

CF OPERATING
PROCEDURE NO. 170-10

STATE OF FLORIDA
DEPARTMENT OF
CHILDREN AND FAMILIES
TALLAHASSEE, August 30, 2019

See Also FS 39.5085, 39.5086

FS 39.523 FAC 65C-28.008

Child Welfare

PROVIDING SERVICES AND SUPPORT FOR CHILDREN IN CARE AND FOR CAREGIVERS

This operating procedure describes policy issues related to the provision of services and support needed for children and their caregivers to promote safety, permanency and well-being. This includes physical health, behavioral health, early learning, education, life skills, and caregiver supports. The integration of services includes proper assessment, referral, and coordination of services to promote child stability.

This operating procedure is applicable to all Department child welfare staff, child welfare community-based providers, child welfare subcontracted case management organizations, and all circuit/regional child protective and sheriff's office child protective investigations staff.

BY DIRECTION OF THE SECRETARY:

(Signed original copy on file)

PATRICIA MEDLOCK
Assistant Secretary for
Child Welfare

SUMMARY OF REVISED, DELETED, OR ADDED MATERIAL

Chapter 14 has been superseded by Chapter 65C-44, Florida Administrative Code.

This operating procedure supersedes CFOP 170-10 dated August 15, 2019.

OPR: Office of Child Welfare

DISTRIBUTION: X: OSGC; ASGO; Region/Circuit Child Welfare staff.

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Chapter 14 – GUARDIANSHIP ASSISTANCE PROGRAM ELIGIBILITY
(superseded by Chapter 65C-44, Florida Administrative Code)

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Chapter 2

BEHAVIORAL HEALTH CARE

2-1. Purpose. This chapter defines the Department's responsibility to address the well-being needs of children under supervision and to provide children in out-of-home care with timely screening, assessment and treatment for behavioral health needs.

2-2. Scope. This chapter applies to all children served by child welfare professionals and to all staff within the Department and contracted service providers.

2-3. Authority. Relevant statutory provisions relating to medical screening, examination and treatment of children are as follows:

- a. Section [39.407](#), Florida Statutes (F.S.).
- b. Sections [394.455\(9\)](#) and [394.459\(3\)\(a\)](#), F.S., as referenced in s. 39.407, F.S.
- c. Section [39.304](#), F.S.
- d. Sections [743.064](#) and [743.0645](#), F.S.
- e. Chapters [65C-28](#) and [65C-30](#), Florida Administrative Code (F.A.C.).
- f. Specialized Therapeutic Services Coverage and Limitations Handbook, March 2014.

2-4. Guidance: Child welfare professionals are responsible for the oversight of well-being needs of children in out-of-home care. The following guidelines will direct the planning and delivery of behavioral health services for children in out-of-home care:

- a. A child's trauma history should be considered during all interactions.
- b. The Family Functioning Assessment Investigations/Ongoing and Progress Updates provide for the assessment of current or historical child functioning which includes specific indicators of well-being. The indicators, "Strengths and Needs," are assessed continuously during the child's and family's involvement with the child welfare system. (Refer to CFOP 170-9, [Chapter 3](#).) The "Emotion/trauma" and "Behavior" indicators are a method for screening of behavioral health needs of children served. If any screening indicates a possible need for services, a referral for further assessment will be made or the child welfare professional will take action to address the identified need.
- c. Behavioral health needs identified through a Comprehensive Behavioral Health Assessment (CBHA) or other mental health or substance abuse assessment must be considered when developing the family's case plan.
- d. The case plan will include a description of the behavioral health needs being addressed and a description of the services to be provided.
- e. For all children who are also served by the Department of Juvenile Justice, Children's Medical Services Medical Foster Care, and/or the Agency for Persons with Disabilities, child specific planning and service delivery will be coordinated between the agency(ies) and the Department and their contracted providers.

f. The Community-Based Care (CBC) Lead Agency should ensure transition planning in advance of youth leaving out-of-home care that includes identification of providers and source of payment for treatment.

2-5. The Child Resource Record. A child's resource record (CRR) is required to be developed for every child entering out-of-home care according to Rule [65C-30.011\(4\)](#), F.A.C. This document serves to record the medical and behavioral health needs of the child.

2-6. Comprehensive Behavioral Health Assessment (CBHA). All children entering out-of-home care ages birth through 17 years who are Medicaid eligible must be provided a CBHA. These Medicaid funded assessments are used to provide specific information about mental health and related needs.

a. The Department is authorized to have the CBHA performed without authorization from the court and without consent from a parent or legal custodian, per s. [39.407\(1\)](#), F.S. Within seven (7) calendar days after the child is placed in shelter care, the assigned child welfare professional shall ensure that a referral for a CBHA is submitted in accordance with local protocol.

b. The local point of contact will distribute the completed CBHA in accordance with local protocol.

c. The assigned child welfare professional will review the CBHA recommendations and will make referrals as necessary within seven (7) calendar days and ensure linkage of services within 30 business days.

d. The assigned child welfare professional will provide a copy of the CBHA to Children's Legal Services (CLS) upon receipt.

e. New information learned from the CBHA regarding the child's strengths and needs shall be reflected in the Child Functioning Domain of the Family Functioning Assessment-Ongoing or Progress Update, whichever is due next.

f. The needs identified through the CBHA and the recommendations or accommodations for services must be considered when developing or updating the family's case plan. When the CBHA is received after the case plan has been submitted, the child welfare professional shall review the case plan and determine if it should be updated based on the CBHA.

g. All recommendations for further assessment/evaluation identified through a CBHA shall be referred to the appropriate clinician with all required credentials, licensures and expertise to assess and diagnosis the child. This includes, but is not limited to, psychological, psychiatric, neurological, Early Steps, and substance abuse evaluations. When a child is experiencing serious emotional disturbance in out-of-home care, the CBHA may be used to re-assess the child's behavioral health service needs as established in Medicaid Policy.

(1) The child welfare professional shall ensure the clinician completing the assessment has all previous evaluations, treatment plans, and pertinent behavioral and medical documentation including previous and the most recent CBHA.

(2) Different assessments may result in different diagnoses. For example, a child admitted to a Baker Act Receiving Facility will be assessed at that point-in-time and it is likely that the clinician will not have access to previous evaluations. Therefore, the diagnosis may not be consistent with previous diagnoses. When this occurs, the child welfare professional should contact either the current therapist or the CBC Lead Agency Behavioral Health Coordinator for assistance in determining next steps.

(3) The required Baker Act staffing process should address questions regarding any diagnosis of the child.

2-7. Comprehensive Placement Assessment.

a. Child welfare professionals shall complete the Comprehensive Placement Assessment, at time of removal or when seeking placement in a new level of care for all children placed in out-of-home care to determine the most appropriate level of care and to prevent children from being placed in a clinical setting when not necessary. The assessment considers the following factors to determine the most appropriate level of care for the child, as per Rule [65C-28.004](#), Florida Administrative Code.

(1) Medical needs.

(2) Developmental needs

(3) Mental health needs

(4) Medical history, including psychotropic medications

(5) Behavioral health needs

(6) Alleged type of abuse or neglect and trafficking history

(7) Family and community ties and school placement, including educational needs.

(8) Current placement decisions related to any siblings, including a sibling that has been previously adopted or is in an adoptive placement. Foster and adoptive parents of a sibling shall be contacted and, if interested, considered for placement.

(9) Child's age, maturity, hobbies or activities and preference for placement.

b. Upon completion of the assessment by the child welfare professional, a placement level of care will be identified. A multidisciplinary team staffing is required if placement in a licensed placement setting has been identified.

c. The Comprehensive Placement Assessment must be updated when a change in the level of care is recommended for each child in out-of-home care and reviewed as often as necessary to ensure permanency for that child.

d. The placement assessment shall be used to assist with ensuring children in out-of-home care are not inappropriately referred for a clinical assessment for the purpose of rendering a diagnosis of mental illness, emotional or behavioral disorders, or for the purpose of satisfying placement requirements in a clinical licensed setting. The assessment shall not be used to formulate a diagnosis. This does not eliminate the procedures regarding children who are Baker Acted as per CFOP 170-5 [Chapter 12](#).

