



DEPARTMENT OF SOCIAL SERVICES ADMINISTRATIVE DIRECTIVE

Linkages Services for AB 429 Family

Title: Reunification Parents and Mutual Clients

Date: 01/05/2004

Revised Date: 04/01/2009, 02/22/2011, 09/24/2018, 03/14/2019

Number: CW AD 04-03 AKA WTW AD 04-03

DEPARTMENT WIDE IMPACT:

APS/CPS	Incorporate into business process
CalWIN	Incorporate into business process
CalWORKs	Incorporate into business process
Clerical Support	Incorporate into business process
Fiscal	Evaluate for fiscal impacts
Food Stamps	Incorporate into business process
Foster Care	Incorporate into business process
General Relief	No known impact
Hearings/Collections/IEVS	Incorporate into business process
IHSS	No known impact
Medi-Cal	Incorporate into business process
Reception	No known impact
Staff Development	Incorporate into training module
Systems	No known impact
Systems Operations (SOU)	No known impact

FILING INSTRUCTIONS:

Administrative Directives: Special Programs

PROGRAM ANALYST REFERENCE:

ACL 02-36; ACL 03-52; ACL 03-18; ACL 11-04; ACL 18-71; ACL 99-90; ACL 19-112; ACIN I-10-04; ACIN I-49-04; ACIN I-58-08; AB 429, Chapter 111, Statutes of 2001; MPP EAS Sections 40-181.1(e) (4) and (5), 80-301(r) (3) through (6), 82-812.67, CalWIN Release 56/56B.

BACKGROUND

This Administrative Directive (AD) outlines Santa Barbara County's Linkages Program, in accordance with the passage of Assembly Bill (AB) 429, which allows for continuation of CalWORKs services, under specified circumstances, when a child has been removed from the home and is receiving out of home care. Linkages requires coordination between CalWORKs and Child Welfare Services (CWS) to access Welfare-to-Work (WTW) activities, including mental health and substance abuse treatment services or any other activities allowed under CalWORKs, including supportive services.

Effective February 2019, this Administrative Directive (AD) has been updated with the following information:

- With CalWIN Release 56/56B, CalWIN allows the issuance of Temporary Homeless Assistance (THA). The Non-System Determine Issuance (NSDI) for THA assistance is no longer required.

POLICY

Eligibility for Continuation of CalWORKs Services

Any aided biological or adoptive parent whose eligible child(ren) has been removed from the home and placed in out-of-home care remains eligible to receive a CalWORKs grant and services for up to one full calendar month of what is anticipated to be a Temporary Absence.

CalWORKs reunification parents may be entitled to receive CalWORKs services only after the initial month if the department determines the services are necessary for family reunification and the parent has a family reunification plan. The parent or parents must meet all of the following conditions:

1. The child has been removed from the parent and placed in out of home care. NOTE: For these cases, out of home care is defined as a temporary care situation and one that requires a reunification plan. This does not include cases where the child was removed but the worker does not recommend family reunifications services.
2. The AU was receiving CalWORKs assistance when the child was removed.
3. The department has determined that the provision of CalWORKs services is necessary for family reunification.

CalWORKs/WTW services may be provided for up to 180 days from the date of the child's or children's absence from the CalWORKs assistance unit (AU). Additionally, services may be extended for good cause. During the reunification time period, reporting requirements for CalWORKs will be suspended. Instead, a six month eligibility redetermination will be completed if the parent receives CalWORKs services for more than 180 days as a result of a good cause extension.

The court may not make a decision on whether to order family reunification for some time after the children have been removed from the home. If the case meets all the eligibility criteria outlined in this section of the AD, the worker will not discontinue the CalWORKs Linkages case and CalWORKs services will continue until the court makes its decision on family reunification. If

the court decides not to order a reunification plan and the child will not be returned home, the CalWORKs Linkages case will be discontinued at that time.

In cases where not all children are removed from the home, the parents and children remaining in the home may also become CalWORKs reunification cases when they receive a court ordered reunification plan for the child who was removed. This reunification plan may be necessary in order to provide CalWORKs services when the remaining AU members have income that results in financial ineligibility for a CalWORKs cash grant due to the reduction in the AU's Maximum Aid Payment (MAP) when a child is removed. In these reunification cases, if determined necessary, childcare services are also available for the children remaining in the home.

