

## UPDATED INFORMATIVE DIGEST

Current law allows dependent children placed with relatives not eligible to receive federal or state foster care payments but still eligible for foster care services, to qualify for California Work Opportunity and Responsibility to Kids (CalWORKs) benefits until age 18. Benefits continue if the child is enrolled full time in high school or in a vocational or technical training program and will graduate before reaching age 19.

Assembly Bill (AB) 12 (Chapter 559, Statutes of 2010), Sections 33, 33.5, 38, 47 and 52, established a new category of non-minor dependents (NMDs) eligible to receive extended CalWORKs benefits. A NMD is defined as a current dependent child or ward of the juvenile court who is 18, but less than 21 years of age; is in foster care under the responsibility of the County Welfare Department or County Probation Department; and is participating in a Transitional Independent Living Case Plan.

The NMDs are required to meet one of five conditions (described below) and retain court jurisdiction in order to remain eligible. The NMDs are not subject to CalWORKs program rules or reporting requirements. They constitute their own assistance unit (AU) of one and receive a CalWORKs payment equal to the non-exempt maximum aid payment for an AU of one.

The NMDs living with a caretaker relative are eligible to receive extended CalWORKs cash aid provided that he or she meets one of the following:

- Enrolled in and working towards completing high school or an equivalency program,
- Enrolled at least half-time in post-secondary or vocational school or enrolling for the next available term,
- Participating in a program or activity that promotes or removes barriers to employment,
- Employed at least 80 hours per month, or
- Is incapable of enrollment or participation in school or employment due to a documented medical (physical, mental or emotional) condition.

The maximum age for extended benefits will be phased in over a three-year period. Effective January 1, 2012, NMDs are eligible for payments up to 19 years of age. Effective January 1, 2013, the age limit is extended up to 20 years of age. Effective January 1, 2014, the age limit is extended up to 21 years of age.

These proposed regulations amend the California Department of Social Services (CDSS) Manual of Policies and Procedures to implement the extension of CalWORKs benefits to NMDs. In addition, the QR 2103 (11/11) – Reminder For Teens Turning 18 Years Old has been updated and two new forms, SOC 161 (9/11) – Six Month Certification of Extended Foster Care Participation and SOC 162 (10/11) – Mutual Agreement for Extended Foster Care, have been developed. Youth who are unable to give consent due to a medical (physical, mental or emotional) condition are exempt from signing the SOC 162.

The CDSS anticipates that these proposed regulations will benefit CalWORKs participants by allowing them to receive benefits beyond age 18, thus easing the transition to adulthood while improving their well-being and outcomes. The Legislature recognizes that 18 is too young for most youth to be without support and allows eligible youth to remain in extended foster care, providing the time they need to transition to adulthood. Extended benefits will allow youth to pursue their educational and employment goals thus decreasing their reliance on public assistance in the future. Youth will be provided with a safety net as they gain real life experience with independence and learn from their mistakes.

The CDSS finds that these proposed regulations are compatible and consistent with the intent of the Legislature in adopting AB 12, as well as with existing state regulations.

These regulations were considered at the public hearing held on July 10, 2013, in Sacramento, California. In response to further internal CDSS consideration, the regulations were amended to:

- Clarify that NMDs are not precluded from receiving both Supplemental Security Income/State Supplementary Payment and extended CalWORKs at the same time.
- Exclude a child from the assistance unit when the child is living with a NMD parent receiving Aid to Families with Dependent Children-Foster Care (AFDC-FC).
- Expand the county-initiated mid-period changes under Semi-Annual Reporting (SAR) by allowing the transference of a NMD from his/her caretaker relative's assistance unit into his/her own assistance unit.

A 15-day renote period to the public took place from March 13, 2014, through March 28, 2014, with no further comment.