

November 15, 2022

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

EXECUTIVE SUMMARY

ALL COUNTY LETTER NO. 21-103E

The purpose of this errata is to revise and correct the guidance provided in All County Letter 21-103 regarding the use of aid code 3J for a Federal Aid to Families with Dependent Children - Foster Care maintenance payment to be made for a child placed with a parent who is receiving inpatient substance abuse treatment services in a licensed residential treatment facility.



KIM JOHNSON
DIRECTOR

CALIFORNIA HEALTH & HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES
744 P Street • Sacramento, CA 95814 • www.cdss.ca.gov



GAVIN NEWSOM
GOVERNOR

November 15, 2022

ALL COUNTY LETTER NO. 21-103E

TO: ALL COUNTY WELFARE DIRECTORS
ALL COUNTY CHILD WELFARE PROGRAM MANAGERS
ALL FOSTER FAMILY AGENCY DIRECTORS
ALL CDSS ADOPTION REGIONAL OFFICES
ALL FEDERALLY RECOGNIZED TRIBES
ALL FOSTER CARE ELIGIBILITY SUPERVISORS

SUBJECT: ERRATA TO ALL COUNTY LETTER 21-103 GUIDELINES FOR
PLACING CHILDREN WITH A PARENT WHO IS IN A LICENSED
RESIDENTIAL SUBSTANCE ABUSE TREATMENT FACILITY,
USING A VOLUNTARY PLACEMENT AGREEMENT

REFERENCE: [42 UNITED STATES CODE 672\(j\) AS AMENDED BY
PUBLIC LAW 115-123](#); [ASSEMBLY BILL 2944 \(STATUTES OF
2020, Ch. 104; WELFARE AND INSTITUTIONS CODE
SECTIONS 11400; 11401.1, 11402, 16507.3, 16507.4, 16507.5;
16507.6; ALL COUNTY LETTER 21-103; COUNTY FISCAL
LETTER 21/22-50](#)

The purpose of this errata is to revise the guidance provided in All County Letter (ACL) 21-103, released on September 13, 2021, regarding the use of aid code 3J for payments to support placing children with a parent in a licensed residential substance abuse treatment facility.

The [ACL 21-103](#) erroneously incorporated aid code 3J (Federal) as the aid code that would be used to claim assistance costs associated with payments for youth being placed with their parent who is receiving inpatient substance abuse treatment services in licensed residential substance abuse treatment facility. As outlined in County Fiscal Letter ([CFL](#)) [21/22-50](#), a new cash assistance aid code, 9Y (Substance Treatment), has been created to claim these assistance costs instead of aid code 3J (Federal). The California Department of Health Care Services (DHCS) has dedicated aid code 9Y (Substance Treatment) in the Medical Eligibility Determination System (MEDS) and the California State Automated Welfare System (CalSAWS) is currently in the process of

making aid code 9Y available in the State Automated Welfare System (SAWS) systems. It is important to note that 9Y is for cash payments only, with no Medi-Cal eligibility attached to this aid code. Additionally, please note that although aid code 9Y (Substance Treatment) has been assigned in MEDS, the aid code has not yet been made active in Cal SAWS. Until aid code 9Y is active, counties are required to maintain all pertinent case and recipient data and counties will temporarily claim to aid code 9X for the California Welfare Information Network (CalWIN) and to aid code 45 for CalSAWS.

The information contained in the section "Claiming Guidance (Revised)" listed below shall supersede the "Claiming Guidance" section on page five of ACL 21-103. All other information in ACL 21-103 is still in effect. Please note that CFL 21/22-50 remains unchanged, and claims will be updated once Aid Code 9Y is active and available.

CLAIMING GUIDANCE (REVISED)

All voluntary cases that meet the eligibility requirements (both family and facility requirements) described in the ACL are eligible for the Title IV-E maintenance payment. The California Department of Social Services (CDSS) and DHCS have assigned a new aid code to support these payments. Aid code 9Y (Substance Treatment) will be used to support payments for youth being placed with their parent who is receiving inpatient substance abuse treatment services in a licensed residential substance abuse treatment facility. Aid code 9Y will appear under a new column titled "Substance Treatment" on the CA 800 assistance claim. It is important to note that although aid code 9Y has been assigned, the aid code has not yet been made active in MEDS and SAWS. Therefore, counties will need to manually track costs associated with this placement type until aid code 9Y has been made active. Claiming instructions for this placement type and payments are described in [CFL 21/22-50](#).

Until aid code 9Y becomes available in MEDS and SAWS, counties are required to maintain all pertinent case and recipient data. Due to data system requirements, counties will need to temporarily claim to aid code 9X for Cal WIN and to aid code 45 for CalSAWS. Once the new aid code is approved by MEDS and made available in SAWS, CDSS will provide additional claiming instructions in a future CFL.

The foster care maintenance payment may be made on behalf of a child(ren) placed with a parent in a licensed residential substance abuse treatment facility for a period not to exceed 12 consecutive months. The 12-month period begins with the start of each placement into a substance abuse treatment facility with a parent. The payment will be made directly to the facility. Counties may claim allowable administrative costs associated with the child's placement which include case management activities.

Under subdivision (j) of 42 United States Code 672, the child in this type of placement does not have to meet the Aid to Families with Dependent Children-Foster Care

(AFDC-FC) eligibility requirements for a maintenance payment to be made to the facility, but if they do not, they are not categorically eligible for IV-E Medicaid.

- If the child does meet AFDC-FC eligibility requirements, they will be categorically eligible for full-scope Medi-Cal benefits through Title IV-E.
- If, at the time of placement, the child is not categorically eligible for Medi-Cal and does not have other health benefits, then the parent will need to apply for benefits for their child. Existing health benefits may be maintained for the child.

If you have any questions or need additional guidance regarding the information in this letter, please contact FC-KGeligibility@dss.ca.gov. For policy questions related to this ACL please contact the Family Reunification and Pathways to Permanency Policy Unit at Reunification-Permanency@dss.ca.gov

Sincerely,

Original Document Signed By

ANGIE SCHWARTZ
Deputy Director
Children and Family Services Division