If, however, the remaining family members continue to be financially eligible for a CalWORKs grant, they are not considered CalWORKs reunification families. Instead, these families are considered "family maintenance" cases. They will continue to receive their CalWORKs grant and will continue to be subject to all CalWORKs eligibility and Welfare to Work (WTW) requirements.

Good Cause

Linkages allows for continued CalWORKs services during a 180-day period. The department may grant a good cause extension for two situations:

1. The good cause extension is for the number of days between the date of removal and the court ordered reunification plan. For example, when the court ordered six-month reunification plan begins some time after the child's removal and the plan will then extend beyond the initial 180 days of removal, an extension can be granted.
 - a. **Example:** Child is removed the 2nd of February but the court ordered plan is dated the 2nd of April. Since the court ordered six-month reunification plan began some time after the child's removal and therefore the plan will extend beyond the initial 180 days of removal, a good cause extension can be approved.
2. A good cause extension may also be granted when the department determines that additional time is necessary to complete the court ordered reunification plan, plus any days extended before the original plan was in place, for as long as the family reunification plan remains in place.
 - a. **Example:** The court ordered plan is dated the 2nd of April and the 180 days-period ends the 2nd of October. If it is determined that additional time is necessary to complete the court ordered reunification plan, a good cause extension can be approved.

Eligibility Redetermination

An eligibility redetermination will be made at six-month intervals in coordination with the county review of the reunification plan. All the existing redetermination requirements and applicable forms are still mandated for CalWORKs family reunification cases. All information needed during the annual CalWORKs redetermination process will be applicable at the six-month eligibility redetermination in CalWORKs reunification cases.

The following calculation must be used to determine income eligibility, in the context of no cash aid payment, at the six month redetermination:

1. Determine the AU's Net Nonexempt Income (NNI) after applying all appropriate disregards.
2. Compare the NNI to the MAP for a family size that includes the otherwise eligible parent(s), any remaining children (if applicable), and each child who has been placed in out of home care and considered temporarily absent.
3. If the NNI does not exceed the MAP, the AU would remain eligible.

Example: Recipient works part time earning \$ 775 per month. Two children were placed in out of home case. Since the NNI does not exceed the MAP for 3 (\$ 714), the parent remains eligible for CalWORKs services.

Earned Income	\$ 775
Income Disregard	- <u>\$ 225</u>
Earned Income	\$ 550
50 % Disregard	- <u>\$ 275</u>
Total NNI	\$ 275

If the family is reunified before or after the 180 day period, an eligibility redetermination will be required in order to reopen the CalWORKs case and issue cash benefits. The reissuance of cash aid would be the first of the following month. The status would change from the 4P or 4R to the appropriate cash aid code. After reunification, the family would again be subject to an annual redetermination of CalWORKs eligibility.

CalWORKs

Although CalWORKs reunification parents remain eligible for CalWORKs services, they will no longer receive a cash grant in cases where all children have been removed from the home or the remaining AU members become income ineligible for a cash grant. Following one full calendar month of what is anticipated to be a Temporary Absence, the family's cash grant will stop the month following appropriate notification.

Example: A child is removed from the home and placed in out-of-home care on July 5th. Eligibility to the CalWORKs grant continues through August 31st.

Example: Children are removed from the home and placed in out-of-home care on February 1st. Eligibility to the CalWORKs grant continues through March 31st because February has less than 30 days.

Additionally, these CalWORKs reunification parent will not be eligible for special needs, including recurring and nonrecurring special needs, such as homeless assistance, because these payments are considered cash assistance. NOTE: Effective January 2018, CalWORKs families receiving family reunification services are eligible for Temporary Homeless Assistance (THA) benefits. This is the only exception.

In family reunification cases, the parents are not required to submit a semi-annual eligibility report as long as the reunification plan remains in place.

Temporary Homeless Assistance (THA)

Effective January 1, 2018, CalWORKs reunification cases that are experiencing homelessness will be eligible for THA benefits if:

The department determines these benefits are necessary for reunification, and

- The family is otherwise eligible (See Homeless Assistance Program CW AD 07-03 for THA eligibility requirements).

