

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, California 95814



January 26, 2004

ALL COUNTY LETTER NO. 04-03

TO: ALL COUNTY WELFARE DIRECTORS
ALL COUNTY CHIEF PROBATION OFFICERS

SUBJECT: RELATIVE APPROVAL MONITORING

REASON FOR THIS TRANSMITTAL

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

REFERENCE: ALL COUNTY LETTERS 02-78, 02-85, 02-97; ALL COUNTY INFORMATION NOTICES I-03-03, I-67-03; FISCAL LETTERS 02/03-36, 02/03-49

It is the policy of the California Department of Social Services (CDSS) and the goal of the Higgins case to ensure that all children placed in the homes of their relatives and non-related extended family members (NREFM) are safe, and that those homes meet health and safety standards for licensed foster family homes. The purpose of this letter is to confirm the types of documentation required to demonstrate that these standards have been met, and to clarify how CDSS will use this documentation in the relative approval monitoring process and to make fiscal adjustments to County Title IV-E claims.

As indicated in prior CDSS communications, State law requires counties to perform a health and safety assessment, using health and safety standards for licensed foster family homes, when placing a child in the home of a relative or NREFM. The Higgins Stipulated Court Order and CDSS regulations require this assessment to be documented on completed forms SOC 815, 817, and 818. These forms are required to be maintained in the case files for all children placed in a relative home. Further, the Higgins Court Order requires CDSS to monitor county performance in making safety assessments through an examination of these forms.

Modifications to Relative Approval Monitoring Process and Rebuttal for the 2003 and 2004 Reviews.

As of the date of the release of this ACL, there are 21 counties whose 2003 relative approval performance reviews have not been conducted. The CDSS will conduct its relative monitoring review in these counties starting in March, 2004, and will review a sample of active cases pulled from February 2004.

The CDSS will begin the calendar 2004 reviews for all 58 counties after March of 2004. For both of these reviews, CDSS will only accept the SOC 815, 817, and 818 relative assessment/ reassessment forms that were completed no later than the last day of the review month as proof of compliance with the Higgins requirements and as evidence for eligibility for Title IV-E funding.

For example, when CDSS conducts its review in March of 2004 of cases active for at least 31 days as of February of 2004, only the SOC 815, 817, and 818 forms that were completed no later than February 29, 2004 will be accepted as documentation that the assessments/reassessments were completed in accordance with law. Case notes or other case file documents will not be accepted as proof of compliance with the Higgins requirements and as evidence for eligibility for Title IV-E funding.

Absence of FBI criminal records clearance documentation will not be considered as grounds for determining the case is out of compliance.

Also effective on March 1, 2004, the Rebuttal process as set forth in All County Information Notice No: I-67-03 will be modified. In the event that completed SOC 815, 817, and 818 forms are not available for review on CWS/CMS, the county will be given **15** business days from the date the Rebuttal Matrix is emailed or faxed to the county contact to provide CDSS with hard copies of these forms that were completed no later than the last day of the review month. For Probation cases, CDSS will require actual hardcopy documentation of the SOC 815, 817 and 818 to verify compliance. There will be no second rebuttal process.

The changes in the calendar 2003 Relative Approval Monitoring Process will not apply to those 37 counties who have completed their reviews.

County Compliance Actions

Counties are reminded that for both 2003 and 2004 monitoring reviews, counties must correct any case determined by CDSS to be out of compliance within 30 days of notification by CDSS. Further, where a county is determined by CDSS to be below 90 percent compliance based on all of the sampled cases, the county must enter into a corrective action plan to identify and correct any systemic conditions which resulted in non-compliance.

For calendar year 2003 and 2004, CDSS will notify individual counties of any required claim adjustments due to individual ineligible cases. For the calendar 2004 review period, counties may also have to make fiscal adjustments to their Title IV-E claim at the direction of CDSS, based on an extrapolation of the monitoring results to the Title IV-E relative population served by that county. As a reminder, relative cases found ineligible for Title IV-E will not be eligible for any state foster care funding.

Use of Forms SOC 815, 817, and 818

Forms SOC 815, 817, and 818 were developed by the parties in Higgins in part to serve as a useful tool to assist county workers who are assessing relative homes for compliance with licensing standards. It is expected that county workers will have these forms on hand when performing the on-site assessment of the relative home, and that the county worker will complete these forms contemporaneous with that assessment.

If you have questions regarding the monitoring review process, please contact Ellie Jones, Chief, Children's Services Operations Bureau at (916) 651-8100. If you have questions regarding claim adjustments, please e-mail your question to Fiscal.Systems@dss.ca.gov.

Sincerely,

Original Document Signed By:

SYLVIA PIZZINI
Deputy Director
Children and Family Services Division