

**County of Orange Social Services Agency
Family Self-Sufficiency/Foster Care Program**

Program/Area: Foster Care

Title: Approved Relative Caregiver (ARC) Program

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Approved:

PURPOSE

The purpose of this policy is to provide guidelines for the ARC program, to make the amount paid to an approved relative caregiver for the care and supervision of a court-dependent child who is ineligible for Aid to Families with Dependent Children-Foster Care (AFDC-FC) equal to the basic amount paid on behalf of a court-dependent child who is eligible for AFDC-FC

POLICY

Placement with a relative is the preferred placement; however the funding associated with that placement depends upon whether the child is eligible to receive federal AFDC-FC. While an approved relative may receive AFDC-FC payments on behalf of a **federally** eligible foster child, an approved relative caring for a **non-federally** eligible foster child is ineligible for AFDC-FC. For a non-federally eligible child in foster care, an approved relative may apply to receive California Work Opportunity and Responsibility to Kids (CalWORKs) benefits on behalf of that child as a non-needy caretaker relative, or may include the related child in the Family's assistance unit (AU) if the relative is also in need of CalWORKs. Unlike AFDC-FC, CalWORKs grants are not a per-child payment, but are based on the size of the family as a whole, and are less than the AFDC-FC rate. To address this issue, California has enacted the ARC Program. This program provides funding to counties to make monthly payments for each child equal to the basic foster care rate to approved relative caregivers with whom a non-federally eligible foster child is placed. The child must reside in California and be under the jurisdiction of the California juvenile court.

**FUNDING SOURCES
AND PAYMENTS**

Funding for the ARC Program is comprised of the following sources:

- CalWORKs payment.
- ARC payment.

Together, these funding sources will be used to fund per-child, per-month payments under the ARC Program in an amount equal to the basic foster care rate.

For example:

A CalWORKs exempt Assistance Unit (AU) of one monthly grant of \$369, plus ARC payment of \$395, to bring the child's total ARC payment up to the basic foster care rate of \$764 for the child's nine year old age group.

CalWORKs eligibility is not a requirement of the ARC Program. If the child is ineligible to CalWORKs but eligible to the ARC Program

then the payment will be 100 percent ARC funding.

For ARC Program purposes, each participating child will be in an AU of one regardless of how many other persons in the family receive CalWORKs, including any siblings of the child. Needy caretaker relatives will be eligible for CalWORKs if the only eligible child is the ARC child and will receive the exempt/non-exempt rate as applicable. The CalWORKs grant for the relative caregiver will be calculated as normal, following CalWORKs rules. The ARC eligible child is included in the Maximum Basic Standard of Care (MBSAC) for determining financial eligibility. See Attachment 1 for examples.

DEFINITION OF A RELATIVE

A “relative” is defined as an adult who is related to the child by blood, adoption, or affinity within the fifth degree of kinship, including stepparents, stepsiblings, and all relatives whose status is preceded by the words “great”, “great-great”, or “grand”, or the spouse of any of these persons, even if the marriage was terminated by death or dissolution.

REQUIREMENTS FOR RELATIVE CAREGIVERS

A relative caregiver with whom an eligible child is placed must be approved by the Children and Family Services Senior Social Worker. The term “approved” means the relative caregiver has gone through the assessment process and has met required approval standards that mirror those for licensed foster parents, or has met RFA approval standards.

- The approved relative caregiver must reside in California.
- Relative approval standards, including Resource Family Approval (RFA) standards, remain the same under the ARC Program.

Required Forms:

- [SOC 815](#) Approval of Family Caregiver Home
- [F063-30-146](#) Statement of Relationship

Payments for the ARC Program **cannot** begin until the relative caregiver has been approved, meaning the relative caregiver must meet health and safety standards that mirror those for a licensed foster parent, such as undergoing criminal background and child abuse index checks.

