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

Effective Date: March 9, 2012
Revised: January 22, 2019

Number: J-0101

Extended Foster Care (EFC)

Purpose	To provide guidelines regarding extended foster care and non-minor dependents (NMDs).
Approved	This policy was approved by Anne Bloxom, CFS Director. <i>Signature on file.</i>
Most Recent Revision	This revision of the Policy and Procedure (P&P) includes: <ul style="list-style-type: none">• Clarification of placement requirements for youth participating in Extended Benefits for Non-Related Legal Guardianship program• Confirmation via All County Letter (ACL) 18-101 that marriage or part-time military enlistment do not exclude a NMD from EFC eligibility
Background	The goal of Extended Foster Care (EFC) is to prepare young adults to be independent and self-sufficient. The objectives of EFC include, but are not limited to, young adults: <ul style="list-style-type: none">• Assuming incremental responsibility for adult decision making• Understanding and effectively managing all the rights and responsibilities of adulthood• Connecting with family, friends, and other supportive members of the community, as early as possible, with the goal of promoting life-long relationships• Developing the skills necessary to establish and maintain social, work-related, and school-related relationships• Managing decisions about risk taking behavior• Developing skills to successfully navigate risk and failure

- Identifying barriers to achieving goals and understand how they might avoid/overcome those barriers
- Accessing family planning resources
- Processing issues of loss, trauma, personal identity, and relationships
- Being informed about and managing his/her own health care

The extension of foster care beyond 18 years of age allows for non-minor dependents (NMDs) and those in Legal Guardianship/Adoption ordered by Juvenile Court to receive the continued support of the Social Services Agency (SSA). This support includes continuation of foster care payment benefits and/or case management services, as these young adults work to pursue educational and employment goals and develop permanent connections with caring, committed adults.

In California, historically, approximately 4,500 young adults age out of foster care annually upon reaching 18 years of age. Research has shown that former foster youth often experience poor outcomes as young adults, including low levels of employment and educational achievement and high rates of homelessness, pregnancy, and criminal justice involvement. In an effort to offer further support for foster youth beyond 18 years of age and improve his/her outcomes in adulthood, the Fostering Connections to Success and Increasing Adoptions Act of 2008 (Public Law 11-351) was passed into federal law in September 2008.

In October 2010 and 2011, respectively, Assembly Bill (AB) 12 and AB 212 were signed into law, allowing California to implement the provisions of PL 11-351 and made two major changes to foster care in California:

- Kinship Guardianship Assistance Program (Kin-GAP) and Adoption Assistance Program (AAP) benefits are eligible for federal financial participation
- Foster care may be extended past 18 years of age for young adults who meet specific eligibility guidelines and participation requirements

Pursuant to All County Letter (ACL) 11-69, EFC eligible youth will be provided with information within six months prior to his/her 18th birthday, to make an informed decision about whether to participate in EFC.

Participation in EFC is a voluntary. An EFC-eligible youth turning 18 years of age may elect to not participate in EFC or may opt-out of EFC any time after reaching 18 years of age, as applicable,

stating his/her intent to opt out to the assigned social worker, Foster Care Eligibility Worker, and/or attorney.

Those who opt-out of EFC can re-enter EFC an unlimited number of times until they no longer meet the eligibility criteria. Refer to CFS P&P [Re-Entry Into Extended Foster Care \(EFC\) \(J-0105\)](#) for guidelines regarding the EFC voluntary re-entry process.

Definitions

For purposes of this P&P, the following apply:

Parent Mentor: Pursuant to WIC § 16501.26 and ACL 16-50, an adult, 21 years of age or older, who a NMD has selected to provide assistance with parenting his/her child and who has:

- Undergone a criminal records check pursuant to Health and Safety Code § 1522
- Undergone a Child Abuse Central Index (CACI) check pursuant to Penal Code § 11170

Medical Condition: A physical or mental state that limits a NMD's ability to participate in any of the participation requirements for EFC, as verified by a healthcare practitioner (refer to the "Participation Requirements" Policy section for a list of EFC participation requirements). A healthcare practitioner is any individual provider licensed or authorized by the state, county, or city in which the provider is located to provide services related to physical or mental health.

Non-Minor Dependent (NMD): Pursuant to WIC § 11400, a current dependent or ward of the Juvenile Court who satisfies all of the following criteria:

- Has reached 18 years of age while under an order of foster care placement, but is less than 21 years of age
- Is in foster care under the placement and care responsibility of Children and Family Services (CFS), County of Orange Probation Department, or an Indian tribe that entered into an agreement pursuant to Welfare and Institutions Code (WIC) Section (§) 10553.1
- Is participating in or intending/willing to participate in a Transitional Independent Living Plan (TILP)

NMDs include young adults in legal guardianship with an open dependency case as of his/her 18th birthday.

Out-of-Home Caregiver: Resource Family, Relative, Non-Related Extended Family Member (NREFM), foster parent (licensed or

certified), or Short-Term Residential Therapeutic Program (STRTP)/Transitional Housing Placement Program (THPP)/Transitional Housing Placement (THP) Plus Foster Care (THP+FC) provider, including case managers and/or administrative staff responsible for providing regular support for NMDs.

Note: NMDs residing in Supervised Independent Living Placements (SILPs), as defined in CFS P&P [Non-Minor Dependent \(NMD\) Placements \(J-0102\)](#), do not have an out-of-home caregiver.

Transitional Independent Living Case Plan (Case Plan): Pursuant to WIC § 11400, a NMD's case plan that is updated every six months, which describes, in part, the goals and objectives of how the NMD will make progress in the transition to living independently and assume incremental responsibility for adult decision-making, and the supportive services to ensure active and meaningful participation in maintaining eligibility for EFC.

Child and Family Team (CFT): Pursuant to WIC § 16501, a group of individuals convened by CFS and engaged through a variety of team-based processes to identify the strengths and needs of the NMD and family, and to help achieve positive outcomes for safety, permanency, independence, and well-being. As detailed in All County Letter (ACL) 16-84, members of the CFT include:

- NMD (and parents, if parents continue to received Family Reunification services)
- Assigned Senior Social Worker (SSW) and Deputy Probation Officer (as applicable)
- Current caregiver (as applicable)
- As applicable:
 - Mental health provider (e.g., therapist, CEGU, etc.)
 - Representative from Foster Family Agency (FFA) or STRTP
 - Youth partner
 - Public health provider
 - Court Appointed Special Advocate (CASA)
 - School personnel
 - Representative of the NMD's tribe or Indian custodian
 - Regional Center representative
 - Parent Mentor

Note: In addition to formal supports, NMDs may invite individuals who are part of his/her own network of informal support to

participate in the CFT, including, but not limited to: Extended family, friends, neighbors, coaches, clergy, co-workers, etc.

CalFresh: An entitlement program in California providing food benefits to low-income households. This entitlement program is federally funded and called the Supplemental Nutrition Assistance Program or SNAP (formerly known as Food Stamps).

POLICY

EFC Summary Overview

Pursuant to WIC § 11400, and ACLs 11-61 and 11-69, the guidelines for a young adult to participate in EFC include:

- A. Has reached 18 years of age while under an order of foster care placement.

