



CDSS

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

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GOVERNOR

April 24, 2014

ALL COUNTY LETTER (ACL) NO. 14-32

REASON FOR THIS TRANSMITTAL

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

TO: ALL COUNTY WELFARE DIRECTORS  
ALL CDSS ADOPTIONS DISTRICT OFFICES  
ALL PUBLIC ADOPTION AGENCIES

SUBJECT: ADOPTION ASSISTANCE PROGRAM (AAP) MONITORING AND  
TECHNICAL ASSISTANCE

REFERENCE: WELFARE AND INSTITUTIONS CODE (W&IC) SECTIONS  
10605(c)(1)(2)(3); 45 CODE OF FEDERAL REGULATIONS (CFR)  
PART 92.40

This letter is to inform counties that the California Department of Social Services (CDSS) will begin AAP monitoring activities in spring 2014. The W&IC section 10605(c)(1) authorizes CDSS to conduct reviews in order to meet its oversight obligations in 45 CFR Part 92.40 to monitor AAP activities to assure compliance with applicable federal requirements. Pursuant to W&IC sections 10605(c)(2) and (3), CDSS will provide counties 30 calendar days' notice of CDSS' intent to perform on-site monitoring of its AAP, and counties will be allowed to request an extension of up to 30 additional calendar days for good cause.

On-site monitoring of AAP will be conducted in all 58 counties within the first two years of the commencement of the AAP monitoring program. Following the initial monitoring, counties with an AAP caseload of 500 or more will be monitored annually, and counties with an AAP caseload of less than 500 will be monitored once every two years.

During on-site monitoring, AAP eligibility case files maintained by the financially responsible county's welfare department as well as the confidential AAP files maintained by the responsible public agency (county adoptions unit or state adoptions office) will be reviewed. AAP monitoring staff will collaborate with counties to identify liaisons in both the welfare department and the county adoptions unit to assist with

monitoring. In the event the county contracts with a state adoptions office, upon approval of the county, the monitor will work directly with the state adoptions office to access the confidential AAP case files. When this occurs, it will still be necessary to schedule monitoring of the AAP eligibility case files.

The major milestones of the monitoring process will consist of the following activities:

- At least 30 calendar days prior to the visit, CDSS will initiate contact with the county to identify liaisons in the county welfare department and county adoptions unit (or state adoptions office) and to determine dates for the on-site monitoring and discuss the selection of case files to be monitored;
- At least 15 calendar days prior to the visit, CDSS will provide the county welfare department and county adoptions unit (or state adoptions office) with a list of cases to be monitored;
- The CDSS will perform on-site monitoring along with entrance and exit meetings;
- The CDSS will provide the county welfare department and county adoptions unit (or state adoptions office) with written feedback from the monitoring in the form of a findings report within 15 calendar days of exit meeting; and
- The county welfare department and county adoptions unit (or state adoptions office) will provide CDSS with a Corrective Action Plan within 30 calendar days of receiving written findings report, if applicable.

<b>Monitoring Timeline</b>	<b>Action</b>
30 days prior to monitoring	CDSS initial telephone/email notification of intent to monitor (written confirmation of notification will follow)
15 days prior to monitoring	CDSS provides county with list of cases to be monitored
Monitoring	CDSS performs on-site monitoring; conducts entrance meeting and exit meeting with county staff
15 days after monitoring	CDSS provides county monitoring feedback in the form of a written findings report
45 days after monitoring	County provides CDSS with Corrective Action Plan, if applicable

The CDSS AAP monitoring staff intends to work closely and collaboratively with counties to develop efficient and effective AAP processes. AAP technical assistance will be available to counties at their request. If you would like to request technical

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assistance, visit the CDSS AAP website at <https://www.cdss.ca.gov/inforesources/adoptions/adoption-assistance-program> to access a list of counties with the name and contact information for the CDSS monitor assigned to each county. For assistance with policy and/or law questions, please contact the CDSS AAP policy consultant at (916) 651-8089.

Attached is a copy of the AAP monitoring manual which further explains the monitoring process and contains the monitoring tool to be used. If you have any questions about this ACL, please contact the Adoptions Services Bureau at (916) 651-8089 or email at [AAPMonitor@DSS.ca.gov](mailto:AAPMonitor@DSS.ca.gov).

Sincerely,

***Original Document Signed By***

GREGORY E. ROSE  
Deputy Director  
Children and Family Services Division

Attachment



# Adoption Assistance Program Monitoring Manual

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Prepared by:

**CALIFORNIA DEPARTMENT OF SOCIAL SERVICES  
ADOPTIONS SERVICES BUREAU**



*(Effective April 24, 2014)*

Adoptions Services Bureau ❖ 744 P Street, MS 8-12-31, Sacramento, California 95814  
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## Framework for Adoption Assistance Program Monitoring

### Adoption Assistance Program Overview

Congress created federal subsidies through the Adoption Assistance and Child Welfare Act of 1980 (Public Law 96-272) to encourage the adoption of children with special needs by removing the financial disincentives for families to adopt. In accordance with federal law, the California State Legislature (through Welfare & Institutions Code [W&IC] sections 16115 – 16125) created the Adoption Assistance Program (AAP). The legislative intent of the program is to incentivize adoption of children who, because of their special needs, are at risk of becoming court dependents or would remain in long term foster care. Both agency and independent adoptions may be eligible for AAP. Accordingly, the AAP is governed by regulations and policies based on federal and state laws. The California Department of Social Services (CDSS) is the single state agency responsible for overseeing AAP and is responsible for monitoring AAP in accordance with Title 45 Code of Federal Regulations (CFR) Part 92.40.

### Definitions

The following is a list of terms and definitions as used in this manual:

**Monitoring** is the process used to ensure compliance with applicable federal requirements, and that performance goals are being achieved.

**The Department** is the CDSS Adoption Services Bureau (ASB).

**Financially Responsible County (FRC)** is the income maintenance division of the county welfare department, and is “the county” in California Code of Regulations (CCR) Title 22 sections 35325 et. seq. The FRC determines Title IV-E (federal) eligibility, disburses AAP benefits, and maintains the AAP eligibility case file per CCR Title 22 Section 35325(c) and Eligibility and Assistance Standards (EAS) Manual Letter NO. EAS-11-02 Section 45-807.

**Responsible Public Agency (RPA)** is the county adoptions unit or the Department. The RPA is responsible for determining AAP eligibility, negotiating initial and subsequent AAP benefits, completing the reassessment process and maintaining the confidential AAP case file per CCR Title 22 sections 35325(c) and 35351. Some counties opt to contract with the Department to administer their adoption and AAP programs. Though contracted with the Department for the administration of adoption and AAP programs, the county as the sub-recipient of the federal funds retains responsibility for proper and accurate administration of contracted services.

### Requirements Subject to Monitoring

Counties are responsible for the administration of AAP per the following laws and regulations:

- Title 42 U.S.C. Chapter 7 Subchapter IV Part E sections 471, 472, 473 and 475
- California W&IC sections 16115 through 16125
- CCR Title 22 Division 2 Chapter 3 Subchapter 7 sections 35325 through 35352.2



- EAS Manual Letter NO. EAS-11-02 sections 45-800 through 45-808

### Purpose of Monitoring

The purpose of AAP monitoring is to ensure administration of the AAP from eligibility determination to disbursement of benefits is in compliance with federal and state laws. It is the intent of the Department to act in an oversight role by providing monitoring feedback in the form of a findings report (Appendix III) and technical assistance to the RPAs and FRCs.

Federal enforcement of regulations for non-compliance puts the state and counties at risk for significant penalties and/or loss of federal financial participation funds. In accordance with 45-CFR 92.43, the following actions may be taken for non-compliance:

1. Withhold cash payments pending correction of the deficiency.
2. Disallow all or part of the activity not in compliance.
3. Wholly or partly suspend or terminate the current award for the program.
4. Withhold further awards for the program.
5. Take other remedies that may be legally available.

Monitoring is the first step toward ensuring compliance with federal and state regulations. It is also the intent of the monitoring program to ensure that FRCs and RPAs maintain complete and accurate AAP eligibility and AAP case files so they will be better prepared in the event of an audit, and the risk of non-compliance is minimized.

