

DEPARTMENT OF SOCIAL SERVICES
744 P Street, Sacramento, CA 95814



November 4, 1993

ALL-COUNTY INFORMATION NOTICE NO. I-41-93

TO: ALL COUNTY WELFARE DIRECTORS
ALL COUNTY FISCAL OFFICERS
ALL COUNTY AUDIT CONTROLLERS
ALL PROBATION DIRECTORS

REASON FOR THIS TRANSMITTAL

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

SUBJECT: QUESTIONS AND ANSWERS
TITLE IV-A EMERGENCY ASSISTANCE (EA)
PHASE I PROBATION AND PHASE II CHILD WELFARE SERVICES

REFERENCE: ALL COUNTY LETTER (ACL) NO. 93-64

The purpose of this letter is to transmit a series of questions received and their answers pertaining to the recent implementation of Phase I and II of the Title IV-A Emergency Assistance (EA) program.

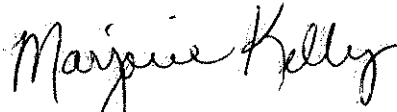
As you know, EA is a federally funded program under Title IV-A of the Social Security Act. There are three components to California's implementation of the EA program and consequently, the program is being implemented in three phases. Phase I was implemented July 1, 1993 and focuses on county probation, including juvenile assessment centers, residential treatment facilities, non-federal foster care for wards, and after care. Phase II, implemented September 1, 1993, represents the child welfare services component and includes emergency shelter care and non-federal foster care for dependents and voluntary placements. Lastly, we will be proposing that various aspects of the family preservation program be EA funded. The family preservation program is scheduled for implementation at a later date.

Questions have been categorized by the following subject areas: Definitions, Application, Eligibility, Processing, and List of EA Participants (LEAPs). This document is intended to provide a concise and comprehensive resource which will assist Probation Officers, County Workers, and Eligibility Workers in implementing the EA program. Further, this document supercedes any previous information distributed regarding EA policy and procedures and should be implemented effective immediately.

Page Two

Counties are to be commended for their positive input, patience, and cooperation in the development of this document. As we proceed with Phases I and II, and move closer toward implementation of Phase III, updates and modifications of this document can be expected. Your continued support and cooperation in the months ahead will be sincerely appreciated. It is our intent to realize a successfully implemented EA program.

Should you have any comments or questions regarding this material or any further questions concerning the EA program, please contact Mr. Lou Del Gaudio at CDSS, 744 P Street, MS 19-87, Sacramento, CA 95814, (916) 445-2890, or FAX (916) 445-2898.



MARJORIE KELLY
Deputy Director
Children and Family Services

Attachment

California Department of Social Services (CDSS)
Family and Children Services Policy Bureau

Title IV-A Emergency Assistance (EA)
Phase I Probation and Phase II Child Welfare Services (CWS)
Questions and Answers

Definition Questions

1. Q. What is the definition of family and household?
A. The family or household is defined as the head of household and anyone living with the head of household. Reference All-County Letter (ACL) 93-64.
2. Q. What specifically is meant by the term "county worker"?
A. The term county worker refers to probation officers and social workers. Reference ACL 93-64.
3. Q. What definition of relative is being used, Aid to Families with Dependent Children (AFDC) Family Group (FG) or AFDC Foster Care (FC)?
A. The AFDC-FC definition of relative is being used for purposes of the EA program. Reference ACL 93-64.

Application Questions

4. Q. What is the timeline for authorizing an EA application?
A. The EA application must be authorized within 30 calendar days from the date of application or prior to the termination of services, if sooner.
5. Q. Will the 30-day time limit for processing the application be changed to 45 days to coincide with other IV-A application processing times?
A. No.
6. Q. Will presumptive eligibility be allowed?
A. Yes. For presumptive eligibility, services still must be authorized within 30 calendar days from the date of application, however, counties have a

total of three months from the date of application to complete eligibility determination. The three months is counted in calendar months (i.e., if application date is 1/12/94, the county worker has through 3/11/94 to determine eligibility). Presumptive eligibility is beneficial in processing cases where counties are waiting for a response to a LEAPs inquiry, receipt of a SSN for head of household, etc. It is the EW's responsibility to determine whether services should be authorized based on presumptive eligibility. Claiming instructions for cases authorized under presumptive eligibility will be forthcoming from the Fiscal Policy and Procedures Bureau of the CDSS.

