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**ORANGE COUNTY SOCIAL SERVICES AGENCY  
CFS OPERATIONS MANUAL**

**Effective Date: December 1, 1984**  
**Revised: December 11, 2008**

**Number: H-0102**

## **AFDC-FC**

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<b>Purpose</b>	To provide eligibility criteria and guidelines for making application and re-application to AFDC-FC for a child needing out-of-home placement.
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<b>Approved</b>	This policy was approved by Mike Ryan, Director of CFS, on December 11, 2008. <i>Signature on file.</i>
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<b>Background</b>	<p>Aid to Family with Dependent Children–Foster Care (AFDC-FC) provides funding for children who need out-of-home placement. The child must meet eligibility requirements under either the federal or state AFDC-FC program to receive this funding. The Foster Care Division of Children and Family Services (CFS) establishes initial and ongoing eligibility to cash and Medi-Cal assistance for children in placement.</p>
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If federally eligible (aid code 42), the child's placement is supported by 50% federal funds, 20% state funds, and 30% county funds.

If the case is state-only eligible (aid code 40), the placement is supported by 40% state funds and 60% county funds.

When eligible for federal support, funding is generated from Title IV-E of the national Social Security Act.

This revision incorporates information from CFS Policy and Procedures (P&Ps) ESH AFDC-FC Applications (H-0107) and Restorations: AFDC-FC (H-0117), both of which have been rendered obsolete.

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**Legal Mandates** [Eligibility and Assistance Standards, Division 45](#), Section 200, documents eligibility criteria for foster care funding.

[Social Security Act, Title IV-E, Sec. 472 \[42 U.S.C. 672\]](#) authorized the federal foster care and adoption program for economically poor children, funded with a combination of federal, state, and county matching funds.

[California State Plan for Title IV-E of the Social Security Act](#) is the state's federally-approved plan and agreement for making foster care maintenance payments on behalf of children who have been removed from their home and placed out-of-home.

[Welfare and Institutions Code \(WIC\) Section 11401.5](#) mandates counties to re-determine AFDC-FC annually, examining circumstances including, but not limited to, deprivation, financial need, authority for placement, eligible facility, and age.

[Welfare and Institutions Code Section 11401.6](#) requires counties, when determining eligibility to AFDC-FC, to determine whether the child is receiving Social Security benefits and, if so, to apply to become the child's representative payee, as appropriate, during the time the child is placed in foster care.

[The Adoption and Safe Families Act \(ASFA\), P.L. 105-89](#), dated November 19, 1997, amended Title IV-E. It waived certain reasonable efforts when removing children from their home and allowed dual permanency planning, stressing the child's health, safety, and permanency as the dominant concern. To prevent children from languishing in foster care, court findings were added, requiring the agency to make ongoing efforts to finalize a permanent placement for them.

[All County Letter \(ACL\) 94-15](#), dated February 18, 1994, outlined requirements for federal linkage to AFDC-FG/U (Family Group/Unemployed) Program for purposes of use with AFDC-FC eligibility determinations.

[ACL 94-76](#), dated September 12, 1994, provides AFDC-FC requirements for out-of-state placements.

[ACL 98-01](#), dated January 2, 1998, provides history of Title IV-E funding eligibility and the reason for determining eligibility based on AFDC requirements in effect July 16, 1996.

[ACL 05-20](#), dated December 28, 2005, and its [ERRATA](#), dated March 10, 2006, clarified requirements for federal reviews, including documentation that needs to be part of a child's eligibility file.

[ACL 07-49](#), dated December 19, 2007, provided changes in federal regulations regarding temporary absences of child and federal linkage determination.

[ACL 07-55](#), dated December 27, 2007, clarified compliance with eligibility requirements following the 2006 Title IV-E review results.

[All County Information Notice \(ACIN\) I-27-06](#), dated April 25, 2006, states the court orders required by Title IV-E and state statute in order for a child to be eligible for AFDC-FC.

[ACIN I-01-08](#), dated January 24, 2008, advised counties of Assembly Bill 1462 which made some placements in for-profit facilities eligible to AFDC-FC funding. The change was effective January 1, 2008, but implementation by CDSS is pending at the time of this publication.