## AAP Monitoring

All 58 counties will be monitored at least once within the first two years of the commencement of the AAP monitoring program. Following the initial monitoring, counties with a monthly average AAP caseload of 500 or more will be monitored annually, and counties with an AAP caseload of less than 500 will be monitored once every two years. The Department will notify counties by email or telephone of the intent to monitor its AAP files at least 30 calendar days in advance of the date of the monitoring. Upon this initial contact, Monitoring staff will collaborate with counties to determine the date of the monitoring visit and a follow up written notice will be sent to the county specifying the date. The county has 10 business days from the notice of intent to monitor in which to respond and request an extension of up to 30 days pursuant to W&IC sections 10605 (c)(2)-(3).

### Department Responsibilities

- Identify the Department monitoring team members.
- Develop monitoring schedule.
- Provide on-going training for Department monitoring team members to develop proficiency and efficiency in executing on-site and electronic case file monitoring.
- Contact liaison in the RPA to obtain a list of all AAP cases initiated after October 1, 2009.
- At least 15 days prior to monitoring, provide liaison(s) in the FRC and RPA with the list of cases randomly selected.
- Maintain a hard copy file for each monitoring event including copies of: correspondence, AAP forms, relevant eligibility forms, findings report, corrective action plan and progress reports.

### County Responsibilities

- Assign a liaison in the FRC to work with the monitor during the AAP eligibility case file monitoring process.
- Assign a liaison in the RPA to work with the monitor during the AAP case file monitoring process.
- Arrange monitoring and meeting locations.
- Ensure all selected AAP eligibility case files at the FRC are made available in the room being used for monitoring.
- Ensure all selected AAP case files at the RPA are made available in the room being used for monitoring.

Note: In the event the county contracts with the Department as its RPA, upon approval of the county, the monitor will work directly with the state office to access AAP case files.

### Case File Content to be Monitored

The AAP monitoring process focuses primarily on eligibility; however, all facets of administering AAP are subject to monitoring. At a minimum, during the review of the AAP eligibility and AAP case files, the following forms will be reviewed:

- Federal Eligibility Certification For Adoption Assistance Program (FC 8)
- Eligibility Certification Adoption Assistance Program (AAP 4)

- Adoption Assistance Program Negotiated Benefit Amount And Approval (AAP 6)
- Adoptions Assistance Program Agreement (AD 4320)
- Payment Instructions Adoption Assistance Program (AAP 2)
- Adoption Assistance Program Non Recurring Adoption Expenses Agreement (AAP 8)
- Notices Of Action (NOA)

During monitoring, form versions will be checked against the signature date on the form. Use of outdated forms may result in missing or inaccurate information and is considered out of compliance. Forms are considered to be outdated when a newer version of the form exists yet an older version is being used. This will be determined by comparing the revision date of the form with the date written on the form being monitored. A grace period will be factored in to account for situations when a revised version of a form was introduced within two months of the use of the previous version. Current AAP forms can be found at the Department website <http://www.cdss.ca.gov/cdssweb/PG19.htm>.

There may be occasion when overpayments are discovered. These overpayments will be handled in accordance with W&IC section 11466.23 et.seq.

#### AAP Monitoring Instrument

The AAP Title IV-E Eligibility Monitoring Instrument (the instrument) (Appendix I) focuses on questions regarding information in the AAP case files and the AAP eligibility case files. The instrument was developed in collaboration with the Administration for Children and Families Region IX Office. As AAP regulations change, the instrument will be modified to include the new provisions; questions will be added, changed or deleted in order to maintain accuracy in measuring AAP compliance with federal regulations. The latest version of the instrument may be obtained by contacting the Department at (916) 651-8089 or email [aapmonitor@dss.ca.gov](mailto:aapmonitor@dss.ca.gov).

State and federal laws and regulations direct that certain acts and processes be engaged to ensure AAP eligibility and benefits are accurately and fairly administered. Compliance is established by monitoring information recorded on the aforementioned forms for accuracy and completeness.

Examples of common non-compliance include: missing forms, incomplete or inaccurate forms, missing signatures on forms and use of outdated forms when newer forms were available.

#### Case File Selection

Only AAP cases opened on or after October 2009 are subject to monitoring. All County Letter (ACL) 09-51 clarified federal Title IV-E AAP requirements to ensure California's compliance with federal law. The ACL also implemented substantial changes to the administration of AAP that affected laws, regulations and content of the forms used. The ACL was effective September 29, 2009.

From the most current list of AAP cases, to be provided by the RPA, the monitor will randomly select a list of active case files and oversample case files to be monitored. The list will be transmitted to the FRC and RPA either by facsimile or electronic mail (email) using secure zip.

### Sample Sizes

Counties with an AAP caseload of less than 500 will have 10 cases monitored; counties with an AAP caseload between 500 and 10,000 will have 20 cases monitored; and counties with an AAP caseload greater than 10,000 will have 40 cases monitored.

### Oversampling

Circumstances will arise when case files that have been selected for monitoring are not appropriate for inclusion in the sample being reviewed. The following are examples of situations where an oversample case file would be selected:

- The selected case file is a state or county funded case.
- The selected case file was closed after the random list was generated but prior to the on-site review.
- The selected case file was subpoenaed by and is in possession of the court.
- The selected case file has previously been monitored.

In the event a case file is removed from the sample, another case will be selected from the oversample list. An oversample size equal to 10 percent of the case files selected for monitoring will be utilized. For example, 40 cases selected for monitoring would require 4 additional cases to be selected as the oversample. Incomplete or inaccurate case files are not to be replaced under any circumstances. The 10 percent oversample shall be made available to the monitor and will be included and identified as such in the list of files selected to be monitored.

Cases selected for monitoring must be open cases. If a case selected for monitoring is to be excluded, the party will document the reason for excluding the case. The final determination for excluding a case file will be made by the AAP monitor or appointed Department AAP representative approximately 5-10 calendar days prior to the on-site monitoring.

### Electronic Files

If the FRC or RPA maintains paperless AAP case files in C-IV, CalWIN or CWS/CMS, they will need to make available a computer with print capability for the AAP monitor to use. Copies of relevant AAP forms must show that the forms have been signed by hand, as electronic signatures are not acceptable. It is expected that FRCs and RPAs storing files by such methods do so in accordance with relevant state and federal regulations regarding maintenance and storage of sensitive and confidential information.

## The 4-Step Review Process

### 1. Preparation Prior to Site Visit

#### Initial Contact

The AAP monitor will make the initial contact with the County Administrator's office to establish liaisons in the FRC and RPA. The AAP monitor will then collaborate with the liaisons at the FRC and RPA to determine dates for the on-site monitoring visit. The initial contact will be made by telephone or e-mail and will occur at least 30 calendar days prior to the scheduled monitoring and be followed up by a written Letter of Intent to Monitor AAP (Appendix II) from the AAP monitor confirming information discussed during the initial contact.

#### Selecting Case Files to be Monitored

The monitor will request a complete list of all active AAP cases opened after October 2009 from the RPA liaison. Cases will be randomly selected for monitoring from the list. The list of cases selected for monitoring will be sent by the monitor, either by electronic mail (email) using secure zip or facsimile, to the liaison at the RPA and FRC at least 15 calendar days prior to the scheduled monitoring. In the event it is deemed necessary to exclude a case file from monitoring, approximately 5-10 calendar days prior to the monitoring, the monitor will inform the RPA and FRC liaison(s) that a case(s) from the oversample will be used as a replacement.

#### On-site Monitoring Logistics

The AAP monitor(s) will work closely with the RPA and FRC liaison(s) to identify office space, copier access, file access including electronic files, and address any unique travel or accommodation situations. Logistical items such as location of facilities and emergency procedures should also be addressed.

#### Organizing Case File for Monitoring

Prior to the on-site monitoring, the RPA and FRC liaison(s) will assemble the selected case files. When possible, it is requested that the RPA and FRC liaison(s) provide the case files selected for monitoring in the same physical space.