2-8. Behavioral Health Services.

a. Behavioral health services shall be provided to children in out-of-home care without delay once the need for such services is identified in a CBHA or other behavioral health evaluation or if the need for services is clear in the Family Functioning Assessment or Progress Update.

b. Behavioral health services may include, but are not limited to, individual, family and group therapy, behavior analysis and support, and substance use treatment.

c. The assigned child welfare professional will ensure that all behavioral health service needs identified through screening or assessment are integrated into the case plan.

d. The assigned child welfare professional will ensure that all referrals for behavioral health services are made within seven (7) calendar days of identification.

e. The assigned child welfare professional will assist relative and non-relative caregivers in accessing needed behavioral health services.

f. The assigned child welfare professional shall contact the child's health plan provider as needed for assistance in coordinating services.

2-9. FSFN Documentation.

a. The child's behavioral health condition shall be recorded in the Medical/Mental Health section of the child's FSFN record. If the child has been clinically diagnosed with a specific disability, it should be recorded in the FSFN Disability tab. If the diagnosis changes or is determined by a clinical professional to no longer exist, it should be end-dated in FSFN.

b. The child welfare professional will scan the CBHA and any other professional evaluations received into the Medical/Mental Health section of the FSFN file cabinet.

c. The following FSFN resources are located on the [Center for Child Welfare](#) FSFN "How Do I Guide" page:

(1) "[Medical/Mental Health User Guide.](#)"

(2) "[File Cabinet User Guide.](#)"

Chapter 3

(Draft Pending)

Chapter 4

(Draft Pending)

Chapter 5

(Draft Pending)

Chapter 6

(Draft Pending)

Chapter 7

(Draft Pending)

Chapter 8

RELATIVE / KINSHIP CAREGIVER SUPPORT

8-1. Purpose. This chapter describes the department's policies and procedures for supporting relatives caring for children placed by the child welfare system. The goal of supporting relatives is to help children achieve stability and well-being with caregiver(s) they know. This operating procedure applies to any child welfare professional responsible for placement of children with relative caregivers, ongoing case management, and kinship navigation. This chapter also applies to staff in the Office of Economic Self-Sufficiency (ESS) responsible for processing Relative Caregiver Program applications and payments.

8-2. Legal Authority.

a. Federal statutes, regulations, and policy statements:

(1) Social Security Act, 42 United States Code (U.S.C.) 471(a), 606, 607, 672, 673, 674, 675, 2131, 2132.

(2) 45 Code of Federal Regulations (C.F.R.) 233.110, and Parts 1355 through 1356.

b. State statutes, administrative rules and plans:

(1) Section [39.5085](#), Florida Statute (F.S.).

(2) Section [414.095](#), F.S.

(3) [Temporary Assistance for Needy Families \(TANF\) State Plan](#).

(4) [Title IV-E State Plan](#).

(5) Rule [65C-28.008](#), Florida Administrative Code (F.A.C.).

(6) [ACCESS Florida Program Policy Manual](#).

8-3. Unified Home Study Requirements.

a. An Emergency Placement or Planned Placement home study of a relative caregiver must be completed and approved per CFOP 170-1, [Chapter 5](#). This includes the responsibility of the child welfare professional to:

(1) Determine whether the relative caregiver is able to provide a physically safe environment and a stable, supportive home.

(2) Determine the relative caregiver's financial security, resources, and child care arrangements.

(3) Determine and assist relative caregivers in accessing services and supports.

b. The home study must be completed and filed with the court prior to or at the time the relative placement is being considered as a placement for the child.

c. The department or Community-Based Care (CBC) Lead Agency shall not place a child or continue the placement of a child in a home with a relative caregiver if the results of the home study are unfavorable unless the court overrides the home study recommendation and orders the placement.

8-4. Relative Caregiver Support Options. The child welfare professional responsible for completing the relative caregiver home study or the Kinship Navigator (if applicable) must discuss with the caregiver kinship navigation services (if available) and supports that are available. Kinship navigation services offer supports and linkages to each relative and non-relative (fictive kin) to ensure timely access to essential supports including those noted below. The child welfare professional must explain that each program will determine whether or not the relative caregiver meets any eligibility criteria.

NOTE: If the relative caregiver is unable to access service supports contained in this operating procedure or any additional supports beneficial to the wellbeing of the child, the CBC Lead Agency or case management agency will make efforts to assist the caregiver in initiating services. This includes, but is not limited to:

- Referrals to kinship navigation services
- Assisting with linkages to community resources and completion of program applications
- Scheduling appointments
- Initiating contact with community service providers

a. Kinship Navigator Program. A kinship navigator program is a social service delivery program intended to inform relatives who are raising the child of a relative about available resources and services, provide information specific to their individual needs, and help families navigate service systems.

b. Medical Insurance (Medicaid). There is a process in place for automatic, temporary Medicaid enrollment of a child placed in out-of-home care with a relative. The child will be enrolled in a Medicaid plan. If a child is already enrolled in a Medicaid plan, he/she may remain in his/her Medicaid plan at the time of placement or may be moved to another Medicaid plan. The responsibilities of revenue maximization staff for Medicaid eligibility are described in CFOP 170-15, [Chapter 2](#), Medicaid.

c. “At-Risk” Child Care Subsidy. A child care subsidy may be available to eligible relative caregivers through the Temporary Assistance to Needy Families (TANF) At-Risk category. Applications for an “at-risk” child care subsidy are processed by the Office of Early Learning, local Early Learning Coalition (ELC).

(1) When a child is placed with a relative during a child protective investigation and assistance with child care is needed, the investigator is responsible for completing the At-Risk Child Care Application and Authorization, CF-FSP [5002](#), Sections A and B, and submitting the form to the local ELC.

(a) The local ELC will schedule an interview with the relative caregiver to discuss and review program requirements. The ELC staff will determine the parent fee which the relative will be responsible for providing.

(b) The ELC will process the application and notify the relative caregiver of their decision. At-risk subsidies approved during an investigation are approved for 12 months.

(2) A relative may be eligible for continued at-risk subsidy during on-going services regardless of whether or not they receive any monthly financial assistance payment. Based on the relative’s request for child care assistance, the case manager is responsible for completing the At-Risk Child Care Application and Authorization, CF-FSP [5002](#), Sections A and B, and submitting the form to the local ELC.

(3) At-risk child care is still available after a relative caregiver is granted long term custody or legal guardianship of a child.

d. Local Flexible Funds. Depending upon the local CBC Lead Agency service array and funding availability, flexible funds in accordance with s. [409.165\(2\)](#), F.S., may be an option to support the child's safety, growth, and healthy development.

e. "Child-Only" Temporary Cash Assistance. "Child-only" monthly cash assistance under [Temporary Assistance to Needy Families \(TANF\)](#) may be available subject to the relative caregiver meeting the eligibility criteria. Payment amounts, benefits, eligibility criteria, and application procedures are separate from the Relative Caregiver Program.

(1) During an emergency placement, financial assistance may be available through a child-only grant.

NOTE: The relative has the option to include their needs in a regular Temporary Cash Assistance (TCA) benefit. Once converted to a Relative Caregiver Program payment, only the child's needs may be included.

(2) Once a child placed with a relative has been adjudicated dependent and an approved home study has been filed with the court, the child-only payment can be transitioned to a Relative Caregiver Program payment.

f. Relative Caregiver Program (RCP). Monthly payments for the Relative Caregiver Program are established per s. [39.5085](#), F.S. Payments may be made to the relative caregiver for each eligible child placed with them to cover the cost of providing for the child's basic needs. The definitions for all major terms used in this chapter pertaining to the RCP can be found in Attachment 1 to this chapter.

(1) "Child-only" and monthly payments for the Relative Caregiver Program are subject to the eligibility criteria outlined in the Temporary Assistance for Needy Families (TANF) State Plan.

(2) In order for a child who is placed with a relative caregiver to receive a monthly Relative Caregiver Program payment, the child must:

(a) Live in the home of a specified relative based on an approved home study. A "specified relative" must meet the degree of relationship described in ss [39.5085\(2\)\(a\)1 and 2](#), F.S.

(b) Be adjudicated dependent and be in:

1. Court-ordered temporary legal custody of the relative under protective supervision of the department pursuant to s. [39.521\(1\)\(c\)3](#), F.S.; OR,

2. Court-ordered placement in the home of a relative as a permanency option listed in ss. [39.6221](#) or [39.6231](#), F.S.; or former s. [39.622](#), F.S., if the placement was made before July 1, 2006.