Refer to the "Eligibility Criteria" section of [Attachment 1—EFC/Kin-GAP/AAP Eligible Groups, Services, and Funding](#) for specific eligibility guidelines for each EFC eligible group.

- B. Meets at least one of the following Participation Requirements:

- Completed/progressing towards completion of high school or equivalent program
- Enrolled in a post-secondary or vocational school at least half-time
- Participating in program or activity that promotes employment
- Employed at least 80 hours per month
- Incapable of enrollment in school or employment due to a qualifying medical/mental health condition

Refer to the "Participation Requirements" Policy section for further information regarding EFC Participation Requirements.

- C. Resides in foster care under the placement and responsibility of the SSA pursuant to WIC § 11400.

Refer to CFS P&P [Non-Minor Dependent \(NMD\) Placements \(J-0102\)](#) for further information regarding placement options for NMDs.

Refer to CFS P&P [Foster Care, AAP, and Kin-GAP Rates for Young Adults \(J-0103\)](#) for EFC funding and [Attachment 4—](#)

[Suggested Guidelines for Rate Setting](#) CFS P&P [Foster Care Rates \(H-0112\)](#), for guidelines regarding initiating and changing rates or establishing a basic and supplemental rate.

- D. Maintains an open dependency case.

Refer to CFS P&P [Non-Minor Dependency Court Proceedings \(J-0104\)](#) for guidelines on completing Status Review Hearing reports pursuant to WIC §§ 366.3 or 366.31 for a NMD, including case plan development.

Note: Kin-Gap and AAP are not considered EFC; however, young adults who meet the eligibility and participation requirements are eligible for continued Kin-Gap and AAP funding up to age 21. (Refer to CFS P&P [Extended AAP and Kin-Gap Benefits \[J-0106\]](#).)

- E. Young adults who opt-out of EFC can re-enter EFC an unlimited number of times until they no longer meet the eligibility criteria. Refer to CFS P&P [Re-Entry Into Extended Foster Care \(EFC\) \(J-0105\)](#) for guidelines regarding the re-entry process.

Note: Pursuant to WIC § 11405(e), dependency must be dismissed for a youth in a NRLG to qualify for EFC.

Life Skill Development

Preparation for an independent, stable adulthood begins when a child is placed into protective custody and continues throughout the life of the case with support from social work staff, out-of-home caregivers, and community partners to encourage development of independent living skills, as age appropriate.

Pursuant to CFS policy, to support the development of independent living skills, the assigned social worker and the Transitional Planning Services Program (TPSP) SSW will facilitate the provision of Independent Living Program (ILP) services for ILP-eligible youth pursuant to CFS P&P [ILP Services \(D-0504\)](#).

The goals and plans established in Transitional Independent Living Plans (TILPs) and Transitional Planning Conferences (TPCs) while a youth is a minor, provide the foundation for preparing the youth to meet EFC participation requirements or emancipate from foster care and remain eligible to re-enter EFC.

Note: Information regarding educational scholarships, employment resources, housing resources, and services provided by Orangewood Children's Foundation (OCF) to support ILP

eligible youth, including those eligible for EFC, can be accessed by clicking on: [TPSP/ILP](#).

EFC—General Guidelines

Pursuant to ACLs 11-61, 11-69, and 12-48:

A. EFC/Kin-GAP/AAP Eligible Groups, Services, and Funding:

[Attachment 1—EFC/Kin-GAP/AAP Eligible Groups, Services, and Funding](#) provides eligibility criteria, available services, and the process for facilitating EFC, Kin-GAP, and AAP funding for young adults in each of the following categories:

- NMDs (including legal guardianship with dependency at age 18 years)
- Non-Dependent Non-Related Legal Guardianship (NRLG)
- Kin-GAP
- Adoption Assistance Payments (AAP)

Note: Kin-GAP and AAP are not considered EFC; however, young adults who meet the eligibility and participation requirements pursuant to the guidelines in [Attachment 1—EFC/Kin-GAP/AAP Eligible Groups, Services, and Funding](#) are eligible for continued Kin-GAP and AAP funding until reaching 21 years of age. Refer to CFS P&P [Extended AAP and Kin-GAP Benefits \(J-0106\)](#).

B. Additional Eligibility/Ineligibility Guidelines:

Eligible for EFC:	Ineligible for EFC:
<p>A minor dependent/young adult who meets the eligibility criteria in Attachment 1—EFC/Kin-GAP/AAP Eligible Groups, Services, and Funding remains eligible for EFC if they are:</p> <ul style="list-style-type: none"> • Pregnant/parenting • Residing out-of-state/out-of-county • An undocumented dependent with an application for Lawful Permanent Residence Status and Special Immigrant Juvenile Status (SIJS) pending pursuant to CFS P&P Undocumented Dependents (D-0508) • Married* • Serving part-time in military reserves, national guard, or ROTC 	<p>A minor dependent/young adult is <u>not</u> eligible to remain in EFC as a NMD if they are:</p> <ul style="list-style-type: none"> • Incarcerated • In Non-Related Legal Guardianship ordered by Probate Court • Residing with a parent pursuant to a court-ordered FM case plan as of his/her 18th birthday • Full-time military service, deployment, or basic training/boot camp <p>Note: If circumstances change, a young adult may re-enter EFC, provided eligibility criteria are met pursuant to CFS P&P Re-Entry Into</p>

Pursuant to ACL 18-101, marriage or part-time military enlistment do not exclude a NMD from EFC eligibility.	Extended Foster Care (EFC) (J-0105) .
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C. **Mutual Agreement for Extended Foster Care (SOC 162):**
To transition to EFC, young adults must meet:

- Eligibility criteria
- At least one of the participation requirements

–And–

- Sign the *Mutual Agreement for Extended Foster Care (SOC 162)* no later than 30 calendar days following his/her 18th birthday

Note: Pursuant to ACL 12-48, for a NRLG the *Mutual Agreement for Extended Foster Care (SOC 162)* must be signed 30 calendar days **prior to or** no later than by the young adults 18th birthday.

The *Mutual Agreement for Extended Foster Care (SOC 162)* is an agreement between CFS and the young adult, which specifies the young adult’s willingness to:

- Remain under the jurisdiction of the Court as a NMD (**Note:** This provision does not apply to young adults in non-dependent NRLG)
- Remain in an approved placement supervised by CFS
- Report changes in meeting eligibility criteria and/or participation requirements
- Work on TILP goals

D. **Additional NMD Advisements:**

Pursuant to ACL 11-69, the assigned social worker will provide EFC eligible youth with the information required pursuant to the Policy sections below within six months prior to the youth’s 18th birthday, so they may make an informed decision about whether to participate in EFC.

The assigned social worker will advise eligible youth/NMDs of his/her eligibility for:

- Medi-Cal until age 26
- ILP services
- Not being required to pay taxes on EFC payments nor his/her caregiver(s)
- Reimbursement for educational travel expenses to school of origin through 12th grade, pursuant to CFS P&P [School Placement and Transfer \(I-0102\)](#)
- CFS-issued bus passes to engage in activities that meet EFC eligibility requirements

Note: Pursuant to ACL 12-48, ILP services are not available to youth who entered a NRLG prior to their eighth birthday.