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## Definitions

A. **Relative (federal program only):** A person related to the child by birth or adoption within the fifth degree of kinship who is one of the following: parent, sibling, half-sibling, nephew, niece, uncle, aunt, first cousin, first cousin once removed, or any such person of a preceding generation denoted by the prefixes grand, great, great-great, or great-great-great. It also includes stepfather, stepmother, stepbrother, stepsister OR the spouse of any of these, even after the marriage has been terminated by death or dissolution.

For AFDC-FC purposes, when a parent's rights to a child are terminated by relinquishment or by court action, that parent and his/her relatives are no longer considered to be the child's relatives.

B. **Former relative (federal program only):** A person related to the child by birth or adoption as defined above but whose legal rights have been terminated by the filing of a relinquishment or by court action.

C. **Nonrelative Extended Family Member (NREFM):** Any adult caregiver who has an established familial or mentoring relationship with the child. Verification of the relationship is

established through interviews by the county welfare department with the parent and child or with one or more third parties. The parties may include teachers, medical professionals, clergy, neighbors, family friends, and former relatives not eligible to receive federal funding (parental rights must be terminated).

D. **Eligible facility:** A home that meets the requirements of the AFDC-FC program and in which an eligible child may be placed. Included are:

- County-licensed foster family homes
- Certified homes by a state-licensed Foster Family Agency (FFA)
- State-licensed, non-profit group homes
- Approved relative homes (federal program only)
- Approved former relative homes (federal program only)
- Approved NREFM homes
- Transitional housing placement facilities
- Facilities or family homes approved by child's Indian tribe
- Regional Center placements

Also included are some out-of-state placements that meet licensing standards in the state in which the child lives and have approval of the Interstate Compact on the Placement of Children (ICPC):

- Licensed child care facilities which provide [Title 22](#) personal Rights for children
- Certified group homes
- Group homes approved by the ICPC Administrator

E. **Dependency episode:** Timeframe of child's dependency declaration to dependency termination.

F. **Date child entered foster care:** The earlier of the following dates: 1) date of first judicial finding that the child has been subjected to child abuse or neglect or 2) 60 days from the date of removal from the home.

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## POLICY

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### Federal AFDC-FC

For each child needing out-of-home placement, an attempt will be made to pay federal funds to support the placement. Eligibility

Technicians (ETs) will obtain information from a variety of sources to determine the child's eligibility. All federal requirements must be met for a case to receive Title IV-E federal funding. The following policy applies to both emergency shelter homes and long-term foster placement:

Eligibility criteria includes:

- A. **Age:**  
Children 0-18, but can be extended to age 19 if child is in high school or vocational-technical training full time and reasonably expected to graduate by age 19. Refer to CFS P&P [AFDC-FC—18 Year Olds \(H-0101\)](#) for specific information.
- B. **Property:**  
Child may have up to \$10,000 in resources.
- C. **Income:**  
The child's family must pass two income tests, based on their earned and unearned income.
- D. **Residence:**  
The child must be living in California at the time of application.
- E. **Citizenship and alienage:**  
The child must be a U.S. citizen or qualified alien. For specific information, refer to CFS Foster Care P&P Citizenship and Alienage (45.201.14)
- F. **Social Security number requirements:**  
AFDC-FC applicants must have a social security number, or application for one, on file. Refer to CFS P&P [Social Security Numbers: Obtaining and Reporting \(D-0407\)](#) or Foster Care P&P Social Security Number Requirements for Foster Care (45.201.15) for specific information.
- G. **Child's income:**  
If the child is receiving Retirement, Survivors, Disability Insurance (RSDI) or Supplemental Security Income (SSI) benefits, special assessment will be made for AFDC-FC eligibility.

H. **Child support determination:**

A determination must be made to refer or not refer the child's parents to Child Support Services (CSS) for collection of child support. For specific information, refer to CFS P&P [Child Support Referrals \(H-0121\)](#).

I. **Services:**

1. Placement preventive services provided and reasons documented why these were not successful in maintaining the child with his/her family. (**Exception:** relinquishment/parental rights terminated or a non-relative legal guardian.)
2. Case plan developed within 30 days from the date of CFS involvement or date of child's most recent placement, whichever is later.
3. Family reunification (FR) services given or permanent placement services, if FR is not appropriate.
4. Monthly contacts.
5. Periodic Reviews conducted yearly. (**Exception:** Non-relative legal guardian.)
6. Permanency Planning Hearings within 12 months of the date child entered foster care. (**Exception:** Non-relative legal guardian.)
7. Assessment and placement recommendation made.

