

## Procedural Guide

**E040-0530**

### **GENERAL RELIEF INELIGIBLE (GRI) TO AFDC-FC**

Date Issued: **10/03/11**

☒ Revision of Existing Procedural Guide E040-0530, General Relief Ineligible (GRI) to AFDC-FC, dated: 08/23/10

Revision Made: **NOTE: Current Revisions are Highlighted**

The Procedural Guide has been revised to update its format, remove references to cancelled forms and policies, reference revised policies/forms and use updated staff titles and program terminology. Changes

Cancels: None

### **DEPARTMENTAL VALUES**

The department continues to focus on three priority outcomes: Improved safety for children, improved timelines to permanency with the first permanency option being reunification, and reduced reliance on detention as the only method to assure safety for children.

This Procedural Guide supports the Department's efforts to improve safety for children who do not qualify for Aid to Families of Dependent Children – Foster Care (AFDC-FC) or Emergency Assistance (EA) funds but may be eligible to the use of General Relief Eligible (County Funds) (GRI) pursuant to Welfare and Institutions Code 17000, to offset the costs of out-of-home placement.

### **WHAT CASES ARE AFFECTED**

This Procedural Guide is applicable to all new and existing referrals and cases.

### **OPERATIONAL IMPACT**

At the time of an initial placement, a referral is sent to the Intake Eligibility Unit to begin the eligibility determination process. When a child is placed in foster care and is not eligible for AFDC-FC or for Emergency Assistance (EA), the child may be aided as GRI, **after it is determined that they are within the population described in Welfare and Institution Code 17000 and all other forms of state**

relief and support have been exhausted. DCFS will review the totality of the circumstances, including family assistance and other variables to determine that GRI is necessary and/or applicable, in the best interest of the child, placed in out-of-home care.

Relatives may be eligible to benefits through CalWORKs/TANF and will be referred to the Department of Public Social Services (DPSS). GRI is not available for children placed by the Probation Department or through Private Adoption Agencies.

The GRI eligibility determination shall be completed within 45 days of the initial placement, change in conditions of eligibility, or at re-determination of eligibility for foster care.

### Procedures

Note: As a courtesy to the CSW, on all actions requested via the DCFS 280 form, the assigned Eligibility Worker (EW) (Technical Assistant (TA), Intake or Redetermination) is requested to notify the Children's Services Worker (CSW) via e-mail that the DCFS 280 was assigned to them and again at the time of assignment completion.

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 (County funds only). A NOA is completed when aid is granted or increased, denied, decreased, suspended, cancelled, discontinued or terminated. (A decrease shall include an overpayment adjustment and balancing). A 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 (County funds) 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.

#### A. WHEN: EXCESS INCOME - FOSTER CARE TRUST ACCOUNT

1. Receive notification or a determination is made that a child in out-of-home placement has income and/or property in excess of the AFDC limit.
2. Access the CWS/CMS application. Search, retrieve and open the existing client/case. Update the secondary assignment. Enter the aid code of "45" on the ID NUM page of the Client Notebook. Ensure the appropriate

effective dates for the financial participation. (See Procedural Guide E100-0510.11, CWS/CMS Budget Action).

3. Go to the Case Management section (green), click on the 1<sup>st</sup> icon (Open Existing Case) notebook, and go to the Special Projects page tab. Set up a new segment showing the start date as the beginning date of GRI. Ensure that you indicate the correct reason for having to use GRI funds.
4. Complete the DCFS 151 and FC 3. Record information in the FC 2 and SAWS 1 Notebooks. Complete the DCFS 406. Print out a copy of the DCFS 151, FC 2 and FC 3.
5. Send a referral for aid code change to the Centralized Medi-Cal Unit in Glendora.
6. Obtain from the services case the determination whether the child shall remain in out-of-home placement with a suitable placement order. (Review JAI and JADE to obtain this information if not obtained from the CSW).
7. Send an e-mail to the CSW advising them of the following:
  - a) Due to the child's excess income, he/she is not eligible for Foster Care (State and federal) and the placement costs will be paid through use of County funds (GRI);
  - b) The child's income may be used to offset County costs of the child's out-of-home placement expenses;
  - c) The child's income can be used to meet the needs of the child not available through the regular foster care grant (i.e. computer, special learning equipment, special tutoring, etc.) (CSW policy regarding this is located in Procedural Guide 0900-523.10, Supplemental Security Income (SSI) and/or Social Security Benefits for Children in Care, section "D").
8. Record all activity in the CWS/CMS Case Notes.
9. Save the changes to the CWS/CMS database.
10. Review the status at each re-determination.