1. CalFresh:

Pursuant to ACIN I-68-17, a NMD participating in EFC is not automatically disqualified from eligibility for CalFresh benefits, regardless of where the NMD is placed.

2. Eligibility Considerations:

If the NMD is directly receiving any portion of the foster care payment, the funding the NMD receives is included as income and may be eligible for CalFresh.

Alternately, if any portion of the foster care payment is not directly paid to the NMD (e.g., THP+FC provider), the portion not paid to NMD is excluded from consideration in the NMD's eligibility for CalFresh.

When considering CalFresh eligibility for a family or household which includes a NMD, the family or household has the option to exclude the foster care payment as income, if it would benefit the family, household or NMD.

Other factors for consideration in evaluating eligibility for CalFresh include, but are limited to income, hours employed per week, expenses (e.g., rent, utilities, etc.), enrolled in higher education, and being a single parent. Exemptions may apply which would increase eligibility to qualify for CalFresh benefits.

Per to ACL 17-09, NMDs receiving Supplement Security Income/State Supplementary Payment program (SSI/SSP) payments are not eligible for CalFresh (a.k.a., food stamps).

Participation Requirements

Pursuant to ACL 11-61, a young adult who meets the eligibility criteria to remain in EFC must meet at least one of the following participation requirements to participate in EFC:

- A. Completed/progressing towards completion of high school or equivalent program, including, but not limited to:
- Public/Charter/Alternative High School
 - Adult Education classes
 - Any course of study leading towards completion of High School diploma, General Equivalency Degree (GED), High School Proficiency Certificate, High School Completion Certificate
 - Participating in special education activities as described in the NMD's Individualized Education Plan (IEP)

Note: Enrollment is considered continuous during any summer or other scheduled break during the academic program.

- B. Be enrolled in post-secondary or vocational school at least half-time, including, but not limited to:
- Enrolled in any for-credit or non-credit courses
 - Formal admission to an institution is not required (e.g., NMD enrolled in individual courses without being enrolled in institution)

- C. Participate in program or activity that promotes employment, including, but not limited to:

1. Individualized program based on a youth centered assessment of skills and needs.
2. Activities may be self-directed, completed in conjunction with the NMD's caregiver or SSW, or part of an organized program (e.g., unpaid employment, volunteer activities, unpaid internships or apprenticeships).

Note: Participation in programs for drug and alcohol treatment also fulfills this participation requirement.

3. NMD is deemed to be meeting this requirement as long as participating in regular meetings with SSW to develop and implement the Transitional Independent Living Plan (TILP).

- D. Be employed at least 80 hours per month:
- Engaged in full or part time employment, including paid or unpaid employment, volunteer activities, paid or unpaid internships, apprenticeships, vocational rehabilitation, or work study programs

-OR-

- E. Incapable of enrollment in school or employment due to a qualifying medical/mental health condition.

Verification of Participation Requirements: The assigned social worker will obtain documentation to verify participation in activities related to meeting the participation requirements above. Refer to [Attachment 2—Examples of Supporting Documentation for Meeting EFC Participation Criteria.](#)

Pursuant to CFS policy, the assigned social worker will make ongoing efforts to engage a NMD who is not meeting any Participation Requirement to assess the factors impacting the NMD's ability to do so. The assigned social worker may, as necessary, coordinate a CFT meeting, (e.g., TPC and case staffing) to assist the NMD with meeting a Participation Requirement and achieving TILP goals.

EFC Legal Status

Pursuant to ACLs 11-69 and 11-77, those participating in EFC have legal status as adults and retain all legal decision making authority.

EFC services will be provided in a manner that respects the young adult's rights as a legal adult, including the right to privacy and self-determination. This includes the young adult holding his/her own educational rights, the young adult consenting for medical care, and the Court no longer providing consent for psychotropic medication or out-of-state travel.

A. **Personal Rights:**

Pursuant to WIC §§16001.9 and 16501.1, a NMD in an approved placement (including courtesy supervision), will be regularly informed of their personal rights in an age/developmentally appropriate manner that includes an explanation of the NMD's rights and addresses the NMD's questions/concerns regarding placement.

Advisement of a NMD's personal rights will be provided to the NMD and caregiver (as applicable) by the assigned social

worker at least once during each six-month review period (and at each placement change), using:

- *Foster Care Personal Rights (F063-25-758)*
- *You Have Rights Too! (PUB 395)*

Additionally, NMD's placed in a Resource Family Home will be provided the *Personal Rights in a Resource Family Home (F063-25-682)* on an annual basis.

B. NMD Educational Rights:

Upon reaching 18 years of age:

1. A NMD will assume all educational rights in accordance with Education Code § 56041.5, unless the NMD has been determined to be incompetent under state law (i.e., is the subject of a conservatorship).
 2. Any prior appointment of an educational representative will expire, pursuant to WIC § 361(a), unless:
 - The NMD chooses not to make educational decisions for his/her own behalf, and elects to transfer his/her educational rights to another person
- Or-**
- The NMD is deemed by the Court to be incompetent

In the event a NMD elects to transfer his/her educational rights to another person, the assigned social worker will:

- a. Advise the NMD to contact his/her own attorney to discuss the appropriateness of transferring educational rights.
- b. In the court report prepared for the next scheduled NMD Status Review hearing, identify who holds educational decision-making authority for the NMD (i.e., the NMD, another person to whom the NMD has transferred educational rights, or a conservator appointed by Probate Court).

C. NMD Medical Information/Confidentiality:

The assigned social worker will support a NMD's responsibility to be informed about health and manage his/her own health care needs, including:

- Being informed about prescribed medication and how those medications may interact with other medications, food, or drink
- The right to privacy regarding any medical condition and medical information
- The right to consent to receive treatment or take medication, including psychotropic medication

Health and Education Passport (HEP): A NMD's HEP will be updated pursuant to CFS P&P [Health and Education Passport \(I-0403\)](#). Pursuant to WIC § 16010 and ACL 11-77, a NMD's current HEP will be provided to the NMD's caregiver.

Note: This applies to any placement other than a SILP.

Pursuant to WIC § 16010, the assigned social worker will advise the NMD of the assigned social worker's obligation to provide the HEP to the out-of-home caregiver and discuss with the NMD the benefits and liabilities of sharing that information.

1. Reproductive Health and Parenting: NMDs will receive accurate reproductive health education and referrals to needed services, including advisement of rights as part of his/her overall health and well-being pursuant to WIC § 16501. Refer to CFS P&P [Sexual/Reproductive Health and Parenting \(I-0207\)](#) for guidelines on reproductive health care information, services or parenting case management services.
2. Confidentiality: The placing SSW will advise a NMD's caregiver of the responsibility to keep all of the NMD's medical information confidential and that this information cannot be released to any other party without the **written** consent of the NMD. Written consent may be obtained using *Authorization for Release of Information (F063-25-228)*.

This includes medical information required for the last Status Review Hearing prior to the Court making findings regarding the youth/young adult's non-minor dependency status.

Pursuant to CFS policy, if this Status Review Hearing occurs after the young adult's 18th birthday, information regarding medical care that occurred after the young

adult's 18th birthday will only be included in the court report with the young adult's **written** consent. Information regarding medical care that occurred prior to the young adult's 18th birthday may be included in the Status Review Hearing report without the consent of the young adult.