J. **Federal linkage:**

The child must be eligible (i.e., linked, or would have been if application had been made) for the federal AFDC-FG/U program during 1) the petition month OR 2) the month a voluntary placement agreement is signed. The child's circumstances in the home in the petition month prior to removal are used to determine eligibility based on program requirements as they existed on July 16, 1996.

This evaluation occurs one time only, at the beginning of the case with the exception of deprivation, which is reviewed yearly. If ineligible, the child's ineligibility continues through to dependency termination. A new dependency episode is

required for a new federal linkage determination. Federal linkage requires:

1. The child to have lived with the parent from whom removed OR with a relative within the last six months prior to the petition month.
2. The child to be deprived of parental support by absence, death, physical or mental incapacity of one or both parents, or unemployment or underemployment in a two-parent family.
3. Specific Court Findings and Orders that document the child's legal Title IV-E eligibility, including removal orders which result in foster care placement with a non-relative or a different relative than that from which the child was removed:
  - "Continuance in the home is contrary to the child's welfare." This finding is required at the first hearing following a child's removal from the home. If this finding is not made, the child is ineligible for Title IV-E funding for the entire stay in foster care
  - "Reasonable efforts have been made to prevent or eliminate the need for removal of the child from the home." This finding is required within 60 days from the date the child is removed from the home and must refer to the efforts made by the agency prior to removal. If this finding is not made, the child is ineligible for Title IV-E funding for the entire stay in foster care (required before approving AFDC-FC benefits)
  - Under certain circumstances (i.e., convictions of murder, manslaughter, parental rights terminated with respect to another child, etc.), Court may find that reasonable efforts were not required, noting the reason
  - "Temporary placement and care are vested with the child welfare agency." This finding is required prior to approving AFDC-FC benefits
4. Payment must be made to an eligible facility.

**State AFDC-FC** If any of the federal requirements are not met, the case will default to a non-federal, state-funded placement.

The eligibility criteria above applies with the exception of the following:

- A. Eligible facilities do **not** include relatives. Relative placements do not qualify for state funds unless they are pursuant to the Indian Child Welfare Act (ICWA).
- B. State cases may also include deprivation but it is not required.

Eligibility is not established and payment cannot be authorized until Juvenile Court orders the child detained and the above specific court orders are made. Pre-detention placements will be paid for by Emergency Assistance (EA) or county funds.

**Other Available Funding** For children detained and placed with relatives that have neither a federal linkage to AFDC-FC nor eligibility to State funds, the case will be referred to CalWORKs for funding.

For cases determined as state-only eligibility, the ET will process EA funding availability by using the Folder Tracking System (FTS).

For children detained and placed with non-relatives, but determined ineligible to either the federal or state-funded program, county funds may be requested to support the placement. If approved, these requests are effective for six months.

County funds may **not** be requested to supplement the difference between CalWORKs and AFDC-FC rates.

For the complete policy and procedure on requesting county funds for placements, see CFS P&P [County Funds Requests \(H-0119\)](#).

**Annual Re-investigations** Re-investigations (RVs) are required annually for children placed in foster care funded by federal and state money. RVs are required every six months for cases receiving EA funds. At the second EA re-investigation, the case will be converted to non-federal AFDC-FC and changed to annual reviews.

Continuing deprivation must be established at RV time for federally-aided cases.

Ongoing court findings are also required to document reasonable efforts made by CFS to finalize the child's permanent plan (for federally eligible cases only):

- A. "The agency has complied with the case plan by making reasonable efforts to return the child to a safe home and to complete whatever steps are necessary to finalize the permanent placement of the child." This finding is required at permanency hearings (i.e., 12-Month Review, 18-Month Review).
- B. "The agency has complied with the case plan by making reasonable efforts including whatever steps are necessary to finalize the permanent placement of the child." This finding is required at post-permanency hearings (Periodic Reviews).

The first finding of reasonable efforts to finalize the permanent plan must be made within 12 months of the date the child entered foster care. If the finding is not made timely, the child is ineligible for federal AFDC-FC at the end of the 12<sup>th</sup> month after entering foster care and remains ineligible until the finding is made.

