13. Relative Placements

When a child is removed from the physical custody of a parent, federal and state laws require that preferential consideration be given to placing the child with a relative. It is estimated that 36 percent of all foster care (FC) children in the state are in care of a relative. Approved or Certified Relative Caregivers (RC) in California must meet the health and safety standards that mirror those for licensed foster parents, such as undergoing criminal background and child abuse index checks.

13.1 Definition of Relative

A “relative” of a Foster Care child is a person related to the child by virtue of being one of the following:

- The father, mother, brother, sister, half-brother, half-sister, uncle, aunt, first cousin, first cousin once removed, nephew, niece, or any such person of a preceding generation denoted by the prefixes grand-, great-, great-great-, or great-great-great.

- The stepfather, stepmother, stepbrother or stepsister.

- The spouse of any person named above, even after the marriage has been terminated by death or dissolution.

For Foster Care purposes, when a parent's rights to a child are terminated by the filing of a relinquishment with the California Department of Social Services (CDSS) or by court action, that parent and his or her relatives are no longer considered to be the child's relatives.

IMPORTANT:

The above requirements apply to placements in California. The definition of “relative” varies from state to state. When there is an out-of-state placement, the “host” state’s rules apply.
13.1.1 Chart: Caretaker Relatives of a Foster Care Child

“Relatives” of a Foster Care child include:

All persons listed on this chart are shown in their relationship to the Foster Care child.
Note:
“1st Cousin Once Removed” is also extended from both the “Great Aunt” and “Great Uncle.”

13.1.2 Additional Caretaker Relative Criteria

- Caretaker relatives not specifically identified must obtain a foster home license or a Resource Family Approval (RFA) certificate in order to receive Foster Care payments for the child in their care, even if they are otherwise exempt from licensing.

- The spouses of blood relatives may be caretaker relatives even if the marriage has ended by death or divorce.

- Once parental rights to a child are terminated, the child’s relationship to all other blood relatives also ceases for foster care purposes. (This restriction does not apply to CalWORKs.)

- If a child is adopted, eligible caretaker relatives are limited to the adoptive parent(s) and their relatives as listed above.

13.1.3 When is Grandparent/Grandparent’s Spouse a “Relative”

Use the following chart to determine if a grandparent/grandparent’s spouse meets the definition of a caretaker relative.

<table>
<thead>
<tr>
<th>IF the child resides with...</th>
<th>Does an AFDC-FC “caretaker relative” relationship exist?</th>
</tr>
</thead>
<tbody>
<tr>
<td>The spouse or former spouse of a “natural” grandparent.</td>
<td>Yes</td>
</tr>
<tr>
<td>The mother and/or father of a stepparent [step-grandparent(s)].</td>
<td>No (There are no blood ties to the child.)</td>
</tr>
<tr>
<td>The former stepparent who is remarried.</td>
<td>Yes</td>
</tr>
</tbody>
</table>

13.1.4 Documentation or Relative’s Relationship to Child

The “Foster Care Caretaker Relative Documentation Chart” (SCD 1383-FC) is used to establish the caretaker relative’s relationship to the child.
Relative Placements

- Birth certificates and/or any other documents including court orders may be requested if available.

- The caretaker relative's sworn statement of relationship must be completed and signed. The back of the SCD 1383-FC, a “General Affidavit” (SCD 101) or a notarized statement may be used to meet this requirement.

13.1.5 Definition of Non-Relative

A non-relative is a person whose relationship to the Foster Care child is not within the fifth degree of relatedness, as defined by the state. In order to be entitled to Foster Care payments, a non-relative must be licensed or approved and meet the criteria of an “approved or certified home”.

13.2 Child in the Home of Parent or Relative from Whom Removed

Federal or non-federal Foster Care can only be paid when the child resides in an eligible facility which is NOT a home in which the parent(s), adoptive parent or relative from whom the child was removed is living.

- Anytime the parent, adoptive parent or relative from whom the child was removed comes to temporarily stay or visit, the intent of the stay/visit must be explored and monitored by both the SW or Probation Officer (PO) and the FC EW.

- Any stay/visit over 3 weeks is no longer considered temporary. At the beginning of the fourth week the FC EW must take action. Foster Care eligibility ceases and a timely NOA must be sent to discontinue aid if the parent/relative:
  - Applies for Public Assistance using the same address as the child.
  - Changes his/her mailing address to that of the child; or
  - Otherwise starts to make his/her home in the home with the child (i.e., stays over 3 weeks).

Example:
A Foster Care child is living with his grandmother. The child's mother, from whom he was removed, is released from jail and comes to stay in the home for a brief visit. Two weeks later the mother moves out. The Foster Care payment may continue.
Example:
A Foster Care child is living with his grandmother. The child's mother, from whom he was removed, comes to stay for a visit. She has no other residence. After a week has passed, the mother decides to remain indefinitely in Santa Clara County. Because she has decided to make the child's home her home, eligibility for Foster Care ceases and must be discontinued as soon as a timely NOA can be sent. If the grandmother will continue to have care and control of the child, she can apply for CalWORKs. The placement worker will need to be involved in this process.

Note:
Per CalWORKs regulations, the child's mother is a mandatory member of the Assistance Unit and the payment would be for all three (assuming the grandmother is a needy caretaker relative). Foster Care EWs must initiate an intra program status change (IPSC) to CalWORKs as no break in aid should occur. [Refer to CalWORKs Handbook, “AU Composition,” page 25-1.]

13.3 Relative Home Approval/Certification

When a Foster Care child is placed with a relative, a RFA certification or Home Approval is required. Payment may not be authorized until the date the Social Worker (SW), Probation Officer (PO) certifies on the SOC 815 (Question 5.) that the caretaker relative meets the standards for relative home approval or the meets the requirements under the Resource Family Approval (RFA) process [See “Resource Family Approval Program (RFA),” page 17-7]. If any of the boxes checked on the SOC 815 are “pending completion of the Plan of Correction" or DOES NOT meet the standards for relative or non-relative extended family member home approval, payment cannot be made unless the problems are corrected or county funding is approved.

With the implementation of the RFA Program relative caregivers obtain certification through the RFA process.
Relative Placements

The following forms are completed by the SW/PO; the SOC 158A must be included with SOC 815, SOC 817, SOC 818. For RFA homes the SOC 158A must be included with the RFHIAC. Copies of the required documents must be IDM’d in the eligibility file.

<table>
<thead>
<tr>
<th>Form No.</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>SOC 158A</td>
<td>“Foster Child’s Data Record and AFDC-FC Certification”</td>
</tr>
<tr>
<td>SOC 815</td>
<td>“Approval of Family Caregiver Home”</td>
</tr>
<tr>
<td>SOC 817</td>
<td>“Checklist of Health and Safety Standards for Approval of Family Caregiver Home”</td>
</tr>
<tr>
<td>SOC 818</td>
<td>“Relative or Non-Relative Extended Family Member Caregiver Assessment”</td>
</tr>
<tr>
<td>RFHIAC</td>
<td>“Resource Family Home Initial Approval Certificate.” Used at the initial placement</td>
</tr>
<tr>
<td>RFHRAC</td>
<td>“Resource Family Home Reassessment Approval Certificate.” Used at the annual reassessment</td>
</tr>
</tbody>
</table>

The above forms are required:

- At the time of the original placement or when the home is approved/certified, and
- Every 12 months thereafter.

Note:
Foster Care/ARC funding cannot be paid on expired or unapproved homes.

13.4 Former Relative [EAS 45-101.(f)(4)] and [45-202.518]

13.4.1 Definition

“Former relative” means a person related to a child by birth or adoption by virtue of being one of the persons within the fifth degree of relationship when legal rights to the child are terminated by the filing of a relinquishment with the Department or by court action.”
13.4.2 Continuing Eligibility for Former Relatives
[EAS 45-101 (r) (1) (A)]

Federal Foster Care

Although parental rights are terminated and relative status ceases for federal Foster Care eligibility, a relative of the child who is within the fifth degree of relationship, is considered a “former relative”.

A former relative is entitled to federal Foster Care payments. They do not have to be licensed as long as the home is “Approved or Certified” and all other Foster Care eligibility requirements are met.

Non-Federal Foster Care

For non-federal Foster Care, a “former relative” is NOT considered a relative. In order to receive non-federal Foster Care payments, the “former relative” must be licensed, approved or certified and meet all other state Foster Care eligibility requirements.

13.5 Relative Funding Options

Relatives may be approved for federal AFDC-FC funding, CalWORKs, Approved Relative Caregiver (ARC) Funding Option, and County Only funding.

- **AFDC-FC**: To be eligible for AFDC-FC the relative must meet the federal requirements described in the “Federal Eligibility Determination,” page 4-1.

