

INITIAL STATEMENT OF REASONS

a) Specific Purpose of the Regulations and Factual Basis for Determination that Regulations Are Necessary

Section 40-188.21

Specific Purpose:

This section is adopted to require counties to verify that non-needy caretaker relatives who are receiving CalWORKs on behalf of a child who is a dependent of the court (and who is not eligible for federal Foster Care benefits) are approved pursuant to Welfare and Institutions Code Section 309(d) to care for the court dependent child. Once verified, this population is exempt from attending a redetermination appointment with the second county.

Factual Basis:

This adoption is necessary to comply with Welfare and Institutions Code Section 11052.6 as adopted by SB 1160 (Chapter 484, Statutes of 2008) which requires counties to verify that non-needy caretaker relatives who are receiving CalWORKs on behalf of a child who is a dependent of the court (and who is not eligible for federal Foster Care benefits) are approved pursuant to Welfare and Institutions Code Section 309(d) to care for the court dependent child. Once verified, this population is exempt from attending a redetermination appointment with the second county.

b) Identification of Documents Upon Which Department Is Relying

- Senate Bill 1160 (Chapter 484, Statutes of 2008)

c) Local Mandate Statement

No reimbursement is required by this regulation pursuant to Section 6 of Article XIII B of the California Constitution because this regulation provides for offsetting savings to local agencies or school districts that result in no net cost to the local agencies or school districts, within the meaning of Section 17556 of the Government Code.

d) Statement of Alternatives Considered

CDSS must determine that no reasonable alternative considered or that has otherwise been identified and brought to the attention of CDSS would be more effective in carrying out the purpose for which the regulations are proposed or would be as effective and less burdensome to affected private persons than the proposed action.

e) Statement of Significant Adverse Economic Impact On Business

CDSS has made an initial determination that the proposed action will not have a significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.