

# DSS Policy and Procedure Guide

Division 15: Office Procedures:

Chapter 07: Eligibility

Item 072: AB 429

Suggested changes send to: [DSS PSOA](#) mailbox

Issued: **October 29, 2010**

References: Assembly Bill 429, Chapter 111,  
Statutes of 2001, ACL 00-17, 03-12 and ACIN I-70-  
09, MPP 40-181.2

Replaces Issue: **New**

Staff Development: **Training Material**

How to in **CalWIN**

[AB 429 Policies](#)

[Work Participation Rate](#)

[Eligibility under AB 429](#)

[Food Stamp and Medi-Cal Eligibility](#)

[Welfare-to-Work Eligibility](#)

[Cal Learn Eligibility](#)

[CalWORKs Time Limits](#)

[Denial of Services](#)

[Team Decision Making Meeting](#)

[Entry into the AB 429 Program](#)

[Assignment to the AB 429 Program](#)

[AB 429 Ongoing Case Maintenance -JS/Cal Learn SW](#)

[AB 429 Ongoing Case Maintenance -FR SW](#)

[AB 429 Ongoing Case Maintenance -Supervisor](#)

[AB 429 Ongoing Case Maintenance -Social Work Supervisor](#)

[AB 429 Ongoing Case Managing Eligibility Worker Responsibilities](#)

[Status Review](#)

[CalWORKs Redetermination](#)

[Good Cause Extension](#)

[Transition from AB 429 to Linkages](#)

[Transition from Linkages to AB 429](#)

[Transition from AB 429 to CalWORKs/WTW](#)

[Reassignment to the Special Needs Unit](#)

[Attachment A](#)

## Introduction

Assembly Bill 429, Chapter 111, Statutes of 2001 allows Welfare-to-Work (WTW) services to continue for a parent or parents whose eligible child have been removed from the home and is receiving out-of-home care if the Child Welfare Services Emergency Response Social Worker (ER SW) determines during the Team Decision Making meeting (TDM) that Family Reunification (FR) is appropriate. ([See Below](#)) Requirements of AB 429 do **not** affect cases where one or more eligible children remain in the home and eligibility for cash aid continues to exist, or if it is expected that the children will not be reunited with their parents. Cases active under this section will be known as “Crossover - AB429” cases.

Under AB 429, services may continue to eligible parents for 180 days following the removal of all eligible children from the home when the factors of the case (i.e. a FR Plan is implemented, there is Fresno County Dept Social Services

CalWORKs eligibility, etc.) determine placement in the AB 429 program is appropriate. WTW services can be extended beyond the 180-day limit when good cause exists. Good cause may be granted for two situations: when the good cause extension is for the number of days between the date of removal and the court ordered reunification plan or when the county determines additional time is necessary to complete the court-ordered reunification plan for as long as the family reunification plan remains in place pursuant to WIC 361.5(a)(3).

### **AB 429 Policies**

AB 429 bases eligibility to the parent on the child's temporary absence from the home. CalWORKs services may continue for eligible parents of the CalWORKs AU for up to 180 days when a child has been removed from the home by CWS and placed into temporary custody. Following the removal of the child from the home, the factors of the case (i.e. CalWORKs eligibility, etc.) will determine when placement in the AB 429 program is appropriate. If family reunification is probable, the ER SW will notify the ER Social Worker Aide, OLBG, that the case should be assessed for AB 429 services. ([See below](#))

A child may be considered "temporarily absent" for no more than 180 days, unless a good cause extension has been approved. The 180-days for CalWORKs Services begin when the child is removed from the home. This can be extended for the number of days between the date of removal and the court-ordered reunification plan. For example, if the child is removed on March 1 and the court orders a reunification plan on April 1, the extension for CalWORKs services would be for 31 days. A second situation where the 180 days can be extended is when CWS determines that the parent needs additional time in order to complete the reunification plan. This would be a Good Cause determination made by the AB 429 JS.

