

**County of San Diego, Health and Human Services Agency (HHSA)
CalWORKs Program Guide**

Extended CalWORKs for Non-Minor Dependents

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40-183.B

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Revision Date:

November 29, 2016

Background:

Assembly Bill 12 requires that children who are under the responsibility of the County Child Welfare Services (CWS) or Probation Department at age 18 may remain in foster care as non-minor dependents (NMDs) until age 21 under the state-funded Extended Foster Care (EFC) Program.

ACL 11-61

Policy:

40-183.B.1 CalWORKs Eligibility Criteria

CalWORKs NMDs must:

1. Live with an approved relative caregiver who is not eligible for federal or state foster care payments
2. Meet EFC program requirements as determined by their CWS Social Worker. A NMD must:
 - A. Meet at least one of the following eligibility conditions:
 1. Be enrolled in, and working towards, completing high school or an equivalent program
 2. Be enrolled in a post-secondary or vocational school at least half-time, or be enrolled for the next available term
 3. Be participating in a program or activity that promotes employment or removes barriers to employment
 4. Be employed at least 80 hours per month
 5. Be incapable of participating in school or employment due to a documented physical, mental, or emotional condition
 - B. Agree and adhere to the Mutual Agreement for EFC. If the NMDs voluntarily exit and later re-enter foster care, the NMD must adhere to a Voluntary Re-Entry Agreement for EFC rather than a Mutual Agreement.
ACL 12-12
 - C. Cooperate with review hearings and complete the Six-Month Certification of EFC with their CWS Social Worker. The CWS Social Worker will provide a new Six-Month Certification of EFC every six months to document the NMD's continuing eligibility. This documentation must be received in the first month of the new certification period to prevent CalWORKs discontinuance.
ACL 11-78

Other household members, such as the relative caregiver or the NMD's minor child(ren), are not eligible to extended CalWORKs.

ACL 11-78 and 13-82E

40-183.B.2 CalWORKs Program Requirements

NMDs must adhere to EFC Program requirements and are **not** subject to CalWORKs program requirements, such as:

- Application, redetermination, or Semi-Annual Reporting (SAR)
- Face-to-face interview
- Statewide Fingerprint Imaging System (SFIS)
- CalWORKs income and property limits
- California residence
- Child Support enforcement
- Maximum Family Grant (MFG) rule
- Time on Aid (TOA) limits
- Participation in Welfare-to-Work (WTW) or Cal-Learn programs

ACL 11-78, 12-27, and 13-10

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NMDs may receive recurring special needs or Pregnancy Special Need (PSN) payments with verification. NMDs are not eligible to homeless assistance.

ACL 13-82

40-183.B.3 County Payment Responsibility

The county of jurisdiction retains CalWORKs payment responsibility for the NMD regardless of the county or state where the NMD lives.

A NMD may receive CalWORKs while residing outside of California for the following reasons:

- The NMD is placed with an approved relative who lives in another county or state; or
- The approved relative with whom the NMD is currently placed moves to another county or state.

ACL 11-78, 12-27, 13-10 and 14-33

40-183.B.4 Beginning Date of Aid (BDA)

The BDA is the first day of the following month in which the Six-Month Certification of EFC is signed, and timely and adequate notice can be given to discontinue the NMD from the relative caregiver's CalWORKs case.

ACL 11-78 and 12-27

The BDA for NMDs who re-enter EFC is the date of placement with the approved relative caregiver; provided the Voluntary Re-Entry Agreement for EFC is signed by the CWS Social Worker and all eligibility criteria are met.

ACL 12-27

40-183.B.5 Payment and Issuance Method

The extended CalWORKs payment amount is equal to the Maximum Aid Payment (MAP) for a non-exempt Assistance Unit (AU) of one. The payment may be issued to the NMD via direct deposit or Electronic Benefit Transfer (EBT).

ACL 11-78 and 12-27

40-183.B.6 Overpayments

Collection for extended CalWORKs overpayment claims may only occur via grant reduction while the NMD is actively receiving extended CalWORKs **or** if the NMD later receives CalWORKs for his/her own minor child(ren) due to the Hartley v. Lightbourne settlement.

ACL 12-66 and 13-82

40-183.B.7 Inter-County Transfer

The eligibility worker must initiate an inter-county transfer (ICT) to transfer CalWORKs payment responsibility after court jurisdiction is transferred to another county.

ACL 12-27 and 13-10

40-183.B.8 Out-of-State Placement

The eligibility worker will follow existing procedures under CPG 80-300.A for Interstate Compact on the Placement of Children (ICPC) cases.

ACL 14-33

Procedure:

CPG Processing Guide 40-183.B.1

Program Impacts:

Automation

How To #261

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Forms and Document Capture

All manual forms and notices must be imaged in to CERMS

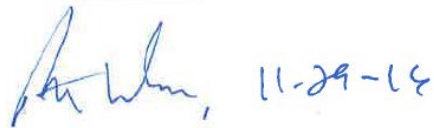
References:

AB 12 (http://www.leginfo.ca.gov/pub/09-10/bill/asm/ab_0001-0050/ab_12_bill_20100930_chaptered.pdf)
AB 1712 (http://www.leginfo.ca.gov/pub/11-12/bill/asm/ab_1701-1750/ab_1712_bill_20120930_chaptered.pdf)
AB 212 (http://www.leginfo.ca.gov/pub/11-12/bill/asm/ab_0201-0250/ab_212_bill_20111004_chaptered.pdf)
ACIN I-37-14 (http://www.dss.cahwnet.gov/lettersnotices/EntRes/getinfo/acin/2014/I-37-_14.pdf)
ACL 11-61 (<http://www.dss.cahwnet.gov/lettersnotices/entres/getinfo/acl/2011/11-61.pdf>)
ACL 11-78 (<http://www.dss.cahwnet.gov/lettersnotices/entres/getinfo/acl/2011/11-78.pdf>)
ACL 12-12 (<http://www.dss.cahwnet.gov/lettersnotices/entres/getinfo/acl/2012/12-12.pdf>)
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EAS 40-190.15 (<http://www.dss.cahwnet.gov/ord/entres/getinfo/pdf/3EAS.pdf>)
EAS 42-101.3 (<http://www.dss.cahwnet.gov/ord/entres/getinfo/pdf/4EAS.pdf>)

Sunset Date:

This policy will be reviewed for continuance on or by November 30, 2019.

Approval for Release:



Rick Wanne, Director
Eligibility Operations