

AMENDED IN SENATE JUNE 13, 2016

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AMENDED IN ASSEMBLY APRIL 14, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1603**

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**Introduced by ~~Committee on Budget (Assembly Members Ting (Chair), Travis Allen, Bigelow, Bloom, Bonta, Campos, Chávez, Chiu, Cooper, Gordon, Grove, Harper, Holden, Irwin, Kim, Lackey, McCarty, Melendez, Mullin, Nazarian, Obernolte, O'Donnell, Patterson, Rodriguez, Thurmond, Wilk, and Williams)~~ Committee on Budget (Assembly Members Ting (Chair), Bloom, Bonta, Campos, Chiu, Cooper, Gordon, Holden, Irwin, McCarty, Mullin, Nazarian, O'Donnell, Rodriguez, Thurmond, and Williams)**

January 7, 2016

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An act to amend Section 155 of the Code of Civil Procedure, and to amend Sections 11253.4, 11320.32, 11402, 11450.025, 11461.3, 11465, 12301.02, 15200, 16519.5, 17601.50, and 18910.1 of, to amend and repeal Sections 11322.63 and 11450.04 of, to amend, repeal, and add Sections 11320.15, 11322.64, 11323.25, and 11450 of, to add Sections 11253.45, 11322.83, 11461.4, 12201.06, 16501.9, and 18920 to, to add Article 6 (commencing with Section 16523) to Chapter 5 of Part 4 of Division 9 of, to add Chapter 17 (commencing with Section 18999) to Part 6 of Division 9 of, and to repeal Section 15200.15 of, the Welfare and Institutions Code, relating to public social services, and making an appropriation therefor, to take effect immediately, bill related to the budget.

## LEGISLATIVE COUNSEL'S DIGEST

AB 1603, as amended, Committee on Budget. Public social services omnibus.

(1) Existing federal law, the Immigration and Nationality Act, establishes a procedure for classification of certain aliens as special immigrants who have been declared dependent on a juvenile court and authorizes those aliens to apply for an adjustment of status to that of a lawful permanent resident within the United States. Under federal regulations, an alien is eligible for special immigrant juvenile status if, among other things, he or she is under 21 years of age. Existing state law provides that the juvenile, probate, and family divisions of the superior court have jurisdiction to make judicial determinations regarding the custody and care of children within the meaning of the federal Immigration and Nationality Act.

This bill would clarify that the court has jurisdiction to make the factual findings necessary to enable a child to petition the United States Citizenship and Immigration Services for classification as a special immigrant juvenile. The bill would also provide that the factual findings may be made at any point in a proceeding, as specified, if certain requirements are met.

(2) Existing law requires the court, upon request, to make the necessary findings regarding special immigrant juvenile status if there is evidence to support those findings, which may consist of, but is not limited to, a declaration by the child who is the subject of the petition. Existing law also authorizes the court to make additional findings that are supported by evidence if requested by a party.

This bill would specify that the evidence to support those findings may consist solely of, but is not limited to, the above declaration. The bill would also authorize the court to make the additional findings only if requested by a party. The bill would provide that the asserted, purported, or perceived motivation of the child seeking classification as a special immigrant juvenile is not admissible in making findings and would prohibit the court from including or referencing the motivation of the child, as specified, in the court's findings.

(3) Existing law establishes the California Work Opportunity and Responsibility to Kids (CalWORKs) program, under which each county provides cash assistance and other benefits to qualified low-income families using federal, state, and county funds. Existing law requires a recipient of CalWORKs to participate in welfare-to-work activities as

a condition of eligibility. Under existing law, a recipient of CalWORKs aid is required to assign to the county any rights to child support for a family member for whom the recipient is receiving aid, as specified. Existing law also requires the first \$50 of any amount of child support collected in a month to be paid to a recipient of CalWORKs aid.

Existing law also 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 home of a relative is eligible for AFDC-FC only if he or she is eligible for federal financial participation in the AFDC-FC payment.

Existing law establishes the Approved Relative Caregiver Funding Option Program, in counties that choose 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. Under existing law, a child who is eligible for the Approved Relative Caregiver Funding Option Program is not subject to the requirements of CalWORKs, except as specified.

This bill would specify that the above-described CalWORKs requirements relating to the assignment of child support apply to assistance units participating in the Approved Relative Caregiver Funding Option Program. The bill would state that these provisions are intended to clarify existing law.

(4) Existing law requires a county that has opted into the Approved Relative Caregiver Funding Option Program to pay an approved relative caregiver a per child per month rate that is equal to the basic rate paid to foster care providers and that is funded, in part, through the CalWORKs program.

This bill, commencing January 1, 2017, would generally require a child who has been placed in the home of a relative who has been approved as a resource family to receive a grant that equals the resource family basic rate at the child's assessed level of care, as specified. By requiring counties to increase grants to children who are placed in the home of a relative who has been approved as a resource family, this bill would impose a state-mandated local program.

(5) Existing law requires that, in order to be eligible for AFDC-FC, a child be placed in one of several specified placements, including the approved home of a resource family, and provides that a child placed with a resource family is eligible for AFDC-FC payments.

This bill, commencing January 1, 2017, would instead provide that a child placed in the approved home of a resource family is eligible for AFDC-FC if the caregiver is a nonrelative or the caregiver is a relative and the child or youth is otherwise eligible for federal financial participation in the AFDC-FC payment. The bill would also specify that a child placed with a resource family is eligible for the resource family basic rate.

(6) Existing law authorizes the Director of Social Services to enter into an agreement with a tribe, consortium of tribes, or tribal organization, regarding the care and custody of Indian children and jurisdiction over Indian child custody proceedings, under specified circumstances. Existing law requires these agreements to provide for the delegation to the tribe, consortium of tribes, or tribal organization, of the responsibility that would otherwise be the responsibility of the county for the provision of child welfare services or assistance payments under the AFDC-FC program, or both. Existing law requires the State Department of Social Services to annually allocate appropriated funds to each federally recognized American Indian tribe with reservation lands or rancherias in the state that administers a federal tribal Temporary Assistance for Needy Families (TANF) program.

This bill would establish the Tribal Approved Relative Caregiver Funding Option Program and would require participating tribes that opt to participate in the program to pay an approved relative caregiver a per child per month rate, as specified, in return for the care and supervision of an AFDC-FC ineligible child placed with the approved relative caregiver if the participating tribe has notified the department of its decision to participate in the program, as specified, and certain requirements are met, including that the child resides in California. The bill would require the department, in consultation with the participating tribe, to determine the initial base caseload of the tribe and to determine the amount necessary to fund the base caseload.

(7) Existing law requires, when a child is living with a parent who receives AFDC-FC or Kin-GAP benefits, that the rate paid to the foster care provider on behalf of the parent include an additional amount, known as an infant supplement, for the care and supervision of the child. Existing law requires the State Department of Social Services to adopt a uniform rate for the infant supplement for each category of eligible licensed community care facility.

This bill, commencing July 1, 2016, would require the infant supplement rate to be increased by \$489 per month, if funding for this purpose is appropriated in the annual Budget Act.

(8) Existing law requires the State Department of Social Services to administer a voluntary Temporary Assistance Program (TAP) to provide cash assistance and other benefits to specified current and future CalWORKs recipients who meet the exemption criteria for participation in welfare-to-work activities and are not single parents who have a child under one year of age. Existing law requires the TAP to commence no later than October 1, 2016.

This bill would make that provision inoperative on June 30, 2016.

(9) Existing law requires, for counties that implement a welfare-to-work plan that includes subsidized private sector or public sector employment activities, the State Department of Social Services to pay the county 50%, less \$113, of the total wage costs of an employee for whom a wage subsidy is paid, subject to specified conditions.

This bill would make that provision inoperative on July 1, 2016, and would repeal that provision on January 1, 2017. The bill would make related changes.

(10) Existing law requires the department to develop an allocation methodology to distribute additional funding for expanded subsidized employment programs for CalWORKs recipients.

This bill would require, on and after July 1, 2016, a county that accepts additional funding for expanded subsidized employment in accordance with that provision to continue to expend no less than the aggregate amount of specified funding received by the county that the county expended on subsidized employment in the 2012–13 fiscal year, except as specified.

(11) Existing law requires a recipient of CalWORKs to participate for a specified number of hours each week in welfare-to-work activities as a condition of eligibility.

The federal Workforce Innovation and Opportunity Act of 2014 provides for workforce investment activities, including activities in which states may participate. Existing federal law requires the local chief elected officials in a local workforce development area to form, pursuant to specified guidelines, a local workforce development board to, among other things, plan and oversee the workforce development system and lead efforts in the local area to develop and implement career pathways within the local area.

This bill would deem a recipient who is making satisfactory progress in a career pathway program established in accordance with the federal Workforce Innovation and Opportunity Act to be in compliance with the hourly participation requirements of the CalWORKS program under specified conditions. By increasing the duties of counties administering the CalWORKS program, the bill would impose a state-mandated local program.

(12) As part of the CalWORKS program, existing law provides that a homeless family that has used all available liquid resources in excess of \$100 may be eligible for homeless assistance benefits to pay the costs of temporary shelter. The CalWORKS program also provides permanent housing assistance to pay rent or a security deposit, as specified, in order to secure housing for the family or prevent eviction.

Under existing law, eligibility for temporary shelter assistance is limited to one period of up to 16 consecutive days of temporary assistance in a lifetime, and eligibility for permanent housing assistance is limited to one payment of assistance, subject to specified exceptions. Existing law provides that a family that includes a parent or nonparent caretaker relative living in the home who has previously received temporary or permanent homeless assistance at any time on behalf of an eligible child is not eligible for further homeless assistance.

This bill, commencing January 1, 2017, would expand the provision of temporary shelter assistance and permanent housing assistance to be available every 12 months. The bill would make conforming changes regarding an applicant for homeless assistance benefits being informed of the availability of the benefits every 12 months. The bill would delete the above limitation on a family's eligibility for homeless assistance. Because this bill would increase the administrative duties of counties, it would impose a state-mandated local program.

(13) Existing law, referred to as the maximum family grant rule, prohibits the number of needy persons in the same family from being increased, for purposes of determining a family's maximum aid payment, for any child born into a family that has received aid under the CalWORKS program continuously for the 10 months prior to the birth of the child, with specified exceptions.

This bill would repeal the maximum family grant rule on January 1, 2017.

(14) Existing law establishes maximum aid grant amounts to be provided to each family receiving aid under CalWORKS. Existing law increases the maximum aid payments by 5% commencing March 1,

2014, and by an additional 5% commencing April 1, 2015. Existing law specifies a process by which increases may be made to the maximum aid payments depending on projections of revenue and costs by the Department of Finance.

This bill would, effective October 1, 2016, increase the maximum aid grant amounts by an additional 1.43%. The bill would also, effective January 1, 2017, require households eligible for CalWORKs aid to receive an increased aid payment consistent with the repeal of the maximum family grant rule and would require those costs to be paid from moneys deposited into the Child Poverty and Family Supplemental Support Subaccount. To the extent that this bill affects eligibility under the CalWORKs program, the bill would impose a state-mandated local program.

(15) Existing law establishes the county-administered In-Home Supportive Services (IHSS) program, under which qualified aged, blind, and disabled persons are provided with services in order to permit them to remain in their own homes and avoid institutionalization. Existing law provides, as part of the Coordinated Care Initiative, that IHSS is a Medi-Cal benefit available through managed care health plans in specified counties. Existing law provides for a 7% reduction in authorized hours of service to each IHSS recipient, as specified.

Existing law, commencing July 1, 2016, until July 1, 2019, establishes a managed care organization provider tax, to be administered by the State Department of Health Care Services, as specified, subject to approval from the federal Centers for Medicare and Medicaid Services, as specified.

This bill would suspend the 7% reduction in hours of service to each IHSS recipient until July 1, 2019, if the managed care organization provider tax remains operative. The bill would require the reduction to be reinstated by a specified date if the managed care organization provider tax ceases to be operative for any reason. By increasing the administrative duties of counties under the IHSS program, this bill would impose a state-mandated local program.

(16) Existing law requires the State Department of Social Services to implement a single statewide Child Welfare Services Case Management System (CWS/CMS) to administer and evaluate the state's child welfare services and foster care programs.

This bill would require the State Department of Social Services and the Office of Systems Integration (OSI), in collaboration with the County Welfare Directors Association (CWDA), to seek resources to enable

the necessary level of engagement by the counties in the Child Welfare Services-New System (CWS-NS), as specified. The bill would require the department and OSI to provide a voting seat on all governance bodies of the CWS-NS for a CWDA representative. The bill would also require the department and OSI to continue to provide monthly updates to the Legislature and to stakeholders, including CWDA, regarding efforts to develop and implement the CWS-NS. The bill would also require CWS/CMS operations and functionality to be maintained at a level at least commensurate with its December 2015 status, as specified. The bill would make related findings and declarations.

(17) Existing law establishes a system of statewide child welfare services, administered by the State Department of Social Services and county child welfare agencies, with the intent that all children are entitled to be safe and free from abuse and neglect.

This bill would establish the Bringing Families Home Program, and would, to the extent funds are appropriated in the annual Budget Act, require the State Department of Social Services to award program funds to counties for the purpose of providing housing-related supports to eligible families experiencing homelessness if specified criteria are met. The bill would require the department to award program funds to counties according to criteria developed by the department, in consultation with specified entities, subject to a requirement that a county that receives funds under the program provide matching funds for these purposes, as specified.

(18) Existing federal law provides for the Supplemental Nutrition Assistance Program (SNAP), known in California as CalFresh, under which supplemental nutrition assistance benefits allocated to the state by the federal government are distributed to eligible individuals by each county. Existing law requires the State Department of Social Services to redetermine recipient eligibility and grant amounts under CalFresh on a semiannual basis, as specified. Existing law states the intent of the Legislature to assign certification periods for CalFresh households that are the maximum number of months allowed under federal law based on the household's circumstances, subject to a specified exception.

This bill would instead require the assignment of certification periods in the above-described manner, as specified, and would provide an additional exception, on a case-by-case basis only, for a household's individual circumstances requiring a shorter certification period. Because this bill would increase the administrative duties of counties, it would impose a state-mandated local program.



(19) Existing law, the State Department of Health Services Cooperative Agreement Act, provides for the establishment of cooperative agreements between the State Department of Public Health and other public and private entities for the purposes of, among other things, simplifying the administration of public health programs by the department. The act requires cooperative agreements to be subject to review and approval by the Department of General Services with certain exceptions.

This bill would deem an agreement between the State Department of Social Services and a unit of local government, any other unit of state government, or a nonprofit organization that provides for a contract relating to outreach programs related to CalFresh and the Supplemental Nutrition Assistance Program: Nutrition Education and Obesity Prevention Grant Program to be a “cooperative agreement,” as defined. The bill would specify that these changes apply retroactively.

(20) Existing federal law establishes various disability benefits programs, including the Supplemental Security Income (SSI) program, under which cash assistance is provided to qualified low-income aged, blind, and disabled persons, and the Social Security Disability Insurance (SSDI) program, under which benefits are provided to persons with disabilities who have paid social security taxes. Existing federal law also provides for disability compensation for veterans under specified circumstances.

Existing state law provides for disability benefits programs, including the State Supplementary Program for the Aged, Blind, and Disabled (SSP), under which state funds are provided in supplementation of federal SSI benefits, and the Cash Assistance Program for Immigrants, which provides benefits to aged, blind, and disabled legal immigrants who meet specified criteria. Existing law also establishes various housing programs directed by the Department of Housing and Community Development, including special housing programs to provide housing assistance for persons with developmental and physical disabilities and persons with mental health disorders.

This bill would establish the Housing and Disability Income Advocacy Program under the administration of the State Department of Social Services, subject to an appropriation of funds in the annual Budget Act. The program would provide state grant funds to participating counties for the provision of outreach, case management, and advocacy services to assist clients who are homeless or at risk of becoming homeless to obtain disability benefits. The bill would require participating counties

to provide housing assistance to these clients during their application periods for disability benefits programs, as specified. The bill would also require participating counties to annually report to the department regarding their funding of advocacy and outreach programs and use of state funding provided under the program, as specified. The bill would require the department to periodically inform the Legislature of the implementation progress of the program, to make related data available on the department's Internet Web site, and to report to the Legislature by October 1, 2018, regarding the implementation of the program, as specified.

(21) Under existing law, benefit payments under SSP are calculated by establishing the maximum level of nonexempt income and federal SSI and state SSP benefits for each category of eligible recipient. The state SSP payment is the amount required, when added to the nonexempt income and SSI benefits available to the recipient, to provide the maximum benefit payment. Existing law prohibits, for each calendar year, commencing with the 2011 calendar year, any cost-of-living adjustment from being made to the maximum benefit payment unless otherwise specified by statute, except for the pass along of any cost-of-living increase in the federal SSI benefits. Existing law continuously appropriates funds for the implementation of SSP.

This bill, commencing January 1, 2017, would increase the amount of aid paid under SSP that is in effect on December 31, 2016, less the federal benefit portion received, by 2.76%. The bill would instead provide that the continuous appropriation would not be made for purposes of implementing these provisions.

(22) Existing law requires the State Department of Social Services and the State Department of Health Care Services to carry out specified duties relating the administration of foster care services.

The bill would require the State Department of Social Services and the State Department of Health Care Services, during the 2017 and 2018 legislative budget hearings, to update the legislative budget committees on activities taken by the departments to implement specified reform measures relating to foster care. The bill would also require the State Department of Social Services to convene stakeholders, including county placing agencies, providers, foster youth, and legislative staff, commencing no later than July 1, 2016, to discuss the adequacy of the proposed foster care rates and rate structure and the extent to which the rates will achieve the desired outcomes for those reform measures, to

report to legislative budget committees, and to provide updated project costs, as specified.

(23) The bill would authorize the State Department of Social Services to adopt emergency regulations implementing specified provisions of the bill.

(24) 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.

(25) Existing federal law provides for the allocation of federal funds through the federal TANF block grant program to eligible states. The state CalWORKs program is funded through a combination of federal funds received through the federal TANF block grant program and state and county funds. Existing law continuously appropriates moneys from the General Fund to defray a portion of county costs under the CalWORKs program.

By expanding eligibility for, increasing assistance payments to recipients of, and adjusting funding formulas for counties providing benefits under, the CalWORKs program, and by providing funding for the Tribal Approved Relative Caregiver Funding Option Program, which is also funded by TANF, the bill would make an appropriation.

(26) This bill would declare that it is to take effect immediately as a bill providing for appropriations related to the Budget Bill.

Vote: majority. Appropriation: yes. Fiscal committee: yes. State-mandated local program: yes.

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

1 SECTION 1. Section 155 of the Code of Civil Procedure is  
2 amended to read:

3 155. (a) (1) A superior court has jurisdiction under California  
4 law to make judicial determinations regarding the custody and  
5 care of children within the meaning of the federal Immigration  
6 and Nationality Act (8 U.S.C. Sec. 1101 et seq. and 8 C.F.R. Sec.  
7 204.11), which includes, but is not limited to, the juvenile, probate,

1 and family court divisions of the superior court. These courts have  
2 jurisdiction to make the factual findings necessary to enable a child  
3 to petition the United States Citizenship and Immigration Services  
4 for classification as a special immigrant juvenile pursuant to  
5 Section 1101(a)(27)(J) of Title 8 of the United States Code.