ELIGIBILITY CRITERIA FOR CHILDREN

To be eligible for the ARC Program, a child must meet all of the following criteria:

- The child must reside in California. That is, the child must be placed with an approved relative caregiver in California. Out-of-state placements are not eligible for the ARC Program.
- The child must be a dependent or ward of the California juvenile court. This includes the following:
 - A probation ward who meets ARC Program eligibility requirements.

- A Non Minor dependent (NMD). A NMD receiving Extended CalWORKs and participating in the ARC Program is eligible to receive funding up to age 21.
- **Required Forms:**
 - [SOC 161](#) Six-Month Certification of Extended Foster Care Participation
 - [SOC 162](#) Mutual Agreement for Extended Foster Care
 - Transitional Independent Living Plan (TILP)

Note: NMDs who receive Extended Foster Care benefits are not eligible for the ARC Program.

- A child who has been removed from his or her home as the result of a voluntary placement agreement and has been adjudged a dependent child of the court.
 - **Required Form:** [SOC 155](#) Voluntary Placement Agreement
- A child who is **not** a dependent or ward of the juvenile court but who child welfare department or the county probation department having responsibility for placement and care can participate in the ARC Program under a voluntary placement agreement for 180 days (six months). After that, the child may continue in the ARC Program if the county files the appropriate petition on behalf of the child, making the child a dependent or ward of the juvenile court.
- The child must **not** be federally eligible to AFDC-FC while placed with an approved relative caregiver.

PRUCOL CHILDREN A Permanently Residing Under Color of Law (PRUCOL) child may be eligible for the ARC Program if all ARC requirements are met. For more information on PRUCOL refer to [Policy 711 Citizenship, Noncitizen and PRUCOL](#).

CalWORKs eligibility is not a requirement of the ARC Program. If the PRUCOL child is ineligible to CalWORKs but eligible to the ARC Program then the payment will be 100 percent ARC. For more information on CalWORKs Noncitizen Eligibility refer to [Policy 100-C3 Noncitizen Eligibility](#).

APPROVED NONRELATIVE EXTENDED FAMILY MEMBERS (NREFMs) Nonrelated Extended Family Members (NREFMs) are not eligible to participate in the ARC Program; non-federally eligible children placed with an approved NREFM receive an AFDC-FC payment.

The expanded definition of “relative” under which NREFMs are considered “fictive” relatives or kin only applies to the federal Kinship Guardianship Assistance Payment Program (Kin-GAP).

When Parental Rights have been terminated, the relative becomes a NREFM and may receive State Funded Foster Care payments beginning the first of the following month in which the ARC case has been discontinued.

SUPPLEMENTAL ALLOWANCES

The ARC Program does not allow any supplemental allowances to the rate.

ARC PROGRAM APPLICATION

An [ARC Program Application \(ARC 1\)](#), including all necessary related information and documentation, must be fully completed and signed by the relative caregiver for each child. If this is not done, an otherwise eligible child cannot participate in the ARC Program. Although CalWORKs eligibility is not a requirement of the ARC Program, a CalWORKs eligibility determination must be completed for each child to determine if CalWORKs funds can be part of the child's ARC payment.

The child's Foster Care Eligibility Technician should complete as much of the [ARC Program Application \(ARC 1\)](#) as possible by using all pertinent information and verification provided on the Foster Care Application ([FC2](#)).

The ARC application consists of two parts:

- Part One establishes the child's eligibility for the ARC Program
- Part Two establishes the child's eligibility for CalWORKs and includes income and property requirements mirroring those for AFDC-FC

Approvals:

Complete the ARC application only if the relative is non-needy and there are no other children in the home who receive CalWORKs benefits.

Complete the SAWS 2 Plus in addition to the ARC application only if the relative is needy. Needy relatives must continue to follow CalWORKs rules.

If the ARC child is the only eligible child for a needy caretaker relative, the needy caretaker relative is still eligible for CalWORKs and must apply for himself/herself and the ARC eligible child using the SAWS 2 Plus and the ARC application. The beginning date of aid for the ARC child is the date the ARC application is completed and signed by the approved relative caregiver.

