910-1 Maximum income for EA participation from 7/1/94 through 6/30/96 (ACIN I-15-94, I-33-95)

910-2 EA child is in household of one for income purposes, but if application is erroneously denied there is no county relief unless corrective action occurs during first 30 days following application (ACIN I-04-95, I-15-95)

910-3 EA Program for emergency shelter care and nonfederal foster care for dependents and voluntary placements (ACL 93-64)

910-4 EA procedures governed by ACLs and ACIN, not regulations; who may apply, limitations on length of EA, appeals process (ACIN I-41-93; 45 CFR 233.120; ACL 94-74)

920-1 Name of program is AAP (W&IC 16115)

920-1A Eligibility factors for AAP under state law (W&IC 16120; 22 CCR 35326(a)(1))

920-2 Child eligible for AAP if specified listed conditions are met (W&IC 16120(a)-(h) and (o))

920-2A Criteria need for state funded AAP (W&IC 16120 (i) and (o))

920-2B Child must meet one of listed criteria to be eligible for AAP federal funding (W&IC 16120(j)-(n) and (o))

920-3 Agency must seek adoptive parents not requiring assistance before selecting parents requiring assistance (22 CCR 35327(a)) (repealed)

920-3A AAP Eligibility Requirements (22 CCR 35326, subd. (a), eff. Dec. 10, 2011.)

920-3B Five paths to AAP Eligibility (22 CCR 35326, subds. (c), (d), and (e), eff. Dec. 10, 2011.)

920-3C Requirements for children who are subject of agency adoptions (22 CCR 35326, subd. (f), eff. Dec. 10, 2011.)

920-3D Conditions for parent eligibility under AAP (22 CCR 35326, subds. (g) and (h), eff. Dec. 10, 2011.)

920-3E Alien/citizenship requirements for child. (22 CCR 35326, subd. (b), eff. Dec. 10, 2011.)

920-4 Required documents in county case record (45-807.1-.15)

921-1 Contents of AAP agreement (22 CCR 35337(a))

921-1B Processing AAP eligibility certification. (ACL 12-18, issued May 18, 2012; referencing ACL Nos. 09-51 and 10-08.)

921-2 Amount of AAP payment may be adjusted periodically; adoption agreement reauthorized through “reassessment” (42 USC 673(a)(3); W&IC 16120.05)

922-1 Requirement to inform prospective adoption family of continuation of agreed benefit level except in specified circumstances (W&IC 16119(f), effective 1/1/00; ACIN I-47-00)

922-3 Department or licensed adoption agency must provide written information regarding availability of AAP (W&IC 16119(a))

922-3A Department or licensed adoption agency must inform prospective adoptive family of potential tax credit (W&IC 16119(g))

922-3B Potentially eligible families who don't apply for AAP must be encouraged to sign a deferred adoption assistance agreement (ACL 99-104; W&IC 16119(b), eff. 10/10/99)

922-3C AAP agreement specifies duty to report (W&IC 16120.05, added effective 10/11/93, revised effective 1/1/00)

922-4 Medical information on child and child's biological parents must be provided to prospective adoptive parents prior to or at time of placement (22 CCR 35195(a), formerly 35209(a); Fam. C. 8706)

922-5 County duty to have regulations, ACLs, W&IC, other public social service laws, in waiting or reception room in each central or district county office (Handbook 17-017)

922-6 Responsible public agency shall negotiate amount of AAP with adoptive family (22 CCR 35333(e))

922-7 When an NOA is required (22 CCR 35345(a))

922-8 Factors to consider by adoptions worker in assessing child's needs and required level of care (22 CCR 35333(b)(1)(A))

923-1 "Reassessment", formerly "Recertification" process, (42 USC 673(a)(3); W&IC 16120.05)

923-2 Documentation requirements during recertification process (ACL 98-03)

923-2A AAP reassesssment process (22 CCR 35343, subd. (a), as amended Dec. 10, 2011.)

923-2B Reassessments every two years. (22 CCR 35333, subd. (g), as amended Dec. 10, 2011.)
923-3 Steps for AAP reassessment process (22 CCR 35343(b))

924-1 Eligibility factors for AAP include child under age under 18 or 21 with mental or physical handicap that warrants continuing assistance (W&IC 16120(d); MPP 45-802.111)

924-1A Requirements for eligibility beyond age of 18 (22 CCR 35333, subs. (e) and (f), amended Dec. 10, 2011.)