**B. WHEN: CHILD IS 18 YEARS OLD AND NOT EXPECTED TO GRADUATE BY AGE 19 OR A YOUTH 19 YEARS OLD WITH CONTINUED COURT DEPENDENCY**

**Note:** Children placed with a Non-Related Legal Guardian (NRLG) and have no ongoing court dependency are not eligible to AFDC-FC or GRI after age 19 years, or at age 18 when they are not expected to graduate by their 19<sup>th</sup> birthday. Reminder: The youth and the placement agency must sign a mutual agreement which documents the continued need for out-of-home placement. The agreement shall be signed prior to or within the month the child reaches age 18. A mutual agreement shall not be required if the placement is due to a court order which remains in effect or if the child is not capable of making an informed agreement. If the court order is dismissed subsequent to the month in which the child reaches age 18, a mutual agreement must be executed within the month the dismissal occurs. (EAS Section 45-201.1.111(c)).

A services case determination is made when a youth older than 19 years remains in out-of-home placement under a suitable placement order. The dispositional suitable placement court order remains in effect. An eligibility determination is made based on the information received that the financial participation is County funds (GRI).

1. Obtain the following from the services case or the CWS/CMS notebooks.
  - a) Is the youth in an Independent Living Program?
    - i) If yes, note the expected completion date and whether emancipation is expected at the time of completion.
    - ii) If no, determine if at the next scheduled court hearing the youth is expected to graduate or continue in dependency.
2. Set a DCFS 26.1 control to follow up on all timeframes and review at each re-determination.
3. Access the CWS/CMS application. Search, retrieve and open the existing client/case. Update the secondary assignment. Record the aid code of "45" on the ID NUM page of the Client Notebook. Ensure the appropriate effective dates for the financial participation. (See Procedural Guide E100-0510.11, CWS/CMS Budget Action).
4. Go to the Case Management section (green), click on the 1<sup>st</sup> icon (Open Existing Case) notebook, and go to the Special Projects page tab. Set up a new segment showing the start date as the beginning date of GRI. Ensure that you indicate the correct reason for having to use GRI funds.

5. Complete the DCFS 151 and FC 3. Record information in the FC 2.
6. Send a referral for an aid code change to the Centralized Medi-Cal Unit in Glendora.
7. Obtain from the services case the determination whether the child shall remain in out-of-home placement with a suitable placement order. (Review JAI and JADE to obtain this information if not obtained from the CSW).
8. Send an e-mail to the CSW advising them that the child is not eligible for Foster Care (State and federal) and the placement costs will be paid using County funds (GRI).
9. Record all actions taken in CWS/CMS Case Notes.
10. Save the changes to the CWS/CMS database.

**C. WHEN: UNDOCUMENTED CHILD IS PLACED WITH A RELATIVE**

**Note:** Undocumented dependent children in out-of-home care, placed with a relative caregiver, are ineligible for federal or State public assistance, including the CalWORKs program. Therefore they are not referred to the Department of Public Social Services (DPSS).

**Note:** If the child is replaced into a licensed Group Home, FFA, FFH or Small Family Home, change the aid code to 40 if the PRUCOL application has been submitted to the United States Citizenship and Immigration Services (USCIS) Department.

1. Complete the DCFS 2384. Annotate on the form that the financial participation is GRI and that the child has been placed in the home of a relative. Send the DCFS 2384 to the CSW.
2. Contact the CSW at each re-determination to determine whether the child has received their Permanent Resident Status Card.
  - a) Once Permanent Residency has been obtained, terminate the foster care relative placement. (For further information see Procedural Guide E080-0590, Permanent Residence Under the Color of Law (PRUCOL) and Special Immigration Status). Until Permanent Residency has been established, go to #3.
    - i) Complete a GRI Termination Letter advising the relative caregiver that the child is no longer eligible for funding under GRI and advise him/her that now that the child has obtained Permanent Residency the child may be eligible for public assistance through CalWORKs.