- **CalWORKs**: There are no non-federal AFDC-FC funding available for RCs, however, the RC may apply for CalWORKS.

- **ARC**: Effective June 1, 2015, RCs not eligible for federal AFDC-FC can receive the basic FC rate under the ARC Program as long as all other FC requirements have been met.

- **County Only**: When the RC does not meet the requirements for AFDC-FC, CalWORKs or ARC and the county chooses to provide funding, the RC may receive county funding.
13.6 Child Ineligible - County Only Funding

13.6.1 Child Ineligible for Foster Care and CalWORKs

While it is a rare occurrence, a child placed with a relative may be ineligible for both FC, CW, or ARC. If so, county funds may be requested as a Director's Exception (DE). The following actions must be taken to request and process a Directors Exception.

<table>
<thead>
<tr>
<th>WHO</th>
<th>ACTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>FC EW</td>
<td>Notifies the Social Worker immediately that the child is ineligible for Foster Care, ARC and CalWORKs funding.</td>
</tr>
<tr>
<td>SW</td>
<td>Uses “DFCS Request Placement Expenses” (SCZ 414Z) to request a Director's Exception to pay County funds. The SCZ 414Z is approved through the Special Funds Unit (SFU) and forwarded to eligibility.</td>
</tr>
<tr>
<td>FC EW</td>
<td>Reviews SCZ 414Z and any other approval documents for complete line approval and issues payments to the provider.</td>
</tr>
</tbody>
</table>

Payment authorization is normally limited to six (6) months; thereafter, a Director's Exception (DE) must be renewed every six months.

13.6.2 Undocumented Dependent Minors in a Relative Placement

A Director’s Exception must be completed and approved by the SW and their Supervisor for undocumented dependent child(ren) who are placed with a relative.

- They may be paid the Exempt Maximum Aid Payment (MAP) CalWORKs rate for one person or if all the eligible requirements are met or they may be eligible for the ARC Program.

- All eligibility requirements must be met except for eligible immigrant status (a PRUCOL application must be on file).

- If a rate is above the CalWORKs/ARC rate, a Director’s Exception (DE) is required, and must be approved by a DFCS SSPM.
13.7 Federal Eligibility

13.7.1 Policy

When a child is placed, federal eligibility must be determined and documented by entering the information in CalWIN, on the Collect Foster Care AFDC Eligibility Detail window (Linkage, Resources and Income Details tabs) and by completing the “Determination of Federal Foster Care Eligibility” (FC 3/FC 3A) forms. The CalWIN worksheets must be printed and scanned with the FC 3 and FC 3A. It is especially important when a child is placed with a relative because of the U.S. Supreme Court decision in the case of Miller vs. Youakim, which states that federally eligible children placed with relatives are eligible for Foster Care or CalWORKs. Prior to this, federally eligible children placed with relatives were not eligible for Foster Care.

Non-federally eligible children placed with relatives are not eligible for non-federal AFCD-FC. They eligible for either CalWORKs or ARC and county only funding when approved.

13.7.2 Federal Eligibility Redetermination

Effective July 9, 2014, annual redeterminations for federal AFDC-FC eligibility are no longer required under federal law after the initial federal linkage is established. This provision does not removed the other federal requirements such as licensing, certification, home approvals, updated FC 2 and an updated SOC 158A.

[For more information Refer to “Foster Care Redeterminations,” page 19-1.]
13.8 **Miller v. Youakim**

13.8.1 **Background**

On February 22, 1979, the U.S. Supreme Court decision in *Miller v. Youakim* allowed federally eligible children placed with relatives to receive Foster Care payments. Prior to this decision, Foster Care children placed with relatives could not receive AFDC-FC funding.

The *Miller v. Youakim* court decision also stated that the relative caregiver (RC) of a federally eligible dependent child is eligible for Foster Care (FC) or CalWORKs (CW); they have a choice.

Non-federally eligible children placed with a RC are NOT eligible for AFDC-FC, however, with the implementation of the Approved Relative Caregiver (ARC) Funding Option Program, RCs can receive funding in the amount equal to the basic Foster Care rate or CalWORKs; they have a choice.

13.8.2 **Caretaker Relative Options for FC or CalWORKs or ARC**

Because most children who are placed with RC are eligible for federal Foster Care, they can be disadvantaged by applying for CalWORKs (CW) before a Foster Care eligibility determination is made, as Foster Care rates are higher. Thus, when a child is placed with a RC, the Social Worker and/or FC EW must explain the options to the RC:

- If assistance is needed right away, the Intake FC Eligibility Worker (EW) can authorize Emergency Assistance (EA) for the first 30 days and/or county funding may be utilized, when all eligibility documents are available.

- When federal Foster Care eligibility is determined, the FC rate is higher than CalWORKs.

- If there is no federal eligibility for Foster Care, the FC EW must deny AFCD-FC funding and advised the RC of the option of applying for CW or ARC. When the RC chooses ARC, the FC EW must and verify if there is an ARC application on file. If not, the FC EW must provide the relative with a “Statement of Facts Support Eligibility For The Approved Relative Caregiver (ARC) Funding Option” (ARC 1) and ensure the ARC 1 is signed, dated and returned.
13.8.3 *Miller v. Youakim* Referral Process

Whenever child(ren) are placed with a RC, the FC EW must determine if there is federal eligibility. [Refer to “Federal Eligibility Determination,” page 4-1 for information about the federal eligibility determination].

**Federal Eligibility for Foster Care**

If the child is federally eligible, the FC EW must:

- Offer the RC the option of either Foster Care, or CalWORKs.
- Have the relative complete and sign the “AFDC Program Choice Indicator” (FC 4) and the “Caretaker Relative Documentation Chart” (SCD 1383-FC). Both sides of the SC 1383-FC must be completed.

**Note:**

The FC 4 only applies to federally eligible FC placements.

- Request a birth certificate from the RC in order to prove relationship within the fifth degree. (If a birth certificate is not available, the relative must state why and complete the affidavit on the back of the SCD 1383-FC or a general affidavit and the FC EW must request a copy.)
- Set up payment following the current procedures for issuing federal AFDC-FC.

**Note:**

The RC cannot be the same relative from the home of removal and the child’s parents cannot be living in the home where the child resides.

**Non-Federal Foster Care**

If the child is not federally eligible, the child is not eligible for AFDC-FC funding. Foster Care funding must be denied/discontinued and the caretaker relative must be given the following options:

- The RC can apply for CalWORKs as a “needy caretaker”,
- The RC can apply for CalWORKs as a “non-needy caretaker” because they do not want ARC,
- The RC can apply for CalWORKs as a “non-needy caretaker” with a child not eligible for ARC and apply for ARC for ARC-eligible child/ren.
- The RC is a “non-needy caretaker” and applies for ARC, and
- The RC does not want CalWORKs or ARC.
Relative Placements

Although the change from Foster Care to CalWORKs is an intra program transfer, a new SAWS 1 (application) must be completed if the RC wants CW. The RC must be referred to district office to complete the CW Intake process. The date of application for CalWORKs is the date the SAWS 1 is signed. It cannot precede the date of application for Foster Care.

When the RC applies for ARC only as a “non-needy caretaker” the case will remain with Foster Care Eligibility (FCE) and the SAWS 1 is not necessary. The ARC determination is made by the intake FC EW. To be eligible for ARC an ARC 1 must be completed, signed and dated by the RC. The begin date of aid is the date the ARC 1 is signed and returned to FCE whichever date is later, when the ARC is signed after June 1, 2015 as long as all other eligibility requirements are met. It must be noted that RC may be eligible for retroactive ARC payments when the RC completes and signs an ARC 1 and the ARC 1 is received by SSA on or before September 30, 2015.
## Relative Placements