**Terminations  
and  
Rescissions**

The child's AFDC-FC benefits will be terminated when a child leaves placement, e.g., hospitalization, AWOL, return to parent, etc. To prevent overpayment, changes in placement will be reported by social work staff within 24 hours via the Placement Change Hotline (714-566-2856) or email via *Placement Coordination Stop Payment Memo (F063-29-61)* to email address, "PCSP account". The AFDC-FC payment will be stopped.

Follow-up documentation will complete the process. The *Placement Information Change (PIC) Notice (F063-28-301)*, submitted by social work staff, will be sent to the ET within five calendar days from the child's removal.

For social work staff completing the *PIC*, refer to CFS P&P [Placement Change Notification \(K-0209\)](#) for specific guidelines.

The eligibility case file will be held for cases that are considered temporary removals. When a *PIC* documents that the child's absence from placement has been less than 30 calendar days, the ET will rescind the termination. If more than 30 calendar days, a new *Foster Care Application (FCApp)* will be required to re-open the case.

Effective February 2, 2007, continuance of AFDC-FC for temporary absences not exceeding 14 days per month is allowed. If the 14 days extend into the following month, the count starts over and an additional 14 days can be paid.

**Documentation** The following documents will be kept with the child's AFDC-FC file to verify eligibility to Title IV-E funds and be made available for federal reviews.

A. **Court-related items:**

- Copy of the petition and DHR which documents the actual physical removal date and family circumstances at time of removal
- Copy of the Jurisdictional-Dispositional report
- Signed copy of the Detention minute order
- Signed copy of the Jurisdictional-Dispositional minute order(s)
- Signed copies of all ongoing permanency planning hearing orders
- Signed relinquishment or minute order terminating parental rights

B. **Eligibility Forms/Documentation:**

- *SOC 155/155B/155C*
- Original *FC 3* for each placement episode
- Original *FC 3A* for each placement episode
- *FC 3 Supplement*
- Parental Income and Resources document
- Original *FC 2* and for all re-determinations
- All *SOC 158As*.
- *CW 51*
- Copy of the child's birth certificate
- Copy of the child's Social Security card
- School verification for youth approaching their 18<sup>th</sup> birthday
- Documents used to verify AFDC-FC eligibility

C. **Licensing Information:**

- Copy of the license for county-licensed homes
- Copy of *SOC 815* for initial approvals/annual reassessments of approved relative and NREFM homes
- Copy of the FFA license and *LIC 229* for the certified

- homes
- Copy of the license for state-licensed foster family homes and group homes
- Copy of the license/approval that the home meets the host state licensing standards for Title IV-E funding for out-of-state homes. Generally, Title IV-E and State AFDC-FC funds are only available to out-of-state group homes which have been approved by the California Department of Social Services (CDSS) and appear on the website as a listing of approved facilities

<b>Caregiver Notification</b>	Caregivers will be notified regarding foster care rates, approvals, denials, and terminations through a <i>Notice of Action (NA 9)</i> .
<b>Rates</b>	For AFDC-FC rates and other financial needs associated with the child's out-of-home placement (e.g., clothing allowances, infant supplemental payments, etc.), refer to CFS P&P <a href="#">Foster Care Rates (H-0112)</a> .  For information specific to permanency of adoption or legal guardianship, refer to CFS P&P <a href="#">Adoptions Assistance Program (C-0501)</a> or <a href="#">Kin-GAP (H-0113)</a> .

## REFERENCES

<b>Hyperlinks</b>	Staff accessing this document by computer may create a direct connection to the following references by clicking on them. <ul style="list-style-type: none"> <li>• CFS P&amp;P <a href="#">Foster Care Rates (H-0112)</a></li> <li>• CFS P&amp;P <a href="#">Child Support Referrals (H-0121)</a></li> <li>• CFS P&amp;P <a href="#">Adoptions Assistance Program (C-0501)</a></li> <li>• CFS P&amp;P <a href="#">Kin-GAP (H-0113)</a></li> <li>• CFS P&amp;P <a href="#">AFDC-FC—18 Year Olds (H-0101)</a></li> <li>• CFS P&amp;P <a href="#">Social Security Numbers: Obtaining and Reporting (D-0407)</a></li> <li>• CFS P&amp;P <a href="#">Placement Change Notification (K-0209)</a></li> <li>• CFS P&amp;P <a href="#">County Funds Requests (H-0119)</a></li> <li>• CWS/CMS Data Entry Standards—<a href="#">Generating SOC 158A</a></li> <li>• CWS/CMS Data Entry Standards—<a href="#">Foster Care Rates and Incidental Payments</a></li> <li>• CWS/CMS Data Entry Standards—<a href="#">Generating the FC2</a></li> <li>• CWS/CMS Data Entry Standards—<a href="#">CW51 – Child Support – Good Cause Claim for Noncooperation</a></li> </ul>
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**Other Sources** Other printed references include the following:

- CFS Foster Care P&P Social Security Number Requirements for Foster Care (45-201.15)
  - CFS Foster Care P&P Citizenship and Alienage (45-201.14)
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## REQUIRED FORMS

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**Online Forms** Required forms listed below may be printed out and completed, or completed online, and may be accessed by clicking on the link provided.

Form Name	Form Number
<a href="#">Specialized Foster Care Request</a>	F063-28-164

**Hard Copy Forms**

Forms listed below must be completed in hard copy (including multi-copy NCR forms). **For reference purposes only**, links are provided to view these hard copy forms, where available.

Form Name	Form Number
Notice of Action	NA 9
<a href="#">County Funds Request</a>	F063-25-415

**CWS/CMS Forms**

The following required forms may **only** be obtained in CWS/CMS. **For reference purposes only**, links are provided to view these CWS/CMS forms, where available.

Form Name	Form Number
<a href="#">Foster Care Application Information (FCApp)</a>	F063-28-307
<a href="#">Placement Information Change (PIC) Notice</a>	F063-28-301
Foster Child's Data Record and AFDC-FC Certification	SOC 158A
<a href="#">Application for Cash Aid, Food Stamps, and/or Medi-cal/34-County CMSP</a>	SAWS 1
<a href="#">Application for Cash Aid, Food Stamps, and/or Medi-Cal/34-County CMSP (Spanish)</a>	SAWS 1(SP)
<a href="#">Statement of Facts Supporting Eligibility for AFDC-Foster Care (FC)</a>	FC 2
<a href="#">Statement of Facts Supporting Eligibility for AFDC-Foster Care (FC) (Spanish)</a>	FC 2(SP)
Approval of Family Caregiver Home	SOC 815

**Brochures** Brochures to distribute in conjunction with this procedure include:

Brochure Name	Brochure Number
None.	

## PROCEDURE

<u>Staff Responsible</u>	<u>Step</u>	<u>Required Action</u>
<p><b>Required Actions—AFDC-FC Application</b> The following actions must be completed when application to AFDC-FC is needed for children being placed out-of-home.</p>		
Court Services Data Entry Technician (DET)	1.	<p>Following child’s Detention Hearing:</p> <ul style="list-style-type: none"> <li>• Verify Detention Hearing date in CWS/CMS</li> <li>• Enter Court Orders and Findings, including federal findings</li> </ul> <p><b>Note:</b> Petition and Detention Hearing dates must correspond with Detention Hearing Report (DHR) date and initial Detention Hearing minute order.</p>
Court Services Information Processing Technician (IPT)	2.	Send copy of Detention Hearing minute order by pony to Foster Care Intake DET, Building 131.
Placing Senior Social Worker (SSW)	3.	<p>a. Complete <i>Foster Care Application Information (FCApp)</i>.</p> <p>b. Send electronically to email address, “FCApp.”</p>
Foster Care DET	4.	<p>a. Receive <i>FCApp</i> and assign eligibility case.</p> <p>b. Forward <i>FCApp</i> and Detention minute order to assigned ET.</p> <p>c. Notify SSW and IPT of ET assignment.</p>
Intake Eligibility Technician (ET)	5.	<p>a. Receive <i>FCApp</i> and Detention minute order.</p>