In the event the county contracts with the Department as its RPA, upon approval of the county, the monitor will work directly with the state office to access AAP case files. When this occurs, it will still be necessary to schedule monitoring of the FRC Eligibility case files separately.
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### 2. On-Site Monitoring Review

#### Entrance Meeting

The monitor will conduct an entrance meeting with appropriate county staff and the RPA and FRC liaison(s) to address the goals and objectives for that specific visit as well as fielding questions and concerns. In the event remote county staff, FRC or RPA representatives cannot attend in-person, the county should provide for teleconference

participation. The entrance meeting should occur as early as possible on the first day AAP monitors are on-site.

#### Case File Monitoring

When possible, it is requested the RPA and FRC liaison(s) provide the case files selected for monitoring in the same physical space. If this is not possible, it may be necessary to monitor in two or more locations. This should be addressed and clarified during the initial contact. It is desirable to have a liaison available for questions throughout the on-site monitoring visit.

#### Exit Meeting

At the conclusion of the on-site monitoring, the monitor will conduct an exit meeting. The purpose of the exit meeting is to discuss findings, concerns, and address any questions the county, RPA or FRC may have about their current processes and procedures as well as the monitoring experience.

During the exit meeting, the findings along with issues such as consistent themes, pervasive occurrences of conditions or anything the monitor deemed noteworthy may be discussed. Discussions of this nature are useful for providing the monitors with insight to the agency's processes and providing agency representatives with the preliminary results of the monitoring process.

The exit meeting is also an opportunity to thank the agency representatives and address any logistical recommendations related specifically to the site visit.

Note: In the event the county contracts with the Department as its RPA, upon approval of the county, the monitor will work directly with the state office to monitor AAP case files. When this occurs, it will still be necessary to monitor the FRC Eligibility case files separately.
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### 3. Monitor Findings Report

#### Complete and Distribute the Findings Report

The findings report (Appendix III) addresses the outcome of the on-site monitoring. The county and its FRC and RPA will receive a findings report within 15 calendar days of the completed exit meeting. This report will identify the files monitored, provide an overview of the findings and, if errors are identified, a detailed list of the cases and their errors.

### 4. Development and Execution of a Corrective Action Plan

#### Receive and Review Corrective Action Plan

A Corrective Action Plan (CAP) [Appendix IV] is a document generated by the county in response to information provided in the findings report. The CAP must address steps to correct the errors found as well as steps to avert similar errors in the future. A CAP is due 30 calendar days following receipt of the findings report. A conference call may be scheduled by the AAP monitor to review the CAP, discuss content, address any

questions and identify opportunities for technical assistance. At a minimum the CAP should contain:

- A statement of the error(s)
- Cause(s) of the error(s)
- A description of the processes and/or procedures that will prevent similar errors in the future
- Implementation and timeframes for implementing the corrective actions
- A timeline for when compliance will be achieved
- A component to measure progress
- Evidence of resolution

Monitors will collaborate with the county and its RPA and FRC to resolve issues and reverse findings. The intent of monitoring is to ensure ongoing partnership with RPA and FRC staff and to ensure the state and the county remains in compliance according to federal and state laws and regulations. The CAP is deemed complete by the Department once all issues in the findings report have been satisfactorily addressed.

In the event the county contracts with the Department as its RPA, and a CAP is required, the county is responsible for submission of the CAP. However, upon approval of the county, the monitor can work directly with the state adoptions office to develop a CAP that may be forwarded to the county for its review and approval. When this occurs, if applicable, it will still be necessary for the county to complete a CAP for any errors identified in their FRC eligibility case files.

## Technical Assistance

Technical assistance aspect of AAP monitoring is available to counties, FRCs and RPAs upon request. The scope of technical assistance is broad and may address anything other than interpretation of policy or law. To request technical assistance, please visit the Department's AAP website at <http://www.childsworld.ca.gov/PG1303.htm> to access a list of counties with the name and contact information for the CDSS monitor assigned to each county. In addition, requests for technical assistance may be directed to the AAP monitoring unit at [aapmonitor@dss.ca.gov](mailto:aapmonitor@dss.ca.gov).

For assistance with AAP policy and/or law questions, please continue to contact the Department's AAP policy consultant at (916) 651-8089.

**APPENDICES**



Appendix I  
AAP Title IV-E Eligibility Monitoring Instrument and Instructions

Title IV-E AAP Eligibility  
Monitoring Instrument and Instructions

Error Case  Non-Error Case  Non-Federal Case

**1. AAP Case ID:** \_\_\_\_\_  
Record the case number the County uses as an identifier.

**2. Responsible Public Agency:** \_\_\_\_\_  
Record the county adoption agency or district office responsible for determining AAP eligibility.

**3. Financially Responsible County:** \_\_\_\_\_  
Record the county responsible for distribution of AAP funds.

**4. Review Date (MM/DD/YY):** \_\_\_/\_\_\_/\_\_\_  
Record the date the case is reviewed.

**5. Reviewed By:** \_\_\_\_\_  
Record the name of the individual reviewing the case.

**6. Child's Name:** \_\_\_\_\_  
Record the first and last name of the child whose case is being reviewed.

**7. Date of Initial AAP Agreement:** \_\_\_/\_\_\_/\_\_\_  
Form AD 4320

**8. Child's Date of Birth (MM/DD/YY):** \_\_\_/\_\_\_/\_\_\_  
Enter the month, date, and year of birth of the child whose case is reviewed.

**9. Date Child Turns 18 (MM/DD/YY):** \_\_\_/\_\_\_/\_\_\_ **NMD Turns 21** \_\_\_/\_\_\_/\_\_\_  
Enter the month, date, and year when child will turn 18 or if applicable, Non-Minor Dependent (NMD) will turn 21.

**10. Immigration Status:** Citizen  Qualified Alien  N/A   
Cases where initial agreement was signed before October 1, 2009, check N/A.

**I: THREE PART SPECIAL NEEDS DETERMINATION**

*The answers to all three questions 11, 12, and (13A or 13B) must be marked yes for child to be eligible for AAP.*

**11. Was there a determination that the child could not or should not be returned to the home of his or her parent due to a petition or court order terminating parental rights, a signed relinquishment, or a Tribal Customary Adoption Order which has been given the full faith and credit by the Juvenile Court.** If NMD, check yes if court has dismissed the dependency or transitional jurisdiction subsequent to the approval of the adoption petition. Yes  No

*On the AAP 4 Form, Section I, Question 1 must be completed.*

**Comments:**

REV. 12/13

Appendix I  
AAP Title IV-E Eligibility Monitoring Instrument and Instructions

<b>I. THREE PART SPECIAL NEEDS DETERMINATION</b> <i>continued</i>	
<b>12. Was adoptive placement without financial assistance unlikely due to one of the following?</b>	Yes <input type="checkbox"/> No <input type="checkbox"/>
<input type="checkbox"/> Membership in a sibling group that should remain intact. <input type="checkbox"/> Race, ethnicity, color or language. <b>Specify in comments.</b> <input type="checkbox"/> Age three years or older. <input type="checkbox"/> Child's mental, physical, emotional, medical or developmental disability. <b>Specify in comments.</b> <input type="checkbox"/> Parental background of a medical or behavioral nature that can be determined to adversely affect the development of the child. <b>Specify in comments.</b>	
<i>On the AAP 4 Form, Section I, Question 2 must be completed.</i>	
<b>Comments:</b>	

<b>13A. Was a search made for a family that does not need AAP benefits?</b>	Yes <input type="checkbox"/> No <input type="checkbox"/>
<b>13B. Was the search requirement waived as remaining in this home is in the child's best interest because of the existence of significant emotional ties with prospective adoptive parents while in the care of these persons as a foster child.</b>	Yes <input type="checkbox"/> No <input type="checkbox"/>
<i>On the AAP 4 Form, Section I, Question 3 must be completed.</i>	
<b>Comments:</b>	

<b>II. PATHWAYS TO ELIGIBILITY</b>	
<ul style="list-style-type: none"> <li>• <b>Questions 14A &amp; 14B Apply to AAP Determinations made POST October 1, 2009.</b> Both question 14A &amp; B must be checked yes, with at least one "sub-box" checked in 14A &amp; B to determine Title IV-E eligibility, <b>OR</b></li> <li>• Question 15 at least one "sub-box" must be checked yes to determine Title IV-E eligibility</li> <li>• AAP 4 Form, Section III A or B must be completed verifying Title IV-E eligibility determination.</li> </ul>	
<b>14A. Child meets one of the definitions of "applicable child" below?</b>	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
<input type="checkbox"/> Child meets the applicable age requirement any time before <i>the end of the FFY. The FFY runs from October 1 through September 30.</i> Child's Age is _____ in FFY _____. <input type="checkbox"/> Child has been in foster care for at least 60 consecutive months. <input type="checkbox"/> Child is a sibling of an "applicable child" and is placed in the same prospective adoptive home.	