### Application and Referral Procedures for CalWORKs when the RC does not want to apply for ARC

<table>
<thead>
<tr>
<th>WHO</th>
<th>ACTION</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>FC EW</strong></td>
<td>1. Makes 2 contacts with the caretaker relative to explain the FC denial/discontinuance and to confirm that they want to apply for CalWORKs.</td>
</tr>
<tr>
<td></td>
<td>2. If the relative approves, completes a &quot;Referral from Foster Care Bureau for CalWORKs&quot; (SCD 291) and a new SAWS 1 (application) with the correct date of application.</td>
</tr>
<tr>
<td></td>
<td><strong>Note:</strong>  If there are siblings who are also being denied/discontinued, list all siblings on the SCD 291.</td>
</tr>
<tr>
<td></td>
<td>3. Sends the SCD 291 and a copy of SAWS 1 to the relative (with the denial/discontinuance NOA.) The NOA may be sent separately.</td>
</tr>
<tr>
<td></td>
<td><strong>Note:</strong>  If unable to reach the relative, sends the SC 291 advising the caretaker relative to apply for CalWORKs. Do NOT complete a SAWS 1 without the relative’s prior approval.</td>
</tr>
<tr>
<td></td>
<td>4. Sends a copy of the denial/discontinuance NOA and a copy of the SC 291 to the child’s SW.</td>
</tr>
<tr>
<td></td>
<td>5. Gives the original SAWS 1, a copy of the SCD 291 and the latest SOC158 with current information to the Foster Care CST.</td>
</tr>
<tr>
<td></td>
<td><strong>Note:</strong>  Enters the relative’s relationship to the child and phone number on the SOC 158; and, highlights the caretaker relative’s name and address, etc. so that the CST has the necessary information to complete the SC 41.</td>
</tr>
<tr>
<td><strong>FC Clerical</strong></td>
<td>1. Completes an SCD 41 for the relative caretaker and the child(ren).</td>
</tr>
<tr>
<td></td>
<td><strong>Note:</strong>  If their are other siblings residing with the relative, lists all of them on the SC 41.</td>
</tr>
<tr>
<td></td>
<td>2. E-mails the SAWS 1, SCD 41 and a copy of the SCD 291 to the “AAC-VMC Referral” Outlook In Box.</td>
</tr>
<tr>
<td></td>
<td>3. IDMs the SOC 158A (and all FC related documents) in the closed FC as they must not be sent to District Office.</td>
</tr>
<tr>
<td><strong>District Office CST</strong></td>
<td>• Retrieves e-mail,</td>
</tr>
<tr>
<td></td>
<td>• <strong>Application Registration</strong> for new CalWIN case with information from the SAWS 1 and SCD 41,</td>
</tr>
<tr>
<td></td>
<td>• Follows District Office procedures for <strong>Case Assignment</strong> and scheduling in CalWIN.</td>
</tr>
</tbody>
</table>
13.9 Approved Relative Caregiver (ARC) Funding Option Program

Overview

The ARC program enacted by Senate Bill (SB) 855 (Chapter, 29, Statute of 2014), gives the counties the option, to approve basic foster care payments to Relative Caregivers (RC) when the children have been denied federal foster care funding. This program makes per child, per month payments to approved RCs in an amount equal to the basic Foster Care (FC) rate. Each county must choose to Opt-In the program by providing written confirmation to the California Department Of Social Services (CDSS).

The County of Santa Clara provided the Opt-In letter with the implementation date of June 1, 2015.

The ARC Program allows the county option of issuing retroactive ARC payments back to January 1, 2015. The County of Santa Clara has advised CDSS they will issue retroactive ARC payments.

Provisions

The ARC program was established to align the amount paid to an approved relative caring for a non-federally eligible dependent child or Non-Minor Dependent (NMD) with the basic foster care rate paid for an approved relative caring for a federally eligible child. This basic ARC rate does not include Special Care Increments (SCI), Education Travel Reimbursements (ETR), clothing allowances, infant supplement or child care payments authorized through the Child Development Program (CDP). SCIs, ETR, clothing allowances, and infant supplements may be authorized with county funding as an addition to the ARC payment. All authorized CDP payments are paid directly to a child care provider.

The ARC program is optional for the RC. The RC can decide not to apply for ARC and may still decide to apply for CalWORKs (CW) or no funding.

Note:
The County of Santa Clara County will not authorize county general funding for a RC that does not apply for potentially ARC-eligible children.
The ARC program changes the “Miller v Youakim” denials where the RC would be referred to CalWORKs after the federal foster care determination is denied. Foster Care Eligibility (FCE), the Department of Family and Children Services (DFCS) and Juvenile Probation Department (JPD) staff are now required to provide a “Statement of Facts Supporting Eligibility For the Approved Caregiver (ARC) Funding Option Program” (ARC 1) to all RCs at the initial placement or the change of placement from a Foster Family Home (FFH), Foster Family Agency (FFA) or Group Home (GH) to a RC. The SW/PO or the FC EW must assist the RC in completing as much of the ARC 1 as possible. An ARC 1 must be completed for each potentially eligible child.

When the county chooses to issue retroactive ARC payments, the effective date must be January 1, 2015, for all ARC eligible children as long as the ARC eligibility requirements are met. The county cannot chose a different date unless the ARC eligibility requirements are met after January 1, 2015. To be eligible for retroactive payments, the ARC 1 must be signed, dated and received by the county no later than September 30, 2015. All retroactive ARC payments must be issued by December 31, 2015.

In the County of Santa Clara all ARC applications must be returned to the FC bureau. The Intake FC EW will make the initial ARC eligibility determination and issue the initial ARC payment(s). All retroactive ARC payments, authorized SCIs, ETRs, clothing allowances, or infant supplements are sent directly to the continuing FC EW.

The continuing FC EW will issue the ongoing ARC payments. Any additional payments for the ARC-eligible child must be issued on the denied FC case (This process is subject to change when an available Aid Code for County Funding is added to the ARC case).

### 13.9.1 Eligibility

To be eligible for an ARC payment a child or NMD must meet ALL the following requirements:

- The child/youth must be under the supervision of DFCS or JPD as a part of the California juvenile court system, or

- When the child/youth is placed by a Voluntary Placement Agreements (VPA); the child is eligible for the ARC Program up to 180 days or six months. In order to continue payment beyond six months court dependency must be established before the VPA payment expiration date. For more information [Refer to “Voluntary Placement,” page 3-12).
Relative Placements

- The Relative Caregiver’s home must be fully approved or certified,
- The Relative Caregiver must be a California resident,
- A federal foster care determination must be denied, and
- An ARC 1 must be signed, dated and returned to SSA by the RC for each potentially eligible ARC child/NMD. The ARC 1 can be completed at SSA during the intake process when FC is denied or when provided by the SW/PO.

Note:
Participation in the ARC Program is not mandatory. RCs may choose to receive CalWORKs, Medi-Cal, or no benefits.

Child Development Program (CDP)

In order to qualify for Title IV-E child care, the family must be receiving a foster care payment. ARC families do not qualify for Title IV-E child care because they are not receiving a ‘foster care payment’ but rather an ARC/CalWORKs payment.

Non-Minor Dependents (NMD)

A youth in the ARC Program may agree to participate in the Extended Foster Care (EFC) as a NMD and is eligible to receive ARC funding until the age of 21. A new ARC application is not required to continue payments.

The difference between CW NMDs and ARC NMDs it that the RC not the NMD receives the ARC payment.

When the NMD wants to become the payee under a Supervised Independent Living Placement (SILP), the ARC case must be closed and the denied FC must be restored. The youth must meet all of the requirements under the EFC program for more information regarding the EFC program [Refer to “Basic Eligibility Requirements,” page 39-3].

Revised: 08/10/2016
Update #16-16
13.9.2 Ineligible Placements

- RCs placed out-of-state are not eligible for the ARC Program.
- RCs cannot receive CalWORKs (CW) and ARC at the same time for ARC eligible children. The RC must decide.
- RCs eligible for federal AFDC-FC are not eligible for the ARC Program.

13.9.3 Undocumented Children

An undocumented child may be eligible for the ARC Program if all ARC requirements have been met. The SW/PO must provide a completed PRUCOL application and the child would be approved under the “ARC Only” Aid Code Refer to “Funding Sources and ARC Aid Codes” on page 13-26.

An undocumented PRUCOL children, may be eligible for CalWORKs under a ARC + Federal Aid Code when the child is a victim of trafficking, domestic violence, and other serious crimes. When the child is currently on CalWORKs they would be in one of the following Aid Codes; 3E, 3G, 3H, 3L, 3M, 3U or 3W, otherwise for new cases the status may be found on the “T” Visa provided by the SW/PO.

Note:
When there are questions regarding the immigration status, the assigned SW/PO must provide clarification.

For more information regarding the immigration and PRUCOL status refer to “Residence/Refugee/Alienage/PRUCOL” on page 6-1.

13.9.4 Inter County Transfers

Inter County Transfers (ICT) will not follow the normal ICT process for CalWORKs or Foster Care. Although the county of residence is typically the county with payment responsibility for CalWORKs (except NMDs), the county of court jurisdiction is the county with payment responsibility for the ARC Program even if the RC moves out of the county. This is includes the CalWORKs portion of the ARC payment and Medi-Cal for the ARC-eligible child.

It does not matter if the county of resident is or is not participating in the ARC Program; The county with jurisdiction over the child must continue the payments at the eligible rate. As long as the child remains a resident of California and all
eligibility criteria are met, the ARC payment must continue. The FC EW must request that ARC-eligible child/ren living in another county to be discontinued from the CalWORKs case. A CalWORKs ICT cannot be initiated.