- b. Request placement packet:
    - SOC 158A
    - FC 2
    - CW 51 (for ALL parents)
    - County Funds Request, if applicable
    - Specialized Foster Care Request, if applicable
    - EA/ESC Request, if applicable
- Placing IPT**      6. a. Generate placement packet forms from CWS using the following CWS/CMS Data Entry Standards:
- [Generating SOC 158A](#)
  - [Foster Care Rate and Incidental Payments](#)
  - [Generating the FC2](#)
  - [CW51 – Child Support – Good Cause Claim for Noncooperation](#)
- b. Send forms to assigned SSW for completion and signature.
- Placing SSW**      7. a. Complete forms and sign. Process *County Funds Request* and *Specialized Foster Care Request* for approval, if applicable.
- b. Return completed forms to IPT.
- Placing IPT**      8. Send all applicable placement documents listed above to assigned ET. Retain/file copies of documents in child’s service file.
- Intake ET**      9. a. Review documentation.
- b. Determine case eligibility to federal AFDC-FC, based on criteria in above policy.
- c. **IF** all requirements met, approve case and make payment. Request copy of Jurisdictional-Dispositional minute order from Court IPT, when received. Control for follow-up by Continuing ET.
- IF** case is not federally eligible, evaluate for EA funds, State-only AFDC-FC, or CalWORKs (if child placed with relative).

- Continuing ET**
10. Determine date child entered foster care, if federally-eligible case.
  11. File documentation in child's eligibility file.
  12. Process all placement changes received. If AFDC-FC terminated and due to child's temporary absence from placement, hold case file. If child returns to placement in less than 30 calendar days, rescind AFDC-FC termination. If over 30 calendar days, notify assigned IPT of need for new *FCApp* to reopen case.

<b>Required Actions—AFDC-FC Re-investigation</b>		The following actions must be completed when processing an annual reinvestigation for AFDC-FC or every six months for EA funding.	
<b>Staff Responsible</b>	<b>Step</b>	<b>Required Action</b>	
<b>Continuing ET</b>	1.	Notify assigned IPT by email of case RV 15 days prior to RV month.	
<b>IPT</b>	2.	a. Run AFCARS Navigation Tool for child's case. See CWS/CMS Data Entry Standards— <a href="#">AFCARS Navigation Tool Instructions</a> . b. Forward printout to SSW for review.	
<b>SSW</b>	3.	Review Navigation Tool printout for current accuracy. <ul style="list-style-type: none"> <li>• <b>IF</b> corrections/additions are necessary, note on printout, sign and return to IPT</li> <li>• <b>IF</b> no corrections necessary, indicate “no change needed”, sign and return to IPT</li> </ul>	
<b>IPT</b>	4.	Enter corrections noted on Navigation Tool, if any, in child's electronic case file. <p><b>Note:</b> Access will be denied when attempting to enter changes regarding the child's foster family home. Those changes will need to be requested by email from the current Licensing IPT.</p>	

5. a. Generate necessary forms, using the instructions outlined in the following CWS/CMS Data Entry Standards:
    - FC 2 – [Generating the FC2](#)
    - SOC 158A – [Generating SOC 158A](#)
    - CW 51 (for ALL parents) – [CW51 – Child Support – Good Cause Claim for Noncooperation](#)
  - b. Attach copy of Permanency Planning Hearing minute order.
  - c. Forward to assigned SSW for completion and signature.
- SSW**
6. a. Complete forms and sign. Add completed and approved *County Funds Request* and/or *Specialized Foster Care Request*, if applicable.
  - b. Return all forms to IPT.
- IPT**
7. Send all RV paperwork to assigned Continuing ET. Retain/file copies of documents in child's service file.
- Continuing ET**
8. Review case record and *FC 2* to determine if deprivation is to continue. Document.
  9. Review Permanency Planning Hearing minute order for ASFA compliance.
 

Federal funding may continue if required court findings in above policy are made at least every 12 months. If finding is not made timely and documented on the minute order, review court report admitted into evidence or court hearing transcript to determine if the finding was made.
  10. **IF** child placed with relative or NREFM, obtain current *SOC 815* regarding home reassessment from CWS/CMS. If home fails to meet standards at reassessment, federal funding cannot be paid until corrections are made.

**Note:** If *SOC 815* has expired, reassessment can be completed without a break in aid if a *Corrective Action Plan (CAP)* is made and home approved within the month or up to 30 days from date of expiration. However, if the caregiver moves, county funds must be paid until the new residence is approved.

11. File documentation in child's eligibility file.
12. Process all placement changes received. If AFDC-FC terminated and due to child's temporary absence from placement, hold case file. If child returns to placement in less than 30 calendar days, rescind AFDC-FC termination. If over 30 calendar days, notify assigned IPT of need for new *FCApp* to re-open case.