



CDSS

WILL LIGHTBOURNE  
DIRECTOR

STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY  
**DEPARTMENT OF SOCIAL SERVICES**

744 P Street • Sacramento, CA 95814 • [www.cdss.ca.gov](http://www.cdss.ca.gov)



EDMUND G. BROWN JR.  
GOVERNOR

May 12, 2016

ALL COUNTY LETTER (ACL) NO. 16-45

REASON FOR THIS TRANSMITTAL

- State Law Change
- Federal Law or Regulation Change
- Court Order
- Clarification Requested by One or More Counties
- Initiated by CDSS

TO: ALL COUNTY WELFARE DIRECTORS  
 ALL COUNTY CALWORKS PROGRAM SPECIALISTS  
 ALL COUNTY WELFARE TO WORK COORDINATORS  
 ALL CONSORTIA REPRESENTATIVES  
 ALL COUNTY CHILD WELFARE SERVICES PROGRAM MANAGERS  
 ALL FOSTER CARE MANAGERS

SUBJECT: CALIFORNIA WORK OPPORTUNITY AND RESPONSIBILITY TO KIDS (CalWORKs) PROGRAM REQUIREMENTS: NEW APPLICATION AND FORM FOR NON-NEEDY CARETAKER RELATIVES WITH RELATIVE FOSTER CHILDREN PLACED IN THE HOME

REFERENCES: [ASSEMBLY BILL \(AB\) 403](#) (CHAPTER 773, STATUTES OF 2015); WELFARE AND INSTITUTIONS CODE (W&IC) SECTIONS [309](#), [361.45](#), [11253.2](#) AND [16519.5](#).

The purpose of this ACL is to transmit a new simplified application and rights and responsibilities form for non-needy caretaker relatives caring for relative foster children, pursuant to AB 403, signed by Governor Brown on October 11, 2015. AB 403 will better support foster children in the homes of relatives by requiring a simplified CalWORKs application process for relative foster children placed with non-needy caretaker relatives. Effective January 1, 2016, the new application was developed to be user friendly to the non-needy caretaker relative and include questions specific to the child's information; therefore, improving program access and decreasing the administrative burden on County Welfare Departments (CWDs).

## **BACKGROUND**

When a child is removed from a parent and placed into foster care, state law requires that preferential consideration for placement be given to a relative. Relatives must be approved, meaning they must meet health and safety standards that mirror those for a licensed foster parent.

Although placement with a relative is the preferred placement, a foster child in the care of a relative may or may not receive the same level of funding as if the same child were with a non-relative. Funding depends on whether the child is eligible to receive federal Aid to Families with Dependent Children-Foster Care (AFDC-FC). While an approved relative may receive AFDC-FC payments on behalf of a *federally* eligible foster child, an approved relative caring for a *non-federally* eligible foster child is ineligible for AFDC-FC.

The approved relative may then apply to receive CalWORKs benefits on behalf of the non-federally eligible foster child in their care by filling out a lengthy application. Relative caregivers may also apply for CalWORKs while waiting for approval or denial of foster care funding. CalWORKs grants are not a per-child payment, but are based on the size of the family as a whole, and are less than the AFDC-FC rate.

This process can be time consuming and confusing for relatives. AB 403 will alleviate this process by providing a shorter CalWORKs application for relative foster children placed with non-needy caretaker relatives. The application is centered on the child only, and will clearly identify this as a non-needy caretaker relative. A shorter application can be processed more quickly, and the relative can receive benefits to stabilize placement.

## **APPLICATION AND RIGHTS AND RESPONSIBILITIES FORM FOR NON-NEEDY CARETAKER RELATIVES**

The CW 2219 application and CW 2218 form have been developed for non-needy caretaker relatives applying for CalWORKs on behalf of relative foster children who have been temporarily placed by the county child welfare agency under W&IC Sections 309 or 361.45, or placed in a related resource family home. The CW 2219 and CW 2218 (Rights and Responsibilities) are required, no substitute permitted forms, to be completed by the non-needy caretaker relative at initial application and redetermination. The simplified CW 2219 application asks for the child's information, such as income or property of the child. A separate application is required for each child for whom the non-needy relative caretaker is applying. The CW 2218 (Rights and Responsibilities) is specific to non-needy caretaker relatives. Although a separate CW 2219 is required for each child, one CW 2218 may be completed if the non-needy

caretaker relative is applying for several relative foster children at the same time. CWDs must begin using the new CW 2219 and CW 2218 immediately, using hard stock until they are programmed into the Statewide Automated Welfare Systems (SAWS).

Caretaker relatives who wish to receive CalWORKs benefits for themselves and/or other children in the home may not use the CW 2219 and must instead use the SAWS 2 Plus.

### **STATEWIDE FINGERPRINT IMAGING SYSTEM (SFIS) EXCEPTION**

Use of the CW 2219 and CW 2218 does not change the process and procedures for application and redetermination. Normal CalWORKs rules apply, with the exception of SFIS. Non-needy caretaker relatives who fill out the CW 2219 are exempt from fingerprint and photo-imaging requirements. SFIS is required if the caretaker relative subsequently applies for CalWORKs for themselves and/or other children in the home who are not relative foster care children.

### **REQUIRED FORM - NO SUBSTITUTE PERMITTED**

Forms in this category are required forms that the CWD may not modify or restructure. However, overprinting or reformatting under the conditions outlined in Operations Manual Section 23.400.211, Overprinting Required Forms and Section 23-400.212, EDP Modifications, is permitted.

### **CAMERA READY COPIES AND TRANSLATIONS**

For a camera-ready copy in English, contact the CDSS Forms Management Unit at [fmudss@dss.ca.gov](mailto:fmudss@dss.ca.gov). You may obtain these forms from the CDSS webpage at: [http://www.dss.cahwnet.gov/cdssweb/FormsandPu\\_271.htm](http://www.dss.cahwnet.gov/cdssweb/FormsandPu_271.htm).

When all translations are completed per Manual of Policies and Procedures (MPP) Section 21-115.2, they are posted on an on-going basis on the CDSS webpage. Copies of the translated forms can be obtained at: [http://www.dss.cahwnet.gov/cdssweb/FormsandPu\\_274.htm](http://www.dss.cahwnet.gov/cdssweb/FormsandPu_274.htm).

For questions on translated materials, please contact the CDSS Language Services at (916) 651-8876. Until translations are available, recipients who have elected to receive materials in languages other than English should be sent the English version of the form or notice along with the GEN 1365 – Notice of Language Services and a local contact number. <http://www.cdss.ca.gov/cdssweb/entres/forms/Multi/GEN1365MUL.pdf>

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The CWDs shall ensure that effective bilingual services are provided. This requirement may be met through utilization of paid interpreters, qualified bilingual employees, and qualified employees of other agencies or community resources. These services shall be provided free of charge to the applicant/recipient.

In the event that CDSS does not provide translations of a form, it is the CWD's responsibility to provide interpreter services if an applicant or recipient requests them. More information regarding translations can be found in [MPP Section 21-115](#).

If you have any questions regarding this letter, please contact the CalWORKs Eligibility Bureau at (916) 654-1322.

Sincerely,

***Original Document Signed By:***

TODD R. BLAND  
Deputy Director  
Welfare to Work Division

Attachments