Payments for the ARC Program cannot begin until the relative caregiver has been approved, meaning the relative caregiver must meet health and safety standards that mirror those for a licensed foster parent, such as undergoing criminal background and child abuse index checks.

If a child is ARC-eligible, the ARC payment should begin upon the

date the child is determined to be ARC eligible.

**INCOME AND
PROPERTY
ELIGIBILITY**

Eligibility for the **CalWORKs portion** of the ARC payment is based on the child's income and property resources.

Income eligibility is determined by applying the AFDC-FC income requirements. Up to \$10,000 in property may be retained.

If a child is determined eligible for CalWORKs, the CalWORKs portion of the ARC payment will be the county of jurisdiction exempt MAP amount for an AU of one and no further computations will be needed.

Verification documentation to determine eligibility for the CalWORKs portion of the ARC payment may include:

- Birth Certificates,
- Social Security Number (SSN) and
- Proof of any income or resources of the child.

Calculation of the CalWORKs grant for a caretaker relative who receives CalWORKs benefits for himself/herself and/or other children in the home has not changed and normal CalWORKs rules apply.

Required Forms:

- [FC3](#) Determination of Federal AFDC-FC Eligibility
- [FC3A](#) (Supplement) – AFDC-FG/U Worksheet

Treatment of Supplemental Security Income (SSI)

The County shall be the payee and the SSI benefits are to be paid to the Social Services Agency's Accounting for all ARC children receiving SSI benefits. SSI children are not eligible to CalWORKs and CalWORKs eligibility is not a requirement of the ARC Program therefore the payment will be 100 percent ARC funding (aide code 2P). If the SSI benefits exceed the Foster Care basic rate, the excess amount will go into Conserved Funds which will be released to the child upon the court terminating dependency.

Treatment of Survivor's Benefits

The County will become the payee of the child's Title II Survivors Benefits. If the Survivor's benefits exceed the FC payment, the excess will be put into a Conserved Funds which will be released to the child upon court terminating dependency. Children receiving RSDI benefits are eligible to CalWORKs, therefore the payment will be a combination of CalWORKs and ARC funding.

INITIAL PAYMENTS

Implementation for the ARC Program is effective April 1, 2015. If appropriate, the beginning date of aid can be adjusted back to April

1, 2015 if the following applies:

- For children **already receiving CalWORKs and who have a completed ARC application**, the worker is to issue an ARC payment back to the date of the CalWORKs application, but no earlier than April, 1 2015.
- For children **not already receiving CalWORKs**, but who fill out an ARC application and the worker has made a CalWORKs determination, go back and approve CalWORKs back to the ARC application date.

BEGINNING DATE OF AID

- For an individual ARC eligible child, the beginning date of aid is the date that the ARC application is completed and signed by the approved relative caregiver (date of application).
- The first ARC payment made on behalf of an eligible child will be prorated to the date of application
- For example, if an approved relative caregiver applied for the ARC Program on behalf of an eligible child on August 15, 2015, the child's first ARC payment would be prorated to cover August 15, 2015 through August 31, 2015.
- ARC payments will be made at the beginning of the month.

ARC ELIGIBILITY REQUIREMENTS

When determining eligibility for the CalWORKs portion of the ARC payment, the following CalWORKs requirements will not apply to an approved relative caregiver applying for the ARC Program on behalf of an eligible child:

- Face-to-Face interview.
- Statewide Fingerprint Imaging System (SFIS). It is considered sufficient that an approved relative caregiver has already been fingerprinted and undergone a criminal records background check as part of the approval process.
- Photo-image of the approved relative caregiver.
- Immunization requirements.
- School attendance.
- Cal-Learn participation.
- Welfare-to-Work.
- Redeterminations. It is considered sufficient that CFS social worker provides monthly visits by the social worker and six-month review hearings.
- Reporting. CalWORKs reporting requirements will not apply as ARC children meet with their CFS social worker on a monthly basis. The CFS social worker should ensure that Foster Care staff are notified of any changes that would render the child ineligible for CalWORKs benefits, such as if the child exits care.