In the drafting of the [Coordinated Case Plan \(CCP\) Form 0580](#), priority will be given to CWS activities however consideration must be given to the WTW activities to ensure that the objectives of these plans are integrated and seamless. CWS and the AB 429 JS/Cal Learn SW will coordinate child care, transportation and ancillary payments in order to avoid duplicate payments.

### **Work Participation**

It is anticipated that initially parent(s) may not be able to meet the 32/35 hours a week requirement to meet work participation rates (WPR). As the parent(s) progresses through their CCP, it is expected that their hours of participation will increase. The goal is for the parent(s) to be meeting or be close to meeting WPR prior to their transition back to the WTW program. This policy will allow for the parent(s) to make a successful transition from the AB 429 program back into WTW.

### **AB 429 Eligibility**

The facts of the case i.e. eligibility to Family Reunification services, active on CalWORKs, etc. will determine eligibility to AB 429. In order to be eligible to receive WTW services under AB 429, the following criteria must be met:

- The child(ren) must be in temporary out of home placement, and
- There must be a CWS case plan and/or a court-ordered plan for family reunification that is expected to return the child (ren) to the home, and
- The family must have been receiving CalWORKs at the time the child was removed.

Parents with a current WTW or child support sanction will be considered “eligible” to CalWORKs for purposes of establishing AB 429 eligibility. Parents who have timed out on 60-months of CalWORKs, “fleeing felons,” drug felons, on SSI/SSP, or undocumented non-citizens are not eligible under AB 429. When some of the children remain in the home and continue to be eligible for CalWORKs, the case is not eligible to AB 429 services.

Note: Cases with a non-needy payee may be assigned to the AB 429 EW for monitoring. Non-needy payees are not eligible for CalWORKs/WTW services. Needy payees are also not eligible for AB 429 CalWORKs/WTW services as they are not the parent of the child(ren).

### **Food Stamp and Medi-Cal Eligibility**

The parents are not automatically eligible for cash-based Medi-Cal. Eligibility must be determined when all children are removed from the home, cash aid ceases, and the aid-type has been changed to 4P or 4R.

According to All County Information Notice (ACIN) I-58-08, CalWORKs parents who are in the AB 429 program are not considered to be receiving a cash grant and are eligible to Transitional Food Stamps (TFS) if everyone in the assistance unit is no longer in receipt of CalWORKs. TFS must be issued in the month CalWORKs benefits are reduced to zero when FR services begin. When the children are placed with a family who applies for and receives Food Stamps or CalWORKs for any of the children, they are not eligible to continue to receive TFS. (See PPG 60-09-001)

### **WTW Eligibility**

Parents who are currently in WTW sanction status may immediately participate in WTW services. Parents who are exempt from participation in WTW may elect to volunteer for these services. Parents do not need a WTW Assessment or Plan written to participate in activities and services provided as a component of the Reunification Plan. A WTW assessment and plan are required for any activities and services provided separately from those specified in the Reunification Plan. Parents who fail to comply with WTW requirements during the AB 429 period of services aren’t subject to non-compliance or the sanction process. When court appearances or other requirements of CWS cause the parent to be unable to appear for a WTW appointment or complete an activity, the parent has good cause for the failure.

WTW services will continue to be offered until the Family Reunification Plan is terminated by CWS or the six month eligibility period ends, whichever occurs first. Once the children are returned to the parent and the case is in Family Maintenance status, WTW services will continue to the parent when the CCP for continued services and/or WTW participation is required. The case will remain in Crossover case status during this time.

### **Cal Learn Eligibility**

When the parent is in Cal Learn, Cal Learn services shall continue during the 180-day period. No bonuses or sanctions may be applied as the parent is not receiving cash aid. The parent will be considered deferred from participation. The parent will be recorded as deferred in CalWIN and will **not** be recorded as deferred in Lodestar. The assigned Cal Learn SW will work along side the CWS SW during this 180 day period to ensure that services are being provided.