- ii) Refer the relative and child to the DPSS office located nearest the relatives home and include the Revenue Enhancement information sheet regarding DPSS requirements.
  - iii) **One copy of the GRI Termination Letter** will be sent to the relative caregiver, a copy will be given to the CSW and a copy will be retained in the child's eligibility case.
  - iv) Include with the **Notification Letter** a copy of the child's birth certificate and Social Security Card (if available).
3. Access the CWS/CMS application. Search, retrieve and open the existing client/case. Record the aid code of "45" on the ID NUM page of the Client Notebook. Ensure the appropriate effective dates for the financial participation. (See Procedural Guide E100-0510.11, CWS/CMS Budget Action)
  4. Go to the Case Management section (green), click on the 1<sup>st</sup> icon (Open Existing Case) notebook, and go to the Special Projects page tab. Set up a new segment showing the start date as the beginning date of GRI. Ensure that you indicate the correct reason for having to use GRI funds.
  5. Complete the DCFS 151 and FC 3. Record information in the FC 2.
  6. Send a referral for aid code change to the Medi-Cal Unit in Glendora.
  7. Obtain from the services case the determination whether the child shall remain in foster care with a suitable placement order. (Review JAI and JADE to obtain this information if not obtained from the CSW).
  8. Send an e-mail to the CSW advising them that the child is not eligible for Foster Care (State and federal) and the placement costs will be paid using County funds (GRI).
  9. Record all actions taken in CWS/CMS Case Notes.
  10. Save the changes to the CWS/CMS database.

**D. WHEN: UNLICENSED HOME/FACILITY THAT IS NOT APPROVED, OR FOSTER HOME (E.G. "FOR PROFIT") DOES NOT MEET FEDERAL/STATE REGULATIONS TO RECEIVE AFDC-FC**

A service determination is made for a child to remain in a placement/facility that is unlicensed. An eligibility determination is made based on the information received that the financial participation is County funds (GRI).

1. Verify if the home/facility is “for profit” as indicated on CWS/CMS. The services placement forms must be signed by the Deputy Director. This signature cannot be delegated.
2. Access the CWS/CMS application. Search, retrieve and open the existing client/case. Record the aid code of “45” on the ID NUM page of the Client Notebook. Ensure the appropriate effective dates for the financial participation. (See Procedural Guide E100-0510.11, CWS/CMS Budget Action)
3. Go to the Case Management section (green), click on the 1<sup>st</sup> icon (Open Existing Case) notebook, and go to the Special Projects page tab. Set up a new segment showing the start date as the beginning date of GRI. Ensure that you indicate the correct reason for having to use GRI funds.
4. Complete the DCFS 151 and FC 3. Record information in the FC 2.
5. Send a referral for aid code change to the Centralized Medi-Cal Unit in Glendora.
6. Obtain from the services case the determination whether the child shall remain in foster care with a suitable placement order. (Review JAI and JADE to obtain this information if not obtained from the CSW).
7. Send an e-mail to the CSW advising them that the child is not eligible for Foster Care (State and federal) and the placement costs will be paid using County funds (GRI).
8. Record all actions taken in CWS/CMS Case Notes.
9. Save the changes to the CWS/CMS database.

**E. WHEN: CHILD PLACED INTO A FFH, SMALL FAMILY HOME, FFA OR GROUP HOME WITHOUT A SIGNED VOLUNTARY PLACEMENT OR COURT DEPENDENCY**

**Note: We do not have authority for placement or payment when there is no signed Voluntary Placement Agreement or Dependency declared on the child.**

1. Notify the CSW/SCSW that we do not have authority for placement or payment and that unless we receive a Voluntary Placement Agreement or Dependency is filed on behalf of the child, that foster care will be terminated.

2. Access the CWS/CMS application. Search, retrieve and open the existing client/case. Update the secondary assignment. Record the aid code of "45" on the ID NUM page of the Client Notebook. Ensure the appropriate effective dates for the financial participation. (See Procedural Guide E100-0510.11, CWS/CMS Budget Action).
3. Go to the Case Management section (green), click on the 1<sup>st</sup> icon (Open Existing Case) notebook, and go to the Special Projects page tab. Set up a new segment showing the start date as the beginning date of GRI. Ensure that you indicate the correct reason for having to use GRI funds.
4. Complete the DCFS 151 and FC 3. Record information in the FC 2 and SAWS 1 Notebooks. Print out a copy of the DCFS 151, FC 2 and FC 3.
5. Send a referral for aid code change to the Centralized Medi-Cal Unit in Glendora.
6. Send a reminder to the CSW, via e-mail, that they must provide us with a copy of the Voluntary Placement Agreement or file a Petition for Dependency as the child is not eligible for placement or payment of FC. Using the DCFS 26.1, set a 48 hour control for response.
  - a) After 48 hours, if the CSW has not responded begin the escalation process. The EW will send a reminder to the CSW and the SCSW indicating that there is no authority for placement or payment. EW will set a control for a response for 5 work days.
  - b) After 5 work days, if the CSW has not submitted the Voluntary Placement Agreement or filed for Dependency the EW will escalate the matter to his/her Eligibility Supervisor (ES). ES will send a reminder to the CSW, SCSW and cc the Assistant Regional Administrator (ARA). A control for the response will be set for 2 work days.
  - c) After 2 work days, if the CSW has not submitted the Voluntary Placement Agreement or filed for Dependency the EW will escalate the request to his/her Human Services Administrator I (HSA I). The HSA I will send a reminder to the SCSW and ARA with a cc to the CSW and Regional Administrator (RA). A control for the response will be set for 2 work days.
  - d) After 2 work days, if the CSW has not completed submitted the Voluntary Placement Agreement or filed for Dependency, the HSA I will escalate the request to his/her Human Services Administrator III (HSA III). The HSA III will send a reminder to the ARA with a cc to the CSW, SCSW and RA and Revenue Enhancement Division Chief. A control for the response will be set for 2 work days.