(3) If a child is placed in the custody of a relative pursuant to an order of the court against the recommendation of the department or contracted service provider, the relative shall be allowed to participate in the RCP.

(4) Contingent upon availability of funds and continuing eligibility, RCP benefits shall continue until the child reaches age 18, is no longer living in the home of the relative caregiver, or the child is adopted. NOTE: Half-siblings deriving their eligibility from a related sibling will also lose eligibility when the related child becomes ineligible for one of the reasons listed above.

(5) If the relative caregiver is receiving an RCP payment, the payment must be terminated no later than the first day of the following month after a parent or stepparent moves into the home, allowing for a 10-day notice of adverse action.

(6) A relative caregiver may receive the RCP payment for a minor parent who is in his/her care, as well as for the minor parent's child, if both children have been adjudicated dependent and meet all other eligibility requirements.

g. Supports for Non-Florida Residents. A child placed with a relative in Florida by another state or a Florida child placed out of state is not eligible for "child-only" TCA or Relative Caregiver Program payments from the State of Florida. Based on the state where the Florida child is placed, financial assistance may be available. The Interstate Compact on the Placement of Children (ICPC) will facilitate access to resources for relatives in other states when a child has been placed based on an approved home study conducted through the ICPC.

h. Licensed Foster Care. Relative caregivers who provide care for children placed with them are not required to meet foster care licensing requirements. If a relative decides to become licensed in order to receive higher monthly board and care payments, all requirements in s. [409.175](#), F.S., and Chapter [65C-13](#), F.A.C., for licensure must be met.

i. Permanency Achievement. When a relative caregiver provides permanency for a child who has been placed in their care, the following subsidies are available:

(1) In the case of adoption by the relative caregiver, an adoption subsidy may be paid. When the child has specific physical, mental, emotional, or behavioral needs which require care, supervision, and structure beyond what is ordinarily provided in a family setting, a maintenance subsidy may be negotiated up to 100% of the statewide foster care board rate. The subsidy must be approved prior to adoption finalization. Refer to Rule [65C-16.012](#), F.A.C., for types of adoption assistance and Rule [65C-16.013](#), F.A.C., for determination of maintenance subsidy payments.

(2) In the case of other permanency options, the relative caregiver may continue to be eligible for the Relative Caregiver Program benefits. Other permanency options include the following:

(a) Permanent guardianship under s. [39.6221](#), F.S.

(b) Permanent placement with a fit and willing relative under s. [39.6231](#), F.S.

(c) Guardianship under s. [744.3021](#), F.S.

(3) DCF Tuition and Fee Exemption. Children placed by the department per s. [39.5085](#), F.S., in out-of-home care may be eligible for a tuition and fee exemption at any public Florida University or Florida College System institution or Florida workforce education programs. Each university or college shall waive eligible youth and young adults from payment of tuition and fees until they reach 28 years of age. The young adult must meet the eligibility criteria listed in s. [1009.25](#), F.S.

(4) Other Available Supports for Relatives. The child welfare professional responsible for completing the relative caregiver home study must discuss with caregiver the following additional supports and services that are available within the community. The child welfare professional must explain that each program will determine whether or not the relative caregiver meets eligibility criteria. Below are examples of services and resources that could potentially be available within the community:

(a) Adult and Youth Counseling;

(b) Legal Services;

- (c) Tutoring;
- (d) Mentoring;
- (e) Family Team Conferencing; and,
- (f) Support Groups for Youth and Adults.

8-5. Informing Relative Caregivers of Responsibilities and Rights. The child welfare professional responsible for completing the relative caregiver home study will provide the following information to the relative caregiver(s):

a. A description of basic relative caregiver responsibilities:

- (1) Protect the child through relative caregiver actions described in the safety plan.
- (2) Provide for child's medical, psychological, and dental care which includes, but is not limited to:
 - (a) Providing transportation and attending appointments;
 - (b) Communication with treatment providers;
 - (c) Providing for the child's cognitive, behavioral, social, and emotional functioning; and,
 - (d) Providing support for the child's physical health and development.
- (3) Support the child's need for family time/visitation including sibling contact (if not placed together) and other family and community connections.
- (4) Support the child's academic achievement. This may include the need to transport the child to their school of origin.
- (5) Use a reasonable and prudent parenting standard, pursuant to s. [39.4091](#), F.S., to make decisions regarding the child's participation in childhood activities, and adhere to all normalcy activities listed in CFOP 170-11, [Chapter 6](#).

b. Expectations of the relative caregiver as a team member:

- (1) When necessary, assist with identifying any potential relatives who will care for the child on a permanent basis if reunification is not achieved.
- (2) Assist with maintaining medical records, school records, photographs, and records of special events and achievements.
- (3) Advocate for the child's best interest when needed.
- (4) Advocate for services that the child needs.
- (5) Advocate for services and supports that the caregiver needs.
- (6) Assist the child's parent(s) in improving their ability to care for and protect their children. This also includes providing continuity for the child after reunification.

(7) Handle special challenges in caring for a child. This includes the child's culture and religion. This also includes any child behaviors, sexual orientation, and family relationships.

(8) Provide ongoing communication with agency staff, including:

(a) Share concerns about the current safety plan.

(b) Provide information learned about the child's needs.

(c) Provide information about changes in the household composition or family dynamics that impact the care of the child.

(d) Provide information if there is an address change.

c. A description of the home study process:

(1) Information that will be gathered including background screening.

(2) Potential outcomes of the home study.

(3) If a home study is unfavorable the relative caregiver will:

(a) Receive written notice within five business days of the final agency decision. The written notice must include the reason for the unfavorable home study.

(b) A party or participant in the case has the option to request an override of the unapproved home study decision through the dependency court.

(4) When a home study will need to be updated.

d. A description of the case planning process including the following permanency planning activities:

(1) A permanency goal for the child must be established. If reunification with the parent(s) does not occur, permanency with the relative caregiver is desired.

(2) The case plan will include any outcomes necessary to address specific child needs. The relative caregiver will be involved with identifying and addressing the child's needs.

(3) There will be on-going dependency court hearings to review progress in achieving the child's permanency goal. The hearings will also review the child's well-being.

e. Information about relative caregiver rights which include the following:

(1) To receive assistance from the case manager and/or the kinship navigator to obtain education and supports needed to care for the child.

(2) To apply to become a licensed foster parent in order to receive additional training and support. All requirements in s. [409.175](#), F.S., and Chapter [65C-13](#), F.A.C., for licensure must be met. Applying to become a foster parent is optional.

(3) To have access to the case manager's supervisor if the relative caregiver feels that the case manager is not responsive to concerns that have been shared.

(4) To participate in the on-going safety planning process.

- (5) To participate in the case planning process.
- (6) To participate in all hearings. This includes:
 - (a) Notification of all hearings.
 - (b) Attending hearings.
 - (c) Submitting written reports to the court.
 - (d) Speaking to the court at a hearing regarding the child.

8-6. Relative Caregiver Program Payments.

a. Section [39.5085\(2\)\(d\)](#), F.S., provides that the amount of the Relative Caregiver Program benefit payment may not exceed 82 percent of the statewide licensed foster care board rate. It also states that the cost of providing Relative Caregiver Program assistance may not exceed the cost of providing out-of-home care in emergency shelter or licensed foster care.

b. The basic monthly benefit payment schedule (not including Medicaid, family support and preservation services, flexible funds utilized in accordance with s. [409.165](#), F.S., subsidized child care, and other services which may be available through the department or other local, state, or federal programs) is uniform and is based on the age of the child. The following chart shows the payment standards by age of the child.

<u>AGE OF CHILD</u>	<u>MONTHLY PAYMENT STANDARD</u>
0 through 5	\$ 242
6 through 12	\$ 249
13 to 18	\$ 298

c. If a child turns age 6 or 13 during a month other than the initial month of eligibility or a review month, ESS must set a partial review for the month prior to the birth month.

8-7. Eligibility Process for Relative Caregiver Financial Assistance.

a. The local CBC Lead Agency and Economic Self-Sufficiency Program Office are jointly responsible in determining eligibility. The eligibility determination process is described in Rule [65C-28.008](#), F.A.C. _

(1) Each CBC Lead Agency will establish procedures to identify the child welfare professional responsible for assisting relative caregivers with the eligibility application process. The case manager responsible for the child placed with a relative caregiver will ultimately be responsible for ensuring that the local procedures are followed.

