

E R R A T A

August 6, 1997

ALL COUNTY INFORMATION NOTICE NO. I-49-97

TO: ALL COUNTY WELFARE DIRECTORS
ALL COUNTY CHILD WELFARE SERVICES
PROGRAM MANAGERS
ALL COUNTY AFDC PROGRAM SPECIALISTS

SUBJECT: MINOR PARENT SERVICES (TEEN PREGNANCY DISINCENTIVE)

REFERENCE: ACL 97-26, ACL 97-18, ACL 97-17, ACIN I-57-96, ACL 96-65,
ASSEMBLY BILL (AB) 908, CHAPTER 307, STATUTES OF 1995

The All County Information Notice referenced above was inadvertently sent out without a number. The number I-49-97 has been added to this errata please make the addition to your letter. WE are sorry for any inconvenience this may have caused.

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814



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REASON FOR THIS TRANSMITTAL

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

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The purpose of this transmittal is to provide County Welfare Departments with the attached list of questions and answers pertaining to Minor Parent Services (MPS) regulations in the Child Welfare Services program (CWS). These regulations became effective May 1, 1997. Attached are responses to questions asked by counties regarding the implementation of the MPS regulations.

If you have any additional questions regarding the effect of the new MPS (teen pregnancy disincentive) requirement on the CWS program, please contact Deborah Wender at (916) 445-5829.

Sincerely,

MARJORIE KELLY
Deputy Director
Children and Family Services Division

Attachment

CHILD WELFARE SERVICES - MINOR PARENT SERVICES
(TEEN PREGNANCY DISINCENTIVE)
QUESTIONS AND ANSWERS

MINOR PARENT SERVICES

1. Are the MPS mandatory or voluntary?

The MPS are not a condition of AFDC eligibility. County Welfare Departments are required to offer MPS, however, if the Minor Parent (MP) refuses the services, there is no requirement that he/she accepts them. We do assume that the MPS worker will make significant efforts to gain an MP's cooperation.

2. Are all children of the MP provided services under MPS?

MPS will be provided to the MP and any children living with the MP. The type of services and frequency of services provided will be determined by the safety plan developed by the CWS social worker based on family needs.

3. If an MP's aid is discontinued, and his/her AFDC case is closed, will MPS be allowed to continue until he/she reaches the age of 18 years? (Often an MP has his/her cash aid discontinued because of failure to submit a CA 7, and aid will be restored the following month). If he/she reapplies for AFDC will he/she be subjected to the CPS assessment process each time in order to re-establish his/her AFDC case?

The MPS services have to be terminated only when the MP turns the age of 18 years. There is no reason to discontinue services when an MP temporarily has his/her aid discontinued. If an MP reapplies for AFDC, a CPS assessment will not be required in most cases. If the MP's AFDC case was discontinued because the exemption he/she claimed was not correct, then the MP can reapply based on a different exemption condition. For example: The MP claimed his/her parents won't allow him/her to return home, and the senior parents actually will, then the MP's AFDC is discontinued or denied. If the MP reapplies alleging risk of abuse if he/she returns home, a CPS in-person investigation must be conducted to investigate the allegation. However, in most cases, once an MP meets an exemption and is granted aid, he/she may continue to receive MPS continuously until he/she reaches the age of 18 years.

4. Can an MP minor parent sign a CWS voluntary agreement?

Yes.

5. **Can a CWS voluntary case be carried for over 12 months (i.e., until the minor turns 18 years old)? If so, how do we differentiate these cases from other voluntary cases that are limited to 12 months?**

Yes, provided the case meets the criteria established by Welfare and Institutions Code Section 16506(d). The CDSS is working on a method of tracking MP's receiving MPS.

6. **Does CWS have to keep an open case and prepare periodic reports?**

If a county chooses to contract for MPS, then there is no requirement to maintain an open case or prepare periodic reports. If a county chooses to provide MPS by CWS staff, then there will be an open MPS case, which will be handled in a similar manner to a voluntary Family Maintenance (FM) case.

7. **Can MPS funds be used to provide case management services? If not, how will the person who provides for the coordination of in-home services be paid?**

Yes. The \$200 per month per MP family will cover administrative costs, the MPS worker's salary, and services. It is assumed that the MPS worker who is providing in-home services will also be the case manager.

8. **How are MPS cases counted? Does one child constitute one case?**

Each MP family is one case, regardless of the number of children the MP has. Counties will be paid \$200 per month per MP family for a maximum of \$2,400 a year per MP family case. The *California Safe and Healthy Families (Cal-SAHF): Family Support Home Visiting Model* recommends a caseload of no more than 25 families per home visitor. Counties are responsible for negotiating appropriate caseload numbers.

9. **If a county files a petition on an MP's baby, can the MP sign the case plan and be held responsible for cooperating with the terms of the plan?**

Yes.

INVESTIGATIONS

10. **When an MP alleges risk of abuse or neglect if he/she were to return to his/her senior parents' or legal guardian's home, and the CPS social worker determines the home is safe, can the MP receive MPS if she returns to her senior parents' or legal guardian's home?**

No. Only MPs who meet an AFDC MP exemption and are allowed to live independently and receive cash aid are referred to CWS for MPS. If the senior parent's or legal guardian's home is determined safe and the MP is required to return to their home, the MP will not receive MPS. If the MP refuses to return home, the MP will not receive cash aid or MPS. Nothing in AB 908 precludes the provision of Voluntary Family Maintenance (VFM) services (up to twelve

months in duration) for MP's who return home. The VFM services should be considered when appropriate.

