

AMENDED IN ASSEMBLY APRIL 23, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 423**

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**Introduced by Assembly Member Cooley**

February 19, 2015

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An act to amend Sections 309, 361.45, 11450, 11461.3, 11465, and 11477.02 of, and to add Section 13758 to, the Welfare and Institutions Code, relating to public social services.

LEGISLATIVE COUNSEL'S DIGEST

AB 423, as amended, Cooley. CalWORKs: relative caregivers.

Existing law requires each county to provide cash assistance and other social services to needy families through the California Work Opportunity and Responsibility to Kids (CalWORKs) program using federal Temporary Assistance to Needy Families (TANF) block grant program, state, and county funds. Existing law specifies the amounts of cash aid to be paid each month to CalWORKs recipients.

Existing law establishes the Aid to Families with Dependent Children-Foster Care (AFDC-FC) program, under which counties provide payments to foster care providers on behalf of qualified children in foster care. Under existing law, a child ~~is eligible for AFDC-FC if he or she~~ *who* is placed in the approved home of a relative ~~and is otherwise is eligible for AFDC-FC if he or she~~ is eligible for federal financial participation in the AFDC-FC payment, as specified. Existing law establishes the Approved Relative Caregiver Funding Option Program in counties choosing to participate, for the purpose of making the amount paid to relative caregivers for the in-home care of children placed with them who are ineligible for AFDC-FC payments equal to the amount paid on behalf of children who are eligible for AFDC-FC

payments. ~~In order for a relative caregiver to receive benefits under the program, existing law requires a child placed with the relative caregiver to reside in the state.~~

This bill would revise provisions of the Approved Relative Caregiver Funding Option Program to, among other things, authorize a relative caregiver to receive payments on behalf of a child pursuant to the program, regardless of whether the child resides, or will be residing, ~~outside of the state or~~ the participating county pursuant to his or her placement. The bill would establish procedures for the distribution of payments to relative caregivers, as specified. The bill would also require that an infant supplement, as specified, be paid under the CalWORKs program and the Approved Relative Caregiver Funding Option Program to a teen parent who is placed with his or her child in the home of a relative caregiver and is the subject of a voluntary placement agreement or subject to the jurisdiction of the juvenile court, as provided.

Under existing law, if the county welfare department places a child who is in temporary custody or subject to the jurisdiction of the juvenile court with a relative or nonrelative extended family member, as defined, the county is required to evaluate and approve or deny the home for purposes of AFDC-FC eligibility.

This bill would *instead require the county, immediately following the placement of a child in the home of a relative, to initiate an application for CalWORKs on behalf of the child. The bill would require the county, concurrently with initiating the application for CalWORKs, additionally require the county to evaluate and approve or deny the home for purposes of CalWORKs eligibility AFDC-FC eligibility, and, if the child is found to be ineligible for AFDC-FC, and would require the placing agency to initiate and complete the applications for AFDC-FC and CalWORKs or for, and determine eligibility for, the Approved Relative Caregiver Funding Option Program, as specified. specified, and screen the child for eligibility for the federal Supplemental Security Income program.* The bill would also require the county social worker or eligibility worker to explain to the relative, either in person or by telephone, the eligibility requirements and benefit amounts for the AFDC-FC and CalWORKs programs, and the Approved Relative Caregiver Funding Option Program if the county has opted into the program, as well as any actions the relative could take to affect the child's eligibility for those programs. By requiring county employees to provide these services, the bill would impose a state-mandated local program.

Existing law requires that every youth who is in foster care and nearing emancipation be screened by the county for potential eligibility for the federal Supplemental Security Income (SSI) program.

This bill would require that every youth who is in foster care and has been determined to be ineligible for AFDC-FC benefits be screened by the county for potential eligibility for the SSI program. By imposing this additional duty on counties, the bill would impose a state-mandated local program.

Existing law continuously appropriates moneys from the General Fund to defray a portion of county costs under the CalWORKs program.

This bill would instead provide that the continuous appropriation would not be made for purposes of implementing the bill.

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.~~

*The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.*

*This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.*

*With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.*

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 309 of the Welfare and Institutions Code
- 2 is amended to read:
- 3 309. (a) Upon delivery to the social worker of a child who has
- 4 been taken into temporary custody under this article, the social
- 5 worker shall immediately investigate the circumstances of the child
- 6 and the facts surrounding the child's being taken into custody and

1 attempt to maintain the child with the child's family through the  
2 provision of services. The social worker shall immediately release  
3 the child to the custody of the child's parent, guardian, or  
4 responsible relative, regardless of the parent's, guardian's, or  
5 relative's immigration status, unless one or more of the following  
6 conditions exist:

7 (1) The child has no parent, guardian, or responsible relative;  
8 or the child's parent, guardian, or responsible relative is not willing  
9 to provide care for the child.

10 (2) Continued detention of the child is a matter of immediate  
11 and urgent necessity for the protection of the child and there are  
12 no reasonable means by which the child can be protected in his or  
13 her home or the home of a responsible relative.

14 (3) There is substantial evidence that a parent, guardian, or  
15 custodian of the child is likely to flee the jurisdiction of the court.

16 (4) The child has left a placement in which he or she was placed  
17 by the juvenile court.

18 (5) The parent or other person having lawful custody of the  
19 child voluntarily surrendered physical custody of the child pursuant  
20 to Section 1255.7 of the Health and Safety Code and did not  
21 reclaim the child within the 14-day period specified in subdivision  
22 (g) of that section.

23 (b) In any case in which there is reasonable cause for believing  
24 that a child who is under the care of a physician and surgeon or a  
25 hospital, clinic, or other medical facility and cannot be immediately  
26 moved and is a person described in Section 300, the child shall be  
27 deemed to have been taken into temporary custody and delivered  
28 to the social worker for the purposes of this chapter while the child  
29 is at the office of the physician and surgeon or the medical facility.

30 (c) If the child is not released to his or her parent or guardian,  
31 the child shall be deemed detained for purposes of this chapter.

32 (d) (1) If an able and willing relative, as defined in Section 319,  
33 or an able and willing nonrelative extended family member, as  
34 defined in Section 362.7, is available and requests temporary  
35 placement of the child pending the detention hearing, or after the  
36 detention hearing and pending the dispositional hearing conducted  
37 pursuant to Section 358, the county welfare department shall  
38 initiate an assessment of the relative's or nonrelative extended  
39 family member's suitability, which shall include an in-home  
40 inspection to assess the safety of the home and the ability of the

1 relative or nonrelative extended family member to care for the  
2 child's needs, and a consideration of the results of a criminal  
3 records check conducted pursuant to subdivision (a) of Section  
4 16504.5 and a check of allegations of prior child abuse or neglect  
5 concerning the relative or nonrelative extended family member  
6 and other adults in the home. A relative's identification card from  
7 a foreign consulate or foreign passport shall be considered a valid  
8 form of identification for conducting a criminal records check and  
9 fingerprint clearance check under this subdivision. Upon  
10 completion of this assessment, the child may be placed in the  
11 assessed home. For purposes of this paragraph, and except for the  
12 criminal records check conducted pursuant to subdivision (a) of  
13 Section 16504.5, the standards used to determine suitability shall  
14 be the same standards set forth in the regulations for the licensing  
15 of foster family homes.