Appendix I  
AAP Title IV-E Eligibility Monitoring Instrument and Instructions

**II. PATHWAYS TO ELIGIBILITY** *continued*

**Comments:**

**14B. Child meets one of the four “Applicable Child” paths to eligibility below?** Yes  No  N/A

- Child is in care of a public or private child placement agency or tribal organization and is subject to either an involuntary removal from the home by court order and continuation in the home would be contrary to the welfare of the child or a voluntary agreement or voluntary relinquishment.
- Child has met all requirements for SSI Benefits.
- Child was residing in a foster family home or child care institution with the child’s minor parent.
- Child received AAP with respect to a prior adoption that was dissolved or ended due to the death of an adoptive parent(s)?

**Comments:**

**15. Child meets one of the following Title IV-E Requirements** Yes  No  N/A

• *If Child is not an “Applicable Child” as indicated above in 14A & 14B, then at least one box in 15 must be checked.*

- Child was eligible for SSI benefits, determined by the Social Security Administration prior to the finalization of the adoption.
- Child was eligible for Aid to Families with Dependent Children (pursuant to California’s Title IV-A plan as in effect on July 16, 1996).
- Child was a child of a minor parent who received a Title IV-E foster care maintenance payment.
- Child is eligible for Title IV-E AAP benefits due to previous adoption being dissolved or ended due to the death of adoptive parent(s)? Requires documentation of AAP benefits in a previous adoption.
- Child is an Indian child and the subject of a tribal customary adoption order.

**Comments:**

Appendix I  
 AAP Title IV-E Eligibility Monitoring Instrument and Instructions

<b>III. NONRECURRING ADOPTION EXPENSES</b>	
<p><b>16. Adoptive parents may be reimbursed for nonrecurring adoption expenses of up to \$400 per child pursuant to Welfare and Institution Code (W&amp;IC) Section 16120.1. To be eligible the adoptive child must meet the three part special needs determination and be a United States citizen or qualified alien pursuant to W&amp;IC 16120 (a) through (l) and (I).</b></p>	
<p><b>Documentation of payment authorization?</b></p> <ul style="list-style-type: none"> <li>• AAP 8 Form</li> <li>• Agreement or letter directing the county to pay the Non-Recurring expenses</li> <li>• Check N/A if family declined to request.</li> </ul>	<p>Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/></p>
<p><b>Comments:</b></p>  	

<b>IV. FORM AAP 4 SIGNATURES</b>	
<p><b>17. Authorized officials from both the responsible public agency and the county welfare department signed the AAP 4?</b></p>	
	<p>Yes <input type="checkbox"/> No <input type="checkbox"/></p>
<p><b>Comments:</b></p>  	

<b>V. AAP BENEFIT RATE DETERMINATION</b>	
<p><b>18. AAP benefit rate determination.</b></p> <ul style="list-style-type: none"> <li>• Check rate criteria on left and whether CNI increase was applied for each year on the right.</li> </ul>	
<p><b>Rate Criteria</b></p> <p><input type="checkbox"/> Basic Rate</p> <p><input type="checkbox"/> Basic Rate plus SCI</p> <p><input type="checkbox"/> Dual Agency</p> <p><input type="checkbox"/> Dual Agency plus Supplemental Rate</p> <p><input type="checkbox"/> RCL</p> <p><input type="checkbox"/> Wrap Around</p> <p><input type="checkbox"/> Other _____</p>	<p><b>CNI Increases</b></p> <p><input type="checkbox"/> 2011</p> <p><input type="checkbox"/> 2012</p> <p><input type="checkbox"/> 2013</p> <p><input type="checkbox"/> 2014</p> <p><input type="checkbox"/> 2015</p>

<b>VI. OVERALL COMMENTS/CONCERNS</b>

Appendix II  
Sample Letter of Intent to Monitor AAP



STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY  
**DEPARTMENT OF SOCIAL SERVICES**  
Adoptions Services Bureau  
744 P Street, MS 8-12-31, Sacramento, California 95814  
(916) 651-8089 Fax (916) 651-8143



[Date of Letter]  
[Director's Name or CDSS Manager], Director  
[Director's Address]

Review Date: Month DD, YYYY

Dear [Director's Name]:

This letter is a follow-up to our conversation dated [month dd, yyyy]. In that conversation we agreed to conduct on-site monitoring of Adoption Assistance Program (AAP) case files [insert dates here]. As indicated, a list of case files identified for review will be transmitted to you via [fax or secure zip email] please be sure to acknowledge receipt of this list.

The AAP is monitored to ensure proper administration of the program in compliance with the below listed laws and regulations. Monitoring may include interviews, document review and verification that AAP determinations and payments are made in accordance with federal and state laws and regulations contained in but not limited to the following:

- Title 42 U.S.C. Chapter 7 Subchapter IV Part E §471, 472, 473 and 475.
- California Welfare & Institution Code §16115 through 16125.
- C.C.R. Title 22 Division 2 Chapter 3 Subchapter 7 §35325 through 35352.2
- Eligibility and Assistance Standards Manual Letter NO. EAS-11-02 § 45-800 through 45-808

The following is a list of documents that we review during the monitoring process as well as additional documentation as case circumstances warranted:

- Eligibility Certification Adoption Assistance Program (AAP 4),
- Federal Eligibility Certification For Adoption Assistance Program (FC 8),
- Adoption Assistance Program Negotiated Benefit Amount And Approval (AAP 6),
- Adoptions Assistance Program Agreement (AD 4320),
- Payment Instructions Adoption Assistance Program (AAP 2),
- Adoption Assistance Program Non Recurring Adoption Expenses Agreement (AAP 8)
- Notice Of Action (NOA)

[County Name] County AAP cases are administered through the [Name] State Regional/Field Office **(if applicable)** while distribution of payments is managed at the welfare office located in [City], [County Name] County. We will collaborate with liaisons at both, your adoption agency/responsible public agency and welfare office to identify cases selected for monitoring as well as the planned location of the monitoring.

We appreciate your cooperation in this matter and look forward to working with [county name] County in the future. Please feel free to contact me at [insert contact information] with any questions or concerns you may have.  
Sincerely,

[Monitor's Name]  
Adoptions Assistance Program Monitor  
Phone: (916) 651-8089  
FAX: (916) 651-8143  
[aapmonitor@dss.ca.gov](mailto:aapmonitor@dss.ca.gov)

Appendix III  
Sample AAP Monitor Findings Report



STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY  
**DEPARTMENT OF SOCIAL SERVICES**  
Adoptions Services Bureau  
744 P Street, MS 8-12-31, Sacramento, California 95814  
(916) 651-8089 Fax (916) 651-8143



**AAP Monitor Findings Report**

**[Date of Letter]**

**[Director's Name]**, Director  
**[Director's Address]**

Dear **[Director's Name]**:

The California Department of Social Services (CDSS), Adoptions Services Bureau (ASB) conducted Adoption Assistance Program (AAP) monitoring of **[insert county name]** County, **[insert date or date range]**. This monitoring was performed to determine the county's compliance with federal Title IV-E and state AAP requirements.

The AAP case file monitoring included an assessment of all available supporting documentation to verify Title IV-E AAP eligibility determinations were made in accordance with federal requirements and related payments were correct. The county of **[insert county name]** is responsible for the administration of AAP per Social Security Act, Title IV-E, Sections 471, 472, 473 and 475; Welfare and Institutions Code Sections 16115 through 16125; and Title 22 CCR Sections 35325 through 35352.1. The following AAP documents were also reviewed: Eligibility Certification Adoption Assistance Program (AAP 4); Federal Eligibility Certification for Adoption Assistance Program (FC 8); Nonrecurring Adoption Expenses Agreement and/or documentation for payment; Payment Instructions (AAP 2); and related AAP documentation.