7. Q. Is the one day deadline for getting the EA application to CWD an absolute? It frequently takes more than one day to accomplish.
- A. No, however, it is to the county's benefit to process the application as soon as possible to assure eligibility will be established and assistance authorized within the 30-day time period. Reference ACL 93-64.
8. Q. Who can sign the application on behalf of the child?
- A. In order of preference, the parent, or when the parent is unavailable or unwilling to apply on behalf of a child, the application may be completed and signed by a relative or county worker.
9. Q. Can the parent sign the EA application before the detention hearing?
- A. The parent is not precluded from signing the EA application at the detention hearing, however, counties must be aware that the window for authorization of services begins at that time.
10. Q. Is it possible to indicate on the EA application that the parent was contacted by phone and agreed to sign the EA application but was unavailable and empowered the social worker to sign for him/her?
- A. Yes. All applications signed by a county worker on behalf of a child must have documentation in the parent signature block of the application stating why the parent or a relative did not sign the application. Obtaining the parent's signature at a later time is not a requirement.

11. Q. What is the date of application?
- A. The date of application is the date the parent signs the EA application or, when the parent is unavailable or unwilling to apply on behalf of the child, the date a relative or the county worker signs the application on the behalf of the child.
12. Q. Can the applicant provide self-verification?
- A. Yes.
13. Q. On the EA application what does the date of removal and effective date of service reflect?
- A. The date of removal and the effective date of service are the same date. The date entered on the EA application should reflect the date the child was removed from the home.
14. Q. Can the EA application form be provided on continuous feed computer paper? Can a county recreate the EA application form on its own computer? What are the restrictions?
- A. Any facsimile of the EA application would have to be approved by the CDSS. The application forms are color coded, carbonless forms which simplify any audit and/or monitoring process. For practical purposes it is suggested that all counties use the existing EA application format.
15. Q. If multiple children are removed from the home at the same time, is it necessary to complete an application for each child?
- A. No. The EA application is on behalf of the entire family.
16. Q. Can an application and episode cross county lines?
- A. Yes. Counties should follow existing procedures for intercounty transfers. However, it should be noted that the period for authorizing services continues from the date the application is taken in the first county. No new period for authorization of services is created in an intercounty transfer.
17. Q. Is a copy of the form used in Court by Probation to record whether a minor is ordered detained acceptable to attach to the application? If so, does a copy of the minute order have to be sent to the County Welfare Department (CWD) since a copy would be available in the Probation file?

- A. A copy of the minute order must be in either the Probation or the CWD file but is not required to be in both.
18. Q. Can the Probation department pre-screen cases and not submit applications on minors when the department knows they are ineligible (eg. Re-booking as part of same episode, new booking on new episode but eligibility already exhausted, etc.)?
- A. A Probation Officer can not determine EA eligibility. All completed applications must be submitted to an eligibility worker (EW) for eligibility determination.
19. Q. If an application is authorized on the day a minor is released (a day which is not counted when submitting a claim), is the episode claimable or not claimable?
- A. Yes, the episode would be claimable if the criteria for authorizing services was met (i.e., services authorized within 30 calendar days of the date of the application or prior to termination of services, if sooner).
20. Q. When one claim is abated for another, does that change the through date? Does the new application then need to go through the whole authorization process?
- A. When a previous EA claim is abated, a new application must be processed and assistance authorized for the new emergency the county is choosing to claim. The new emergency constitutes a new episode and, therefore, a new six month period of eligibility.
21. Q. How will counties know the parent's legal resident status since it is not asked on the EA application?
- A. It is the responsibility of the county worker to determine the parent's legal resident status and document their findings in the case file.
22. Q. How is the EW supposed to verify that the "emergency did not arise because an adult family member refused without good cause to accept employment or training"? Why isn't this an element the Probation Officer must certify?
- A. EWs can coordinate with the county worker who completed the top portion of the EA application in order to facilitate the verification of Item 2 in

the Eligibility Worker Verification section of the EA application.

