

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814

March 18, 1983



ALL COUNTY INFORMATION NOTICE 4-39-83

TO: ALL COUNTY WELFARE DIRECTORS
ALL COUNTY CHIEF PROBATION OFFICERS

SUBJECT: AFDC-FC SERVICES REQUIREMENTS FOR 601's AND 602's

In recent weeks, this department has received numerous requests for clarification of services requirements as they apply to Welfare and Institutions Code Sections 601 and 602 wards who receive AFDC-FC funding. The requirements were changed October 1, 1982 as a result of AB 2695 (Ch. 977, Stats. 1982) which implemented federal Public Law 96-272. The revised services requirements are outlined below.

- . All children in placement shall receive family reunification services unless the child's case record documents that return home is inappropriate in which case permanent placement services shall be provided. Family reunification services are services provided to the family and child for the purpose of safely returning the child to the family. Permanent placement services are provided to locate and maintain a placement that can be expected to be permanent such as adoption, legal guardianship or long-term foster care. (See EAS 45-201.413 for specific regulation and 45-101.1(p) and (y) for definitions.)
- . All children placed after October 1, 1983 will require preplacement preventive services. The purpose of these services is to prevent the need for the child's removal from his or her own home. The probation department case record must document the reasons why these services were not successful in maintaining the child with his or her family. (See EAS 45-201.411 for specific regulation and 45-101.1 (ee) for definition.)
- . A written assessment and service plan must be developed within 30 days of the date the agency becomes involved with the child or the date of the child's removal from home, whichever is later. (The regulations effective October 1, 1982 allowed 60 days for the completion of a full service plan. However, on February 25, 1983 the Office of Administrative Law determined that this was contrary to state law, which allows 30 days.) The assessment and service plan must be updated in conjunction with the periodic reviews discussed below. An assessment is a written document which states the reasons requiring the child's placement into foster care and which identifies the child's problems and needs at the point in time the assessment is completed. A service plan must specify:

- how the child's problems or needs identified in the assessment are to be addressed,
- the type of home in which the child shall be placed and the appropriateness of the home for meeting the child's needs, and
- the agency's plan for providing services to meet these needs while the child is in foster care and to reunify the child with his or her family or, if reunification is not possible, to facilitate an alternate permanent plan.

(See EAS 45-201.412 for specific regulation and 45-101.1 (c) and (jj) for definitions.)

Periodic reviews of the child's status shall be conducted no less often than once every six months by either the juvenile court or an administrative review panel. The review shall include:

- a determination of the continuing need for placement,
- an evaluation of the goals for the placement and the progress towards meeting such goals, and
- a target date for the child's return home or establishment of an alternate permanent placement.

Federal law requires that when the review is done by an administrative review panel, the review be one that is "...open to the participation of the parents of the child, conducted by a panel of appropriate persons at least one of whom is not responsible for the case management of, or the delivery of services to, either the child or the parents who are the subject of the review."

(See EAS 45-201.42 for specific regulation and 45-101.1 (x) for definition.)

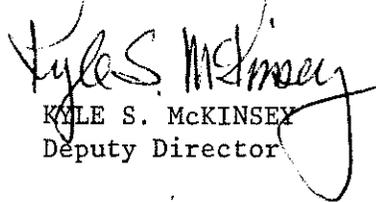
Permanency planning hearings shall be conducted by the juvenile court no less often than once every 18 months. These hearings shall establish and maintain a plan for the child's permanent living arrangement, including setting a goal of family reunification, adoption, establishment of a legal guardianship or long term foster care. The permanency planning hearing may be the same hearing as the periodic review. (See EAS 45-201.43 for specific regulation and 45-101.1 (z) for definition.)

The child in placement must be visited by the probation officer no less often than once every six months. (See EAS 45-201.414 for specific regulation.)

- . The AFDC-FC income maintenance case record maintained by the county welfare department shall contain a statement from the probation department that the above requirements have been met. This statement must be on the "Certification of AFDC-FC Requirements" (FC 5) form unless a specific alternate form has been approved by this department. The FC 5 is being revised to reflect the changes in services requirements. (EAS 45-201.44 requires the use of this form.)

For AFDC-FC purposes, Division 30 services regulations can be used as a guideline for provision of services to 601's and 602's. However, the specific requirements contained therein are not binding on probation departments serving this population.