16 ~~(2) Immediately following the placement of a child in the home  
17 of a relative or a nonrelative extended family member, the county  
18 welfare department shall evaluate and approve or deny the home  
19 for purposes of AFDC-FC eligibility pursuant to Section 11402  
20 and CalWORKs eligibility pursuant to Article 2 (commencing  
21 with Section 11250) of Chapter 2 of Part 3 of Division 9. The  
22 placing agency shall immediately initiate the application for  
23 AFDC-FC and determine eligibility. If the child is found to be  
24 ineligible for AFDC-FC, the county shall immediately initiate and  
25 complete the application for and determine eligibility for  
26 CalWORKs, or the Approved Relative Caregiver Funding Option  
27 Program if the child is placed with a relative and the county has  
28 opted into the program pursuant to Section 11461.3. If the county  
29 determines that the child is not eligible for AFDC-FC benefits, the  
30 county welfare department shall explain the specific basis for this  
31 determination and shall immediately screen the child for eligibility  
32 for the federal Supplemental Security Income program in  
33 accordance with Section 13758. The application date for the  
34 Approved Relative Caregiver Funding Option Program or  
35 CalWORKs shall be the date the child was placed with the relative  
36 or nonrelative extended family member.~~

37 *(2) (A) Immediately following the placement of a child in the  
38 home of a relative, the county shall initiate an application for  
39 CalWORKs pursuant to Article 2 (commencing with Section 11250)  
40 on behalf of the child in order to ensure that the child receives*

1 *funding while eligibility determinations for other benefits are*  
2 *pending. If the relative caregiver is also needy, the relative*  
3 *caregiver shall be responsible for applying for CalWORKs benefits*  
4 *to cover his or her own needs.*

5 *(B) Concurrently with initiating the application for CalWORKs*  
6 *pursuant to this paragraph, the county welfare department shall*  
7 *also evaluate and approve or deny the home for purposes of*  
8 *AFDC-FC eligibility pursuant to Section 11402. The placing*  
9 *agency shall initiate the application for AFDC-FC and determine*  
10 *eligibility. If the child is found to be ineligible for AFDC-FC, the*  
11 *county shall initiate and complete the application for, and*  
12 *determine eligibility for, the Approved Relative Caregiver Funding*  
13 *Option Program if the child is placed with a relative and the county*  
14 *has opted into the program pursuant to Section 11461.3.*

15 *(C) If the county determines that the child is not eligible for*  
16 *AFDC-FC benefits, the county welfare department shall explain*  
17 *the specific basis for this determination and shall screen the child*  
18 *for eligibility for the federal Supplemental Security Income*  
19 *program in accordance with Section 13758. The application date*  
20 *for AFDC-FC benefits, the Approved Relative Caregiver Funding*  
21 *Option Program, or CalWORKs shall be the date the child was*  
22 *placed with the relative.*

23 (3) The standards used to evaluate and grant or deny approval  
24 of the home of the relative and of the home of a nonrelative  
25 extended family member, as described in Section 362.7, shall be  
26 the same standards set forth in regulations for the licensing of  
27 foster family homes which prescribe standards of safety and  
28 sanitation for the physical plant and standards for basic personal  
29 care, supervision, and services provided by the caregiver.

30 (4) To the extent allowed by federal law, as a condition of  
31 receiving funding under Title IV-E of the federal Social Security  
32 Act (42 U.S.C. Sec. 670 et seq.), if a relative or nonrelative  
33 extended family member meets all other conditions for approval,  
34 except for the receipt of the Federal Bureau of Investigation's  
35 criminal history information for the relative or nonrelative extended  
36 family member, and other adults in the home, as indicated, the  
37 county welfare department may approve the home and document  
38 that approval, if the relative or nonrelative extended family  
39 member, and each adult in the home, has signed and submitted a  
40 statement that he or she has never been convicted of a crime in the

1 United States, other than a traffic infraction as defined in paragraph  
2 (1) of subdivision (a) of Section 42001 of the Vehicle Code. If,  
3 after the approval has been granted, the department determines  
4 that the relative or nonrelative extended family member or other  
5 adult in the home has a criminal record, the approval may be  
6 terminated.

7 (5) If the criminal records check indicates that the person has  
8 been convicted of a crime for which the Director of Social Services  
9 cannot grant an exemption under Section 1522 of the Health and  
10 Safety Code, the child shall not be placed in the home. If the  
11 criminal records check indicates that the person has been convicted  
12 of a crime for which the Director of Social Services may grant an  
13 exemption under Section 1522 of the Health and Safety Code, the  
14 child shall not be placed in the home unless a criminal records  
15 exemption has been granted by the county based on substantial  
16 and convincing evidence to support a reasonable belief that the  
17 person with the criminal conviction is of such good character as  
18 to justify the placement and not present a risk of harm to the child.

19 (e) (1) If the child is removed, the social worker shall conduct,  
20 within 30 days, an investigation in order to identify and locate all  
21 grandparents, adult siblings, and other adult relatives of the child,  
22 as defined in paragraph (2) of subdivision (f) of Section 319,  
23 including any other adult relatives suggested by the parents. The  
24 social worker shall provide to all adult relatives who are located,  
25 except when that relative's history of family or domestic violence  
26 makes notification inappropriate, within 30 days of removal of the  
27 child, written notification and shall also, whenever appropriate,  
28 provide oral notification, in person or by telephone, of all the  
29 following information:

30 (A) The child has been removed from the custody of his or her  
31 parent or parents, or his or her guardians.

32 (B) An explanation of the various options to participate in the  
33 care and placement of the child and support for the child's family,  
34 including any options that may be lost by failing to respond. The  
35 notice shall provide information about providing care for the child  
36 while the family receives reunification services with the goal of  
37 returning the child to the parent or guardian, how to become a  
38 foster family home or approved relative or nonrelative extended  
39 family member as defined in Section 362.7, and additional services  
40 and support that are available in out-of-home placements. The

1 notice shall also include information regarding the Kin-GAP  
2 Program (Article 4.5 (commencing with Section 11360) of Chapter  
3 2 of Part 3 of Division 9), the CalWORKs program for approved  
4 relative caregivers (Chapter 2 (commencing with Section 11200)  
5 of Part 3 of Division 9), the Approved Relative Caregiver Funding  
6 Option Program if the county has opted into the program under  
7 Section 11461.3, adoption, and adoption assistance (Chapter 2.1  
8 (commencing with Section 16115) of Part 4 of Division 9), as well  
9 as other options for contact with the child, including, but not  
10 limited to, visitation. The State Department of Social Services, in  
11 consultation with the County Welfare Directors Association of  
12 California and other interested stakeholders, shall develop the  
13 written notice.

14 (2) The social worker shall also provide the adult relatives  
15 notified pursuant to paragraph (1) with a relative information form  
16 to provide information to the social worker and the court regarding  
17 the needs of the child. The form shall include a provision whereby  
18 the relative may request the permission of the court to address the  
19 court, if the relative so chooses. The Judicial Council, in  
20 consultation with the State Department of Social Services and the  
21 County Welfare Directors Association of California, shall develop  
22 the form.

23 (3) The social worker shall use due diligence in investigating  
24 the names and locations of the relatives pursuant to paragraph (1),  
25 including, but not limited to, asking the child in an age-appropriate  
26 manner about relatives important to the child, consistent with the  
27 child's best interest, and obtaining information regarding the  
28 location of the child's adult relatives. Each county welfare  
29 department shall create and make public a procedure by which  
30 relatives of a child who has been removed from his or her parents  
31 or guardians may identify themselves to the county welfare  
32 department and be provided with the notices required by paragraphs  
33 (1) and (2).

