



CDSS

WILL LIGHTBOURNE  
DIRECTOR

STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY  
**DEPARTMENT OF SOCIAL SERVICES**

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EDMUND G. BROWN JR.  
GOVERNOR

July 11, 2013

ALL COUNTY LETTER NO. 13-43

TO: ALL COUNTY WELFARE DIRECTORS  
ALL CHIEF PROBATION OFFICERS  
ALL COUNTY ADOPTION AGENCIES  
ALL GROUP HOME PROVIDERS  
ALL FOSTER FAMILY AGENCIES  
ALL LOCAL MENTAL HEALTH DIRECTORS  
ALL TITLE IV-E AGREEMENT TRIBES

SUBJECT: NEW ROLES AND RESPONSIBILITIES IN THE SPECIALIZED CARE RATE PROGRAM

REFERENCE: SENATE BILL (SB) 1013 (CHAPTER 35, STATUTES OF 2012); 42 USC 675(4)(a); WELFARE AND INSTITUTIONS CODE (W&IC) SECTION 11461(e)(1); ALL COUNTY LETTER (ACL) 10-62 dated December 20, 2010

This ACL advises counties of the changes in the Specialized Care Rate Program (or Specialized Care Increment (SCI)), and clarifies roles and responsibilities pursuant to the changes to W&IC section 11461(e)(1) Regulations implementing these changes are forthcoming.

The W&IC section 11461(e)(1) as amended by SB 1013 now states (new requirements are in *italics*):

“Specialized care increment” means an approved AFDC-FC amount paid on behalf of an AFDC-FC child requiring specialized care to a home listed in subdivision (a) in addition to the basic rate. *Notwithstanding subdivision (a), the specialized care increment shall not be paid to a nonminor dependent placed in a supervised independent living setting as defined in subdivision (w) of Section 11403. A county may have a rate-setting system for specialized care to pay for the additional care and supervision needed to address the behavioral, emotional, and physical requirements*

REASON FOR THIS TRANSMITTAL

- State Law Change
- Federal Law or Regulation Change
- Court Order
- Clarification Requested by One or More Counties
- Initiated by CDSS

*of foster children. A county may modify its specialized care rate system as needed, to accommodate changing specialized placement needs of children.*

*(2)(A) The department shall have the authority to review the county's specialized care information, including the criteria and methodology used for compliance with state and federal law, and to require counties to make changes if necessary to conform to state and federal law.*

*(B) The department shall make available to the public each county's specialized care information, including the criteria and methodology used to determine the specialized care increments.*

*(3) Upon a request by a county for technical assistance, specialized care information shall be provided by the department within 90 days of the request to the department."*

#### Definitions, Roles, and Responsibilities

To reiterate, with the implementation of the 2011 child welfare realignment and the changes in SB 1013, counties now have more flexibility and responsibility for the following:

- 1) The process described in regulations 11-401.31, .33, and .34 for submission of data related to the counties' operation of their SCI programs no longer apply and counties are no longer required to submit SCI proposals to the California Department of Social Services (CDSS) for approval.
- 2) The county's ability to develop the SCI criteria remains unchanged.
- 3) The CDSS has the authority to review the county's SCI information for compliance with state and federal laws and to specify any necessary changes to ensure that the criteria meet the Title IV-E foster care maintenance payment reimbursement standards, including the Title IV-E allowable cost categories. Note that state law contained in Welfare and Institutions Code section 11460(b) specifies the same allowable cost categories as those contained in Title IV-E."
- 4) Counties will continue to comply with allowable cost categories for which foster care maintenance payments under Title IV- E and state statute may be used. The allowable cost categories are those described by the definition of foster care maintenance payments as follows. The term "foster care maintenance payments" is defined as: "...payments to cover the cost of (and the cost of providing) food, clothing, shelter, daily supervision, school supplies, a child's personal incidentals, liability insurance with respect to a child, and reasonable travel to the child's home for visitation and the school in which he or she is enrolled at the time of placement." Note, however that reimbursement for educational travel is separately reimbursed as described in [ACL 11-51](#), and is therefore not to be included as an element in a county's SCI system.
- 5) The CDSS is available to provide technical assistance when a county requests help with its SCI methodology or criteria or has questions concerning compliance.

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- 6) As outlined in [ACL 10-62](#), counties are responsible for providing current methodology and criteria to CDSS in order for CDSS to make both available to the public via the Specialized Care Rate Program website. Methodology and criteria information can be submitted via e-mail to: [SCI@dss.ca.gov](mailto:SCI@dss.ca.gov).
- 7) To view a county's SCI methodology and criteria, go to:  
<http://www.childsworld.ca.gov/PG1649.htm>

If you have any questions regarding this letter, please contact the Foster Care Support Services Bureau at (916) 651-7465 or email your inquiry to [SCI@dss.ca.gov](mailto:SCI@dss.ca.gov).

Sincerely,

***Original Document Signed By:***

GREGORY E. ROSE  
Deputy Director  
Children and Family Services Division