Refer to [Attachment 1—Non-Minor Dependency Supplemental Documentation for Court Reports](#) contained in CFS P&P [Non-Minor Dependency Court Proceedings \(J-0104\)](#) for guidelines for completing the Status Review Hearing report prior to the Court making findings regarding the youth's/young adult's non-minor dependency status.

Child and Family Team (CFT)

WIC § 16501.1 requires that CFS convene a CFT meeting to identify supports and services needed to achieve permanency, and to enable an NMD to live in the least restrictive family setting that promotes normal childhood experiences and is based on the developmental needs of young adults by providing incremental responsibilities which prepare the NMD for the successful transition into adulthood. Activities of the CFT include providing input into:

- Development of a Transitional Independent Living Case Plan (i.e., Case Plan) that is strengths-based, needs driven, and culturally relevant
- Placement decisions and services to be provided to support the young adult

In practice, CFTs for NMDs may include or address the following:

- Transitional Independent Living Plan (TILP)
- 90-Day Transition Planning Conference (TPC)
- Pregnant and Parenting Planning Conference (PPPC), that may also include:
 - Shared Agreement
 - Parenting Support Plan
- Case staffing
- Wraparound Teams
- Placement in a Short-Term Residential Treatment Program (STRTP)

Note: Placement in STRTP requires approval from the Interagency Placement Committee (IPC), in collaboration with the CFS STRTP Placement Coordinator.

ACL 16-84 provides that CFT meetings for an NMD occur **no less than once every six months**. Best practice dictates the CFT convene as needed, to address emerging issues, coordinate interventions and safety planning, and refine the case plan.

Note: If the NMD receives Specialty Mental Health Services (i.e., Intensive Care Coordination, Intensive Home-Based Services, Therapeutic Foster Care), a CFT meeting must occur **at least every 90 days**. Refer to CFS P&P [Mental Health Screening and Treatment \(I-0303\)](#).

A. **Release of Information:**

Pursuant to WIC § 303 a NMD shall retain all of his/her legal decision-making authority as an adult. In accordance with WIC § 832, the CFT facilitator or assigned social worker will review the *Child and Family Team (CFT) Consent to Release Information* (F063-25-805) with the NMD to obtain consent to:

- Participate in the CFT process
- Authorize the exchange of information among the CFT

Refer to CFS P&P [Mental Health Screening and Treatment \(I-0303\)](#) for guidelines regarding authorization for a mental health provider to disclose a NMD’s mental health information to the planning and support team (i.e., CFT).

B. **Case Planning:**

Pursuant to WIC § 16501.1, the Case Plan will be developed with consideration to the recommendations and input of the CFT.

If there are inconsistencies between the Case Plan and CFT recommendations, the assigned social worker will document the rationale in the Status Review Report.

Refer to the “Case Plan” Policy section of CFS P&P [Non-Minor Dependency Court Proceedings \(J-0104\)](#) for further guidelines regarding case plan development.

Refer to [CWS/CMS Data Entry Standards—Case Plan: Child and Family Team Meetings \(B0106\)](#), to incorporate CFT meetings into the Case Plan, as a Planned Client Service and a Case Management Service.

C. **Documentation:**
Information regarding CFT meetings convened will be documented by the CFT facilitator or assigned social worker, via:

1. Completion of the *Child and Family Team (CFT) Plan (F063-25-806)*.
2. Entry of a CWS/CMS Contact Narrative, per [CWS/CMS Data Entry Standards—Entering Child and Family Team \(CFT\) Meeting Contacts \(E0601\)](#).
3. Incorporation into court reports: Refer to CFS P&P [Non-Minor Dependency Court Proceedings \(J-0104\)](#).

**Case
Compliance
Contacts**

A. **Compliance Contacts with NMD and Young Adult in Non-Dependent NRLG:**

The assigned social worker will complete contacts in a manner that respects the privacy of NMD's in EFC and young adults in Non-Dependent NRLG, while assessing the NMD/young adult's progress in meeting TILP goals and the safety and stability of the NMD/young adult's placement.

The purpose of social worker contacts (telephone and in-person) includes yet is not limited to the following objectives:

- Verify NMD/young adult's compliance with meeting at least one EFC participation requirement
- Verify the location of the NMD/young adult and assess the living environment
- Monitor the NMD/young adult's social, educational, and vocational development
- Engage and involve the NMD/young adult in the development of the case plan and TILP
- Gather information to identify needed services to be included in the case plan and TILP
- Monitor the effectiveness of services provided
- Discuss progress in case plan and TILP goals and identify modifications which may be needed
- Assess the NMD/young adult's ability to maintain a relationship with siblings, relatives, and adults important to them
- Establish and maintain a helping relationship to provide continuity and a point of stability
- Solicit the NMD/young adult's input on his/her future and discuss current as well as future residential and permanency plans

1. NMD:
Pursuant to ACL 11-69, the assigned social worker will have at least one monthly in-person contact with the NMD, with the majority of visits (at least 51 percent) occurring in the NMD's placement.

Note: In occasional circumstances, case compliance contacts may be completed by another SSW, SWI/II or Senior Social Services Supervisor (SSSS) only when all of the following conditions are met:

- With supervisory approval
- Not the first month of contact
- No more than every other month

Contact waivers are not permitted.

2. Young Adult in Non-Dependent NRLG:
Pursuant to CDSS MPP Division 31-320.612, the assigned social worker will have in-person contact with a young adult in Non-Dependent NRLG and his/her legal guardian a minimum of once every six months, in the legal guardian's residence.

Note: Pursuant to ACL 12-48, a young adult in a NRLG must reside with the former NRLG as a condition of participation in EFC. The exception is a non-minor living outside the home in a dorm or other setting, as required, to access education/employment opportunities.

EFC payments will be made to the NRLG even if the young adult is living outside the NRLG's residence to access education/employment opportunities. The youth may be the payee subject to meeting the conditions set forth in Eligibility and Assistance Standards (EAS) 301.214, which requires:

- Payment to the non-minor is necessary to implement the social service plan
- The social worker has determined the non-minor is sufficiently mature and responsible
- Payment to the NRLG is not feasible
- Payment for the same period has not already been made

B. **Compliance Contacts with Out-of-Home Caregiver/Provider and Non-Dependent NRLG:**

The purpose of social worker contacts (telephone and in-person) with out-of-home caregivers/providers and Non-Dependent NRLG includes yet is not limited to the following objectives:

- Discussion of the NMD/young adult's progress in meeting TILP goals and EFC Participation Requirements
- Support for the out-of-home-caregiver/provider/legal guardian while ensuring the NMD/young adult has opportunities for increasing independence as appropriate
- Discussion of any issues of concern regarding the placement
- Any additional issues as identified by the assigned social worker or out-of-home caregiver/provider/legal guardian

The assigned social worker will assess whether a higher frequency of in-person contact is necessary to support facilitate the out-of-home caregiver/provider/legal guardian's support of the NMD/young adult with meeting goals for independence (e.g., when there is conflict between the NMD and out-of-home caregiver/legal guardian, concern that out-of-home caregiver/legal guardian is not assisting the NMD with developing self-sufficiency skills, etc.).