A total of **[insert number of cases]** AAP case files were monitored and **[insert number of cases]** case files were found to be out of compliance with federal policy and/or California's AAP statutes and regulations. The following is a list of the non-compliance conditions found in the files.

Case #	Non-Compliant Condition
	<b>[insert rows as necessary]</b>

The CDSS is requesting that the county develop policy and procedures and/or change the current policy and procedures to ensure the administration of AAP is in accordance with federal and state laws and regulations. The county will have 30 days from the date of this letter to develop and submit a Corrective Action Plan (CAP) to the AAP monitoring unit. The CAP should address all non-compliance items listed above. The CAP should be forwarded to the monitor assigned to your county, **[insert monitor name]**, email address aapmonitor@dss.ca.gov.

The monitoring staff wishes to express their appreciation for the cooperation received from your county liaison during the process. If you or your staff have any questions or comments about this letter, or if you would like to assistance in any area, including the development of your CAP, please contact the AAP Monitoring unit at 916-651-8089.

Sincerely,

Richard W. Smith, MSW, Chief  
Adoptions Services Bureau

Attachment **[if necessary]**

Appendix IV  
Sample Corrective Action Plan

Corrective Action Plan  
for  
Click here to enter text.

Click here to enter a date.

California Department of Social Services  
Adoption Services Bureau  
Adoption Assistance Program Monitor  
744 P Street MS 8-12-31  
Sacramento, CA 95814

Click here to enter text.  
Click here to enter text.  
Click here to enter text.

Re: Monitor Findings Report dated Click here to enter a date.:

The following constitutes Click here to enter text. Corrective Action Plan (CAP) addressing errors identified in the Adoptions Assistance Program Monitor Findings Report.

Click here to enter text.

Click here to enter text.

Table of Items Being Addressed:

Case Name or Number	Identified Error	Corrective Action	Name of Person Taking Corrective Action	Date Corrective Action Taken



# Adoption Assistance Program Monitoring Manual

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Prepared by:

**CALIFORNIA DEPARTMENT OF SOCIAL SERVICES  
ADOPTIONS SERVICES BUREAU**



*(Effective April 24, 2014)*

Adoptions Services Bureau ❖ 744 P Street, MS 8-12-31, Sacramento, California 95814  
(916) 651-8089 ❖ (916) 651-8143 FAX



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## Framework for Adoption Assistance Program Monitoring

### Adoption Assistance Program Overview

Congress created federal subsidies through the Adoption Assistance and Child Welfare Act of 1980 (Public Law 96-272) to encourage the adoption of children with special needs by removing the financial disincentives for families to adopt. In accordance with federal law, the California State Legislature (through Welfare & Institutions Code [W&IC] sections 16115 – 16125) created the Adoption Assistance Program (AAP). The legislative intent of the program is to incentivize adoption of children who, because of their special needs, are at risk of becoming court dependents or would remain in long term foster care. Both agency and independent adoptions may be eligible for AAP. Accordingly, the AAP is governed by regulations and policies based on federal and state laws. The California Department of Social Services (CDSS) is the single state agency responsible for overseeing AAP and is responsible for monitoring AAP in accordance with Title 45 Code of Federal Regulations (CFR) Part 92.40.

### Definitions

The following is a list of terms and definitions as used in this manual:

**Monitoring** is the process used to ensure compliance with applicable federal requirements, and that performance goals are being achieved.

**The Department** is the CDSS Adoption Services Bureau (ASB).

**Financially Responsible County (FRC)** is the income maintenance division of the county welfare department, and is “the county” in California Code of Regulations (CCR) Title 22 sections 35325 et. seq. The FRC determines Title IV-E (federal) eligibility, disburses AAP benefits, and maintains the AAP eligibility case file per CCR Title 22 Section 35325(c) and Eligibility and Assistance Standards (EAS) Manual Letter NO. EAS-11-02 Section 45-807.

**Responsible Public Agency (RPA)** is the county adoptions unit or the Department. The RPA is responsible for determining AAP eligibility, negotiating initial and subsequent AAP benefits, completing the reassessment process and maintaining the confidential AAP case file per CCR Title 22 sections 35325(c) and 35351. Some counties opt to contract with the Department to administer their adoption and AAP programs. Though contracted with the Department for the administration of adoption and AAP programs, the county as the sub-recipient of the federal funds retains responsibility for proper and accurate administration of contracted services.

### Requirements Subject to Monitoring

Counties are responsible for the administration of AAP per the following laws and regulations:

- Title 42 U.S.C. Chapter 7 Subchapter IV Part E sections 471, 472, 473 and 475
- California W&IC sections 16115 through 16125
- CCR Title 22 Division 2 Chapter 3 Subchapter 7 sections 35325 through 35352.2

- EAS Manual Letter NO. EAS-11-02 sections 45-800 through 45-808

### Purpose of Monitoring

The purpose of AAP monitoring is to ensure administration of the AAP from eligibility determination to disbursement of benefits is in compliance with federal and state laws. It is the intent of the Department to act in an oversight role by providing monitoring feedback in the form of a findings report (Appendix III) and technical assistance to the RPAs and FRCs.

Federal enforcement of regulations for non-compliance puts the state and counties at risk for significant penalties and/or loss of federal financial participation funds. In accordance with 45-CFR 92.43, the following actions may be taken for non-compliance:

1. Withhold cash payments pending correction of the deficiency.
2. Disallow all or part of the activity not in compliance.
3. Wholly or partly suspend or terminate the current award for the program.
4. Withhold further awards for the program.
5. Take other remedies that may be legally available.

Monitoring is the first step toward ensuring compliance with federal and state regulations. It is also the intent of the monitoring program to ensure that FRCs and RPAs maintain complete and accurate AAP eligibility and AAP case files so they will be better prepared in the event of an audit, and the risk of non-compliance is minimized.

## AAP Monitoring

All 58 counties will be monitored at least once within the first two years of the commencement of the AAP monitoring program. Following the initial monitoring, counties with a monthly average AAP caseload of 500 or more will be monitored annually, and counties with an AAP caseload of less than 500 will be monitored once every two years. The Department will notify counties by email or telephone of the intent to monitor its AAP files at least 30 calendar days in advance of the date of the monitoring. Upon this initial contact, Monitoring staff will collaborate with counties to determine the date of the monitoring visit and a follow up written notice will be sent to the county specifying the date. The county has 10 business days from the notice of intent to monitor in which to respond and request an extension of up to 30 days pursuant to W&IC sections 10605 (c)(2)-(3).

### Department Responsibilities

- Identify the Department monitoring team members.
- Develop monitoring schedule.
- Provide on-going training for Department monitoring team members to develop proficiency and efficiency in executing on-site and electronic case file monitoring.
- Contact liaison in the RPA to obtain a list of all AAP cases initiated after October 1, 2009.
- At least 15 days prior to monitoring, provide liaison(s) in the FRC and RPA with the list of cases randomly selected.
- Maintain a hard copy file for each monitoring event including copies of: correspondence, AAP forms, relevant eligibility forms, findings report, corrective action plan and progress reports.

### County Responsibilities

- Assign a liaison in the FRC to work with the monitor during the AAP eligibility case file monitoring process.
- Assign a liaison in the RPA to work with the monitor during the AAP case file monitoring process.
- Arrange monitoring and meeting locations.
- Ensure all selected AAP eligibility case files at the FRC are made available in the room being used for monitoring.
- Ensure all selected AAP case files at the RPA are made available in the room being used for monitoring.

Note: In the event the county contracts with the Department as its RPA, upon approval of the county, the monitor will work directly with the state office to access AAP case files.