(2) The staff of both programs will utilize form CF-FSP [5233](#), Relative Caregiver Communication (available in DCF Forms), or communicate by electronic means to notify one another of a relative caregiver’s desire to apply for financial assistance and to communicate changes in circumstances that may affect the amount of the payment or eligibility for the payment. The communication form is a requirement of communication for both programs per Rules [65C-28.008\(2\)\(j\)5](#) and [65C-28.008\(2\)\(k\)6](#), F.A.C.

b. CBC Lead Agency or Subcontracted Agency Staff. In addition to on-going case management services and required judicial reviews, CBC Lead Agency or subcontracted staff are responsible for:

(1) Completing face-to-face contacts with the child and relative caregiver per requirements in Rule [65C-30.007](#), F.A.C. During each contact with a relative caregiver, the child welfare professional will determine whether the relative caregiver has any needs for support including services or training that might be critical to placement stability.

(2) Assisting the relative caregiver with obtaining the monthly financial assistance benefits, as necessary.

(3) Notifying ESS within five business days when a child in the home of a relative caregiver becomes potentially eligible for the Relative Caregiver Program benefits and the relative caregiver has indicated a desire to be considered for these benefits.

(4) Notifying ESS within ten business days when there are changes that may impact the Relative Caregiver Program benefits, such as the child has been adopted, turned age 18, or left the home. The Relative Caregiver Communication (form CF-FSP [5233](#), available in DCF Forms) is used for this purpose.

c. Office of Economic Self-Sufficiency (ESS). ESS staff are responsible for:

(1) At the interview, informing all persons caring for children who are relatives about the Relative Caregiver Program. A notation in the running record comments will serve as verification that the client was informed of this program.

(2) Explaining the options associated with the Relative Caregiver Program to the applicant.

(3) Asking the relative caregiver to complete the Relative Caregiver Program Request for Eligibility Consideration (form CF-ES [2305](#), available in DCF Forms) if a paper application is submitted. The Relative Caregiver Program Request for Eligibility Consideration notice is provided as part of the online application when the relative caregiver applies for cash assistance through the [Self-Service Portal](#) (SSP).

(4) When completing the paper CF-ES [2305](#), providing the relative caregiver with a copy of the form and maintain a copy in the document imaging system.

(5) Determining the child's initial and ongoing eligibility for the Relative Caregiver Program payment and Medicaid as well as providing notification of such action to the client and case manager.

(6) Determining continued eligibility for the child's monthly Relative Caregiver Program benefits, including Medicaid, through scheduled eligibility reviews, and acting on changes (expected and unexpected).

(7) Maintaining an electronic case file for the relative caregiver payee which contains a separate assistance group and payment for each relative caregiver eligible child.

(8) Communicating with the case manager and kinship navigator as necessary to provide updates on the eligibility status of the child.

(9) When the request for Relative Caregiver Program payment originates at the ESS office, providing written notification to the case manager via the Relative Caregiver Communication (form CF-FSP [5233](#), available in DCF Forms) or communicate by electronic means, within ten business days.

d. Initial Application.

(1) The case manager will follow local CBC Lead Agency procedures to complete form CF-FSP [5233](#) (available in DCF Forms), Relative Caregiver Communication, for each child placed with the relative caregiver.

(2) The case manager will submit the completed form(s) to the local ESS office. The case manager will retain a copy in the relative caregiver's provider record in the Florida Safe Families Network (FSFN).

(3) The ESS worker will review the family composition and determine if the family will be subject to the work requirements and time limits under the Temporary Cash Assistance (TCA) program, or, alternately, if the child is eligible for a "child-only" payment. Assistance under the TCA "child-only" category is not time-limited, nor is the relative caregiver subject to work requirements.

(4) The FLORIDA system will process the child's eligibility for the Relative Caregiver Program payment.

(5) If all eligibility factors are met, the case will be approved by ESS for payment.

e. Conversion to Relative Caregiver Program Payment.

(1) Once the child placed with a relative caregiver is adjudicated dependent and a home study has been completed, the case manager will update form CF-FSP [5233](#), Relative Caregiver Communication, with the date of adjudication and completed home study. The case manager will submit the form to the local ESS office within five business days following the placement determination.

(2) ESS will take action to convert the TCA payment to the Relative Caregiver Program payment for each eligible child. This includes the following steps:

(a) Select the Relative Caregiver payment option on the Application Entry Pick-a-Benefit (AIPB) in FLORIDA.

(b) Change the child's living arrangement status from "01" to "32" on the FLORIDA AIIC screen.

(c) Complete the Application Entry Relative Caregiver (AIRL) screen for each Relative Caregiver Program eligible child. The AIRL screen captures the child's placement eligibility information (court adjudication and home study) from the form CF-FSP [5233](#) needed to determine eligibility for the Relative Caregiver Program benefit.

NOTE: The Relative Caregiver Program eligibility driver creates a separate assistance group for each Relative Caregiver Program eligible child and determines their eligibility separately based on their age and any countable income.

(d) Remove the Relative Caregiver Program eligible child from the existing TCA assistance group or terminate an existing TCA assistance group (AG) if all children are eligible for the Relative Caregiver Program payment.

(e) Convert the TCA payment to the Relative Caregiver Program payment for the next recurring month.

NOTE: Payments cannot be received for a child from both TCA and Relative Caregiver Program in the same month.

(f) Notify the relative caregiver and the case manager of the payment conversion to the Relative Caregiver Program.

(3) Eligibility will be reviewed by ESS every 12 months and adjusted periodically, if appropriate, to reflect changed circumstances. If the review determines that the payment should be lowered, the relative caregiver shall be notified of his or her right to a fair hearing. For purposes of this paragraph, examples of “changed circumstances” shall include the following:

(a) The child begins receiving Supplemental Security Income.

(b) The child begins receiving unearned income. Examples are Social Security benefits, child support, etc.

(4) ESS also evaluates eligibility for other public assistance programs if the child’s circumstances change and he or she is no longer eligible for the Relative Caregiver Program payment.

8-8. Child Support Collections (42 U.S.C. 654 and 671(a)(17)). States are required to take all appropriate steps to secure an assignment of support rights on behalf of a child receiving maintenance payments assistance under TANF, Title IV-E, or medical assistance. Also, sections 454 and 458 of the Social Security Act require states to collect and distribute child support for foster care cases. Relative caregivers are required to cooperate with the Child Support Enforcement Program in establishing, modifying, or enforcing support orders with respect to children in their care who are receiving TANF, Title IV-E, or medical assistance benefits.

8-9. Case Planning.

a. The case manager will work with the relative caregiver and child as appropriate to develop and implement outcomes in the case plan that is co-constructed with the parent(s)/legal guardian(s).

(1) When the case plan goal is reunification, the relative caregiver will be an excellent resource for contributing suggestions for the family change strategies. The case manager should refer to CFOP 170-9, [Chapter 4](#), Family Engagement Standards for Exploration.

(2) The relative caregiver’s relationship with the child will be a benefit in identifying educational, medical, and other needs that must be addressed in the case plan.

(3) Unless it is clear the relative placement will result in permanency for the child, a concurrent permanency goal and concurrent plan should be established.

(4) In order to ensure the relative caregiver is actively involved in reunification efforts, the relative caregiver must be assigned tasks in the case plan to facilitate visitation and communication between the parent(s) and child. When siblings are separated, the relative caregiver must be assigned case plan tasks to facilitate visitation and communication between the child(ren) and the siblings.

b. When the case plan goal is permanent guardianship of a dependent child per s. [39.6221](#), F.S., or permanent placement with a fit and willing relative per s. [39.6231](#), F.S., the relative caregiver, child, if age appropriate, and other involved parties will assist with identification of the measurable objectives, tasks, and services needed to maintain the placement. The case planning discussions must

address the need for a permanency goal and a realistic timetable for achieving one of these permanency options.

c. The Children's Legal Services (CLS) attorney shall notify the relative caregiver of all hearings either in writing or orally. The court may release CLS from this obligation if the relative's involvement is impeding the dependency process or is determined to be detrimental to the child's well-being.

d. The case manager shall inform each relative caregiver that he/she has the right to:

- (1) Attend all hearings.
- (2) Submit written reports to the court.
- (3) Speak to the court regarding the child.

