

**DEPARTMENT OF SOCIAL SERVICES**

744 P Street, Sacramento, CA 95814



January 13, 2004

Regulation Package #1202-32

CDSS MANUAL LETTER NO. OPS-03-03

TO: HOLDERS OF THE OPERATIONS MANUAL, DIVISION 11

**Regulation Package #1202-32****Effective 11/1/03****Sections 11-400 and 11-410**

This manual letter has been posted on the Office of Regulations Development website at [http://www.dss.cahwnet.gov/ord/Operations\\_619.htm](http://www.dss.cahwnet.gov/ord/Operations_619.htm).

The proposed regulations address four separate though related elements: The Independent Living Program (ILP), the Transitional Independent Living Plan (TILP), the Transitional Housing Placement Program (THPP), and the Transitional Housing Program (THP)-Plus.

The California Legislature passed Senate Bill (SB) 933 (Chapter 311, Statutes of 1998), which extended ILP services to all eligible foster care youth up to the age of 21 years and gave counties the option of providing ILP services to younger youth.

All eligible foster care youth are permitted but not required to participate in the ILP. However, all foster care youth 16 years old and older must have a TILP whether or not they are participating in the ILP. The TILP is a federally mandated written plan developed by the counties in collaboration with each youth and included in the case plan. The TILP identifies the youth's current level of functioning, emancipation goals and the specific skills needed to prepare the youth to live independently upon leaving foster care. The Chafee Foster Care Independence Act of 1999 and Assembly Bill (AB) 1979 (Chapter 271, Statutes of 2002) enacted provisions that impact TILP requirements.

The THPP is a program under which supervised youth live independently while attending high school and learning the skills of daily living. AB 1198 (Chapter 799, Statutes of 1993) established the pilot THPP. AB 2774 (Chapter 873, Statutes of 1998) allowed THPP statewide implementation, and AB 427 (Chapter 125, Statutes of 2001) broadened the THPP eligibility to include youths age 16 and expand permissible housing models.

The THP-Plus originated as a housing program for young adults who have emancipated from foster care and are receiving financial assistance through the Supportive Transition Emancipation Program (STEP). THP-Plus was established by AB 427, which mandated emergency regulations to implement both THPP and THP-Plus provisions. The two programs (THP-Plus and STEP) were delinked by AB1119 so that it is no longer required to be a STEP participant to access THP-Plus.

These regulations were adopted on an emergency basis effective on November 1, 2003 and were considered at the Department's public hearing held on December 17, 2003.

### **FILING INSTRUCTIONS**

**Revisions to all manuals are indicated by a vertical line in the left margin.** The attached pages are to be entered in your copy of the Manual of Policies and Procedures. The latest prior manual letter containing Operations Manual regulation changes was OPS-03-02.

Page(s)

57 and 58  
175 and 175.1

Replace(s)

Pages 57 and 58  
Page 175

Attachments

RG

**11-400** **AFDC-FOSTER CARE RATES - DEFINITIONS (Continued)** **11-400**

- (3) Transitional Housing Placement Program - for the purposes of this section, is a community care facility licensed by the Department and includes all components of the program that provides supervised housing and supportive services for eligible dependent foster/probation youth as specified in Welfare and Institutions Code Section 11403.2(a)(1).
  - (4) Transitional Housing Program - Plus (THP-Plus) - for the purposes of this section, is a transitional housing placement program not licensed by the Department, but certified by counties to provide housing and supportive services, as needed, to emancipated youth pursuant to Welfare and Institutions Code Section 11403.2(a)(2).
- u. (1) Underpayment - An amount owed to a group home provider by the Department.
- (2) Repealed by Manual Letter No. OPS-99-05, effective 12/10/99.
- v. (Reserved)
- w. (1) Weighting/Weighted - The factor applied to the eligible hours in each of the three program components to determine the number of points.

<b>11-400</b>	<b>AFDC-FOSTER CARE RATES - DEFINITIONS (Continued)</b>	<b>11-400</b>
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- x. (Reserved)
- y. (Reserved)
- z. (Reserved)