6 (2) The factual findings set forth in paragraph (1) of subdivision  
7 (b) may be made at any point in a proceeding regardless of the  
8 division of the superior court or type of proceeding if the  
9 prerequisites of that subdivision are met.

10 (b) (1) If an order is requested from the superior court making  
11 the necessary findings regarding special immigrant juvenile status  
12 pursuant to Section 1101(a)(27)(J) of Title 8 of the United States  
13 Code, and there is evidence to support those findings, which may  
14 consist solely of, but is not limited to, a declaration by the child  
15 who is the subject of the petition, the court shall issue the order,  
16 which shall include all of the following findings:

17 (A) The child was either of the following:

18 (i) Declared a dependent of the court.

19 (ii) Legally committed to, or placed under the custody of, a state  
20 agency or department, or an individual or entity appointed by the  
21 court. The court shall indicate the date on which the dependency,  
22 commitment, or custody was ordered.

23 (B) That reunification of the child with one or both of the child's  
24 parents was determined not to be viable because of abuse, neglect,  
25 abandonment, or a similar basis pursuant to California law. The  
26 court shall indicate the date on which reunification was determined  
27 not to be viable.

28 (C) That it is not in the best interest of the child to be returned  
29 to the child's, or his or her parent's, previous country of nationality  
30 or country of last habitual residence.

31 (2) The superior the court may make additional findings under  
32 this section that are supported by evidence only if requested by a  
33 party. The asserted, purported, or perceived motivation of the child  
34 seeking classification as a special immigrant juvenile shall not be  
35 admissible in making the findings under this section. The court  
36 shall not include nor reference the asserted, purported, or perceived  
37 motivation of the child seeking classification as a special immigrant  
38 juvenile in the court's findings under this section.

39 (c) In any judicial proceedings in response to a request that the  
40 superior court make the findings necessary to support a petition

1 for classification as a special immigrant juvenile, information  
2 regarding the child’s immigration status that is not otherwise  
3 protected by state confidentiality laws shall remain confidential  
4 and shall be available for inspection only by the court, the child  
5 who is the subject of the proceeding, the parties, the attorneys for  
6 the parties, the child’s counsel, and the child’s guardian.

7 (d) In any judicial proceedings in response to a request that the  
8 superior court make the findings necessary to support a petition  
9 for classification as a special immigrant juvenile, records of the  
10 proceedings that are not otherwise protected by state confidentiality  
11 laws may be sealed using the procedure set forth in California  
12 Rules of Court 2.550 and 2.551.

13 (e) The Judicial Council shall adopt any rules and forms needed  
14 to implement this section.

15 SEC. 2. Section 11253.4 of the Welfare and Institutions Code  
16 is amended to read:

17 11253.4. (a) (1) On and after January 1, 2015, a child eligible  
18 for the Approved Relative Caregiver Funding Option Program in  
19 accordance with Section 11461.3 is not subject to the provisions  
20 of this chapter relating to CalWORKs, including, but not limited  
21 to, the provisions that relate to CalWORKs eligibility,  
22 welfare-to-work, time limits, or grant computation.

23 (2) All of the following shall apply to a child specified in  
24 paragraph (1):

25 (A) He or she shall receive the applicable regional CalWORKs  
26 grant for recipient in an assistance unit of one, pursuant to the  
27 exempt maximum aid payment set forth in Section 11450, and any  
28 changes to the CalWORKs grant amount shall apply to the grant  
29 described in this subparagraph.

30 (B) Notwithstanding any other law, the CalWORKs grant of  
31 the child shall be paid by the county with payment responsibility  
32 as described in subdivision (b) of Section 11461.3, rather than the  
33 county of residence of the child, unless the child resides in the  
34 county with payment responsibility.

35 (C) For an assistance unit described in subparagraph (A),  
36 eligibility shall be determined in accordance with paragraph (3)  
37 of subdivision (a) of Section 672 of Title 42 of the United States  
38 Code and state law implementing those requirements for the  
39 purposes of Article 5 (commencing with Section 11400).

1 (D) (i) Article 7 (commencing with Section 11475.2), as  
2 modified by subdivisions (j) and (k) of Section 11461.3, shall apply  
3 to an assistance unit described in subparagraph (A).  
4 (ii) This subparagraph is intended by the Legislature to clarify  
5 existing law.  
6 (b) (1) Except as provided in paragraph (2), a person who is an  
7 approved relative caregiver with whom a child eligible in  
8 accordance with Section 11461.3 is placed shall be exempt from  
9 Chapter 4.6 (commencing with Section 10830) of Part 2 governing  
10 the statewide fingerprint imaging system.  
11 (2) An approved relative caregiver who is also an applicant for  
12 or a recipient of benefits under this chapter shall comply with the  
13 statewide fingerprint imaging system requirements.  
14 (c) Notwithstanding Sections 11004 and 11004.1 or any other  
15 law, overpayments to an assistance unit described in subparagraph  
16 (A) of paragraph (2) of subdivision (a) shall be collected in  
17 accordance with subdivision (d) of Section 11461.3.  
18 (d) If an approved relative caregiver with whom a child eligible  
19 in accordance with Section 11461.3 is placed is also an applicant  
20 for or a recipient of benefits under this chapter, all of the following  
21 shall apply:  
22 (1) The applicant or recipient and each eligible child, excluding  
23 any child eligible in accordance with Section 11461.3, shall receive  
24 aid in an assistance unit separate from the assistance unit described  
25 in subparagraph (A) of paragraph (2) of subdivision (a), and the  
26 CalWORKs grant of the assistance unit shall be paid by the county  
27 of residence of the assistance unit.  
28 (2) For purposes of calculating the grant of the assistance unit,  
29 the number of eligible needy persons on which the grant is based  
30 pursuant to paragraph (1) of subdivision (a) of Section 11450 shall  
31 not include any child eligible in accordance with Section 11461.3.  
32 (3) For purposes of calculating minimum basic standards of  
33 adequate care for the assistance unit, any child eligible in  
34 accordance with Section 11461.3 shall be included as an eligible  
35 needy person in the same family pursuant to paragraph (2) of  
36 subdivision (a) of Section 11452.  
37 (e) This section shall apply retroactively to a child eligible for  
38 the Approved Relative Caregiver Funding Option Program and  
39 his or her approved relative caregiver as of January 1, 2015.

1 SEC. 3. Section 11253.45 is added to the Welfare and  
2 Institutions Code, immediately following Section 11253.4, to read:

3 11253.45. (a) (1) A child to whom Section 309, 361.45, or  
4 16519.5 applies, and who is placed in the home of a relative who  
5 has been approved as a resource family pursuant to Section  
6 16519.5, shall receive a grant that equals the resource family basic  
7 rate at the child's assessed level of care, as set forth in subdivision  
8 (g) of Section 11461 and Section 11463. If the child is determined  
9 eligible for aid, the total grant shall be comprised of the  
10 CalWORKs grant plus an amount that, when combined with the  
11 CalWORKs grant, equals the resource family basic rate at the  
12 child's assessed level of care.

13 (2) The non-CalWORKs portion of the grant provided in  
14 paragraph (1) shall be paid from funds separate from funds  
15 appropriated in the annual Budget Act and counties' share of costs  
16 for the CalWORKs program.

17 (3) A child specified in paragraph (1) is not subject to the  
18 provisions of this chapter relating to CalWORKs, including, but  
19 not limited to, the provisions that relate to CalWORKs eligibility,  
20 welfare to work, child support enforcement, time limits, or grant  
21 computation.

22 (4) All of the following shall apply to a child specified in  
23 paragraph (1):

24 (A) He or she shall receive the applicable regional CalWORKs  
25 grant for a recipient in an assistance unit of one, pursuant to the  
26 exempt maximum aid payment set forth in Section 11450, and any  
27 changes to the CalWORKs grant amount shall apply to the grant  
28 described in this subparagraph.

29 (B) Notwithstanding any other law, the CalWORKs grant for  
30 the child shall be paid by the county with payment responsibility  
31 in accordance with paragraph (1) regardless of the county of  
32 residence of the child.

33 (C) For an assistance unit described in subparagraph (A),  
34 eligibility shall be determined in accordance with paragraph (3)  
35 of subdivision (a) of Section 672 of Title 42 of the United States  
36 Code and state law implementing those requirements for the  
37 purposes of Article 5 (commencing with Section 11400).

38 (b) (1) Except as provided in paragraph (2), a person applying  
39 for aid on behalf of a child described in paragraph (1) of  
40 subdivision (a), shall be exempt from Chapter 4.6 (commencing

1 with Section 10830) of Part 2 governing the statewide fingerprint  
2 imaging system.

3 (2) A relative who is also an applicant for or a recipient of  
4 benefits under this chapter shall comply with the statewide  
5 fingerprint imaging system requirements.

6 (c) Notwithstanding Sections 11004 and 11004.1 or any other  
7 law, overpayments to an assistance unit described in subparagraph  
8 (A) of paragraph (4) of subdivision (a) shall be collected using the  
9 standards and processes for overpayment recoupment as specified  
10 in Section 11466.24, and recouped overpayments shall not be  
11 subject to remittance to the federal government.

12 (d) If a relative with whom a child eligible in accordance with  
13 this section is placed is also an applicant for, or a recipient of,  
14 benefits under this chapter, all of the following shall apply:

15 (1) The applicant or recipient and each eligible child, excluding  
16 any child eligible in accordance with this section, shall receive aid  
17 in an assistance unit separate from the assistance unit described in  
18 subparagraph (A) of paragraph (4) of subdivision (a), and the  
19 CalWORKs grant of the assistance unit shall be paid by the county  
20 of residence of the assistance unit.

21 (2) For purposes of calculating the grant of the assistance unit,  
22 the number of eligible needy persons on which the grant is based  
23 pursuant to paragraph (1) of subdivision (a) of Section 11450 shall  
24 not include any child eligible in accordance with this section.

25 (3) For purposes of calculating minimum basic standards of  
26 adequate care for the assistance unit, any child eligible in  
27 accordance with this section shall be included as an eligible needy  
28 person in the same family pursuant to paragraph (2) of subdivision  
29 (a) of Section 11452.

30 (e) This section shall apply only to a child under the jurisdiction  
31 of a county that has not opted into the Approved Relative Caregiver  
32 Funding Option pursuant to Section 11461.3.

33 (f) This section shall become operative on January 1, 2017.

34 SEC. 4. Section 11320.15 of the Welfare and Institutions Code  
35 is amended to read:

36 11320.15. (a) After a participant has been removed from the  
37 assistance unit under subdivision (a) of Section 11454, additional  
38 welfare-to-work services may be provided to the recipient, at the  
39 option of the county. If the county provides services to the recipient  
40 after the 48-month limit has been reached, the recipient shall



1 participate in community service or subsidized employment, as  
2 described in Section 11322.63.

3 (b) This section shall become inoperative on July 1, 2016, and,  
4 as of January 1, 2017, is repealed, unless a later enacted statute,  
5 that becomes operative on or before January 1, 2017, deletes or  
6 extends the dates on which it becomes inoperative and is repealed.

7 SEC. 5. Section 11320.15 is added to the Welfare and  
8 Institutions Code, to read:

9 11320.15. (a) After a participant has been removed from the  
10 assistance unit under subdivision (a) of Section 11454, additional  
11 welfare-to-work services may be provided to the recipient, at the  
12 option of the county. If the county provides services to the recipient  
13 after the 48-month limit has been reached, the recipient shall  
14 participate in community service or subsidized employment, as  
15 described in Section 11322.64.

16 (b) This section shall become operative on July 1, 2016.

17 SEC. 6. Section 11320.32 of the Welfare and Institutions Code  
18 is amended to read:

19 11320.32. (a) The department shall administer a voluntary  
20 Temporary Assistance Program (TAP) for current and future  
21 CalWORKs recipients who meet the exemption criteria for work  
22 participation activities set forth in Section 11320.3 and are not  
23 single parents who have a child under the age of one year.  
24 Temporary Assistance Program recipients shall be entitled to the  
25 same assistance payments and other benefits as recipients under  
26 the CalWORKs program. The purpose of this program is to provide  
27 cash assistance and other benefits to eligible families without any  
28 federal restrictions or requirements and without any adverse impact  
29 on recipients. The Temporary Assistance Program shall commence  
30 no later than October 1, 2016.

31 (b) CalWORKs recipients who meet the exemption criteria for  
32 work participation activities set forth in subdivision (b) of Section  
33 11320.3, and are not single parents with a child under one year of  
34 age, shall have the option of receiving grant payments, child care,  
35 and transportation services from the Temporary Assistance  
36 Program. The department shall notify all CalWORKs recipients  
37 and applicants meeting the exemption criteria specified in  
38 subdivision (b) of Section 11320.3, except for single parents with  
39 a child under the age of one year, of their option to receive benefits  
40 under the Temporary Assistance Program. Absent written

1 indication that these recipients or applicants choose not to receive  
2 assistance from the Temporary Assistance Program, the department  
3 shall enroll CalWORKs recipients and applicants into the program.  
4 However, exempt volunteers shall remain in the CalWORKs  
5 program unless they affirmatively indicate, in writing, their interest  
6 in enrolling in the Temporary Assistance Program. A Temporary  
7 Assistance Program recipient who no longer meets the exemption  
8 criteria set forth in Section 11320.3 shall be enrolled in the  
9 CalWORKs program.

10 (c) Funding for grant payments, child care, transportation, and  
11 eligibility determination activities for families receiving benefits  
12 under the Temporary Assistance Program shall be funded with  
13 General Fund resources that do not count toward the state's  
14 maintenance of effort requirements under clause (i) of subparagraph  
15 (B) of paragraph (7) of subdivision (a) of Section 609 of Title 42  
16 of the United States Code, up to the caseload level equivalent to  
17 the amount of funding provided for this purpose in the annual  
18 Budget Act.

19 (d) It is the intent of the Legislature that recipients shall have  
20 and maintain access to the hardship exemption and the services  
21 necessary to begin and increase participation in welfare-to-work  
22 activities, regardless of their county of origin, and that the number  
23 of recipients exempt under subdivision (b) of Section 11320.3 not  
24 significantly increase due to factors other than changes in caseload  
25 characteristics. All relevant state law applicable to CalWORKs  
26 recipients shall also apply to families funded under this section.  
27 This section does not modify the criteria for exemption in Section  
28 11320.3.

29 (e) To the extent that this section is inconsistent with federal  
30 regulations regarding implementation of the Deficit Reduction Act  
31 of 2005, the department may amend the funding structure for  
32 exempt families to ensure consistency with these regulations, not  
33 later than 30 days after providing written notification to the chair  
34 of the Joint Legislative Budget Committee and the chairs of the  
35 appropriate policy and fiscal committees of the Legislature.

36 (f) This section shall become inoperative on June 30, 2016.

37 SEC. 7. Section 11322.63 of the Welfare and Institutions Code  
38 is amended to read:

39 11322.63. (a) For counties that implement a welfare-to-work  
40 plan that includes subsidized private sector or public sector

1 employment activities, the State Department of Social Services  
2 shall pay the county 50 percent, less one hundred thirteen dollars  
3 (\$113), of the total wage costs of an employee for whom a wage  
4 subsidy is paid, subject to all of the following conditions:

5 (1) (A) For participants receiving CalWORKs aid, the maximum  
6 state contribution of the total wage cost shall not exceed 100  
7 percent of the computed grant for the assistance unit in the month  
8 prior to participation in subsidized employment.

9 (B) For participants who have received aid in excess of the time  
10 limits provided in subdivision (a) of Section 11454, the maximum  
11 state contribution of the total wage cost shall not exceed 100  
12 percent of the computed grant for the assistance unit in the month  
13 prior to participation in subsidized employment.

14 (C) In the case of an individual who participates in subsidized  
15 employment as a service provided by a county pursuant to Section  
16 11323.25, the maximum state contribution of the total wage cost  
17 shall not exceed 100 percent of the computed grant that the  
18 assistance unit received in the month prior to participation in the  
19 subsidized employment.

20 (D) The maximum state contribution, as defined in this  
21 paragraph, shall remain in effect until the end of the subsidy period  
22 as specified in paragraph (2), including with respect to subsidized  
23 employment participants whose wage results in the assistance unit  
24 no longer receiving a CalWORKs grant.

25 (E) State funding provided for total wage costs shall only be  
26 used to fund wage and nonwage costs of the county's subsidized  
27 employment program.

28 (2) State participation in the total wage costs pursuant to this  
29 section shall be limited to a maximum of six months of wage  
30 subsidies for each participant. If the county finds that a longer  
31 subsidy period is necessary in order to mutually benefit the  
32 employer and the participant, state participation in a subsidized  
33 wage may be offered for up to 12 months.

34 (3) Eligibility for entry into subsidized employment funded  
35 under this section shall be limited to individuals who are not  
36 otherwise employed at the time of entry into the subsidized job,  
37 and who are current CalWORKs recipients, sanctioned individuals,  
38 or individuals described in Section 11320.15 who have exceeded  
39 the time limits specified in subdivision (a) of Section 11454. A  
40 county may continue to provide subsidized employment funded

1 under this section to individuals who become ineligible for  
2 CalWORKs benefits in accordance with Section 11323.25.

3 (b) Upon application for CalWORKs after a participant's  
4 subsidized employment ends, if an assistance unit is otherwise  
5 eligible within three calendar months of the date that subsidized  
6 employment ended, the income exemption requirements contained  
7 in Section 11451.5 and the work requirements contained in  
8 subdivision (c) of Section 11201 shall apply. If aid is restored after  
9 the expiration of that three-month period, the income exemption  
10 requirements contained in Section 11450.12 and the work  
11 requirements contained in subdivision (b) of Section 11201 shall  
12 apply.

13 (c) The department, in conjunction with representatives of  
14 county welfare offices and their directors and the Legislative  
15 Analyst's Office, shall assess the cost neutrality of the subsidized  
16 employment program pursuant to this section and make  
17 recommendations to the Legislature, if necessary, to ensure cost  
18 neutrality. The department shall testify regarding the cost neutrality  
19 of the subsidized employment program during the 2012–13 fiscal  
20 year legislative budget hearings.

21 (d) No later than January 10, 2013, the State Department of  
22 Social Services shall submit a report to the Legislature on the  
23 outcomes of implementing this section that shall include, but need  
24 not be limited to, all of the following:

25 (1) The number of CalWORKs recipients that entered subsidized  
26 employment.

27 (2) The number of CalWORKs recipients who found  
28 nonsubsidized employment after the subsidy ends.

29 (3) The earnings of the program participants before and after  
30 the subsidy.

31 (4) The impact of this program on the state's work participation  
32 rate.

33 (e) Payment of the state's share in total wage costs required by  
34 this section shall be made in addition to, and independent of, the  
35 county allocations made pursuant to Section 15204.2.

36 (f) (1) A county that accepts additional funding for expanded  
37 subsidized employment for CalWORKs recipients in accordance  
38 with Section 11322.64 shall continue to expend no less than the  
39 aggregate amount of funding received by the county pursuant to

1 Section 15204.2 that the county expended on subsidized  
2 employment pursuant to this section in the 2012–13 fiscal year.