8-10. FSFN Documentation.

a. In FSFN Case Notes, the child welfare professional must document:

- (1) His/her discussion with the relative caregiver about support options available.
- (2) His/her actions to assist the relative caregiver with obtaining any supports needed, including documentation of referrals completed.
- (3) The case plan tasks that the relative caregiver has agreed to assist with until formally incorporated into the child's court-approved case plan.

b. The relative caregiver home study must be completed and approved using the functionality available in FSFN.

Terms and Definitions used in Chapter 8

<u>TERM</u>	<u>DEFINITION</u>
Temporary Assistance for Needy Families (TANF) Temporary Cash Assistance (TCA)	Temporary cash assistance is the state's program which provides cash assistance to needy families with dependent children. The TANF Act passed in 1996 enacting the time-limited cash assistance program. Certain groups of temporary cash assistance participants are exempt from the time limit, including child-only cases.
Date of Eligibility	<p>For eligibility to begin, a home study must be completed, a child must be adjudicated dependent, and a court order must be in effect that orders temporary custody of the child to the relative or relative placement as a permanency option. Once these activities are completed and the relative caregiver payment requested, the TCA technical and financial policy must be met by the child. For children unknown to TCA at the time of the request for the relative caregiver payment, the relative caregiver payment will begin the earlier of 30 days from the date of application or the date of approval.</p> <p>NOTE: In most situations, the relative caregiver case will be initially approved as a TCA child-only case. When the relative caregiver payment is approved, benefits will begin the first month that the child may be removed from the TCA case. These situations are treated as changes. Payment cannot be received from TCA and the Relative Caregiver Program in the same month.</p>
Ongoing Determination of Eligibility	Determination of the continuing eligibility of a child for Relative Caregiver Program payment must be done according to the regular review cycle established in the TCA program. Generally, this requires the relative to participate in <u>12</u> -month eligibility reviews.
Need	Refers to the financial need of the child. Neither income nor assets of the child can exceed the Relative Caregiver Program payment standards or the asset limit prescribed by the TANF State Plan.
Relative Caregiver Program Payments	Payments to cover the cost of caring for the child, (and the cost of providing) food, clothing, shelter, daily supervision, school supplies, and personal incidentals (e.g., transportation, non-prescription medication, etc.).
Removal Home	The family setting from which the child was first legally removed, including a relative's or non-relative's home if such person had assumed and continued to exercise day to day responsibility for care and control of the child, prior to court involvement.
Medicaid	Medical assistance funded under Title XIX of the Social Security Act, which provides basic health care to various coverage groups. Children who are eligible for relative caregiver payment are eligible for Medicaid coverage.

Chapter 9

NONRELATIVE CAREGIVER FINANCIAL ASSISTANCE

9-1. General Requirements.

a. Purpose. (Chapter 39, Florida Statutes [F.S.]) This chapter describes the policies and procedures for approving and maintaining eligibility for nonrelative caregiver financial assistance payments.

(1) Effective July 1, 2014, the Florida Legislature expanded the Relative Caregiver Program in s. [39.5085](#), F.S., to include nonrelative caregivers. The Legislature has made a commitment to assist nonrelatives who assume court ordered custody and care of a dependent child in the role of a substitute parent because of a court's determination of child abuse, neglect, or abandonment. The Legislature recognizes that some children have a close relationship with a person who is not a relative, and that this person should qualify for financial assistance for providing the child with a safe, stable home environment.

(2) While the statutory framework for the Relative Caregiver Program includes both relatives and nonrelatives, the funding for financial assistance comes from different sources, and therefore the program must be operated separately. This chapter will outline the policies and procedures for the Relative Caregiver Program for nonrelative caregivers. See [Chapter 8](#) of this operating procedure for the procedures and eligibility criteria for the Relative Caregiver Program for relative caregivers.

b. Scope. The policies and procedures within this chapter apply to all child welfare staff of the Department, community-based care (CBC) lead agencies and subcontracted providers involved with children placed or likely to be placed with a nonrelative caregiver pursuant to Chapter 39, F.S. This includes child protective investigators, case managers, Children's Legal Services attorneys, fiscal staff, and Department program specialists. Contract providers must be governed by the terms of their contract. This chapter also applies to staff responsible for processing applications and payments in the Office of Economic Self-Sufficiency.

c. Goal. The goal of nonrelative caregiver financial assistance is to provide support and stability to a child placed with a nonrelative caregiver who would not be able to serve as a caregiver without the financial assistance. The purpose of the financial assistance is to alleviate the financial burden by helping with the cost of housing, food, clothing, incidentals, supplies, and any other costs or services that aide in the care, safety and well-being of the dependent child.

d. Authority. Chapter 39, F.S., provides the legal authority for nonrelative caregiver financial assistance. Nonrelative caregiver financial assistance payments are funded with general revenue appropriated by the Florida Legislature.

e. Definitions.

(1) Child Welfare Professional. As defined in Chapter [65C-30](#), Florida Administrative Code (F.A.C.), an individual who is primarily responsible for case activities that has met the criteria for Florida Certification as a Child Protective Investigator, Case Manager or a Licensing Counselor.

(2) Financial Need. The financial need of the nonrelative caregiver to provide for the needs of the child placed with them by the court.

(3) Nonrelative. An unrelated person, not connected by blood or marriage, or relative outside of the fifth degree of specified relationship.

(4) Nonrelative Caregiver Financial Assistance Payments. Payments to assist with the added expense of housing, food, clothing, incidentals, supplies, and any other costs or services that aid in the care, safety and well-being of the dependent child.

(5) Unified Home Study (UHS). As defined in Chapter [65C-30](#), F.A.C., an assessment of a potential caregiver residing in Florida to determine if he or she is responsible and capable of providing a physically safe environment and a stable, supportive home for children under his or her care and that he or she will be able to meet the children's well-being needs. This home study is completed using the UHS module in Florida Safe Families Network (FSFN).

f. Notification Requirement. The child welfare professional recommending the nonrelative caregiver placement must inform the nonrelative caregiver about Nonrelative Caregiver Financial Assistance and must note in FSFN that the information was provided.

g. Home Study Requirements.

(1) A Unified Home Study (UHS) must be completed for any court recommended nonrelative caregiver. The nonrelative caregiver must be capable of providing a safe, stable home environment for the dependent child and assure the child's safety and well-being.

(2) The home study requirements established in s. [39.521\(2\)\(r\)](#), F.S., must be used to gather and assess the information necessary to complete the Unified Home Study for the proposed nonrelative caregiver.

(3) The child welfare professional completing the Unified Home Study must document under "Financial Security, Resources and Child Care Arrangements" that the Nonrelative Caregiver Financial Assistance was explained to the caregiver and any available information such as a fact sheet or brochure, if available, was provided.

(4) The Unified Home Study must be completed and filed with the court prior to the court's consideration of the nonrelative caregiver as a placement option for the dependent child. The Unified Home Study must be completed in FSFN. The following FSFN resource is located on the [Center for Child Welfare](#), FSFN "How Do I Guide" page: [Unified Home Study How Do I...Guide](#).

(5) The Department must not place the child or continue the placement of the child in the home of the nonrelative caregiver if the results of the Unified Home Study are unfavorable without a court order approving the placement with the nonrelative caregiver after the court considered the Department's documented concerns.

(6) If the dependent child is of sufficient age to express a preference, the reasonable preferences and wishes of the child must be considered when determining if the placement with the nonrelative caregiver is in the best interests of the child.

h. Nonrelative Caregiver Financial Assistance Payments.

(1) Nonrelative Caregiver Financial Assistance payments must be made to the nonrelative caregiver, on behalf of the child, to assist with the added expense of housing, food, clothing, incidentals, supplies, and any other costs or services that aid in the care, safety and well-being of the dependent child.

(2) Nonrelative Caregiver Financial Assistance payments must be made to the nonrelative caregiver on behalf of the child in an amount based on the child's age as listed in Rule [65C-28.008](#), F.A.C.

(3) Contingent upon continued availability of funding and continued eligibility, nonrelative caregiver financial assistance payments must continue until the child reaches age 18, is adopted, is no longer placed in the home of the nonrelative caregiver, moves from the state of Florida, or the nonrelative caregiver becomes licensed as a foster placement, whichever is sooner.

