



CDSS

JOHN A. WAGNER
DIRECTOR

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

744 P Street • Sacramento, CA 95814 • www.cdss.ca.gov



ARNOLD SCHWARZENEGGER
GOVERNOR

May 10, 2010

ALL COUNTY LETTER NO. 10-26

TO: ALL COUNTY WELFARE DIRECTORS
ALL CHIEF PROBATION OFFICERS
ALL CDSS ADOPTIONS DISTRICT OFFICES
ALL COUNTY PLACEMENT SUPERVISORS
ALL ADMINISTRATIVE LAW JUDGES
ALL LICENSED ADOPTION AGENCIES
ALL ADOPTION SERVICE PROVIDERS
ALL GROUP HOME PROVIDERS
KARUK TRIBE

SUBJECT: ADOPTION ASSISTANCE PROGRAM AND THE CALIFORNIA ALLIANCE OF CHILD AND FAMILY SERVICES v. CLIFF ALLENBY, ET.AL.

REFERENCE: Welfare and Institutions Code section 11453(a)
Welfare and Institutions Code section 11460(c)(2)(A)(i) and (ii)
Welfare and Institutions Code section 11462
Welfare and Institutions Code section 16121(b).

All County Letter 09-51, dated September 29, 2009

The purpose of this letter is to provide counties with information and instruction on the impact of the court order issued on February 23, 2010, in the case of the California Alliance of Child and Family Services v. Cliff Allenby, et.al. as it relates to the Adoption Assistance Program (AAP).

COURT RULING

The District Court ordered the California Department of Social Services (CDSS) to adjust the group home rates paid under California's Rate Classification Level (RCL) system in effect January 1, 2008, to reflect the California Necessities Index (CNI) increases from 1990-91 through 2009-10. The cumulative increase for that period was determined by the Court to be 76.25 percent. After consideration for CNIs that have been given over that same period, increases ranging from 32 percent to 40 percent

REASON FOR THIS TRANSMITTAL

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

were applied to the group home rates in effect January 1, 2008. Therefore, effective immediately and retroactive to December 14, 2009, counties shall pay the rates reflected in the chart below for both federally eligible and non-federally eligible children in group home placements. The CDSS will amend this schedule annually to reflect changes in the CNI and such adjustments will not be subject to the availability of funds.

NEW GROUP HOME RATES

GROUP HOMES Standardized Schedule of Rates Effective December 14, 2009		
RCL	Point Ranges	Standard Rate
1	Under 60	\$2,085
2	60-89	2,605
3	90-119	3,125
4	120-149	3,643
5	150-179	4,159
6	180-209	4,681
7	210-239	5,199
8	240-269	5,719
9	270-299	6,237
10	300-329	6,757
11	330-359	7,274
12	360-389	7,795
13	390-419	8,319
14	420 & Up	8,835

ADOPTION ASSISTANCE PAYMENTS

The AAP payment may not exceed the maximum state-approved foster care facility rate. Consequently, AAP agreements for out-of-home placements must reflect the retroactive rate increases effective December 14, 2009. The AAP benefit increase to the state-approved foster care facility rate requires the concurrence of the adoptive parent(s) and must be reflected in a new AAP agreement for the limited duration of the child's out-of-home placement. As a reminder, AAP payments for out-of-home placements may not exceed eighteen months per episode or condition pursuant to Welfare and Institutions Code section 16121(b).

OUT-OF-STATE PLACEMENTS

For AAP eligible children placed in an out-of-home placement in another state, the rate to be paid shall be the rate established by the rate-setting authority of the other state. The AAP payment shall not exceed the current fiscal year's RCL 14 as reflected in the above schedule of rates and subject to subsequent annual CNI augmentation.

WRAPAROUND PROGRAM

AAP payments may not exceed the corresponding Wraparound rate applicable for the services the child receives. Any change in the amount of AAP requires the concurrence of the adoptive parent(s) and must be reflected in a new AAP agreement. For questions related to the Wraparound rates, contact your Wraparound Consultant in the Child Protection and Family Support Branch, at (916) 651-6600.

INQUIRIES

Please direct all AAP questions to the Adoptions Services Bureau, at (916) 651-8089.

Sincerely,

Original Document Signed By:

GREGORY E. ROSE
Deputy Director
Children and Family Services Division