Note: Pursuant to CFS policy, exchanging voice mail messages with the out-of-home caregiver/provider/legal guardian does not meet the monthly contact requirement.

1. **Out of Home Caregiver/Provider:**
Per CFS policy outlined in CFS P&P [Case Compliance Contacts and Documentation \(E-0105\)](#) the assigned social worker will have at least one monthly in-person or telephone contact with the NMD's out-of-home caregiver/provider. In-person contact with the NMD's out-of-home caregiver/provider is required at least once every three months.
2. **Non-Dependent NRLG:**
Pursuant to CDSS MPP Division 31-320.612 the legal guardian will be contacted in-person a minimum of once every six months.

Case Management — NMDs Placed in Other Jurisdictions

Pursuant to ACL 11-69, the assigned social worker will be responsible for case management activities and documentation, including, personal rights, monthly face-to-face contacts and submitting required court reports to Court, for NMDs who reside out-of-county or out-of-state unless, as applicable, the placement county has entered into a:

- Courtesy supervision agreement pursuant to CFS P&P [Courtesy Supervision \(K-0501\)](#)
- ICPC agreement pursuant to CFS P&P [Interstate Compact on the Placement of Children \(K-0502\)](#)

Note: ICPC after a youth reaches 18 years of age is at the discretion of the state of residence. If the state of residence does not agree to provide ICPC supervision beyond 18 years of age, the assigned social worker will complete monthly face-to-face contacts and provide services.

Pursuant to ACL 11-69, video conferencing, use of “Skype,” or the use of any other forms of technology for communication do not meet the requirements for conducting monthly face-to-face contact with NMDs.

NMD Not Meeting EFC Requirements

If a young adult is not meeting eligibility criteria to remain in EFC, the following will be completed, as applicable:

- A. **Initial Notification:**
Per CFS policy, when a NMD has failed to meet the requirements defined in the *Mutual Agreement for Extended Foster Care (SOC 162)*, including but not limited to failing to meet at least one EFC participation requirement for at least 30 days, the assigned social worker will provide each of the following to the NMD:
- A completed *Notice of Non-Compliance with EFC Requirements/Contract to Remain Eligible for EFC (F063-25-770)*
 - A copy of the signed *Mutual Agreement for Extended Foster Care (SOC 162)*
 - A copy of the TILP
- B. **30 Day Follow-Up:**
The assigned social worker will follow-up with the NMD 30 days after providing the *Notice of Non-Compliance with EFC Requirements/Contract to Remain Eligible for EFC (F063-25-770)* to assess the NMD’s progress in meeting the requirements of the contract.

- C. **Subsequent Notification:**
 If, after 30 days, the NMD has not made progress in meeting the requirements defined in the *Mutual Agreement for Extended Foster Care (SOC 162)*, the assigned social worker will complete the *Notice of Non-Compliance with Extended Foster Care Participation Requirements/Contract to Remain Eligible for EFC Follow-Up (F063-25-771)* and provide it to the NMD.
- D. If the NMD continues to not meet EFC requirements, on a case-by-case basis, in consultation with assigned SSSS or designee, the assigned social worker may recommend a WIC § 391 Termination Review hearing through filing a JV-180 or at a Status Review Hearing. Refer to CFS P&P [Non-Minor Dependency Court Proceedings \(J-0104\)](#) for guidelines.

Note: If the NMD is in an approved placement, funding will not be terminated for failure to comply with EFC participation requirements pursuant to WIC § 11403, unless the Court makes an order of non-compliance at a WIC § 391 Termination Review hearing.

Notification of NMD Payment Termination

Pursuant to WIC § 11403, if the NMD's payment for placement is suspended (for any reason), the assigned social worker will complete an *Notice of Action to Attorney Regarding Non-Minor Dependent Foster Care Payment Discontinuance (F063-25-815)* and fax to the NMD's attorney.

Note: Foster Care Eligibility will provide the NMD, the payee if other than the NMD, and the assigned social worker with a Notice of Action (NOA). A NOA will be sent by Foster Care Eligibility prior to the termination of payment.

Evaluation of Risk Services

Pursuant to WIC §16504, the Child Abuse Registry (CAR) will accept reports regarding NMDs alleged to have been endangered by abuse, neglect, or exploitation while residing in a Resource Family Home (RFH), Foster Family Home (FFH), Foster Family Agency (FFA), Short-Term Residential Therapeutic Program (STRTP), Transitional Housing Placement Plus Foster Care (THP + FC), or with a relative or Non-Related Extended Family Member (NREFM). Refer to CFS P&P [Child Abuse Registry \(CAR\) \(M-0109\)](#) for guidelines when CAR receives a call regarding abuse, neglect, or exploitation of a NMD.

Pursuant to CFS policy, the assigned social worker will conduct an evaluation of risk services when CAR accepts a report of abuse, neglect, or exploitation of a NMD. Further, pursuant to CFS policy,

a report will be filed with law enforcement when the reported situation necessitating the evaluation of risk services for the NMD indicates a crime may have been committed.

The assigned social worker will discuss with the NMD CFS's requirement to file a report with law enforcement. Further, pursuant to CFS policy, the assigned social worker will discuss with the NMD which of the following options the NMD prefers for filing the report with law enforcement:

- NMD files report and provides the assigned social worker with police report number (e.g., DR number)
- Assigned social worker assists NMD with filing report
- Assigned social worker files report on NMD's behalf if NMD declines to file a report

Note: If an allegation of abuse or neglect is received regarding a NMD who meets screen-in criteria for investigation by Adult Protective Services (APS), the assigned social worker will receive notification that, "A Hotline call came in on this NMD regarding a concern." No further information will be provided. CAR will maintain confidentiality pursuant to WIC §§15633–15633.5.

Structured Decision Making (SDM)

Pursuant to CFS policy, SDM is not required for NMDs, as indicated in CFS P&P [Structured Decision Making \(D-0311\)](#).

Intercounty Transfers

The case of an OC NMD residing in another county may be transferred to the NMD's County of Residence when doing so is in the NMD's best interests, will support the NMD's successful transition to adulthood, and all of the following apply:

- NMD requests and/or provides consent for the intercounty transfer. (**Note:** The case will not be transferred if the NMD does not want to remain in EFC.)
- NMD has resided in the other county as a NMD for 12 consecutive months
- NMD does not reside in a STRTP
- NMD has a connection to the community in which he/she resides (e.g., through employment or school, etc.)
- Maintains a connection with a person who is significant to them

The assigned social worker will ensure each of the following EFC documents are current, completed, signed, and entered into CWS/CMS when or prior to requesting an intercounty transfer for a NMD:

- *Six-Month Certification of Extended Foster Care Participation (SOC 161)*
- *Mutual Agreement for Extended Foster Care (SOC 162)*
- As applicable: *Placement Agency-Foster Family Agency Agreement (Non-Minor Dependent Placed by Agency in Foster Family Agency) (SOC 153)* or *Agency-Foster Parents Placement Agreement (Non-Minor Dependent Placed by Agency in Foster Home) (SOC 156A)*
- Transitional Independent Living Plan (TILP)
- Transitional Independent Living Case Plan (Case Plan)
- SIJS documentation (as applicable)
- SSI documentation (as applicable)

Intercounty transfers for NMDs will be completed pursuant to CFS P&P [Intercounty Transfers \(G-0402\)](#).