Eligibility Questions

23. Q. What constitutes an episode in EA?
- A. An episode begins with the occurrence of an emergency as defined in ACL 93-64. Information on the duration and termination of an EA episode can be found in ACL 93-64.
24. Q. When does an episode begin, time of arrest or time of removal from the home? Not all arrests lead to immediate removal from the home, but that may occur later.
- A. Time of removal from the home.
25. Q. What is the period of eligibility for EA?
- A. EA is limited within any twelve month period to a single episode per family with a maximum duration of six months or less as necessary to resolve the emergency situation. The six-month period of eligibility begins on the date of removal/effective date of service as entered on the EA application.
26. Q. Is the six-month period of eligibility an actual six months?
- A. The period of eligibility is up to six months counted in calendar months (i.e., if start date is 1/10/94, eligibility is through 7/9/94).
27. Q. What is the beginning date of aid (BDA) for EA?
- A. The BDA is the date of removal/effective date of service as entered on the EA application. Reference ACL 93-64.
28. Q. Who qualifies as head of household?
- A. Relatives that qualify as head of household are specified in ACL 93-64.
29. Q. Does a legal guardian qualify as a relative?
- A. Relative legal guardians qualify as a relative if they are one of the relatives specified in ACL 93-64. Non-relative legal guardians do not qualify as relatives under any circumstances.

30. Q. Are General Assistance (GA) recipients eligible for EA?
- A. Yes, GA recipients are eligible to receive EA foster care benefits. The sharing ratios for EA foster care provided to GA recipients are Federal 50% and County 50%. There is no State financial participation in EA foster care GA cases.
31. Q. Will EA children be eligible for MediCal?
- A. CWD EA foster care children are potentially eligible for MediCal. However, these children are not considered categorically eligible and therefore, it will be necessary for counties to process a separate application for MediCal eligibility determination. Under certain circumstances probation children may also be MediCal eligible. Information regarding EA probation MediCal eligibility is forthcoming.
32. Q. Will children placed with relatives be eligible for EA?
- A. Not at this time. Other sources of assistance should be pursued for children placed with relatives (i.e., Title IV-E foster care, or if ineligible for IV-E, Title IV-A AFDC FG). Where possible, counties should defer to the assistance which maximizes federal financial participation and at the same time meets the best interests of the family.
33. Q. Does a county have to inform a family of their potential eligibility for EA?
- A. A person or his/her representative has the right to choose the type of aid for which he/she will apply. This right should be recognized and reflected in county policies and procedures.
34. Q. Will there be a time limit beyond 30 days for State financial participation in CWD shelter care cases?
- A. No, not at this time. The State will share the cost of the non-federal portion of CWD EA shelter care cases through the first 30 days. The non-federal portion will be split State 70% and County 30%. Under current regulations, the county is responsible for 100% of the costs for shelter care after 30 days. This regulation is, however, under review and it is anticipated that the pass through of federal funds will be provided for in the near future. There is no State financial participation

for EA shelter care provided to Probation cases. Probation cases will be funded 50% Federal and 50% County. Reference ACL 93-64.

35. Q. If a minor is originally detained before July 1, 1993, and a change of placement order is done after July 1, 1993, can the new placement be the start of an episode?
- A. No.
36. Q. Can more than one arrest with similar or identical offenses qualify as one EA episode?
- A. No.
37. Q. What about violations of probation?
- A. For an existing EA case, a violation of probation which occurs during the child's six months of EA eligibility does not constitute a new emergency.
38. Q. If a minor is Absent Without Leave (AWOL) from a residential treatment center, is subsequently apprehended and returned to custody under a warrant, is the present incarceration considered a continuation of the first episode or a new episode?
- A. The minor is eligible for EA for a period of six months based on the first emergency episode. Subsequent incarcerations during the six month period may or may not be considered a continuation of the first episode depending on how the case plan was written and what services were determined necessary to resolve the original emergency.
39. Q. If a minor is in an institution past the age of 18, are his/her days still claimable?
- A. Yes, for all EA cases.
40. Q. If a minor is in placement for the first year, can we claim EA for the second year?
- A. EA assistance is limited within any twelve month period to a single emergency per family with a maximum duration of six months or less as necessary to resolve the emergency situation. For a child to be eligible for EA in a year subsequent to a year in which EA was claimed, there would have to be a new emergency which resulted in the child's removal from the home.

41. Q. If a minor is in placement and is eligible for EA and Social Security Income (SSI), can we claim the EA for six months and then claim SSI for the second six months?
- A. SSI should be the first preference, however, EA eligibility can be used to cover the period of time between application for SSI benefits and confirmation of SSI eligibility.

