

June 27, 2022

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

EXECUTIVE SUMMARY

ALL COUNTY LETTER NO. 22-52

The purpose of this All County Letter is to answer frequently asked questions regarding the Approved Relative Caregiver program for out-of-state children and nonminor dependents.



KIM JOHNSON
DIRECTOR

STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES
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June 27, 2022

ALL COUNTY LETTER NO. 22-52

TO: ALL COUNTY WELFARE DIRECTORS
ALL FOSTER CARE ELIGIBILITY SUPERVISORS
ALL CHIEF PROBATION OFFICERS
ALL COUNTY ADOPTION AGENCIES
ALL ADOPTION REGIONAL AND FIELD OFFICES
ALL TITLE IV-E AGREEMENT TRIBES
CONSORTIUM PROJECT MANAGERS

SUBJECT: APPROVED RELATIVE CAREGIVER (ARC) PROGRAM FOR
OUT-OF-STATE CHILDREN AND NONMINOR DEPENDENTS:
FREQUENTLY ASKED QUESTIONS

REFERENCE: [ASSEMBLY BILL \(AB\) 153](#), CHAPTER 86, STATUTES OF 2021;
[SENATE BILL \(SB\) 855](#), CHAPTER 29, STATUTES OF 2014); ALL
COUNTY LETTERS [\(ACL\) 21-141](#), [ACL 21-141E](#), [ACL 16-92](#);
[ACL 17-112](#); WELFARE AND INSTITUTIONS CODE (WIC)
[SECTION 11461.3](#), [WIC 11465](#); [FAMILY CODE SECTION 7950](#);
42 US CODE 671(A)(19); [THE CALIFORNIA INTEGRATED CORE
PRACTICE MODEL FOR CHILDREN, YOUTH, AND FAMILIES](#).

The purpose of this All County Letter (ACL) is to answer frequently asked questions regarding the Approved Relative Caregiver (ARC) program for out-of-state children and nonminor dependents (NMDs).

BACKGROUND

Since 2017, the ARC program has required the counties to provide payments on behalf of children and NMDs who are placed with approved relatives and meet other existing eligibility requirements but are not eligible for Aid to Families with Dependent Care-Foster Care (AFDC-FC). Relative caregivers are the preferred placement type for children and NMDs in foster care, consistent with [Family Code Section 7950](#) and

[42 US Code 671](#)(a)(19), and the ARC program was established to support this preference. The ARC program and its expansion also aligns with the [Integrated Core Practice Model](#)'s guiding practice of fostering natural and long-term supports for children and NMDs by supporting relationships with relatives.

The ARC payments are comprised of the applicable California Work Opportunity and Responsibility to Kids (CalWORKs) payment for an assistance unit of one and state general funds to equal the payment amount that would be made on behalf of the child or NMD through AFDC-FC. [Assembly Bill \(AB\) 153](#) (Chapter 86, Statutes of 2021) expanded the ARC program to make out-of-state children and NMDs eligible. The [ACL 21-141](#) and [ACL 21-141E](#) outline the change to the ARC program; all other ARC rules and guidance remain in effect for both in-state and out-of-state cases.

QUESTIONS AND ANSWERS

Question #1: Is the expansion of ARC to out-of-state placements applicable to existing cases, if they are appropriately licensed/approved?

Answer: In accordance with ACL 21-141, existing placements are eligible to receive out-of-state ARC payments, retroactive to January 1, 2022.

Question #2: If the child was already placed with the caregiver in California and receiving ARC, would the same ARC forms continue to be valid if the child and caregiver move out of state?

Answer: If the child or NMD is already receiving ARC in California and moves out of state, the county may continue to use the same ARC forms (such as ARC 1), so long as the caseworker notifies the eligibility worker of this move via the appropriate forms (SOC 158A recommended). Please see question #3 for licensure requirements.

Question #3: Should the ARC payments be terminated if the ARC approved relative caretaker moves out of California to another state and the home is not licensed in the host state?

Answer: Yes, ARC payments will be suspended if the home is not licensed in the host state. Counties must comply with 10-day NOA requirements and ARC payments can be suspended effective the date of the move to another state. Additionally, there will be a gap in ARC payments until the home meets all the host state's licensing requirements. Counties are encouraged to explore other funding options during this break in payment.

Question #4: What are the notice requirements for this population and these payments? Will there be new or updated notices or forms?

Answer: The notice requirements are the same for in state ARC recipients. The ARC forms and Notice of Actions (NOAs): ARC 1, NA 1279 and NA 1278, as well as the

PUB 468 brochure, will be updated in-order to reflect these policy updates and be available on the CDSS website.

Question #5: Will these cases also receive the annual California Necessities Index (CNI) or a Cost of Living Adjustment (COLA) like in-state ARC cases? If so, what is the effective date of CNI/COLAs?

Answer: Because the out-of-state ARC rate is based upon the host state's foster care rate, if the host state increases or changes those rates in any way, the ARC recipient will be eligible to receive the modified rate. The CDSS recommends that counties check with host states in July of each fiscal year for any changes to the rate at the same time in-state cases receives the CNI. However, if a county is notified at any other time of the year of an increase in the host state's rate, the change can be made immediately. If the child/NMD is receiving the CalWORKs rate out-of-state, any CalWORKs COLAs should be added to those cases.

Question #6: Are voluntary placements also eligible for out-of-state ARC payments? If so, is there a time limit restriction for initial voluntary placements?

Answer: Yes, an out-of-state placement with a relative made through a voluntary placement agreement executed by the placing agency and the parent or guardian may be funded with ARC when the placement has been made in compliance with the Interstate Compact on the Placement of Children and all other eligibility conditions have been met.

Question #7: Are out-of-state ARC placements eligible for the Expectant Parent Payment (EPP)?

Answer: Yes, in accordance with WIC Section 11465, ARC cases are eligible for the EPP.

If you have any questions or need additional guidance regarding the information in this letter, contact the Rates Policy Unit at RatesPolicy@dss.ca.gov.

Sincerely,

Original Document Signed By

ANGIE SCHWARTZ
Deputy Director
Children and Family Services Division