### Case File Content to be Monitored

The AAP monitoring process focuses primarily on eligibility; however, all facets of administering AAP are subject to monitoring. At a minimum, during the review of the AAP eligibility and AAP case files, the following forms will be reviewed:

- Federal Eligibility Certification For Adoption Assistance Program (FC 8)
- Eligibility Certification Adoption Assistance Program (AAP 4)

- Adoption Assistance Program Negotiated Benefit Amount And Approval (AAP 6)
- Adoptions Assistance Program Agreement (AD 4320)
- Payment Instructions Adoption Assistance Program (AAP 2)
- Adoption Assistance Program Non Recurring Adoption Expenses Agreement (AAP 8)
- Notices Of Action (NOA)

During monitoring, form versions will be checked against the signature date on the form. Use of outdated forms may result in missing or inaccurate information and is considered out of compliance. Forms are considered to be outdated when a newer version of the form exists yet an older version is being used. This will be determined by comparing the revision date of the form with the date written on the form being monitored. A grace period will be factored in to account for situations when a revised version of a form was introduced within two months of the use of the previous version. Current AAP forms can be found at the Department website <http://www.cdss.ca.gov/cdssweb/PG19.htm>.

There may be occasion when overpayments are discovered. These overpayments will be handled in accordance with W&IC section 11466.23 et.seq.

### AAP Monitoring Instrument

The AAP Title IV-E Eligibility Monitoring Instrument (the instrument) (Appendix I) focuses on questions regarding information in the AAP case files and the AAP eligibility case files. The instrument was developed in collaboration with the Administration for Children and Families Region IX Office. As AAP regulations change, the instrument will be modified to include the new provisions; questions will be added, changed or deleted in order to maintain accuracy in measuring AAP compliance with federal regulations. The latest version of the instrument may be obtained by contacting the Department at (916) 651-8089 or email [aapmonitor@dss.ca.gov](mailto:aapmonitor@dss.ca.gov).

State and federal laws and regulations direct that certain acts and processes be engaged to ensure AAP eligibility and benefits are accurately and fairly administered. Compliance is established by monitoring information recorded on the aforementioned forms for accuracy and completeness.

Examples of common non-compliance include: missing forms, incomplete or inaccurate forms, missing signatures on forms and use of outdated forms when newer forms were available.

### Case File Selection

Only AAP cases opened on or after October 2009 are subject to monitoring. All County Letter (ACL) 09-51 clarified federal Title IV-E AAP requirements to ensure California's compliance with federal law. The ACL also implemented substantial changes to the administration of AAP that affected laws, regulations and content of the forms used. The ACL was effective September 29, 2009.

From the most current list of AAP cases, to be provided by the RPA, the monitor will randomly select a list of active case files and oversample case files to be monitored. The list will be transmitted to the FRC and RPA either by facsimile or electronic mail (email) using secure zip.

### Sample Sizes

Counties with an AAP caseload of less than 500 will have 10 cases monitored; counties with an AAP caseload between 500 and 10,000 will have 20 cases monitored; and counties with an AAP caseload greater than 10,000 will have 40 cases monitored.

### Oversampling

Circumstances will arise when case files that have been selected for monitoring are not appropriate for inclusion in the sample being reviewed. The following are examples of situations where an oversample case file would be selected:

- The selected case file is a state or county funded case.
- The selected case file was closed after the random list was generated but prior to the on-site review.
- The selected case file was subpoenaed by and is in possession of the court.
- The selected case file has previously been monitored.

In the event a case file is removed from the sample, another case will be selected from the oversample list. An oversample size equal to 10 percent of the case files selected for monitoring will be utilized. For example, 40 cases selected for monitoring would require 4 additional cases to be selected as the oversample. Incomplete or inaccurate case files are not to be replaced under any circumstances. The 10 percent oversample shall be made available to the monitor and will be included and identified as such in the list of files selected to be monitored.

Cases selected for monitoring must be open cases. If a case selected for monitoring is to be excluded, the party will document the reason for excluding the case. The final determination for excluding a case file will be made by the AAP monitor or appointed Department AAP representative approximately 5-10 calendar days prior to the on-site monitoring.

### Electronic Files

If the FRC or RPA maintains paperless AAP case files in C-IV, CalWIN or CWS/CMS, they will need to make available a computer with print capability for the AAP monitor to use. Copies of relevant AAP forms must show that the forms have been signed by hand, as electronic signatures are not acceptable. It is expected that FRCs and RPAs storing files by such methods do so in accordance with relevant state and federal regulations regarding maintenance and storage of sensitive and confidential information.



## The 4-Step Review Process

### 1. Preparation Prior to Site Visit

#### Initial Contact

The AAP monitor will make the initial contact with the County Administrator's office to establish liaisons in the FRC and RPA. The AAP monitor will then collaborate with the liaisons at the FRC and RPA to determine dates for the on-site monitoring visit. The initial contact will be made by telephone or e-mail and will occur at least 30 calendar days prior to the scheduled monitoring and be followed up by a written Letter of Intent to Monitor AAP (Appendix II) from the AAP monitor confirming information discussed during the initial contact.

#### Selecting Case Files to be Monitored

The monitor will request a complete list of all active AAP cases opened after October 2009 from the RPA liaison. Cases will be randomly selected for monitoring from the list. The list of cases selected for monitoring will be sent by the monitor, either by electronic mail (email) using secure zip or facsimile, to the liaison at the RPA and FRC at least 15 calendar days prior to the scheduled monitoring. In the event it is deemed necessary to exclude a case file from monitoring, approximately 5-10 calendar days prior to the monitoring, the monitor will inform the RPA and FRC liaison(s) that a case(s) from the oversample will be used as a replacement.

#### On-site Monitoring Logistics

The AAP monitor(s) will work closely with the RPA and FRC liaison(s) to identify office space, copier access, file access including electronic files, and address any unique travel or accommodation situations. Logistical items such as location of facilities and emergency procedures should also be addressed.

#### Organizing Case File for Monitoring

Prior to the on-site monitoring, the RPA and FRC liaison(s) will assemble the selected case files. When possible, it is requested that the RPA and FRC liaison(s) provide the case files selected for monitoring in the same physical space.

In the event the county contracts with the Department as its RPA, upon approval of the county, the monitor will work directly with the state office to access AAP case files. When this occurs, it will still be necessary to schedule monitoring of the FRC Eligibility case files separately.
---

### 2. On-Site Monitoring Review

#### Entrance Meeting

The monitor will conduct an entrance meeting with appropriate county staff and the RPA and FRC liaison(s) to address the goals and objectives for that specific visit as well as fielding questions and concerns. In the event remote county staff, FRC or RPA representatives cannot attend in-person, the county should provide for teleconference

participation. The entrance meeting should occur as early as possible on the first day AAP monitors are on-site.

#### Case File Monitoring

When possible, it is requested the RPA and FRC liaison(s) provide the case files selected for monitoring in the same physical space. If this is not possible, it may be necessary to monitor in two or more locations. This should be addressed and clarified during the initial contact. It is desirable to have a liaison available for questions throughout the on-site monitoring visit.

#### Exit Meeting

At the conclusion of the on-site monitoring, the monitor will conduct an exit meeting. The purpose of the exit meeting is to discuss findings, concerns, and address any questions the county, RPA or FRC may have about their current processes and procedures as well as the monitoring experience.

During the exit meeting, the findings along with issues such as consistent themes, pervasive occurrences of conditions or anything the monitor deemed noteworthy may be discussed. Discussions of this nature are useful for providing the monitors with insight to the agency's processes and providing agency representatives with the preliminary results of the monitoring process.

The exit meeting is also an opportunity to thank the agency representatives and address any logistical recommendations related specifically to the site visit.

Note: In the event the county contracts with the Department as its RPA, upon approval of the county, the monitor will work directly with the state office to monitor AAP case files. When this occurs, it will still be necessary to monitor the FRC Eligibility case files separately.
---

### 3. Monitor Findings Report

#### Complete and Distribute the Findings Report

The findings report (Appendix III) addresses the outcome of the on-site monitoring. The county and its FRC and RPA will receive a findings report within 15 calendar days of the completed exit meeting. This report will identify the files monitored, provide an overview of the findings and, if errors are identified, a detailed list of the cases and their errors.

