272, the Adoption Assistance and Child Welfare Act of 1980.
- Public Law 103-432, the Social Security Act Amendments of 1994.
- Public Law 104-193, the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.
- Public Law 105-89, the Adoptions and Safe Families Act.
- Public Law 106-169, the Foster Care Independence Act of 1999.
- [Senate Bill \(SB\) 354](#) – Public Social Services

- [Title 45 of the Code of Federal Regulations](#), Parts 205, 206, 232, 233 and 302, as of July 16, 1996, for AFDC, and Parts 1355, 1356, and 1357, for IV-E.
- [Welfare and Institutions Code \(WIC\) 11401- 11410](#), Aid to Families With Dependent Children Foster Care
- [WIC-11450\(d\)](#), Computation and Payment of Aid Grants
- [WIC 16121](#), Aid for Adoption of Children
- Eligibility and Assistance Standards Manual Div 45, Chap 45-100 thru 45-300 –
- FYI 05-18 – Specialized Care Increment (SCI) – D-Rate dated 03/28/05
- [All County Letter 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 09-38](#), Interstate Compact on the Placement of Children (ICPC) Equivalency Letter for Relative/Non Relative Extended Family Member (NREFM) Out-of-State Placements.
- [ACL 11-61](#), Extended Foster Care (EFC)
- [ACL 22-33](#), Under SB 354, barriers to placement were removed and the placement process for relatives was improved.

## **Foster Care Eligibility Requirements: Eligibility Assistance Standards (EAS) Regulations**

<b>Eligibility Requirements</b>	<b>Policy Section Regulation</b>
Age	45-201.1
Property	45-201.12
Residency	45-201.13
Citizenship/Alienage	45-201.14
Social Security Number	45-201.15
Income	45-201.16
Child Support	45-201.3
Redetermination	45-201.7 and .71
Deprivation	45-202.1
Linkage	45-202.3
Authority for Placement (i.e., removal by court order or VP, placement and care, contrary to welfare, reasonable efforts)	45-202.4 and .411

Eligible Facilities	45-202.212 and 45-202.51
Placement and Care	45-202.61
Periodic Review and Permanency Planning	45-0201.42 and .43
SOC 158A	45-202.42 and 45-202.53
Foster Care Payment	45-302.21 and .22

## **LINKS**

### **CDSS Online Manual of Policies and Procedures**

[http://www.dss.cahwnet.gov/ord/CCRTitle22\\_715.htm](http://www.dss.cahwnet.gov/ord/CCRTitle22_715.htm)

### **Online California Code of Regulations, Title 22, Divisions 2, 6, and 12 -**

[http://www.dss.cahwnet.gov/ord/CDSSManual\\_240.htm](http://www.dss.cahwnet.gov/ord/CDSSManual_240.htm)

### **Letters and Notices –**

<http://www.dss.cahwnet.gov/lettersnotices/default.htm>

### **California Code –**

<http://caselaw.lp.findlaw.com/cacodes/hsc.html>