34 (f) In addition to the notice required by subdivision (e), if a  
35 relative requests placement of the child, the county social worker  
36 or eligibility worker shall explain to the relative, either in person  
37 or by telephone, the eligibility requirements and benefit amounts  
38 for the AFDC-FC and CalWORKs programs, and the Approved  
39 Relative Caregiver Funding Option Program if the county has  
40 opted into the program under Section 11461.3, as well as any

1 actions the relative could take to affect the child’s eligibility for  
2 those programs.

3 SEC. 2. Section 361.45 of the Welfare and Institutions Code  
4 is amended to read:

5 361.45. (a) Notwithstanding any other law, when the sudden  
6 unavailability of a foster caregiver requires a change in placement  
7 on an emergency basis for a child who is under the jurisdiction of  
8 the juvenile court pursuant to Section 300, if an able and willing  
9 relative, as defined in Section 319, or an able and willing  
10 nonrelative extended family member, as defined in Section 362.7,  
11 is available and requests temporary placement of the child pending  
12 resolution of the emergency situation, the county welfare  
13 department shall initiate an assessment of the relative’s or  
14 nonrelative extended family member’s suitability, which shall  
15 include an in-home inspection to assess the safety of the home and  
16 the ability of the relative or nonrelative extended family member  
17 to care for the child’s needs, and a consideration of the results of  
18 a criminal records check conducted pursuant to Section 16504.5  
19 and a check of allegations of prior child abuse or neglect  
20 concerning the relative or nonrelative extended family member  
21 and other adults in the home. Upon completion of this assessment,  
22 the child may be placed in the assessed home. For purposes of this  
23 paragraph, and except for the criminal records check conducted  
24 pursuant to Section 16504.5, the standards used to determine  
25 suitability shall be the same standards set forth in the regulations  
26 for the licensing of foster family homes.

27 ~~(b) Immediately following the placement of a child in the home~~  
28 ~~of a relative or a nonrelative extended family member, the county~~  
29 ~~welfare department shall evaluate and approve or deny the home~~  
30 ~~for purposes of AFDC-FC eligibility pursuant to Section 11402~~  
31 ~~and CalWORKs eligibility pursuant to Article 2 (commencing~~  
32 ~~with Section 11250) of Chapter 2 of Part 3 of Division 9. The~~  
33 ~~placing agency shall immediately initiate the application for~~  
34 ~~AFDC-FC and determine eligibility. If the child is found to be~~  
35 ~~ineligible for AFDC-FC, the county shall immediately initiate and~~  
36 ~~complete the application for and determine eligibility for~~  
37 ~~CalWORKs, or the Approved Relative Caregiver Funding Option~~  
38 ~~Program if the child is placed with a relative and the county has~~  
39 ~~opted into the program pursuant to Section 11461.3. If the county~~  
40 ~~determines that the child is not eligible for AFDC-FC benefits, the~~

1 county welfare department shall explain the specific basis for this  
2 determination and shall immediately screen the child for eligibility  
3 for the federal Supplemental Security Income program in  
4 accordance with Section 13758. If aid is granted under the  
5 AFDC-FC or CalWORKs program, the beginning date of aid shall  
6 be the date the child was placed with the relative or nonrelative  
7 extended family member. The application date for the Approved  
8 Relative Caregiver Funding Option Program or CalWORKs shall  
9 be the date the child was placed with the relative.

10 (b) (1) Immediately following the placement of a child in the  
11 home of a relative, the county shall initiate an application for  
12 CalWORKs pursuant to Article 2 (commencing with Section 11250)  
13 on behalf of the child in order to ensure that the child receives  
14 funding while eligibility determinations for other benefits are  
15 pending. If the relative caregiver is also needy, the relative  
16 caregiver shall be responsible for applying for CalWORKs benefits  
17 to cover his or her own needs.

18 (2) Concurrently with initiating the application for CalWORKs  
19 pursuant to this subdivision, the county welfare department shall  
20 also evaluate and approve or deny the home for purposes of  
21 AFDC-FC eligibility pursuant to Section 11402. The placing  
22 agency shall initiate the application for AFDC-FC and determine  
23 eligibility. If the child is found to be ineligible for AFDC-FC, the  
24 county shall initiate and complete the application for, and  
25 determine eligibility for, the Approved Relative Caregiver Funding  
26 Option Program if the child is placed with a relative and the county  
27 has opted into the program pursuant to Section 11461.3.

28 (3) If the county determines that the child is not eligible for  
29 AFDC-FC benefits, the county welfare department shall explain  
30 the specific basis for this determination and shall screen the child  
31 for eligibility for the federal Supplemental Security Income  
32 program in accordance with Section 13758. The application date  
33 for AFDC-FC benefits, the Approved Relative Caregiver Funding  
34 Option Program, or CalWORKs shall be the date the child was  
35 placed with the relative.

36 (c) The standards used to evaluate and grant or deny approval  
37 of the home of the relative and of the home of a nonrelative  
38 extended family member, as described in Section 362.7, shall be  
39 the same standards set forth in regulations for the licensing of  
40 foster family homes which prescribe standards of safety and

1 sanitation for the physical plant and standards for basic personal  
2 care, supervision, and services provided by the caregiver.

3 (d) If a relative or nonrelative extended family member, and  
4 other adults in the home, as indicated, meets all other conditions  
5 for approval, except for the receipt of the Federal Bureau of  
6 Investigation's criminal history information for the relative or  
7 nonrelative extended family member, the county welfare  
8 department may approve the home and document that approval,  
9 if the relative or nonrelative extended family member, and each  
10 adult in the home, has signed and submitted a statement that he or  
11 she has never been convicted of a crime in the United States, other  
12 than a traffic infraction as defined in paragraph (1) of subdivision  
13 (a) of Section 42001 of the Vehicle Code. If, after the approval  
14 has been granted, the department determines that the relative or  
15 nonrelative extended family member or other adult in the home  
16 has a criminal record, the approval may be terminated.

17 (e) (1) If a nonminor dependent, as defined in subdivision (v)  
18 of Section 11400, is placed in the home of a relative or nonrelative  
19 extended family member, the home shall be approved using the  
20 same standards set forth in regulations as described in Section  
21 1502.7 of the Health and Safety Code.

22 (2) The department, in consultation with representatives of the  
23 Legislature, the County Welfare Directors Association, the Chief  
24 Probation Officers of California, the California Youth Connection,  
25 the Judicial Council, former foster youth, child advocacy  
26 organizations, dependency counsel for children, juvenile justice  
27 advocacy organizations, foster caregiver organizations, labor  
28 organizations, and representatives of Indian tribes, shall revise  
29 regulations regarding health and safety standards for approving  
30 relative homes in which nonminor dependents, as defined in  
31 subdivision (v) of Section 11400, of the juvenile court are placed  
32 under the responsibility of the county welfare or probation  
33 department, or an Indian tribe that entered into an agreement  
34 pursuant to Section 10553.1.

35 (3) Notwithstanding the Administrative Procedure Act (Chapter  
36 3.5 (commencing with Section 11340) of Part 1 of Division 3 of  
37 Title 2 of the Government Code), the department, in consultation  
38 with the stakeholders listed in paragraph (2), shall prepare for  
39 implementation of the applicable provisions of this section by  
40 publishing all-county letters or similar instructions from the director

1 by October 1, 2011, to be effective January 1, 2012. Emergency  
 2 regulations to implement this section may be adopted by the  
 3 director in accordance with the Administrative Procedure Act. The  
 4 initial adoption of the emergency regulations and one re-adoption  
 5 of the initial regulations shall be deemed to be an emergency and  
 6 necessary for the immediate preservation of the public peace,  
 7 health, safety, or general welfare. Initial emergency regulations  
 8 and the first re-adoption of those emergency regulations shall be  
 9 exempt from review by the Office of Administrative Law. The  
 10 emergency regulations authorized by this section shall be submitted  
 11 to the Office of Administrative Law for filing with the Secretary  
 12 of State and shall remain in effect for no more than 180 days.