- e) After 2 work days, if the CSW has not submitted the Voluntary Placement Agreement or filed for Dependency, the HSA III will escalate the request to his/her Division Chief for assistance.
- f) Follow up with Division Chief on further escalation action.

#### **F. WHEN: EXPIRED VOLUNTARY PLACEMENT**

**Note:** If 180 days expire with no detention/suitable placement order obtained, federal financial participation is lost for the remainder of the child's placement even if a petition is filed after the 180 days (See CWS Procedural Policy #0100-510.21 requiring filing of WIC petition and request for determination at least 15 days prior to the close of the 180 day period). If a petition is filed after the 180 days and the child is in a licensed home, the funding source available is State financial participation.

#### **Child placed in a NREFM, FFH, Small Family Home, FFA or Group Home**

1. Access the CWS/CMS application. Search, retrieve and open the existing client/case. Record the aid code of "45" on the ID NUM page of the Client Notebook effective the 181<sup>st</sup> day from the signing of the Voluntary Placement Agreement. Ensure the appropriate effective dates for the financial participation. (See Procedural Guide E100-0510.11, CWS/CMS Budget Action)
2. Go to the Case Management section (green), click on the 1<sup>st</sup> icon (Open Existing Case) notebook, and go to the Special Projects page tab. Set up a new segment showing the start date as the beginning date of GRI. Ensure that you indicate the correct reason for having to use GRI funds.
3. Complete the DCFS 151 and FC 3. Record information in the FC 2 and SAWS 1 Notebooks. Complete the DCFS 406.
  - a) Print out the DCFS 151, FC 3 and FC 2.
4. Send a referral for aid code change to the Centralized Medi-Cal Unit in Glendora.
5. Send a reminder to the CSW, via e-mail, that they must file a Petition for Dependency as the child is not eligible for placement or payment of FC. Using the DCFS 26.1, set a 48 hour control for response.
  - a) After 48 hours, if the CSW has not responded begin the escalation process. The EW will send a reminder to the CSW and the SCSW indicating that there is no authority for placement or payment. EW will set a control for a response for 5 work days.

- b) After 5 work days, if the CSW has not filed for Dependency the EW will escalate the matter to his/her Eligibility Supervisor (ES). ES will send a reminder to the CSW, SCSW and cc the Assistant Regional Administrator (ARA). A control for the response will be set for 2 work days.
- c) After 2 work days, if the CSW has not filed for Dependency the EW will escalate the request to his/her Human Services Administrator I (HSA I). The HSA I will send a reminder to the SCSW and ARA with a cc to the CSW and Regional Administrator (RA). A control for the response will be set for 2 work days.
- d) After 2 work days, if the CSW has not filed for Dependency, the HSA I will escalate the request to his/her Human Services Administrator III (HSA III). The HSA III will send a reminder to the ARA with a cc to the CSW, SCSW and RA and Revenue Enhancement Division Chief. A control for the response will be set for 2 work days.
- e) After 2 work days, if the CSW has not filed for Dependency, the HSA III will escalate the request to his/her Division Chief for assistance.
- f) Follow up with Division Chief on further escalation action.

(Note: Only after all other State and personal means of support, relief and aid have been applied for and denied and/or exhausted, including the family's ability to provide support, should the CSW begin a review for and determine eligibility for GRI regarding the child (See Welfare and Institutions Code Section 17000)).