Child Welfare Services (CWS) staff making the determination for the need of homeless services in the reunification plan should coordinate closely with CalWORKs and Welfare to Work staff to ensure these families can access THA benefits as appropriate.

Example: A family receiving CalWORKs has their children placed into foster care, has a court-ordered family reunification plan, and subsequently becomes homeless during the initial stages of their reunification case plan. If the department determines that housing is necessary for reunification to occur, the worker should offer THA benefits.

Example: In other instances, the family may experience homelessness toward the latter stages of their reunification plan. Presuming they are still a CalWORKs reunification case, THA may prove an acceptable interim solution that allows a dependency court judge to safely return the children to the care and custody of the parents, after which time the family may qualify for Permanent Homeless Assistance (PHA).

Once the children are returned to the home and are added back into the CalWORKs assistance unit, the CalWORKs worker should offer PHA, as appropriate.

As a reminder, family reunification cases are eligible for the Housing Support Program (HSP). Refer to the CalWORKs Housing Support Program CW AD 16-200/WTW AD 16-600 for additional information concerning the HSP program and the referral process.

NOTE: Effective February 2019, THA requests must be entered into CalWIN and issued via CalWIN. The worker will need to ensure the Family Reunification field in the Collect Homeless Detail window is marked as "Yes". With CalWIN Release 56/56B, the Non-System Determine Issuance (NSDI) for THA assistance is no longer required. See CalWIN Release 56/56B Bulletin for additional information.

Medi-Cal

CalWORKs reunification parents are not automatically eligible for cash-based Medi-Cal. When the parent is assigned the family reunification aid codes, a Medi-Cal Eligibility Worker will reevaluate the case to determine whether the parent's Medi-Cal will continue under another Medi-Cal only aid code or whether they will no longer be eligible for Medi-Cal benefits.

Please, refer to Medi-Cal/CalFresh Referrals from CalWORKs Admin AD 15-100 for information concerning the Medi-Cal referral process.

CalFresh

Transitional CalFresh (TCF) benefits are to be provided to households that cease to receive cash (grant) assistance. CalWORKs reunification households are not considered to be receiving a cash grant. Therefore, CalWORKs reunification families are eligible for TCF benefits. The TCF must be issued in the month CalWORKs benefits are reduced to zero when CalWORKs reunification services begin.

Welfare to Work

Individuals who have received a Welfare to Work (WTW) sanction are not precluded from receiving CalWORKs services for purposes of family reunification, and may participate immediately. Individuals that fail to participate in WTW activities or any other activities required under the family reunification plan are not subject to the WTW noncompliance or sanctioning process. The department will continue to offer and provide CalWORKs services that are part of an individual's family reunification plan until the family reunification plan is terminated by Child Welfare Services (CWS).

The provision of CalWORKs services as outlined in the WTW section of the AD does not preclude the provision of other CWS services that individuals may be required to participate in as a requirement of family reunification. If participation in activities required under the family reunification plan interferes with an individual's ability to comply with the WTW hours of participation requirement, the parent must be granted good cause for not participating in her/his WTW activities.

Individual who are exempt from WTW participation requirement may elect to volunteer to participate in WTW activities.

CalLearn

If a Cal-Learn teen meets the requirements for CalWORKs family reunification services specified in this AD, the teen is eligible to continue participation in the Cal-Learn Program and receive Cal-Learn case management services as part of their family reunification plan. This is regardless of their head-of-household status and includes minor parents in AUs that remain financially eligible for a CalWORKs cash grant.

In addition to Cal-Learn case management services, a Cal-Learn family reunification parent must continue to receive supportive services necessary for school attendance and the \$500 graduation bonus which is paid directly to the teen.

Time on Aid (TOA)

CalWORKs 48-month time limit: As these parents do not receive a cash aid payment, the months in which CalWORKs services and supportive services are provided do not count toward the CalWORKs 48-month time limit.

Definition of "assistance" includes cash aid *including special needs payments*. Therefore, the month in which Temporary Homeless Assistance (THA) services are provided would count toward the CalWORKs 48-month time limit.

