

Answer: Senate Bill (SB) 1013 (Chapter 35, 2012), commonly known as the “budget trailer bill,” has included changes to law that affect the age eligibility for EFC. This bill adds Welfare and Institutions Code (WIC) section 10103.5 which allows Nonminor Dependents (NMDs) who turn 19 during 2012 and are receiving foster care payment or CalWORKs benefits while in foster care to continue receiving those benefits up to age 21 provided they continue meeting the participation conditions. WIC section 10103.5 also affects WIC sections that apply to NRLG, Kin-GAP and AAP payment benefits. This provision became effective July 1, 2012, and does not apply to those youth who turned 19 in 2011.

### **Implementation**

There will be no additional paperwork or requirements necessary to continue payment benefits for current 18 year olds who meet the criteria and wish to continue to receive payment benefits beyond their 19<sup>th</sup> birthday. Standard processes (as applicable), such as court hearings, case plan updates and completion of the SOC 161 (Six-Month Certification) will continue.

Those NMDs who exited foster care in 2012 solely due to attaining age 19, may now re-enter foster care, if they agree to meet one of the participation conditions. These NMDs wishing to re-enter will need to complete the SOC 163 (Voluntary Re-entry Agreement) and a petition must be filed under WIC section 388(e).

NOTE: NMDs who exit foster care in 2012 before attaining age 19 are only eligible to re-enter up to their 19<sup>th</sup> birthday. The age phase-in for re-entry still applies.

### **Extended AAP/Kin-GAP**

AAP and Kin-GAP benefits may be extended beyond age 18 through either of the following two paths:

1. The youth has a documented mental or physical condition that warrants continued assistance up to age 21, OR
2. AAP or Kin-GAP payments began when the youth was age 16 years or older and meets one of the five participation conditions for extended benefits.

Path 1 has not been affected. Youth with qualifying conditions may still be eligible to age 21.

Path 2 has been affected by SB 1013. Any AAP and Kin-GAP agreements for these eligible youth should reflect eligibility to age 21. It is very important that AAP and Kin-GAP cases are not terminated solely due to the youth attaining age 19. Once the AAP or Kin-GAP benefits are terminated, benefits may not be resumed. Due to federal requirements, youth receiving Kin-GAP and AAP benefits who have turned 19 prior to July 1, 2012, and whose benefit payments have stopped shall not be eligible to have payments resumed. As required in WIC section 10103.5(c), CDSS, in consultation with CWDA, is currently working on a process by which youth may resume benefits and more information will be released when it is available.

\*See ACL 11-86 for further details on criteria for extended AAP and extended Kin-GAP.

**NRLGs**

Nonminors in NRLGs may also have benefit payments resumed through the completion of the SOC 163. As there are no federal funds involved in the payment for NRLGs, those benefits can be resumed if the sole reason for the payment ending was due to the nonminor reaching age 19. Youth in a NRLG established through Probate Court are not eligible for extended benefits and not effected by SB 1013.

**Additional Information**

An All County Letter (ACL) containing this information will be released shortly. Additional ACL's will be released with more detailed information. Questions can be sent to: [ab12@dss.ca.gov](mailto:ab12@dss.ca.gov)