13 SEC. 3. Section 11450 of the Welfare and Institutions Code,  
 14 as added by Section 4 of Chapter 632 of the Statutes of 2014, is  
 15 amended to read:

16 11450. (a) (1) (A) Aid shall be paid for each needy family,  
 17 which shall include all eligible brothers and sisters of each eligible  
 18 applicant or recipient child and the parents of the children, but  
 19 shall not include unborn children, or recipients of aid under Chapter  
 20 3 (commencing with Section 12000), qualified for aid under this  
 21 chapter. In determining the amount of aid paid, and notwithstanding  
 22 the minimum basic standards of adequate care specified in Section  
 23 11452, the family’s income, exclusive of any amounts considered  
 24 exempt as income or paid pursuant to subdivision (e) or Section  
 25 11453.1, determined for the prospective semiannual period  
 26 pursuant to Sections 11265.1, 11265.2, and 11265.3, and then  
 27 calculated pursuant to Section 11451.5, shall be deducted from  
 28 the sum specified in the following table, as adjusted for  
 29 cost-of-living increases pursuant to Section 11453 and paragraph  
 30 (2). In no case shall the amount of aid paid for each month exceed  
 31 the sum specified in the following table, as adjusted for  
 32 cost-of-living increases pursuant to Section 11453 and paragraph  
 33 (2), plus any special needs, as specified in subdivisions (c), (e),  
 34 (f), and (g):

36 Number of 37 eligible needy 38 persons in 39 the same home	Maximum aid
40 1.....	\$ 326

Number of eligible needy persons in the same home	Maximum aid
2.....	535
3.....	663
4.....	788
5.....	899
6.....	1,010
7.....	1,109
8.....	1,209
9.....	1,306
10 or more.....	1,403

(B) If, when, and during those times that the United States government increases or decreases its contributions in assistance of needy children in this state above or below the amount paid on July 1, 1972, the amounts specified in the above table shall be increased or decreased by an amount equal to that increase or decrease by the United States government, provided that no increase or decrease shall be subject to subsequent adjustment pursuant to Section 11453.

(2) The sums specified in paragraph (1) shall not be adjusted for cost of living for the 1990–91, 1991–92, 1992–93, 1993–94, 1994–95, 1995–96, 1996–97, and 1997–98 fiscal years, and through October 31, 1998, nor shall that amount be included in the base for calculating any cost-of-living increases for any fiscal year thereafter. Elimination of the cost-of-living adjustment pursuant to this paragraph shall satisfy the requirements of Section 11453.05, and no further reduction shall be made pursuant to that section.

(b) (1) When the family does not include a needy child qualified for aid under this chapter, aid shall be paid to a pregnant child who is 18 years of age or younger at any time after verification of pregnancy, in the amount that would otherwise be paid to one person, as specified in subdivision (a), if the child and her child, if born, would have qualified for aid under this chapter. Verification of pregnancy shall be required as a condition of eligibility for aid under this subdivision.

(2) Notwithstanding paragraph (1), when the family does not include a needy child qualified for aid under this chapter, aid shall

1 be paid to a pregnant woman for the month in which the birth is  
2 anticipated and for the six-month period immediately prior to the  
3 month in which the birth is anticipated, in the amount that would  
4 otherwise be paid to one person, as specified in subdivision (a), if  
5 the woman and child, if born, would have qualified for aid under  
6 this chapter. Verification of pregnancy shall be required as a  
7 condition of eligibility for aid under this subdivision.

8 (3) Paragraph (1) shall apply only when the Cal-Learn Program  
9 is operative.

10 (c) The amount of forty-seven dollars (\$47) per month shall be  
11 paid to pregnant women qualified for aid under subdivision (a) or  
12 (b) to meet special needs resulting from pregnancy if the woman  
13 and child, if born, would have qualified for aid under this chapter.  
14 County welfare departments shall refer all recipients of aid under  
15 this subdivision to a local provider of the Women, Infants, and  
16 Children program. If that payment to pregnant women qualified  
17 for aid under subdivision (a) is considered income under federal  
18 law in the first five months of pregnancy, payments under this  
19 subdivision shall not apply to persons eligible under subdivision  
20 (a), except for the month in which birth is anticipated and for the  
21 three-month period immediately prior to the month in which  
22 delivery is anticipated, if the woman and child, if born, would have  
23 qualified for aid under this chapter.

24 (d) For children receiving AFDC-FC under this chapter, there  
25 shall be paid, exclusive of any amount considered exempt as  
26 income, an amount of aid each month that, when added to the  
27 child's income, is equal to the rate specified in Section 11460,  
28 11461, 11462, 11462.1, or 11463. In addition, the child shall be  
29 eligible for special needs, as specified in departmental regulations.

30 (e) In addition to the amounts payable under subdivision (a)  
31 and Section 11453.1, a family shall be entitled to receive an  
32 allowance for recurring special needs not common to a majority  
33 of recipients. These recurring special needs shall include, but not  
34 be limited to, special diets upon the recommendation of a physician  
35 for circumstances other than pregnancy, and unusual costs of  
36 transportation, laundry, housekeeping services, telephone, and  
37 utilities. The recurring special needs allowance for each family  
38 per month shall not exceed that amount resulting from multiplying  
39 the sum of ten dollars (\$10) by the number of recipients in the  
40 family who are eligible for assistance.

1 (f) After a family has used all available liquid resources, both  
2 exempt and nonexempt, in excess of one hundred dollars (\$100),  
3 with the exception of funds deposited in a restricted account  
4 described in subdivision (a) of Section 11155.2, the family shall  
5 also be entitled to receive an allowance for nonrecurring special  
6 needs.

7 (1) An allowance for nonrecurring special needs shall be granted  
8 for replacement of clothing and household equipment and for  
9 emergency housing needs other than those needs addressed by  
10 paragraph (2). These needs shall be caused by sudden and unusual  
11 circumstances beyond the control of the needy family. The  
12 department shall establish the allowance for each of the  
13 nonrecurring special needs items. The sum of all nonrecurring  
14 special needs provided by this subdivision shall not exceed six  
15 hundred dollars (\$600) per event.

16 (2) (A) Homeless assistance is available to a homeless family  
17 seeking shelter when the family is eligible for aid under this  
18 chapter. Homeless assistance for temporary shelter is also available  
19 to homeless families that are apparently eligible for aid under this  
20 chapter. Apparent eligibility exists when evidence presented by  
21 the applicant, or that is otherwise available to the county welfare  
22 department, and the information provided on the application  
23 documents indicate that there would be eligibility for aid under  
24 this chapter if the evidence and information were verified.  
25 However, an alien applicant who does not provide verification of  
26 his or her eligible alien status, or a woman with no eligible children  
27 who does not provide medical verification of pregnancy, is not  
28 apparently eligible for purposes of this section.

