

AMENDED IN ASSEMBLY MAY 28, 2015

AMENDED IN ASSEMBLY APRIL 23, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 423

Introduced by Assembly Member Cooley

February 19, 2015

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 who is placed in the approved home of a relative 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.

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 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, to evaluate and approve or deny the home for purposes of AFDC-FC eligibility, and, if the child is found to be ineligible for AFDC-FC, would require the placing agency to initiate and complete the applications for, and determine eligibility for, the Approved Relative Caregiver Funding Option Program, as 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 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
7 attempt to maintain the child with the child's family through the
8 provision of services. The social worker shall immediately release
9 the child to the custody of the child's parent, guardian, or
10 responsible relative, regardless of the parent's, guardian's, or
11 relative's immigration status, unless one or more of the following
12 conditions exist:

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

16 (2) Continued detention of the child is a matter of immediate
17 and urgent necessity for the protection of the child and there are

1 no reasonable means by which the child can be protected in his or
2 her home or the home of a responsible relative.

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

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

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

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

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

21 (d) (1) If an able and willing relative, as defined in Section 319,
22 or an able and willing nonrelative extended family member, as
23 defined in Section 362.7, is available and requests temporary
24 placement of the child pending the detention hearing, or after the
25 detention hearing and pending the dispositional hearing conducted
26 pursuant to Section 358, the county welfare department shall
27 initiate an assessment of the relative's or nonrelative extended
28 family member's suitability, which shall include an in-home
29 inspection to assess the safety of the home and the ability of the
30 relative or nonrelative extended family member to care for the
31 child's needs, and a consideration of the results of a criminal
32 records check conducted pursuant to subdivision (a) of Section
33 16504.5 and a check of allegations of prior child abuse or neglect
34 concerning the relative or nonrelative extended family member
35 and other adults in the home. A relative's identification card from
36 a foreign consulate or foreign passport shall be considered a valid
37 form of identification for conducting a criminal records check and
38 fingerprint clearance check under this subdivision. Upon
39 completion of this assessment, the child may be placed in the
40 assessed home. For purposes of this paragraph, and except for the

1 criminal records check conducted pursuant to subdivision (a) of
2 Section 16504.5, the standards used to determine suitability shall
3 be the same standards set forth in the regulations for the licensing
4 of foster family homes.

5 (2) (A) Immediately following the placement of a child in the
6 home of a relative, the county shall initiate an application for
7 CalWORKs pursuant to Article 2 (commencing with Section
8 11250) on behalf of the child in order to ensure that the child
9 receives funding while eligibility determinations for other benefits
10 are pending. If the relative caregiver is also needy, the relative
11 caregiver shall be responsible for applying for CalWORKs benefits
12 to cover his or her own needs.

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

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

31 (3) The standards used to evaluate and grant or deny approval
32 of the home of the relative and of the home of a nonrelative
33 extended family member, as described in Section 362.7, shall be
34 the same standards set forth in regulations for the licensing of
35 foster family homes which prescribe standards of safety and
36 sanitation for the physical plant and standards for basic personal
37 care, supervision, and services provided by the caregiver.

38 (4) To the extent allowed by federal law, as a condition of
39 receiving funding under Title IV-E of the federal Social Security
40 Act (42 U.S.C. Sec. 670 et seq.), if a relative or nonrelative

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

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

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

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

1 (B) An explanation of the various options to participate in the
2 care and placement of the child and support for the child’s family,
3 including any options that may be lost by failing to respond. The
4 notice shall provide information about providing care for the child
5 while the family receives reunification services with the goal of
6 returning the child to the parent or guardian, how to become a
7 foster family home or approved relative or nonrelative extended
8 family member as defined in Section 362.7, and additional services
9 and support that are available in out-of-home placements. The
10 notice shall also include information regarding the Kin-GAP
11 Program (Article 4.5 (commencing with Section 11360) of Chapter
12 2 of Part 3 of Division 9), the CalWORKs program for approved
13 relative caregivers (Chapter 2 (commencing with Section 11200)
14 of Part 3 of Division 9), the Approved Relative Caregiver Funding
15 Option Program if the county has opted into the program under
16 Section 11461.3, adoption, and adoption assistance (Chapter 2.1
17 (commencing with Section 16115) of Part 4 of Division 9), as well
18 as other options for contact with the child, including, but not
19 limited to, visitation. The State Department of Social Services, in
20 consultation with the County Welfare Directors Association of
21 California and other interested stakeholders, shall develop the
22 written notice.

