

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814

February 24, 1987



ALL COUNTY INFORMATION NOTICE NO. 1-11-87

TO: ALL COUNTY WELFARE DEPARTMENTS
ALL PROBATION DEPARTMENTS

SUBJECT: CHAPTER 355, STATUTES OF 1986 (AB 2520)

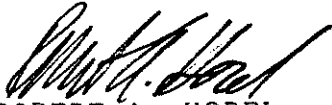
The purpose of this All County Information Notice is to advise you of statutory changes which amended Section 11460 and added Sections 4684 and 11464 of the Welfare and Institutions Code, relating to children with developmental disabilities. These changes were enacted by Chapter 355, Statutes of 1986 (AB 2520). They will become effective July 1, 1987.

The statutory changes require that:

- A new method shall be established for determining the Aid to Families with Dependent Children-Foster Care (AFDC-FC) rate paid to licensed community care facilities for children with developmental disabilities who are both AFDC-FC recipients and regional center clients.
- County Welfare Departments (CWD) shall pay foster care providers the residential facility rate as established by the State Department of Developmental Services (SDDS) for 24-hour out-of-home nonmedical care and supervision for this population.
- Regional centers shall pay for any services or costs which they authorize for AFDC-FC recipients that are not allowable under the state or federal AFDC-FC program.

Further information will be provided by separate All County Letter (ACL) to assist the CWDs in implementing these changes. The ACL will provide clarification on the AFDC-FC allowable rate costs, rate documentation and claiming instructions. CWDs and regional centers are encouraged to start identifying impacted cases and maintaining a tracking system to facilitate implementation of the new rate structure on July 1, 1987.

If you have any questions regarding these statutory changes, please contact Ms. Myra Meyer of the Foster Care Program Bureau at (916) 445-0813 or ATSS 485-0813.



ROBERT A. HOREL
Deputy Director
Welfare Program Division

Attachment

cc: CWDA
SDDS

Assembly Bill No. 2520

CHAPTER 355

An act to amend Section 11460 of, and to add Sections 4684 and 11464 to, the Welfare and Institutions Code, relating to developmental disabilities.

[Approved by Governor July 15, 1986. Filed with
Secretary of State July 16, 1986.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2520, Bates. Developmental disabilities: regional centers.

Under existing law, the state contracts with private nonprofit community agencies known as regional centers to provide access to facilities and services for persons with developmental disabilities and their families. Existing law provides, among other things, that regional center funds shall not be used to supplant the budget of any agency which has a legal responsibility to serve all members of the public for providing those services.

This bill would specify that a regional center shall pay for services authorized by the regional center for AFDC-FC recipients that are not allowable under state or federal AFDC-FC program requirements.

Existing law provides for the Aid to Families with Dependent Children-Foster Care (AFDC-FC) program, under which counties are responsible for providing cash assistance necessary for the adequate care of needy children in foster care. Under existing law, counties are reimbursed for part of the cost of providing assistance to foster children.

This bill would establish a new method for determining rates payable by counties and reimbursement rates to counties for children who are both regional center clients and AFDC-FC recipients and placed in licensed community care facilities.

This bill would impose a state-mandated local program because the AFDC-FC program is supported in part by county funds, and this bill increases payments under the program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates which do not exceed \$500,000 statewide and other procedures for claims whose statewide costs exceed \$500,000.

This bill would provide that reimbursement for costs mandated by the bill shall be made pursuant to those statutory procedures and, if the statewide cost does not exceed \$500,000, shall be payable from the State Mandates Claims Fund.

This bill would become operative on July 1, 1987.

The people of the State of California do enact as follows:

SECTION 1. Section 4684 is added to the Welfare and Institutions Code, to read:

4684. Notwithstanding any other provision of law, the cost of providing 24-hour out-of-home nonmedical care and supervision in licensed community care facilities shall be funded by the Aid to Families with Dependent Children-Foster Care (AFDC-FC) program pursuant to Section 11464, for children who are both AFDC-FC recipients and regional center clients.

Regional centers shall pay the cost of services which they authorize for AFDC-FC recipients but which are not allowable under state or federal AFDC-FC program requirements. Regional centers shall accept referrals for evaluations of AFDC-FC eligible children and assist county welfare and probation departments in identifying appropriate placement resources for children who are eligible for regional center services.

SEC. 2. Section 11460 of the Welfare and Institutions Code is amended to read:

11460. (a) It is the intent of the Legislature that foster care providers shall be paid a rate determined in accordance with Section 11461, 11462, 11462.1, 11463, or 11464 in return for the care and supervision of the AFDC-FC child placed with them.

(b) The department is designated the single organizational unit whose duty it shall be to administer a state system for establishing rates in the AFDC-FC program. State functions shall be performed by the department or by delegation of the department to county welfare departments.

SEC. 3. Section 11464 is added to the Welfare and Institutions Code, to read:

11464. Notwithstanding any other provision of law, the State Department of Social Services shall use the residential facility rates established by the State Department of Developmental Services to determine rates to be paid for 24-hour out-of-home nonmedical care and supervision of children who are both regional center clients pursuant to Section 4684 and AFDC-FC recipients under the provisions of this chapter and placed in licensed community care facilities.

Any services authorized by a regional center for AFDC-FC recipients that are not allowable under state or federal AFDC-FC program requirements shall be paid pursuant to Section 4684.

SEC. 4. Reimbursement to local agencies and school districts for costs mandated by the state pursuant to this act shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code and, if the statewide cost of the claim for reimbursement does not exceed five hundred thousand

dollars (\$500,000), shall be made from the State Mandates Claims Fund.

SEC. 5. Sections 1, 2, and 3 of this act shall become operative July 1, 1987.

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