

October 23, 2020

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

**EXECUTIVE SUMMARY**

**ALL COUNTY LETTER NO. 20-117**

This All County Letter (ACL) is intended to provide county child welfare agencies, Title IV-E Agreement Tribes, and probation departments with guidance regarding continued financial assistance and case management support for young adults who were in Extended Foster Care (EFC) as of their 21<sup>st</sup> birthday on or after April 17, 2020, through June 30, 2021.



**KIM JOHNSON**  
DIRECTOR

STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY  
**DEPARTMENT OF SOCIAL SERVICES**  
744 P Street • Sacramento, CA 95814 • [www.cdss.ca.gov](http://www.cdss.ca.gov)



**GAVIN NEWSOM**  
GOVERNOR

October 23, 2020

ALL COUNTY LETTER NO. 20-117

TO: ALL COUNTY WELFARE DIRECTORS  
ALL CHIEF PROBATION OFFICERS  
ALL INDEPENDENT LIVING PROGRAM MANAGERS  
ALL INDEPENDENT LIVING PROGRAM COORDINATORS  
ALL FOSTER CARE MANAGERS  
ALL TITLE IV-E AGREEMENT TRIBES  
ALL FOSTER CARE ELIGIBILITY SUPERVISORS  
ALL COUNTY RFA AND ADOPTION PROGRAM MANAGERS  
ALL CDSS ADOPTION REGIONAL OFFICES  
ALL LICENSED CHILDREN'S RESIDENTIAL FACILITIES  
ALL LICENSED CHILDREN'S RESIDENTIAL PROVIDERS  
HOMES CERTIFIED OR APPROVED BY A LICENSED FOSTER  
FAMILY AGENCY

SUBJECT: CONTINUED ASSISTANCE FOR YOUNG ADULTS IN  
EXTENDED FOSTER CARE UPON TURNING 21 YEARS OF AGE  
ON OR AFTER APRIL 17, 2020

REFERENCE: [GOVERNOR'S PROCLAMATION OF A STATE OF EMERGENCY,  
MARCH 4, 2020; EXECUTIVE ORDER \(EO\) N-53-20; EO N-69-20;  
EO N-71-20; ASSEMBLY BILL \(AB\) 79 \(CHAPTER 11, STATUTES  
OF 2020\); AB 89 \(CHAPTER 7, STATUTES OF 2020\); SENATE  
BILL \(SB\) 115 \(CHAPTER 40, STATUTES OF 2020\)](#)

The purpose of this letter is to provide county child welfare agencies, Title IV-E Agreement tribes,<sup>1</sup> and juvenile probation departments with guidance regarding continued assistance payments and case management support for young adults who were in EFC upon turning 21 years of age on or after April 17, 2020, through June 30, 2021.<sup>2</sup>

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<sup>1</sup> For the purpose of this notice, a Title IV-E Agreement tribe means those with an agreement pursuant to WIC section 10553.1

<sup>2</sup> See AB 89 Bill Section 55, Provision 13 and Bill Section 58, Provision 19; SB 115 Bill Section 50, Provision 13 and Bill Section 52, Provision 19.

If a county discontinued assistance payments for a young adult who was in EFC when they reached their 21<sup>st</sup> birthday on or after April 17, 2020, the county must make diligent efforts to contact the young adult immediately, and in no case later than 10 days from release of this letter. When contact has been made, even if such contact is ultimately made more than 10 days from this letter, the county must arrange to resume and make retroactive assistance payments if the young adult was eligible to continue to receive such assistance under the 2020-21 State Budget or earlier Executive Orders. These payments must be provided to the young adult, or the provider that they reside with, unless the young adult affirmatively opts to have the payment discontinued.