3 (2) This subdivision shall not apply for any fiscal year in which  
4 the total CalWORKs caseload is projected by the department to  
5 increase more than 5 percent of the total actual CalWORKs  
6 caseload in the 2012–13 fiscal year.

7 (g) For purposes of this section, “total wage costs” include the  
8 actual wage paid directly to the participant that is allowable under  
9 the Temporary Assistance for Needy Families program.

10 (h) This section shall become inoperative on July 1, 2016, and,  
11 as of January 1, 2017, is repealed, unless a later enacted statute,  
12 that becomes operative on or before January 1, 2017, deletes or  
13 extends the dates on which it becomes inoperative and is repealed.

14 SEC. 8. Section 11322.64 of the Welfare and Institutions Code  
15 is amended to read:

16 11322.64. (a) (1) The department, in consultation with the  
17 County Welfare Directors Association of California, shall develop  
18 an allocation methodology to distribute additional funding for  
19 expanded subsidized employment programs for CalWORKs  
20 recipients.

21 (2) Funds allocated pursuant to this section may be utilized to  
22 cover all expenditures related to the operational costs of the  
23 expanded subsidized employment program, including the cost of  
24 overseeing the program, developing work sites, and providing  
25 training to participants, as well as wage and nonwage costs.

26 (3) The department, in consultation with the County Welfare  
27 Directors Association of California, shall determine the amount  
28 or proportion of funding allocated pursuant to this section that may  
29 be utilized for operational costs, consistent with the number of  
30 employment slots anticipated to be created and the funding  
31 provided.

32 (b) Funds allocated for expanded subsidized employment shall  
33 be in addition to, and independent of, the county allocations made  
34 pursuant to Section 15204.2 and shall not be used by a county to  
35 fund subsidized employment pursuant to Section 11322.63.

36 (c) Each county shall submit to the department a plan regarding  
37 how it intends to utilize the funds allocated pursuant to this section.

38 (d) (1) Participation in subsidized employment pursuant to this  
39 section shall be limited to a maximum of six months for each  
40 participant.

1 (2) Notwithstanding paragraph (1), a county may extend  
2 participation beyond the six-month limitation described in  
3 paragraph (1) for up to an additional three months at a time, to a  
4 maximum of no more than 12 total months. Extensions may be  
5 granted pursuant to this paragraph if the county determines that  
6 the additional time will increase the likelihood of either of the  
7 following:

8 (A) The participant obtaining unsubsidized employment with  
9 the participating employer.

10 (B) The participant obtaining specific skills and experiences  
11 relevant for unsubsidized employment in a particular field.

12 (e) A county may continue to provide subsidized employment  
13 funded under this section to individuals who become ineligible for  
14 CalWORKs benefits in accordance with Section 11323.25.

15 (f) Upon application for CalWORKs assistance after a  
16 participant's subsidized employment ends, if an assistance unit is  
17 otherwise eligible within three calendar months of the date that  
18 subsidized employment ended, the income exemption requirements  
19 contained in Section 11451.5 and the work requirements contained  
20 in subdivision (c) of Section 11201 shall apply. If aid is restored  
21 after the expiration of that three-month period, the income  
22 exemption requirements contained in Section 11450.12 and the  
23 work requirements contained in subdivision (b) of Section 11201  
24 shall apply.

25 (g) No later than April 1, 2015, the State Department of Social  
26 Services shall submit at least the following information regarding  
27 implementation of this section to the Legislature:

28 (1) The number of CalWORKs recipients that entered subsidized  
29 employment.

30 (2) The number of CalWORKs recipients who found  
31 nonsubsidized employment after the subsidy ends.

32 (3) The earnings of the program participants before and after  
33 the subsidy.

34 (4) The impact of this program on the state's work participation  
35 rate.

36 (h) This section shall become inoperative on July 1 2016, and,  
37 as of January 1, 2017, is repealed, unless a later enacted statute,  
38 that becomes operative on or before January 1, 2017, deletes or  
39 extends the dates on which it becomes inoperative and is repealed.

1 SEC. 9. Section 11322.64 is added to the Welfare and  
2 Institutions Code, to read:

3 11322.64. (a) (1) The department, in consultation with the  
4 County Welfare Directors Association of California, shall develop  
5 an allocation methodology to distribute additional funding for  
6 expanded subsidized employment programs for CalWORKs  
7 recipients, or individuals described in Section 11320.15 who have  
8 exceeded the time limits specified in subdivision (a) of Section  
9 11454.

10 (2) Funds allocated pursuant to this section may be utilized to  
11 cover all expenditures related to the operational costs of the  
12 expanded subsidized employment program, including the cost of  
13 overseeing the program, developing work sites, and providing  
14 training to participants, as well as wage and nonwage costs.

15 (3) The department, in consultation with the County Welfare  
16 Directors Association of California, shall determine the amount  
17 or proportion of funding allocated pursuant to this section that may  
18 be utilized for operational costs, consistent with the number of  
19 employment slots anticipated to be created and the funding  
20 provided.

21 (b) Funds allocated for expanded subsidized employment shall  
22 be in addition to, and independent of, the county allocations made  
23 pursuant to Section 15204.2.

24 (c) (1) A county that accepts additional funding for expanded  
25 subsidized employment in accordance with this section shall  
26 continue to expend no less than the aggregate amount of funding  
27 received by the county pursuant to Section 15204.2 that the county  
28 expended on subsidized employment in the 2012–13 fiscal year  
29 pursuant to Section 11322.63, as that section read on June 30,  
30 2016.

31 (2) This subdivision shall not apply for any fiscal year in which  
32 the total CalWORKs caseload is projected by the department to  
33 increase by more than 5 percent of the total actual CalWORKs  
34 caseload in the 2012–13 fiscal year.

35 (d) Each county shall submit to the department a plan regarding  
36 how it intends to utilize the funds allocated pursuant to this section.

37 (e) (1) Participation in subsidized employment pursuant to this  
38 section shall be limited to a maximum of six months for each  
39 participant.

1 (2) Notwithstanding paragraph (1), a county may extend  
2 participation beyond the six-month limitation described in  
3 paragraph (1) for up to an additional three months at a time, to a  
4 maximum of no more than 12 total months. Extensions may be  
5 granted pursuant to this paragraph if the county determines that  
6 the additional time will increase the likelihood of either of the  
7 following:

8 (A) The participant obtaining unsubsidized employment with  
9 the participating employer.

10 (B) The participant obtaining specific skills and experiences  
11 relevant for unsubsidized employment in a particular field.

12 (f) A county may continue to provide subsidized employment  
13 funded under this section to individuals who become ineligible for  
14 CalWORKs benefits in accordance with Section 11323.25.

15 (g) Upon application for CalWORKs assistance after a  
16 participant’s subsidized employment ends, if an assistance unit is  
17 otherwise eligible within three calendar months of the date that  
18 subsidized employment ended, the income exemption requirements  
19 contained in Section 11451.5 and the work requirements contained  
20 in subdivision (c) of Section 11201 shall apply. If aid is restored  
21 after the expiration of that three-month period, the income  
22 exemption requirements contained in Section 11450.12 and the  
23 work requirements contained in subdivision (b) of Section 11201  
24 shall apply.

25 (h) No later than April 1, 2015, the State Department of Social  
26 Services shall submit at least the following information regarding  
27 implementation of this section to the Legislature:

28 (1) The number of CalWORKs recipients that entered subsidized  
29 employment.

30 (2) The number of CalWORKs recipients who found  
31 nonsubsidized employment after the subsidy ends.

32 (3) The earnings of the program participants before and after  
33 the subsidy.

34 (4) The impact of this program on the state’s work participation  
35 rate.

36 (i) This section shall become operative on July 1, 2016.

37 SEC. 10. Section 11322.83 is added to the Welfare and  
38 Institutions Code, immediately following Section 11322.8, to read:

39 11322.83. (a) A recipient who is making satisfactory progress  
40 in a career pathway program established in accordance with the



1 federal Workforce Innovation and Opportunity Act (Public Law  
2 113-128) shall be deemed to be in compliance with the hourly  
3 participation requirements described in subdivision (a) of Section  
4 11322.8.

5 (b) Subdivision (a) applies only if a local workforce  
6 development board established under Section 3122 of Title 29 of  
7 the United States Code provides its approval that the career  
8 pathway program meets the requirements of Section 3102(7) of  
9 Title 29 of the United States Code and the county verifies that the  
10 recipient is making satisfactory progress in that program.

11 SEC. 11. Section 11323.25 of the Welfare and Institutions  
12 Code is amended to read:

13 11323.25. (a) In addition to its authority under subdivision (b)  
14 of Section 11323.2, if provided in a county plan, the county may  
15 continue to provide welfare-to-work services to former participants  
16 who became ineligible for CalWORKs benefits because they  
17 became employed under Section 11322.63 or 11322.64. The county  
18 may provide these services for up to the first 12 months of  
19 employment, to the extent they are not available from other sources  
20 and are needed for the individual to retain the subsidized  
21 employment.

22 (b) This section shall become inoperative on July 1 2016, and,  
23 as of January 1, 2017, is repealed, unless a later enacted statute,  
24 that becomes operative on or before January 1, 2017, deletes or  
25 extends the dates on which it becomes inoperative and is repealed.

26 SEC. 12. Section 11323.25 is added to the Welfare and  
27 Institutions Code, to read:

28 11323.25. (a) In addition to its authority under subdivision (b)  
29 of Section 11323.2, if provided in a county plan, the county may  
30 continue to provide welfare-to-work services to former participants  
31 who became ineligible for CalWORKs benefits because they  
32 became employed under Section 11322.64. The county may  
33 provide these services for up to the first 12 months of employment,  
34 to the extent they are not available from other sources and are  
35 needed for the individual to retain the subsidized employment.

36 (b) This section shall become operative on July 1, 2016.

37 SEC. 13. Section 11402 of the Welfare and Institutions Code,  
38 as amended by Section 65 of Chapter 773 of the Statutes of 2015,  
39 is amended to read:

- 1 11402. In order to be eligible for AFDC-FC, a child or  
2 nonminor dependent shall be placed in one of the following:
- 3 (a) Prior to January 1, 2019, the approved home of a relative,  
4 provided the child or youth is otherwise eligible for federal  
5 financial participation in the AFDC-FC payment.
- 6 (b) (1) Prior to January 1, 2019, the licensed family home of a  
7 nonrelative.
- 8 (2) Prior to January 1, 2019, the approved home of a nonrelative  
9 extended family member as described in Section 362.7.
- 10 (c) The approved home of a resource family, as defined in  
11 Section 16519.5, if either of the following is true:
- 12 (1) The caregiver is a nonrelative.
- 13 (2) The caregiver is a relative, and the child or youth is otherwise  
14 eligible for federal financial participation in the AFDC-FC  
15 payment.
- 16 (d) A licensed group home, as defined in subdivision (h) of  
17 Section 11400, excluding a runaway and homeless youth shelter  
18 as defined in subdivision (ab) of Section 11400, provided that the  
19 placement worker has documented that the placement is necessary  
20 to meet the treatment needs of the child or youth and that the  
21 facility offers those treatment services.
- 22 (e) The home of a nonrelated legal guardian or the home of a  
23 former nonrelated legal guardian when the guardianship of a child  
24 or youth who is otherwise eligible for AFDC-FC has been  
25 dismissed due to the child or youth attaining 18 years of age.
- 26 (f) An exclusive-use home.
- 27 (g) A housing model certified by a licensed transitional housing  
28 placement provider as described in Section 1559.110 of the Health  
29 and Safety Code and as defined in subdivision (r) of Section 11400.
- 30 (h) An out-of-state group home, provided that the placement  
31 worker, in addition to complying with all other statutory  
32 requirements for placing a child or youth in an out-of-state group  
33 home, documents that the requirements of Section 7911.1 of the  
34 Family Code have been met.
- 35 (i) An approved supervised independent living setting for  
36 nonminor dependents, as defined in subdivision (w) of Section  
37 11400.
- 38 (j) This section shall remain in effect only until January 1, 2017,  
39 and as of that date is repealed, unless a later enacted statute, that  
40 is enacted before January 1, 2017, deletes or extends that date.

1 SEC. 14. Section 11402 of the Welfare and Institutions Code,  
2 as added by Section 66 of Chapter 773 of the Statutes of 2015, is  
3 amended to read:

4 11402. In order to be eligible for AFDC-FC, a child or  
5 nonminor dependent shall be placed in one of the following:

6 (a) Prior to January 1, 2019, the approved home of a relative,  
7 provided the child or youth is otherwise eligible for federal  
8 financial participation in the AFDC-FC payment.

9 (b) (1) Prior to January 1, 2019, the home of a nonrelated legal  
10 guardian or the home of a former nonrelated legal guardian when  
11 the guardianship of a child or youth who is otherwise eligible for  
12 AFDC-FC has been dismissed due to the child or youth attaining  
13 18 years of age.

14 (2) Prior to January 1, 2019, the approved home of a nonrelative  
15 extended family member, as described in Section 362.7.

16 (c) (1) Prior to January 1, 2019, the licensed family home of a  
17 nonrelative.

18 (2) The approved home of a resource family, as defined in  
19 Section 16519.5, if either of the following is true:

20 (A) The caregiver is a nonrelative.

21 (B) The caregiver is a relative, and the child or youth is  
22 otherwise eligible for federal financial participation in the  
23 AFDC-FC payment.

24 (d) (1) A housing model certified by a licensed transitional  
25 housing placement provider, as described in Section 1559.110 of  
26 the Health and Safety Code, and as defined in subdivision (r) of  
27 Section 11400.

28 (2) An approved supervised independent living setting for  
29 nonminor dependents, as defined in subdivision (w) of Section  
30 11400.

31 (e) A licensed foster family agency, as defined in subdivision  
32 (g) of Section 11400 and paragraph (4) of subdivision (a) of Section  
33 1502 of the Health and Safety Code, for placement into a certified  
34 or approved home.

35 (f) A short-term residential treatment center licensed as a  
36 community care facility, as defined in subdivision (ad) of Section  
37 11400 and paragraph (18) of subdivision (a) of Section 1502 of  
38 the Health and Safety Code.

39 (g) An out-of-state group home that meets the requirements of  
40 paragraph (2) of subdivision (c) of Section 11460, provided that

1 the placement worker, in addition to complying with all other  
2 statutory requirements for placing a child or youth in an out-of-state  
3 group home, documents that the requirements of Section 7911.1  
4 of the Family Code have been met.

5 (h) A community treatment facility set forth in Article 5  
6 (commencing with Section 4094) of Chapter 3 of Part 1 of Division  
7 4.

8 (i) This section shall become operative on January 1, 2017.

9 SEC. 15. Section 11450 of the Welfare and Institutions Code  
10 is amended to read:

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

31 Number of 32 eligible needy 33 persons in 34 the same home	Maximum aid
35 1.....	\$ 326
36 2.....	535
37 3.....	663
38 4.....	788
39 5.....	899
40 6.....	1,010

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

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

18 (2) The sums specified in paragraph (1) shall not be adjusted  
 19 for cost of living for the 1990–91, 1991–92, 1992–93, 1993–94,  
 20 1994–95, 1995–96, 1996–97, and 1997–98 fiscal years, and through  
 21 October 31, 1998, nor shall that amount be included in the base  
 22 for calculating any cost-of-living increases for any fiscal year  
 23 thereafter. Elimination of the cost-of-living adjustment pursuant  
 24 to this paragraph shall satisfy the requirements of Section 11453.05,  
 25 and no further reduction shall be made pursuant to that section.

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

34 (2) Notwithstanding paragraph (1), when the family does not  
 35 include a needy child qualified for aid under this chapter, aid shall  
 36 be paid to a pregnant woman for the month in which the birth is  
 37 anticipated and for the six-month period immediately prior to the  
 38 month in which the birth is anticipated, in the amount that would  
 39 otherwise be paid to one person, as specified in subdivision (a), if  
 40 the woman and child, if born, would have qualified for aid under

1 this chapter. Verification of pregnancy shall be required as a  
2 condition of eligibility for aid under this subdivision.

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

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

19 (d) For children receiving AFDC-FC under this chapter, there  
20 shall be paid, exclusive of any amount considered exempt as  
21 income, an amount of aid each month that, when added to the  
22 child's income, is equal to the rate specified in Section 11460,  
23 11461, 11462, 11462.1, or 11463. In addition, the child shall be  
24 eligible for special needs, as specified in departmental regulations.

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

36 (f) After a family has used all available liquid resources, both  
37 exempt and nonexempt, in excess of one hundred dollars (\$100),  
38 with the exception of funds deposited in a restricted account  
39 described in subdivision (a) of Section 11155.2, the family shall

1 also be entitled to receive an allowance for nonrecurring special  
2 needs.

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

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

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

39 (3) (A) (i) A nonrecurring special needs benefit of sixty-five  
40 dollars (\$65) a day shall be available to families of up to four

1 members for the costs of temporary shelter, subject to the  
2 requirements of this paragraph. The fifth and additional members  
3 of the family shall each receive fifteen dollars (\$15) per day, up  
4 to a daily maximum of one hundred twenty-five dollars (\$125).  
5 County welfare departments may increase the daily amount  
6 available for temporary shelter as necessary to secure the additional  
7 bedspace needed by the family.

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

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

33 (B) (i) A nonrecurring special needs benefit for permanent  
34 housing assistance is available to pay for last month's rent and  
35 security deposits when these payments are reasonable conditions  
36 of securing a residence, or to pay for up to two months of rent  
37 arrearages, when these payments are a reasonable condition of  
38 preventing eviction.

39 (ii) The last month's rent or monthly arrearage portion of the  
40 payment (I) shall not exceed 80 percent of the family's total



1 monthly household income without the value of CalFresh benefits  
2 or special needs benefit for a family of that size and (II) shall only  
3 be made to families that have found permanent housing costing  
4 no more than 80 percent of the family's total monthly household  
5 income without the value of CalFresh benefits or special needs  
6 benefit for a family of that size.

7 (iii) However, if the county welfare department determines that  
8 a family intends to reside with individuals who will be sharing  
9 housing costs, the county welfare department shall, in appropriate  
10 circumstances, set aside the condition specified in subclause (II)  
11 of clause (ii).

12 (C) The nonrecurring special needs benefit for permanent  
13 housing assistance is also available to cover the standard costs of  
14 deposits for utilities which are necessary for the health and safety  
15 of the family.

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

28 (E) (i) Except as provided in clauses (ii) and (iii), eligibility  
29 for the temporary shelter assistance and the permanent housing  
30 assistance pursuant to this paragraph shall be limited to one period  
31 of up to 16 consecutive calendar days of temporary assistance and  
32 one payment of permanent assistance. Any family that includes a  
33 parent or nonparent caretaker relative living in the home who has  
34 previously received temporary or permanent homeless assistance  
35 at any time on behalf of an eligible child shall not be eligible for  
36 further homeless assistance. Any person who applies for homeless  
37 assistance benefits shall be informed that the temporary shelter  
38 benefit of up to 16 consecutive days is available only once in a  
39 lifetime, with certain exceptions, and that a break in the consecutive

1 use of the benefit constitutes permanent exhaustion of the  
2 temporary benefit.