Federal TANF 60-month time limit. Supportive services that are provided by Temporary Assistance for Needy Families (TANF) funds to an unemployed parent are considered "assistance", and the month in which the services are provided would count toward the federal TANF 60-month time limit. Supportive services for employed parent are not "assistance" and therefore do not count against the federal TANF 60-month limit. Also, a service/payment that is intended to meet recurrent and ongoing needs and provides for needs that extend for more than four months is considered "assistance" whether or not the parent is employed. Therefore, any month beyond four months in which that type of service/payment is provided would count toward the federal TANF 60-month limit. If such a service/payment provides for needs for a period that

is four or less months, it is not considered “assistance” and would not count toward the federal TANF 60-month clock.

Aid Codes

The family reunification aid codes and their definitions are as follows:

- **4P CalWORKs Family Reunification – All Families:** Provides for continuance of CalWORKs services (no cash aid) to all families except two-parent families when the only eligible child or all eligible children has/have been removed from the home and is receiving out-of-home care, and the department has determined that provision of CalWORKs services is necessary for family reunification.
- **4R CalWORKs Family Reunification – Two Parent:** Provides for continuance of CalWORKs services (no cash aid) to two-parent families when the only eligible child or all eligible children has/have been removed from the home and is receiving out-of home care, and the department has determined that provision of CalWORKs services is necessary for family reunification.

PROCEDURES

Child Welfare Services (CWS)

- CWS will identify potential Linkages cases and will initiate contact with the designated CalWORKs point of contact in the appropriate District Office. This process must be followed to identify and establish the Linkages case. CWS involvement with a CalWORKs case doesn't necessarily indicate that the case will become a Linkages case.
- CWS will work with CalWORKs, Welfare to Work, and Resource Support Team (RST) to coordinate services.
- Even though the case might have different CWS workers throughout the linkages program, the CWS worker will be reaching out to the Career Employment Specialist (CES) to identify themselves and start or continue the collaborative process.
- Due to confidentiality requirements, the CWS case plan document is not shared with CW/WTW staff. However, the CWS worker will discuss the contents of the case plan with the CW/WTW worker. The discussion would cover the services provided and the objectives of these services as well as parent progress towards the objectives.
- If needed, the CWS worker will follow up the discussion with an email summarizing the key points of the FR plan that are essential to the CalWORKs service plan and case.

CalWORKs Point of Contact (POC)

- Each District Office has identified a point of contact person in CalWORKs to receive a monthly list of potential Linkages cases
- CalWORKs point of contact will review the CWS list, identify linkages cases (Family Reunification as well as Family Maintenance), research CalWIN to determine whether there is an open CalWORKs case, and identify assigned workers (EW and CES). NOTE: The procedures section of this AD is also applicable to family maintenance cases. See Page 3 of this AD for the definition of a family maintenance case.
- RST must be included in all Linkages communications. RST will obtain necessary releases from the client, offer assessment, and facilitate contact with CWS. Refer to RST Referral Process WTW AD 01-05 for additional information concerning the Resource Support Team (RST).

CalWORKs Eligibility Worker (EW)

- When the children are removed from the home, CalWIN will automatically generate the appropriate Discontinuance Notice of Action (NOA).
- Follow BENDS 1443 steps 1 through 4 to set up the Linkages case in CalWIN. NOTE: CalWORKs NOA M82-8212 is not available in CalWIN. The template is available in the CalWORKs Templates section of the intranet.
- In the sixth month of reunification services, the EW must conduct a redetermination to determine whether income eligibility to CalWORKs still exists. Follow steps 5 and 6 of BENDS 1443.
- During the family reunification period, the EW will need to be mindful of the cycle assigned to the case and refer to the DSS Cut-Off Calendar to determine when the semi-annual report might be generated. Follow step 3 of BENDS 1443.
- If manual adjustments to the TANF 60 Month or CalWORKs 48 Month clocks are needed, follow step 7 of BENDS 1443. The EW must remember that EDBC will need to be run in order to send Time Clock information to TRAC in MEDS, and that override entries will be needed again in CalWIN. Follow step 1 of BENDS 1443.

