

January 14, 2022

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

EXECUTIVE SUMMARY

ALL COUNTY LETTER NO. 22-06

The purpose of this All County Letter (ACL) is to provide county child welfare and probation agencies and other interested stakeholders with a list of frequently asked questions regarding the conversion of an existing licensed foster family home (FFH), relative or Non-Relative Extended Family Member (NREFM) approved home to a Resource Family home.



KIM JOHNSON
DIRECTOR

STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES
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GAVIN NEWSOM
GOVERNOR

January 14, 2022

ALL COUNTY LETTER NO. 22-06

TO: ALL COUNTY WELFARE DIRECTORS
ALL COUNTY FISCAL OFFICERS
ALL CHIEF PROBATION OFFICERS
ALL TITLE IV-E AGREEMENT TRIBES
ALL CHILDREN'S RESIDENTIAL PROGRAM STAFF
COUNTY WELFARE DIRECTORS ASSOCIATION OF CALIFORNIA

SUBJECT: FREQUENTLY ASKED QUESTIONS RELATED TO THE
CONVERSION PROCESS FOR EXISTING RELATIVE/NREFM
APPROVED AND LICENSED FOSTER CAREGIVERS TO
RESOURCE FAMILY APPROVAL (RFA)

REFERENCE: [WELFARE AND INSTITUTIONS CODE SECTION 16519.5](#);
[HEALTH AND SAFETY CODE SECTION 1517.1](#);
[SENATE BILL\(SB\) 1083, \(CHAPTER 935, Statutes of 2018\)](#); ALL
COUNTY LETTERS (ACLs): [ACL 17-16](#), [ACL 17-16E](#),
[ACL 17-16EII](#), [ACL 18-02](#), and [ACL 20-138](#).

The purpose of this All County Letter is to provide county child welfare and probation departments and other interested stakeholders with a list of frequently asked questions (FAQ) on ceasing review and forfeiture of conversion applications following the December 31, 2020, Resource Family Approval conversion application deadline.

BACKGROUND

Previous ACLs have provided information and guidance pursuant to [Welfare and Institutions Code \(WIC\) Section 16519.5](#), which specifies that all existing licensed Foster Family Homes (FFHs) and approved relative and Non-Relative Extended Family Member (NREFM) homes were required, on or before December 31, 2020, to initiate the conversion process to become approved as a Resource Family (RF) in order to continue caring for children or Non-Minor Dependents (NMDs) in foster care. For purposes of this ACL, the conversion process refers to the requirements and

processes associated with conversion of existing FFHs, and approved relative and NREFM homes to a RF, as explained in [ACL 20-138](#).

The following FAQs are intended to provide clarity around the conversion process while counties continue to work through and finalize pending conversion applications.

FREQUENTLY ASKED QUESTIONS

1. Can counties cease review of a conversion application? What if the caregiver has a placement?

Yes. Similar to the RFA application process, a county may cease review of a conversion application. However, unlike the RFA cease review provisions, the current placement of a child or NMD does not prohibit the county from ceasing review of a conversion application. Please refer to [Written Directives \(WD\), Section 5-03B\(k\)](#), for information related to the cease review provisions.

If the caregiver has placement of a child or NMD, it is incumbent upon the RFA worker to notify the placement agency of this to ensure they are aware of the county's plan to cease the conversion application. The placement agency is required to evaluate the continued placement with the unapproved caregiver and consider any impacts related to permanency and federal and state funding eligibility status. The placement agency is also responsible for informing the court who has the final authority on placement decisions on unapproved caregivers.

2. Can the county cease review of a caregiver's conversion application if the caregiver refuses to participate or cooperate with the conversion process?

Yes. If the caregiver is unwilling to participate and/or cooperate in the conversion process with the agency, the county must provide the caregiver with a written notice, in the language spoken by the applicant, which details the outstanding conversion items and possible outcomes for failure to complete the conversion process. The notice must contain the following information as specified in [WD, Section 5-03B\(k\)\(1\)](#):

- A description of all outstanding items necessary to complete the application process;
- A time period in which to complete the outstanding items; and,
- An advisement that the county may cease review of the application if after 30 days the applicant does not make a good faith effort to complete the outstanding items or, if applicable, that the county may deny the application

It is recommended that counties make all efforts to engage with caregivers, identify barriers to completing the conversion process, and provide caregivers with assistance to ensure placement stability and permanency for the child and family.