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

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

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

36 (v) If a recipient seeking homeless assistance based on domestic  
37 violence pursuant to clause (iii) has previously received homeless  
38 avoidance services based on domestic violence, the county shall  
39 review whether services were offered to the recipient and consider

1 what additional services would assist the recipient in leaving the  
2 domestic violence situation.

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

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

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

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

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

25 (g) The department shall establish rules and regulations ensuring  
26 the uniform statewide application of this section.

27 (h) The department shall notify all applicants and recipients of  
28 aid through the standardized application form that these benefits  
29 are available and shall provide an opportunity for recipients to  
30 apply for the funds quickly and efficiently.

31 (i) (A) Except for the purposes of Section 15200, the amounts  
32 payable to recipients pursuant to Section 11453.1 shall not  
33 constitute part of the payment schedule set forth in subdivision  
34 (a).

35 (B) The amounts payable to recipients pursuant to Section  
36 11453.1 shall not constitute income to recipients of aid under this  
37 section.

38 (j) For children receiving Kin-GAP pursuant to Article 4.5  
39 (commencing with Section 11360) or Article 4.7 (commencing  
40 with Section 11385) there shall be paid, exclusive of any amount

1 considered exempt as income, an amount of aid each month, which,  
2 when added to the child’s income, is equal to the rate specified in  
3 Sections 11364 and 11387.

4 (k) (1) A county shall implement the semiannual reporting  
5 requirements in accordance with Chapter 501 of the Statutes of  
6 2011 no later than October 1, 2013.

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

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

14 (l) This section shall become operative on July 1, 2015.

15 (m) This section shall remain in effect only until January 1,  
16 2017, and as of that date is repealed, unless a later enacted statute,  
17 that is enacted before January 1, 2017, deletes or extends that date.

18 SEC. 16. Section 11450 is added to the Welfare and Institutions  
19 Code, to read:

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

Number of eligible needy persons in the same home	Maximum aid
1.....	\$ 326
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.

1 (2) Notwithstanding paragraph (1), when the family does not  
2 include a needy child qualified for aid under this chapter, aid shall  
3 be paid to a pregnant woman for the month in which the birth is  
4 anticipated and for the six-month period immediately prior to the  
5 month in which the birth is anticipated, in the amount that would  
6 otherwise be paid to one person, as specified in subdivision (a), if  
7 the woman and child, if born, would have qualified for aid under  
8 this chapter. Verification of pregnancy shall be required as a  
9 condition of eligibility for aid under this subdivision.

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

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

26 (d) For children receiving AFDC-FC under this chapter, there  
27 shall be paid, exclusive of any amount considered exempt as  
28 income, an amount of aid each month that, when added to the  
29 child's income, is equal to the rate specified in Section 11460,  
30 11461, 11462, 11462.1, or 11463. In addition, the child shall be  
31 eligible for special needs, as specified in departmental regulations.

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

1 the sum of ten dollars (\$10) by the number of recipients in the  
2 family who are eligible for assistance.

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

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

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

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

1 hardship as a result of extraordinary circumstances beyond their  
2 control, and not other lease or rental violations, and that the family  
3 is experiencing a financial crisis that could result in homelessness  
4 if preventative assistance is not provided.

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

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

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

39 (B) (i) A nonrecurring special needs benefit for permanent  
40 housing assistance is available to pay for last month's rent and



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

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

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

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

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

34 (E) (i) Except as provided in clauses (ii) and (iii), eligibility  
35 for the temporary shelter assistance and the permanent housing  
36 assistance pursuant to this paragraph shall be limited to one period  
37 of up to 16 consecutive calendar days of temporary assistance and  
38 one payment of permanent assistance every 12 months. A person  
39 who applies for homeless assistance benefits shall be informed  
40 that the temporary shelter benefit of up to 16 consecutive days is

1 available only once every 12 months, with certain exceptions, and  
2 that a break in the consecutive use of the benefit constitutes  
3 exhaustion of the temporary benefit for that 12-month period.

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

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

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

37 (v) If a recipient seeking homeless assistance based on domestic  
38 violence pursuant to clause (iii) has previously received homeless  
39 avoidance services based on domestic violence, the county shall  
40 review whether services were offered to the recipient and consider

1 what additional services would assist the recipient in leaving the  
2 domestic violence situation.

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

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

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

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

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

25 (g) The department shall establish rules and regulations ensuring  
26 the uniform statewide application of this section.

27 (h) The department shall notify all applicants and recipients of  
28 aid through the standardized application form that these benefits  
29 are available and shall provide an opportunity for recipients to  
30 apply for the funds quickly and efficiently.

31 (i) (A) Except for the purposes of Section 15200, the amounts  
32 payable to recipients pursuant to Section 11453.1 shall not  
33 constitute part of the payment schedule set forth in subdivision  
34 (a).

35 (B) The amounts payable to recipients pursuant to Section  
36 11453.1 shall not constitute income to recipients of aid under this  
37 section.

38 (j) For children receiving Kin-GAP pursuant to Article 4.5  
39 (commencing with Section 11360) or Article 4.7 (commencing  
40 with Section 11385) there shall be paid, exclusive of any amount

1 considered exempt as income, an amount of aid each month, which,  
2 when added to the child’s income, is equal to the rate specified in  
3 Sections 11364 and 11387.

4 (k) (1) A county shall implement the semiannual reporting  
5 requirements in accordance with Chapter 501 of the Statutes of  
6 2011 no later than October 1, 2013.

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

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

14 (l) This section shall become operative on January 1, 2017.

15 SEC. 17. Section 11450.025 of the Welfare and Institutions  
16 Code is amended to read:

17 11450.025. (a) (1) Notwithstanding any other law, effective  
18 on March 1, 2014, the maximum aid payments in effect on July  
19 1, 2012, as specified in subdivision (b) of Section 11450.02, shall  
20 be increased by 5 percent.

21 (2) Effective April 1, 2015, the maximum aid payments in effect  
22 on July 1, 2014, as specified in paragraph (1), shall be increased  
23 by 5 percent.

24 (3) Effective October 1, 2016, the maximum aid payments in  
25 effect on July 1, 2016, as specified in paragraph (2), shall be  
26 increased by 1.43 percent.

27 (4) (A) Effective January 1, 2017, households eligible for aid  
28 under this chapter shall receive an increased aid payment consistent  
29 with the repeal of former Section 11450.04, as it read on January  
30 1, 2016, known as the “maximum family grant rule.”

31 (B) In recognition of the increased cost of aid payments resulting  
32 from that repeal, moneys deposited into the Child Poverty and  
33 Family Supplemental Support Subaccount shall be allocated to  
34 counties pursuant to Section 17601.50 as follows:

35 (i) One hundred seven million forty-seven thousand dollars  
36 (\$107,047,000) for January 1, 2017, to June 30, 2017, inclusive.

37 (ii) Two hundred twenty-three million four hundred fifty-four  
38 thousand dollars (\$223,454,000) for the 2017–18 fiscal year and  
39 for every fiscal year thereafter.

1 (b) Commencing in 2014 and annually thereafter, on or before  
2 January 10 and on or before May 14, the Director of Finance shall  
3 do all of the following:

4 (1) Estimate the amount of growth revenues pursuant to  
5 subdivision (f) of Section 17606.10 that will be deposited in the  
6 Child Poverty and Family Supplemental Support Subaccount of  
7 the Local Revenue Fund for the current fiscal year and the  
8 following fiscal year and the amounts in the subaccount carried  
9 over from prior fiscal years.

10 (2) For the current fiscal year and the following fiscal year,  
11 determine the total cost of providing the increases described in  
12 subdivision (a), as well as any other increase in the maximum aid  
13 payments subsequently provided only under this section, after  
14 adjusting for updated projections of CalWORKs costs associated  
15 with caseload changes, as reflected in the local assistance  
16 subvention estimates prepared by the State Department of Social  
17 Services and released with the annual Governor's Budget and  
18 subsequent May Revision update.

19 (3) If the amount estimated in paragraph (1) plus the amount  
20 projected to be deposited for the current fiscal year into the Child  
21 Poverty and Family Supplemental Support Subaccount pursuant  
22 to subparagraph (3) of subdivision (e) of Section 17600.15 is  
23 greater than the amount determined in paragraph (2), the difference  
24 shall be used to calculate the percentage increase to the CalWORKs  
25 maximum aid payment standards that could be fully funded on an  
26 ongoing basis beginning the following fiscal year.

27 (4) If the amount estimated in paragraph (1) plus the amount  
28 projected to be deposited for the current fiscal year into the Child  
29 Poverty and Family Supplemental Support Subaccount pursuant  
30 to subparagraph (3) of subdivision (e) of Section 17600.15 is equal  
31 to or less than the amount determined in paragraph (2), no  
32 additional increase to the CalWORKs maximum aid payment  
33 standards shall be provided in the following fiscal year in  
34 accordance with this section.

35 (5) (A) Commencing with the 2014–15 fiscal year and for all  
36 fiscal years thereafter, if changes to the estimated amounts  
37 determined in paragraphs (1) or (2), or both, as of the May  
38 Revision, are enacted as part of the final budget, the Director of  
39 Finance shall repeat, using the same methodology used in the May  
40 Revision, the calculations described in paragraphs (3) and (4) using

1 the revenue projections and grant costs assumed in the enacted  
2 budget.

3 (B) If a calculation is required pursuant to subparagraph (A),  
4 the Department of Finance shall report the result of this calculation  
5 to the appropriate policy and fiscal committees of the Legislature  
6 upon enactment of the Budget Act.

7 (c) An increase in maximum aid payments calculated pursuant  
8 to paragraph (3) of subdivision (b), or pursuant to paragraph (5)  
9 of subdivision (b) if applicable, shall become effective on October  
10 1 of the following fiscal year.

11 (d) (1) An increase in maximum aid payments provided in  
12 accordance with this section shall be funded with growth revenues  
13 from the Child Poverty and Family Supplemental Support  
14 Subaccount in accordance with paragraph (3) of subdivision (e)  
15 of Section 17600.15 and subdivision (f) of Section 17606.10, to  
16 the extent funds are available in that subaccount.

17 (2) If funds received by the Child Poverty and Family  
18 Supplemental Support Subaccount in a particular fiscal year are  
19 insufficient to fully fund any increases to maximum aid payments  
20 made pursuant to this section, the remaining cost for that fiscal  
21 year will be addressed through existing provisional authority  
22 included in the annual Budget Act. Additional increases to the  
23 maximum aid payments shall not be provided until and unless the  
24 ongoing cumulative costs of all prior increases provided pursuant  
25 to this section are fully funded by the Child Poverty and Family  
26 Supplemental Support Subaccount.

27 (e) Notwithstanding Section 15200, counties shall not be  
28 required to contribute a share of the costs to cover the increases  
29 to maximum aid payments made pursuant to this section.

30 SEC. 18. Section 11450.04 of the Welfare and Institutions  
31 Code is amended to read:

32 11450.04. (a) For purposes of determining the maximum aid  
33 payment specified in subdivision (a) of Section 11450 and for no  
34 other purpose, the number of needy persons in the same family  
35 shall not be increased for any child born into a family that has  
36 received aid under this chapter continuously for the 10 months  
37 prior to the birth of the child. For purposes of this section, aid shall  
38 be considered continuous unless the family does not receive aid  
39 during two consecutive months. This subdivision shall not apply

1 to applicants for, or recipients of, aid unless notification is provided  
2 pursuant to this section.

3 (b) This section shall not apply with respect to any of the  
4 following children:

5 (1) Any child who was conceived as a result of an act of rape,  
6 as defined in Sections 261 and 262 of the Penal Code, if the rape  
7 was reported to a law enforcement agency, medical or mental  
8 health professional or social services agency prior to, or within  
9 three months after, the birth of the child.

10 (2) Any child who was conceived as a result of an incestuous  
11 relationship if the relationship was reported to a medical or mental  
12 health professional or a law enforcement agency or social services  
13 agency prior to, or within three months after, the birth of the child,  
14 or if paternity has been established.

15 (3) Any child who was conceived as a result of contraceptive  
16 failure if the parent was using an intrauterine device, a Norplant,  
17 or the sterilization of either parent.

18 (c) This section shall not apply to any child born on or before  
19 November 1, 1995.

20 (d) (1) This section shall not apply to any child to whom it  
21 would otherwise apply if the family has not received aid for 24  
22 consecutive months while the child was living with the family.

23 (2) This section shall not apply to any child conceived when  
24 either parent was a nonneedy caretaker relative.

25 (3) This section shall not apply to any child who is no longer  
26 living in the same home with either parent.

27 (e) One hundred percent of any child support payment received  
28 for a child born into the family, but for whom the maximum aid  
29 payment is not increased pursuant to this section, shall be paid to  
30 the assistance unit. Any such child support payment shall not be  
31 considered as income to the family for the purpose of calculating  
32 the amount of aid for which the family is eligible under this article.

33 (f) Commencing January 1, 1995, each county welfare  
34 department shall notify applicants for assistance under this chapter,  
35 in writing, of the provisions of this section. The notification shall  
36 also be provided to recipients of aid under this chapter, in writing,  
37 at the time of recertification, or sooner. The notification required  
38 by this section shall set forth the provisions of this section and  
39 shall state explicitly the impact these provisions would have on  
40 the future aid to the assistance unit. This section shall not apply

1 to any recipient’s child earlier than 12 months after the mailing of  
2 an informational notice as required by this subdivision.

3 (g) (1) The department shall seek all appropriate federal waivers  
4 for the implementation of this section.

5 (2) The department shall implement this section commencing  
6 on the date the Director of Social Services executes a declaration,  
7 that shall be retained by the director, stating that the administrative  
8 actions required by paragraph (1) as a condition of implementation  
9 of this section have been taken by the United States Secretary of  
10 Health and Human Services.

11 (h) Subdivisions (a) to (g), inclusive, shall become operative  
12 on January 1, 1995.

13 (i) This section shall remain in effect only until January 1, 2017,  
14 and as of that date is repealed, unless a later enacted statute, that  
15 is enacted before January 1, 2017, deletes or extends that date.

16 SEC. 19. Section 11461.3 of the Welfare and Institutions Code  
17 is amended to read:

18 11461.3. (a) The Approved Relative Caregiver Funding Option  
19 Program is hereby established for the purpose of making the  
20 amount paid to approved relative caregivers for the in-home care  
21 of children placed with them who are ineligible for AFDC-FC  
22 payments equal to the amount paid on behalf of children who are  
23 eligible for AFDC-FC payments. This is an optional program for  
24 counties choosing to participate, and in so doing, participating  
25 counties agree to the terms of this section as a condition of their  
26 participation. It is the intent of the Legislature that the funding  
27 described in paragraph (1) of subdivision (g) for the Approved  
28 Relative Caregiver Funding Option Program be appropriated, and  
29 available for use from January through December of each year,  
30 unless otherwise specified.

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

38 (1) The county with payment responsibility has notified the  
39 department in writing by October 1 of the year before participation



1 begins of its decision to participate in the Approved Relative  
2 Caregiver Funding Option Program.

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

5 (A) The child resides in California.

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

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

13 (c) Any income or benefits received by an eligible child or the  
14 approved relative caregiver on behalf of the eligible child that  
15 would be offset against the basic rate paid to a foster care provider  
16 pursuant to subdivision (g) of Section 11461, shall be offset from  
17 any funds that are not CalWORKs funds paid to the approved  
18 relative caregiver pursuant to this section.

19 (d) Participating counties shall recoup an overpayment in the  
20 Approved Relative Caregiver Funding Option Program received  
21 by an approved relative caregiver using the standards and processes  
22 for overpayment recoupment that are applicable to overpayments  
23 to an approved home of a relative, as specified in Section 11466.24.  
24 Recouped overpayments shall not be subject to remittance to the  
25 federal government. Any overpaid funds that are collected by the  
26 participating counties shall be remitted to the state after subtracting  
27 both of the following:

28 (1) An amount not to exceed the county share of the CalWORKs  
29 portion of the Approved Relative Caregiver Funding Option  
30 Program payment, if any.

31 (2) Any other county funds that were included in the Approved  
32 Relative Caregiver Funding Option Program payment.

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

37 (1) Commencing October 1, 2014, the county shall notify the  
38 department in writing of its decision to participate in the Approved  
39 Relative Caregiver Funding Option Program. Failure to make  
40 timely notification, without good cause as determined by the

1 department, shall preclude the county from participating in the  
2 program for the upcoming calendar year. Annually thereafter, any  
3 county not already participating who elects to do so shall notify  
4 the department in writing no later than October 1 of its decision  
5 to participate for the upcoming calendar year.

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

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

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

23 (2) The department shall presume that all counties have opted  
24 out of the Approved Relative Caregiver Funding Option Program  
25 if the funding appropriated for the current 12-month period is  
26 reduced below the amount specified in subparagraph (B),  
27 subparagraph (C), or subparagraph (D) of paragraph (2) of  
28 subdivision (g) for that 12-month period, unless a county notifies  
29 the department in writing of its intent to opt in within 60 days of  
30 enactment of the State Budget. The counties shall provide at least  
31 90 days' prior written notice to the approved relative caregiver or  
32 caregivers informing them that his or her per child per month  
33 payment will be reduced, and the date that reduction will occur.

34 (3) Any reduction in payments received by an approved relative  
35 caregiver on behalf of a child under this section that results from  
36 a decision by a county, including the presumed opt-out pursuant  
37 to paragraph (2), to not participate in the Approved Relative  
38 Caregiver Funding Option Program shall be exempt from state  
39 hearing jurisdiction under Section 10950.

1 (g) (1) The following funding shall be used for the Approved  
2 Relative Caregiver Funding Option Program:

3 (A) The applicable regional per-child CalWORKs grant, in  
4 accordance with subdivision (a) of Section 11253.4.

5 (B) General Fund resources, as appropriated in paragraph (2).

6 (C) County funds only to the extent required under paragraph  
7 (3) of subdivision (e).

8 (D) Funding described in subparagraphs (A) and (B) is intended  
9 to fully fund the base caseload of approved relative caregivers,  
10 which is defined as the number of approved relative caregivers  
11 caring for a child who is not eligible to receive AFDC-FC  
12 payments, as of July 1, 2014.

13 (2) The following amount is hereby appropriated from the  
14 General Fund as follows:

15 (A) The sum of fifteen million dollars (\$15,000,000), for the  
16 period of January 1, 2015, to June 30, 2015, inclusive.

17 (B) For the period of July 1, 2015, to June 30, 2016, inclusive,  
18 there shall be appropriated an amount equal to the sum of all of  
19 the following:

20 (i) Two times the amount appropriated pursuant to subparagraph  
21 (A), inclusive of any increase pursuant to paragraph (3).

22 (ii) The amount necessary to increase or decrease the  
23 CalWORKs funding associated with the base caseload described  
24 in subparagraph (D) of paragraph (1) to reflect any change from  
25 the prior fiscal year in the applicable regional per-child CalWORKs  
26 grant described in subparagraph (A) of paragraph (1).

27 (iii) The additional amount necessary to fully fund the base  
28 caseload described in subparagraph (D) of paragraph (1), reflective  
29 of the annual California Necessities Index increase to the basic  
30 rate paid to foster care providers.