23 (2) The social worker shall also provide the adult relatives
24 notified pursuant to paragraph (1) with a relative information form
25 to provide information to the social worker and the court regarding
26 the needs of the child. The form shall include a provision whereby
27 the relative may request the permission of the court to address the
28 court, if the relative so chooses. The Judicial Council, in
29 consultation with the State Department of Social Services and the
30 County Welfare Directors Association of California, shall develop
31 the form.

32 (3) The social worker shall use due diligence in investigating
33 the names and locations of the relatives pursuant to paragraph (1),
34 including, but not limited to, asking the child in an age-appropriate
35 manner about relatives important to the child, consistent with the
36 child’s best interest, and obtaining information regarding the
37 location of the child’s adult relatives. Each county welfare
38 department shall create and make public a procedure by which
39 relatives of a child who has been removed from his or her parents
40 or guardians may identify themselves to the county welfare

1 department and be provided with the notices required by paragraphs
2 (1) and (2).

3 (f) In addition to the notice required by subdivision (e), if a
4 relative requests placement of the child, the county social worker
5 or eligibility worker shall explain to the relative, either in person
6 or by telephone, the eligibility requirements and benefit amounts
7 for the AFDC-FC and CalWORKs programs, and the Approved
8 Relative Caregiver Funding Option Program if the county has
9 opted into the program under Section 11461.3, as well as any
10 actions the relative could take to affect the child's eligibility for
11 those programs.

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

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

36 (b) (1) Immediately following the placement of a child in the
37 home of a relative, the county shall initiate an application for
38 CalWORKs pursuant to Article 2 (commencing with Section
39 11250) on behalf of the child in order to ensure that the child
40 receives funding while eligibility determinations for other benefits

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

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

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

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

29 (d) If a relative or nonrelative extended family member, and
30 other adults in the home, as indicated, meets all other conditions
31 for approval, except for the receipt of the Federal Bureau of
32 Investigation's criminal history information for the relative or
33 nonrelative extended family member, the county welfare
34 department may approve the home and document that approval,
35 if the relative or nonrelative extended family member, and each
36 adult in the home, has signed and submitted a statement that he or
37 she has never been convicted of a crime in the United States, other
38 than a traffic infraction as defined in paragraph (1) of subdivision
39 (a) of Section 42001 of the Vehicle Code. If, after the approval
40 has been granted, the department determines that the relative or

1 nonrelative extended family member or other adult in the home
2 has a criminal record, the approval may be terminated.

3 (e) (1) If a nonminor dependent, as defined in subdivision (v)
4 of Section 11400, is placed in the home of a relative or nonrelative
5 extended family member, the home shall be approved using the
6 same standards set forth in regulations as described in Section
7 1502.7 of the Health and Safety Code.

8 (2) The department, in consultation with representatives of the
9 Legislature, the County Welfare Directors Association, the Chief
10 Probation Officers of California, the California Youth Connection,
11 the Judicial Council, former foster youth, child advocacy
12 organizations, dependency counsel for children, juvenile justice
13 advocacy organizations, foster caregiver organizations, labor
14 organizations, and representatives of Indian tribes, shall revise
15 regulations regarding health and safety standards for approving
16 relative homes in which nonminor dependents, as defined in
17 subdivision (v) of Section 11400, of the juvenile court are placed
18 under the responsibility of the county welfare or probation
19 department, or an Indian tribe that entered into an agreement
20 pursuant to Section 10553.1.

21 (3) Notwithstanding the Administrative Procedure Act (Chapter
22 3.5 (commencing with Section 11340) of Part 1 of Division 3 of
23 Title 2 of the Government Code), the department, in consultation
24 with the stakeholders listed in paragraph (2), shall prepare for
25 implementation of the applicable provisions of this section by
26 publishing all-county letters or similar instructions from the director
27 by October 1, 2011, to be effective January 1, 2012. Emergency
28 regulations to implement this section may be adopted by the
29 director in accordance with the Administrative Procedure Act. The
30 initial adoption of the emergency regulations and one readoption
31 of the initial regulations shall be deemed to be an emergency and
32 necessary for the immediate preservation of the public peace,
33 health, safety, or general welfare. Initial emergency regulations
34 and the first readoption of those emergency regulations shall be
35 exempt from review by the Office of Administrative Law. The
36 emergency regulations authorized by this section shall be submitted
37 to the Office of Administrative Law for filing with the Secretary
38 of State and shall remain in effect for no more than 180 days.