Note: The caretaker relative must comply with the above requirements if he/she or other children in the home receive

CalWORKs benefits but do not participate in the ARC Program.

**OTHER
REQUIREMENTS**

An approved relative caregiver receiving an ARC payment is prohibited from receiving the following additional CalWORKs payments for the child:

- Special needs
- Emergencies
- Homeless assistance
- Pregnancy special needs

The ARC payment will not be included as income when determining the relative caregiver's or other household member's eligibility for CalWORKs assistance

CalFRESH

Recipients of the ARC Program may also be eligible for CalFresh benefits. For CalFresh budgeting purposes, monies made available through the ARC Program shall be treated in the same manner as Foster Care payments made to CalFresh households.

Households shall be informed of their option to include in the CalFresh household an ARC eligible foster child for CalFresh budgeting purposes.

- ARC eligible foster children may be considered part of the CalFresh household, with the ARC payment treated as unearned income to the CalFresh household; OR
 - ARC eligible foster children can be considered boarders and excluded for CalFresh budgeting purposes from the household, with the ARC payment excluded from income consideration.
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**COUNTY WITH
PAYMENT
RESPONSIBILITY AND
INTER-COUNTY
TRANSFERS (ICT)**

The county of court jurisdiction will be the county with payment responsibility for the ARC Program. This includes the CalWORKs portion of the ARC payment, which will apply to the majority of ARC cases.

The county of court jurisdiction (the county with placement and care responsibility over the child or the NMD), and who has opted-in to the ARC Program, will make the ARC payment to the approved relative caregiver or NMD (NMDs receive payments directly).

The county of court jurisdiction will make the ARC payment even if the child is placed out of county, as long as the child is placed in California. It does not matter if the county in which the child is placed is an ARC opt-in county or not.

If court jurisdiction is changed to another county, existing CalWORKs ICT procedures apply.

The regional MAP amount attributable to the CalWORKs portion of the ARC payment is based on the county of jurisdiction. See [WT 21](#) for MAP amounts.

Needy or non-needy caretaker relatives who receive CalWORKs for themselves and/or a child(ren) who is not participating in the ARC Program will continue to receive CalWORKs benefits from the county of residence and existing CalWORKs ICT procedures apply.

For more information on ICT's see [Policy 100-E11 Inter County Transfer \(ICT\)](#).

PREGNANT OR PARENTING TEENS

ARC recipients are not eligible for Cal-Learn. The parenting teen's child may receive CalWORKs, if eligible. The child would be included in the AU of the needy caretaker relative or be placed in an AU of 1 if the relative is non-needy. This does not apply to NMDs. NMDs can only receive cash aid for themselves.

Pregnant or parenting teens and NMDs have the option to establish their own CalWORKs case at age 18 if otherwise eligible. Teens and NMDs who opt to establish their own CalWORKs case will then be subject to all of CalWORKs' program and reporting rules unless exempt, and will be eligible to receive benefits for both themselves and their child.

A pregnant or parenting teen or NMD who establishes their own CalWORKs case will not be eligible for the ARC program.

CHILD SUPPORT

Child support assignment and recoupment for the ARC payment will follow CalWORKs processes. Child Support will be recoupable for the entire ARC payment, with the exception of NMDs (youth 18 or older who have graduated and receive extended CalWORKs benefits).

The [CW 2.1NA Notice and Agreement for Child](#), Spousal and Medical Support and the [CW1.1Q Child Support Questionnaire](#) are required if referred to Child Support Agency.

Child Support cooperation requirements can be exempt if it is determined cooperation is not in the best interests of the child, including an increased risk of harm to the child or when cooperation would pose a barrier to family reunification efforts.