**Regional
Center
Clients**

Pursuant to best practice, the assigned social worker/SSSS may assess on a case-by-case basis through a CFT meeting/Transitional Planning Conference (TPC) whether EFC is appropriate for developmentally delayed youth/young adult who qualify for Regional Center services.

Options may include, but not be limited to:

- Regional Center Client – Open EFC case
Meets the need for regional center services and NMD will benefit from EFC services toward independence
- Regional Center Client – Terminate Dependency
EFC may not be necessary for those youth/young adults who are already linked to a long-term system of care that will meet his/her needs

Note: Initiate coordination with Regional Center in a CFT as early as possible.

The assigned social worker will review and have the youth/young adult sign the *Mutual Agreement for Extended Foster Care (SOC 162)*, if it is determined that EFC would be beneficial.

In certain circumstances, the assigned social worker will submit an Ex Parte to request Court assign a *Guardian Ad Litum* for the purpose of signing the *Mutual Agreement for Extended Foster Care*

(SOC 162) and other documents requiring consent (including medical consents), if the youth/young adult is unable to understand the *Mutual Agreement for Extended Foster Care (SOC 162)*.

Wraparound Services

Wraparound services may be considered for NMDs. Refer to CFS P&P [Wraparound Referral and Services \(D-0511\)](#) for further guidelines regarding Wraparound.

Utilization of Wraparound Services for NMDs that meet the group home or STRTP criteria may be considered on a case-by-case basis, and with Multi-Agency Family Partnership Program Manager (PM) approval. (Refer to CFS P&P [Wraparound Referral and Services \[D-0511\]](#) for further guidelines regarding Wraparound.)

Transporting NMDs

Pursuant to CFS policy, CFS social work staff may transport clients. An NMD is a dependent of the Court pursuant to WIC § 303 and must be receiving CFS services to be transported by a SSW. Refer to CFS P&P [Transportation of Children \(D-0307\)](#) for guidelines and considerations in transporting adults and children. Refer to CFS P&P [Car Seat Usage \(D-0301\)](#) to ensure children of NMDs are properly secured during transport.

Note: Children and adults not receiving CFS services will not be transported (e.g., friends of an NMD, etc.).

Parenting NMDs

A. Infant Supplement:

Parenting NMDs are eligible to receive an infant supplement payment for a non-dependent or dependent child in his/her care and custody who is residing with them in any placement, including SILPs and THP+FC.

Pursuant to ACL 17-93, the infant supplement payment is additional funding used to cover the costs of items such as food, clothing, shelter, daily supervision and personal incidentals which directly benefit the child of the NMD.

Refer to CFS P&P [Foster Care, AAP, and Kin-GAP Rates for Young Adults \(J-0103\)](#) and CFS P&P [Foster Care Rates \(H-0112\)](#), for further guidelines regarding the Parenting Support Plan and supplemental rates, and information for parenting young adults who select CalWORKs assistance to support themselves and his/her child(ren).

THP+FC – Shared Agreement: A Shared Agreement is a plan between the NMD and the THP+FC provider which outlines the financial responsibilities and expenditures of the Infant Supplement payment. The financial arrangement will be:

- Discussed at a CFT meeting (i.e., TPC, PPPC, etc.)
- Documented on the *Infant Supplement Shared Agreement for THP+FC (F063-25-820)*

When a parenting NMD demonstrates, through his/her actions and decision-making, an understanding of budgeting and the additional financial requirements of parenting, the THP+FC provider may transfer the entire amount of the infant supplement directly to the parenting NMD as an allowance.

Alternatively, if the NMD demonstrates further understanding is needed regarding the financial responsibilities of parenting, the NMD and THP+FC provider may develop a plan:

- To share the responsibility (i.e., expenditures) of the infant supplement

–Or–

- For the THP+FC provider to be responsible for expenditures of the entire amount of the infant supplement

Note: Per ACL 17-93, The infant supplement payment may not be used by the THP+FC provider to cover costs associated with administration (i.e., staffing, case management or services).

B. Parenting Support Plan Supplement:

1. Requirements for Parent Mentor:

Per ACL 15-67 and ACL 16-50, parenting NMDs residing in a SILP may receive an additional monthly allotment when they enter into a Parenting Support Plan (PSP) pursuant to WIC § 16501.26, with a parent mentor. Per WIC § 16501.27, the parent mentor must:

- Be at least 21 years of age
- Have a completed criminal record clearance and Child Abuse Central Index (refer to CFS P&P [Live Scan Fingerprinting \[B-0115\]](#))

2. Identifying Parent Mentor:

The assigned social worker will advise a parenting NMD to have prospective parent mentor contact the assigned social worker. Refer to [Attachment 3—Parenting Support Plan: Responsible Adult Mentor Approval Guidelines](#) for additional details.

When contacted by a prospective parent mentor, the assigned social worker will refer him/her to complete a criminal background and CACI clearance (refer to CFS P&P [Live Scan Fingerprinting \[B-0115\]](#).) If the prospective parent mentor has a criminal and/or child abuse record, the assigned social worker will assess whether to approve him/her to be a parent mentor.

Note: Having a criminal and/or child abuse record does not automatically preclude one from being a parent mentor. The assigned social worker, in consult with the assigned SSSS, will use the information obtained from these clearances as part of a comprehensive assessment of the prospective parent mentor.

When a parent mentor is approved, the assigned social worker will:

- a. Meet with the NMD and parent mentor to review and sign the *Parenting Support Plan (F063-25-769)* within 30 days or as soon as practically possible pursuant to WIC § 6501.26(b).
 - b. Forward the original signed *Parenting Support Plan (F063-25-769)* and a *Placement Information Change (PIC) Notice (F063-28-301)* to Foster Care Eligibility.
 - c. Keep a copy in the permanent record.
3. Parenting Support Plan (PSP) Follow-Up:
Per CFS Policy, the assigned social worker will assess the impact of the PSP with supporting the parenting NMD during each monthly contact and document this assessment in a CWS/CMS contact.

The assigned social worker will meet with the parenting NMD and parent mentor together:

- A minimum of once every six months to review and, as necessary, update the PSP
- When the parenting NMD indicates that his/her parenting needs, including identifying a new parent mentor, requires the PSP to be updated

The assigned social worker will forward the original signed PSP to Foster Care Eligibility and keep a copy in the permanent record each time it is updated.

SSI NMDs receiving Supplemental Security Income (SSI) are eligible for EFC even if they receive SSI instead of AFDC-FC or a combination of both.

The assigned social worker will consult with the assigned Eligibility Worker regarding the source of payment (SSI or AFDC-FC) to ensure that the NMD receives state only funded AFDC at least one month in any 12-month period to ensure the NMD maintains SSI eligibility at the time the NMD exits foster care.

