



CDSS

WILL LIGHTBOURNE  
DIRECTOR

STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY  
**DEPARTMENT OF SOCIAL SERVICES**

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EDMUND G. BROWN JR.  
GOVERNOR

June 7, 2013

ALL COUNTY LETTER NO. 13-41

TO: ALL COUNTY WELFARE DIRECTORS  
ALL CDSS ADOPTIONS DISTRICT OFFICES  
ALL COUNTY PLACEMENT SUPERVISORS  
ALL ADMINISTRATIVE LAW JUDGES  
ALL LICENSED ADOPTION AGENCIES  
ALL ADOPTION SERVICE PROVIDERS

SUBJECT: ADOPTION ASSISTANCE PROGRAM (AAP) ELIGIBILITY

REFERENCE: Federal Law: Social Security Act, Title IV-E, Section 473;  
the Fostering Connections to Success and Increasing  
Adoptions Act of 2008; Administration on Children, Youth and Families,  
Children’s Bureau: ACYF-CB-PI-09-10 (8/26/09)

The purpose of this letter is to ensure California’s compliance with federal law and clarify the effect of the Kinship Guardianship Assistance Payment (Kin-GAP) program on a child’s AAP eligibility. A provision of the Fostering Connections to Success and Increasing Adoptions Act of 2008 (Public Law 110-351) allows for a child placed with a relative in a Kin-GAP arrangement to be assessed for AAP eligibility, if the child is later placed for adoption.

**I. AAP ELIGIBILITY**

When determining AAP eligibility for a child placed with a relative guardian, any Kin-GAP payments made on the child’s behalf are not to be considered for the purpose of establishing eligibility and negotiating benefits. If a child’s Kin-GAP agreement has terminated or the child is later adopted by the relative guardian or another individual, the responsible public agency is not to consider the Kin-GAP agreement. Rather, the responsible public agency will need to determine AAP eligibility based on the child’s status prior to the Kin-GAP agreement and the termination of dependency.

REASON FOR THIS TRANSMITTAL

- State Law Change
- Federal Law or Regulation Change
- Court Order
- Clarification Requested by One or More Counties
- Initiated by CDSS

## **II. INQUIRIES**

For all AAP inquiries and questions please contact the Adoptions Services Bureau at (916) 651-8089.

Sincerely,

***Original Document Signed By:***

GREGORY E. ROSE  
Deputy Director  
Children and Family Services Division