924-2 Disability defined (W&IC 4900(d))

924-2A Examples of physical and mental disabilities (Gov Code 12926.1(c))

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924-2C Physical disability specifically defined (Gov Code 12926.1(k)(1-5))

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924-2E Mental disability does not include listed disorders (Gov Code 12926.1(i)(5))

926-1 Responsible agency shall determine maximum AAP benefit (22 CCR 35333(c))

926-1A AAP agreements signed after 10/1/92 cannot exceed foster family home basic rate (W&IC 16121(a), W&IC 16121.05(b); ACIN I-50-92; Title 22 CCR 35326(b))

926-2 Old rule: AAP benefit negotiated based on median income and actual living expenses; all AAP recipients may be Medi-Cal eligible (W&IC 16119(c), amended effective 10/11/93, and revised eff. 1/1/00)

926-2A Guidelines to be used in determining AAP grant obsolete eff. 12/1/99; deferred payment agreement should be signed even if no cash payment authorized (W&IC 16119(d); 22 CCR 35333(a)(3)(D); ACL 98-03, 99-101; Mark A. v. Davis)

926-2B Determination of AAP benefit level under law as of 1/1/00; Medi-Cal eligibility possible even if no cash benefit (W&IC 16119(d))

926-4 Maximum AAP payment if the child is living in the adoptive family’s home and is not a Regional Center client (22 CCR 35333(b)(1)(A))

926-4A How the AAP benefit is determined; required agency negotiations and discussions, and documentation of such (22 CCR 35333(b)-(h); ACL 02-56)

926-4B SSI is not counted as unearned income in federal AAP (ACL 02-56; Yarbrough v. Saenz)
Regional center children who receive SSI are eligible to receive AAP at SB 84 dual agency rate without deducting SSI (ACL 10-16)

Maximum AAP rate for Regional Center clients (22 CCR 35333(c)(1), formerly 35333(b)(1)(A)4.)

Means test is not to be used to determine AAP eligibility and payment amount, as the AAP benefit is a negotiated amount based on the needs and circumstances of the family (ACL 99-101; Mark A. et al. v. Davis)

AAP benefit does not include payment for any specific good or service (22 CCR 35333(e)(6)(A))

AAP payments paid prospectively for current month (ACIN I-32-05)

If child placed outside financially responsible California county, AAP benefit is higher of Foster Care maintenance benefit for age related state-approved foster family home of responsible county or host county (22 CCR 35333(c)(1)(B)(3))

If child placed for adoption outside California, AAP benefit is higher of Foster Care maintenance payment for age related state-approved foster family home of responsible county or host state (22 CCR 35333(c)(1)(B)(2))

Effective January 2008, cost of living adjustment of basic Foster Care rates in AAP (W&IC 11461(d)(1)(C))

Amount of aid paid to adoptive family impacted by SB 84 for agreements executed on or after January 1, 2008, not before (ACL 08-01)

Amount of aid paid to adoptive family impacted by SB 84 for agreements executed on or after January 1, 2008, not before (W&IC 16121.01)

Initial AAP agreements signed on or after January 1, 2010 will not receive age-related increase; family may request increase based on needs or circumstances (ACL 10-08)

Rate methodology in AAP (ACL 11-74, issued Nov. 30, 2011; citing Stats. 2011, c. 32, [A.B. 106]; California State Foster Parent Association v. Lightbourne (U.S. Dist. Ct. No. C 07-08056 WHA); and W&IC 16121, subd. (a).)

AAP agreement at a minimum must specify amount and duration of assistance (W&IC 16120.05)

Items that must be included on the AD 4320 form (22 CCR 35337(a))

CDSS/agency must inform adoptive family of right to continued benefits unless specified change in circumstance occurs (W&IC 16119(f); ACIN I-47-00)

When an AAP overpayment may occur (22 CCR 35344(a))
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928-3B Distinction between “owner operated” and “staff operated” facilities (Title 17, CCR 56901 (27)(28))

928-3C ARM rates established to provide basic living needs to persons with developmental disabilities (W&IC 4680)

928-3D Maximum rate for developmentally disabled regional center child is foster family home rate determined by regional center using facility rates established by DDS (22 CCR 35333(c)(1)(C))

928-3E In addition to ARM rates, personal and incidental expenses allowed for SSI/SSP recipient child (ACL 03-60; Title 20, CFR 416.640(b))