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

4 11450. (a) (1) (A) Aid shall be paid for each needy family,
5 which shall include all eligible brothers and sisters of each eligible
6 applicant or recipient child and the parents of the children, but
7 shall not include unborn children, or recipients of aid under Chapter
8 3 (commencing with Section 12000), qualified for aid under this
9 chapter. In determining the amount of aid paid, and notwithstanding
10 the minimum basic standards of adequate care specified in Section
11 11452, the family’s income, exclusive of any amounts considered
12 exempt as income or paid pursuant to subdivision (e) or Section
13 11453.1, determined for the prospective semiannual period
14 pursuant to Sections 11265.1, 11265.2, and 11265.3, and then
15 calculated pursuant to Section 11451.5, shall be deducted from
16 the sum specified in the following table, as adjusted for
17 cost-of-living increases pursuant to Section 11453 and paragraph
18 (2). In no case shall the amount of aid paid for each month exceed
19 the sum specified in the following table, as adjusted for
20 cost-of-living increases pursuant to Section 11453 and paragraph
21 (2), plus any special needs, as specified in subdivisions (c), (e),
22 (f), and (g):

23	24 Number of	
25	eligible needy	
26	persons in	Maximum
27	the same home	aid
28	1.....	\$ 326
29	2.....	535
30	3.....	663
31	4.....	788
32	5.....	899
33	6.....	1,010
34	7.....	1,109
35	8.....	1,209
36	9.....	1,306
37	10 or more.....	1,403

38
39 (B) If, when, and during those times that the United States
40 government increases or decreases its contributions in assistance

1 of needy children in this state above or below the amount paid on
2 July 1, 1972, the amounts specified in the above table shall be
3 increased or decreased by an amount equal to that increase or
4 decrease by the United States government, provided that no
5 increase or decrease shall be subject to subsequent adjustment
6 pursuant to Section 11453.

7 (2) The sums specified in paragraph (1) shall not be adjusted
8 for cost of living for the 1990–91, 1991–92, 1992–93, 1993–94,
9 1994–95, 1995–96, 1996–97, and 1997–98 fiscal years, and through
10 October 31, 1998, nor shall that amount be included in the base
11 for calculating any cost-of-living increases for any fiscal year
12 thereafter. Elimination of the cost-of-living adjustment pursuant
13 to this paragraph shall satisfy the requirements of Section 11453.05,
14 and no further reduction shall be made pursuant to that section.

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

23 (2) Notwithstanding paragraph (1), when the family does not
24 include a needy child qualified for aid under this chapter, aid shall
25 be paid to a pregnant woman for the month in which the birth is
26 anticipated and for the six-month period immediately prior to the
27 month in which the birth is anticipated, in the amount that would
28 otherwise be paid to one person, as specified in subdivision (a), if
29 the woman and child, if born, would have qualified for aid under
30 this chapter. Verification of pregnancy shall be required as a
31 condition of eligibility for aid under this subdivision.

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

34 (c) The amount of forty-seven dollars (\$47) per month shall be
35 paid to pregnant women qualified for aid under subdivision (a) or
36 (b) to meet special needs resulting from pregnancy if the woman
37 and child, if born, would have qualified for aid under this chapter.
38 County welfare departments shall refer all recipients of aid under
39 this subdivision to a local provider of the Women, Infants, and
40 Children program. If that payment to pregnant women qualified

1 for aid under subdivision (a) is considered income under federal
2 law in the first five months of pregnancy, payments under this
3 subdivision shall not apply to persons eligible under subdivision
4 (a), except for the month in which birth is anticipated and for the
5 three-month period immediately prior to the month in which
6 delivery is anticipated, if the woman and child, if born, would have
7 qualified for aid under this chapter.

8 (d) For children receiving AFDC-FC under this chapter, there
9 shall be paid, exclusive of any amount considered exempt as
10 income, an amount of aid each month that, when added to the
11 child's income, is equal to the rate specified in Section 11460,
12 11461, 11462, 11462.1, or 11463. In addition, the child shall be
13 eligible for special needs, as specified in departmental regulations.

14 (e) In addition to the amounts payable under subdivision (a)
15 and Section 11453.1, a family shall be entitled to receive an
16 allowance for recurring special needs not common to a majority
17 of recipients. These recurring special needs shall include, but not
18 be limited to, special diets upon the recommendation of a physician
19 for circumstances other than pregnancy, and unusual costs of
20 transportation, laundry, housekeeping services, telephone, and
21 utilities. The recurring special needs allowance for each family
22 per month shall not exceed that amount resulting from multiplying
23 the sum of ten dollars (\$10) by the number of recipients in the
24 family who are eligible for assistance.

