

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



May 10, 1994

ALL-COUNTY LETTER NO. 94-35

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

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: PROPOSED STATE PLAN AMENDMENT FOR THE EMERGENCY ASSISTANCE PROGRAM FOR COUNTY PROBATION AND WELFARE DEPARTMENTS

The purpose of this letter is to transmit two proposed changes in the Emergency Assistance (EA) program. The California Department of Social Services (CDSS) has submitted an amendment to the Title IV-A State Plan for the Emergency Assistance program to extend the maximum period of EA eligibility from six months to twelve months and to allow for the pass through of federal financial participation to counties for Child Welfare Services (CWS) children who remain in emergency shelter care (ESC) beyond 30 days. Based on informal contacts with federal officials, we anticipate that the amendment will be approved. When we receive formal approval, we will inform all the counties as soon as possible. State Plan amendments can become effective retroactively; however, in order to qualify for retroactive federal financial participation, once this amendment has been approved, counties must have implemented the following provisions.

EXTENSION OF ELIGIBILITY PERIOD

Approval of the State Plan amendment will extend the maximum period for EA eligibility from six months to twelve months for any one episode. Although Title IV-A limits the provision of EA services to short-term aid, the CDSS has determined that short-term aid may be defined to include the provision of services to an eligible needy child for up to twelve months when the nature of the emergency requires that level of service to resolve the emergency situation. This level of service must be authorized within 30 days of the application for EA and must also be limited to one episode within any twelve-month time period.

Any EA application with a parent/relative or county worker signature date of April 1, 1994, or later can be used to authorize EA services for a maximum of twelve months instead of six months. However, the county must modify the current version of the EA application (Eligibility Worker Verification section, Item 7), by striking out the word "six" and replacing it with the word "twelve." If this modification is not made, the EA eligibility period is limited to the six months printed on the application form. The CDSS is in the process of revising the EA application and will incorporate this change in the revised form.

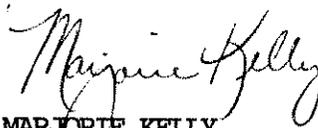
The twelve months of EA services must be authorized within the 30-day service authorization period following the date of application. In no case can the EA case plan or EA application be revised subsequent to the expiration of the 30-day service authorization period for EA claiming purposes. Once the State Plan amendment is approved, federal financial participation may be claimed for up to twelve months of services, if needed, for those cases in which the parent/relative or county worker signature on the application is dated April 1, 1994, or later, and the county has made the appropriate change to the application.

PASS THROUGH OF FEDERAL FUNDS FOR EMERGENCY SHELTER CARE BEYOND 30 DAYS

Current regulations, Division 31, Section 31-415, prohibit the use of both federal and state funds to pay for the cost of CWS children who remain in ESC beyond 30 days. This does not apply to children in foster care placement who are funded by Aid to Families with Dependent Children-Foster Care. In addition to obtaining approval of the proposed State Plan amendment, these regulations must be revised in order to allow for the pass through of federal financial participation under the EA program.

The CDSS is developing a proposal to make the needed changes in the Division 31 regulations and to implement these changes on an emergency basis. Counties will be notified as soon as the regulation change becomes effective.

Should you have any comments or questions regarding this material or any further questions concerning the EA program, please contact Mr. Lou Del Gaudio in the Children's Services Policy Bureau at (916) 445-2890, or FAX (916) 445-2898.



MARJORIE KELLY
Deputy Director
Children and Family Services Division