

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814



August 8, 1991

ALL COUNTY INFORMATION NOTICE NO. I-65-91

TO: ALL COUNTY WELFARE DIRECTORS
PROBATION DEPARTMENTS

SUBJECT: SUPPLEMENTAL SECURITY INCOME AND STATE SUPPLEMENTARY
PROGRAM AND THE AID TO FAMILIES WITH DEPENDENT
CHILDREN-FOSTER CARE PROGRAM

The purpose of this notice is to clarify application of Aid to Families With Dependent Children-Foster Care (AFDC-FC) regulations when establishing eligibility for a child who is eligible for, or receiving, Supplemental Security Income and State Supplementary Program (SSI/SSP). We have had a number of County Welfare Departments (CWD) inquire and request clarification on whether they were required to apply for and/or accept SSI/SSP for children in out of home placement.

Briefly, SSI/SSP, is a Federal Program administered by the Social Security Administration for persons who are aged, blind or disabled and have little or no income and/or resources. Benefit payments vary with the types of living arrangement. Children may be eligible if blind or disabled.

Pursuant to Eligibility and Assistance Standards (EAS) 45-302.11, supplementation of SSI/SSP with nonfederal AFDC-FC is allowed when the following conditions are met:

1. The child meets all general and State AFDC-FC eligibility requirements.
2. The cost of foster care placement exceeds the amount of the SSI/SSP benefit level.

Supplementation with State AFDC-FC funds is ONLY allowed if the child is eligible for the State AFDC-FC Program.

If a child has been determined eligible for the Federal AFDC-FC Program, the County may NOT apply for and receive SSI/SSP, and use State or Federal AFDC-FC to make up the difference in placement cost

EAS 40-109.2 states that a person or his/her representative who believes the applicant meets the eligibility requirements for more than one category of aid has the right to choose the type of aid he/she will apply for. Since AFDC-FC and SSI/SSP are both aid programs, the County representative can choose the program that best meets the needs of the foster child.

When a child is eligible for the Federal AFDC-FC Program, a CWD has the option of selecting which program (SSI/SSP or Federal AFDC-FC) to apply for on behalf of the child. Therefore, CWD's who have care, custody and control of children in out-of-home care placement should decide which aid category is in the best interest of the child. When the monthly cost of placing a child in a given facility exceeds the SSI/SSP payment, the difference between the SSI/SSP payment and the actual costs of providing for the child would be paid by County funds. If the CWD decides to pursue Federal AFDC-FC funds instead of SSI/SSP, the SSI/SSP payment must be discontinued.

Counties are encouraged to review the circumstances in each case to determine which option to pursue to ensure that County, State, and Federal funds are expended in the most cost beneficial manner.

If you have any questions or need further information regarding this issue, please contact the Foster Care Program Bureau at (916) 445-0813.



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