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

31 (1) An allowance for nonrecurring special needs shall be granted
32 for replacement of clothing and household equipment and for
33 emergency housing needs other than those needs addressed by
34 paragraph (2). These needs shall be caused by sudden and unusual
35 circumstances beyond the control of the needy family. The
36 department shall establish the allowance for each of the
37 nonrecurring special needs items. The sum of all nonrecurring
38 special needs provided by this subdivision shall not exceed six
39 hundred dollars (\$600) per event.

1 (2) (A) Homeless assistance is available to a homeless family
2 seeking shelter when the family is eligible for aid under this
3 chapter. Homeless assistance for temporary shelter is also available
4 to homeless families that are apparently eligible for aid under this
5 chapter. Apparent eligibility exists when evidence presented by
6 the applicant, or that is otherwise available to the county welfare
7 department, and the information provided on the application
8 documents indicate that there would be eligibility for aid under
9 this chapter if the evidence and information were verified.
10 However, an alien applicant who does not provide verification of
11 his or her eligible alien status, or a woman with no eligible children
12 who does not provide medical verification of pregnancy, is not
13 apparently eligible for purposes of this section.

14 (B) A family is considered homeless, for the purpose of this
15 section, when the family lacks a fixed and regular nighttime
16 residence; or the family has a primary nighttime residence that is
17 a supervised publicly or privately operated shelter designed to
18 provide temporary living accommodations; or the family is residing
19 in a public or private place not designed for, or ordinarily used as,
20 a regular sleeping accommodation for human beings. A family is
21 also considered homeless for the purpose of this section if the
22 family has received a notice to pay rent or quit. The family shall
23 demonstrate that the eviction is the result of a verified financial
24 hardship as a result of extraordinary circumstances beyond their
25 control, and not other lease or rental violations, and that the family
26 is experiencing a financial crisis that could result in homelessness
27 if preventative assistance is not provided.

28 (3) (A) (i) A nonrecurring special needs benefit of sixty-five
29 dollars (\$65) a day shall be available to families of up to four
30 members for the costs of temporary shelter, subject to the
31 requirements of this paragraph. The fifth and additional members
32 of the family shall each receive fifteen dollars (\$15) per day, up
33 to a daily maximum of one hundred twenty-five dollars (\$125).
34 County welfare departments may increase the daily amount
35 available for temporary shelter as necessary to secure the additional
36 bedspace needed by the family.

37 (ii) This special needs benefit shall be granted or denied
38 immediately upon the family's application for homeless assistance,
39 and benefits shall be available for up to three working days. The
40 county welfare department shall verify the family's homelessness

1 within the first three working days and if the family meets the
2 criteria of questionable homelessness established by the
3 department, the county welfare department shall refer the family
4 to its early fraud prevention and detection unit, if the county has
5 such a unit, for assistance in the verification of homelessness within
6 this period.

7 (iii) After homelessness has been verified, the three-day limit
8 shall be extended for a period of time which, when added to the
9 initial benefits provided, does not exceed a total of 16 calendar
10 days. This extension of benefits shall be done in increments of one
11 week and shall be based upon searching for permanent housing
12 which shall be documented on a housing search form, good cause,
13 or other circumstances defined by the department. Documentation
14 of a housing search shall be required for the initial extension of
15 benefits beyond the three-day limit and on a weekly basis thereafter
16 as long as the family is receiving temporary shelter benefits. Good
17 cause shall include, but is not limited to, situations in which the
18 county welfare department has determined that the family, to the
19 extent it is capable, has made a good faith but unsuccessful effort
20 to secure permanent housing while receiving temporary shelter
21 benefits.

22 (B) (i) A nonrecurring special needs benefit for permanent
23 housing assistance is available to pay for last month's rent and
24 security deposits when these payments are reasonable conditions
25 of securing a residence, or to pay for up to two months of rent
26 arrearages, when these payments are a reasonable condition of
27 preventing eviction.

28 (ii) The last month's rent or monthly arrearage portion of the
29 payment (I) shall not exceed 80 percent of the family's total
30 monthly household income without the value of CalFresh benefits
31 or special needs benefit for a family of that size and (II) shall only
32 be made to families that have found permanent housing costing
33 no more than 80 percent of the family's total monthly household
34 income without the value of CalFresh benefits or special needs
35 benefit for a family of that size.