29 (B) A family is considered homeless, for the purpose of this  
30 section, when the family lacks a fixed and regular nighttime  
31 residence; or the family has a primary nighttime residence that is  
32 a supervised publicly or privately operated shelter designed to  
33 provide temporary living accommodations; or the family is residing  
34 in a public or private place not designed for, or ordinarily used as,  
35 a regular sleeping accommodation for human beings. A family is  
36 also considered homeless for the purpose of this section if the  
37 family has received a notice to pay rent or quit. The family shall  
38 demonstrate that the eviction is the result of a verified financial  
39 hardship as a result of extraordinary circumstances beyond their  
40 control, and not other lease or rental violations, and that the family

1 is experiencing a financial crisis that could result in homelessness  
2 if preventative assistance is not provided.

3 (A)

4 (3) (A) (i) A nonrecurring special needs benefit of sixty-five  
5 dollars (\$65) a day shall be available to families of up to four  
6 members for the costs of temporary shelter, subject to the  
7 requirements of this paragraph. The fifth and additional members  
8 of the family shall each receive fifteen dollars (\$15) per day, up  
9 to a daily maximum of one hundred twenty-five dollars (\$125).  
10 County welfare departments may increase the daily amount  
11 available for temporary shelter as necessary to secure the additional  
12 bedspace needed by the family.

13 (ii) This special needs benefit shall be granted or denied  
14 immediately upon the family's application for homeless assistance,  
15 and benefits shall be available for up to three working days. The  
16 county welfare department shall verify the family's homelessness  
17 within the first three working days and if the family meets the  
18 criteria of questionable homelessness established by the  
19 department, the county welfare department shall refer the family  
20 to its early fraud prevention and detection unit, if the county has  
21 such a unit, for assistance in the verification of homelessness within  
22 this period.

23 (iii) After homelessness has been verified, the three-day limit  
24 shall be extended for a period of time which, when added to the  
25 initial benefits provided, does not exceed a total of 16 calendar  
26 days. This extension of benefits shall be done in increments of one  
27 week and shall be based upon searching for permanent housing  
28 which shall be documented on a housing search form, good cause,  
29 or other circumstances defined by the department. Documentation  
30 of a housing search shall be required for the initial extension of  
31 benefits beyond the three-day limit and on a weekly basis thereafter  
32 as long as the family is receiving temporary shelter benefits. Good  
33 cause shall include, but is not limited to, situations in which the  
34 county welfare department has determined that the family, to the  
35 extent it is capable, has made a good faith but unsuccessful effort  
36 to secure permanent housing while receiving temporary shelter  
37 benefits.

38 (B) (i) A nonrecurring special needs benefit for permanent  
39 housing assistance is available to pay for last month's rent and  
40 security deposits when these payments are reasonable conditions

1 of securing a residence, or to pay for up to two months of rent  
2 arrearages, when these payments are a reasonable condition of  
3 preventing eviction.

4 (ii) The last month's rent or monthly arrearage portion of the  
5 payment (I) shall not exceed 80 percent of the family's total  
6 monthly household income without the value of CalFresh benefits  
7 or special needs benefit for a family of that size and (II) shall only  
8 be made to families that have found permanent housing costing  
9 no more than 80 percent of the family's total monthly household  
10 income without the value of CalFresh benefits or special needs  
11 benefit for a family of that size.

12 (iii) However, if the county welfare department determines that  
13 a family intends to reside with individuals who will be sharing  
14 housing costs, the county welfare department shall, in appropriate  
15 circumstances, set aside the condition specified in subclause (II)  
16 of clause (ii).

17 (C) The nonrecurring special needs benefit for permanent  
18 housing assistance is also available to cover the standard costs of  
19 deposits for utilities which are necessary for the health and safety  
20 of the family.

21 (D) A payment for or denial of permanent housing assistance  
22 shall be issued no later than one working day from the time that a  
23 family presents evidence of the availability of permanent housing.  
24 If an applicant family provides evidence of the availability of  
25 permanent housing before the county welfare department has  
26 established eligibility for aid under this chapter, the county welfare  
27 department shall complete the eligibility determination so that the  
28 denial of or payment for permanent housing assistance is issued  
29 within one working day from the submission of evidence of the  
30 availability of permanent housing, unless the family has failed to  
31 provide all of the verification necessary to establish eligibility for  
32 aid under this chapter.

33 (E) (i) Except as provided in clauses (ii) and (iii), eligibility  
34 for the temporary shelter assistance and the permanent housing  
35 assistance pursuant to this paragraph shall be limited to one period  
36 of up to 16 consecutive calendar days of temporary assistance and  
37 one payment of permanent assistance. Any family that includes a  
38 parent or nonparent caretaker relative living in the home who has  
39 previously received temporary or permanent homeless assistance  
40 at any time on behalf of an eligible child shall not be eligible for

1 further homeless assistance. Any person who applies for homeless  
2 assistance benefits shall be informed that the temporary shelter  
3 benefit of up to 16 consecutive days is available only once in a  
4 lifetime, with certain exceptions, and that a break in the consecutive  
5 use of the benefit constitutes permanent exhaustion of the  
6 temporary benefit.

7 (ii) A family that becomes homeless as a direct and primary  
8 result of a state or federally declared natural disaster shall be  
9 eligible for temporary and permanent homeless assistance.

10 (iii) A family shall be eligible for temporary and permanent  
11 homeless assistance when homelessness is a direct result of  
12 domestic violence by a spouse, partner, or roommate; physical or  
13 mental illness that is medically verified that shall not include a  
14 diagnosis of alcoholism, drug addiction, or psychological stress;  
15 or, the uninhabitability of the former residence caused by sudden  
16 and unusual circumstances beyond the control of the family  
17 including natural catastrophe, fire, or condemnation. These  
18 circumstances shall be verified by a third-party governmental or  
19 private health and human services agency, except that domestic  
20 violence may also be verified by a sworn statement by the victim,  
21 as provided under Section 11495.25. Homeless assistance payments  
22 based on these specific circumstances may not be received more  
23 often than once in any 12-month period. In addition, if the domestic  
24 violence is verified by a sworn statement by the victim, the  
25 homeless assistance payments shall be limited to two periods of  
26 not more than 16 consecutive calendar days of temporary assistance  
27 and two payments of permanent assistance. A county may require  
28 that a recipient of homeless assistance benefits who qualifies under  
29 this paragraph for a second time in a 24-month period participate  
30 in a homelessness avoidance case plan as a condition of eligibility  
31 for homeless assistance benefits. The county welfare department  
32 shall immediately inform recipients who verify domestic violence  
33 by a sworn statement of the availability of domestic violence  
34 counseling and services, and refer those recipients to services upon  
35 request.

36 (iv) If a county requires a recipient who verifies domestic  
37 violence by a sworn statement to participate in a homelessness  
38 avoidance case plan pursuant to clause (iii), the plan shall include  
39 the provision of domestic violence services, if appropriate.

1 (v) If a recipient seeking homeless assistance based on domestic  
2 violence pursuant to clause (iii) has previously received homeless  
3 avoidance services based on domestic violence, the county shall  
4 review whether services were offered to the recipient and consider  
5 what additional services would assist the recipient in leaving the  
6 domestic violence situation.

7 (vi) The county welfare department shall report necessary data  
8 to the department through a statewide homeless assistance payment  
9 indicator system, as requested by the department, regarding all  
10 recipients of aid under this paragraph.

11 (F) The county welfare departments, and all other entities  
12 participating in the costs of the CalWORKs program, have the  
13 right in their share to any refunds resulting from payment of the  
14 permanent housing. However, if an emergency requires the family  
15 to move within the 12-month period specified in subparagraph  
16 (E), the family shall be allowed to use any refunds received from  
17 its deposits to meet the costs of moving to another residence.