42. Q. If illegal aliens are claimable, what about the requirement for a social security number?
- A. Federal policy indicates that illegal or undocumented aliens are eligible for assistance. Reference ACL 93-64 for instructions on creating a temporary number for aliens without a social security number.

Processing Questions

43. Q. Is there legislation authorizing the State to participate in EA again? (AB3282 was passed in September 1990 and repealed the EA program in California).
- A. Legislation is not required to implement EA. However, legislation is forthcoming which will allow the CDSS to provide regulations to the counties.
44. Q. Does the worker completing the application have to be the same worker that is ultimately assigned the EA case?
- A. No. However, the application must be completed by a county worker and eligibility determination made by an EW. Reference ACL 93-64.
45. Q. Do the EA documents prepared/kept by the county worker need to be in a separate case folder or can the forms be filed in the child's CWS or FC folder?
- A. There is no requirement that EA documents be kept in a separate folder. Each county should develop their own EA document filing procedures.
46. Q. When does the five year file retention begin?
- A. The eligibility case file and services case file shall be accessible to state and federal staff for a period of five years following the date of termination of EA benefits. In addition, counties should retain all denied EA applications for a

period of five years from the date of denial. It is the responsibility of each county to develop their own records retention process. Reference ACL 93-64.

47. Q. Is a county required to make sealed files available for Title IV-A?
- A. Yes. Counties should be advised that if such files are not provided, it becomes an audit exception.
48. Q. Have provisions been made for appeals regarding denial of EA eligibility and aid paid pending the appeals process? Who will act as the Hearing Officer on appeals?
- A. The customary state hearing appeal process should be followed.
49. Q. Can the County Department appeal a denial of eligibility?
- A. No.
50. Q. Does the county worker get the Notice of Action (NOA) in a case where a parent or relative has not signed the EA application?
- A. No, for both probation and CWD EA cases, the NOA must be mailed to the address provided on the application. The issuance of the NOA is an EW function. Reference ACL 93-64.
51. Q. Will child support referrals be required?
- A. Child support referrals for CWS under Title IV-A will not be required. However, existing child support requirements for AFDC-FC cases and Probation cases should be followed. Reference ACL 93-64.
52. Q. Is the Assessment/Service Plan required to be filled out if all the supporting documents are in the file?
- A. No, the Assessment/Service Plan is not required if all supporting documentation is in the file.
53. Q. Some counties do not have an intake/detention report. How should they document the intake decision?
- A. The detention order should be used to document the intake decision.

54. Q. How can a county get a quick Social Security number?
- A. County workers should assist a family in applying for social security numbers as needed. The social security number is not a condition of eligibility, however, it is required for purposes of processing and certifying EA eligibility through LEAPs. Counties should coordinate with their local Social Security office for the procedure which will ensure the quickest method of obtaining social security numbers. Reference ACL 93-64.
55. Q. What, if any, temporary numbers can be used while waiting for an individual's SSN?
- A. Temporary numbers will be allowed under certain circumstances. For alien applicants without a SSN, a temporary number or "X" number can be used in order to process the verification of eligibility through LEAPs. For instructions on creating the "X" number, reference the LEAP's section of ACL 93-64. Parents or relatives signing the EA application who are United States citizens must have a social security number, no temporary numbers are allowed. EA foster care children who do not have a SSN, and the parent or relative's SSN is unavailable, can be assigned a MEDS pseudo number for the purposes of verifying eligibility through LEAPs. Counties should make every attempt to obtain a SSN for the parent, relative or child prior to the assignment of a temporary number. Temporary numbers will have to be replaced in LEAPs once official SSNs are assigned.
56. Q. Can United States citizens applying for assistance without a social security number, utilize the temporary number process established for alien applicants?
- A. No. Temporary or "X" numbers can only be used for EA applicants who are undocumented or illegal aliens. United States citizens must have a social security number in order to be processed through LEAPs. County workers should assist families in applying for social security numbers as needed. Reference ACL 93-64.