Copies of the AFDC-FC regulations noted above are attached. Probation departments which have questions concerning AFDC-FC eligibility requirements should direct their questions to the local county welfare department. If the welfare department requires assistance in responding to these or other questions regarding AFDC-FC, it should contact the Foster Care Program Bureau at (916) 445-0813 (ATSS 485-0813).


KYLE S. MCKINSEY
Deputy Director

Attachment

Excerpts from Department of Social Services' Eligibility and Assistance Standards Division 45 regulations relating to the provision of services to AFDC-FC recipients.

45-101 DEFINITIONS

.1 The following definitions shall apply to the terms used in the AFDC-FC Program:

- (c) Assessment means the written document in the services case record which states the reason necessitating the child's placement into foster care and which identifies the child's problems or needs at the point in time the assessment is completed.
- (p) Family Reunification Services means services provided to the family and the child in foster care placement for the purpose of safely returning the child to his or her family.
- (x) Periodic Review means a review of the child's status which is conducted by the juvenile court, an Indian Tribal court which has jurisdiction over civil actions on an Indian reservation, or an administrative panel. Such review shall include:
 - (1) a determination of the continuing need for placement in foster care;
 - (2) an evaluation of the goals for the placement and the progress towards meeting such goals; and
 - (3) a target date for the child's return home or establishment of an alternate permanent placement.
- (y) Permanent Placement Services means services provided to the child for the purpose of locating and maintaining a placement that can be expected to be permanent, such as adoption, establishment of legal guardianship or long-term foster care.
- (z) Permanency Planning Hearing means a hearing conducted by the juvenile court or an Indian Tribal court which has jurisdiction over civil actions on an Indian reservation. The purpose of the hearing shall be to establish and maintain a plan for the child's permanent living arrangement, including family reunification, adoption, establishment of a legal guardianship, or long-term foster care.
- (ee) Preplacement Preventive Services means services provided to the child and his or her family prior to placement into foster care for the purpose of preventing or eliminating the need for removal.

(jj) Service Plan means "case plan" as defined in Welfare and Institutions Code Section 11400 (b).

H (1) Welfare and Institutions Code Section 11400 (b) provides
A that a case plan means a written document in the services case
N record which at a minimum shall specify:
D

B (A) How the child's problems or needs identified in the
O assessment are to be addressed;

O (B) The type of home in which the child shall be placed
K and the appropriateness of the home for meeting the
child's needs; and

(C) The agency's plan for ensuring that the child, the
family and foster parents receive services in order
to meet the child's needs while in foster care and to
reunify the child with his or her family or, when
reunification is not possible, to facilitate an alternate
permanent plan.

45-201 GENERAL AFDC-FC REQUIREMENTS

.4 The following services requirements shall be met:

.41 The agency with responsibility for placement and care of
the child shall:

.411 Provide preplacement preventive services to children
placed into foster care on or after October 1, 1983,
and document in the services case record why
provision of these services was not successful in
maintaining the child with his or her family.

(a) The provision of preplacement preventive
services shall not be required when the current
authority for placement of the child is either:

(1) relinquishment of the child by one or more
parents or termination of parental rights
of one or more parents' or

(2) nonrelated legal guardianship.

- .412 Develop a written assessment and service plan within 30 days from the date the agency became involved with the child or the date of the child's removal, whichever is later. (See MPP Chapter 30-300.) HANDBOOK
- (a) Such assessment and service plan shall be updated in conjunction with periodic reviews in .42 below.
- .413 Provide family reunification services or, when return of the child to his or her own family is documented in the services case record as being inappropriate provide permanent placement services. (See MPP Chapters 30-200 and 30-300.) HANDBOOK
- .414 Visit the child no less frequently than once every six months.
- .42 Except for a child living with his or her nonrelated legal guardian, periodic reviews shall be conducted on behalf of the child no less frequently than once every six months from the date of placement into foster care. For severely emotionally disturbed children placed voluntarily pursuant to Welfare and Institutions Code Section 11401.1(c), see Section 45-203.643.
- .43 Except for a child living with his or her nonrelated legal guardian, permanency planning hearings shall be conducted on behalf of the child within 18 months of the date of placement into foster care and shall occur no less frequently than once every 18 months following the first hearing throughout the period of foster care placement.
- .44 The income maintenance case record shall contain a statement from the placement worker, on a form prescribed by the department, which certifies that the above requirements have been met. This certification shall occur at the time of application, at redetermination of the child's AFDC-FC eligibility and when there is a change in the authority for placement.