9-2. Eligibility, Application And Approval by the Child Welfare Professional.

a. Eligibility Criteria.

(1) Nonrelative Caregiver Financial Assistance is available to those nonrelative caregivers who would be unable to serve as a caregiver without financial assistance, and thus would expose the child to the risk of placement in foster care without the assistance.

(2) Nonrelative caregivers who receive Supplement Security Income (SSI) on the behalf of the child will be denied nonrelative caregiver financial assistance payments for the child.

(3) Nonrelative caregivers who receive Social Security Disability Insurance (SSDI) or Social Security Survivor Benefits on the behalf of the child in an amount less than the monthly payments for NCFA, as set forth in subsection (3)(d) of Rule [65C-28.008](#), F.A.C., shall be eligible to receive NCFA. The amount of the monthly NCFA payment shall be the difference between the monthly NCFA payment set forth in subsection (3)(d) of Rule [65C-28.008](#), F.A.C., and the amount of the child's SSDI or Social Security Survivor Benefit.

(4) The following criteria apply to Nonrelative Caregiver Financial Assistance payments:

(a) A completed Unified Home Study;

(b) A court order adjudicating the child dependent;

(c) A court order placing the child in the care and custody of the Nonrelative Caregiver and finding that the placement is in the best interest of the child; and,

(d) A signed statement by the Nonrelative Caregiver expressing financial need to continue to care for the child long term.

(5) A nonrelative may receive the NCFA payment for a minor parent who is in his or her care, and for that minor parent's child, if both children have been adjudicated dependent and meet all other eligibility requirements. The minor parent may not receive a TCA payment for him- or herself and his or her child while the nonrelative receives the NCFA payment for either or both of them. If the minor parent applies for TCA for him- or herself and his or her minor child, the NCFA payment must be terminated.

(6) Nonrelative caregivers may not receive the NCFA payment for an unrelated child who is eligible for the Relative Caregiver payment based on their half-sibling's placement with a relative caregiver. If the unrelated child becomes ineligible for the Relative Caregiver payment due to a change in the eligibility of the related half-sibling (for example, the related child is adopted, leaves the home, or turns age 18), the nonrelative caregiver may apply for and receive the NCFA payment for the unrelated child, if otherwise eligible and funds are available.

b. Application.

(1) The application (Application for Nonrelative Caregiver Financial Assistance, form CF-FSP [5398](#), available in DCF Forms) includes general demographic information, a financial

attestation by the nonrelative caregiver, an eligibility criteria checklist and a certification by the child welfare professional that all requirements are met.

(2) The child welfare professional recommending the nonrelative caregiver placement must assist the nonrelative caregiver in determining whether Nonrelative Caregiver Financial Assistance is appropriate or whether another Department or community program can assist the family and strengthen the placement.

(3) When a nonrelative caregiver expresses interest in Nonrelative Caregiver Financial Assistance, the child welfare professional recommending placement must provide the application form to the nonrelative caregiver within two business days. The child welfare professional must assist the nonrelative caregiver in completing the application.

(a) The nonrelative caregiver must sign the financial attestation portion of the application, Section II, to indicate his or her financial need for assistance to care for the child long term.

(b) The child welfare professional must verify the information in the application for Nonrelative Caregiver Financial Assistance. Once the information is verified by the child welfare professional, he or she must sign the certification contained in Section V of the application indicating the nonrelative caregiver meets all eligibility requirements. The complete and certified application should be uploaded and attached to the Unified Home Study in FSFN, and then emailed to the following address within two business days: HQW.nonrelative.caregiver@myflfamilies.com. When email is not available, applications can be mailed via the postal service to the following address:

Department of Children and Families
Office of Economic Self-Sufficiency
Attention: Nonrelative Caregiver Payment Administrator
1317 Winewood Boulevard, Building 3, 4th Floor
Tallahassee, Florida 32399

(c) If additional information is needed, the child welfare professional must contact the Nonrelative Caregiver Payment Administrator at the Office of Economic Self-Sufficiency (ESS) for clarification and assistance. All communication with the nonrelative caregiver regarding financial assistance must be documented in FSFN within two business days of the communication.

9-3. Processing the Application (ESS).

a. Upon receipt of the complete and certified application from the child welfare professional, the ESS Nonrelative Caregiver Payment Administrator will review the application within five business days.

b. The effective date of the application will be the later of the following:

(1) Date the nonrelative caregiver signed the attestation of need and requested Nonrelative Caregiver payment assistance.

(2) Date all technical requirements referenced in Section II, Section III, and Section IV of the application were met.

c. Once the Nonrelative Caregiver Payment Administrator approves the application, he/she must update FSFN to allow for payments. The Nonrelative Caregiver Payment Administrator must add the Department Approved Service type for "Nonrelative Caregiver Payments" to the Provider Record in FSFN. Additionally, the Nonrelative Caregiver Payment Administrator must create a new out-of-home placement record in FSFN utilizing the Department Approved Service type for "Nonrelative Caregiver Payments." This change in the FSFN Record will allow for payments to be generated, but will not count as a placement change for the dependent child.

d. The Nonrelative Caregiver Payment Administrator will review the application and complete the Notice of Action (form CF-FSP [5399](#), available in DCF Forms) indicating whether the application was approved or denied. If the application is denied, the reason for the denial and the nonrelative caregiver's right to appeal will be included in the Notice of Action. The Nonrelative Caregiver Payment Administrator will send the completed Notice of Action to the nonrelative caregiver via e-mail, if available, or by mail within five business days of the receipt of the application. The CBC case manager or designee will be copied on the notification.

e. The Nonrelative Caregiver Payment Administrator must document the approval or denial of the application for Nonrelative Caregiver Financial Assistance in Florida Safe Families Network (FSFN) within two business days.

9-4. Reassessment of Eligibility (ESS).

a. Eligibility for Nonrelative Caregiver Financial Assistance shall be reassessed annually by using the "Application for Nonrelative Caregiver Financial Assistance" (form CF-FSP [5398](#), available in DCF Forms).

b. The Nonrelative Caregiver Payment Administrator shall conduct the reassessment by sending application form CF-FSP [5398](#) to the nonrelative caregiver. The application form CF-FSP [5398](#) must be completed and returned by the nonrelative caregiver within 10 calendar days from the mail date. Failure to timely return a completed form CF-FSP [5398](#) will result in termination of the NCFA payment for the child effective the following month, allowing for 10-day notice of adverse action.

c. The Nonrelative Caregiver Payment Administrator shall review the returned form CF-FSP [5398](#) to determine continued eligibility for the NCFA payment within five business days of receipt. If the form is returned timely, but is incomplete, the payment administrator must attempt to contact the nonrelative caregiver to obtain the missing information before terminating the NCFA payment.

d. The Nonrelative Caregiver Payment Administrator shall document the continued eligibility or ineligibility in FSFN within two business days of completing the eligibility reassessment.

9-5. Financial Assistance Payments (ESS). (NOTE: All Nonrelative Caregiver Financial Assistance payments are subject to availability of funding.)

a. Upon receipt of a completed and certified application for Nonrelative Caregiver Financial Assistance from a child welfare professional, the ESS Nonrelative Caregiver Payment Administrator will initiate the process to generate payments to the nonrelative caregiver.

b. Nonrelative caregivers will become eligible to receive payments effective the day that all of the eligibility requirements specified in Sections II, III, and IV of the application (Application for Nonrelative Caregiver Financial Assistance, form CF-FSP [5398](#), available in DCF Forms) were met. This includes the nonrelative caregiver signing Section II of the application.

c. Nonrelative Caregiver Financial Assistance will be paid using a pro-rated daily amount for the days the child resided in the nonrelative caregiver's home during a calendar month.

d. Payments will be issued one month in arrears. For example, financial assistance payments for July will be issued in August. The August financial assistance payment would then follow in September, etc.

e. When a child's absence from the nonrelative caregiver's home requires a placement change in FSFN (e.g., extended detention stay, long term hospitalization or placement for treatment services), but the child remains in the care and custody of the nonrelative caregiver, the nonrelative caregiver financial assistance payment will be suspended for up to 60 days. If on the 61st day the child remains absent from the home, the Nonrelative Caregiver Financial Assistance payments will be ended and the nonrelative caregiver will need to reapply for Nonrelative Caregiver Financial Assistance if/when the dependent child returns to the nonrelative caregiver's home.