## **CalWORKs Time Limits**

Since the parent is not receiving cash aid, the months in which they receive WTW services only are not counted toward their 60-month CalWORKs clock. The CalWORKs 60-month clock stops when the cash aid is discontinued. The question of whether the receipt of WTW services counts towards the parent's TANF clock depends on whether or not the parent is employed. To be considered "employed, the parent must be working at least one hour per month in either subsidized or unsubsidized employment. When the parent is unemployed, the months in which WTW supportive services payments are made are counted toward the 60-month TANF clock. When the parent is employed, the months in which WTW supportive services payments are made aren't counted toward the 60-month TANF clock.

When the parent receives part or a full item of need normally included in a cash grant (i.e., food, clothing, rent, or utility payments) for more than four months in a row, any payments beyond the four months are considered "assistance" and do count toward the 60-month TANF clock. When a need item, such as a rent subsidy, relocation assistance grant, etc., is paid for no more than four months, these months do not count toward the 60-month TANF clock.

## **Denial of Services**

AB 429 Services will be denied for parent(s) who meet any of the criteria for denial of reunification services in Emergency Response (ER) as outlined in Welfare and Institutions Code 361.5. ([See Attachment A](#)) The Department will not pay for any reunification services. Parent(s) will be given a letter stating the Department will not be offering them services and will be given a list of Community Based Organizations where they may obtain services. [See PPG 3-3-34 Denial of Financial Assistance/Compensation for Services to Families Who Meet the Criteria for Denial of Reunification Services.](#)

## **Team Decision Making Meeting (TDM)**

A Team Decision-Making Meeting is held and attended by individuals who are involved with the family. The objective of this meeting is held to ensure that the best decision is made about the care and placement of the child. The goal of a TDM is to ensure the safest and least restrictive placement that is in the best interest of the child. The parents/guardians/family members, the ER SW & ER Supervisor, the child (when appropriate), community partners, care providers (Relatives, Foster Care or Mentors), others identified by the family and SW and the Facilitator may all attend a TDM.

## **Entry into the AB 429 Program**

When an ER SW responds to a referral and a protective hold is placed on their child(ren), the ER SW will ask the parent(s) if they are on CalWORKs. When the parent(s) report to the ER SW that they are on CalWORKs, the ER SW will narrate this information in CWS/CMS. The ER SW will request a Team Decision Making Meeting (TDM) to be scheduled.

When notification is received that a parent is being scheduled for a TDM and Family Reunification is probable, the ER Social Worker Aide, OLBG, will notify the Intake AB 429 Social Services Program Supervisor (SSPS), SQCC, and the Intake AB 429 EW, SQCH, via email the TDM referral form and indicate a TDM has been scheduled for the parent(s) with the date and time scheduled. The

email will indicate that the parent(s) CalWORKs case be reviewed to be assessed for Linkages/AB 429 services.

SQCH will:

- Review the last 2 years of history for the CalWORKs case to determine eligibility for the program
- Gather the following CalWIN case history information for the TDM:
  - Number of months remaining on CalWORKs
  - Services offered to parents/family (i.e. homeless assistance, etc)
  - Services offered to parents/family (i.e. substance abuse treatment, mental health, domestic violence, etc);
  - Number of times sanctioned (if any) and why,
  - Number of times employed and why employment lost,
  - Consultation with the CM JS/Cal Learn SW for input on strengths and concerns of the family
- Complete the TDM CalWIN Datasheet Form 0678
- Email the form to the assigned ER SW, the SSPS, SQCC and ULBB, and the ER SWS prior to the start of the TDM

Note: The parent(s) may invite the Cal Learn SW to attend the TDM with them.

A post Detention Hearing meeting with the ER SW, AB 429 JS/Cal Learn SW and parent(s) will be held immediately following the detention hearing. The meeting will be to develop a CCP based on the results of the detention hearing. The ER SW will:

- Contact the parent(s) to notify them of the time and location of the CCP detention meeting.
- Bring information regarding Addiction Severity Index Lite (ASI), Domestic Violence Index (DVI) and any other information which will impact the parent(s) CCP.
- Bring the detention hearing decisions, the TDM datasheet and offered services to the CCP Meeting.

