

DEPARTMENT OF SOCIAL SERVICES

June 14, 1999

ALL-COUNTY LETTER 99-41

TO: ALL COUNTY WELFARE DIRECTORS
 ALL PUBLIC ADOPTION AGENCIES
 ALL CDSS ADOPTION DISTRICT OFFICES
 ALL LICENSED PRIVATE ADOPTION AGENCIES

REASON FOR THIS TRANSMITTAL

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

SUBJECT: EXEMPTION FROM THE PROVISIONS OF SENATE BILL 933, CHAPTER 311,
 STATUTES OF 1998, FOR OUT-OF-STATE GROUP HOME PLACEMENTS
 MADE BY ADOPTIVE PARENTS

During the implementation of SB 933, questions have arisen regarding the application of newly enacted Family Code (FC) Section 7911.1 to out-of-state group homes placements made by adoptive parents and funded through the Adoption Assistance Program (AAP). Upon reviewing the legislative history as well as the statutory language, the Department has determined that the provisions of FC Section 7911.1 do not apply to out-of-state group home placements funded by the AAP where the adoptive parents are the placing agency. The Department intends to propose legislation that will clarify the exemption of these placements from the provisions of FC Section 7911.1.

Until statutory changes have been made, current and proposed out-of-state group home placements where the placing agency is the adoptive parent may continue to receive AAP funding. As has been past policy, the adoptive parents will work with the AAP coordinator for the financially responsible county to obtain approval for AAP funding based on the recommendation of a licensed clinician who has determined that the out-of-state facility is the most appropriate placement that will meet their child's needs. The current or proposed out-of-state placement also must comply with requirements of the Interstate Compact on the Placement of Children (ICPC) unless the child is being placed following a determination that the child is a seriously emotionally disturbed (SED) child pursuant to Government Code Section 7570 et seq.

If you have any questions regarding out-of-state group home placements funded through the AAP, please contact Maria Barriga, Adoptions Policy Consultant, at (916) 323-0469 or by email at maria.barriga@dss.ca.gov.

Sincerely,

***Original Document Signed By Wesley Beers
 on June 14, 1999***

WESLEY A. BEERS
 Acting Deputy Director
 Children & Family Services Division

c: CWDA