f. As long as funding continues to be available, nonrelative caregiver financial assistance will continue until the child reaches age 18, is adopted, is no longer placed in the home of the nonrelative caregiver, moves from the state of Florida, or the nonrelative caregiver becomes licensed, whichever is sooner.

g. When a placement change occurs, it is the responsibility of the child welfare professional/CBC designee or nonrelative caregiver to immediately notify the Nonrelative Caregiver Payment Administrator of the placement change. The Nonrelative Caregiver Payment Administrator shall end the child's placement in FSFN. The types of placement change that must be reported immediately, but no later than five calendar days, by the child welfare professional/CBC designee or nonrelative caregiver to the Nonrelative Caregiver Payment Administrator include:

- (1) When the child is adopted;
- (2) When the child is no longer placed in the home of the nonrelative caregiver;
- (3) When the child moves from the state of Florida;
- (4) When the nonrelative caregiver becomes licensed as a foster placement; or,
- (5) When there is a change in the nonrelative caregiver's address.

h. When a payment ends due to a lack of funding, or due to a disqualifying event (e.g., the child no longer lives in the nonrelative caregiver's home, turns age 18, is adopted, moves from Florida, or the nonrelative becomes licensed as a foster parent), the Nonrelative Caregiver Payment Administrator will complete the Notice of Action (form CF-FSP [5399](#), available in DCF Forms) indicating the reason for terminating the payments. The Nonrelative Caregiver Payment Administrator will send the completed Notice of Action to the nonrelative caregiver via e-mail, if available, or by mail within 30 days of receiving notice of the change. The CBC case manager or designee will be copied on the notification.

i. Once the court closes the dependency case, placing the child in permanent guardianship with the nonrelative caregiver, and terminates the Department's protective supervision, the financial assistance payments continue until the child reaches 18, is adopted, is no longer placed in the home of the nonrelative caregiver, or moves from the state of Florida as long as all required reassessments are completed timely.

(1) Upon receipt of the court order placing the child in permanent guardianship, it is the responsibility of the child welfare professional to notify the ESS Nonrelative Caregiver Payment Administrator via email at HQW.nonrelative.caregiver@myflfamilies.com of the closure.

(2) The Nonrelative Caregiver Payment Administrator must change the child's out-of-home placement in FSFN and initiate a service in FSFN. This change will allow for continued payments.

(3) The Nonrelative Caregiver Payment Administrator will also transition primary worker responsibility from the child welfare professional to the Nonrelative Caregiver Payment Administrator

when the child welfare professional has concluded all of his or her work with the family and is ready to end all of his or her assignments to the case.

(4) Upon transition, the child welfare professional or CBC designee will be responsible for ending the assignment of the child welfare professional when all case management responsibilities have concluded.

(5) The case will remain open in FSFN and will be maintained by the Nonrelative Caregiver Payment Administrator as long as payments are generated to the nonrelative caregiver.

(6) If the child's placement changes or if there is a change in the nonrelative caregiver's address, or ability to care for the child, it is the responsibility of the nonrelative caregiver to notify the Nonrelative Caregiver Payment Administrator at HQW.nonrelative.caregiver@myilfamilies.com or by calling (850) 487-2760.

(7) The Nonrelative Caregiver Payment Administrator must terminate the nonrelative caregiver service in FSFN when noticed of any change in the child's placement.

Chapter 10

(Draft Pending)

Chapter 11

(Draft Pending)

Chapter 12

(Draft Pending)

Chapter 13

GUARDIANSHIP ASSISTANCE PROGRAM

13-1. Purpose. This chapter describes the department's policies and procedures for supporting relative and fictive kin caregivers caring for children placed by the child welfare system.

13-2. Legal Authority.

a. Social Security Act, 42 United States Code (U.S.C.) 471.

b. State statutes, administrative rules and plans:

(1) Section [39.01](#), F.S.

(2) Section [39.6225](#), F.S.

(3) Section [409.175](#), F.S.

(4) Chapter [65C-44](#), Florida Administrative Code (F.A.C.).

13-3. Definition of Qualifying Activity. "Qualifying Activity" as defined in s. [39.6225](#), F.S., is any activity in which a young adult is required to participate in order to be eligible to receive Extension of Guardianship Assistance Program benefits after turning 18 years old. A qualifying activity includes the following:

a. Completing a secondary education or a program leading to an equivalent credential;

b. Enrolled in an institution which provides post-secondary or vocational education;

c. Participating in a program or activity designed to promote, or remove barriers to, employment;

d. Employed for at least 80 hours per month; or,

e. Documentation that the young adult is incapable of doing any of the above due to a medical condition.

13-4. Services for Families Prior to Guardianship Assistance Program Eligibility. Families are not eligible for Guardianship Assistance Program benefits until all eligibility criteria have been met as defined in s. [39.6225](#), F.S. Until all eligibility criteria have been met, families may qualify for benefits under CFOP 170-10, [Chapter 8](#) and [Chapter 9](#) which include:

a. "Child-Only" Temporary Cash Assistance. Child only monthly cash assistance under Temporary Assistance to Needy Families (TANF) might be available subject to eligibility criteria. Payment amounts, benefits, eligibility criteria, and application procedures are different than the Relative Caregiver Program. Please see CFOP 170-10, [Chapter 8](#) for all eligibility criteria.

b. Medical Insurance (Medicaid). The child will be enrolled in a Medicaid plan. If a child is already enrolled in a Medicaid plan, he/she may remain in his/her Medicaid plan at the time of placement or may be moved to another Medicaid plan. The responsibilities of revenue maximization staff for Medicaid eligibility are described in CFOP 170-15, [Chapter 2](#), Medicaid.

c. At-Risk Child Care Subsidy. A childcare subsidy may be available to eligible relative caregivers through the Temporary Assistance to Needy Families (TANF) At-Risk category.

Applications for an “at-risk” childcare subsidy are processed by the Office of Early Learning, local Early Learning Coalition (ELC). Please see CFOP 170-10, [Chapter 8](#) for all eligibility criteria.

d. Relative Caregiver Program (RCP). Monthly payments under the Relative Caregiver Program are established per s. [39.5085](#), F.S. Payments can be made to the relative caregiver for each eligible child placed to cover the cost of providing for the child’s basic needs. Please see CFOP-170-10, [Chapter 8](#) for all eligibility criteria.

e. Nonrelative Caregiver Financial Assistance Payments. Nonrelative Caregiver Assistance payments must be made to the nonrelative caregiver, on behalf of the child, to assist with the added expense of housing, food, clothing, incidentals, supplies, and any other costs or services that aid in the care, safety and well-being of the dependent child. Please see CFOP 170-10, [Chapter 9](#) for all eligibility criteria.

13-5. Transition from Services to Licensure. At the point that a relative or nonrelative caregiver becomes a licensed foster parent, notification shall be made to the local revenue maximization unit by the child welfare professional licensing the family so that the “Child-Only” Temporary Cash Assistance, relative caregiver or nonrelative caregiver benefits can be terminated. Families will begin receiving a foster care board payment once they become licensed. Families shall not receive simultaneous payments on behalf of the child placed in their home for “Child-Only” Temporary Cash Assistance and a foster care board payment.

13-6. Guardianship Assistance Program Eligibility. Program eligibility as defined in s. [39.6225](#), F.S., must be met prior to receiving Guardianship Assistance Payments.

a. Documentation of all eligibility criteria shall be entered in Florida Safe Families Network (FSFN) on the Guardianship Assistance Program eligibility page.

b. The Guardianship Assistance Agreement (GAA) shall be signed by all pertinent parties and uploaded into FSFN using the link on the page.

c. The family must be provided with a copy of the signed Guardianship Assistance Agreement (form CF-FSP [5437](#), available in DCF forms) and Guardianship Assistance Program brochure (CF/PI [175-76](#), available in DCF Forms).

d. The Guardianship Assistance Agreement brochure shall include the contact information for the CBC or subcontractor agency that the family would contact if the family need to request additional services or support.

e. For children 14 and older, the child welfare professional must document their discussion with the child or the child’s legal representative when applicable.

f. If the child is age 16 or 17 years old at the time the GAA is signed, there shall be documentation of the families’ intent to opt in or opt out of the Extended Guardianship Assistance Program. This shall also be documented in FSFN and on the GAA.

g. Eligibility must be determined prior to the case being closed to permanent guardianship. Presumptive eligibility can occur when all criteria has been met with the exception of a case that has been closed to permanent guardianship.

h. The child welfare professional may begin the presumptive eligibility determination process once a goal change to permanent guardianship has occurred or a concurrent goal of permanent guardianship has been added.

i. Within thirty days of a goal change to permanent guardianship or the addition of a concurrent goal of permanent guardianship, presumptive eligibility shall be completed on all children placed in licensed care with a relative, non-relative or fictive kin. The Guardianship Assistance Program page shall be initiated in FSFN.

j. A GAA may be initiated once a child has been deemed presumptively eligible; the GAA must be completed in FSFN.

k. Once presumptive eligibility has been determined, the child welfare professional shall contact the revenue maximization staff at the CBC within 15 calendar days to review the Title IV-E eligibility status.