The following are issues relating to ARC-eligible children living outside the county of jurisdiction:

• **Non-needy RC With Only ARC Eligible Child/ren** - The child/ren must be discontinued from the CalWORKs case of county of residence. An ARC case must be established in the county with jurisdiction over the child. FC ICT documents are not required.

• **Non-needy/Needy RC With ARC-Eligible Child/ren And With Child/ren Not Participating In ARC** - The ARC-eligible child/ren must be discontinued from the CalWORKs case but the CalWORKs non-needy/needy RC will remain active in the county of residence.

New cases are established at the county of jurisdiction, but CalWORKs cases for Non-needy/Needy RC who receive CalWORKs for themselves and/or a child/ren who is not participating in the ARC Program would be maintained by the county of residence. The ARC-eligible child/ren cannot be included in the CalWORKs case.

**Example:**

For existing CalWORKs case; a SCC ARC-eligible child lives in Alameda County, while Alameda County retains payment responsibility for CalWORKs, SCC is responsible for the ARC payment. Since SCC has the payment responsibility for the ARC Program, the child's ARC case must be created in SCC and the ARC-eligible child/ren must be discontinued from the CalWORKs case in Alameda county.

**Note:**

Currently, the state is discouraging jurisdictional transfers for ARC eligible children. Further instructions are pending.
13.9.5 Termination of Parental Rights or Relinquishment for ARC Eligible Children

The ARC program is for relatives, however, when the termination of parental rights or relinquishment occurs by court action, that parent and his or her relatives are no longer considered to be the child’s relative. The ARC program follows the same requirements as FC placements. If the child remains with the same caregiver as a former relative (there is no change in placement) the caregiver is no longer eligible for ARC. The SW must complete a change of placement to a Non-Relative Extended Family Member (NREFM) and a new SOC 158A is needed. However, a new home approval or certification is not necessary.

When the caregiver remains the same, the caregiver is now a the former relative, the denied FC case must be restored and the ARC case must be closed. The FC EW must complete a change of placement to a NREFM to continue payment. The child is only eligible for non-federal AFDC-FC funding.

13.10 Payment Rules

The following are payment rules that apply to the ARC Program:

- Each ARC eligible child must have their payments issued on their own case thus, becoming an Assistance Unit (AU) of one.
- The county of court jurisdiction over the child is the county with the payment responsibility even if the child moves out of the county. The CalWORKs portion of the ARC payment is based on the county with jurisdiction even when the RC moves out of county (see “Inter County Transfers” on page 13-17).
- Beginning Date of Aid (BDOA) is the date the county receives the signed and dated ARC 1 and ALL other eligibility requirements are met. However, during the retroactive ARC eligibility period the BDOA maybe January 1, 2015, or when all ARC eligibility requirements are met. When the ARC 1 is completed at the county office the BDOA is the date the ARC 1 is signed (There should be no date stamp on the ARC 1).
- An approved RC is eligible for retroactive ARC payments when the ARC application is signed and dated no later than September 30, 2015. Retroactive payments can only be paid from January 1, 2015, or the earliest date the child met all ARC eligibility requirements. Retroactive payment consists of ARC state general funds (Aid Code 2P or 2R).
Example:
If a child did not meet all the ARC eligibility requirements until March 1, 2015, the retroactive payment would begin March 1, 2015. Conversely, if the child met all the eligibility criteria November 1, 2014, the retroactive payment is effective January 1, 2015. The retroactive ARC payments must issued under the ARC General Funds (Aid Code 2P, 2R). The eligibility for ARC+CW (Aid Code 2S, 2T and 2U) would begin the date the ARC 1 is received by the county.

- All retroactive ARC payments must be issued by December 31, 2015.
- The ARC eligible child cannot receive ARC and Extended Foster Care (EFC) or CalWORKs at the same time. This includes additional CalWORKs payments that include special needs, emergencies, homeless assistance, and pregnancy special needs.
- The ARC payment is increased July 1st of each year based on the California Necessities Index (CNI).
- The ARC Program authorizes per-child, per-month payments not to exceed the basic FC rate. This includes age-related increases. It does not authorize any supplements or SCIs.
- SCC will issue payments via “Warrants” until CalWIN functionality for the ARC Program is completed. The effective date of for the changes in CalWIN is pending.
- ARC payments must be issued at the beginning of the month (similar to Kin-GAP). Since the benefits will be issued in CalWIN through Non-System Determined Issuances (NSDI), the FC EW will follow the process outlined in BEnDS 15-03 when issuing ARC payments until CalWIN is programmed.

Note:
It is anticipated in September 2016, that the state will issue an All County Letter (ACL) where ARC payments will be issued only for the number of days in care and will be paid the same as FC payments (retrospectively or after services).

- The ARC state general fund portion of the payment is offset by any Social Security or unearned income that an ARC-eligible child/youth receives. The CalWORKs portion of the ARC payment is not deducted. The parents income is not considered when determining ARC eligibility. The offsetting of Social Security income for the ARC general fund portion of the payment follows the current FC policy for unearned income refer to “Income,” page 7-1". 
Note:
The SSI/SSA SW Coordinators (SWC) along with the Fiscal department will monitor the offsetting of ARC payments.

- When the RC is currently on CW with an ARC eligible child, the ARC payment will begin the first day the child meets all the ARC eligibility requirements. Any CW paid during the ARC eligible period must be deducted from before issuing the ARC payment. [See 13.10.4].

- When there is a change of placement from one RC to another RC, the payment is not pro-rated. The payment to the new RC must begin the following month after the payment terminates from the previous RC, as long as all eligibility requirements are met.

Example:
RC 1 placements terminates on October 3, 2015. RC 2 meets all the ARC eligibility requirements on October 28, 2015. The first payment for RC 2 is November 1, 2015. It is anticipated in September 2016, that the state will issue an All County Letter (ACL) where ARC payments will be issued only for the number of days in care and will be paid the same as FC payments (retrospectively or after services).

Note:
Authorized SCIs, ETRs, clothing allowance and infant supplements must be paid using “County Only” funding as a separate payment and must not included with the ARC payment.

Children Who Do Not Qualify for CalWORKs

The ARC Program seeks to optimize the use of CalWORKs and ARC funds to provide payments for all ARC eligible children. However, if the CalWORKs income and property sections of the ARC application make the child ineligible for the CalWORKs portion of the ARC payment, the child may still participate in the ARC Program. In these cases, the ARC payment will consist entirely of state general funds appropriated for the ARC Program. (See “Funding Sources and ARC Aid Codes” on page 13-26).

ARC Payment as Income

Payments received by the RC from the ARC Program cannot be considered income for the purposes of determining other public benefits (except CalFRESH in some circumstance). Thus, the ARC payment will not be included as income when determined the RC’s or other household member’s eligibility for CalWORKs.

Child Support assignment and recoupment for the ARC Program will follow the CalWORKs and FC process. Child support may be recoupable for the entire ARC payments but only under Aid Codes 2S, 2T and 2P. NMD who have graduated and are receiving extended benefits under the AB 12 program are also exempt from child support.

RC must comply with the child support requirements when determining the CW portion of the ARC Payment. When it is NOT in the best interest of the child to refer the case to the Department of Child Support Services (DCSS) the SW/PO must complete the “Child Support - Good Cause Claim For Noncooperation” (CW 51). If the CW 51 was completed on the denied FC case or the CalWORKs case, it is sufficient for the ARC case, therefore a new CW 51 is not needed.

When the family is actively participating in family reunification efforts, the case should not be referred to DCSS. When there is no CW 51, the FC EW must request it from the assigned SW/PO and update the Collect Absent Parent Detail window in CalWIN.

Note:
The CalWORKs $50 disregard is not applied against the ARC payments.

Special Needs and Special Care Increments (SCI)

Although special needs and SCIs are not approved for the ARC Program, SCC will approve SCIs, ETRs, clothing allowances, and infant supplements with county general funds. The approved payments must have a signed dated “DFCS Placement Expense” (SCZ 414Z) before benefits are issued.

Note:
Due to current CalWIN functionality, any additional funding that is not a part of the ARC payment must be paid in the “Denied/Discontinued” FC case by the continuing FC EW until otherwise advised by the Program Bureau.

13.10.1 Medi-Cal

All ARC-eligible children/youth must have Medi-Cal established using the ARC Aid Codes. The ARC Aid Codes are available in MEDS for use. Until otherwise advised by the Program Bureau, SCC will use Aid Code 45 for ARC-eligible children until CalWIN is programmed to determine the appropriate ARC Aid Code.
13.10.2 Processing the ARC 1

The ARC 1 consists of two parts; Part 1 establishes eligibility for ARC and Part 2 establishes CalWORKs eligibility. The child is only assessed for CalWORKs to determine appropriate ARC Aid Code for payment.