## **BACKGROUND**

As part of the approved 2020-21 California State Budget, [AB 89](#) and [SB 115](#) authorized young adults who were in EFC when they reached their 21<sup>st</sup> birthday on or after April 17, 2020, to continue to receive assistance payments and case management support through June 30, 2021, in order to provide housing stability.<sup>3</sup>

## **CONTINUED SUPPORT IN FY 2020-21 FOR YOUNG ADULTS WHO WERE IN EFC UPON TURNING 21 YEARS OF AGE ON OR AFTER APRIL 17, 2020**

Due to the impacts of COVID-19, SB 115 extends assistance payments and case management support for all young adults in EFC upon turning 21 from April 17, 2020 through June 30, 2021. Before a nonminor dependent (NMD) reaches their 21<sup>st</sup> birthday, the county placing agencies and Title IV-E tribes, as applicable, should discuss this extended support, available through June 30, 2021, with them.

If a county discontinued assistance payments for young adults who were in EFC when they reached their 21<sup>st</sup> birthday on or after April 17, 2020, the county must contact these young adults to offer to resume assistance payments. The county shall issue retroactive payments to all eligible young adults, or the provider that they were living with, for the period of payment discontinuance. The retroactive payment amount shall be based on the applicable rates for existing foster care placement settings that the young adult was living in during the period of payment discontinuance. For example, if the young adult was living in a transitional housing placement setting, retroactive payments shall be made to providers consistent with the applicable rates for transitional housing placement programs and the period of time that the youth was living in the program. If the young adult did not remain in a provider-based setting after discontinuance, the young adult is eligible for payment equivalent to the rate for a supervised independent living placement, even if a housing location was not approved.

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<sup>3</sup> AB 89 Bill Section 55, Provision 13 and Bill Section 58, Provision 19; SB 115 Bill Section 50, Provision 13 and Bill Section 52, Provision 19.

Young adults who were in extended foster care upon turning 21 years of age and are receiving extended assistance and support through the 2020-21 State Budget (SB 115) are not in extended foster care and are not NMDs, and therefore do not have the participation requirements or the same housing or placement approval requirements for those under 21 years of age (NMDs) who are in EFC. Payments may not be terminated due to the young adult not participating in employment or education activities, or for living in unapproved housing.

#### *Court Jurisdiction*

Per Welfare and Institutions Code (WIC) sections 303 and 450, nonminor dependent and transition court jurisdiction both terminate as a matter of law when the youth turns 21 years of age. For individuals turning 21 years of age on or after April 17, 2020 under dependency or transition jurisdiction, such jurisdiction is terminated as under current law and shall not be required for the continued access to assistance payments and case management support described in this ACL. Counties are required to provide the standard termination of jurisdiction report to the court, including all required information, documents, and services.

#### *Documentation and Funding / Claiming*

For young adults who are 21 years of age and over and continuing to receive assistance under SB 115, the documentation of case management services must continue in the Child Welfare Services/Case Management System (CWS/CMS), and the form attached at the end of this letter may also be used to inform eligibility staff to continue or resume payments. When an NMD's eligibility and monthly payment are set to expire the day prior to their 21<sup>st</sup> birthday, the case should remain open and continue to be funded through June 30, 2021.

Please refer to [County Fiscal Letter No. 19/20-89](#) for instructions on how to issue continued assistance payments to these young adults until such time as further fiscal guidance is issued by the Department. Guidance on retroactive payments will also be addressed in the forthcoming CFL.

#### *Caseworker Monthly Contact and Case Management Support*

Regular caseworker contacts with these young adults, 21 years of age and over, are essential for supporting and assisting their successful transition out of care. However, as these young adults are no longer in EFC or court dependents, the monthly contact visits may occur through other remote methods, such as emails, texts, telephonic calls, or videoconferencing. Caseworkers should also attempt an in-person contact with the young adult at least quarterly. Generally, caseworkers are to make best efforts to

contact the young adult, document efforts, and note the result of the contact. However, lack of contact from the young adult is not a reason to discontinue assistance.

Caseworkers must continue to offer referrals to support services, including but not limited to CalWORKS, CalFresh, employment support, and postsecondary education support resources, including financial aid and campus support programs.