36 (iii) However, if the county welfare department determines that
37 a family intends to reside with individuals who will be sharing
38 housing costs, the county welfare department shall, in appropriate
39 circumstances, set aside the condition specified in subclause (II)
40 of clause (ii).

1 (C) The nonrecurring special needs benefit for permanent
2 housing assistance is also available to cover the standard costs of
3 deposits for utilities which are necessary for the health and safety
4 of the family.

5 (D) A payment for or denial of permanent housing assistance
6 shall be issued no later than one working day from the time that a
7 family presents evidence of the availability of permanent housing.
8 If an applicant family provides evidence of the availability of
9 permanent housing before the county welfare department has
10 established eligibility for aid under this chapter, the county welfare
11 department shall complete the eligibility determination so that the
12 denial of or payment for permanent housing assistance is issued
13 within one working day from the submission of evidence of the
14 availability of permanent housing, unless the family has failed to
15 provide all of the verification necessary to establish eligibility for
16 aid under this chapter.

17 (E) (i) Except as provided in clauses (ii) and (iii), eligibility
18 for the temporary shelter assistance and the permanent housing
19 assistance pursuant to this paragraph shall be limited to one period
20 of up to 16 consecutive calendar days of temporary assistance and
21 one payment of permanent assistance. Any family that includes a
22 parent or nonparent caretaker relative living in the home who has
23 previously received temporary or permanent homeless assistance
24 at any time on behalf of an eligible child shall not be eligible for
25 further homeless assistance. Any person who applies for homeless
26 assistance benefits shall be informed that the temporary shelter
27 benefit of up to 16 consecutive days is available only once in a
28 lifetime, with certain exceptions, and that a break in the consecutive
29 use of the benefit constitutes permanent exhaustion of the
30 temporary benefit.

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

34 (iii) A family shall be eligible for temporary and permanent
35 homeless assistance when homelessness is a direct result of
36 domestic violence by a spouse, partner, or roommate; physical or
37 mental illness that is medically verified that shall not include a
38 diagnosis of alcoholism, drug addiction, or psychological stress;
39 or, the uninhabitability of the former residence caused by sudden
40 and unusual circumstances beyond the control of the family

1 including natural catastrophe, fire, or condemnation. These
2 circumstances shall be verified by a third-party governmental or
3 private health and human services agency, except that domestic
4 violence may also be verified by a sworn statement by the victim,
5 as provided under Section 11495.25. Homeless assistance payments
6 based on these specific circumstances may not be received more
7 often than once in any 12-month period. In addition, if the domestic
8 violence is verified by a sworn statement by the victim, the
9 homeless assistance payments shall be limited to two periods of
10 not more than 16 consecutive calendar days of temporary assistance
11 and two payments of permanent assistance. A county may require
12 that a recipient of homeless assistance benefits who qualifies under
13 this paragraph for a second time in a 24-month period participate
14 in a homelessness avoidance case plan as a condition of eligibility
15 for homeless assistance benefits. The county welfare department
16 shall immediately inform recipients who verify domestic violence
17 by a sworn statement of the availability of domestic violence
18 counseling and services, and refer those recipients to services upon
19 request.

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

24 (v) If a recipient seeking homeless assistance based on domestic
25 violence pursuant to clause (iii) has previously received homeless
26 avoidance services based on domestic violence, the county shall
27 review whether services were offered to the recipient and consider
28 what additional services would assist the recipient in leaving the
29 domestic violence situation.

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

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

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

4 (H) The daily amount for the temporary shelter special needs
5 benefit for homeless assistance may be increased if authorized by
6 the current year’s Budget Act by specifying a different daily
7 allowance and appropriating the funds therefor.

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

12 (g) A child who has been removed from his or her home and
13 detained or placed in the home of a relative caregiver and is the
14 subject of a petition filed under Section 300, 601, or 602, or is the
15 subject of a voluntary placement agreement, as defined in
16 subdivision (p) of Section 11400, and who is a teen parent whose
17 child is living in the same home or placement, shall also receive
18 an infant supplement, in an amount determined in the manner
19 provided in subdivision (b) of Section 11465 for a child in a foster
20 family home.

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

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

27 (j) (1) Except for the purposes of Section 15200, the amounts
28 payable to recipients pursuant to Section 11453.1 shall not
29 constitute part of the payment schedule set forth in subdivision
30 (a).

31 (2) The amounts payable to recipients pursuant to Section
32 11453.1 shall not constitute income to recipients of aid under this
33 section.

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

1 (l) (1) A county shall implement the semiannual reporting
2 requirements in accordance with Chapter 501 of the Statutes of
3 2011 no later than October 1, 2013.