The following does not apply when determining eligibility for the CalWORKs portion of ARC (Questions 4, 5 and 6 on the ARC 1):

- Face-to-Face interview,
- Statewide Fingerprinting Imaging System (SFIS),
- Photo-image of the approved relative caregiver,
- Immunization records,
- School Attendance,
- Cal-Learn participation,
- Welfare to Work,
- Redetermination (Follows the FC requirements for monthly visits and six-month review hearing), and
- Periodic Reporting.

Note:
Although the above requirements do not apply for the ARC Program, they are still required for the needy RC when applying for CalWORKs for themselves.

Existing CalWORKs Cases

For existing CalWORKs cases, Part One for the ARC 1 must be completed and the application must be signed and dated by the RC. Part Two may be completed using the information found in the active CalWORKs case or on the SAWS 2 Plus found in CalWORKs IDM case.

Documentation

The following documents are needed for the ARC case:

- The signed and dated ARC 1,
- The Home Approval or RFA Certification,
- A copy of the FC 3 obtained from the denied FC case or any documentation where the federal foster care determination was denied,
Relative Placements

- A copy of the Sworn Statement of Caretaker Relative To Establish Relationship (may be obtained from the denied FC case or CW case),

- A copy of the court order from the most recent review hearing. If the order is unattainable, the FC EW must contact the assigned SW/PO and document CalWIN Case Comments noting the court order was unattainable with the review hearing date. The continuing FC EW will need to follow-up to obtain a copy of the court.

- “Determining The ARC Aid Code” (SCD 2429), and

- “ARC Program Benefits Calculator” (SCD 2430), when multiple people are in the CW AU (one SCD 2430 for each payment).

- GEN 1365 (Notice of Language Services), Currently there are no additional translations for the ARC 1. Until translated materials are provided by CDSS the RC must be given the GEN 1365. The Relative Caregiver (RC) may call the local FC number for free assistance in completing the required ARC documents.

Any additional documents obtained from the denied FC case such as the SCD 41 FC and Foster Care Cash Aid and Lump Sum Income may also be retained in the ARC case.

Notice of Actions (NOAs)

The California Department of Social Services (CDSS) has developed four new NOAs for the ARC program.

- NA 1277 - ARC Program, Overpayments,
- NA 1278 - Approved ARC Payment,
- NA 1279 - Deny ARC Payment, and
- NA 1280 - Discontinue ARC Payment.

The following NOAs were published and are accessible through the Social Services Agency’s Web site in the SSA Form Library located at:


Below is a description of their use:
NA 1277 - ARC Program, Overpayments: The use of the NA 1277 is for overpayments that occurred because a payment made to an approved RC when the child was no longer eligible for ARC payments. For ARC overpayment rules, refer to “Overpayments (OP)” on page 13-36.

NA 1278 - Approved ARC Payment: Use the NA 1278 to approve cash aid under the ARC Program. The County of Santa Clara issues ARC payments through “warrants or checks.” The FC EW must check the box that indicates “A check mailed to you.” When CalWIN has added ARC functionality, the RC may request Direct Deposit or Electronic Fund Transfers (EFT).

NA 1279 - Deny ARC Payment: The ARC Program is a “Right to Apply”, which allows for anyone to complete an ARC 1. The use of the NA 1279 is to deny cash aid under the ARC Program. The FC EW must indicate a reason for denying ARC and check the appropriate box. The options available are:

- Your home was not approved, and you received a Notice of Action-Denial of Home Assessment/Approval (NA 1271) from the County explaining.
- The child is not under the jurisdiction of the California juvenile court system.
- You do not live in California.
- The child does not live in California.
- The child is federally eligible under the Title IV-E of the Social Security Act and qualifies for foster care funding (rather than ARC fund).
- The child is not eligible because of age.
- Other (when none of the above applies select other and add detailed a explanation of why benefits are denied).

NA 1280 - Discontinue ARC Payment: The NA 1280 is used when the RC has received ARC payments and is no longer eligible to continue receiving payments. The FC EW must indicate the reason why the payments are being discontinued by selecting one of the following options:

- The child is no longer placed with you (in their care).
- Your home is no longer approved, and you received a Notice of Action-Denial of Home Assessment/Approval (NA 1271) from the County explaining why.
- The child is no longer under the jurisdiction of the California juvenile Court System.
Relative Placements

- You no longer live in California.
- The child no longer lives in California.
- The child is no longer eligible because of age.
- Other (when none of the above applies select other and add a detailed explanation of why benefits are denied).

All of the above NOAs must accompany the NA BACK 9 which indicates “Your Hearing Rights.” For Hearing Rights associated with the ARC Program refer to Refer to 13.9.12.

13.10.3 Funding Sources and ARC Aid Codes

The ARC program is comprised of three funding sources:

- Federal, state and county CalWORKs Funds, or
- State General Funds, or
- County General Funds.

Together these funding sources are used to fund per-child, per-month payments. In other words, the amount that an ARC-eligible child receives per month from CalWORKs will be applied toward the child’s monthly ARC payment. The remaining balance is the ARC portion. The total balance of the monthly ARC payment is to the RC is equivalent to the basic FC rate.

An example of the way the ARC payment is calculated consists of the current CalWORKs Exempt Maximum Aid Payment (MAP) for an AU of one (in SCC) is $387 (see CalWORKs “Exempt (Unemployable) AU Standard Chart Region 1 - MAP Effective 04/1/15 and MBSAC effective 7/1/16” on page 1-2).

An ARC-eligible 7 year old child can receive the FC basic rate of $744 (based the July, 2015, FC rates). The CalWORKs portion is $387 and the ARC portion is the difference or $357. Thus, the RC would receive a monthly payment of $744. The county fiscal department is required to make the allocations based on the established ARC Aid Codes. The FC EW will only issue one ARC monthly payment per child.
The following Aid Codes are established to issue the ARC payment and for Medi-Cal (when available) benefits:

- 2S - ARC + Federal CalWORKs,
- 2T - ARC + State CalWORKs,
- 2U - ARC + State NMDs,
- 2P - ARC Only, and
- 2R - ARC Only (NMDs).

The Aid Codes are available in CalWIN under the CalWORKS/RCA Program. Until the Aid Codes are functioning in CalWIN, the ARC payment will be issued through Non-System Determined Issuance (NSDI) with one of the above Aid Codes and Medi-Cal will be active with Aid Code 45.

13.10.4 Determining Eligibility for Benefits

In order to approve payment the RC must complete (sign and date) an ARC 1 for each eligible child and return the ARC 1 to county. The date the county receives the ARC 1 is the BDOA as long as all ARC eligibility requirements are met. When the ARC 1 is completed with county staff (either the FC EW or SWPO) the BDOA is the date the ARC 1 is signed.

Although eligibility for CalWORKs is not a requirement for the receipt of an ARC payment, each ARC-eligible child must be assessed for CalWORKs in order to determine if CalWORKs funds can be utilized for portion of the ARC payment (Aid Codes 2S, 2T, and 2U).

The ARC 1 consists of two parts, an ARC portion and a CalWORKs portion. Determining the ARC Aid Code and issuing ARC benefits is a two-step process. The intake FC EW must first determine the ARC Aid Code and then determine the ARC payment.

ARC Portion (Part One of the ARC 1)

Part 1 of the ARC application establishes the child's eligibility for the ARC Program. This consists of question 1 through 3 of the ARC 1. The information needed to complete the questions is available in the denied FC case and/or CalWORKs case. The case number is obtained from the “Foster Care Identification and Intake Record” (SCD 41 FC).
Relative Placements

CalWORKs Portion (Part Two of the ARC 1)

Part 2 of the ARC 1 determines the CalWORKs portion of the ARC payment. Eligibility for the CalWORKs portion of the ARC payment is based only on the child’s income and property resources.

Income and resource eligibility is determined by applying the 1996 AFDC-FC income requirements. Up to $10,000 in income and resources maybe retained. The child may receive income that is less than the ARC payment but have resources that are under the $10,000 limit and still may be eligible for ARC.

When determined to be CalWORKs eligible, the CalWORKs portion of the ARC payment is based on the county of jurisdiction exempt MAP. No further computations are needed. The MAP rate for Santa Clara County is $387 effective, April 1, 2015 (See “Exempt (Unemployable) AU Standard Chart Region 1 - MAP Effective 04/1/15 and MBSAC effective 7/1/16” on page 1-2). Any income allocated to the child must not be deducted from the MAP rate, it is only deducted from the ARC general fund portion.