31 (C) For every 12-month period thereafter, commencing with  
32 the period of July 1, 2016, to June 30, 2017, inclusive, the sum of  
33 all of the following shall be appropriated for purposes of this  
34 section:

35 (i) The total General Fund amount provided pursuant to this  
36 paragraph for the previous 12-month period.

37 (ii) The amount necessary to increase or decrease the  
38 CalWORKs funding associated with the base caseload described  
39 in subparagraph (D) of paragraph (1) to reflect any change from

1 the prior fiscal year in the applicable regional per-child CalWORKs  
2 grant described in subparagraph (A) of paragraph (1).

3 (iii) The additional amount necessary to fully fund the base  
4 caseload described in subparagraph (D) of paragraph (1), reflective  
5 of the annual California Necessities Index increase to the basic  
6 rate paid to foster care providers.

7 (D) Notwithstanding clauses (ii) and (iii) of subparagraph (B)  
8 and clauses (ii) and (iii) of subparagraph (C), the total General  
9 Fund appropriation made pursuant to subparagraph (B) shall not  
10 be less than the greater of the following amounts:

11 (i) Thirty million dollars (\$30,000,000).

12 (ii) Two times the amount appropriated pursuant to subparagraph  
13 (A), inclusive of any increase pursuant to paragraph (3).

14 (3) To the extent that the appropriation made by subparagraph  
15 (A) of paragraph (2) is insufficient to fully fund the base caseload  
16 of approved relative caregivers as of July 1, 2014, as described in  
17 subparagraph (D) of paragraph (1), for the period of January 1,  
18 2015, to June 30, 2015, inclusive, as jointly determined by the  
19 department and the County Welfare Directors' Association and  
20 approved by the Department of Finance on or before October 1,  
21 2015, the amount specified in subparagraph (A) of paragraph (2)  
22 shall be increased by the amount necessary to fully fund that base  
23 caseload.

24 (4) Funds available pursuant to paragraph (2) shall be allocated  
25 to participating counties proportionate to the number of their  
26 approved relative caregiver placements, using a methodology and  
27 timing developed by the department, following consultation with  
28 county human services agencies and their representatives.

29 (5) Notwithstanding subdivision (e), if in any calendar year the  
30 entire amount of funding appropriated by the state for the Approved  
31 Relative Caregiver Funding Option Program has not been fully  
32 allocated to or utilized by participating counties, a participating  
33 county that has paid any funds pursuant to subparagraph (C) of  
34 paragraph (1) of subdivision (g) may request reimbursement for  
35 those funds from the department. The authority of the department  
36 to approve the requests shall be limited by the amount of available  
37 unallocated funds.

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

26 (k) 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 (l) Effective January 1, 2017, if a relative has been approved as  
4 a resource family pursuant to Section 16519.5, the approved  
5 relative shall be paid an amount equal to the resource family basic  
6 rate at the child’s assessed level of care as set forth in subdivision  
7 (g) of Section 11461 and Section 11463.

8 SEC. 20. Section 11461.4 is added to the Welfare and  
9 Institutions Code, to read:

10 11461.4. (a) Notwithstanding any other law, a tribe that has  
11 entered into an agreement pursuant to Section 10553.1 may, subject  
12 to the provisions of this section, elect to participate in the Tribal  
13 Approved Relative Caregiver Funding Option Program.

14 (b) (1) In return for the care and supervision of a child placed  
15 with an approved relative caregiver, a participating tribe shall pay  
16 the approved relative caregiver a per child per month rate that,  
17 when added to the tribal Temporary Aid to Needy Families (tribal  
18 TANF) benefit received by the approved relative caregiver on  
19 behalf of the child, shall equal the basic rate paid to a foster care  
20 provider pursuant to subdivision (g) of Section 11461.

21 (2) Payments made pursuant to paragraph (1) shall be made  
22 only if all of the following conditions exist:

23 (A) The tribe has notified the department in writing of its  
24 decision to participate in the program, consistent with subdivision  
25 (c).

26 (B) The child has been removed from the parent or guardian  
27 and has been placed into the placement and care responsibility of  
28 the tribal child welfare agency pursuant to a voluntary placement  
29 agreement or by the tribal court, consistent with the tribe’s Title  
30 IV-E agreement.

31 (C) The child resides within California.

32 (D) The caregiver is receiving tribal TANF payments, or an  
33 application for tribal TANF has been made, on behalf of the child.

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

37 (3) Any income or benefits received by an eligible child, or by  
38 the approved relative caregiver on behalf of an eligible child, which  
39 would be offset against a payment made to a foster care provider,  
40 shall be offset from the amount paid by the tribe under the program.

1 This paragraph shall not apply to any tribal TANF payments  
2 received on behalf of an eligible child.

3 (4) An approved relative caregiver receiving payments on behalf  
4 of a child pursuant to this section shall not be eligible to receive  
5 CalWORKs payments on behalf of the same child under Section  
6 11450.

7 (5) To the extent permitted by federal law, payments received  
8 by the approved relative caregiver from the program shall not be  
9 considered income for the purpose of determining other public  
10 benefits.

11 (c) (1) (A) A tribe electing to participate in the program in the  
12 2016–17 fiscal year shall notify the department on or before  
13 October 1, 2016, that it intends to begin participation. Failure to  
14 make timely notification, without good cause as determined by  
15 the department, shall preclude the tribe from participating in the  
16 program for the 2016–17 fiscal year.

17 (B) In any fiscal year after the 2016–17 fiscal year, a tribe  
18 electing to participate in the program shall notify the department  
19 on or before January 1 that it intends to begin participation on or  
20 after the following July 1. Failure to make timely notification,  
21 without good cause as determined by the department, shall preclude  
22 the tribe from participating in the program for the upcoming fiscal  
23 year.

24 (2) As a condition of opting into the program, the tribe shall do  
25 all of the following:

26 (A) Provide to the department the tribal TANF maximum aid  
27 payment (MAP) rate in effect at the time that the tribe elects to  
28 participate in the program, consistent with the tribe’s approved  
29 tribal TANF plan.

30 (B) Provide data necessary, as determined by the department  
31 in consultation with the tribe, to determine the base caseload for  
32 the tribe as of July 1, 2016, consistent with subdivision (d).

33 (C) Agree to recoup overpayments to an approved relative  
34 caregiver utilizing the standards for determining whether an  
35 overpayment is recoupable, and the processes for overpayment  
36 recoupment, that are applicable to overpayments as described in  
37 the tribe’s Title IV-E agreement entered into pursuant to Section  
38 10553.1.

39 (D) Agree that the tribe shall be solely responsible for any  
40 additional costs incurred in making payments under this section

1 in the event that the funds allocated to a tribe from the  
2 appropriation made by the Legislature for the tribe’s participation  
3 in the program are not sufficient to fully fund all payments  
4 specified in paragraph (1) of subdivision (b).

5 (E) Agree to make child support referrals for program cases,  
6 consistent with processes applied by the tribe to Title IV-E program  
7 cases.

8 (3) The participating tribe shall provide the information specified  
9 in subparagraphs (A) and (B) of paragraph (2) at least 60 days  
10 prior to the date the tribe will begin participating in the program.

11 (d) (1) In consultation with the participating tribe, the  
12 department shall determine the initial base caseload of the  
13 participating tribe, using the most recent available data provided  
14 by the tribe.

15 (2) The department shall determine the amount necessary to  
16 fund the base caseload of the participating tribe. The allocation  
17 methodology shall consider the tribal TANF rate of the  
18 participating tribe in effect on July 1, 2016.

19 (e) (1) A tribe electing to opt out of the program shall provide  
20 at least 120 days’ prior written notice of that election to the  
21 department and at least 90 days’ prior written notice to all approved  
22 relative caregivers to whom the tribe is making payments under  
23 the program. The notice to caregivers shall specify the date on  
24 which the per child per month payment will be reduced and the  
25 date the tribe’s participation in the program will cease.

26 (2) If the Legislature, for any given fiscal year, appropriates an  
27 amount less than that specified in paragraph (2) of subdivision (f),  
28 the department shall presume that all participating tribes have  
29 opted out of the program for that fiscal year unless a tribe notifies  
30 the department in writing of its intent to opt in within 60 days of  
31 the enactment of the annual Budget Act. A tribe that does not elect  
32 to continue participating in the program shall provide the notice  
33 to caregivers specified in paragraph (1).

34 (3) A tribe that has opted out of the program for any reason may  
35 resume participating in the program on July 1 of any year, upon  
36 providing the department with written notice on or before the  
37 preceding March 1 of its intent to resume participation.

38 (f) (1) (A) The following funding shall be used for the program:

39 (i) The tribe’s applicable per-child tribal TANF grant at the  
40 MAP rate in effect on July 1, 2016.



1 (ii) General Fund resources, as specified in paragraph (2).  
2 (iii) Tribal funds only to the extent required under subparagraph  
3 (D) of paragraph (2) of subdivision (c).

4 (B) Funding described in clauses (i) and (ii) of subparagraph  
5 (A) is intended to fully fund the base caseload of approved relative  
6 caregivers, which is defined as the number of approved relative  
7 caregivers caring for a child who is not eligible to receive  
8 AFDC-FC payments as of July 1, 2016.

9 (2) The following amounts are hereby appropriated from the  
10 General Fund:

11 (A) For the 2016–17 fiscal year, the sum sufficient to fund the  
12 initial base caseload, as determined in subdivision (d), for tribes  
13 eligible for participation as of July 1, 2016.

14 (B) For the 2017–18 fiscal year, and every fiscal year thereafter,  
15 the sum of the following:

16 (i) The total General Fund amount appropriated for the purposes  
17 of this section for the previous fiscal year.

18 (ii) The additional amount necessary to fully fund the base  
19 caseload described in subparagraph (B) of paragraph (1), reflective  
20 of the annual California Necessities Index increase to the basic  
21 rate paid to foster care providers pursuant to subdivision (g) of  
22 Section 11461.

23 (3) Funds specified in paragraph (2) shall be allocated to  
24 participating tribes proportionate to their number of approved  
25 relative caregiver placements, using a methodology and timing  
26 developed by the department, following consultation with  
27 participating tribes.

28 (4) Notwithstanding subdivision (c), if in any fiscal year the  
29 entire amount of funding appropriated by the Legislature for the  
30 program has not been fully allocated to, or utilized by, participating  
31 tribes, a participating tribe that has paid any funds pursuant to  
32 subparagraph (D) of paragraph (2) of subdivision (c) may request  
33 reimbursement for those funds from the department. The authority  
34 of the department to approve the requests shall be limited by the  
35 amount of available unallocated funds.

36 (g) If more than two eligible tribes elect to participate in the  
37 program and, as a result, the appropriation made pursuant to  
38 subdivision (f) is insufficient to fully fund the base caseload of  
39 approved relative caregivers, as jointly determined by the  
40 department and the participating tribes and approved by the

1 Department of Finance, the amount specified in subdivision (f)  
2 shall be increased by the amount necessary to fully fund that base  
3 caseload.

4 (h) For the purposes of this section, the following definitions  
5 apply:

6 (1) “Basic foster care rate” means the monthly rate paid to foster  
7 care providers pursuant to subdivision (g) of Section 11461.

8 (2) “Program” means the Tribal Approved Relative Caregiver  
9 Funding Option Program established in this section.

10 (3) “Relative” means an adult who is related to the child by  
11 blood, adoption, or affinity within the fifth degree of kinship,  
12 including stepparents, stepsiblings, and all relatives whose status  
13 is preceded by the words “great,” “great-great,” or “grand,” or the  
14 spouse of any of these persons even if the marriage was terminated  
15 by death or dissolution, or as otherwise established consistent with  
16 the tribe’s Title IV-E agreement.

17 (4) “Tribe” means a federally-recognized Indian tribe,  
18 consortium of tribes, or tribal organization with an agreement  
19 pursuant to Section 10553.1.

20 SEC. 21. Section 11465 of the Welfare and Institutions Code  
21 is amended to read:

22 11465. (a) When a child is living with a parent who receives  
23 AFDC-FC or Kin-GAP benefits, the rate paid to the provider on  
24 behalf of the parent shall include an amount for care and  
25 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 (5) Commencing July 1, 2016, the uniform rate to cover the  
14 cost of care and supervision of a child pursuant to this section shall  
15 be supplemented by an additional monthly amount of four hundred  
16 eighty-nine dollars (\$489). This monthly supplement shall only  
17 be provided if funding for this purpose is appropriated in the annual  
18 Budget Act.

19 (d) (1) Notwithstanding subdivisions (a) to (c), inclusive, the  
20 payment made pursuant to this section for care and supervision of  
21 a child who is living with a teen parent in a whole family foster  
22 home, as defined in Section 11400, shall equal the basic rate for  
23 children placed in a licensed or approved home as specified in  
24 subdivisions (a) to (d), inclusive, and subdivision (g), of Section  
25 11461.

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

30 (B) Commencing January 1, 2017, the amount paid for care and  
31 supervision of a dependent infant living with a dependent teenage  
32 parent receiving AFDC-FC benefits in a short-term residential  
33 treatment center shall equal the infant supplement rate for  
34 short-term residential treatment centers established by the  
35 department.

36 (3) (A) The caregiver shall provide the county child welfare  
37 agency or probation department with a copy of the shared  
38 responsibility plan developed pursuant to Section 16501.25 and  
39 shall advise the county child welfare agency or probation  
40 department of any subsequent changes to the plan. Once the plan

1 has been completed and provided to the appropriate agencies, the  
2 payment made pursuant to this section shall be increased by an  
3 additional two hundred dollars (\$200) per month to reflect the  
4 increased care and supervision while he or she is placed in the  
5 whole family foster home.

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

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

18 (ii) The plan has been approved by the appropriate county  
19 agency.

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

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

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

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

36 SEC. 22. Section 12201.06 is added to the Welfare and  
37 Institutions Code, immediately following Section 12201.05, to  
38 read:

39 12201.06. Commencing January 1, 2017, the amount of aid  
40 paid pursuant to this article, in effect on December 31, 2016, less

1 the federal benefit portion received under Part A of Title XVI of  
2 the federal Social Security Act, shall be increased by 2.76 percent.

3 SEC. 23. Section 12301.02 of the Welfare and Institutions  
4 Code is amended to read:

5 12301.02. (a) (1) Notwithstanding any other law, except as  
6 provided in subdivisions (c) and (e), the department shall  
7 implement a 7-percent reduction in hours of service to each  
8 recipient of services under this article, which shall be applied to  
9 the recipient's hours as authorized pursuant to the most recent  
10 assessment. This reduction shall become effective 12 months after  
11 the implementation of the reduction set forth in Section 12301.01.  
12 The reduction required by this section shall not preclude any  
13 reassessment to which a recipient would otherwise be entitled.  
14 However, hours authorized pursuant to a reassessment shall be  
15 subject to the 7-percent reduction required by this section.

16 (2) A request for reassessment based only on the reduction  
17 required in paragraph (1) may be administratively denied by the  
18 county.

19 (3) A recipient of services under this article may direct the  
20 manner in which the reduction of hours is applied to the recipient's  
21 previously authorized services.

22 (4) For those individuals who have a documented unmet need,  
23 excluding protective supervision because of the limitations on  
24 authorized hours under Section 12303.4, the reduction shall be  
25 taken first from the documented unmet need.

26 (b) The notice of action informing the recipient of the reduction  
27 pursuant to subdivision (a) shall be mailed at least 20 days prior  
28 to the reduction going into effect. The notice of action shall be  
29 understandable to the recipient and translated into all languages  
30 spoken by a substantial number of the public served by the  
31 In-Home Supportive Services program, in accordance with Section  
32 7295.2 of the Government Code. The notice shall not contain any  
33 recipient financial or confidential identifying information other  
34 than the recipient's name, address, and Case Management  
35 Information and Payroll System (CMIPS) client identification  
36 number, and shall include, but not be limited to, all of the following  
37 information:

38 (1) The aggregate number of authorized hours before the  
39 reduction pursuant to subdivision (a) and the aggregate number of  
40 authorized hours after the reduction.

1 (2) That the recipient may direct the manner in which the  
2 reduction of authorized hours is applied to the recipient's  
3 previously authorized services.

4 (3) A county shall assess a recipient's need for supportive  
5 services any time that the recipient notifies the county of a need  
6 to adjust the supportive services hours authorized, or when there  
7 are other indications or expectations of a change in circumstances  
8 affecting the recipient's need for supportive services. Counties  
9 shall not require recipients to submit a medical certification form  
10 or a doctor's note to show evidence of a change in the recipient's  
11 circumstances.

12 (c) A recipient shall have all appeal rights otherwise provided  
13 for under Chapter 7 (commencing with Section 10950) of Part 2.

14 (d) The reduction specified in paragraph (1) of subdivision (a)  
15 shall be ongoing and may be adjusted pursuant to Section 12301.03.

16 (e) (1) The reduction specified in paragraph (1) of subdivision  
17 (a) shall be suspended until July 1, 2019, if the managed care  
18 organization provider tax imposed pursuant to Article 6.7  
19 (commencing with Section 14199.50) of Chapter 7 remains  
20 operative.

21 (2) Notwithstanding paragraph (1), if the managed care  
22 organization provider tax imposed pursuant to Article 6.7  
23 (commencing with Section 14199.50) of Chapter 7 ceases to be  
24 operative for any reason, the reduction specified in paragraph (1)  
25 of subdivision (a) shall be reinstated effective no later than the  
26 first day of the first full month occurring 90 days after the date on  
27 which the managed care organization provider tax ceases to be  
28 operative.

29 (3) Notwithstanding the Administrative Procedure Act (Chapter  
30 3.5 (commencing with Section 11340) of Part 1 of Division 3 of  
31 Title 2 of the Government Code), the department may implement  
32 this subdivision through an all-county letter or similar instructions  
33 from the director until January 1, 2020.

34 SEC. 24. Section 15200 of the Welfare and Institutions Code  
35 is amended to read:

36 15200. There is hereby appropriated out of any money in the  
37 State Treasury not otherwise appropriated the following sums:

38 (a) To each county for the support and maintenance of needy  
39 children, the sums specified in subdivisions (a), (e), and (f) of  
40 Section 11450, after subtracting all the following amounts:

1 (1) (A) Except as described in subparagraph (B), a 2.5-percent  
2 county share of cost.

3 (B) If Section 1613 of Title 8 of the United States Code applies,  
4 a 5-percent county share of cost.

5 (C) The county share described in this paragraph shall not apply  
6 to increases in maximum aid payments made in accordance with  
7 Section 11450.025.

8 (2) Federal funds utilized for this purpose.

9 (3) The amount allocated to each county from the Family  
10 Support Subaccount pursuant to Section 17601.75.

11 (4) The amount allocated to each county from the Child Poverty  
12 and Family Supplemental Support Subaccount pursuant to Section  
13 17601.50.

14 (5) The amount allocated to each county from the CalWORKs  
15 Maintenance of Effort Subaccount pursuant to Section 17601.25.

16 (b) To each county for the support and maintenance of pregnant  
17 mothers, the sums specified in subdivisions (b) and (c) of Section  
18 11450 after subtracting all of the following amounts:

19 (1) (A) Except as described in subparagraph (B), a 2.5-percent  
20 county share of cost.

