

Background: Two recent changes provide emergency caregiver funding to families completing Resource Family Approval (RFA), sometimes referred to by its authorizing legislation, Assembly Bill (AB) 110 and AB 1811. AB 110 went into effect on March 30, 2018 and provided families with funding that expired on June 30, 2018. AB 1811 extends the funding initiated under AB110, so that families benefiting from AB 110 will continue to receive emergency caregiver funding. AB 1811 also provides funding for families who accept placement after July 1, 2018 and are not yet approved as resource families.

This document provides information regarding both types of emergency caregiver funding.

Q: What is emergency caregiver funding?

A: Emergency caregiver funding is financial support for caregivers who accept placement of children in foster care on an emergency basis or based on a compelling reason prior to completing RFA.

Q: Can a family receive emergency caregiver funding even if the probation department has jurisdiction?

A: Yes. Families qualify for emergency caregiver funding regardless whether a child welfare department or probation department has jurisdiction so long as the family meets the criteria required for emergency caregiver funding. These criteria are explained below.

Q: What is AB 110?

A: AB 110 provided short-term funding for the period of March 30, 2018 through June 30, 2018, for caregivers who accepted placement of a child in foster care on an emergency basis or based on a compelling reason before being approved as a resource family as long as they had submitted a RFA application. AB 110 funding:

- is not available prior to March 30, 2018, even if the placement occurred before that date.
- is not retroactive back to March 30, 2018 if the RFA application was submitted after that date and/or if placement occurred after March 30, 2018.
- is replaced by regular foster care funding if the caregiver was approved between March 30, 2018 and June 30, 2018.

Q: What was the effective date of AB 110 funding?

A: The effective dates of AB 110 funding are as follows:

- March 30, 2018, for those individuals who took placement AND submitted an RFA application prior to March 30, 2018.
- The date that the RFA application was submitted, for those who accepted placement OR submitted their RFA application after March 30, 2018 and before July 1, 2018.

Q: Does AB 110 provide emergency caregiver funding back to the time the child was placed in a home?

A: No. Emergency caregiver funding through AB 110 is available only as of March 30, 2018. No funding is available for the period between the date of placement and March 30, 2018, if the placement occurred prior to March 30, 2018. **In other words, there is no retroactive payment back to the date of placement to cover the time that a child was placed in an emergency caregiver's home before enactment of AB 110.** For example, if a child was placed in the home of a caregiver in January 2017, there is no back payment for the period between January 2017 and March 30, 2018.

AB 110 funding is available to families who were caring for a child but were not yet approved between March 30, 2018 and June 30, 2018. This means that families who received placement prior to March 30, 2018 can still qualify for AB 110 funding in their RFA application was still pending after March 30.

Eligible families will receive emergency caregiver funding through AB 110 back to March 30, 2018 OR the date of the RFA application – whichever date is later.

Q: What paperwork was required to receive AB 110 funding?

Note: paperwork requirements are different for AB 1811.

A: For AB 110 funding, caregivers were required to complete an RFA application. Relatives caring for a non-federally eligible child were also required to sign an Approved Relative Care (ARC) application to receive AB 110 funding. The child's eligibility worker determines a child's eligibility for federal funding and a caregiver was provided the ARC application, if necessary. If a child was eligible for Emergency Assistance (EA) and not ARC, the county worker completes the EA application and the caregiver is not required to complete or sign it.

Like AB 1811, AB 110 funding cannot be initiated until an RFA application is submitted. However, unlike AB 1811, AB 110 funding is not available from the date of placement; it is only available from the date the RFA application was submitted.

Q: What is the Approved Relative Caregiver program?

A: The Approved Relative Caregiver (ARC) program provides financial support equal to a foster care payment to relatives caring for children who are not federally eligible. The child's federal eligibility is determined by a county worker. Relatives caring for a non-federally eligible child should be provided a copy of the ARC application at the time of placement.

Families do not have to submit an ARC application to receive emergency caregiver funding for placements made after July 1, 2018.

Q: What is the Emergency Assistance (EA) program?

A: California's EA program provides short-term assistance for up to 12 months to caregivers who accept emergency placement of a child. EA is available for children who are federally eligible and placed with a relative on an emergency basis or for a child placed with a non-relative regardless of the child's federal eligibility. A county worker determines the child's federal eligibility based on the timing of the removal petition and the income and resources of the home where the child was removed.

Some families received funding through the EA program in AB 110. Under AB 1811, all families will receive funding through the EA program. However, if the child is not eligible for EA, the family will still receive emergency caregiver funding.

Caregivers do not sign or complete an EA application. Instead, the child welfare or probation department is responsible for ensuring an EA application is filed for families and, if possible, signed by biological parents or the parent(s) from whom the child is being removed. Although the EA application asks for the caregiver's signature, caregiver means biological parent or the home of removal in this instance.

Q: What happens if a family was receiving emergency caregiver funding through AB 110, but they were not approved as a resource family by the time AB 110 expired on June 30, 2018?

A: AB 1811 extended funding through AB 110 beyond June 30, 2018. Families will continue receiving emergency caregiver funding through AB 110 if they are not approved by June 30, 2018. There should be no break in payment.

Please note that if someone was entitled to receive emergency caregiver funding under AB 110 but has yet to receive it by the time AB 110 expired on June 30, 2018, they are still entitled to receive it.

Q: What happens if a caregiver was receiving emergency caregiver funding through AB 110 and they are still not approved as a resource family?

A: They will continue receiving emergency caregiver funding if:

- they were receiving, or were eligible to receive, emergency caregiver funding through AB 110;
- they are still caring for the child, and
- they have not completed the RFA process as of June 30, 2018.

Q: When will families caring for a child while completing the RFA process receive emergency caregiver funding?