Determining the Aid Code

The Intake FC EW must complete the “Determining The ARC Aid Code” (SCD 2429) to determine the appropriate ARC Aid Code. A copy of the SCD 2429 must be maintained in IDM.

Note:
The use of the Social Security Disability Based Income (DBI) disregard rule for the CalWORKs Program is not used when determining the ARC Aid Code.

Determining Income Before Issuing Payments

When the RC is receiving Veteran’s benefits, Social Security Income in the form of survivor benefits or DBI the benefits are only deducted from the ARC General Fund portion of the ARC payment before it is issued. The income/resource limit for the ARC program is $10,000. Unless the ARC-eligible child’s income exceeds $10,000 the SSA income or veteran benefits must not be deducted from the CalWORKs portion of the ARC payment. After the initial payment is issued, the FC EW will issue the full ARC payment under the appropriate Aid Code (2S, 2T or 2P) and the County’s Fiscal Department will determine the fiscal impact of the ARC payment.

When the child is receiving SSI income, the child is not eligible for CalWORKs but eligible for an ARC only payment in the appropriate Aid Code (2P or 2R), the entire SSI income must be deducted from the ARC payment.
Note:
When the RC is receiving benefits directly on behalf of an ARC-eligible child, the RC must be advised that a request to have the benefits payable to SSA is required for all court dependent children. FC income offset and abatement rules remain in effect.

Below are examples of determining the appropriate Aid Code for ARC-eligible children receiving SSA survivor’s benefits, veteran benefits, and SSI income and issuing the initial payments.

Example:
A 12 year old ARC-eligible child is receiving RSDI income of $350 per month paid directly to the RC. The child is eligible for the basic foster care rate of $820. Using the SCD 2429, the ARC Aid Code is 2S and the payment is allocated as follows:

Table 13-1: Example 1

<table>
<thead>
<tr>
<th>Payment To RC</th>
<th>ARC Portion</th>
<th>CW Portion</th>
<th>Fiscal Claiming</th>
</tr>
</thead>
<tbody>
<tr>
<td>$450</td>
<td>$413</td>
<td>$387</td>
<td>ARC Portion</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>$413 - 350 = $63</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>CW Portion</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>$387</td>
</tr>
</tbody>
</table>

When SSA becomes the payee for benefits the full ARC payment is made using Aid Code 2S. The offset rules will be provided by the SWC directly to the Fiscal department.
Example:
A 12 year old ARC-eligible child is receiving SSI income of $500 per month paid directly to the RC. The child is eligible for the basic foster care rate of $820. Using the SCD 2429, the ARC Aid Code is 2P because the child is not eligible for CalWORKs and the payment is allocated at follows:

<table>
<thead>
<tr>
<th>Payment To RC</th>
<th>ARC Portion</th>
<th>CW Portion</th>
<th>Fiscal Claiming</th>
</tr>
</thead>
<tbody>
<tr>
<td>$820-600 = $220</td>
<td>$820</td>
<td>$0</td>
<td>$220</td>
</tr>
</tbody>
</table>

When SSA becomes the payee for benefits the full ARC payment is made using Aid Code 2P. The offset rules will be provided by the SWC directly to the Fiscal department.

Example:
A 12 year old ARC-eligible child is getting RSDI benefits in the amount of $1200 per month. The FC basic rate is $820. All other CalWORKs and ARC requirements are met but the income/resource limit is $10,000, therefore child is eligible for Aid Code 2S.

<table>
<thead>
<tr>
<th>Payment To RC</th>
<th>ARC Portion</th>
<th>CW Portion</th>
<th>Fiscal Claiming</th>
</tr>
</thead>
<tbody>
<tr>
<td>$387</td>
<td>$820 - 387 = $433 (Income exceeds the ARC portion)</td>
<td>$387</td>
<td>$387</td>
</tr>
</tbody>
</table>

When SSA becomes the payee for benefits the full ARC payment is made using Aid Code 2S. The offset rules will be provided by the SWC directly to the Fiscal department.

Social Service Agency Is The Payee For RSDI/SSI Benefits

When a child/youth enters FC under the supervision of DFCS/JPD and is receiving or eligible RSDI/SSI benefits, the provider must be informed that the future benefits will be sent to Social Service Agency. The SWC is responsible for completing the necessary documents to become the Authorized Representative Payee (ARP).
When benefits are received by Social Service Agency, the RSDI/SSI benefits are abated against the ARC payments. The abatement process follows the current policy for handling RSDI/SSI income except for the CW portion of the ARC payment. The CW portion of the ARC payment is not abated.

When the RC is receiving the benefits directly, the benefits must be deducted from the ARC payment as displayed in the above examples. When Social Service Agency becomes the payee for RSDI/SSI benefits, the benefits received are retained in a child sub-payee (CSP) account.

The SWC will complete the SCD 2432 AR and forward it to the Accounts Receivable section of the fiscal department for the distribution of benefits. The SWC must forward a copy of the SCD 2432 to FC clerical to IDM the document under the associated ARC case. For more information regarding the RSDI/SSI program [Refer to “Social Security Administration Benefits,” page 35-1].

Determining The First ARC Payment When No CW Has Been Paid

After the ARC Aid Code is determined and there is no income, the initial ARC payment must be issued. When there is no prior CW and the application is dated the 1st of the month, the full initial payment is issued under the appropriate Aid Code.

When the application is received after October 1, 2015, the initial payment is pro-rated based the date the application is received or on the date the application is signed when the application is received and signed on the same day. The first payment is pro-rated.

Example:

A 9 year old ARC eligible child’s application was received on the October 15, 2015, therefore the rate must be pro-rated. The Aid Code is 2S.

- The rate is $783 (based on the July 2015 basic FC rate).
- The ARC Aid Code is 2S.
- The number of eligible days are 31-15 = 16 plus 1 for the date of placement or 17 days.
- Using the pro-ration chart multiplier [Refer to “Proration of First Month Benefits,” page 7-1] 17 days with a month with 31 days is.5484, thus, $783 x.5484 = $429.
- The initial payment is $429 and future payments are $783.
Determining The First ARC Payment When CW Has Been Paid

When the RC received CW at the same time the child is eligible for ARC the CW portion must be deducted. When ARC applications are received after October 1, 2015, the initial payment is pro-rated based on the date the application is received or on the date the application is signed when the application is received and signed on the same day.

Reminder:
There are no retroactive ARC eligibility for ARC applications received on or after October 1, 2015.

To determine the initial payment, the Exempt MAP rate must be counted against the ARC payment as displayed in Table 13-4 using Aid Code 2S, 2T or 2U (CalWIN Comments must include “MAP was deducted from the initial payment”):

Example:
A 9 year old ARC eligible child received CalWORKs in the same month the child is ARC eligible. The application was received on the 1st of the month. The initial ARC payment is $783 (based on the July 2015 basic FC rate) the MAP is $387, the ARC Payment is $783-387=$396 until CW is terminated.

Table 13-4: Exempt Assistant Unit (AU) Chart Effective 4/1/15

<table>
<thead>
<tr>
<th>AU</th>
<th>MAP</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>$387</td>
</tr>
<tr>
<td>2</td>
<td>$636</td>
</tr>
<tr>
<td>3</td>
<td>$788</td>
</tr>
<tr>
<td>4</td>
<td>$936</td>
</tr>
<tr>
<td>5</td>
<td>$1065</td>
</tr>
<tr>
<td>6</td>
<td>$1197</td>
</tr>
</tbody>
</table>

For more than 6 children refer to the CW “Exempt (Unemployable) AU Standard Chart Region 1 - MAP Effective 04/1/15 and MBSAC effective 7/1/16” on page 1-2
When there are multiple ARC-eligible children or multiple people included in the CW assistance unit (AU) the initial ARC payments must be computed by Fiscal until ARC functionality is programmed in CalWIN. The intake FC EW will receive a SCD 2430 for each ARC payment. Below is an example of how the ARC initial payment(s) are determined when CW has been paid.

Example:

Three ARC eligible children received CW in the same month the children are ARC eligible, the CW MAP for three is $788, the BDOA is the 1st of the month;

- Child 1 is 2 years old and is eligible for the basic rate of $688,
- Child 2 is 5 years old and is eligible for the basic rate of $744, and
- Child 3 is 12 years old is eligible for the basic rate of $820.

The initial calculations must be made using the MAP chart as shown in "Exempt Assistant Unit (AU) Chart Effective 4/1/15" on page 13-32. The Intake FC EW must request the initial calculations. SCD 2430s for each ARC payment and for each child must be provided to the Intake FC EW to issue the payments.

The ARC calculation will include the following to deduct the CW portion attributed to each child:

- Child 1: MAP 788 - MAP 636 = $152,
- Child 2: MAP 636 - MAP 387 = $249,
- Child 3: MAP 387 - MAP -0- = $387.

