

**DEPARTMENT OF SOCIAL SERVICES**

744 P Street, Sacramento, California 95814



October 4, 2007

**ERRATA**

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

SUBJECT: CORRECTION TO ALL COUNTY LETTER (ACL) NO. 07-14  
CHANGES TO TITLE IV-E FOSTER CARE AND ADOPTION  
ASSISTANCE PROGRAM (AAP) ACTIVITIES THAT ARE ELIGIBLE  
FOR FEDERAL FINANCIAL PARTICIPATION (FFP) AS THE RESULT  
OF THE DEFICIT REDUCTION ACT (DRA) OF 2005

**REASON FOR THIS TRANSMITTAL**

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

The purpose of this erratum is to correct information contained in All County Letter No. 07-14.

**Relative Placements**

ACL No. 07-14, stated that the California Department of Social Services (CDSS) had requested approval from Region IX to allow up to six (6) months of federal financial participation (FFP) for administrative costs for an otherwise Title IV-E eligible child placed in foster care with a relative for whom approval is pending. Region IX provided CDSS with subsequent clarification in a letter dated July 19, 2007, that it expects the State to use up to four (4) months instead of six (6) as the average amount of time it takes for a relative foster family home to be approved as meeting the licensing standards. Therefore, counties must limit administrative claiming for children placed with relatives for whom approval is pending to four (4) months. Although administrative costs may be claimed during this 4 month period, counties are reminded they are not to claim placement costs for Title IV-E reimbursement unless all relative approval requirements have been met pursuant to ACL's 02-78 and 04-02. This four-month time frame is only applicable to relatives/nonrelative extended family members (NREFM) for whom approval was pending on or after February 8, 2006. Claiming instructions will be provided in a subsequent County Fiscal Letter (CFL).

### **Ineligible Facilities**

Effective February 8, 2006, FFP for allowable administrative costs may be claimed for the calendar month that immediately precedes the month in which an otherwise Title IV-E eligible child moves from an unlicensed, unapproved, or otherwise unallowable facility into a licensed foster family home, licensed child care institution, or approved relative/NREFM foster family home. ACL 07-14 references CFLs No. 05/06-44 and No. 06/07-28 for purposes of claiming instructions when transitioning an otherwise Title IV-E eligible child from a federally ineligible facility into an eligible foster home or child care institution. CDSS is currently holding discussions with Region IX staff to provide clarification regarding instructions contained in the CFLs noted above. Counties are advised that the CFLs and the instructions contained therein may be updated and issued in a subsequent CFL.

### **Rosales vs. Thompson Court Decision**

The last sentence of this section should be modified to read "This means that Manual of Policies and Procedures (MPP) Section 45-202.332 can no longer be used as a basis for eligibility **beginning** June 9, 2006, because there is no longer an approved state plan amendment that incorporates it.

### **Adoption Assistance**

The Adoption Assistance section of ACL No. 07-14, page four (4) should be replaced to read:

"The DRA included changes to Section 473(a)(2) of the Social Security Act regarding the AAP. For children with special needs adopted on or after October 1, 2005 whose eligibility for Title IV-E adoption assistance is dependent upon AFDC eligibility, a child must meet the AFDC eligibility criteria (as it existed July 16, 1996) at the time of his or her removal from the home only. Previously, a child also had to meet the AFDC eligibility criteria at the time the adoption proceedings were initiated but that is no longer required and is not permitted."

All other information contained in this section has been removed as it has no applicability to implementation of the Deficit Reduction Act.

ACL No. 07-14  
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If you have any questions about these errata, please contact your Funding and Eligibility County Consultant at (916) 651-9152.

Sincerely,

***Original Document Signed By:***

MARY L. AULT  
Deputy Director  
Children and Family Services Division

c: CWDA  
CPOC