

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, California 95814



September 7, 2004

ALL-COUNTY INFORMATION NOTICE: I-56-04

TO: ALL COUNTY WELFARE DIRECTORS
 ALL CHILD WELFARE SERVICES
 PROGRAM MANAGERS
 ALL CHIEF PROBATION OFFICERS
 ALL COUNTY FISCAL OFFICERS

REASON FOR THIS TRANSMITTAL

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

SUBJECT: **CLARIFICATION OF THE RELATIVE APPROVAL MONITORING PROCESS**

REFERENCE: All County Information Notice (ACIN) I-17-03; ACIN I-67-03; All County Letter (ACL) 02-78; County Fiscal Letter (CFL) 03-04-55; and CFL 03-04-20

This All-County Information Notice (ACIN) provides clarification of the 30 and 60 day corrective action monitoring and compliance review for county application of relative approval standards by the Children's Services Operations Bureau (CSOB). This ACIN also clarifies form documentation requirements and Title IV-E claiming requirements for homes with Documented Alternative Plans (DAP) or Corrective Action Plans (CAP). This notice applies to all cases in which a child is placed in a relative or non-related extended family member's home regardless of funding source.

Effective October 2002, and as part of a settlement agreement with the Youth Law Center, the California Department of Social Services (CDSS) began monitoring county compliance with the relative approval process as required by Assembly Bill (AB)1695 (Chapter 653, Statutes of 2001). Additionally, the ongoing monitoring process was outlined in a February 10, 2003 response to the U.S. Department of Health and Human Services, Region IX, as being instrumental in allowing CDSS to monitor county effectiveness in meeting the Title IV-E relative placement safety requirements.

As identified in ACIN I-17-03, the CSOB is monitoring the effectiveness of the county CAP at both 30 and 60 days after CAP approval. Counties are expected to complete the documents and requirements to bring each case into compliance that was determined to not meet the relative approval standards based on the findings of the county.

30 DAY REVIEW

This review will take place 30 days *after* the county CAP has been approved by the CSOB. The 30 day case review is limited to a re-review of only those cases that were determined to be non-compliant with the AB 1695 standards at the time the Relative Assessment and Approval Oversight Report was issued by the CSOB. The purpose of this follow up review is to determine if the county has rectified the condition(s) that caused the case to be determined as not meeting the standards and therefore non-compliant.

The 30 day review process is as follows:

- The CSOB will use Attachment A of the Relative Assessment and Approval Oversight Report to identify the cases to be re-reviewed.
- The CSOB will review the cases online.
- The CSOB will utilize online versions of the SOC 815, 817 and 818 to verify the home meets approval standards.
- If the SOC 815, 817 or 818 forms are not located online or are incomplete, the county will be contacted to request that a hard copy of the original forms be provided to the CSOB within five working days.
- Upon review of the hardcopy SOC forms, the CSOB will make a determination of compliance with the AB 1695 standards.
- The CSOB will submit a letter of review findings to the county Child Welfare Director or Chief Probation Officer.

The CSOB is aware that case circumstances may have changed since the case was initially reviewed. For example, the case may now be closed due to the finalization of an adoption or transfer of jurisdiction. In this situation, the county is not expected to provide the CSOB the completed SOC 815, 817 or 818 forms, rather the county is to submit verification that the case has been closed or transferred.

Regardless of the subsequent disposition or correction of a case after the publication of the final report, any case found deficient in the review period shall be corrected by a fiscal adjustment to remove all ineligible costs from the Title IV-E claim for the entire period the case was ineligible, which may extend as far back as the date of original placement depending on the individual case circumstances. See County Fiscal Letters 03-04-55 and 03-04-20 for instructions regarding these adjustments.

60 DAY REVIEW

This review is to take place 60 days *after* the county CAP has been approved by the CSOB. The purpose of this review is to determine whether the systemic problems within the county approval process have been corrected.

The sampling for this review will be limited to only those homes that have been initially assessed, approved and a child has been placed subsequent to county CAP was approval by the CSOB.