CalWORKs Pursuant to best practice, the assigned social worker may consult with the Foster Care Eligibility Program Manager or CalWORKs representative when information is needed for a NMD to understand the differences between Foster Care and CalWORKs funding, to determine which will best meet his/her needs. Refer to CFS P&P [Foster Care, AAP, and Kin-GAP Rates for Young Adults \(J-0103\)](#).

Pursuant to ACL 11-69 in situations when an NMD is ineligible for AFDC-FC but is receiving extended CalWORKs funding, the assigned social worker will provide a copy of the signed *Mutual Agreement for Extended Foster Care (SOC 162)* to the Foster Care Eligibility worker. If an NMD continues to meet participation requirements, the young adult can simultaneously have an open EFC case and receive extended CalWORKs funding.

Data Entry Data entry for NMDs will be completed pursuant to:

- [CWS/CMS Data Entry Standards—Case Service Component Instructions \(B-0207\)](#)
- [CWS/CMS Data Entry Standards—Extended Foster Care \(EFC\) \(L0101\)](#)
- [CWS/CMS Data Entry Standards—Qualifying Referral/Case Contact Instructions \(E0304\)](#)
- [CWS/CMS Data Entry Standards—Entering Child and Family \(CFT\) Meeting Contacts \(E0601\)](#)
- [CWS/CMS Data Entry Standards—Pregnant & Parenting Minors/NMDs \(D0119\)](#)
- [CWS/CMS Data Entry Standards—Case Plan: Child and Family Team Meetings \(B0106\)](#)

Forms/ Documents Filing

Forms and documents for those participating in EFC will be filed in the NMD/young adults' Permanent Record.

An *Extended Foster Care Acco (F063-25-1145)* will be added to the Service File for those participating in EFC. Pursuant to CFS policy, the following forms will be filed in the *Extended Foster Care Acco (F063-25-1145)*, as applicable:

- *Six-Month Certification of Extended Foster Care Participation (SOC 161)*
 - Include any supporting documentation of the young adult meeting the EFC participation requirements
- *Mutual Agreement for Extended Foster Care (SOC 162)*
- *SILP Readiness Assessment (F063-25-704)*
- *Notice of Non-Compliance with EFC Requirements/Contract to Remain Eligible for EFC (F063-25-770)*
- *Notice of Non-Compliance with Extended Participation Requirements/Contract to Remain Eligible for EFC Follow-Up (F063-25-771)*
- *Notice of Action to Attorney Regarding Non-Minor Dependent Foster Care Payment Discontinuance (F063-25-815)*
- *Infant Supplement Shared Agreement for THP+FC (F063-25-820) (as applicable)*

For re-entries into EFC, the following additional documents will be filed in the Permanent Record:

- *Voluntary Re-Entry Agreement for Extended Foster Care (SOC 163)*
- *Request to Return to Juvenile Court Jurisdiction and Foster Care (JV-466)*
- *Confidential Information—Request to Return to Juvenile Court Jurisdiction and Foster Care (JV-468) (as applicable)*
- Minute Order resuming dependency jurisdiction

All other forms and documents for those participating in EFC will be filed in the Service Folder and/or Legal File, per CFS P&P [Referral and Case Filing \(E-0102\)](#).

REFERENCES

Attachments and CWS/CMS Data Entry Standards

Hyperlinks are provided below to access attachments to this P&P and any CWS/CMS Data Entry Standards that are referenced.

- [Attachment 1—EFC/Kin-GAP/AAP Eligible Groups, Services, and Funding](#)
- [Attachment 2—Examples of Supporting Documentation for Meeting EFC Participation Criteria](#)
- [Attachment 3—Parenting Support Plan: Responsible Adult Mentor Approval Guidelines](#)
- [CWS/CMS Data Entry Standards—Case Service Component Instructions \(B0207\)](#)
- [CWS/CMS Data Entry Standards—Extended Foster Care \(EFC\) \(L0101\)](#)
- [CWS/CMS Data Entry Standards—Qualifying Referral/Case Contact Instructions \(E0304\)](#)
- [CWS/CMS Data Entry Standards—Entering Child and Family \(CFT\) Meeting Contacts \(E0601\)](#)
- [CWS/CMS Data Entry Standards—Pregnant & Parenting Minors/NMDs \(D0119\)](#)
- [CWS/CMS Data Entry Standards—Case Plan: Child and Family Team Meetings \(B0106\)](#)

Hyperlinks

Users accessing this document by computer may create a direct connection to the following references by clicking on the link provided.

- CFS P&P [Maintaining Connections with Important Persons \(D-0410\)](#)
- CFS P&P [ILP Services \(D-0504\)](#)
- CFS P&P [Undocumented Dependents \(D-0508\)](#)
- CFS P&P [Wraparound Referral and Services \(D-0511\)](#)
- CFS P&P [Intercounty Transfers \(G-0402\)](#)
- CFS P&P [Foster Care Rates \(H-0112\)](#)
- CFS P&P [School Placement and Transfer \(I-0102\)](#)
- CFS P&P [Health and Education Passport \(I-0403\)](#)
- CFS P&P [Non-Minor Dependent \(NMD\) Placements \(J-0102\)](#)
- CFS P&P [Foster Care, AAP, and Kin-GAP Rates for Young Adults \(J-0103\)](#)
- CFS P&P [Non-Minor Dependency Court Proceedings \(J-0104\)](#)

- CFS P&P [Courtesy Supervision \(K-0501\)](#)
- CFS P&P [Interstate Compact on the Placement of Children \(K-0502\)](#)
- CFS P&P [Re-Entry into Extended Foster Care \(EFC\) \(J-0105\)](#)
- CFS P&P [Child Abuse Registry \(CAR\) \(M-0109\)](#)
- CFS P&P [Live Scan Fingerprinting \(B-0115\)](#)
- CFS P&P [Referral and Case Filing \(E-0102\)](#)
- CFS P&P [Transportation of Children \(D-0307\)](#)
- CFS P&P [Car Seat Usage \(D-0301\)](#)
- CFS P&P [Reproductive Health and Parenting \(I-0207\)](#)
- CFS P&P [Structured Decision Making \(D-0311\)](#)
- CFS P&P [Mental Health Screening and Treatment \(I-0303\)](#)

Other Sources Other printed references include the following:

None.

FORMS

Online Forms 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
Foster Care Eligibility/Non-Dependent Legal Guardianship—Required Documentation to Transition to Extended Foster Care	F063-25-691
Personal Rights in a Resource Family Home	F063-25-682
Attorney Notice of NMD FC Payment Discontinuance NOA	F063-25-815
Infant Supplement Shared Agreement for THP+FC	F063-25-820
Child and Family Team (CFT) Consent to Release Information	F063-25-805
Child and Family Team (CFT) Plan	F063-25-806

Hard Copy Forms

Forms listed below may 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
Extended Foster Care (EFC) Acco	F063-25-1145
Parenting Support Plan	F063-25-769

Notice of Non-Compliance with EFC Participation Requirements/Contract to Remain Eligible for EFC	F063-25-770
Notice of Non-Compliance with EFC Participation Requirements/Contract to Remain Eligible for EFC- Follow-Up	F063-25-771

CWS/CMS Forms

Forms that may **only** be obtained in CWS/CMS are listed below. **For reference purposes only**, links are provided to view these CWS/CMS forms, where available.

