



CDSS

WILL LIGHTBOURNE  
DIRECTOR

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

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EDMUND G. BROWN JR.  
GOVERNOR

December 7, 2011

ERRATA

ALL COUNTY LETTER NO. 11-63E

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 CHIEF PROBATION OFFICERS  
 ALL LOCAL MENTAL HEALTH DIRECTORS  
 ALL COUNTY ADOPTION AGENCIES  
 ALL ADOPTION DISTRICT OFFICES  
 ALL GROUP HOME PROVIDERS  
 ALL FOSTER FAMILY AGENCIES KARUK TRIBE

SUBJECT: ASSEMBLY BILL 106, CHAPTER 32, STATUTES OF 2011

REFERENCE: ALL COUNTY LETTER (ACL) NO. 11-63

This errata is to correct the court case reference in ACL No. 11-63, dated September 20, 2011. In addition, this errata clarifies the applicable rate for non-related legal guardianship cases in which guardianship was established prior to May 1, 2011 and adds a Schedule C and a Schedule D for those counties where the basic rate was higher than the standardized schedule of rates in effect prior to May 1, 2011.

The ACL No. 11-63 incorrectly cited the court case as *California Alliance of Child and Family Services v. Cliff Allenby, et.al. (Allenby)*, 589 F.3d 1017 (9th Cir. 2009). The correct citation is the *California State Foster Parent Association v. William Lightbourne*, 2011 U.S. Dist. LEXIS 57483 (N.D. Cal May 27, 2011).

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Additionally, in ACL No. 11-63, page two, under the heading Non-Related Legal Guardian (NRLG), the following paragraph was inadvertently omitted for cases for which guardianship was established for nondependent non-related legal guardians prior to May 1, 2011:

Effective July 1, 2011, the NRLG benefit payments identified in Schedule A increased by 1.92 percent to reflect the Fiscal Year 2011-12 California Necessities Index. (Schedule A-1 attached.)

In addition, two schedules (Schedule C and Schedule D) have been added for those counties that had Foster Family Home basic rates in effect May 1, 2011, that were higher than the standardized schedule of rates reflected in Schedule A. There are four counties that historically have rates in excess of the rates reflected in Schedule A: Los Angeles, Orange, Santa Clara and Marin. According to Welfare and Institutions Code section 11461(d)(2)(A), counties that have rates higher than the state set basic rates shall receive one-half of the percentage adjustments until the county's adjusted rates and the state's basic rates are equivalent.

Schedule C reflects the basic rates for counties with a basic rate higher than the standardized schedule of rates in effect prior to May 1, 2011, for Los Angeles, Orange, and Santa Clara Counties. The Schedule C also reflects those rates with an additional 0.96 percent cost-of-living increase for rate payments to state and federal Kinship Guardianship Assistance Payment (Kin-GAP) and NRLG effective July 1, 2011.

Schedule D reflects the basic rates for Marin County whose rate structure was not only above the standardized schedule of basic rates, but also identified a different age application for those rates in effect prior to May 1, 2011. Schedule D also reflects those rates with an additional 0.96 percent cost-of-living increase for rate payments to state and federal Kin-GAP and NRLG effective July 1, 2011.

Any questions regarding rates can be directed to the Foster Care Rates Bureau consultant at (916) 651-9152.

Sincerely,

Original Document Signed By:

GREGORY E. ROSE  
Deputy Director  
Children and Family Services Division

Attachment

**Attachment**

**Schedule A - The FFH basic rate in effect prior to May 1, 2011. (Applies to state and federal Kin-GAP and NRLG.)**

Age	Age 0-4	Age 5-8	Age 9-11	Age 12-14	Age 15-19
Rate	\$446	\$485	\$519	\$573	\$627

**Schedule A-1 - The FFH basic rate in effect prior to May 1, 2011, with a 1.92% cost-of-living increase effective July 1, 2011. (Applies to state and federal Kin-GAP and NRLG.)**

Age	Age 0-4	Age 5-8	Age 9-11	Age 12-14	Age 15-19
Rate 7/1/11- 6/30/12	\$455	\$494	\$529	\$584	\$639

**Schedule B - The new FFH basic rate in effect as of May 1, 2011. (Applies to licensed or approved family homes, approved home of a relative or the approved home of a non-relative extended family member, state and federal Kin-GAP, tribal specific homes, NRLG.)**

Age	Age 0-4	Age 5-8	Age 9-11	Age 12-14	Age 15-19
Rate 5/1/11- 6/30/11	\$609	\$660	\$695	\$727	\$761

**Schedule B-1 - The new FFH basic rate in effect as of May 1, 2011, with a 1.92 percent cost-of-living increase effective July 1, 2011. (Applies to licensed or approved family homes, approved home of a relative or the approved home of a non-relative extended family member, state and federal Kin-GAP, tribal specific homes, and NRLG; and on and after January 1, 2012, a supervised independent living placement.)**

Age	Age 0-4	Age 5-8	Age 9-11	Age 12-14	Age 15-19
Rate 7/1/11- 6/30/12	\$621	\$673	\$708	\$741	\$776

Attachment

**Schedule C - The FFH basic rates for counties with a basic rate higher than the rates reflected in Schedule A in effect prior to May 1, 2011, with a 0.96% cost-of-living increase effective July 1, 2011. (Applies to state and federal Kin-GAP and NRLG.) For rates prior to July 1, 2011, refer to ACL 09-45.**

Counties	Age 0-4	Age 5-8	Age 9-11	Age 12-14	Age 15-19
Los Angeles	\$455	\$494	\$530	\$584	\$639
Orange	\$455	\$494	\$529	\$665	\$665
Santa Clara	\$455	\$494	\$530	\$584	\$639

**Schedule D - The FFH basic rates for Marin County which has a basic rate higher than the rates reflected in Schedule A in effect prior to May 1, 2011, with a 0.96% cost-of-living increase effective July 1, 2011. (Applies to state and federal Kin-GAP and NRLG.) For rates prior to July 1, 2011, refer to ACL 09-45.**

**Marin County**

Age	Age 0-4	Age 5-6	Age 7-12	Age 13-19
Rate 7/1/11-6/30/12	\$461	\$494	\$563	\$641