The ARC payments will be as follows until CW is terminated:

- Child 1 is $688 - 152 = $536,
- Child 2 is $744 - 249 = $495,
- Child 3 is $820 - 387 = $433.

When CW is terminated the full ARC payment must be issued using the appropriate Aid Code.

When the ARC application is received after October 1, 2015, the initial ARC payment must be pro-rated when CW has been paid. CW is paid at the beginning of the month therefore is not prorated. However, the ARC portion of the payment must be prorated as displayed below. The FC EW will be provided with SCD 2430s that will include the prorated amount.

Below is an example of how the calculation is determined when issuing prorated ARC payments when CW has been paid.
Example:
A ten year old ARC-eligible child’s application is received 10/14/15, and CW has been paid at the non-needy rate of $387 (AU of 1). The Aid Code is 2S:

- The initial ARC eligibility is 18 days (31-14=17, plus 1 for the first day of placement).
- The rate effective July 1, 2015, is $783.
- The CW portion must be deducted $783-387 = $396.
- Using the pro-ration chart [see “Proration of First Month Benefits” on page 7-1] 18 days in a month with 31 days the multiplier is $396x.5806 = $230.
- The initial ARC payment is $230 and the future payments are $783 when CW is terminated.

All retroactive ARC benefits are calculated by Fiscal/Program and SCDs 2430 are sent to continuing FC EWs to issue the payments except when an ARC application is dated on or before September 30, 2015 and has not been processed by October 30, 2015. In this instance the Intake FC EW will issue retroactive ARC payments. All retroactive payments are issued using Aid Code 2P.

13.10.5 Six Month Review Hearing

All RCs supervised by DFCS/JPD are required to complete a six-month review hearing. After the hearing a Minute Order (MO) will be issued. A copy of the Minute Order is sent to FC Clerical. The Minute Order, along with the home approvals/RFA certifications and the redetermination dates will be used for continuation of placements and payments. This follows current FC policy, but since there is no functionality in CalWIN to start or stop ARC payments, the Minute Order must be used to determine the effective begin and end dates for the NSDI ARC payments. (See BEnDS 15-03)
13.10.6 Redetermination

Annual redeterminations are required for ARC eligible children. The ARC home must be re-certified or re-approved annually. A new ARC 1 is not necessary. The assigned SW/PO must continue to provide monthly visits and the six-month review hearing must be continue.

The FC EW must complete the MC 250 annually and Medi-Cal must continue to remain active for ARC eligible children.

The annual re-determination will follow the current practice for continuing FC cases until further notice (Refer to “Foster Care Redeterminations,” page 19-1), however, a new ARC 1 is not needed.

Note:

The State is currently working on updating the redetermination process from one year to two years for ARC-eligible children. It is anticipated the ACL will be issued September 2016.

13.10.7 State-Hearing [W&IC Section 10950]

An approved RC cannot appeal any reduction to his or her per-child, per-month payment that occurs as a result of the county deciding to Opt-out of the ARC Program. This includes any reductions in payments in the event of a state-budget reduction. However, if there is a reduction in payments to an approved RC is a result of some other determination unrelated to a county opting-out of the ARC Program, the RC retains his or her existing right to appeal.

When an appeal is filed the current appeal policy outlined the Foster Care Handbook Chapter 12.2 must be followed.
13.10.8 Overpayments (OP)

The establishment of OPs will follow FC rules for the ARC payments, including the CalWORKs portion. Collection is prohibited if one of the following conditions applies:

- The cost of collection exceeds the amount of the OP,
- The child was temporarily removed from the home for the following reasons:
  - Payment was owed to the relative to maintain the child’s placement, or
  - The child was temporarily absent from the relative’s home, or
  - The child was on a runaway status and subsequently returned, and
  - The payment was made to the relative to meet the child’s needs,
- The OP was exclusively the result of a county administrative error or both the county and the relative were unaware of information that would establish the foster child was not eligible for ARC benefits, and
- The relative did not have knowledge of and did not contribute to the cause of the OP.

The NA 1277 is to be used for the ARC Program see “NA 1277 - ARC Program, Overpayments” on page 13-25.

13.10.9 Termination of ARC Payment

The ARC payments will terminate for the following reasons:

- The RC requests termination of benefits,
- The RC wishes to apply for CalWORKs for ARC-eligible children,
- The SW/PO has transferred the case to another county (Jurisdictional Change),
- The youth has reached the age of 18 years old and does not agree to participate in the EFC.
- The youth agrees to participate in the EFC as a NMD but there change of placement that is not with a RC.
- The youth requests a SILP placement as a NMD (The can reside in the same home),
• The child/youth under 18 years old changes placement that is not a RC,

• The RC home approval/certification is terminated,

• The RC moves out of state, and

• The court dismissed dependency.

ARC is paid at the beginning of the month therefore there is no proration for the last payment. When there is a change of placement from a RC to another RC and the new relative meets all the eligibility requirements; the earliest date of payment is the first day of the following month after benefits were terminated to the previous RC.

Example:

   RC 1 placements terminates on October 3, 2015. RC 2 meets all the ARC eligibility requirements on October 28, 2015. The first payment for RC 2 is November 1, 2015.

Note:

   It is anticipated in September 2016, that the state will issue an ACL where ARC payments will be issued only for the number of days in care and will be paid the same as FC payments (retrospectively or after services).
The Intake/Triage FC EW receives a Relative Placement packet and determines there is no ARC 1. The Intake/Triage FC EW will send the ARC 1 to the provider or contact the provider to come to the office to complete the ARC 1. The FC EW will use the following procedures when processing ARC cases.

<table>
<thead>
<tr>
<th>The Intake FC EW Receives case assignment and Reviews the ARC 1.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>If the relative is...</strong></td>
</tr>
<tr>
<td>A Non-Needy Caregiver</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>A needy caregiver and wants CalWORKs (CW)</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td></td>
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<tr>
<td></td>
</tr>
<tr>
<td></td>
</tr>
</tbody>
</table>

**Note:** FC Clerical must date stamp all documents that are sent to DO. They must all add the ARC Stamp to all related ARC documents before sending them to DO.

### Active Relative Cases

<table>
<thead>
<tr>
<th>Is on CW with the ARC eligible child,</th>
<th>E-mail designed DO that an ARC case is established. The following are the ARC Liaison:</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Romelia Cuellar - So. County,</td>
<td>• Rigoberto Valdez - No. County,</td>
</tr>
<tr>
<td>• Elena Gutierrez - AAC Intake Central S.J.,</td>
<td>• Rosa Villalobos - Continuing Central S.J.,</td>
</tr>
<tr>
<td>• Melissa Garcia - GA Central S.J. and</td>
<td>• Olga Madonado-Garcia - BSC.</td>
</tr>
</tbody>
</table>

The e-mail must include the following:

- Case Name,
- ARC eligible child's full name and DOB,
- Case Number,
- ARC payment amount, and

**Note:** Refers to CalWORKs Update 15-11.
### Relative Placements

<table>
<thead>
<tr>
<th>STEP</th>
<th>WHO</th>
<th>ACTION</th>
</tr>
</thead>
</table>
| 1.   | Intake FC EW | * Receives and reviews application packet.  
      |           |   * Determines if documents are complete.  
      |           |   * Makes the Federal Determination by reviewing the following:  
      |           |     • Reviews the SOC 158A,  
      |           |     • Reviews the Court Order for the 3 findings,  
      |           |     • Determines the Authority for Placement,  
      |           |     • Determines the child meets the AFDC Linkage Criteria,  
      |           |     • Reviews the RFA Certificate or Home Approval.  
      |           |   Completes the FC3 and FC3A.  
      |           |   * If “Not Eligible for Federal AFDC-FC” in month of Petition is selected,  
      |           |     Completes CalWIN Eligibility and denies federal AFDC-FC.  
      |           |     * Verifies the ARC 1 has been completed.  
      |           |     * Returns documents or sends an e-mail to FC Control Clerk to App Reg a new CalWORKs case for the ARC assignment.  
      |           |     * When the CalWORKs case is created the FC EW will follow the process outlined in BEnDS 15-03.  
      |           |     * If "Eligible for federal AFDC-FC" follows the current process for federally eligible placements.  
      |           | **Note:** RFA Homes may not be fully approved when sent to Intake for processing. The Intake EW will pay any approved funding to a Temp RFA home. See BEnDS 15-03. The eligibility documents are held in a designated location until DFCS sends a SOC 158A when the home is fully approved.
### Relative Placements