PLACEMENT CHANGES

When children in the ARC Program have a change in placement a Placement Information Change (PIC) Notice [F063-28-301](#) is used to notify the placing social worker's Unit Clerk and Eligibility Technicians of the placement change. The PIC Notice is used to indicate:

- The end of a placement
- The start of a new placement
- A change in the caregiver's address
- Return of a child to a parent
- A Jurisdictional transfer
- An adoptive placement

If the child moves from one relative to another, Eligibility staff shall

follow CalWORKs rules by discontinuing the first relative's case at the end of the month and the second relative payments shall begin the first of the following month.

Note: The new relative's home must be approved before an ARC payment can be made. Pending the home approval, CalWORKs benefits can be issued following CalWORKs rules.

If the placement changes to a Foster Home, for example, then Foster Care Eligibility staff would discontinue the ARC case at the end of the month and begin payment to the Foster Home as of the date of placement.

OVERPAYMENTS

The collection of Overpayments (OP) will follow Foster Care rules for the ARC payment, including the CalWORKs portion.

Collection is prohibited if one of the following conditions applies:

- The cost of collection exceeds the amount of the OP that is likely to be recovered by the county.
- The OP was exclusively the result of a county administrative error or both the county and the relative were unaware of the information that would establish that the foster child was not eligible for benefits.
- The relative did not have knowledge of and did not contribute to the cause of the overpayment.

ELECTRONIC BENEFIT TRANSFER (EBT) SYSTEM

The ARC Program will be able to utilize the EBT system allowing ARC payments to be made on EBT cards by the county of court jurisdiction.

If an ARC eligible child's family currently receives CalWORKs or other benefits, and the county of court jurisdiction is also the county of residence, the child's ARC payments may be consolidated onto the family's existing EBT card.

However, if the county of court jurisdiction is different from the county of residence, the child's ARC payment must be issued on a separate EBT card by the county of court jurisdiction.

NMDs receive their own EBT cards, regardless of county with payment responsibility.

EBT Benefit Type

The following EBT benefit type codes shall be used when issuing ARC payments through the EBT system:

- Benefit Type Name: Approved Relative Caregiver (ARC)
- EBT Benefit Type: ARC

ARC AID CODES

The following aid codes are to be used for ARC payments:

- 2S – ARC Funding Option + federal CalWORKs
- 2T – ARC funding Option + state CalWORKs
- 2U – ARC Funding Option + state CalWORKs (for NMDs)
- 2P – ARC only
- 2R – ARC only (for NMDs)

**NOTICE OF ACTION
(NOA)**

The following NOA's are to be used for the ARC Program:

- [NA 1277](#) ARC Program, Overpayment
- [NA 1277](#) ARC program, Overpayment Instructions
- [NA 1278](#) Approve ARC Payment
- [NA 1279](#) Deny ARC Payment
- [NA 1280](#) Discontinue ARC Payment

REQUIRED FORMS

- Dependency Order
- [SOC 155](#) Voluntary Placement Agreement
- [SOC 158A](#) Foster Child's Data Record and AFDC-FC Certification
- [FC 2](#) Statement of Facts Supporting Eligibility for AFDC-FC
- [FC 3](#) Determination of Federal AFDC-FC Eligibility
- [FC 3A](#) (Supplement) AFDC-FG/U Worksheet
- [SOC 815](#) Approval of Family Caregiver Home
- [ARC 1](#) Statement of Facts Supporting Eligibility For The Approved Relative Caregiver (ARC) Funding Option Program
- [F063-30-146](#) Statement of Relationship
- [G845](#) Document Verification Request
- [G845S](#) Document Verification Request Supplement
- F063-25-566 Placement Information Change (PIC) Notice

REFERENCES

- ACL 15-20
- ACL 14-89
- ACL 14-44
- ACL 14-58
- WT 21

ATTACHMENTS

Attachment 1 - Calculation of the ARC Payment and CalWORKs Grant