



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 3, 2012

ALL COUNTY LETTER NO. 12-64

TO: ALL COUNTY WELFARE DIRECTORS
ALL COUNTY PROBATION OFFICERS
ALL COUNTY FISCAL OFFICERS
ALL TITLE IV-E TRIBES
ALL FOSTER CARE MANAGERS
ALL INDEPENDENT LIVING PROGRAM COORDINATORS
ALL CHILD WELFARE SERVICES PROGRAM MANAGERS
ALL ADMINISTRATIVE LAW JUDGES
ALL COUNTY CONSORTIUM PROJECT MANAGERS

SUBJECT: CHANGES TO TITLE IV-E CLAIMING FOR NON-RELATIVE
EXTENDED FAMILY MEMBERS

REFERENCE: ACL NO. 07-14; ACL NO. 07-14E

This ACL supersedes the information contained in ACL No. 07-14E specific to the claiming of administrative costs for non-relative extended family members (NREFMs); to the extent it is inconsistent with them.

The ACL No. 07-14E, stated that the Administration of Children and Families, Region IX, would allow up to four months of federal financial participation for administrative costs for an otherwise Title IV-E eligible child placed in foster care with a relative for whom approval is pending. The instructions go on to say that “[a]lthough administrative costs may be claimed during this four month period, counties are reminded they are not to claim placement costs for Title IV-E reimbursement unless all relative approval requirements have been met pursuant to ACL’s No. 02-78 and 04 02. This four-month time frame is only applicable to relatives/nonrelative extended family members (NREFM) for whom approval was pending on or after February 8, 2006.”

Region IX recently provided the California Department of Social Services (CDSS) with clarification in a letter dated May 21, 2012, regarding the administrative claiming for

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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NREFMs. It is not permissible for the state to claim any costs (administrative, maintenance, etc.) associated with otherwise eligible children who are placed in foster care with a NREFM whose home is pending licensure or approval. Claiming such costs, pending approval, is limited to relatives as defined by Section 406(a) of the Social Security Act in effect on July 16, 1996, and implemented in 45 Code of Federal Regulations 233.90(v), and is clarified in the Child Welfare Policy Manual section 8.1B Q&A 11. Once the NREFM is approved, claiming of IVE administrative and maintenance costs may begin provided all other eligibility conditions are met.

Note that, if approval activities are done during the same month the NREFM's home is approved; administrative costs for that particular month can be claimed. Accordingly, counties must cease claiming costs for otherwise eligible children placed in the home of a NREFM, while the home is pending approval, effective July 1, 2012. Further information can be found at:

http://www.acf.hhs.gov/cwpm/programs/cb/laws_policies/laws/cwpm/policy_dsp.jsp?cid=D=36#794.

The claiming instructions for a NREFM, whose home is pending approval, are detailed in CFL 12-13-17.

If you have any program eligibility questions related to this ACL, please contact your Funding and Eligibility County Consultant at (916) 651-9152. Questions regarding fiscal claiming and reporting should be directed to fiscal.systems@dss.ca.gov.

Sincerely,

Original Document Signed By:

GREGORY E. ROSE
Deputy Director
Children and Family Services Division