4 (2) Upon completion of the implementation described in
5 paragraph (1), each county shall provide a certificate to the director
6 certifying that semiannual reporting has been implemented in the
7 county.

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

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

13 11461.3. (a) (1) The Legislature recognizes the importance
14 of approved relative caregivers to the state's child welfare system.
15 Relative placements are the most utilized type of foster placement
16 in California. In establishing the Approved Relative Caregiver
17 Funding Option Program pursuant to this section, the Legislature
18 intends to ensure that children placed with relatives are able to
19 access state funding in an equal amount and in a similar manner
20 to children in other types of foster placements.

21 (2) The Approved Relative Caregiver Funding Option Program
22 is hereby established for the purpose of making the amount paid
23 to approved relative caregivers for the in-home care of children
24 placed with them who are ineligible for AFDC-FC payments equal
25 to the amount paid on behalf of children who are eligible for
26 AFDC-FC payments. This is an optional program for counties
27 choosing to participate, and in so doing, participating counties
28 agree to the terms of this section as a condition of their
29 participation. It is the intent of the Legislature that the funding
30 described in paragraph (1) of subdivision (e) for the Approved
31 Relative Caregiver Funding Option Program be appropriated, and
32 available for use from January through December of each year,
33 unless otherwise specified.

34 (b) Subject to subdivision (c), effective January 1, 2015, counties
35 shall pay an approved relative caregiver a per child per month rate
36 in return for the care and supervision, as defined in subdivision
37 (b) of Section 11460, of a child that is placed with the relative
38 caregiver that is equal to the basic rate paid to foster care providers
39 pursuant to subdivision (g) of Section 11461, if both of the
40 following conditions are met:

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

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

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

8 (B) The child is described by subdivision (b), (c), or (e) of
9 Section 11401 and the county welfare department or the county
10 probation department is responsible for the placement and care of
11 the child.

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

15 (c) A county's election to participate in the Approved Relative
16 Caregiver Funding Option Program shall affirmatively indicate
17 that the county understands and agrees to all of the following
18 conditions:

19 (1) Commencing October 1, 2014, the county shall notify the
20 department in writing of its decision to participate in the Approved
21 Relative Caregiver Funding Option Program. Failure to make
22 timely notification, without good cause as determined by the
23 department, shall preclude the county from participating in the
24 program for the upcoming year. Annually thereafter, any county
25 not presently participating who elects to do so shall notify the
26 department in writing no later than October 1 of its decision to
27 participate for the upcoming calendar year.

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

32 (3) The county shall confirm that it will be solely responsible
33 to pay any additional costs needed to make all payments pursuant
34 to subdivision (b) if the state and federal funds allocated to the
35 Approved Relative Caregiver Funding Option Program pursuant
36 to paragraph (1) of subdivision (e) are insufficient to make all
37 eligible payments.

38 (d) (1) A county deciding to opt out of the Approved Relative
39 Caregiver Funding Option Program shall provide at least 120 days'
40 prior written notice of that decision to the department. Additionally,

1 the county shall provide at least 90 days' prior written notice to
2 the approved relative caregiver or caregivers informing them that
3 his or her per child per month payment will be reduced and the
4 date that the reduction will occur.

5 (2) The department shall presume all counties have opted out
6 of the Approved Relative Caregiver Funding Option Program if
7 the funding appropriated in subclause (II) of clause (i) of
8 subparagraph (B) of paragraph (1) of subdivision (e), including
9 any additional funds appropriated pursuant to clause (ii) of
10 subparagraph (B) of paragraph (1) of subdivision (e), is reduced,
11 unless a county notifies the department in writing of its intent to
12 opt in within 60 days of enactment of the State Budget. The
13 counties shall provide at least 90 days' prior written notice to the
14 approved relative caregiver or caregivers informing them that his
15 or her per child per month payment will be reduced, and the date
16 that the reduction will occur.

17 (3) Any reduction in payments received by an approved relative
18 caregiver on behalf of a child under this section that results from
19 a decision by a county, including the presumed ~~opt-out~~ *opt out*
20 pursuant to paragraph (2), to not participate in the Approved
21 Relative Caregiver Funding Option Program shall be exempt from
22 state hearing jurisdiction under Section 10950.

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

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

26 (B) (i) General Fund resources that do not count toward the
27 state's maintenance of effort requirements under Section
28 609(a)(7)(B)(i) of Title 42 of the United States Code. For this
29 purpose, the following money is hereby appropriated:

30 (I) The sum of thirty million dollars (\$30,000,000) from the
31 General Fund for the period January 1, 2015, through December
32 31, 2015.