21 (B) If Section 1613 of Title 8 of the United States Code applies,  
22 a 5-percent county share of cost.

23 (C) The county share described in this paragraph shall not apply  
24 to increases in maximum aid payments made in accordance with  
25 Section 11450.025.

26 (2) Federal funds utilized for this purpose.

27 (3) The amount allocated to each county from the Family  
28 Support Subaccount pursuant to Section 17601.75.

29 (4) The amount allocated to each county from the Child Poverty  
30 and Family Supplemental Support Subaccount pursuant to Section  
31 17601.50.

32 (5) The amount allocated to each county from the CalWORKs  
33 Maintenance of Effort Subaccount pursuant to Section 17601.25.

34 (c) After deducting federal funds available for the adequate care  
35 of each child pursuant to subdivision (d) of Section 11450, as  
36 follows:

37 (1) Prior to the 2011–12 fiscal year, an amount equal to 40  
38 percent of the sum necessary for the adequate care of each child.

39 (2) Notwithstanding paragraph (1), beginning in the 2011–12  
40 fiscal year, and for each fiscal year thereafter, funding and

1 expenditures for programs and activities under this subdivision  
2 shall be in accordance with the requirements provided in Sections  
3 30025 and 30026.5 of the Government Code.

4 (d) (1) Prior to the 2011–12 fiscal year for each county for the  
5 support and care of hard-to-place adoptive children, and after  
6 deducting federal funds available, 75 percent of the nonfederal  
7 share of the amount specified in Section 16121.

8 (2) Notwithstanding paragraph (1), beginning in the 2011–12  
9 fiscal year, and for each fiscal year thereafter, funding and  
10 expenditures for programs and activities under this subdivision  
11 shall be in accordance with the requirements provided in Sections  
12 30025 and 30026.5 of the Government Code.

13 SEC. 25. Section 15200.15 of the Welfare and Institutions  
14 Code is repealed.

15 SEC. 26. Section 16501.9 is added to the Welfare and  
16 Institutions Code, to read:

17 16501.9. (a) (1) The Legislature hereby finds and declares  
18 the Child Welfare Services-New System (CWS-NS) is the most  
19 important system in the state for child welfare services staff to  
20 ensure the safety and well-being of California’s children. The State  
21 of California has embarked upon on an agile procurement of the  
22 CWS-NS.

23 (2) The Legislature further finds and declares that this approach  
24 requires significant engagement with the end user throughout the  
25 life of the system, including the county human services agencies  
26 and child welfare services and probation staff.

27 (b) (1) The State Department of Social Services and the Office  
28 of Systems Integration (OSI), in collaboration with the County  
29 Welfare Directors Association (CWDA), shall seek resources to  
30 enable the necessary level of engagement by the counties in the  
31 CWS-NS agile development and maintenance process to prevent  
32 the disruption of services to families and children at risk. This shall  
33 include, but not be limited to, timely and expeditious execution of  
34 contracts and contract amendments for participation in this effort,  
35 effective monitoring and evaluation of the CWS-NS effort, and  
36 implementation of mitigation strategies for risks and issues arising  
37 in the procurement, development, implementation, or operation  
38 of digital services pursuant to this section.

39 (2) The department and OSI shall provide a voting seat on all  
40 governance bodies of the CWS-NS for a CWDA representative



1 and shall support and provide necessary accommodation for the  
2 stationing of county representatives at the project site.

3 (3) The department and OSI shall continue to provide monthly  
4 updates to the Legislature and to stakeholders, including CWDA,  
5 regarding efforts to develop and implement the CWS-NS. The  
6 updates shall include, but not be limited to, (A) the vacancy rate,  
7 the duration of each vacant position and its classification, and the  
8 status of efforts to fill the position, (B) challenges with recruiting  
9 and retaining qualified staff and a description of efforts to resolve  
10 the issues, (C) challenges with procurement, including any delays,  
11 and a description of efforts to resolve the issues, (D) any issues or  
12 risks, including, but not limited to, pending state and federal  
13 approvals and impacts on county child welfare programs that may  
14 jeopardize the project's completion or result in delays relative to  
15 the approved project schedule, budget, and scope, and (E) progress  
16 on the project, by digital service (module) along with a description  
17 of each digital service, and projected completion dates for any  
18 significant upcoming project milestones. Following the effective  
19 date of this section, a list of newly executed contracts, their  
20 purpose, and amounts shall be added to the monthly update.

21 (4) The department and OSI, in coordination with CWDA and  
22 the Department of Technology, shall convene a regularly scheduled  
23 quarterly forum to provide project updates to stakeholders and  
24 legislative staff. These forums shall include updates on (A) the  
25 progress of the CWS-NS development and implementation, (B)  
26 expenditures incurred to date, (C) significant issues and risks  
27 overcome in the last quarter and significant issues and risks  
28 presently being addressed, (D) upcoming project milestones and  
29 significant events, (E) how the agile approach has affected the  
30 project's overall cost and schedule, (F) how the Department of  
31 Technology's approval and oversight processes are being applied  
32 to the agile implementation approach, and (G) how lessons learned  
33 from the agile implementation of the CWS-NS project can be  
34 leveraged by other state IT projects.

35 (c) The existing Child Welfare Services Case Management  
36 System (CWS/CMS) operations and functionality shall be  
37 maintained at a level at least commensurate with its December  
38 2015 status and shall not be decommissioned prior to the full  
39 statewide implementation of the CWS-NS in all counties. Full  
40 statewide implementation is defined as after all existing CWS/CMS

1 functionality has been replaced in CWS-NS and has been  
2 implemented in all 58 counties for a minimum of six months with  
3 no significant (noncosmetic) defects outstanding.

4 SEC. 27. Section 16519.5 of the Welfare and Institutions Code  
5 is amended to read:

6 16519.5. (a) The State Department of Social Services, in  
7 consultation with county child welfare agencies, foster parent  
8 associations, and other interested community parties, shall  
9 implement a unified, family friendly, and child-centered resource  
10 family approval process to replace the existing multiple processes  
11 for licensing foster family homes, approving relatives and  
12 nonrelative extended family members as foster care providers, and  
13 approving adoptive families.

14 (b) (1) Counties shall be selected to participate on a voluntary  
15 basis as early implementation counties for the purpose of  
16 participating in the initial development of the approval process.  
17 Early implementation counties shall be selected according to  
18 criteria developed by the department in consultation with the  
19 County Welfare Directors Association. In selecting the five early  
20 implementation counties, the department shall promote diversity  
21 among the participating counties in terms of size and geographic  
22 location.

23 (2) Additional counties may participate in the early  
24 implementation of the program upon authorization by the  
25 department.

26 (c) (1) For the purposes of this chapter, “resource family” means  
27 an individual or couple that a participating county or foster family  
28 agency, as defined in subdivision (g) of Section 11400 of this code,  
29 and paragraph (4) of subdivision (a) of Section 1502 of the Health  
30 and Safety Code, determines to have successfully met both the  
31 home environment assessment standards and the permanency  
32 assessment criteria adopted pursuant to subdivision (d) necessary  
33 for providing care for a related or unrelated child who is under the  
34 jurisdiction of the juvenile court, or otherwise in the care of a  
35 county child welfare agency or probation department. A resource  
36 family shall demonstrate all of the following:

37 (A) An understanding of the safety, permanence, and well-being  
38 needs of children who have been victims of child abuse and neglect,  
39 and the capacity and willingness to meet those needs, including  
40 the need for protection, and the willingness to make use of support

1 resources offered by the agency, or a support structure in place,  
2 or both.

3 (B) An understanding of children’s needs and development,  
4 effective parenting skills or knowledge about parenting, and the  
5 capacity to act as a reasonable, prudent parent in day-to-day  
6 decisionmaking.

7 (C) An understanding of his or her role as a resource family and  
8 the capacity to work cooperatively with the agency and other  
9 service providers in implementing the child’s case plan.

10 (D) The financial ability within the household to ensure the  
11 stability and financial security of the family.

12 (E) An ability and willingness to provide a family setting that  
13 promotes normal childhood experiences that serves the needs of  
14 the child.

15 (2) Subsequent to meeting the criteria set forth in this  
16 subdivision and designation as a resource family, a resource family  
17 shall be considered eligible to provide foster care for related and  
18 unrelated children in out-of-home placement, shall be considered  
19 approved for adoption or guardianship, and shall not have to  
20 undergo any additional approval or licensure as long as the family  
21 lives in a county participating in the program.

22 (3) Resource family approval means that the applicant  
23 successfully meets the home environment assessment and  
24 permanency assessment standards. This approval is in lieu of the  
25 existing foster care license, relative or nonrelative extended family  
26 member approval, and the adoption home study approval.

27 (4) Approval of a resource family does not guarantee an initial  
28 or continued placement of a child with a resource family.

29 (5) Notwithstanding paragraphs (1) to (4), inclusive, the  
30 department or county may cease any further review of an  
31 application if the applicant has had a previous application denial  
32 within the preceding year, or if the applicant has had a previous  
33 rescission, revocation, or exemption denial or rescission by the  
34 department or county within the preceding two years. However,  
35 the department or county may continue to review an application  
36 if it has determined that the reasons for the previous denial,  
37 rescission, or revocation were due to circumstances and conditions  
38 that either have been corrected or are no longer in existence. If an  
39 individual was excluded from a resource family home or facility  
40 licensed by the department, the department or county shall cease

1 review of the individual's application unless the excluded  
2 individual has been reinstated pursuant to Section 11522 of the  
3 Government Code. The cessation of review shall not constitute a  
4 denial of the application for purposes of this section or any other  
5 law.

6 (d) Prior to implementation of this program, the department  
7 shall adopt standards pertaining to the home environment and  
8 permanency assessments of a resource family.

9 (1) Resource family home environment assessment standards  
10 shall include, but not be limited to, all of the following:

11 (A) (i) Criminal records clearance of all adults residing in, or  
12 regularly present in, the home, and not exempted from  
13 fingerprinting, as set forth in subdivision (b) of Section 1522 of  
14 the Health and Safety Code, pursuant to Section 8712 of the Family  
15 Code, utilizing a check of the Child Abuse Central Index (CACI),  
16 and receipt of a fingerprint-based state and federal criminal  
17 offender record information search response. The criminal history  
18 information shall include subsequent notifications pursuant to  
19 Section 11105.2 of the Penal Code.

20 (ii) Consideration of any substantiated allegations of child abuse  
21 or neglect against either the applicant or any other adult residing  
22 in the home. An approval may not be granted to applicants whose  
23 criminal record indicates a conviction for any of the offenses  
24 specified in subdivision (g) of Section 1522 of the Health and  
25 Safety Code.

26 (iii) If the resource family parent, applicant, or any other person  
27 specified in subdivision (b) of Section 1522 of the Health and  
28 Safety Code has been convicted of a crime other than a minor  
29 traffic violation, except for the civil penalty language, the criminal  
30 background check provisions specified in subdivisions (d) through  
31 (f) of Section 1522 of the Health and Safety Code shall apply.  
32 Exemptions from the criminal records clearance requirements set  
33 forth in this section may be granted by the director or the early  
34 implementation county, if that county has been granted permission  
35 by the director to issue criminal records exemptions pursuant to  
36 Section 361.4, using the exemption criteria currently used for foster  
37 care licensing as specified in subdivision (g) of Section 1522 of  
38 the Health and Safety Code.

1 (iv) For public foster family agencies approving resource  
2 families, the criminal records clearance process set forth in clause  
3 (i) shall be utilized.

4 (v) For private foster family agencies approving resource  
5 families, the criminal records clearance process set forth in clause  
6 (i) shall be utilized, but the Department of Justice shall disseminate  
7 a fitness determination resulting from the federal criminal offender  
8 record information search.

9 (B) Buildings and grounds and storage requirements set forth  
10 in Sections 89387 and 89387.2 of Title 22 of the California Code  
11 of Regulations.

12 (C) In addition to the foregoing requirements, the resource  
13 family home environment assessment standards shall also require  
14 the following:

15 (i) That the applicant demonstrates an understanding about the  
16 rights of children in care and his or her responsibility to safeguard  
17 those rights.

18 (ii) That the total number of children residing in the home of a  
19 resource family shall be no more than the total number of children  
20 the resource family can properly care for, regardless of status, and  
21 shall not exceed six children, unless exceptional circumstances  
22 that are documented in the foster child's case file exist to permit  
23 a resource family to care for more children, including, but not  
24 limited to, the need to place siblings together.

25 (iii) That the applicant understands his or her responsibilities  
26 with respect to acting as a reasonable and prudent parent, and  
27 maintaining the least restrictive environment that serves the needs  
28 of the child.

29 (2) The resource family permanency assessment standards shall  
30 include, but not be limited to, all of the following:

31 (A) The applicant shall complete caregiver training.

32 (B) (i) The applicant shall complete a psychosocial assessment,  
33 which shall include the results of a risk assessment.

34 (ii) A caregiver risk assessment shall include, but shall not be  
35 limited to, physical and mental health, alcohol and other substance  
36 use and abuse, family and domestic violence, and the factors listed  
37 in subparagraphs (A) and (D) of paragraph (1) of subdivision (c).

38 (C) The applicant shall complete any other activities that relate  
39 to a resource family's ability to achieve permanency with the child.

- 1 (e) (1) A child may be placed with a resource family that has
- 2 successfully completed the home environment assessment prior
- 3 to completion of a permanency assessment only if a compelling
- 4 reason for the placement exists based on the needs of the child.
- 5 (2) The permanency assessment shall be completed within 90
- 6 days of the child’s placement in the home, unless good cause exists
- 7 based upon the needs of the child.
- 8 (3) If additional time is needed to complete the permanency
- 9 assessment, the county shall document the extenuating
- 10 circumstances for the delay and generate a timeframe for the
- 11 completion of the permanency assessment.
- 12 (4) The county shall report to the department on a quarterly
- 13 basis the number of families with a child in an approved home
- 14 whose permanency assessment goes beyond 90 days and
- 15 summarize the reasons for these delays.
- 16 (5) A child may be placed with a relative, as defined in Section
- 17 319, or nonrelative extended family member, as defined in Section
- 18 362.7, prior to applying as a resource family only on an emergency
- 19 basis if all of the following requirements are met:
- 20 (A) Consideration of the results of a criminal records check
- 21 conducted pursuant to Section 16504.5 of the relative or nonrelative
- 22 extended family member and of every other adult in the home.
- 23 (B) Consideration of the results of the Child Abuse Central
- 24 Index (CACI) consistent with Section 1522.1 of the Health and
- 25 Safety Code of the relative or nonrelative extended family member,
- 26 and of every other adult in the home.
- 27 (C) The home and grounds are free of conditions that pose undue
- 28 risk to the health and safety of the child.
- 29 (D) For any placement made pursuant to this paragraph, the
- 30 county shall initiate the home environment assessment no later
- 31 than five business days after the placement, which shall include a
- 32 face-to-face interview with the resource family applicant and child.
- 33 (E) For any placement made pursuant to this paragraph,
- 34 AFDC-FC funding shall not be available until approval of the
- 35 resource family has been completed.
- 36 (F) Any child placed under this section shall be afforded all the
- 37 rights set forth in Section 16001.9.
- 38 (f) The State Department of Social Services shall be responsible
- 39 for all of the following:

- 1 (1) Selecting early implementation counties, based on criteria  
2 established by the department in consultation with the County  
3 Welfare Directors Association.
- 4 (2) Establishing timeframes for participating counties to submit  
5 an implementation plan, enter into terms and conditions for  
6 participation in the program, train appropriate staff, and accept  
7 applications from resource families.
- 8 (3) Entering into terms and conditions for participation in the  
9 program by counties.
- 10 (4) Administering the program through the issuance of written  
11 directives that shall have the same force and effect as regulations.  
12 Any directive affecting Article 1 (commencing with Section 700)  
13 of Chapter 7 of Title 11 of the California Code of Regulations shall  
14 be approved by the Department of Justice. The directives shall be  
15 exempt from the rulemaking provisions of the Administrative  
16 Procedure Act (Chapter 3.5 (commencing with Section 11340))  
17 of Part 1 of Division 3 of Title 2 of the Government Code.
- 18 (5) Approving and requiring the use of a single standard for  
19 resource family approval.
- 20 (6) Adopting and requiring the use of standardized  
21 documentation for the home environment and permanency  
22 assessments of resource families.
- 23 (7) Requiring counties to monitor resource families including,  
24 but not limited to, all of the following:
  - 25 (A) Investigating complaints of resource families.
  - 26 (B) Developing and monitoring resource family corrective action  
27 plans to correct identified deficiencies and to rescind resource  
28 family approval if compliance with corrective action plans is not  
29 achieved.
- 30 (8) Ongoing oversight and monitoring of county systems and  
31 operations including all of the following:
  - 32 (A) Reviewing the county's implementation of the program.
  - 33 (B) Reviewing an adequate number of approved resource  
34 families in each participating county to ensure that approval  
35 standards are being properly applied. The review shall include  
36 case file documentation, and may include onsite inspection of  
37 individual resource families. The review shall occur on an annual  
38 basis, and more frequently if the department becomes aware that  
39 a participating county is experiencing a disproportionate number  
40 of complaints against individual resource family homes.

- 1 (C) Reviewing county reports of serious complaints and  
2 incidents involving approved resource families, as determined  
3 necessary by the department. The department may conduct an  
4 independent review of the complaint or incident and change the  
5 findings depending on the results of its investigation.
- 6 (D) Investigating unresolved complaints against participating  
7 counties.
- 8 (E) Requiring corrective action of counties that are not in full  
9 compliance with the terms and conditions of the program.
- 10 (9) Updating the Legislature on the early implementation phase  
11 of the program, including the status of implementation, successes,  
12 and challenges during the early implementation phase, and relevant  
13 available data, including resource family satisfaction.
- 14 (10) Implementing due process procedures, including all of the  
15 following:
  - 16 (A) Providing a statewide fair hearing process for denials,  
17 rescissions, or exclusion actions.
  - 18 (B) Amending the department’s applicable state hearing  
19 procedures and regulations or using the Administrative Procedure  
20 Act, when applicable, as necessary for the administration of the  
21 program.
  - 22 (g) Counties participating in the program shall be responsible  
23 for all of the following:
    - 24 (1) Submitting an implementation plan, entering into terms and  
25 conditions for participation in the program, consulting with the  
26 county probation department in the development of the  
27 implementation plan, training appropriate staff, and accepting  
28 applications from resource families within the timeframes  
29 established by the department.
    - 30 (2) Complying with the written directives pursuant to paragraph  
31 (4) of subdivision (f).
    - 32 (3) Implementing the requirements for resource family approval  
33 and utilizing standardized documentation established by the  
34 department.
    - 35 (4) Ensuring staff have the education and experience necessary  
36 to complete the home environment and psychosocial assessments  
37 competently.
    - 38 (5) (A) Taking the following actions, as applicable:
      - 39 (i) Approving or denying resource family applications.
      - 40 (ii) Rescinding approvals of resource families.



1 (iii) Excluding a resource family parent or other individual from  
2 presence in a resource family home, consistent with the established  
3 standard.