Counties are encouraged to convene a Child and Family Team (CFT) meeting or a placement preservation meeting, if necessary, to support the caregivers and assure placement stability.

3. What happens to the status of the existing approval or license if the county ceases review of a conversion application?

If the county ceases review of a conversion application, the existing license or approval will be forfeited by operation of law [16519.5\(p\)\(8\)\(B\)](#). Please refer to [ACL 20-138](#) for guidance on processing and documenting forfeiture status of a caregiver who may or may not have a current placement.

4. How is funding impacted if the county ceases review of a conversion application that currently has placement?

If the caregiver has placement of a child or NMD, it is incumbent upon the RFA worker to notify the placement agency of the forfeiture as they may need to further explain to the family that the forfeiture of the family's license or approval may impact potential eligibility for federal foster care reimbursement, Approved Relative Caregiver (ARC) funding, which may impact permanency goals for the child(ren) currently in placement. Note that as of January 1, 2022, [Senate Bill 354](#) (Skinner, 2021) amends the ARC statute to when the placement of a child is with a relative, as defined by paragraph (2) of subdivision (h) of Section 319, and is authorized by the juvenile court, the placement is eligible for ARC funding if not otherwise eligible for emergency caregiver funding or Aid to Families with Dependent Children-Foster Care (AFDC-FC).

5. If the caregiver voluntarily withdrew their conversion application before December 31, 2020, and then requests to re-submit their conversion application on or after January 1, 2021, can the county resume the processing of the application?

No. The conversion application cannot be re-submitted by the applicant after the December 31, 2020, deadline has passed. Per [WIC Section 16519.5 \(B\)](#) and [Health and Safety Code \(HSC\) Section 1517.1\(b\)\(6\)\(B\)](#), the existing license or approval is forfeited by operation of law and, therefore, there is no license or approval to convert to a RF. If a RFA Conversion Application ([RFA 00A](#)) is received on or after January 1, 2021 from a home with a forfeited license or approval, the agency cannot accept the application; however, the agency can encourage families to submit a Resource Family

Application ([RFA 01A](#)). Applicants would then be subject to all requirements of the RFA process as outlined in the WDs.

6. If a conversion application for a Relative/NREFM home was submitted before the December 31, 2020, deadline, is it necessary to maintain the approval using the SOC 815, 817 and 818 until the home is RFA approved?

Yes. If an approved relative/NREFM through Relative Home Approval (RHA) is pending RFA conversion, that relative/NREFM must maintain the existing approval. They must continue to meet all RHA requirements, documented on the SOC 815, 817 and 818 forms, until conversion has been finalized.

7. Has the conversion deadline or any conversion processes or procedures been changed or altered in any way due to the COVID-19 emergency?

No. The COVID-19 emergency has not impacted the conversion process in any way. Please continue to follow the instructions specified in [ACLs 17-16](#) and [20-138](#) for guidance.

8. Are licensed Small Family Homes (SFH) required to convert?

No. The SFH caregivers are not required to convert to RFA.

It should be noted that current statute prohibits a RF from also being licensed to operate a residential facility on the same premises used as the residence of the RF ([WIC Section 16519.5\(c\)\(10\)](#)). This would include a SFH. Thus, if a licensed SFH caregiver is interested in fostering, adopting, or providing legal guardianship for children under the care, custody, and control of a county child welfare agency or probation agency, it would become necessary to apply (not convert) to become a RF.

9. Are Tribally Approved Homes (TAH) required to convert?

No. TAHs are not required to convert to RFA as they follow guidelines set by the respective Tribe(s) and not the State.

10. Once a conversion application has been submitted is there a specified time period in which it must be completed?

No. Current statute does not specify a date by which the conversion process must be completed. However, counties are strongly encouraged to finalize their pending conversion applications as soon as possible.

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If you have questions or need additional clarification regarding information in this letter, please email RFA@dss.ca.gov.

Additionally, if you have further questions pertaining to the placement of children in an unapproved home, please email Concurrentplanningpolicyunit@dss.ca.gov.

Sincerely,

Original Document Signed By

ANGIE SCHWARTZ
Deputy Director
Children and Family Services Division