The 60 day review process is as follows:

- The CSOB will utilize the SOC 815, 817 and 818 forms for this review.
- The CSOB will review the cases online.
- If the SOC 815, 817 or 818 forms are not located online, the county will be contacted with a request that a hard copy of the original forms be provided to the CSOB within five working days.
- Upon review of the hardcopy documents the CSOB will make a determination of compliance with the AB 1695 standards.

- The CSOB will submit a letter of review findings to the county Child Welfare Director or Chief Probation Officer.
- The CSOB will forward to the Financial Services Bureau a list of cases that did not meet the standards for fiscal claim adjustments.

CASE DOCUMENTATION REQUIREMENTS

Relative or non-related extended family member homes cannot be considered as approved until the date all items are completed and cannot be claimed for IV-E funds until after that date. The CSOB process for review of case documentation forms (SOC 815, 817 and 818) and determination of compliance with relative approval standards is as follows:

The SOC 815 is considered complete when all boxes on the forms are checked and the form includes the *signature and date* of a social worker/probation officer *and* social work supervisor/supervising probation officer. If the form is on-line, the signature block must include a notation such as "Original Signed By:" or the typed name of the social worker/probation officer and a social work supervisor/supervising probation officer and the date the document was signed. The form will be considered incomplete if there is no signature notation made and therefore require the county to produce a hard copy of the original signed document during rebuttal. For homes requiring a Documented Alternative Plan (DAP) or Corrective Action Plan (CAP), please see the following section.

The SOC 815 must clearly document the date the Child Abuse Central Index *and* the Department of Justice checks were received for each adult in the home. These results are to be documented on page three of the SOC 815 entitled "Criminal Background Checks" in the box designated for CACI and DOJ. The CSOB must be able to clearly identify when both checks were received by the county.

The SOC 817 is considered complete when all questions on the form have been addressed and the form includes a social worker/probation officer signature and date or alternate notation. The form must identify the name of the social worker/probation officer who signed the original form in the space provided.

The SOC 818 is considered complete when all questions have been addressed and the form includes the *signature and date* of a social worker/probation officer *and* social work supervisor/supervising probation officer. The Caregiver form must include the Caregiver's initials and a Caregiver's signature and date in order to be considered complete. If the form is on-line, the signature block must include a notation such as "Original Signed By" or the typed name of the social worker/probation officer and a social work supervisor/supervising probation officer and Caregiver with the date the document was signed. The caregiver's initials can be typed into the required spaces.

The CDSS expects the counties to maintain the original signed and initialed documents in the child's case file should they be required for audit purposes. Specifically, counties are expected to retain documentation supporting compliance with criminal record clearances.

DOCUMENTED ALTERNATIVE AND CORRECTIVE ACTION PLANS

For Calendar Year 2004, the relative approval monitoring process will also include review to determine whether homes requiring a DAP or a CAP were approved in accordance with state requirements. As previously stated in ACL 02-78, if correctable deficiencies are noted during the home assessment, and there are no children in care, approval pending correction of those deficiencies may be noted on the SOC 815. However, in order to claim Title IV-E funding for the placement of a child in the home, the social worker/probation officer must certify on the SOC 815 that the cited deficiencies have been corrected prior to the date IV-E funds are claimed.

If during the course of reassessing a home previously assessed as meeting approvals standards the social worker/probation officer notes correctable deficiencies, the home can be re-approved with a CAP that is in place at the same time as the reapproval is given, provided the deficiencies cited do not present an imminent danger to the child.

Instructions regarding deficiencies and corrective action plans are attached to the ACL 02-78.

Questions regarding the monitoring portion of this ACIN can be directed to your Children's Services Operations Bureau analyst at (916) 651-8100. Questions regarding a DAP or a CAP may be directed to the Kinship Care Policy and Support Unit at (916) 657-1858. Questions regarding fiscal claim adjustments can be e-mailed to assistance.claims@dss.ca.gov.

Sincerely,

WESLEY A. BEERS, Chief
Children's Services Operations and Evaluation
Children and Family Services Division