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

38 (ii) To the extent that the appropriation made in subclause (I)
39 is insufficient to fully fund the base caseload of approved relative
40 caregivers as of July 1, 2014, for the period of time described in

1 subclause (I), as jointly determined by the department and the
2 County Welfare Directors' Association and approved by the
3 Department of Finance on or before October 1, 2015, the amounts
4 specified in subclauses (I) and (II) shall be increased in the
5 respective amounts necessary to fully fund that base caseload.
6 Thereafter, the adjusted amount of subclause (II), and the other
7 terms of that provision, including an annual California Necessities
8 Index adjustment to its amount, shall apply.

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

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

16 (2) Funds available pursuant to subparagraphs (A) and (B) of
17 paragraph (1) shall be allocated to participating counties
18 proportionate to the number of their approved relative caregiver
19 placements, using a methodology and timing developed by the
20 department, following consultation with county human services
21 agencies and their representatives.

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

30 (4) Receipt of funding through the Approved Relative Caregiver
31 Funding Option Program shall begin immediately upon a finding
32 that the child is not eligible for AFDC-FC pursuant to subdivision
33 (a) of Section 11404 and initiation of payment shall not be
34 dependent upon completion of any application. To the extent that
35 an application or other information is required to determine county
36 share of costs or for the utilization of CalWORKs funding, the
37 county shall complete that application, or provide that information,
38 on behalf of the relative caregiver.

39 (f) An approved relative caregiver receiving payments on behalf
40 of a child pursuant to this section shall not be eligible to receive

1 additional CalWORKs payments on behalf of the same child under
2 Section 11450.

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

7 (h) Prior to referral of any individual or recipient, or that
8 person's case, to the local child support agency for child support
9 services pursuant to Section 17415 of the Family Code, the county
10 human services agency shall determine if an applicant or recipient
11 has good cause for noncooperation, as set forth in Section
12 11477.04. If the applicant or recipient claims good cause exception
13 at any subsequent time to the county human services agency or
14 the local child support agency, the local child support agency shall
15 suspend child support services until the county social services
16 agency determines the good cause claim, as set forth in Section
17 11477.04. If good cause is determined to exist, the local child
18 support agency shall suspend child support services until the
19 applicant or recipient requests their resumption, and shall take
20 other measures that are necessary to protect the applicant or
21 recipient and the children. If the applicant or recipient is the parent
22 of the child for whom aid is sought and the parent is found to have
23 not cooperated without good cause as provided in Section
24 11477.04, the applicant's or recipient's family grant shall be
25 reduced by 25 percent for the time the failure to cooperate lasts.

26 (i) Consistent with Section 17552 of the Family Code, if aid is
27 paid under this chapter on behalf of a child who is under the
28 jurisdiction of the juvenile court and whose parent or guardian is
29 receiving reunification services, the county human services agency
30 shall determine, prior to referral of the case to the local child
31 support agency for child support services, whether the referral is
32 in the best interest of the child, taking into account both of the
33 following:

34 (1) Whether the payment of support by the parent will pose a
35 barrier to the proposed reunification in that the payment of support
36 will compromise the parent's ability to meet the requirements of
37 the parent's reunification plan.

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

1 will compromise the parent's current or future ability to meet the
2 financial needs of the child.

3 (j) An approved relative caregiver may receive payments on
4 behalf of a child who meets the requirements of paragraph (2) of
5 subdivision (b), regardless of whether the child resides, or will be
6 residing, outside of the county of jurisdiction pursuant to his or
7 her placement. The county of jurisdiction shall be responsible for
8 providing the Approved Relative Caregiver Funding Option
9 payment to the relative caregiver.

10 (k) A child who has been removed from his or her home and
11 detained or placed in the home of a relative caregiver and is the
12 subject of a petition filed under Section 300, 601, or 602, or is the
13 subject of a voluntary placement agreement, as defined in
14 subdivision (p) of Section 11400, and who is a teen parent whose
15 child is living in the same home or placement, shall also receive
16 an infant supplement, in an amount determined in the manner
17 provided in subdivision (b) of Section 11465 for a child in a foster
18 family home.

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

21 11465. (a) When a child is living with a parent who receives
22 AFDC-FC, Approved Relative Caregiver Funding Option Program
23 benefits, or Kin-GAP benefits, the rate paid to the provider on
24 behalf of the parent shall include an infant supplement to cover
25 the cost of care and supervision of the child.