Form Name	Form Number
Kin-GAP Mutual Agreement for Non-minor Former Dependents	KG 3
Request to Return to Juvenile Court Jurisdiction and Foster Care	JV 466
Confidential Information-Request to Return to Juvenile Court Jurisdiction and Foster Care	JV 468
Six-Month Certification of Extended Foster Care Participation	SOC 161
Mutual Agreement for Extended Foster Care	SOC 162
Voluntary Re-Entry Agreement for Extended Foster Care	SOC 163
Transitional Independent Living Plan (TILP)	TILP 1
Kinship Guardianship Assistance Payment (Kin-GAP) Program Agreement Amendment	SOC 369A

Brochures

Brochures to distribute in conjunction with this policy may include:

Brochure Name	Brochure Number
Youth Advisement of Non-Minor Dependency (Extended Foster Care)	F063-25-677
Youth Advisement of Non-Minor Dependency (Extended Foster Care) (Spanish)	F063-25-677Sp
Youth Advisement of Non-Minor Dependency (Extended Foster Care) (Vietnamese)	F063-25-677VN
You have Rights Too!	PUB 395
Foster Care Personal Rights	F063-25-758
Foster Care Personal Rights (Spanish)	F063-25-758Sp

LEGAL MANDATES

EFC General Guidelines: All County Letters (ACLs) [11-61](#), [11-69](#) and [12-48](#) and [Errata](#) outline the basic provisions of EFC, including eligibility guidelines, participation requirements, and placement options.

NMDs:

- [ACL 15-67](#) provides guidelines for a parenting NMD residing in a SILP to receive an additional allotment per month when they enter into a Parenting Support Plan (PSP) with an approved Parenting Mentor
- [ACL 16-50](#) provides clarification regarding parenting NMDs residing in a SILP, questions and answers
- [ACL 17-93](#) outlines the process for a shared agreement between the parenting NMD and a THP+FC provider
- [ACL 18-101](#) provides clarification on EFC eligibility for married NMDs and NMDs enlisted in a part-time military program (e.g., military reserves, national guard, ROTC).
- [Welfare and Institutions Code \(WIC\) Section \(§\) 303](#) acknowledges the adult legal status of a NMD, details the rights of a NMD, and describes the responsibilities of the child welfare agency, towards a NMD
- [WIC § 362.5](#) – court shall open a separate court file for NMD
- [WIC § 11400](#) defines a Non-Minor Dependent (NMD), *Mutual Agreement for Extended Foster Care (SOC 162)*, Supervised Independent Living Placement (SILP), and Transitional Housing Plus Foster Care (THP Plus FC). (Refer to Definitions section of this P&P)
- [WIC § 16010](#) provides, in part, guidelines for maintaining the health and education records of NMDs and providing the Health and Education Passport (HEP) to the NMD’s caregiver. It further outlines the requirement to inform the NMD of the SSW’s obligation to provide the HEP to the caregiver
- [WIC § 16501.9](#) lists the personal rights of NMDs
- [WIC § 16501.1](#) provides that a NMD’s social worker will advise the NMD of his/her personal rights per [WIC § 16501.9](#) at least once every six months
- [WIC § 16501.26](#) provides guidelines for a parenting NMD and adult mentor to develop a PSP
- [WIC § 16501.27](#) requires an adult 21 years of age or older, who a NMD has selected to provide assistance with parenting his/her child, to undergo a criminal records check pursuant to Health and Safety Code § 1522 and to undergo a Child Abuse Central Index (CACI) check pursuant to Penal Code § 11170
- [WIC § 16504\(c\)](#) provides that any NMD reported to the county welfare services department to be endangered by abuse, neglect, or exploitation by a licensed or approved caregiver while in a foster care placement will be eligible for evaluation of risk services to determine if the placement is safe and appropriate. The county child welfare department will cross report the suspected abuse, neglect, or exploitation by the licensed or approved caregiver to the appropriate licensing or approval agency and, as appropriate, to law enforcement
- [WIC § 303\(d\)](#) acknowledges a NMD shall retain all legal decision making authority as an adult.

Non-Dependent Non-Related Legal Guardianship (NRLG):

- [ACL 11-69](#) provides that case management activities for young adults in Non-Dependent NRLG established in Juvenile Court who remain in EFC will be completed pursuant to [WIC § 11405](#)
- [ACL 12-48](#) and [Errata](#) states a non-minor must live with their former non-related legal guardian except when living in a dorm or other setting required to access education/employment
- [WIC § 11405](#) defines the case management activities required for children and young adults in Non-Dependent NRLG, including the requirement that in-person visits will be made as often as appropriate, but no less than once every six months
- [WIC § 11400\(d\)](#) authorizes payment of AFDC-FC to nonminors living in the home of a former non-related legal guardian

Eligibility:

- [WIC § 11403\(b\)](#) outlines the participation requirements a NMD must meet to be eligible to remain in EFC and receive EFC services
- [WIC § 11403\(c\)](#) provides for any notice of action regarding placement funding be sent to the NMD, any other payee, the NMD's attorney and the social worker

Ineligibility:

- ACLs [11-69](#) and [11-78](#) and [Errata](#) specifically identifies circumstances for ineligibility
- WIC 11400(v) clarifies an NMD is ineligible for EFC while incarcerated

Funding:

- [WIC § 11403\(a\)](#) provides guidelines for NMDs to receive foster care payment benefits up to age 21 as of January 1, 2014
- [ACL 11-15](#) and [Errata I](#) and [Errata II](#) outline modifications to the Kin-GAP Program
- [ACL 11-78](#) and [Errata](#) outline the eligibility requirements for extending CalWORKs benefits to NMDs
- [All County Information Notice \(ACIN\) I-29-13](#) provides that a probation youth under an order for foster care placement who is in juvenile hall on his/her 18th birthday, is eligible for EFC, but not federal reimbursement
- [CDSS MPP Division 45-301.214](#) details requirements that youth in NRLG must meet to become payee

CalFresh:

- [ACL 17-09](#) clarifies that individuals receiving Supplemental Security Income (SSI) are not eligible for CalFresh
- [ACIN I-66-16](#) clarifies CalFresh eligibility for NMDs attending school and not meeting the required employment hours
- [ACIN I-68-17](#) provides additional information on CalFresh eligibility for NMDs and foster care income

Medi-Cal:

- [ACL 17-54](#) and [ACIN I-31-15](#) provide for uninterrupted Medi-Cal benefits for youth exiting foster care or EFC
- California Department of Health Care Services (DHCS) [All County Welfare Directors Letter \(ACWDL\) 14-54](#) provide guidance on extending Medi-Cal benefits to 26 years of age

Case Compliance Contacts:

- [ACL 11-69](#) and [ACL 11-77](#) provide that the same monthly contact requirements for children in foster care apply to NMDs.
 - [CDSS MPP Division 31-320.612](#) requires the social worker to contact the legal guardian in-person a minimum of once every six months
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REVISION HISTORY

Since the Effective Date of this P&P, and prior to the Current Revision Date, the following revisions of this P&P were published:

October 18, 2012
March 13, 2013
October 29, 2014
January 7, 2016
April 9, 2018