### 4. Development and Execution of a Corrective Action Plan

#### Receive and Review Corrective Action Plan

A Corrective Action Plan (CAP) [Appendix IV] is a document generated by the county in response to information provided in the findings report. The CAP must address steps to correct the errors found as well as steps to avert similar errors in the future. A CAP is due 30 calendar days following receipt of the findings report. A conference call may be scheduled by the AAP monitor to review the CAP, discuss content, address any

questions and identify opportunities for technical assistance. At a minimum the CAP should contain:

- A statement of the error(s)
- Cause(s) of the error(s)
- A description of the processes and/or procedures that will prevent similar errors in the future
- Implementation and timeframes for implementing the corrective actions
- A timeline for when compliance will be achieved
- A component to measure progress
- Evidence of resolution

Monitors will collaborate with the county and its RPA and FRC to resolve issues and reverse findings. The intent of monitoring is to ensure ongoing partnership with RPA and FRC staff and to ensure the state and the county remains in compliance according to federal and state laws and regulations. The CAP is deemed complete by the Department once all issues in the findings report have been satisfactorily addressed.

In the event the county contracts with the Department as its RPA, and a CAP is required, the county is responsible for submission of the CAP. However, upon approval of the county, the monitor can work directly with the state adoptions office to develop a CAP that may be forwarded to the county for its review and approval. When this occurs, if applicable, it will still be necessary for the county to complete a CAP for any errors identified in their FRC eligibility case files.

## Technical Assistance

Technical assistance aspect of AAP monitoring is available to counties, FRCs and RPAs upon request. The scope of technical assistance is broad and may address anything other than interpretation of policy or law. To request technical assistance, please visit the Department's AAP website at <http://www.childsworld.ca.gov/PG1303.htm> to access a list of counties with the name and contact information for the CDSS monitor assigned to each county. In addition, requests for technical assistance may be directed to the AAP monitoring unit at [aapmonitor@dss.ca.gov](mailto:aapmonitor@dss.ca.gov).

For assistance with AAP policy and/or law questions, please continue to contact the Department's AAP policy consultant at (916) 651-8089.

**APPENDICES**

Appendix I  
 AAP Title IV-E Eligibility Monitoring Instrument and Instructions

**Title IV-E AAP Eligibility  
 Monitoring Instrument and Instructions**

Error Case     Non-Error Case     Non-Federal Case

<p><b>1. AAP Case ID:</b> _____                  Record the case number the County uses as an identifier.</p> <p><b>2. Responsible Public Agency:</b> _____                  Record the county adoption agency or district office responsible for determining AAP eligibility.</p> <p><b>3. Financially Responsible County:</b> _____                  Record the county responsible for distribution of AAP funds.</p> <p><b>4. Review Date (MM/DD/YY):</b> ___/___/___                  Record the date the case is reviewed.</p> <p><b>5. Reviewed By:</b> _____                  Record the name of the individual reviewing the case.</p> <p><b>6. Child's Name:</b> _____                  Record the first and last name of the child whose case is being reviewed.</p> <p><b>7. Date of Initial AAP Agreement:</b> ___/___/___                  Form AD 4320</p> <p><b>8. Child's Date of Birth (MM/DD/YY):</b> ___/___/___                  Enter the month, date, and year of birth of the child whose case is reviewed.</p> <p><b>9. Date Child Turns 18 (MM/DD/YY):</b> ___/___/___    <b>NMD Turns 21</b> ___/___/___                  Enter the month, date, and year when child will turn 18 or if applicable, Non-Minor Dependent (NMD) will turn 21.</p> <p><b>10. Immigration Status:</b>    Citizen <input type="checkbox"/>    Qualified Alien <input type="checkbox"/>    N/A <input type="checkbox"/>                  Cases where initial agreement was signed before October 1, 2009, check N/A.</p>
--

<p><b>I: THREE PART SPECIAL NEEDS DETERMINATION</b></p> <p><i>The answers to all three questions 11, 12, and (13A or 13B) must be marked yes for child to be eligible for AAP.</i></p> <p><b>11. Was there a determination that the child could not or should not be returned to the home of his or her parent due to a petition or court order terminating parental rights, a signed relinquishment, or a Tribal Customary Adoption Order which has been given the full faith and credit by the Juvenile Court.</b>    Yes <input type="checkbox"/>    No <input type="checkbox"/>  <i>If NMD, check yes if court has dismissed the dependency or transitional jurisdiction subsequent to the approval of the adoption petition.</i></p> <p><i>On the AAP 4 Form, Section I, Question 1 must be completed.</i></p> <p><b>Comments:</b></p>  
---

REV. 12/13

Appendix I  
AAP Title IV-E Eligibility Monitoring Instrument and Instructions

<b>I. THREE PART SPECIAL NEEDS DETERMINATION</b> <i>continued</i>	
<b>12. Was adoptive placement without financial assistance unlikely due to one of the following?</b>	Yes <input type="checkbox"/> No <input type="checkbox"/>
<input type="checkbox"/> Membership in a sibling group that should remain intact. <input type="checkbox"/> Race, ethnicity, color or language. <b>Specify in comments.</b> <input type="checkbox"/> Age three years or older. <input type="checkbox"/> Child's mental, physical, emotional, medical or developmental disability. <b>Specify in comments.</b> <input type="checkbox"/> Parental background of a medical or behavioral nature that can be determined to adversely affect the development of the child. <b>Specify in comments.</b>	
<i>On the AAP 4 Form, Section I, Question 2 must be completed.</i>	
<b>Comments:</b>	

<b>13A. Was a search made for a family that does not need AAP benefits?</b>	Yes <input type="checkbox"/> No <input type="checkbox"/>
<b>13B. Was the search requirement waived as remaining in this home is in the child's best interest because of the existence of significant emotional ties with prospective adoptive parents while in the care of these persons as a foster child.</b>	Yes <input type="checkbox"/> No <input type="checkbox"/>
<i>On the AAP 4 Form, Section I, Question 3 must be completed.</i>	
<b>Comments:</b>	

<b>II. PATHWAYS TO ELIGIBILITY</b>	
<ul style="list-style-type: none"> <li>• <b>Questions 14A &amp; 14B Apply to AAP Determinations made POST October 1, 2009.</b> Both question 14A &amp; B must be checked yes, with at least one "sub-box" checked in 14A &amp; B to determine Title IV-E eligibility, <b>OR</b></li> <li>• Question 15 at least one "sub-box" must be checked yes to determine Title IV-E eligibility</li> <li>• AAP 4 Form, Section III A or B must be completed verifying Title IV-E eligibility determination.</li> </ul>	
<b>14A. Child meets one of the definitions of "applicable child" below?</b>	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
<input type="checkbox"/> Child meets the applicable age requirement any time before <i>the end of the FFY. The FFY runs from October 1 through September 30.</i> Child's Age is _____ in FFY _____. <input type="checkbox"/> Child has been in foster care for at least 60 consecutive months. <input type="checkbox"/> Child is a sibling of an "applicable child" and is placed in the same prospective adoptive home.	

Appendix I  
AAP Title IV-E Eligibility Monitoring Instrument and Instructions

<b>II. PATHWAYS TO ELIGIBILITY <i>continued</i></b>
<b>Comments:</b>

<b>14B. Child meets one of the four “Applicable Child” paths to eligibility below?    Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/></b>
<input type="checkbox"/> Child is in care of a public or private child placement agency or tribal organization and is subject to either an involuntary removal from the home by court order and continuation in the home would be contrary to the welfare of the child or a voluntary agreement or voluntary relinquishment.
<input type="checkbox"/> Child has met all requirements for SSI Benefits.
<input type="checkbox"/> Child was residing in a foster family home or child care institution with the child’s minor parent.
<input type="checkbox"/> Child received AAP with respect to a prior adoption that was dissolved or ended due to the death of an adoptive parent(s)?
<b>Comments:</b>

<b>15. Child meets one of the following Title IV-E Requirements    Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/></b>
<ul style="list-style-type: none"> <li>• <i>If Child is not an “Applicable Child” as indicated above in 14A &amp; 14B, then at least one box in 15 must be checked.</i></li> </ul>
<input type="checkbox"/> Child was eligible for SSI benefits, determined by the Social Security Administration prior to the finalization of the adoption.
<input type="checkbox"/> Child was eligible for Aid to Families with Dependent Children (pursuant to California’s Title IV-A plan as in effect on July 16, 1996).
<input type="checkbox"/> Child was a child of a minor parent who received a Title IV-E foster care maintenance payment.
<input type="checkbox"/> Child is eligible for Title IV-E AAP benefits due to previous adoption being dissolved or ended due to the death of adoptive parent(s)? Requires documentation of AAP benefits in a previous adoption.
<input type="checkbox"/> Child is an Indian child and the subject of a tribal customary adoption order.
<b>Comments:</b>