Upon notification from the ER SW of the post detention hearing meeting, the assigned JS/Cal Learn SW will:

- Attend the post detention hearing meeting to participate in the development of the CCP
- Ensure they have all the necessary information to assist in the creation of the CCP
- When a parent is in exempt status, the JS must have a discussion with the parent regarding volunteering to participate.

### **Assignment to the AB 429 Program**

Once the assigned AB 429 JS/Cal Learn SW attends the post-detention hearing meeting to develop the CCP, the assigned AB 429 JS/ Cal Learn SW will:

- Request the corresponding WTW/Cal Learn cases,
- Request their SSPS reassign the case within 24 hours of post detention hearing meeting,
- Review the parent's current WTW registration status,
- When the parent is exempt and agrees to volunteer, the AB 429 JS will take the appropriate steps to show the client as exempt volunteer in CalWIN.
- End all existing activity lines with appropriate end dates,
- Update appropriate CalWIN screens including registration status to Post Aid,

- Add AB 429 –Family Reunification activities with appropriate date,
- Update CalWIN case comments with all actions taken. The comments must include the date the cash aid case was discontinued. (For more information on responsibility for discontinuance, see PPG 15-07-029)

Note: When the parent is exempt from WTW participation and does not wish to volunteer, they are not eligible to WTW services. All actions must be documented in CalWIN case comments. The AB 429 JS will document the reason the parent provided for choosing to participate in Child Welfare services but stay exempt from WTW services. The AB 429 JS will, within 24 hours of the parent(s) decision, submit the case to their Supervisor for review.

### **Ongoing Case Maintenance**

#### **AB 429 Job Specialist/Cal Learn SW Responsibilities**

The Ongoing Case Managing (OCM) AB 429 JS/Cal Learn SW will:

- Maintain a copy of the CCP in their case record
- (JS only) Review the WTW Plan to ensure that any WTW activities outside of the Reunification Plan are included in the WTW Plan. When the parent(s) does not have a WTW Plan and they have required WTW activities outside of the Reunification Plan, the AB 429 JS will connect with Assessment staff to ensure an Assessment and Plan is completed.
- (Cal Learn SW only) Review the Individual Service Plan (ISP) to ensure that any Cal Learn activities outside of the Reunification Plan are included in the ISP.
- Meet with the parent(s) in the office or at their home at least two times per month to review the WTW/Cal Learn activities. One of the meetings may be by telephone.
- Meet with the FR SW to review the parent(s) participation in the assigned WTW/Cal Learn activities on a monthly basis
- Issue the appropriate transportation supportive service, send the approval or denial Notice of Action when the parent is participating in their assigned activities
- Update CalWIN case comments on all actions taken
- Email any failure to comply with WTW/Cal Learn requirements to the assigned FR SW within 5 working days.

Note: For parents who are in the WTW program-Ancillary supportive services can only be issued for the parent(s) when the need is connected to a work related activity.

#### **Family Reunification Social Worker Responsibilities**

Upon receipt of the CCP, the FR SW will:

- Review the plan,
- Contact the AB 429 JS/Cal Learn SW and Ongoing Case Managing (OCM) AB 429 EW and introduce yourself and indicate you are the FR SW assigned to the case of \_\_\_\_\_ family.

Note: the CCP does not replace the Child Welfare case plan. It is used in conjunction with the CW case plan.

On an ongoing basis, the FR SW will:

- Maintain monthly contact as appropriate with the AB 429 JS/Cal Learn SW to discuss the parent(s)' progress and compliance with the CCP
- Continue to collaborate with the AB 429JS/OCM AB 429 EW/Cal Learn SW to facilitate service coordination
- Document all contacts with the assigned AB 429 JS/ OCM AB 429 EW/Cal Learn SW in the Contact Notebook of CWS/CMS

Upon notification from the AB 429 JS/Cal Learn SW that there is concern about the parent(s)' progress, the FR SW will:

- Consult with the FR SWS about a plan or plans for contacting the family to encourage compliance,
- Discuss with the AB 429 JS/Cal Learn SW if adjustments to the CCP are needed, or if alternative recommendations are needed

Note: The FR SW and the AB 429 JS/Cal Learn SW will consult to coordinate implementation of the appropriate plan of action. No changes to the CCP are to be made without discussion and agreement between the FR SW and AB 429 JS/Cal Learn SW.