18 (G) Payments to providers for temporary shelter and permanent  
19 housing and utilities shall be made on behalf of families requesting  
20 these payments.

21 (H) The daily amount for the temporary shelter special needs  
22 benefit for homeless assistance may be increased if authorized by  
23 the current year's Budget Act by specifying a different daily  
24 allowance and appropriating the funds therefor.

25 (I) No payment shall be made pursuant to this paragraph unless  
26 the provider of housing is a commercial establishment, shelter, or  
27 person in the business of renting properties who has a history of  
28 renting properties.

29 (g) A child who has been removed from his or her home and  
30 detained or placed in the home of a relative caregiver and is the  
31 subject of a petition filed under Section 300, 601, or 602, or is the  
32 subject of a voluntary placement agreement, as defined in  
33 subdivision (p) of Section 11400, and who is a teen parent whose  
34 child is living in the same home or placement, shall also receive  
35 an infant supplement, in an amount determined in the manner  
36 provided in subdivision (b) of Section 11465 for a child in a foster  
37 family home.

38 (h) The department shall establish rules and regulations ensuring  
39 the uniform statewide application of this section.

1 (i) The department shall notify all applicants and recipients of  
2 aid through the standardized application form that these benefits  
3 are available and shall provide an opportunity for recipients to  
4 apply for the funds quickly and efficiently.

5 (j) ~~(A)~~-(I) Except for the purposes of Section 15200, the  
6 amounts payable to recipients pursuant to Section 11453.1 shall  
7 not constitute part of the payment schedule set forth in subdivision  
8 (a).

9 ~~(B)~~  
10 (2) The amounts payable to recipients pursuant to Section  
11 11453.1 shall not constitute income to recipients of aid under this  
12 section.

13 (k) For children receiving Kin-GAP pursuant to Article 4.5  
14 (commencing with Section 11360) or Article 4.7 (commencing  
15 with Section 11385) there shall be paid, exclusive of any amount  
16 considered exempt as income, an amount of aid each month, which,  
17 when added to the child’s income, is equal to the rate specified in  
18 Sections 11364 and 11387.

19 (l) (1) A county shall implement the semiannual reporting  
20 requirements in accordance with Chapter 501 of the Statutes of  
21 2011 no later than October 1, 2013.

22 (2) Upon completion of the implementation described in  
23 paragraph (1), each county shall provide a certificate to the director  
24 certifying that semiannual reporting has been implemented in the  
25 county.

26 (3) Upon filing the certificate described in paragraph (2), a  
27 county shall comply with the semiannual reporting provisions of  
28 this section.

29 SEC. 4. Section 11461.3 of the Welfare and Institutions Code  
30 is amended to read:

31 11461.3. (a) (1) The Legislature recognizes the importance  
32 of approved relative caregivers to the state’s child welfare system.  
33 Relative placements are the most utilized type of foster placement  
34 in California. In establishing the Approved Relative Caregiver  
35 Funding Option Program pursuant to this section, the Legislature  
36 intends to ensure that children placed with relatives are able to  
37 access state funding in an equal amount and in a similar manner  
38 to children in other types of foster placements.

39 (2) The Approved Relative Caregiver Funding Option Program  
40 is hereby established for the purpose of making the amount paid

1 to approved relative caregivers for the in-home care of children  
2 placed with them who are ineligible for AFDC-FC payments equal  
3 to the amount paid on behalf of children who are eligible for  
4 AFDC-FC payments. This is an optional program for counties  
5 choosing to participate, and in so doing, participating counties  
6 agree to the terms of this section as a condition of their  
7 participation. It is the intent of the Legislature that the funding  
8 described in paragraph (1) of subdivision (e) for the Approved  
9 Relative Caregiver Funding Option Program be appropriated, and  
10 available for use from January through December of each year,  
11 unless otherwise specified.

12 (b) Subject to subdivision (c), effective January 1, 2015, counties  
13 shall pay an approved relative caregiver a per child per month rate  
14 in return for the care and supervision, as defined in subdivision  
15 (b) of Section 11460, of a child that is placed with the relative  
16 caregiver that is equal to the basic rate paid to foster care providers  
17 pursuant to subdivision (g) of Section 11461, if both of the  
18 following conditions are met:

19 (1) The county with payment responsibility has notified the  
20 department in writing by October 1 of the year before participation  
21 begins of its decision to participate in the Approved Relative  
22 Caregiver Funding Option Program.

23 (2) The related child placed in the home meets all of the  
24 following requirements:

25 (A) *The child resides in the State of California.*

26 ~~(A)~~

27 (B) The child is described by subdivision (b), (c), or (e) of  
28 Section 11401 and the county welfare department or the county  
29 probation department is responsible for the placement and care of  
30 the child.

31 ~~(B)~~

32 (C) The child is not eligible for AFDC-FC while placed with  
33 the approved relative caregiver because the child is not eligible  
34 for federal financial participation in the AFDC-FC payment.

35 (c) A county's election to participate in the Approved Relative  
36 Caregiver Funding Option Program shall affirmatively indicate  
37 that the county understands and agrees to all of the following  
38 conditions:

39 (1) Commencing October 1, 2014, the county shall notify the  
40 department in writing of its decision to participate in the Approved

1 Relative Caregiver Funding Option Program. Failure to make  
2 timely notification, without good cause as determined by the  
3 department, shall preclude the county from participating in the  
4 program for the upcoming year. Annually thereafter, any county  
5 not presently participating who elects to do so shall notify the  
6 department in writing no later than October 1 of its decision to  
7 participate for the upcoming calendar year.

8 (2) The county shall confirm that it will make per child per  
9 month payments to all approved relative caregivers on behalf of  
10 eligible children in the amount specified in subdivision (b) for the  
11 duration of the participation of the county in this program.

12 (3) The county shall confirm that it will be solely responsible  
13 to pay any additional costs needed to make all payments pursuant  
14 to subdivision (b) if the state and federal funds allocated to the  
15 Approved Relative Caregiver Funding Option Program pursuant  
16 to paragraph (1) of subdivision (e) are insufficient to make all  
17 eligible payments.

18 (d) (1) A county deciding to opt out of the Approved Relative  
19 Caregiver Funding Option Program shall provide at least 120 days'  
20 prior written notice of that decision to the department. Additionally,  
21 the county shall provide at least 90 days' prior written notice to  
22 the approved relative caregiver or caregivers informing them that  
23 his or her per child per month payment will be reduced and the  
24 date that the reduction will occur.

25 (2) The department shall presume all counties have opted out  
26 of the Approved Relative Caregiver Funding Option Program if  
27 the funding appropriated in subclause (II) of clause (i) of  
28 subparagraph (B) of paragraph (1) of subdivision (e), including  
29 any additional funds appropriated pursuant to clause (ii) of  
30 subparagraph (B) of paragraph (1) of subdivision (e), is reduced,  
31 unless a county notifies the department in writing of its intent to  
32 opt in within 60 days of enactment of the State Budget. The  
33 counties shall provide at least 90 days' prior written notice to the  
34 approved relative caregiver or caregivers informing them that his  
35 or her per child per month payment will be reduced, and the date  
36 that the reduction will occur.

37 (3) Any reduction in payments received by an approved relative  
38 caregiver on behalf of a child under this section that results from  
39 a decision by a county, including the presumed opt-out pursuant  
40 to paragraph (2), to not participate in the Approved Relative

1 Caregiver Funding Option Program shall be exempt from state  
2 hearing jurisdiction under Section 10950.

3 (e) (1) The following funding shall be used for the Approved  
4 Relative Caregiver Funding Option Program:

5 (A) The applicable regional per-child CalWORKs grant.