### *Types of Housing and Assistance Payments*

A young adult receiving assistance pursuant to this letter may continue to reside in any type of eligible foster care placement as a client, or the young adult may receive a payment equivalent to the Supervised Independent Living Placement (SILP) rate. If the young adult wants to change their living arrangement, the caseworker must accept the change and ensure payment is made to a provider, equivalent to the comparable foster care rate payment, or that a payment equivalent to the SILP rate is made to the young adult directly.

If a young adult transitions to other independent housing, they are responsible for locating their new housing; however, caseworkers should provide them with assistance and support upon their request. Counties should utilize their housing navigator to assist in the search for suitable housing options. The limited circumstances under which an assistance payment should be terminated prior to June 30, 2021 are upon a young adult's request. Upon moving from a provider, the young adult is eligible to receive a payment equivalent to the SILP rate and no approval of housing is needed. If the young adult is known to be incarcerated, any assistance payments made to a provider may be suspended after 14 days, and payments equivalent to the SILP rate may be suspended after 30 days. A payment shall resume upon the release of the young adult.

### **RIGHT TO NOTICE AND STATE FAIR HEARING**

Recipients of extended financial assistance under this section must be provided adequate notice before any county action denying, changing, or terminating payments, including termination of aid after an eligible young adult affirmatively opts out of receiving extended assistance. The notice shall meet the requirements of Chapter 22 of the CDSS Manual of Policies and Procedures and inform the individual of the right to a state fair hearing if they disagree with the county's action. There is no right to a state hearing when the law requires automatic grant adjustments for classes of recipients.

### **EFFECTIVE DATES**

All prior statutory, regulatory, and written guidance requirements modified herein shall be reinstated on June 30, 2021, as specified above, without a follow-up letter.

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Questions or requests for clarification regarding the information in this letter may be directed to the Transition Aged Youth Policy Unit within the Children and Family Services Division of CDSS at (916) 651-7465 or [TAYPolicy@dss.ca.gov](mailto:TAYPolicy@dss.ca.gov).

Sincerely,

***Original Document Signed By***

GREGORY E. ROSE  
Deputy Director  
Children and Family Services Division

c: County Welfare Directors Association of California  
Chief Probation Officers of California

Attachment

Attachment

### CONTINUED ASSISTANCE FOR ELIGIBLE YOUNG ADULTS

*This optional form is to document eligibility for continued assistance for young adults turning 21 years of age on or after April 17, 2020, while in extended foster care. The signature of the young adult is not required for assistance.*

\_\_\_\_\_ **was a nonminor dependent in extended foster care until turning 21 on or after April 17, 2020:**

- ☐ Continue to issue assistance payments and support until June 30, 2021.
- ☐ Resume assistance payments and support until June 30, 2021, including retroactive payment (*select for those young adults who were discontinued after turning 21 years old on or after April 17, 2020*).

#### YOUNG ADULT'S UNDERSTANDINGS:

- Monthly contact with my county case worker is helpful and contact may include face-to-face visits, telephone calls, videoconference, or email.
- It is important for my county case worker to have accurate contact information for me, such as a phone number, address, or email, to provide the assistance payment and any case management support I request.
- I may request assistance from my case worker to help find solutions to safe housing problems.

#### CASE WORKER RESPONSIBILITIES:

- Assist the young adult by responding to problems reported and help find and refer to services and supports for education, employment, health insurance, aid and housing needs.
- Maintain monthly contact whenever possible, including but not limited to: face-to-face visits, telephone calls, videoconferencing, or email. Attempt a visit in the young adult's home at least once every six months.
- Assist and help manage difficulties young adults may be experiencing in obtaining stable housing, which may include, but not be limited to, referring the young adult to Housing Navigators or other housing specialist.

PRINT YOUNG ADULT'S NAME	CASEWORKER'S NAME	SUPERVISOR'S NAME
YOUNG ADULT'S SIGNATURE (optional)*	CASEWORKER'S SIGNATURE	SUPERVISOR'S PHONE NUMBER
YOUNG ADULT'S PHONE NUMBER	CASEWORKER'S PHONE NUMBER	TRIBAL AUTHORITY NAME
DATE	DATE	TRIBAL AUTHORITY PHONE NUMBER