Career Employment Specialist (CES)

- The assigned CES will register the parent to WTW with a registration status of Post Aid Services as a voluntary participant effective the first of the month following CalWORKs discontinuance. WTW sanctioned parents are also registered this way for family reunification services. Follow step 9 of BENDS 1443.
- Ensure the Child Care case is either discontinued or the need for care is re-evaluated/recertified.
- Send Welfare to Work Family Reunification Plan (WTW 34) notice to parent(s).
- Family reunification parents are assigned to Family Reunification Program as the activity, and all associated supportive services payments will be paid under this activity. See step 10 of BENDS 1443.
- Assessment is not required for activities and services provided under Family Reunification Program activity. The CES should utilize or incorporate the court approved family reunification plan as the parent's WTW Plan, as appropriate.
- If requested, CES will provide the CWS social worker with a copy of any existing WTW plans and will provide progress reports as requested by CWS. CWS will communicate with the CES regarding any relevant changes affecting a parent's ability to participate in WTW and/or family reunification services.
- CES must notify the EW by email whenever supportive services are paid to an unemployed parent or the services extend for more than four months. Receipt of supportive services during the reunification period may count as receipt of TANF funds and ticks the TANF clock. The CES will ask the EW to review TOA and manually tick the TANF clock, if appropriate. See step 8 of BENDS 1443.
- CES is responsible for Case Comment entries detailing any contact with CWS, activity assignments for family reunification parents, supportive services paid, and requests to the EW to manually adjust TANF clocks.

CalWIN

Refer to BENDS 1443 for information concerning the required CalWIN entries.

Attachments

Attachment A: Questions and Answers (Q&A)

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- 1. All County Letter (ACL) 02-36 states that the family must be receiving CalWORKs cash aid at the time of the child(ren)'s removal to be eligible for FR services. Does this mean the parent(s) must be included in the cash payment? Are Supplemental Security Income (SSI) parents, drug felon parent(s), parent(s) under child support, immunization or school attendance penalties, etc., considered FR cases?**

According to MPP Section 82-812.681(b), the parent(s) must have been receiving a cash aid payment at the time of the child(ren)'s removal to receive CalWORKs FR services. The exception is when the AU has a parent with a child support or Welfare-to-Work (WTW) sanction, who would otherwise be eligible for CalWORKs cash aid. This parent(s) may participate in CalWORKs FR services regardless of any time remaining in their sanction (MPP Section 42-711.512).

FR parents who have been penalized for immunization or school attendance penalties, may also participate in CalWORKs FR services because they continue to receive cash aid until the removal of the child(ren). However, an SSI recipient, undocumented noncitizen, drug felon, or 60-month CalWORKs timed-out parent is not eligible to receive CalWORKs FR services because he/she is not eligible to receive CalWORKs benefits.

- 2. If a parent(s) has a "voluntary" reunification plan that does not go through the court system, are they eligible for FR services?**

Yes, under the following circumstances: 1) the family was in receipt of CalWORKs when the child(ren) was removed from the home; 2) the parent(s) voluntarily agrees that the eligible child(ren) should be placed out of the home; and 3) the voluntary CalWORKs FR plan is in accordance with MPP Section 80-301(r)(5).

- 3. If the case is closed due to removal of the only eligible child(ren) from the home and it is later learned that the family is eligible for, and the CWSA requests CalWORKs FR services, is a new application required?**

No, a new application is unnecessary. According to ACL 03-52, the County Welfare Department (CWD) will restore the case in order to assign the proper aid code (4P or 4R) and to align the six month redetermination with the court's six month review. There is no delay between when the case is closed and when FR services can be started.

- 4. If a parent(s) is receiving CalWORKs FR services while the child(ren) is placed with a caretaker relative, can the caretaker relative receive aid for the child(ren)?**

Yes, the FR parent(s) continues to be eligible for CalWORKs services if the CWSA worker has determined that provision of these services will aid in FR. In addition, for the caretaker relative to receive aid for the child(ren) he or she must: 1) live with the child(ren) who is a part of the filing unit, and 2) exercise responsibility for the day-to-day care and control of the child (MPP Section 80-301(c)(2)).

5. If the annual redetermination is due after the child(ren) is removed but before the CWSA establishes a FR plan, should the county wait to do the redetermination until the FR plan is established?

Yes. The redetermination will be postponed to coincide with the court's review of the FR plan. If the court determines that additional time is needed, a redetermination would also be required when the family reunifies after the extension. After reunification, the family would again be subject to an annual redetermination of CalWORKs eligibility. If no court-ordered reunification plan is established and there are no eligible children in the home, the case would be discontinued.