### **Child Placed with a Relative**

1. If the child is placed with a relative and remained in the relative's home past the 180 days, without a petition being filed and judicial determinations regarding the placement within the 180 day period, DCFS must terminate foster care as eligibility for Federal AFDC will no longer exist. In order to provide support and relief, DCFS should refer the relative for CalWORKs through DPSS and send out an NOA.
  - a) Send to the relative a ten (10) day NOA 290 - termination, stating that the child is no longer eligible for Foster Care due to the lack of a petition and determination on placement, declaring the child a dependent. However, the caretaker may seek and be eligible for public assistance through CalWORKs, for relief and support. Refer the relative and child to the DPSS office located nearest the relatives home and include the Revenue Enhancement information sheet regarding DPSS requirements. (Note: only after all other State means

of support, relief and aid have been applied for and denied and/or exhausted, including the family's ability to provide support, should the CSW begin a review for and determine eligibility for GRI regarding the child (See Welfare and Institutions Code Section 17000).

- b) Two copies of the Notice of Action will be sent to the relative caregiver, a copy will be given to the CSW and a copy will be retained in the child's eligibility case.
- c) Include with the Notice of Action a copy of the child's birth certificate and Social Security Card (if available).
- d) Submit a referral for Medi-Cal Continuing Eligibility to Children (CEC).

**Note:** CEC is available to any child, regardless of his legal status with the court, who is losing full scope, no share-of-cost Medi-Cal. The child is eligible for CEC.

#### **G. WHEN: REQUIRED LANGUAGE IS NOT ON THE MINUTE ORDER**

When federal and/or state eligibility requirements cannot be met and the child requires suitable placement for his/her protection, the financial participation is county funds only. The foster care payments (federal and State) will not begin until it has been verified by the court that a finding of "reasonable efforts to prevent or eliminate the need for removal" has been made by the county or were not required.

1. Court must make a finding that "continuance in the home of the parent or legal guardian would be contrary to the child's welfare. This finding must be made at the time of the first court ruling authorizing removal of the child from the home."
  - a) In this situation the child will never be IV – E eligible however they will be State eligible once the language is obtained. GRI until the language is obtained.
2. Court must make a finding that "placement and care are the responsibility of the State agency or any other public agency with which the responsible state agency has an agreement."
  - a) In this situation GRI the case until the finding is made, thereafter it is eligible for State funding.
3. Court must make a finding that "reasonable efforts have been made to prevent or eliminate the need for removal."

- a) This finding must be made within 60 days of the date of removal.
- b) Never eligible for Title IV-E funding. Set up as GRI, once finding has been included, change to State funded.
- 4. Review the minute order to ensure that the court findings are made sixty (60) days from the date of removal. If the finding(s) is not made within the required sixty (60) days, the child is ineligible for Federal foster care for the duration of his/her stay in foster care.
- 5. Confirm the court finding is found before the payment is made.
- 6. Refer relative caregivers to DPSS for CalWORKs/TANF. For the first 60 days they will not be eligible to the foster care rate until the reasonable effort language is on the minute order.
- 7. Court must hold a permanency hearing to select a permanent plan no later than 12 months from the date the child entered foster care, and must hold subsequent permanency plan hearings every 12 months thereafter.
  - a) 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. When the PP language can not be documented, the appropriate aid code change should be changed to 45 for relatives and 40 for all others.
  - b) Notify the Centralized Medi-Cal unit of the need for an aid code change.
- 7. Cases must be assessed on an individual basis. Consult with your Supervisor/Manager.

## **OVERVIEW OF STATUTES/REGULATIONS**

Welfare and Institutions Code Section 17000  
State Regulation – Division 45, sections 45-100 through 45-300

## **LINKS**

<http://www.leginfo.ca.gov/cgi-bin/calawquery?codesection=wic&codebody=&hits=20>

<http://www.dss.cahwnet.gov/ord/PG302.htm>

## **RELATED POLICIES**

<b>E100-0510.11</b>	CWS/CMS Budget Action
<b>E080-0590</b>	Permanent Residence Under the Color of the Law (PRUCOL) and Special Immigration Status
<b>0900-523.10</b>	Supplemental Security Income (SSI) and/or Social Security Benefits for Children in Care

## **FORM(S) REQUIRED**

<b>DCFS 151</b>	General Relief Ineligible Statement of Facts
<b>DCFS 2384</b>	Two Way Gram
<b>DCFS 280</b>	TA Action Request
<b>DCFS 341</b>	SSA Notification, Request to be Payee
<b>DCFS 406</b>	Income and property Worksheet
<b>FC 2</b>	Statement of Facts Supporting Eligibility for AFDC-Foster Care
<b>FC 4</b>	Program Choice Indicator
<b>SAWS I</b>	Application for Cash Aid, Food Stamps and/or Medical Assistance
<b>SOC 155</b>	Voluntary Placement
<b>SOC 155B</b>	Mutual Agreement for 18 Year Olds