Upon receipt of information from the AB 429 JS/Cal Learn SW indicating that the activity (i.e. substance abuse treatment program) has been terminated because the service goals have been met, or because the matter was transferred to another provider, or for other reasons (i.e. the parent(s) did not attend regularly or was disruptive), the FR SW will consult with their SWS for an appropriate plan of action.

Upon receipt of information from the OCM AB 429 EW indicating that parent(s) did not show for their redetermination appointment and are in danger of losing their eligibility to the AB 429 program, the FR SW will:

- Acknowledge the email, within 5 working days, from the OCM AB 429 EW and indicate the plan of action i.e. home visit, in the email,
- Contact the parent to determine why the parent(s) did not show for their appointment,
- Follow up with the OCM AB 429 EW via email to ensure that the parent(s) followed through with rescheduling their appointment

### **AB 429JS Supervisor**

The AB 429 JS Supervisor will be responsible to:

- Assign the case to the appropriate Job Specialist
- Ensure staff are attending the post detention hearing meetings
- Review the CCP for suitability and appropriateness
- Ensure staff are meeting monthly with the FR SW and Cal Learn SW
- Review cases where the parent is exempt and chooses to remain in exempt status
- Review cases prior to transfer to Linkages, Ongoing JS or CLOS caseload

## **AB 429 SW Supervisor**

The AB 429 SW Supervisor will be responsible to:

- Ensure staff are attending the post detention hearing meetings
- Provide input on the CCP for suitability and Permanency Teaming Meeting (PTM) appropriateness
- Ensure staff are meeting monthly with the AB 429 JS and Cal Learn SW

## **AB 429 Ongoing Case Managing Eligibility Worker Responsibilities**

The AB 429 EW, ULBP, will be responsible for:

- Maintain and monitor the CalWORKs Eligibility case
- Maintain the TFS case
- Schedule and process the parent(s) redetermination appointment
- Notifying the AB 429 JS/Cal Learn SW and FR SW when the parent(s) eligibility to CalWORKs is in jeopardy

## **Status Review**

Upon receipt of the Status Review hearing minute order and a copy of the order will be sent via email to the AB 429 JS/ OCM AB 429 EW/Cal Learn SW to notify them whether or not FR services will be continued. The OCM AB 429 EW will need to schedule the parent for a redetermination. The FR SW will contact the AB 429 JS/ OCM AB 429 EW/Cal Learn SW at least thirty days prior to the due date for completing the CCP update and status review court report to determine if FR services will be continued or terminated. ([See Good Cause Section below](#))

- When FR services are to continue, the FR SW will maintain regular contact with the AB 429 JS/ OCM AB 429 EW/Cal Learn SW as specified above, until FR services are terminated.
- When FR services are terminated for all the children, the parent(s) are no longer eligible to participate in the AB 429 CalWORKs services program. Upon receiving notification from the FR SW that FR services are being terminated,
- The AB 429 JS/Cal Learn SW will end all activity lines and supportive services, update the registration status in CalWIN, send out the denial notices, review and end all alerts, update case comments with all actions taken and submit the case to their SSPS/SWS for review. The SSPS/SWS will review the case for closure prior to the case being submitted to File Net for scanning.
- When it is determined that the family will be transitioned over to Family Maintenance and the parent(s) are determined to be eligible to participate in the Linkages CalWORKs services program, the FR SW will notify the AB 429 EW via email. The FR SW will inform the OCM AB 429 EW of the transition date. (See Below for Next Steps)

## **CalWORKs Redetermination**

Under AB 429, a redetermination of eligibility is required every six months. When the 6-month period ends during the period of reunification/WTW services, a new redetermination must be made. An eligibility redetermination is required in order to reopen a CalWORKs case and issue cash benefits if/when the child is returned to the home. Even though the CalWORKs cash aid case will be



closed, responsibility for the CalWORKs redetermination will fall to the OCM AB 429 Eligibility Worker, UHBD/UHBL, the OCM AB 429 EW will be responsible for:

- Maintaining a tracking mechanism to identify when a parent has reached their 5<sup>th</sup> month of eligibility
- Scheduling the parent(s) for a redetermination appointment early during the 5th month of eligibility
- Mailing the redetermination packet to the parent(s) along with the appointment letter
- Notifying the assigned FR SW, AB 429 JS/Cal Learn SW of the parent(s) scheduled appointment date and time

When the parent(s) do not show for the appointment, the OCM AB 429 EW will, within 24 hours, notify via email the assigned FR SW and AB 429 JS of the parents no show. When no *response* is received from the FR SW, the OCM AB 429 EW will escalate the email to the SWS.

When the parent(s) do show for the redetermination, the OCM AB 429 EW will:

- Redetermine the parent(s) financial eligibility as follows:
- Determine the Assistance Unit's (AU's) Net Nonexempt Income (NNI) after applying all appropriate disregards.
- Compare the NNI to the Maximum Aid Payment (MAP) for a family size that includes the otherwise eligible parent(s) and each child who has been placed in out-of-home care and considered "temporarily absent."
- When the NNI does not exceed the MAP, the AU is eligible for WTW services. Example: Recipient works and earns \$775 per month. There is no other income and the parent resides in Region 1. There are two children placed in out-of-home care.

Calculation:

\$775	Earned Income
-225	Income Disregard
\$550	Earned Income
-275	50% Earned Income Disregard
\$275	Total Net Nonexempt Income (NNI)
\$704	Nonexempt MAP for 3
-275	NNI \$429

Since the NNI does not exceed the MAP for 3, the AU remains eligible to CalWORKs WTW services but no CalWORKs cash aid would be paid if no children are in the home.

When the parent(s) are eligible to continue receiving CalWORKs WTW services, the OCM AB 429 EW will:

- Email the AB 429 JS and FR SW of the parent(s) continued eligibility and include the date of the next redetermination

### Good Cause Extension

There are two situations in which good cause for extending the 180 days may be approved:

- A good cause extension may be approved for the number of days between the date the children are removed from the home and the date of the reunification plan. For example:
  - 2/02 Children removed from the home
  - 4/02 Court Ordered Family Reunification Plan established
  - 8/02 180 days from date of removal from the home
  - 10/02 180 days from the date of reunification plan.

Because there was a two-month delay in approval of the Family Reunification Plan, two more months of Welfare to Work services may be approved as a good cause extension.

- A good cause extension may be approved when the Family Reunification Plan is in place and the CWS Worker determines that additional time is necessary to complete the Reunification Plan. This time would be added to any good cause time determined because of the delay in approval of a Family Reunification Plan. Added to the example in situation #1:

- 4/02 plan approved
  - 10/02 180-days from the date of the establishment of reunification plan
  - 11/02 Completion of the Family Reunification Plan

Because additional time was needed and the original Family Reunification Plan remained in place, additional good cause time may be approved. The FR SW worker must determine whether or not this extension is necessary and appropriate and document findings in the CWS case record. Similar documentation must be put into the parent's WTW/CalWIN case record.

Unless extended by the Court, AB 429 Services will be limited to a maximum of 6 months for a child under 36 months and 18 months for a child over 36 months.

### **Transition from AB 429 to Linkages**

When the FR SW emails 2302 to the ETA FC-CalWORKs referrals mailbox, with 14 calendar days advance notice, the Intake AB 429 EW, SQCH, the 2302 form to notify them that the child(ren) are being returned to the parent(s) for an extended visit and are being assigned to Family Maintenance (FM), SQCH, will contact the client to schedule an appointment to have the parent(s) re-apply for CalWORKs benefits and send an email to notify the OCM AB 429 EW/ AB 429 JS/ Cal Learn SW of the impending application. The FR SW must follow the standard procedure for ending the Foster Care placement by emailing the ETA Foster Care Placement mailbox and sending the SOC158A to Foster Care Eligibility within 2 days.