A: Emergency caregiver funding through AB 1811 is effective on July 1, 2018. However, families are eligible for emergency caregiver funding prior to July 1, 2018 pursuant to AB 110 if they were caring for a child prior to approval between March 30, 2018 and June 30, 2018. Each county has its own process to release funding

to caregivers. The county process for distributing funds will determine when any individual family will receive their initial payment. Contact your county worker for information on when funding will be provided.

Families who were entitled to a payment under AB 110 and did not receive such payment as of July 1, 2018 still have a right to receive that funding for the period between March 30, 2018 and June 30, 2018 when they met the eligibility criteria.

Q: What are the eligibility requirements for an individual to receive emergency caregiver funding through AB 1811?

A: Caregivers are eligible for emergency caregiver funding through AB 1811 if they received placement on or after July 1, 2018, and they:

- are caring for a child in foster care in California;
- have a placement based on an emergency basis or compelling reason
- have not been approved as a resource family;
- signed and submitted a RFA application filed (Form RFA-01), and
- the county agency filed an Emergency Assistance (EA) form on your behalf.

Emergency caregiver funding will continue for up to 180 days (and in some cases up to 365 days) or until the RFA application is approved or denied, whichever occurs first.

Q: What happens to the funding once the caregiver is approved?

A: Once RFA is complete, the family continues to receive funding in the form of regular foster care benefits at the child's assessed Level of Care, and such funding is at least the basic foster care rate, if the family is approved as a resource family. In some cases, once the family is approved, the foster care benefit may be more than the basic rate because the child may be assessed at a higher Level of Care and/or the child may qualify for additional supplemental payments such as the clothing allowance, specialized care increment, or special rates for foster children who have developmental disabilities and are clients of a regional center.

Q: How long will emergency caregivers receive funding pursuant to AB 1811?

A: From July 1, 2018 to June 30, 2019 (fiscal year 2018-2019), the emergency caregiver funding is available for up to 180 days, as long as the RFA application is still pending, and can continue for up to 365 days, if the county demonstrates to the California Department of Social Services that there is "good cause" for the delay in approving the family as a resource family. In addition, even if the county cannot demonstrate good cause, the county can continue to provide funding to a caregiver beyond 180 days and until approval.

Q: What happens if a caregiver has not completed the RFA process after 365 days?

A: The county can continue to provide funding to a caregiver beyond 365 days and until approval using county-only funds, including Foster Parent Recruitment and Retention Support (FPRRS) dollars.

Q: How is the emergency caregiver funding different under AB 1811 and AB 110?

A: AB 110 was an interim solution to provide funding to families who took placement prior to approval and had a pending RFA application during the period of March 30, 2018 through June 30, 2018. AB 1811 continues the funding past June 30, 2018. The major difference between the two types of funding is that **emergency caregiver funding through AB 1811 is retroactive to the date of placement if placement was on or after July 1, 2018.** Caregivers who receive funding under AB 110 only receive funding back to March 30, 2018 OR the date the RFA application was submitted, whichever is later.

Q: When will I receive the emergency caregiver funding?

A: Each county has its own process to release funding to caregivers. The county process for distributing funds determines when an individual family receives their initial payment. Caregivers are still entitled to receive emergency caregiver funding through AB 110 even after it expired on June 30, 2018 if they have not yet received it so long as they met the required criteria.

Q: How much is the emergency caregiver funding?

A: The emergency caregiver funding is equivalent to the resource family basic level rate. The basic level rate was \$923 per month per child before July 1, 2018. Starting July 1, 2018, the resource family basic level rate is \$960 per month per child.

Q: Can caregivers who receive emergency caregiver funding receive supplemental payments such as a specialized care increment?

A: No. Emergency caregiver funding is limited to the resource family basic level rate of \$960 per month per child. The caregiver may receive supplemental payments (like school of origin funding, clothing allowance, dual agency rate, infant supplement, and/or specialized care increments), if the child is eligible, once the caregiver is approved as a resource family.

Q: What if I am a relative caregiver and the child in my care is not eligible for emergency assistance (EA)?

A: All caregivers, relatives or non-relatives, who are caring for a child placed on an emergency basis or based on a compelling reason prior to being approved as a resource family will receive emergency caregiver funding even if the child is ineligible for the Emergency Assistance program.

Q: Are non-relative caregivers eligible to receive funding as an emergency caregiver?

A: Yes. Emergency caregiver funding is available to both relatives and non-relatives who accept placement of a child in their home prior to being approved as a resource family.

Q: Will relative and non-related caregivers receive the same amount of emergency caregiver funding?

A: Yes. Both relatives and non-related caregivers receive emergency caregiver funding equal to the resource family basic rate of \$960 per month per child.

Q: Is emergency caregiver funding available in all counties?

A: Yes. Emergency caregiver funding is NOT a county-optional program. Families who meet the criteria for emergency caregiver funding are entitled to receive it.

Q: Can families receive emergency caregiver funding even if a Foster Family Agency (FFA) is overseeing a family's RFA process?

A: Yes. Families who are referred to an FFA to complete their resource family approval application can receive emergency caregiver funding if they meet the criteria described above, including that the child was placed with them on an emergency basis or based on a compelling reason prior to the family completing the RFA process.

Q: Do families qualify for emergency caregiver funding if it was a court-ordered placement?

A: No. Courts have the authority to make court-ordered placements even if the county objects to placement. In these situations, families do not qualify for emergency caregiver funding because the placement was not based on an emergency basis or for a compelling reason.

Questions? Contact Elise Weinberg: e.weinberg@kids-alliance.org or 213-368-6010, or the California Department of Social Services (CDSS): ecfunding@dss.ca.gov.