4 (iv) Issuing a temporary suspension order that suspends the  
5 resource family approval prior to a hearing when urgent action is  
6 needed to protect a child or nonminor dependent from physical or  
7 mental abuse, abandonment, or any other substantial threat to  
8 health or safety, consistent with the established standard.

9 (B) Providing a resource family parent, applicant, or excluded  
10 individual requesting review of that decision with due process  
11 pursuant to the department's statutes, regulations, and written  
12 directives.

13 (C) Notifying the department of any decisions denying a  
14 resource family's application or rescinding the approval of a  
15 resource family, excluding an individual, or taking other  
16 administrative action.

17 (D) Issuing a temporary suspension order that suspends the  
18 resource family approval prior to a hearing, when urgent action is  
19 needed to protect a child or nonminor dependent who is or may  
20 be placed in the home from physical or mental abuse, abandonment,  
21 or any other substantial threat to health or safety.

22 (6) Updating resource family approval annually.

23 (7) Monitoring resource families through all of the following:

24 (A) Ensuring that social workers who identify a condition in  
25 the home that may not meet the approval standards set forth in  
26 subdivision (d) while in the course of a routine visit to children  
27 placed with a resource family take appropriate action as needed.

28 (B) Requiring resource families to comply with corrective action  
29 plans as necessary to correct identified deficiencies. If corrective  
30 action is not completed as specified in the plan, the county may  
31 rescind the resource family approval.

32 (C) Requiring resource families to report to the county child  
33 welfare agency any incidents consistent with the reporting  
34 requirements for licensed foster family homes.

35 (8) Investigating all complaints against a resource family and  
36 taking action as necessary. This shall include investigating any  
37 incidents reported about a resource family indicating that the  
38 approval standard is not being maintained.

39 (A) The child's social worker shall not conduct the formal  
40 investigation into the complaint received concerning a family

1 providing services under the standards required by subdivision  
2 (d). To the extent that adequate resources are available, complaints  
3 shall be investigated by a worker who did not initially conduct the  
4 home environment or psychosocial assessments.

5 (B) Upon conclusion of the complaint investigation, the final  
6 disposition shall be reviewed and approved by a supervising staff  
7 member.

8 (C) The department shall be notified of any serious incidents  
9 or serious complaints or any incident that falls within the definition  
10 of Section 11165.5 of the Penal Code. If those incidents or  
11 complaints result in an investigation, the department shall also be  
12 notified as to the status and disposition of that investigation.

13 (9) Performing corrective action as required by the department.

14 (10) Assessing county performance in related areas of the  
15 California Child and Family Services Review System, and  
16 remedying problems identified.

17 (11) Submitting information and data that the department  
18 determines is necessary to study, monitor, and prepare the report  
19 specified in paragraph (9) of subdivision (f).

20 (12) Ensuring resource family applicants and resource families  
21 have the necessary knowledge, skills, and abilities to support  
22 children in foster care by completing caregiver training. The  
23 training should include a curriculum that supports the role of a  
24 resource family in parenting vulnerable children and should be  
25 ongoing in order to provide resource families with information on  
26 trauma-informed practices and requirements and other topics within  
27 the foster care system.

28 (13) Ensuring that a resource family applicant completes a  
29 minimum of 12 hours of preapproval training. The training shall  
30 include, but not be limited to, all of the following courses:

31 (A) An overview of the child protective and probation systems.

32 (B) The effects of trauma, including grief and loss, and child  
33 abuse and neglect, on child development and behavior, and  
34 methods to behaviorally support children impacted by that trauma  
35 or child abuse and neglect.

36 (C) Positive discipline and the importance of self-esteem.

37 (D) Health issues in foster care.

38 (E) Accessing services and supports to address education needs,  
39 physical, mental, and behavioral health, and substance use  
40 disorders, including culturally relevant services.

1 (F) The rights of a child in foster care, and the resource family's  
2 responsibility to safeguard those rights, including the right to have  
3 fair and equal access to all available services, placement, care,  
4 treatment, and benefits, and to not be subjected to discrimination  
5 or harassment on the basis of actual or perceived race, ethnic group  
6 identification, ancestry, national origin, color, religion, sex, sexual  
7 orientation, gender identity, mental or physical disability, or HIV  
8 status.

9 (G) Cultural needs of children, including instruction on cultural  
10 competency and sensitivity, and related best practices for providing  
11 adequate care for children or youth across diverse ethnic and racial  
12 backgrounds, as well as children or youth identifying as lesbian,  
13 gay, bisexual, or transgender.

14 (H) Basic instruction on existing laws and procedures regarding  
15 the safety of foster youth at school; and ensuring a harassment and  
16 violence free school environment pursuant to Article 3.6  
17 (commencing with Section 32228) of Chapter 2 of Part 19 of  
18 Division 1 of Title 1 of the Education Code.

19 (I) Permanence, well-being, and education needs of children.

20 (J) Child and adolescent development, including sexual  
21 orientation, gender identity, and expression.

22 (K) The role of resource families, including working  
23 cooperatively with the child welfare or probation agency, the  
24 child's family, and other service providers implementing the case  
25 plan.

26 (L) The role of a resource family on the child and family team  
27 as defined in paragraph (4) of subdivision (a) of Section 16501.

28 (M) A resource family's responsibility to act as a reasonable  
29 and prudent parent, and to provide a family setting that promotes  
30 normal childhood experiences and that serves the needs of the  
31 child.

32 (N) An overview of the specialized training identified in  
33 subdivision (h).

34 (14) Ensuring approved resource families complete a minimum  
35 of eight training hours annually, a portion of which shall be from  
36 one or more of the topics listed in paragraph (13).

37 (h) In addition to any training required by this section, a resource  
38 family may be required to receive specialized training, as relevant,  
39 for the purpose of preparing the resource family to meet the needs

1 of a particular child in care. This training may include, but is not  
2 limited to, the following:

3 (1) Understanding how to use best practices for providing care  
4 and supervision to commercially sexually exploited children.

5 (2) Understanding how to use best practices for providing care  
6 and supervision to lesbian, gay, bisexual, and transgender children.

7 (3) Understanding the requirements and best practices regarding  
8 psychotropic medications, including, but not limited to, court  
9 authorization, benefits, uses, side effects, interactions, assistance  
10 with self-administration, misuse, documentation, storage, and  
11 metabolic monitoring of children prescribed psychotropic  
12 medications.

13 (4) Understanding the federal Indian Child Welfare Act (25  
14 U.S.C. Sec. 1901 et seq.), its historical significance, the rights of  
15 children covered by the act, and the best interests of Indian  
16 children, including the role of the caregiver in supporting culturally  
17 appropriate, child-centered practices that respect Native American  
18 history, culture, retention of tribal membership and connection to  
19 the tribal community and traditions.

20 (5) Understanding how to use best practices for providing care  
21 and supervision to nonminor dependents.

22 (6) Understanding how to use best practices for providing care  
23 and supervision to children with special health care needs.

24 (7) Understanding the different permanency options and the  
25 services and benefits associated with the options.

26 (i) Nothing in this section shall preclude a county or a foster  
27 family agency from requiring resource family training in excess  
28 of the requirements in this section.

29 (j) (1) Approved relatives and nonrelative extended family  
30 members, licensed foster family homes, or approved adoptive  
31 homes that have completed the license or approval process prior  
32 to full implementation of the program shall not be considered part  
33 of the program. The otherwise applicable assessment and oversight  
34 processes shall continue to be administered for families and  
35 facilities not included in the program.

36 (2) Upon implementation of the program in a county, that county  
37 may not accept new applications for the licensure of foster family  
38 homes, the approval of relative and nonrelative extended family  
39 members, or the approval of prospective adoptive homes.

1 (k) The department may waive regulations that pose a barrier  
2 to implementation and operation of this program. The waiver of  
3 any regulations by the department pursuant to this section shall  
4 apply to only those counties or foster family agencies participating  
5 in the program and only for the duration of the program.

6 (l) Resource families approved under initial implementation of  
7 the program, who move within an early implementation county or  
8 who move to another early implementation county, shall retain  
9 their resource family status if the new building and grounds,  
10 outdoor activity areas, and storage areas meet home environment  
11 standards. The State Department of Social Services or early  
12 implementation county may allow a program-affiliated individual  
13 to transfer his or her subsequent arrest notification if the individual  
14 moves from one early implementation county to another early  
15 implementation county, as specified in subdivision (g) of Section  
16 1522 of the Health and Safety Code.

17 (m) (1) The approval of a resource family who moves to a  
18 nonparticipating county remains in full force and effect pending  
19 a determination by the county approval agency or the department,  
20 as appropriate, whether the new building and grounds and storage  
21 areas meet applicable standards, and whether all adults residing  
22 in the home have a criminal records clearance or exemptions  
23 granted, using the exemption criteria used for foster care licensing,  
24 as specified in subdivision (g) of Section 1522 of the Health and  
25 Safety Code. Upon this determination, the nonparticipating county  
26 shall either approve the family as a relative or nonrelative extended  
27 family member, as applicable, or the department shall license the  
28 family as a foster family home.

29 (2) Subject to the requirements in paragraph (1), the family shall  
30 continue to be approved for guardianship and adoption. Nothing  
31 in this subdivision shall limit a county or adoption agency from  
32 determining that the family is not approved for guardianship or  
33 adoption based on changes in the family's circumstances or  
34 psychosocial assessment.

35 (3) A program-affiliated individual who moves to a  
36 nonparticipating county may not transfer his or her subsequent  
37 arrest notification from a participating county to the  
38 nonparticipating county.

39 (n) Implementation of the program shall be contingent upon the  
40 continued availability of federal Social Security Act Title IV-E

1 (42 U.S.C. Sec. 670) funds for costs associated with placement of  
 2 children with resource families assessed and approved under the  
 3 program.

4 (o) A child placed with a resource family is eligible for the  
 5 resource family basic rate, pursuant to Sections 11253.45, 11460,  
 6 11461, and 11463, and subdivision (l) of Section 11461.3, at the  
 7 child’s assessed level of care.

8 (p) Sharing ratios for nonfederal expenditures for all costs  
 9 associated with activities related to the approval of relatives and  
 10 nonrelative extended family members shall be in accordance with  
 11 Section 10101.

12 (q) The Department of Justice shall charge fees sufficient to  
 13 cover the cost of initial or subsequent criminal offender record  
 14 information and Child Abuse Central Index searches, processing,  
 15 or responses, as specified in this section.

16 (r) Except as provided, approved resource families under this  
 17 program shall be exempt from all of the following:

18 (1) Licensure requirements set forth under the Community Care  
 19 Facilities Act, commencing with Section 1500 of the Health and  
 20 Safety Code, and all regulations promulgated thereto.

21 (2) Relative and nonrelative extended family member approval  
 22 requirements set forth under Sections 309, 361.4, and 362.7, and  
 23 all regulations promulgated thereto.

24 (3) Adoptions approval and reporting requirements set forth  
 25 under Section 8712 of the Family Code, and all regulations  
 26 promulgated thereto.

27 (s) (1) Early implementation counties shall be authorized to  
 28 continue through December 31, 2016. The program shall be  
 29 implemented by each county on or before January 1, 2017.

30 (2) No later than July 1, 2017, each county shall provide the  
 31 following information to all licensed foster family homes and all  
 32 approved relatives and nonrelative extended family members:

33 (A) A detailed description of the resource family approval  
 34 program.

35 (B) Notification that, in order to care for a foster child, resource  
 36 family approval is required by December 31, 2019.

37 (C) Notification that a foster family home license and an  
 38 approval of a relative or nonrelative extended family member shall  
 39 be forfeited by operation of law as provided for in paragraph (4).

1 (3) By no later than January 1, 2018, the following shall apply  
2 to all licensed foster family homes and approved relative and  
3 nonrelative extended family members:

4 (A) A licensed foster family home, and an approved relative or  
5 nonrelative extended family member with an approved adoptive  
6 home study completed prior to January 1, 2018, shall be deemed  
7 to be an approved resource family.

8 (B) A licensed foster family home, and an approved relative or  
9 nonrelative extended family member who had a child in placement  
10 at any time, for any length of time, between January 1, 2017, and  
11 December 31, 2017, inclusive, may be approved as a resource  
12 family on the date of successful completion of a psychosocial  
13 assessment pursuant to subparagraph (B) of paragraph (2) of  
14 subdivision (d).

15 (C) A county may provide supportive services to all licensed  
16 foster family home providers, relatives, and nonrelative extended  
17 family members with a child in placement to assist with the  
18 resource family transition and to minimize placement disruptions.

19 (4) All foster family licenses and approvals of a relative or  
20 nonrelative extended family member shall be forfeited by operation  
21 of law on December 31, 2019, except as provided in this paragraph:

22 (A) All licensed foster family homes that did not have a child  
23 in placement at any time, for any length of time, between January  
24 1, 2017, and December 31, 2017, inclusive, shall forfeit the license  
25 by operation of law on January 1, 2018.

26 (B) For foster family home licensees and approved relatives or  
27 nonrelative extended family members who have a pending resource  
28 family application on December 31, 2019, the foster family home  
29 license or relative and nonrelative extended family member  
30 approval shall be forfeited by operation of law on the date of  
31 approval as a resource family. If approval is denied, forfeiture by  
32 operation of law shall occur on the date of completion of any  
33 proceedings required by law to ensure due process.

34 (t) On and after January 1, 2017, all licensed foster family  
35 agencies shall approve resource families in lieu of certifying foster  
36 homes. A foster family agency or a short-term residential treatment  
37 center pursuant to subdivision (b) of Section 11462 shall require  
38 applicants and resource families to meet the resource family  
39 approval standards and requirements set forth in this chapter and

1 in the written directives adopted pursuant to this chapter prior to  
2 approval and in order to maintain approval.

3 (u) Commencing January 1, 2016, the department may establish  
4 participation conditions, and select and authorize foster family  
5 agencies that voluntarily submit implementation plans and revised  
6 plans of operation in accordance with requirements established by  
7 the department, to approve resource families in lieu of certifying  
8 foster homes.

9 (1) Notwithstanding any other law, a participating foster family  
10 agency shall require resource families to meet and maintain the  
11 resource family approval standards and requirements set forth in  
12 this chapter and in the written directives adopted hereto prior to  
13 approval and in order to maintain approval.

14 (2) A participating foster family agency shall implement the  
15 resource family approval program pursuant to Section 1517 of the  
16 Health and Safety Code.

17 (3) Nothing in this section shall be construed to limit the  
18 authority of the department to inspect, evaluate, or investigate a  
19 complaint or incident, or initiate a disciplinary action against a  
20 foster family agency pursuant to Article 5 (commencing with  
21 Section 1550) of Chapter 3 of Division 2 of the Health and Safety  
22 Code, or to take any action it may deem necessary for the health  
23 and safety of children placed with the foster family agency.

24 (4) The department may adjust the foster family agency  
25 AFDC-FC rate pursuant to Section 11463 for implementation of  
26 this subdivision.

27 SEC. 28. Article 6 (commencing with Section 16523) is added  
28 to Chapter 5 of Part 4 of Division 9 of the Welfare and Institutions  
29 Code, to read:

30

31 Article 6. Bringing Families Home Program

32

33 16523. For purposes of this article, the following definitions  
34 shall apply:

35 (a) "Child welfare services" has the same meaning as defined  
36 in Section 16501.

37 (b) "Department" means the State Department of Social  
38 Services.

39 (c) "Eligible family" means any individual or family that, at a  
40 minimum, meets all of the following conditions:



- 1 (1) Receives child welfare services at the time eligibility is  
2 determined.
- 3 (2) Is homeless.
- 4 (3) Voluntarily agrees to participate in the program.
- 5 (4) Either of the following:
  - 6 (A) Has been determined appropriate for reunification of a child  
7 to a biological parent or guardian by the county human services  
8 agency handling the case, the court with jurisdiction over the child,  
9 or both.
  - 10 (B) A child or children in the family is or are at risk of foster  
11 care placement, and the county human services agency determines  
12 that safe and stable housing for the family will prevent the need  
13 for the child's or children's removal from the parent or guardian.
- 14 (d) "Homeless" means any of the following:
  - 15 (1) An individual or family who lacks a fixed, regular, and  
16 adequate nighttime residence.
  - 17 (2) An individual or family with a primary nighttime residence  
18 that is a public or private place not designed for or ordinarily used  
19 as a regular sleeping accommodation for human beings, including,  
20 but not limited to, a car, park, abandoned building, bus station,  
21 train station, airport, or camping ground.
  - 22 (3) An individual or family living in a supervised publicly or  
23 privately operated shelter designated to provide temporary living  
24 arrangements, including hotels or motels paid for by federal, state,  
25 or local government programs for low-income individuals or by  
26 charitable organizations, congregate shelters, or transitional  
27 housing.
  - 28 (4) An individual who resided in a shelter or place not meant  
29 for human habitation and who is exiting an institution where he  
30 or she temporarily resided.
  - 31 (5) An individual or family who will imminently lose their  
32 housing, including, but not limited to, housing they own, rent, or  
33 live in without paying rent, are sharing with others, or rooms in  
34 hotels or motels not paid for by federal, state, or local government  
35 programs for low-income individuals or by charitable  
36 organizations, as evidenced by any of the following:
    - 37 (A) A court order resulting from an eviction action that notifies  
38 the individual or family that they must leave within 14 days.

1 (B) The individual or family having a primary nighttime  
2 residence that is a room in a hotel or motel and where they lack  
3 the resources necessary to reside there for more than 14 days.

4 (C) Credible evidence indicating that the owner or renter of the  
5 housing will not allow the individual or family to stay for more  
6 than 14 days, and any oral statement from an individual or family  
7 seeking homeless assistance that is found to be credible shall be  
8 considered credible evidence for purposes of this clause.

9 (6) An individual or family who has no subsequent residence  
10 identified.

11 (7) An individual or family who lacks the resources or support  
12 networks needed to obtain other permanent housing.

13 (8) Unaccompanied youth and homeless families with children  
14 and youth defined as homeless under any other federal statute, as  
15 of the effective date of this program, who meet all of the following:

16 (A) Have experienced a long-term period without living  
17 independently in permanent housing.

18 (B) Have experienced persistent instability as measured by  
19 frequent moves over that long-term period.

20 (C) Can be expected to continue in that status for an extended  
21 period of time because of chronic disabilities, chronic physical  
22 health or mental health conditions, substance addiction, histories  
23 of domestic violence or childhood abuse, the presence of a child  
24 or youth with a disability, or multiple barriers to employment.

25 (e) “Homelessness” means the status of being homeless, as  
26 defined in subdivision (d).

27 (f) “Permanent housing” means a place to live without a limit  
28 on the length of stay in the housing that exceeds the duration of  
29 funding for the program, subject to landlord-tenant laws pursuant  
30 to Chapter 2 (commencing with Section 1940) of Title 5 of Part 4  
31 of Division 3 of the Civil Code.

32 (g) “Program” means the Bringing Families Home Program  
33 established pursuant to this article.

34 (h) “Supportive housing” has the same meaning as defined in  
35 paragraph (2) of subdivision (b) of Section 50675.14 of the Health  
36 and Safety Code, except that the program is not restricted to serving  
37 only projects with five or more units.