13-7. Guardianship Assistance Payments. Guardianship Assistance Payments shall be made to an approved permanent guardian of a dependent child, pursuant to s. [39.6225](#), F.S.

a. Guardianship Assistance Payments shall be negotiated based on the needs of the child and supporting documentation shall be included and uploaded into FSFN using the link on the page should the family request any amount over \$333.

b. The child welfare professional must complete a thorough assessment and document the relationship between caregiver and child in FSFN in the permanent guardianship case plan. This shall include, but is not limited to:

(1) The child's attachment to the caregiver and the caregiver's attachment to the child;

(2) Identifying the relationship between caregiver and child (i.e., fictive kin or relative);

and,

(3) The caregiver's commitment to caring for the child long-term.

c. Families requesting an adjustment to their Guardianship Assistance Agreement payment amount shall follow the procedures outlined in Rule [65C-44.003\(9\)](#), F.A.C.

13-8. Successor Guardians. The successor guardian is an individual identified by the guardian that is willing to provide care for a child in the event the caregiver is no longer able to do so.

a. The child welfare professional shall discuss the responsibilities of assuming custody of child(ren) with the guardian and successor guardian.

b. The child welfare professional shall document the discussion with the guardian and successor guardian in FSFN as a chronological note entry.

c. The guardian or successor guardian shall contact the child welfare professional to request legally changing custody of the child prior to any placement changes.

13-9. Siblings.

a. A guardian receiving guardianship assistance payments for a child may also receive guardianship assistance payments for the sibling of the child pursuant to s. [39.6225\(3\)](#), F.S.

b. When the sibling enters care after the guardianship assistance payments have begun, questions 2 and 3 on the Guardianship Assistance Program Eligibility page in FSFN will be N/A and not included in the eligibility determination.

c. Questions 1, 4, and 5 on the Guardianship Assistance Program Eligibility page must be Yes for the sibling to be eligible for the Guardianship Assistance Program.

13-10. Extension of Guardianship Assistance Payments. Extension of Guardianship Assistance Payments is available to caregivers who are granted permanent guardianship of a child and enter into an agreement when the child is 16 or 17 years old. Through provisions of Extension of Guardianship Assistance Payments, young adults may receive Guardianship Assistance Payments until the age of 21.

a. Documentation Prior to 18 Years Old.

(1) A guardian who enters into the initial GAA when the child was 16 or 17 years-old shall agree to provide documentation prior to the child's 18th birthday for the Extension of Guardianship Assistance Program.

(2) Prior to the child's 18th birthday, an Extension of Guardianship Assistance Agreement (EGAA) (form CF-FSP [5434](#), available in DCF Forms) must be executed by guardian, child, child welfare professional, and regional department staff, if necessary.

(3) Written notification regarding the need to execute the EGAA and program requirements must be mailed to the guardian 60 days prior to the child's 18th birthday.

(4) If the EGAA is not received at least 30 days prior to the child's 18th birthday, an additional attempt to notify the guardian should occur 30 days prior to the child's 18th birthday.

(5) Upon receipt of the EGAA from the guardian, supporting documentation that the young adult meets one of the qualifying activities must be attached.

(6) The EGAA must be signed by the lead Community-Based Care Lead Agency within ten business days of receipt by the agency.

(7) Extension of Guardianship Assistance Payments are not authorized until all parties have signed the agreement and supporting documentation of the qualifying activity has been received by the designated child welfare professional to process payment.

b. Documentation Post 18 Years Old. Documentation for qualifying activities include, but are not limited to:

(1) Completing secondary education or a program leading to an equivalent credential.

(a) Copy of the most recent report card documenting that the child is in good standing based on his/her academics and attendance.

(b) Copy of the young adult's attendance record.

(c) If the young adult has an IEP, a copy of young adult's IEP must be accompanied by one of the items above.

(2) Enrolled in an institution which provides post-secondary or vocational education.

(a) Copy of the most recent transcript documenting that the child is in good standing based on his/her academics and attendance.

(b) A letter on the institution's letterhead from the academic advisor stating the young adult is in good standing based on his/her academics and attendance.

(3) Participation in a program or activity designed to promote or remove barriers to employment.

(a) Copy of the most recent transcript documenting the young adult is in good standing based on his/her academics and attendance.

(b) A letter on the institution's letterhead from the academic advisor stating the young adult is in good standing based on his/her academics and attendance.

(4) Employed for at least 80 hours per month.

(a) Copies of the most recent pay stubs that equate to at least 80 hours per month.

(b) A letter on the employer's letterhead from the employer stating that the young adult is employed and has worked a minimum of 80 hours per month.

(5) Documentation that the young adult is incapable of doing any of the qualifying activities due to a medical condition.

(6) A young adult who is on a semester, summer break, or other break, but enrolled in the school the previous semester and will be enrolled after the break, is considered enrolled in school.

(7) Redeterminations of the young adult's participation in a qualifying activity must be completed by the child welfare professional every six months.

(a) Each re-determination must be completed in FSFN in the Youth/Young Adult module.

(b) Written notification requesting proof of continued participation in a qualifying activity may be sent to the guardian of the young adult 30 days prior to the 6-month re-determination period.

(c) Documentation regarding the young adult's continued participation in a qualifying activity must be received no later than 45 business days after the 6-month re-determination period.

(d) If the qualifying activity is not received, program eligibility in FSFN should reflect ineligible; Guardianship Assistance Payments must be held and written notification to regional DCF staff should occur to initiate the letter of denial and inform the recipient of the appeal process.

(e) If the Department prevails in the denial process, the young adult's program eligibility should remain ineligible, Medicaid will end, and the EGAA must be terminated.

(8) Documentation received is considered current if the young adult was engaging in a qualifying activity within 30 business days of redetermination.

(9) All documentation to support that the young adult is engaged in a qualifying activity must be uploaded into the FSFN File Cabinet under the respective drop-down (e.g., education documentation under Education, employment information under Employment, etc.).

(10) All documentation to support that the young adult is in a qualifying activity must be uploaded into FSFN using the link on the Young Adult Program page.

13-11. Eligibility Redetermination. Guardianship Assistance Program redetermination will occur for all individuals who receive a Guardianship Assistance Payments. Eligibility redetermination will be used to determine whether a family continues to meet the eligibility criteria to continue receiving benefits.

a. Redetermination of eligibility shall occur every 12 months until the child reaches the age of 18 for the Guardianship Assistance Program or 21 years old for the Extension of Guardianship Assistance Program.

b. The child welfare professional shall initiate the process of redetermination within 60 days of the due date of the determination.

c. Redeterminations will be processed in FSFN and all documentation uploaded using the link on the Guardianship Assistance Program Eligibility page or the Young Adult Program Eligibility for EGAP redeterminations.

d. The caregiver will provide documentation to the department within 30 days of written notification.

e. Documentation shall include the Guardianship Assistance Program Eligibility Redetermination (form CF-CFP [5441](#), available in DCF Forms).

13-12. Readmission to Extension of Guardianship Assistance Program.

a. The guardian(s) and young adult who were previously receiving an Extension of Guardianship Assistance Payment must provide documentation that that the young adult currently meets one of the qualifying activities.

b. A new EGAA needs to be executed at the time of readmission if the child has been terminated from the program.

c. The EGAA shall be completed in FSFN and supporting documentation shall be uploaded into FSFN using the link on the page.