When the parent(s) are eligible for CalWORKs, SQCH will send out the approval NOA to the parent(s) and notify the Linkages and the AB 429 JSs/Cal Learn SW and FR SW of the parent(s) eligibility to CalWORKs. The AB 429 JS/Cal Learn SW will initiate the transfer of the WTW/Cal Learn case to the Linkages JS/Designated Linkages Cal Learn SW. The AB 429 JS/Cal Learn SW will work with SQCH to ensure the parent(s) are registered in WTW/Cal Learn, end the activities in CalWIN, end any supportive services and send out the denial NOAs, update case comments in CalWIN and work with the Linkages JS/Designated Linkages Cal Learn SW to ensure a smooth transition in the parent(s) activities and supportive services.

When the parent(s) are not eligible for CalWORKs, the AB 429 EW will send out the denial NOA to the parent(s) and notify the FR SW and the AB 429 JS/Cal Learn SW of the parent(s) ineligibility to CalWORKs. The AB 429 JS/Cal Learn SW will update the parent(s) registration status in CalWIN,

end all activities in CalWIN, end any supportive services and send out the denial NOAs, update case comments in CalWIN and submit the case to their Supervisor for case closure review.

### **Transition from Linkages to AB 429**

Refer to PPG 15-07-073 Linkages

### **Transition from AB 429 to CalWORKs/WTW**

When it is determined that the child(ren) will be returned to the parent(s), the FR SW will, at least 14 calendar days in advance, via email notify the Intake AB 429 EW, SQCH, the OCM AB 429 EW, UHBD/UHBL and AB 429 JS/Cal Learn SW informing them of the date the child(ren) will be returned. Upon receiving this notification, SQCH will schedule the parent(s) for an appointment to re-apply for CalWORKs to occur no more than 24 hours after the hearing date.

When the parent(s) are eligible for CalWORKs, the Intake AB 429 EW, SQCH, will send out the approval NOA to the parent(s) and notify the AB 429 JS/OCM AB 429 EW/Cal Learn SW of the parent(s) eligibility to CalWORKs. The AB 429 JS will initiate the transfer of the WTW case to an ongoing case managing JS. The designated Cal Learn SW will initiate the transfer of the case to an ongoing Cal Learn SW. The AB 429 JS/Cal Learn SW will work with the Intake AB 429 EW to ensure the parent(s) are registered in WTW/Cal Learn, end the activities in CalWIN, end any supportive services and send out the denial NOAs, update case comments in CalWIN and work with the ongoing case managing JS/Cal Learn SW to ensure a smooth transition in the parent(s) activities and supportive services.

When the parent(s) are not eligible for CalWORKs, the Intake AB 429 EW will send out the denial NOA to the parent(s) and notify the FR SW and the AB 429 JS/OCM AB 429 EW/Cal Learn SW of the parent(s) ineligibility to CalWORKs. The AB 429 JS/Cal Learn SW will update the parent(s) registration status in CalWIN, end all activities in CalWIN, end any supportive services and send out the denial NOAs, update case comments in CalWIN and submit the case to their Supervisor for case closure review.

### **Reassignment to Special Needs Unit**

When it is determined that a WTW case is no longer an AB 429 case; will not be referred to the Linkages caseload but the parent(s) is still in need of “special needs” case monitoring, the AB 429 JS will discuss this case with their supervisor. The AB 429 Supervisor will email the Special Needs Unit Supervisor, DMHH, to discuss the case and determine when it’s appropriate to assign to the special needs unit and which JS in the unit to assign the case. Only cases who meet the criteria (i.e. assignment to Vocational Management Services, Substance Abuse treatment, Mental Health treatment) for reassignment to the special needs unit will be reassigned. The AB 429 supervisor will review the case and ensure all actions have been correctly taken prior to reassignment.

### **Attachment A**

Grounds for Denial of Reunification Services to Parents or Guardian  
Under [WIC 361.2, WIC 361.5 \(b\) 2 – 15 & \(e\)\(1\)](#)

WIC 361.2 Alleged father-whereabouts unknown

WIC 361.5 (a) Alleged or presumed father and their whereabouts are unknown/have made no efforts to contact the department.