38 16523.1. (a) To the extent funds are appropriated in the annual  
39 Budget Act, the department shall award program funds to counties  
40 for the purpose of providing housing-related supports to eligible

1 families experiencing homelessness if that homelessness prevents  
2 reunification between an eligible family and a child receiving child  
3 welfare services, or where lack of housing prevents a parent or  
4 guardian from addressing issues that could lead to foster care  
5 placement.

6 (b) Notwithstanding subdivision (a), this section does not create  
7 an entitlement to housing-related assistance, which is intended to  
8 be provided at the discretion of the county as a service to eligible  
9 families.

10 (c) (1) It is the intent of the Legislature that housing-related  
11 assistance provided pursuant to this article utilize evidence-based  
12 models, including evidence-based practices in rapid rehousing and  
13 supportive housing.

14 (2) Housing-related supports available to participating families  
15 shall include, but not be limited to, all of the following:

16 (A) An assessment of each family's housing needs, including  
17 a plan to assist them in meeting those needs.

18 (B) Housing navigation or search assistance to recruit landlords,  
19 and assist families in locating housing affordable to the family,  
20 under a presumption that the family will pay no more than one-third  
21 of their income in rent.

22 (C) The use of evidence-based models, such as motivational  
23 interviewing and trauma-informed care, to build relationships with  
24 a parent or guardian.

25 (D) Housing-related financial assistance, including rental  
26 assistance, security deposit assistance, utility payments, moving  
27 cost assistance, and interim housing assistance while housing  
28 navigators are actively seeking permanent housing options for the  
29 family.

30 (E) Housing stabilization services, including ongoing tenant  
31 engagement, case management, public systems assistance, legal  
32 services, credit repair assistance, life skills training, and conflict  
33 mediation with landlords and neighbors.

34 (F) If the family requires supportive housing, long-term services  
35 promoting housing stability.

36 (d) The department shall award program funds to counties  
37 according to criteria developed by the department, in consultation  
38 with the County Welfare Directors Association, the Corporation  
39 for Supportive Housing, and Housing California, subject to both  
40 of the following requirements:

1 (1) A county that receives state funds under this program shall  
 2 match that funding on a dollar-by-dollar basis. The county funds  
 3 used for this purpose shall supplement, not supplant, county  
 4 funding already intended for these purposes.

5 (2) A county that receives state funds under this program shall  
 6 have a local continuum of care that participates in a homeless  
 7 services coordinated entry and assessment system, as required by  
 8 the United States Department of Housing and Urban Development.

9 (e) The department, in consultation with Housing California,  
 10 the Corporation for Supportive Housing, and the County Welfare  
 11 Directors Association of California, shall develop all of the  
 12 following:

13 (1) The criteria by which counties may be awarded funds to  
 14 provide housing-related assistance to eligible families pursuant to  
 15 this article.

16 (2) The proportion of program funding to be expended on  
 17 reasonable and appropriate administrative activities to minimize  
 18 overhead and maximize services.

19 (3) Eligible sources of funds for a county’s matching  
 20 contribution.

21 (4) Tracking and reporting procedures for the program.

22 (5) A process for evaluating program data.

23 SEC. 29. Section 17601.50 of the Welfare and Institutions  
 24 Code is amended to read:

25 17601.50. The moneys in the Child Poverty and Family  
 26 Supplemental Support Subaccount shall be allocated to the family  
 27 support account in the local health and welfare trust fund in each  
 28 county and city and county by the Controller pursuant to a schedule  
 29 prepared by the Department of Finance. All funds allocated shall  
 30 be attributable to the payment of increased aid payments, as  
 31 authorized by Section 11450.025. Funds that are not allocated in  
 32 a fiscal year, shall be available for allocation in the following fiscal  
 33 year.

34 SEC. 30. Section 18910.1 of the Welfare and Institutions Code  
 35 is amended to read:

36 18910.1. All CalFresh households shall be assigned certification  
 37 periods that are the maximum number of months allowable under  
 38 federal law for the household type unless a county is complying  
 39 with subdivision (b) of Section 18910 or, on a case-by-case basis

1 only, the household’s individual circumstances require a shorter  
2 certification period.

3 SEC. 31. Section 18920 is added to the Welfare and Institutions  
4 Code, to read:

5 18920. (a) Notwithstanding any other law, an agreement  
6 between the department and a unit of local government, any other  
7 unit of state government, or a nonprofit organization that provides  
8 for a contract relating to either of the following is and shall be  
9 deemed a “cooperative agreement,” as defined in subdivision (a)  
10 of Section 38072 of the Health and Safety Code:

- 11 (1) Outreach programs related to CalFresh.
- 12 (2) The Supplemental Nutrition Assistance Program: Nutrition  
13 Education and Obesity Prevention Grant Program.

14 (b) Notwithstanding subdivision (b) of Section 38072 of the  
15 Health and Safety Code, for purposes of Chapter 1 (commencing  
16 with Section 38070) of Division 25.2 of the Health and Safety  
17 Code, any reference to the term “department” in those provisions  
18 shall refer to the State Department of Social Services for purposes  
19 of an agreement described in subdivision (a).

20 (c) In addition to the authority granted the department in  
21 subdivision (a) of Section 38081.1 of the Health and Safety Code,  
22 a change of subcontracts shall not be subject to review and approval  
23 by the Department of General Services pursuant to Chapter 2  
24 (commencing with Section 10290) of Part 2 of Division 2 of the  
25 Public Contract Code.

26 (d) The Legislature finds and declares that this section shall be  
27 applied retroactively to currently executed agreements that are  
28 described in subdivision (a).

29 SEC. 32. Chapter 17 (commencing with Section 18999) is  
30 added to Part 6 of Division 9 of the Welfare and Institutions Code,  
31 to read:

32

33 CHAPTER 17. HOUSING AND DISABILITY INCOME ADVOCACY  
34 PROGRAM  
35

36 18999. In enacting this chapter, it is the intent of the Legislature  
37 to establish, for the 2016–17 fiscal year, the Housing and Disability  
38 Income Advocacy Program under which counties assist homeless  
39 Californians with disabilities to increase participation among  
40 individuals who may be eligible for disability benefits programs,

1 including the Supplemental Security Income/State Supplementary  
2 Program for the Aged, Blind, and Disabled (SSI/SSP), the federal  
3 Social Security Disability Insurance (SSDI) program, the Cash  
4 Assistance Program for Immigrants, and veterans benefits provided  
5 under federal law, including disability compensation.

6 18999.1. (a) Subject to an appropriation of funds for this  
7 purpose in the annual Budget Act, the State Department of Social  
8 Services shall administer the Housing and Disability Income  
9 Advocacy Program to provide state matching grant funds to  
10 participating counties for the provision of outreach, case  
11 management, and advocacy services and housing assistance to  
12 individuals in need.

13 (b) Funds appropriated pursuant to this chapter shall be awarded  
14 to counties by the department according to criteria developed by  
15 the department, in consultation with the County Welfare Directors  
16 Association of California and advocates for clients, subject to the  
17 following restrictions:

18 (1) State funds appropriated pursuant to this chapter shall be  
19 used only for the purposes specified in this chapter.

20 (2) A county that receives state funds under this chapter shall  
21 match that funding on a dollar-for-dollar basis. The county  
22 matching funds used for this purpose shall supplement, and not  
23 supplant, other county funding for these purposes.

24 (3) A county receiving state funds pursuant to this chapter shall,  
25 at a minimum, maintain a level of county funding for the outreach,  
26 active case management, advocacy, and housing assistance services  
27 described in this chapter that is at least equal to the total of the  
28 amounts expended by the county for those services in the 2015–16  
29 fiscal year.

30 (4) As part of its application to receive state funds under this  
31 chapter, a county shall identify how it will collaborate locally  
32 among, at a minimum, the county departments that are responsible  
33 for health, including behavioral health, and human or social  
34 services in carrying out the activities required by this chapter. This  
35 collaboration shall include, but is not limited to, the sharing of  
36 information among these departments as necessary to carry out  
37 the activities required by this chapter.

38 18999.2. (a) (1) A participating county shall provide, or  
39 contract for, outreach, active case management, and advocacy  
40 services related to all of the following programs, as appropriate:

- 1 (A) The Supplemental Security Income/State Supplementary  
2 Program for the Aged, Blind, and Disabled (SSI/SSP).
- 3 (B) The federal Social Security Disability Insurance (SSDI)  
4 program.
- 5 (C) The Cash Assistance Program for Immigrants.
- 6 (D) Veterans benefits provided under federal law, including,  
7 but not limited to, disability compensation.
- 8 (2) The outreach and case management services required by  
9 this subdivision shall include, but not be limited to, all of the  
10 following:
- 11 (A) Receiving referrals.
- 12 (B) Conducting outreach, training, and technical assistance.
- 13 (C) Providing assessment and screening.
- 14 (D) Coordinating record retrieval and other necessary means of  
15 documenting disability.
- 16 (E) Coordinating the provision of health care, including  
17 behavioral health care, for clients, as appropriate.
- 18 (3) The advocacy services required by this subdivision, which  
19 may be provided through legal representation, shall include, but  
20 not be limited to, the following:
- 21 (A) Developing and filing competently prepared benefit  
22 applications, appeals, reconsiderations, reinstatements, and  
23 recertifications.
- 24 (B) Coordinating with federal and state offices regarding  
25 pending benefit applications, appeals, reconsiderations,  
26 reinstatements, and recertifications and advocating on behalf of  
27 the client.
- 28 (b) A participating county shall use screening tools to identify  
29 populations of individuals who are likely to be eligible for the  
30 programs listed in subdivision (a), in accordance with the  
31 following:
- 32 (1) The county shall give highest priority to individuals who  
33 are chronically homeless or who rely the most heavily on state-  
34 and county-funded services.
- 35 (2) Other populations to be targeted by the program include,  
36 but are not limited to, the following:
- 37 (A) General assistance or general relief applicants or recipients  
38 who are homeless or at risk of homelessness.
- 39 (B) Parents who receive CalWORKs assistance or whose  
40 children receive assistance or children who are recipients of

1 CalWORKs in families that are homeless or at risk of  
2 homelessness.

3 (C) Low-income individuals with disabilities who can be  
4 diverted from, or who are being discharged from, jails or prisons  
5 and who are homeless or at risk of homelessness.

6 (D) Low-income veterans with disabilities who are homeless  
7 or at risk of homelessness.

8 (E) Low-income individuals with disabilities who are being  
9 discharged from hospitals, long-term care facilities, or  
10 rehabilitation facilities and who are homeless or at risk of  
11 homelessness.

12 (c) (1) As appropriate, a participating county may refer an  
13 individual to workforce development programs who is not likely  
14 to be eligible for the programs listed in subdivision (a) and who  
15 may benefit from workforce development programs.

16 (2) In consultation with an individual who has been served by  
17 the Housing and Disability Income Advocacy Program and  
18 considering the circumstances of his or her disabilities, a  
19 participating county may, upon approval or final denial of disability  
20 benefits, refer an individual who may benefit from workforce  
21 development programs to those programs.

22 (3) An individual's participation in a workforce development  
23 program pursuant to this subdivision is voluntary.

24 18999.4. (a) (1) A participating county shall use funds  
25 received under this program to establish or expand programs that  
26 provide housing assistance, including interim housing, recuperative  
27 care, rental subsidies, or, only when necessary, shelters, for clients  
28 receiving services under Section 18999.2 during the clients'  
29 application periods for disability benefits programs described in  
30 that section. The county shall place a client who receives subsidies  
31 in housing that the client can sustain without a subsidy upon  
32 approval of disability benefits. If the client is not approved for  
33 disability benefits, case management staff shall assist in developing  
34 a transition plan for housing support through other available  
35 resources.

36 (2) A client's participation in housing assistance programs or  
37 services is voluntary.

38 (b) A county, with the assistance of the department, shall seek  
39 reimbursement of funds used for housing assistance, general  
40 assistance, or general relief from the federal Commissioner of



1 Social Security pursuant to an interim assistance reimbursement  
2 agreement authorized by Section 1631(g) of the federal Social  
3 Security Act. A county shall expend funds received as  
4 reimbursement for housing assistance only on additional housing  
5 assistance for clients receiving services under this chapter.

6 18999.6. (a) Each participating county shall annually report  
7 to the department regarding its funding of advocacy and outreach  
8 programs in the prior year, as well as the use of state funding  
9 provided under this chapter, including all of the following:

10 (1) The number of clients served in each of the targeted  
11 populations described in subdivision (b) of Section 18999.2 and  
12 any other populations the county chose to target.

13 (2) The demographics of the clients served, including race or  
14 ethnicity, age, and gender.

15 (3) The number of applications for benefits, and type of benefits,  
16 filed with the assistance of the county.

17 (4) The number of applications approved initially, the number  
18 approved after reconsideration, the number approved after appeal,  
19 and the number not approved, including the time to benefits  
20 establishment.

21 (5) For applications that were denied, the reasons for denial.

22 (6) The number of clients who received subsidized housing  
23 during the period that their applications were pending and a  
24 description of how that impacted the clients and the rates of  
25 completed applications or approval.

26 (7) The number of clients who received subsidized housing who  
27 maintained that housing during the SSI application period.

28 (8) The percentage of individuals approved for SSI who retain  
29 permanent housing 6, 12, and 24 months after benefits approval.

30 (9) The amount and percentage of rental subsidy costs and of  
31 general assistance or general relief costs recovered through interim  
32 assistance reimbursement for individuals approved for benefits.

33 (10) The number of individuals eligible to be served by this  
34 program but who have not yet received services.

35 (11) Any additional data requirements established by the  
36 department after consultation with the County Welfare Directors  
37 Association of California and advocates for clients.

38 (b) The department shall periodically inform the Legislature of  
39 the implementation progress of the program and make related data  
40 available on its Internet Web site. The department shall also report

1 to the Legislature by October 1, 2018, in compliance with Section  
2 9795 of the Government Code, regarding the implementation of  
3 the program, including the information reported by participating  
4 counties pursuant to this section.

5 (c) Notwithstanding the rulemaking provisions of the  
6 Administrative Procedures Act (Chapter 3.5 (commencing with  
7 Section 11340) of Part 1 of Division 3 of Title 2 of the Government  
8 Code), the department may implement, interpret, or make specific  
9 this chapter through all-county letters without taking any regulatory  
10 action.

11 SEC. 33. (a) During the 2017 and 2018 legislative budget  
12 hearings, the State Department of Social Services and the State  
13 Department of Health Care Services shall update the legislative  
14 budget committees on activities taken by the departments to  
15 implement the Continuum of Care Reform (CCR) pursuant to AB  
16 403 (Chapter 773, Statutes of 2015).

17 (b) The information required pursuant to subdivision (a) shall  
18 include, but is not limited to, all of the following:

19 (1) The specialty mental health services provided to foster  
20 children in short term residential treatment centers, by foster family  
21 agencies, and by resource families.

22 (2) The roles to be performed by the county mental health plans,  
23 the Medi-Cal managed care plans, and the fee-for-service system  
24 to coordinate mental health services being provided to foster youth  
25 pursuant to subdivision (a).

26 (3) The actual or projected fiscal information related to the  
27 implementation of CCR, as follows:

28 (A) Funding sources available to provide mental health services  
29 to foster care children.

30 (B) The state, county, and federal funding estimated for the  
31 2016–17 fiscal year to provide mental health services to foster  
32 children who meet the medical necessity criteria for specialty  
33 mental health services under the Medi-Cal program.

34 SEC. 34. No appropriation pursuant to Section 15201 of the  
35 Welfare and Institutions Code shall be made for purposes of  
36 implementing Section ~~20~~ 22 of this act.

37 SEC. 35. The State Department of Social Services shall  
38 convene stakeholders, including county placing agencies, providers,  
39 foster youth, and legislative staff, commencing no later than July  
40 1, 2016, to discuss the adequacy of the proposed foster care rates

1 and rate structure, and the extent to which the rates will achieve  
2 the desired outcomes for Continuum of Care Reform and AB 403  
3 (Chapter 773, Statutes of 2015). The department shall report to  
4 the legislative budget committees no later than August 10, 2016,  
5 on the results of these discussions. To the extent the proposed rates  
6 have changed, the department shall provide updated projected  
7 costs no later than January 10, 2017.

8 SEC. 36. (a) Notwithstanding the rulemaking provisions of  
9 the Administrative Procedure Act (Chapter 3.5 (commencing with  
10 Section 11340) of Part 1 of Division 3 of Title 2 of the Government  
11 Code), the State Department of Social Services may implement  
12 and administer Article 6 (commencing with Section 16523) of  
13 Chapter 5 of Part 4 of Division 9 of the Welfare and Institutions  
14 Code and the changes made in this act to Sections 11253.45,  
15 11320.15, 11322.63, 11322.64, 11322.83, 11323.25, 11402 (as  
16 amended by Section 65 of Chapter 773 of the Statutes of 2015),  
17 11402 (as amended by Section 66 of Chapter 773 of the Statutes  
18 of 2015), 11450, 11450.04, 11461.3, 11461.4, 11465, 12301.02,  
19 16519.5, and 18910.1 of the Welfare and Institutions Code through  
20 all-county letters or similar instructions until regulations are  
21 adopted.

22 (b) The department shall adopt emergency regulations  
23 implementing the sections specified in subdivision (a) no later than  
24 January 1, 2018. The department may readopt any emergency  
25 regulation authorized by this section that is the same as, or  
26 substantially equivalent to, any emergency regulation previously  
27 adopted pursuant to this section. The initial adoption of regulations  
28 pursuant to this section and one readoption of emergency  
29 regulations shall be deemed to be an emergency and necessary for  
30 the immediate preservation of the public peace, health, safety, or  
31 general welfare. Initial emergency regulations and the one  
32 readoption of emergency regulations authorized by this section  
33 shall be exempt from review by the Office of Administrative Law.  
34 The initial emergency regulations and the one readoption of  
35 emergency regulations authorized by this section shall be submitted  
36 to the Office of Administrative Law for filing with the Secretary  
37 of State, and each shall remain in effect for no more than 180 days,  
38 by which time final regulations shall be adopted.

39 SEC. 37. (a) To the extent that this act has an overall effect  
40 of increasing the costs already borne by a local agency for programs

1 or levels of service mandated by the 2011 Realignment Legislation,  
2 Section 36 of Article XIII of the California Constitution shall  
3 govern this act’s application to local agencies and the state’s  
4 funding of those programs or levels of service.

5 (b) However, if the Commission on State Mandates determines  
6 that this act contains other costs mandated by the state for programs  
7 or levels of service not described in subdivision (a), reimbursement  
8 to local agencies and school districts for those costs shall be made  
9 pursuant to Part 7 (commencing with Section 17500) of Division  
10 4 of Title 2 of the Government Code.

11 SEC. 38. This act is a bill providing for appropriations related  
12 to the Budget Bill within the meaning of subdivision (e) of Section  
13 12 of Article IV of the California Constitution, has been identified  
14 as related to the budget in the Budget Bill, and shall take effect  
15 immediately.

16

17

18 **CORRECTIONS:**

19 **Heading—Lines 1, 2, 3, 4, and 5.**

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