- 11. When the MP's parents live out of county, but the MP claims to live in the county of application, which county will be responsible for the health and safety issue? What if the teen's parents live out of state?**

In situations where MP's allege abuse or neglect by senior parents who reside in other counties or states, investigations may require the assistance of CWS agencies or law enforcement agencies in those counties or states. Investigative procedures for these cases will not differ significantly from other cases involving minors who allege abuse or neglect by parents residing in other jurisdictions. (Please refer to the implementation guide included in All County Letter (ACL) 97-26.)

- 12. When the MP's parent is willing to permit the MP to live at home, but the MP refuses and states he/she will run away or harm him/herself if forced to live with the parent, does the MP's threat of self harm constitute sufficient risk to meet an exemption from living with the parent?**

No. He/she would not meet an exemption. If the MP refuses to return home, he/she is not eligible to receive AFDC. If the MP's threat of self harm puts his/her child(ren) in imminent risk, the eligibility worker should immediately make a report to CPS for an emergency response and/or contact law enforcement.

- 13. Are the assessments to determine safety and the ability of the MP to live independently considered a function of CWS or a part of MPS? Who is responsible for determining the ability of the MP to live independently?**

The assessments to determine safety and the MP's ability to live independently must be conducted by the CWS social worker prior to the provision of MPS. The CWS social worker must determine those unique situations where the MP is capable of living independently without adult supervision.

- 14. By what authority can the in-person assessments to determine if the MP is capable of living independently be completed? Who has the legal authority to conduct these assessments?**

Welfare and Institutions Code (WIC) Section 11254 (b) (3) provides the legal authority for CWS to investigate and provide appropriate services to maximize the safety and protection of children related to any referral, including a referral for MPS. CWS social workers have the legal authority to conduct an assessment to determine if an MP can live independently.

15. What is the definition of a safety plan?

The safety plan is developed by the CWS social worker after determining if the MP is capable of living independently. The safety plan identifies those factors which are related to the safety of the MP's child(ren) and identifies services necessary to remove dangers. The safety plan must also identify the individuals and agencies that will provide services and support to the MP family *and requires these service providers to contact CWS in the event that the MP's child(ren) is at risk of abuse or neglect.* The safety plan must specify the number and frequency of in-home visits required, as well as any specific services the CWS social worker determines the MP family requires to maintain the safety of the MP's child(ren).

16. If the MP moves, does the home have to be reassessed each time? Is a reassessment needed when people move in or out of the MP's home?

There is no requirement that CWS reassess the home if the MP moves in or out of the home. However, since the contracted service provider is a mandated reporter and will be visiting the MP family's home, that person (and any other mandated reporter identified in the family's safety plan) is required to report to CPS if, at any time, the MP's living situation places the child(ren) at risk.

17. Does CWS reassess the senior parent's home at any point?

No. There is no requirement to reassess the senior parents' home if the MP is living independently, unless the MPS worker (who is a mandated reporter) or another source indicates that the MP's home is not a safe environment for the MP's child(ren). At that point, the CPS social worker may wish to reassess the senior parent's home as an alternative living situation for the MP.

18. What is the protocol for determining what constitutes a hazard to MPS and/or their children?

CDSS has provided guidelines for CWS social workers to use in assessing an MP's ability to live independently in ACL 97-26. A pilot training on assessing MP's was provided to counties at four sites in April. Future training on assessing MP's will also be provided to counties. However, CPS workers are trained and experienced in assessing situations to determine potential risk to children and can use those same skills and abilities with this population.

19. What happens if the MP refuses to cooperate with the CWS social worker when the social worker is attempting to complete an assessment to determine if the MP can live independently?

It is assumed that the CWS social worker will make every effort to gain the MP's cooperation. Since most of these MPs will also be required to participate in Cal-Learn, one county has suggested that the Cal-Learn case manager and the CWS social worker go to the MP's home

together to meet with the MP and his/her child(ren) to do the assessment. Another county has recommended that during Cal-Learn orientations the MP's be informed of the pending investigation by the CWS social worker by presenting it in a positive light to alleviate any fears. However, if the MP's failure to cooperate prohibits the CWS social worker from making a determination that the MP can live independently, then CPS must take the appropriate action necessary to ensure the health and safety of the MP and his/her child(ren).

- 20. Under what circumstances will CWS be required to file a Juvenile Court petition? What about the MP who meets the exemption from living with a parent due to parental abuse, yet is also deemed unable to live independently? If we do file a petition, are we then required to provide Family Reunification services to the senior parent? Isn't this creating a new category of dependent?**

A Juvenile Court petition would be filed when an MP who meets any of the exemptions is determined by a social worker as unable to live independently and voluntary FM is not appropriate for the MP family. If a petition is filed, the senior parent may be provided FM or Family Reunification services as appropriate. AB 908 does not create a new category of dependency; currently, any minor who is left without any provision for support fits the definition of dependency as noted in WIC 300(g).

FISCAL

- 21. Can administrative costs be deducted from the \$200 per case month for MPS?**

Yes.

- 22. Can the CWS's initial investigation of the minor parent be charged as a CWS cost to the CWS allocation?**

When CWS responds to a referral from AFDC based on a minor parent stating that he/she cannot return home because of risk of abuse or neglect, the CWS investigation will be charged as a CWS cost. An assessment conducted by a CWS social worker to determine if a minor parent is capable of living independently will also be charged as a CWS cost. These costs are independent of the \$2,400 per case per year for MPS.