<table>
<thead>
<tr>
<th>STEP</th>
<th>WHO</th>
<th>ACTION</th>
</tr>
</thead>
</table>
| 2.   | Intake FC EW |  - Receives ARC assignment.  
    |       |  - Receives and reviews ARC application packet.  
    |       |  - Determines the child is placed with a caregiver in the State of California (ARC cannot be paid outside of California).  
    |       |  - Reviews the RFA Certificate or Home Approval.  
    |       |  - Reviews the FC3 and FC3A and to be certain the Check Box “**Not Eligible for Federal AFDC-FC**” in month of Petition is checked.  
    |       |  - If receiving SSA/SSI benefits completes the SSA-11-BK (See FC HB 35.3) send an e-mail to the SSI/SSA Coordinator  
    |       |  - If active on CW with multiple people, request SCD 2430 from Fiscal/Program to determined the initial ARC payments.  
    |       |  - When there is no CW 51 on file, the absent parent is referred to the DCSS for recoupment of the ARC payment for Aid Codes 2S, 2P and 2T only.  
    |       |  - **Authorized Medi-Cal under Aid Code 45. The CalWORKs program must be canceled** (see BEnDS 15-03).  
    |       |  - CalWORKs will remain in a “Cancel” Status until CalWIN is programmed for ARC.  
    |       | **Note:** Children placed by the parents under a “Voluntary Placement Agreements” (VPA) are eligible for ARC for only 180 days. The ARC payment can only continue if the child becomes court dependent before the expiration date, otherwise payments must be terminated.  
    |       |  - For more information regarding the VPA program refer to the **FC handbook** [Refer to “Voluntary Placement,” page 3-12].  |
### Intake FC EW

Determines the appropriate Aid Code based on the child’s income, resources citizenship/immigration status using the SCD 2429.

**Note:** The child is only assessed for CW to determine appropriate ARC Aid Code for payment.

<table>
<thead>
<tr>
<th>Aid Code</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>2S</td>
<td>U.S. Citizen, Income &amp; Resources Less than $10,000.</td>
</tr>
<tr>
<td>2T</td>
<td>PRUCOL Status, Income &amp; Resources Less than $10,000.</td>
</tr>
<tr>
<td>2U</td>
<td>U.S. Citizen, Youth is a NMD Income &amp; Resources Less than $10,000.</td>
</tr>
<tr>
<td>2P</td>
<td>Child is not eligible for CW because of SSI.</td>
</tr>
<tr>
<td>2R</td>
<td>Youth is a NMD not eligible for CW due to SSI.</td>
</tr>
</tbody>
</table>

The ARC payment is based on the basic FC rate. The rates are effective July 1, 2016 (Rates are subject to change July 1 of each year).

<table>
<thead>
<tr>
<th>Age</th>
<th>Basic FC Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-4</td>
<td>$707</td>
</tr>
<tr>
<td>5-8</td>
<td>$765</td>
</tr>
<tr>
<td>9-11</td>
<td>$805</td>
</tr>
<tr>
<td>12-14</td>
<td>$843</td>
</tr>
<tr>
<td>15-20</td>
<td>$883</td>
</tr>
</tbody>
</table>
### Relative Placements

<table>
<thead>
<tr>
<th>4.</th>
<th>Intake FC EW</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Issuance of Payments:</strong> When it is determined that there are multiple children and the RC has received CW, the Intake EW must request and receive SCD 2430s from Fiscal for each child and for each month before issuing the initial payments until CalWIN is programmed.</td>
<td></td>
</tr>
<tr>
<td>- Issues all ARC payments in CalWIN through Non-System Determined Issuances (NSDI) as a recurring benefit using the appropriate ARC Aid Code following the procedure outline in BEnDS 15-03.</td>
<td></td>
</tr>
<tr>
<td>- For court order placements, the “Valid From Date” is the date of ARC 1 and the “Valid to Date” is the six months from the court order date.</td>
<td></td>
</tr>
<tr>
<td>- For Voluntary Placements, the “Valid From Date” is the date of ARC 1 and the “Valid to Date” is four months from the date the VPA is signed to allow time for the SW/PO to obtain a court order.</td>
<td></td>
</tr>
<tr>
<td>- Issues all ARC Payment through NSDI in the CalWORKs case.</td>
<td></td>
</tr>
<tr>
<td>- Sets a future TMT one month prior to the “Valid to Date” based on the NSDI payment.</td>
<td></td>
</tr>
<tr>
<td>- Forwards the documents to the FC EWS for IDM, review and transfer to Continuing FC EW.</td>
<td></td>
</tr>
<tr>
<td>- Forwards all authorized SCIs, clothing allowances, and infant supplements approved under Aid Code “9X” to the continuing FC EW to be issued on the closed FC case unless otherwise advised by the FC Program Manager.</td>
<td></td>
</tr>
</tbody>
</table>

**Note:** Payment must always be confirmed through the Search for Issuance window in CalWIN.

### 13.10.11 CalWIN Report

A new report is available in Business Objects under the Foster Care - E9 Administrative Folder Titled “ARC Payments with Special Aid Code” that must be ran on the first day of each month. The report includes the following:

- Case Number,
- ARC eligible child’s name,
- Program (for ARC Aid Code), and
- The “Valid from and to Date.”

This report will be used for case assignment, to avoid any disruption of payments.
### 13.10.12 Renewing the ARC Payment

<table>
<thead>
<tr>
<th>STEP</th>
<th>WHO</th>
<th>ACTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>DFCS JPD</td>
<td>Sends the Six Month Review Order to FC Clerical.</td>
</tr>
<tr>
<td>2.</td>
<td>FC Clerical</td>
<td>• Reviews the orders (all orders including minute order are sent to FC clerical) and removes the Minute Orders (MO).&lt;br&gt;• IDs the Minute Order and determines the Minute Order belongs to ARC by reviewing the Program Tab and determine “CalWORKs/RCA”.&lt;br&gt;• Assign the MO to the continuing FC EW.</td>
</tr>
<tr>
<td>3.</td>
<td>Cont’g FC EW</td>
<td>Six-Month Review Continuing Payment Requirement:&lt;br&gt;• Reviews the Minute Order to determine the relative placements.&lt;br&gt;• Reviews the Date of the Minute Order (Top right hand corner).&lt;br&gt;• Reviews the “Nature of the Proceedings” to be sure either 6,12 or 18 is checked, or 366.3 Hearing is checked.&lt;br&gt;• Reviews the “Next Hearing Date” (Bottom left hand corner) to be sure the next hearing is present that is six months from the Date of the Minute Order.&lt;br&gt;• Locates the “Placement” on the order to be sure &quot;Approved home of a relative or non-relative extended family member” is check.&lt;br&gt;• Reviews the RFA Certificate or Home Approval.&lt;br&gt;• Issues the ARC payment as NDSI re-curing payment with the “Valid to Date” at the earliest date whichever is first based on the following:&lt;br&gt;  • Re-determination due date, or&lt;br&gt;  • The next Review Hearing date, or&lt;br&gt;  • RFA Certificate or Home Approval expiration date.&lt;br&gt;• Issue authorized SCIs, clothing allowance, infant supplements as stated on the SCZ 414Z through the closed FC case.&lt;br&gt;• Set future TMT with the “Valid to Date” one month prior to the NSDI expiration date.</td>
</tr>
</tbody>
</table>
## 13.10.13 Annual Redetermination

<table>
<thead>
<tr>
<th>STEP</th>
<th>WHO</th>
<th>ACTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>FC EW</td>
<td>Sends the annual redetermination Packet to the assigned SW/PO.</td>
</tr>
<tr>
<td>2.</td>
<td>DFCS JPD</td>
<td>• Returns the annual redetermination packet to FCE, which must includes the following:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Updated SOC 158A,</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• FC 2 <em>(Pending clarification from the state)</em>,</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Reviews RFA Reassessment Certificate (located in the EW Tools Folder) or Relative Home Approval packet, and</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Copy of the review Minute Order.</td>
</tr>
<tr>
<td>3.</td>
<td>FC Clerical</td>
<td>• Assigns Re-determination packet to Continuing FC EW.</td>
</tr>
<tr>
<td>4.</td>
<td>Cont’g FC EW</td>
<td>• Reviews the Minute Order,</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Reviews the RFA certificate or Home Approval,</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Reviews the updated SOC 158A,</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Issues ARC NSDI payments for the next six months,</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Six months from the court order date <em>(13.10.5)</em>.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Issues authorized SCIs, Clothing Allowances, Infant Supplements as stated on the SCZ 414Z on the closed FC case.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Completes the CalWIN re-determination process for Medi-Cal.</td>
</tr>
</tbody>
</table>

**Note:** If the home approval or the RFA certificate has expired and the child is still with the relative, county funds **must** be requested to continue payments.