928-3F If foster child received ARM rate in excess of $2006 prior to July 1, 2007, AAP benefits will remain at same pre-July 2007 rate but assessment for SDA rate may be requested (ACL 10-16)

928-3G Children whose ARM determination was requested and pending before July 1, 2007 (ACL 08-17)

928-3H County must verify that ARM rate determination request was made and pending before July 1, 2007 (ACL 08-17)

928-5 Dual agency rate provisions for AAP (ACL 08-17)

928-5A Negotiation requirement for AAP agreements signed after July 1, 2007 for dual agency children (ACL 08-17)

928-6 Dual agency rates when AAP agreement signed before July 1, 2007 (ACL 08-17)

928-7 If child becomes regional center child after adoptive placement, adoptive parent must request change in benefit amount and renegotiate AAP benefits (ACL 10-16)

928-8 When child receives AAP at SB 84 early start rate, adoption agency may not automatically discontinue that rate when child turns three years old without concurrence of adoptive parent (ACL 10-16)

928-10 Children who receive or request SDA rates have same due process rights as other children applying for Adoption Assistance Program or Foster Care (ACL 08-54)

928-20 SDA Rate may be requested either directly by a dual agency child’s foster caregiver or adoptive parent, or through a referral from a Regional Center (ACL 08-54)

928-20A SDA Rate is structured in four levels of $250.00, $500.00, $750.00, and a maximum of $1,000.00 (ACL 08-54)

928-20B Counties must use objective criteria developed by state to determine SDA rate (ACL 08-54)
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928-20C Effective date of SDA rate for dual agency rate children either adoptively placed or placed in Foster Care in several situations (ACL 08-54)

928-21 SDA rate not available to children under three years who are provided services by Regional Center through Early Start Intervention Services Act (ACL 08-54)

928-21A Child is not eligible to receive supplement to dual agency rate regardless of whether the child receives SB 84 early start rate or SB 84 dual agency rate (ACL 10-16)

928-22 Establishing the date to initiate the SDA rate in AAP (ACL 10-16)

928-23 Dual agency child eligible to receive SB 84 dual agency rate but is instead receiving higher ARM rate, may be eligible to supplement providing total AAP payment does not exceed $3006. (ACL 10-16)

928-24 Representative from regional center must review and sign supplement to rate questionnaire prior to determining child’s eligibility to receive dual agency rate supplement (ACL 10-16)

929-1 Responsible agency determines amount and duration of AAP when child is placed in out of home care to treat a condition that existed prior to placement (22 CCR 35334(a))

929-1A Circumstances under which agency shall conclude child would be placed in same out-of-home care facility if child not placed for adoption (22 CCR 35334(a)(1))

929-2 Agency shall determine maximum AAP benefit for which child is eligible for out-of-home placement (22 CCR 35334(a)(2))

929-2A If placement cost paid by another agency, available AAP is higher of age-related state-approved foster family home care rate or adoptive parent’s actual cost for support for child (22 CCR 35334(a)(2)(B))

929-2B AAP agreement requirements. (22 CCR 35334, subd. (e), amended Dec. 10, 2011.)

929-2C Payment to institutions for AAP eligible children. (22 CCR 35334, subd. (e)(1)(A), amended Dec. 10, 2011.)

929-3 Under IDEA students have right to free public education (20 USC 1400; Ed Code 56000)

929-3A “Free appropriate public education” defined (20 USC 1401(9))

929-3B Special education defined (20 USC 1401(29))

929-3C “Related services” defined (20 USC 1401(26))

929-3D State provides instruction and services when necessary to benefit student educationally (Ed Code 56363(a))
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929-3E  School districts only required to provide “basic floor of opportunity” consisting of access to specialized instruction and related services (Hendrick Hudson v Rowley)

929-4  When student is emotionally disturbed and residential placement is recommended, IEP includes a representative of county mental health agency (Gov Code 7572.5(a))

929-4A  If residential placement is agreed upon, county mental health agency becomes lead case manager (Gov Code 7572.5(c))

929-4B  Residential non-educational costs of child placed in facility by public agency are responsibility of placing agency or parent (Gov Code 7581)

929-4C  County mental health agency makes payment eligibility determinations when it takes responsibility as lead manager for SED child placed in out-of-home facility (W&IC 18350 ACL 86-48)

990-1  Purpose of Repatriate Program (Handbook 68-101.1)

990-2  Persons eligible for repatriate assistance (68-104)