6 (B) (i) General Fund resources that do not count toward the  
7 state's maintenance of effort requirements under Section  
8 609(a)(7)(B)(i) of Title 42 of the United States Code. For this  
9 purpose, the following money is hereby appropriated:

10 (I) The sum of thirty million dollars (\$30,000,000) from the  
11 General Fund for the period January 1, 2015, through December  
12 31, 2015.

13 (II) The sum of thirty million dollars (\$30,000,000) from the  
14 General Fund in each calendar year thereafter, as cumulatively  
15 adjusted annually by the California Necessities Index used for each  
16 May Revision of the Governor's Budget, to be used in each  
17 respective calendar year.

18 (ii) To the extent that the appropriation made in subclause (I)  
19 is insufficient to fully fund the base caseload of approved relative  
20 caregivers as of July 1, 2014, for the period of time described in  
21 subclause (I), as jointly determined by the department and the  
22 County Welfare Directors' Association and approved by the  
23 Department of Finance on or before October 1, 2015, the amounts  
24 specified in subclauses (I) and (II) shall be increased in the  
25 respective amounts necessary to fully fund that base caseload.  
26 Thereafter, the adjusted amount of subclause (II), and the other  
27 terms of that provision, including an annual California Necessities  
28 Index adjustment to its amount, shall apply.

29 (C) County funds only to the extent required under paragraph  
30 (3) of subdivision (c).

31 (D) This section is intended to appropriate the funding necessary  
32 to fully fund the base caseload of approved relative caregivers,  
33 defined as the number of approved relative caregivers caring for  
34 a child who is not eligible to receive AFDC-FC payments, as of  
35 July 1, 2014.

36 (2) Funds available pursuant to subparagraphs (A) and (B) of  
37 paragraph (1) shall be allocated to participating counties  
38 proportionate to the number of their approved relative caregiver  
39 placements, using a methodology and timing developed by the

1 department, following consultation with county human services  
2 agencies and their representatives.

3 (3) Notwithstanding subdivision (c), if in any calendar year the  
4 entire amount of funding appropriated by the state for the Approved  
5 Relative Caregiver Funding Option Program has not been fully  
6 allocated to or utilized by counties, a county that has paid any  
7 funds pursuant to subparagraph (C) of paragraph (1) of subdivision  
8 (e) may request reimbursement for those funds from the  
9 department. The authority of the department to approve the requests  
10 shall be limited by the amount of available unallocated funds.

11 (4) Receipt of funding through the Approved Relative Caregiver  
12 Funding Option Program shall begin immediately upon a finding  
13 that the child is not eligible for AFDC-FC pursuant to subdivision  
14 (a) of Section 11404 and initiation of payment shall not be  
15 dependent upon completion of any application. To the extent that  
16 an application or other information is required to determine county  
17 share of costs or for the utilization of CalWORKs funding, the  
18 county shall complete that application, or provide that information,  
19 on behalf of the relative caregiver.

20 (f) An approved relative caregiver receiving payments on behalf  
21 of a child pursuant to this section shall not be eligible to receive  
22 additional CalWORKs payments on behalf of the same child under  
23 Section 11450.

24 (g) To the extent permitted by federal law, payments received  
25 by the approved relative caregiver from the Approved Relative  
26 Caregiver Funding Option Program shall not be considered income  
27 for the purpose of determining other public benefits.

28 (h) Prior to referral of any individual or recipient, or that  
29 person's case, to the local child support agency for child support  
30 services pursuant to Section 17415 of the Family Code, the county  
31 human services agency shall determine if an applicant or recipient  
32 has good cause for noncooperation, as set forth in Section  
33 11477.04. If the applicant or recipient claims good cause exception  
34 at any subsequent time to the county human services agency or  
35 the local child support agency, the local child support agency shall  
36 suspend child support services until the county social services  
37 agency determines the good cause claim, as set forth in Section  
38 11477.04. If good cause is determined to exist, the local child  
39 support agency shall suspend child support services until the  
40 applicant or recipient requests their resumption, and shall take

1 other measures that are necessary to protect the applicant or  
2 recipient and the children. If the applicant or recipient is the parent  
3 of the child for whom aid is sought and the parent is found to have  
4 not cooperated without good cause as provided in Section  
5 11477.04, the applicant's or recipient's family grant shall be  
6 reduced by 25 percent for the time the failure to cooperate lasts.

7 (i) Consistent with Section 17552 of the Family Code, if aid is  
8 paid under this chapter on behalf of a child who is under the  
9 jurisdiction of the juvenile court and whose parent or guardian is  
10 receiving reunification services, the county human services agency  
11 shall determine, prior to referral of the case to the local child  
12 support agency for child support services, whether the referral is  
13 in the best interest of the child, taking into account both of the  
14 following:

15 (1) Whether the payment of support by the parent will pose a  
16 barrier to the proposed reunification in that the payment of support  
17 will compromise the parent's ability to meet the requirements of  
18 the parent's reunification plan.

19 (2) Whether the payment of support by the parent will pose a  
20 barrier to the proposed reunification in that the payment of support  
21 will compromise the parent's current or future ability to meet the  
22 financial needs of the child.

23 (j) An approved relative caregiver may receive payments on  
24 behalf of a child who meets the requirements of paragraph (2) of  
25 subdivision (b), regardless of whether the child resides, or will be  
26 residing, outside of the county of jurisdiction ~~or outside of the state~~  
27 pursuant to his or her placement. The county of jurisdiction shall  
28 be responsible for providing the Approved Relative Caregiver  
29 Funding Option payment to the relative caregiver.

30 (k) A child who has been removed from his or her home and  
31 detained or placed in the home of a relative caregiver and is the  
32 subject of a petition filed under Section 300, 601, or 602, or is the  
33 subject of a voluntary placement agreement, as defined in  
34 subdivision (p) of Section 11400, and who is a teen parent whose  
35 child is living in the same home or placement, shall also receive  
36 an infant supplement, in an amount determined in the manner  
37 provided in subdivision (b) of Section 11465 for a child in a foster  
38 family home.

39 SEC. 5. Section 11465 of the Welfare and Institutions Code is  
40 amended to read:

1 11465. (a) When a child is living with a parent who receives  
2 AFDC-FC, Approved Relative Caregiver Funding Option Program  
3 benefits, or Kin-GAP benefits, the rate paid to the provider on  
4 behalf of the parent shall include an infant supplement to cover  
5 the cost of care and supervision of the child.

6 (b) For each category of eligible licensed community care  
7 facility, as defined in Section 1502 of the Health and Safety Code,  
8 the department shall adopt regulations setting forth a uniform rate  
9 to cover the cost of care and supervision of the child in each  
10 category of eligible licensed community care facility.

11 (c) (1) On and after July 1, 1998, the uniform rate to cover the  
12 cost of care and supervision of a child pursuant to this section shall  
13 be increased by 6 percent, rounded to the nearest dollar. The  
14 resultant amounts shall constitute the new uniform rate.

15 (2) (A) On and after July 1, 1999, the uniform rate to cover the  
16 cost of care and supervision of a child pursuant to this section shall  
17 be adjusted by an amount equal to the California Necessities Index  
18 computed pursuant to Section 11453, rounded to the nearest dollar.  
19 The resultant amounts shall constitute the new uniform rate, subject  
20 to further adjustment pursuant to subparagraph (B).