NOTE: Authority cited: Sections 10553, 10554, 11460(b), 11462(i) and (j), 11462.06, 11466.1, 11466.21, 11466.22, 11466.5, and 14680, Welfare and Institutions Code; Section 1559.110, Health and Safety Code; and Chapter 1294, Statutes of 1989, Section 23. Reference: Sections 1200, 1250, 1502(a)(1) and (a)(8), 1502.4, 1502.4(a)(1), (a)(2)(A), and (b), 1530.8, and 1559.110, Health and Safety Code; Section 3353, California Labor Code; Sections 4096, 4096(e)(2), 4096.5, 5600.3(a)(2), 5777, 5778, 10852, 11226, 11228, 11230, 11231, 11232, 11233, 11234, 11235, 11236, 11400(h), 11402.5(a), 11460, 11461.1, 11462, 11462(a)(1), 11462.01(a)(2)(A)(i) and (ii), 11462.01(a)(2)(B)(i), 11462.03, 11466.1, 11466.2, 11466.21, 11466.22, 11466.3, 11466.31, 11466.33, 11466.34, 11467.1 (Assembly Bill 1197, Chapter 1088, Statutes of 1993), 11468, 11468.6, 14680, 16522(a), (b), and (c), and 18350, Welfare and Institutions Code; Public Laws 98-502 and 104-156; Assembly Bill 1575, Chapter 728, Statutes of 1997; The Classification of Group Home Program Under the Standardized Schedule of Rate System Report, August 30, 1989, and Title 8, California Code of Regulations, Section 11050; and federal Office of Management and Budget (OMB) Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations; *Government Auditing Standards* of the Comptroller General of the United States (Yellow Book) 1994 Revision, including Amendment No. 1 (May 1999) and Amendment No. 2 (July 1999) Section 4.25 and 4.26; and Department of Health and Human Services, Administration for Children and Families letters dated April 19, 2001, February 22, 2002 and May 7, 2002; American Institute of Certified Public Accountants Statement on Auditing Standards Number 82, Description and Characteristics of Fraud.

**11-410**      **TRANSITIONAL HOUSING PLACEMENT PROGRAM RATES** **11-410**

- .1 For THPP rates, pursuant to Welfare and Institutions Code Section 11403.3(a)(1), and MPP Section 30-900 et. seq., a county whose THPP plan has been approved by the Department prior to June 30, 2001 is approved to receive the base rate approved as of that date. If a county did not have an approved THPP plan as of June 30, 2001, the base rate per participant will be \$2,100 per month. An additional amount may be paid according to the following:
  - .11 The additional amount shall not cause the total rate to exceed 75% of the average RCL payment the county pays to group homes for foster youth 16 to 18 years of age.
  - .12 Funding of the additional amount shall be subject to the sharing ratios specified in Welfare and Institutions Code Section 15200.
  - .13 The state portion of the additional amount shall be subject to the availability of the Transitional Housing for Foster Youth Fund.
  - .14 If the Transitional Housing for Foster Youth Fund is depleted, the county shall pay the state share of the additional amount.
- .2 Pursuant to Welfare and Institutions Code Section 11403.3(a)(2), the per tenant monthly rate for THP-Plus shall not exceed 70% of the average RCL payment the county pays to group homes for foster youth 16 to 18 years of age, contingent upon the following conditions:
  - .21 Funding shall be subject to the sharing ratios specified in Welfare and Institutions Code Section 15200.
  - .22 The state portion of the rate shall be subject to the availability of the Transitional Housing for Foster Youth Fund.
  - .23 If the Transitional Housing for Foster Youth Fund is depleted, the county shall pay the state share of the rate.
- .3 Special Definitions:
  - .31 "Participant" means, for the purposes of this chapter, a foster/probation youth placed in a THPP unit as specified in Welfare and Institutions Code Section 11403.2(a)(1).

**11-410**      **TRANSITIONAL HOUSING PLACEMENT PROGRAM RATES** **11-410**  
(Continued)

- .32 "Tenant" means, for the purposes of this chapter, a young adult who is a former foster/probation youth and who is participating in Transitional Housing Program (THP)-Plus pursuant to Welfare and Institutions Code Section 11403.2(a)(2).
- .33 "Unit" means, for the purposes of this chapter, the THPP residence where the participant or tenant resides.

NOTE: Authority cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: Sections 10553, 10554, 11403.3, 15200, and 16522.3, Welfare and Institutions Code.

**11-415**      **INFANT SUPPLEMENT** **11-415**

- .1 The infant supplement paid shall be a uniform amount to cover the cost of care and supervision of a child in addition to the rate that would otherwise be paid for the minor parent's placement.
  - .11 The amount paid for a child living with a minor parent in a group home placement who receives AFDC-FC shall be \$768 per month per child.
  - .12 The amount paid for a child living with a minor parent in an eligible facility other than a group home who receives AFDC-FC shall be \$354 per month per child.

NOTE: Authority cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: Sections 11465 and 11468, Welfare and Institutions Code.