LEAPs Questions

57. Q. Per the stipulation that authorization must be granted prior to the termination of services or within 30 calendar days, whichever is first, is the authorization date the date LEAPs authorizes the request or the date the application was signed by the CWD EW?
- A. LEAPs does not authorize cases. LEAPs provides verification of eligibility regarding the receipt of prior EA services. The authorization date is the date the EW signs the application.
58. Q. Will the LEAPs data base require counties to report when a minor's episode ends?
- A. No, LEAPs does not require counties to report when a minor's episode ends.
59. Q. Who will stop EA when the time limit expires or when the family is no longer receiving services?
- A. The EW is responsible for discontinuing EA benefits. The case file is the tracking mechanism, not the LEAPs system. Counties are encouraged to develop their own tracking system to facilitate this process.
60. Q. If eligibility is denied because the family has already received EA within the last twelve months, can the applying county be notified which county has already established eligibility?
- A. This can be done at the county's request.
61. Q. Will extension of the 30-day time limit be granted for those applications which couldn't be processed because LEAPs wasn't available?
- A. No, services must be authorized within 30 calendar days from the date of the application, however, the use of presumptive eligibility will assure that these types of cases are not found ineligible because of the 30-day time limit. Reference the "Application Questions" section of this document for the conditions and timelines governing presumptive eligibility.

62. Q. The LEAPs form creates more work for the EW because it requires transposing information already contained on the EA application. Can this duplication be reduced?
- A. Not at the present time.
63. Q. Is there the capacity to abate cases in LEAPs?
- A. Yes. However, the new request for verification must be submitted with a copy of the notice to the county fiscal officer regarding the abatement of the previous EA episode.
64. Q. If LEAPs is generated through input of head of household who is the applicant?
- A. Generally speaking, the head of household is the applicant applying on behalf of the family.
65. Q. All counties utilize the "mother" for tracking and identifying CWD cases. LEAPs head of household may not necessarily be the "mother". Will this create problems in tracking cases for audit purposes?
- A. Yes. It is the county's responsibility to develop a tracking system which will allow EA services to be tied back to a specific CWD case.
66. Q. What is the procedure to follow as LEAPs does not accept forms without head of household social security number?
- A. The application cannot be processed if both the child's and head of household's social security numbers are missing. However, presumptive eligibility allows time for obtaining a SSN for the child and/or head of household.
67. Q. Will LEAPs be child specific if there is no SSN for the head of household? If so, will this create problems when claiming?
- A. In the absence of a head of household's SSN, and provided the child can provide self-certification, then LEAPs will be child specific. This constitutes a "claimable" EA case.
68. Q. If LEAPs is child specific, will it create problems in tracking families?
- A. Yes, it is a possibility. Therefore, the head of household's social security number should be obtained whenever possible.

69. Q. How will the State ensure that a person without a Social Security number has not qualified for EA in more than one county, since the system for developing temporary social security numbers is county specific?
- A. LEAPs is "hand cleared" for all X-numbers (reference ACL 93-64). These cases are being found on an ongoing basis and counties are notified of prior eligibility.
70. Q. How will LEAPs handle identical social security numbers and dates of birth? What about children born on the same day with the same name?
- A. There are no identical social security numbers. In the event of aliens utilizing "X" numbers, these cases are hand cleared through LEAPs. Cases with the same name and date of birth are put through a second level of comparison (i.e., address, city, etc.) to determine whether they are, in fact, the same case.
71. Q. Will LEAPs accept multiple verification clearances on multiple children from the same household?
- A. Yes. The county should note in the alias section of the LEAPs verification screen that it is a sibling case (i.e., SIB 1, SIB 2, etc.)
72. Q. When applying on behalf of a child and there are several children in the family, all with different last names, how will these children be identified to a particular service case?
- A. The children will be identified by the head of household's name.
73. Q. For CWD, must all children in the household be on the LEAPs system?
- A. No, only those children related to the EA emergency (i.e., those children receiving EA benefits).
74. Q. Will LEAPs provide a statewide format for maintaining cross reference files?
- A. Beginning in October 1993, LEAPs will print a county specific transaction report for each county for the prior month. These reports will be sent to each county.

75. Q. The LEAPs form does not provide space for the LEAPs staff to indicate the reason for denial or their findings. How will the EW or county worker know to verify this information or submit a correction if the detection and correction of such errors remain the primary responsibility of the county office?
- A. For modem counties, these comments are written on the county transaction report and faxed to the county. For all other counties, these comments are written on the bottom of the LEAPs form.