21 (B) In addition to the adjustment specified in subparagraph (A),  
22 on and after January 1, 2000, the uniform rate to cover the cost of  
23 care and supervision of a child pursuant to this section shall be  
24 increased by 2.36 percent, rounded to the nearest dollar. The  
25 resultant amounts shall constitute the new uniform rate.

26 (3) Subject to the availability of funds, for the 2000–01 fiscal  
27 year and annually thereafter, these rates shall be adjusted for cost  
28 of living pursuant to procedures in Section 11453.

29 (4) On and after January 1, 2008, the uniform rate to cover the  
30 cost of care and supervision of a child pursuant to this section shall  
31 be increased by 5 percent, rounded to the nearest dollar. The  
32 resulting amount shall constitute the new uniform rate.

33 (d) (1) Notwithstanding subdivisions (a) to (c), inclusive, the  
34 payment made pursuant to this section for care and supervision of  
35 a child who is living with a teen parent in a whole family foster  
36 home, as defined in Section 11400, shall equal the basic rate for  
37 children placed in a licensed or approved home as specified in  
38 subdivisions (a) to (d), inclusive, and subdivision (g), of Section  
39 11461.

1 (2) The amount paid for care and supervision of a dependent  
2 infant living with a dependent teen parent receiving AFDC-FC  
3 benefits in a group home placement shall equal the infant  
4 supplement rate for group home placements.

5 (3) (A) The caregiver shall provide the county child welfare  
6 agency or probation department with a copy of the shared  
7 responsibility plan developed pursuant to Section 16501.25 and  
8 shall advise the county child welfare agency or probation  
9 department of any subsequent changes to the plan. Once the plan  
10 has been completed and provided to the appropriate agencies, the  
11 payment made pursuant to this section shall be increased by an  
12 additional two hundred dollars (\$200) per month to reflect the  
13 increased care and supervision while he or she is placed in the  
14 whole family foster home.

15 (B) A nonminor dependent parent residing in a supervised  
16 independent living placement, as defined in subdivision (w) of  
17 Section 11400, who develops a written parenting support plan  
18 pursuant to Section 16501.26 shall provide the county child welfare  
19 agency or probation department with a copy of the plan and shall  
20 advise the county child welfare agency or probation department  
21 of any subsequent changes to the plan. The payment made pursuant  
22 to this section shall be increased by an additional two hundred  
23 dollars (\$200) per month after all of the following have been  
24 satisfied:

25 (i) The plan has been completed and provided to the appropriate  
26 county agency.

27 (ii) The plan has been approved by the appropriate county  
28 agency.

29 (iii) The county agency has determined that the identified  
30 responsible adult meets the criteria specified in Section 16501.27.

31 (4) In a year in which the payment provided pursuant to this  
32 section is adjusted for the cost of living as provided in paragraph  
33 (1) of subdivision (c), the payments provided for in this subdivision  
34 shall also be increased by the same procedures.

35 (5) A Kin-GAP relative who, immediately prior to entering the  
36 Kin-GAP program, was designated as a whole family foster home  
37 shall receive the same payment amounts for the care and  
38 supervision of a child who is living with a teen parent they received  
39 in foster care as a whole family foster home.

1 (6) On and after January 1, 2012, the rate paid for a child living  
2 with a teen parent in a whole family foster home as defined in  
3 Section 11400 shall also be paid for a child living with a nonminor  
4 dependent parent who is eligible to receive AFDC-FC or Kin-GAP  
5 pursuant to Section 11403.

6 (7) An Approved Relative Funding Option Program relative or  
7 a CalWORKs relative may be designated as a whole family foster  
8 home.

9 SEC. 6. Section 11477.02 of the Welfare and Institutions Code  
10 is amended to read:

11 11477.02. (a) Prior to referral of any individual or recipient,  
12 or that person's case, to the local child support agency for child  
13 support services under Section 17400 or 17404 of the Family Code,  
14 the county welfare department shall determine if an applicant or  
15 recipient has good cause for noncooperation, as set forth in Section  
16 11477.04. If the applicant or recipient claims a good cause  
17 exception at any subsequent time to the county welfare department  
18 or the local child support agency, the local child support agency  
19 shall suspend child support services until the county welfare  
20 department determines the good cause claim, as set forth in Section  
21 11477.04. If good cause is determined to exist, the local child  
22 support agency shall suspend child support services until the  
23 applicant or recipient requests their resumption, and shall take  
24 such other measures as are necessary to protect the applicant or  
25 recipient and the children. If the applicant or recipient is the parent  
26 of the child for whom aid is sought and the parent is found to have  
27 not cooperated without good cause as provided in Section  
28 11477.04, the applicant's or recipient's family grant shall be  
29 reduced by 25 percent for such time as the failure to cooperate  
30 lasts.

31 (b) Consistent with Section 17552 of the Family Code, if aid is  
32 paid under this chapter on behalf of a child who is under the  
33 jurisdiction of the juvenile court and whose parent or guardian is  
34 receiving reunification services, the county welfare department  
35 shall determine, prior to referral of the case to the local child  
36 support agency for child support services, whether the referral is  
37 in the best interest of the child, taking into account both of the  
38 following:

39 (1) Whether the payment of support by the parent will pose a  
40 barrier to the proposed reunification in that the payment of support

1 will compromise the parent’s ability to meet the requirements of  
2 the parent’s reunification plan.

3 (2) Whether the payment of support by the parent will pose a  
4 barrier to the proposed reunification in that the payment of support  
5 will compromise the parent’s current or future ability to meet the  
6 financial needs of the child.

7 SEC. 7. Section 13758 is added to the Welfare and Institutions  
8 Code, to read:

9 13758. (a) Every youth who is in foster care and has been  
10 determined to be ineligible for AFDC-FC benefits shall be screened  
11 by the county for potential eligibility for the federal Supplemental  
12 Security Income program utilizing the best practice guidelines  
13 developed pursuant to Section 13752.

14 (b) An application shall be submitted to the federal Social  
15 Security Administration on behalf of a youth who is screened as  
16 being likely to be eligible for federal Supplemental Security Income  
17 benefits.

18 SEC. 8. An appropriation pursuant to Section 15200 of the  
19 Welfare and Institutions Code shall not be made for purposes of  
20 implementing this act.

21 ~~SEC. 9. If the Commission on State Mandates determines that~~  
22 ~~this act contains costs mandated by the state, reimbursement to~~  
23 ~~local agencies and school districts for those costs shall be made~~  
24 ~~pursuant to Part 7 (commencing with Section 17500) of Division~~  
25 ~~4 of Title 2 of the Government Code.~~

26 *SEC. 9. To the extent that this act has an overall effect of*  
27 *increasing certain costs already borne by a local agency for*  
28 *programs or levels of service mandated by the 2011 Realignment*  
29 *Legislation within the meaning of Section 36 of Article XIII of the*  
30 *California Constitution, it shall apply to local agencies only to the*  
31 *extent that the state provides annual funding for the cost increase.*  
32 *Any new program or higher level of service provided by a local*  
33 *agency pursuant to this act above the level for which funding has*  
34 *been provided shall not require a subvention of funds by the state*  
35 *nor otherwise be subject to Section 6 of Article XIII B of the*  
36 *California Constitution.*

37 *However, if the Commission on State Mandates determines that*  
38 *this act contains other costs mandated by the state, reimbursement*  
39 *to local agencies and school districts for those costs shall be made*

- 1 *pursuant to Part 7 (commencing with Section 17500) of Division*
- 2 *4 of Title 2 of the Government Code.*

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