WIC 361.5(b) (1), Whereabouts of the parent or guardian is unknown.

WIC 361.5(b) (2), The parent or guardian is suffering from a mental disability that renders him or her incapable of utilizing services.

WIC 361.5(b) (3), That the child or child's sibling was previously removed from a parent or guardian and made a dependent due to physical or sexual abuse and then was returned to the parent or guardian's custody from whom originally removed and is now being removed again due to further physical and sexual abuse.

WIC 361.5(b) (4), That the parent or guardian of the child has caused the death of another child through abuse or neglect.

WIC 361.5(b) (5), That the child was brought within the jurisdiction of the court under subdivision (e) of Section 300 because of the conduct of that parent or guardian.

WIC 361.5(b) (6), That the child has been made a dependent pursuant to WIC 300 as a result of severe sexual abuse, or the infliction of severe physical harm to the child, a sibling, or a half-sibling by a parent or guardian and the court makes a factual finding that it would not benefit the child to pursue reunification services with the offending parent or guardian.

WIC 361.5(b) (7), That the parent is not receiving reunification services for a sibling or a half-sibling of the child pursuant to paragraph (3), (5), or (6).

WIC 361.5(b) (8), That the child was conceived by means of the commission of an offense listed in Section 288 or 288.5 of the Penal Code, or by an act committed outside of this state that, if committed in this state, would constitute one of those offenses. This paragraph only applies to the parent who committed the offense or act.

WIC 361.5(b) (9), That the child has been found to be a child described by subdivision (g) of Section 300, that the parent or guardian willfully abandoned the child and that the abandonment constituted a serious danger to the child and or that the parent or other person having custody of the child voluntarily surrendered physical custody of the child pursuant to Section 1255.7 of the Health and Safety Code.

WIC 361.5(b) (10), That the court ordered termination of reunification services for any siblings or half-siblings of the child because the parent or guardian failed to reunify with the sibling or half-sibling after the sibling or half-sibling had been removed from the parent or guardian pursuant to Section 361 and that parent or guardian is the same parent or guardian described in subdivision (a) and that according to the findings of the court, this parent or guardian has not subsequently made a reasonable effort to treat the problems that led to removal of the sibling or half-sibling of that child from that parent or guardian.

WIC 361.5 (b) (11), That the parental rights of a parent over any sibling or half-sibling of the child had been permanently severed, and this parent is the same parent described in subdivision (a) and that according to the findings of the court, this parent has not

subsequently made a reasonable effort to treat the problems that led to removal of the sibling or half-sibling of that child from the parent.

WIC 361.5 (b) (12), That the parent or guardian of the child has been convicted of a violent felony as defined in subdivision (c) of Section 667.6 of the Penal Code.

WIC 361.5 (b) (13), That the parent or guardian of the child has a history of extensive, abusive and chronic use of drugs or alcohol and has resisted prior court ordered treatment for this problems during a three-year period immediately prior to the filing of the petition that brought that child to the court's attention, or has failed or refused to comply with a program of drug or alcohol treatment described in the case plan required by Section 358.1 on at least two prior occasions, even though the programs identified were available and accessible.

WIC 361.5 (b) (14), That the parent or guardian of the child has advised the court that he or she is not interested in receiving family maintenance or family reunification services or having the child returned to or placed in his or her custody and does not wish to receive family maintenance or reunification services.

WIC 361.5 (b) (15), That the parent or guardian has on one or more occasions willfully abducted the child or child's sibling, or half-sibling from his or her placement and refused to disclose the child's or child's sibling's or half-sibling's whereabouts, refused to return physical custody of the children or child's sibling or half-sibling to his or her placement or refused to return physical custody of the child or child's sibling or half-sibling to the social worker.

WIC 361.5 (e) (1) If the parent or guardian is incarcerated or institutionalized, the court shall order reasonable services unless the court determines, by clear and convincing evidence, those services would be detrimental to the child.