Appendix I

AAP Title IV-E Eligibility Monitoring Instrument and Instructions

<b>III. NONRECURRING ADOPTION EXPENSES</b>	
<p><b>16. Adoptive parents may be reimbursed for nonrecurring adoption expenses of up to \$400 per child pursuant to Welfare and Institution Code (W&amp;IC) Section 16120.1. To be eligible the adoptive child must meet the three part special needs determination and be a United States citizen or qualified alien pursuant to W&amp;IC 16120 (a) through (l) and (I).</b></p>	
<p><b>Documentation of payment authorization?</b></p> <ul style="list-style-type: none"> <li>• AAP 8 Form</li> <li>• Agreement or letter directing the county to pay the Non-Recurring expenses</li> <li>• Check N/A if family declined to request.</li> </ul>	<p>Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/></p>
<p><b>Comments:</b></p>	

<b>IV. FORM AAP 4 SIGNATURES</b>	
<p><b>17. Authorized officials from both the responsible public agency and the county welfare department signed the AAP 4?</b></p>	
	<p>Yes <input type="checkbox"/> No <input type="checkbox"/></p>
<p><b>Comments:</b></p>	

<b>V. AAP BENEFIT RATE DETERMINATION</b>	
<p><b>18. AAP benefit rate determination.</b></p> <ul style="list-style-type: none"> <li>• Check rate criteria on left and whether CNI increase was applied for each year on the right.</li> </ul>	
<p><b>Rate Criteria</b></p> <p><input type="checkbox"/> Basic Rate</p> <p><input type="checkbox"/> Basic Rate plus SCI</p> <p><input type="checkbox"/> Dual Agency</p> <p><input type="checkbox"/> Dual Agency plus Supplemental Rate</p> <p><input type="checkbox"/> RCL</p> <p><input type="checkbox"/> Wrap Around</p> <p><input type="checkbox"/> Other _____</p>	<p><b>CNI Increases</b></p> <p><input type="checkbox"/> 2011</p> <p><input type="checkbox"/> 2012</p> <p><input type="checkbox"/> 2013</p> <p><input type="checkbox"/> 2014</p> <p><input type="checkbox"/> 2015</p>

<b>VI. OVERALL COMMENTS/CONCERNS</b>



Appendix II  
Sample Letter of Intent to Monitor AAP



STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY  
**DEPARTMENT OF SOCIAL SERVICES**  
Adoptions Services Bureau  
744 P Street, MS 8-12-31, Sacramento, California 95814  
(916) 651-8089 Fax (916) 651-8143



[Date of Letter]  
[Director's Name or CDSS Manager], Director  
[Director's Address]

Review Date: Month DD, YYYY

Dear [Director's Name]:

This letter is a follow-up to our conversation dated [month dd, yyyy]. In that conversation we agreed to conduct on-site monitoring of Adoption Assistance Program (AAP) case files [insert dates here]. As indicated, a list of case files identified for review will be transmitted to you via [fax or secure zip email] please be sure to acknowledge receipt of this list.

The AAP is monitored to ensure proper administration of the program in compliance with the below listed laws and regulations. Monitoring may include interviews, document review and verification that AAP determinations and payments are made in accordance with federal and state laws and regulations contained in but not limited to the following:

- Title 42 U.S.C. Chapter 7 Subchapter IV Part E §471, 472, 473 and 475.
- California Welfare & Institution Code §16115 through 16125.
- C.C.R. Title 22 Division 2 Chapter 3 Subchapter 7 §35325 through 35352.2
- Eligibility and Assistance Standards Manual Letter NO. EAS-11-02 § 45-800 through 45-808

The following is a list of documents that we review during the monitoring process as well as additional documentation as case circumstances warranted:

- Eligibility Certification Adoption Assistance Program (AAP 4),
- Federal Eligibility Certification For Adoption Assistance Program (FC 8),
- Adoption Assistance Program Negotiated Benefit Amount And Approval (AAP 6),
- Adoptions Assistance Program Agreement (AD 4320),
- Payment Instructions Adoption Assistance Program (AAP 2),
- Adoption Assistance Program Non Recurring Adoption Expenses Agreement (AAP 8)
- Notice Of Action (NOA)

[County Name] County AAP cases are administered through the [Name] State Regional/Field Office **(if applicable)** while distribution of payments is managed at the welfare office located in [City], [County Name] County. We will collaborate with liaisons at both, your adoption agency/responsible public agency and welfare office to identify cases selected for monitoring as well as the planned location of the monitoring.

We appreciate your cooperation in this matter and look forward to working with [county name] County in the future. Please feel free to contact me at [insert contact information] with any questions or concerns you may have.  
Sincerely,

[Monitor's Name]  
Adoptions Assistance Program Monitor  
Phone: (916) 651-8089  
FAX: (916) 651-8143  
[aapmonitor@dss.ca.gov](mailto:aapmonitor@dss.ca.gov)

Appendix III
Sample AAP Monitor Findings Report



STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES
Adoptions Services Bureau
744 P Street, MS 8-12-31, Sacramento, California 95814
(916) 651-8089 Fax (916) 651-8143



EDMUND G. BROWN JR.
GOVERNOR

AAP Monitor Findings Report

[Date of Letter]

[Director's Name], Director
[Director's Address]

Dear [Director's Name]:

The California Department of Social Services (CDSS), Adoptions Services Bureau (ASB) conducted Adoption Assistance Program (AAP) monitoring of [insert county name] County, [insert date or date range]. This monitoring was performed to determine the county's compliance with federal Title IV-E and state AAP requirements.

The AAP case file monitoring included an assessment of all available supporting documentation to verify Title IV-E AAP eligibility determinations were made in accordance with federal requirements and related payments were correct. The county of [insert county name] is responsible for the administration of AAP per Social Security Act, Title IV-E, Sections 471, 472, 473 and 475; Welfare and Institutions Code Sections 16115 through 16125; and Title 22 CCR Sections 35325 through 35352.1. The following AAP documents were also reviewed: Eligibility Certification Adoption Assistance Program (AAP 4); Federal Eligibility Certification for Adoption Assistance Program (FC 8); Nonrecurring Adoption Expenses Agreement and/or documentation for payment; Payment Instructions (AAP 2); and related AAP documentation.

A total of [insert number of cases] AAP case files were monitored and [insert number of cases] case files were found to be out of compliance with federal policy and/or California's AAP statutes and regulations. The following is a list of the non-compliance conditions found in the files.

Table with 2 columns: Case #, Non-Compliant Condition. Includes a placeholder row: [insert rows as necessary]

The CDSS is requesting that the county develop policy and procedures and/or change the current policy and procedures to ensure the administration of AAP is in accordance with federal and state laws and regulations. The county will have 30 days from the date of this letter to develop and submit a Corrective Action Plan (CAP) to the AAP monitoring unit. The CAP should address all non-compliance items listed above. The CAP should be forwarded to the monitor assigned to your county, [insert monitor name], email address aapmonitor@dss.ca.gov.

The monitoring staff wishes to express their appreciation for the cooperation received from your county liaison during the process. If you or your staff have any questions or comments about this letter, or if you would like to assistance in any area, including the development of your CAP, please contact the AAP Monitoring unit at 916-651-8089.

Sincerely,

Richard W. Smith, MSW, Chief
Adoptions Services Bureau

Attachment [if necessary]

Appendix IV  
Sample Corrective Action Plan

Corrective Action Plan  
for  
Click here to enter text.

Click here to enter a date.

California Department of Social Services  
Adoption Services Bureau  
Adoption Assistance Program Monitor  
744 P Street MS 8-12-31  
Sacramento, CA 95814

Click here to enter text.  
Click here to enter text.  
Click here to enter text.

Re: Monitor Findings Report dated Click here to enter a date.:

The following constitutes Click here to enter text. Corrective Action Plan (CAP) addressing errors identified in the Adoptions Assistance Program Monitor Findings Report.

Click here to enter text.

Click here to enter text.

Table of Items Being Addressed:

Case Name or Number	Identified Error	Corrective Action	Name of Person Taking Corrective Action	Date Corrective Action Taken