26 (b) For each category of eligible licensed community care
27 facility, as defined in Section 1502 of the Health and Safety Code,
28 the department shall adopt regulations setting forth a uniform rate
29 to cover the cost of care and supervision of the child in each
30 category of eligible licensed community care facility.

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

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

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

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

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

13 (d) (1) Notwithstanding subdivisions (a) to (c), inclusive, the
14 payment made pursuant to this section for care and supervision of
15 a child who is living with a teen parent in a whole family foster
16 home, as defined in Section 11400, shall equal the basic rate for
17 children placed in a licensed or approved home as specified in
18 subdivisions (a) to (d), inclusive, and subdivision (g), of Section
19 11461.

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

24 (3) (A) The caregiver shall provide the county child welfare
25 agency or probation department with a copy of the shared
26 responsibility plan developed pursuant to Section 16501.25 and
27 shall advise the county child welfare agency or probation
28 department of any subsequent changes to the plan. Once the plan
29 has been completed and provided to the appropriate agencies, the
30 payment made pursuant to this section shall be increased by an
31 additional two hundred dollars (\$200) per month to reflect the
32 increased care and supervision while he or she is placed in the
33 whole family foster home.

34 (B) A nonminor dependent parent residing in a supervised
35 independent living placement, as defined in subdivision (w) of
36 Section 11400, who develops a written parenting support plan
37 pursuant to Section 16501.26 shall provide the county child welfare
38 agency or probation department with a copy of the plan and shall
39 advise the county child welfare agency or probation department
40 of any subsequent changes to the plan. The payment made pursuant

1 to this section shall be increased by an additional two hundred
 2 dollars (\$200) per month after all of the following have been
 3 satisfied:

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

6 (ii) The plan has been approved by the appropriate county
 7 agency.

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

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

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

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

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

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

29 11477.02. (a) Prior to referral of any individual or recipient,
 30 or that person's case, to the local child support agency for child
 31 support services under Section 17400 or 17404 of the Family Code,
 32 the county welfare department shall determine if an applicant or
 33 recipient has good cause for noncooperation, as set forth in Section
 34 11477.04. If the applicant or recipient claims a good cause
 35 exception at any subsequent time to the county welfare department
 36 or the local child support agency, the local child support agency
 37 shall suspend child support services until the county welfare
 38 department determines the good cause claim, as set forth in Section
 39 11477.04. If good cause is determined to exist, the local child
 40 support agency shall suspend child support services until the

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

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

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

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

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

27 13758. (a) Every youth who is in foster care and has been
28 determined to be ineligible for AFDC-FC benefits shall be screened
29 by the county for potential eligibility for the federal Supplemental
30 Security Income program utilizing the best practice guidelines
31 developed pursuant to Section 13752.

32 (b) An application shall be submitted to the federal Social
33 Security Administration on behalf of a youth who is screened as
34 being likely to be eligible for federal Supplemental Security Income
35 benefits.

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

39 SEC. 9. To the extent that this act has an overall effect of
40 increasing certain costs already borne by a local agency for

1 programs or levels of service mandated by the 2011 Realignment
2 Legislation within the meaning of Section 36 of Article XIII of
3 the California Constitution, it shall apply to local agencies only to
4 the extent that the state provides annual funding for the cost
5 increase. Any new program or higher level of service provided by
6 a local agency pursuant to this act above the level for which
7 funding has been provided shall not require a subvention of funds
8 by the state nor otherwise be subject to Section 6 of Article XIII B
9 of the California Constitution.

10 However, if the Commission on State Mandates determines that
11 this act contains other costs mandated by the state, reimbursement
12 to local agencies and school districts for those costs shall be made
13 pursuant to Part 7 (commencing with Section 17500) of Division
14 4 of Title 2 of the Government Code.

15 *No reimbursement is required by this act pursuant to Section 6
16 of Article XIII B of the California Constitution for certain costs
17 that may be incurred by a local agency or school district because,
18 in that regard, this act creates a new crime or infraction, eliminates
19 a crime or infraction, or changes the penalty for a crime or
20 infraction, within the meaning of Section 17556 of the Government
21 Code, or changes the definition of a crime within the meaning of
22 Section 6 of Article XIII B of the California Constitution.*

23 *However, if the Commission on State Mandates determines that
24 this act contains other costs mandated by the state, reimbursement
25 to local agencies and school districts for those costs shall be made
26 pursuant to Part 7 (commencing with Section 17500) of Division
27 4 of Title 2 of the Government Code.*