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DEPARTMENT OF SOCIAL SERVICES
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EDMUND G. BROWN JR.
GOVERNOR

January 28, 2011

ALL COUNTY LETTER NO. 11-10

TO: ALL COUNTY WELFARE DIRECTORS
ALL COUNTY PROBATION OFFICERS

SUBJECT: NEW FEDERAL POLICY GUIDELINES RELATING TO THE
AID TO FAMILIES WITH DEPENDENT CHILDREN-FOSTER
CARE (AFDC-FC) PROGRAM AND REDETERMINATIONS

REFERENCE: ADMINISTRATION ON CHILDREN, YOUTH AND FAMILIES,
CHILDREN'S BRANCH PROGRAM INSTRUCTION 10-11
(ACYF-CB-PI-10-11)
ASSEMBLY BILL (AB) 12 (CHAPTER 559, STATUTES OF 2010)
WELFARE AND INSTITUTIONS CODE (W&IC), SECTION 11401.5
ALL COUNTY LETTER (ACL) NO. 04-58

REASON FOR THIS TRANSMITTAL

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

The purpose of this ACL is to inform counties of the change in federal law regarding AFDC-FC redeterminations. Pursuant to ACYF-CB-PI-10-11 dated July 9, 2010, annual redeterminations of AFDC eligibility are no longer required under federal law, as described below:

Although federal redeterminations of AFDC eligibility of the home of removal, i.e., deprivation, is no longer required after the initial linkage determination has been made, counties are reminded that all Title IV-E eligibility criteria of the child and provider must be met on an ongoing basis as prescribed in federal law and in accordance with CDSS regulations; Eligibility and Assistance Standards (EAS) Manual, Sections 45-100 to 45-300. These regulations will be updated to reflect changes in new foster care redetermination process.

A new review process has been developed under AB 12, and is effective January 1, 2011, and applies to both federal and state foster care cases. The W&IC, Section 11401.5 now reads as follows: "The county shall review the child's or nonminor dependent's payment amount annually. The review shall include an examination of any circumstances of a foster child or nonminor dependent that are subject to change and

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could affect the child's or nonminor dependent's potential eligibility or payment amount, including, but not limited to, authority for placement, eligible facility, and age.”

Pursuant to W&IC Section 11401.5, counties annually shall continue to assess the child and provider circumstances that impact eligibility with the existing forms; the FC 2 and SOC 158A. Sections 18-20 of the FC 2 will no longer apply. This ACL does not change EAS Manual, Sections 45-201.45, 45-202.53, 45-203.33, or 45-203.42 which require a SOC 158A to be completed under certain circumstances (change in authority for placement, placement type, etc.). Refer to ACL 04-58.

For purposes of Title IV-E Reviews, the Administration for Children and Families (ACF) will no longer evaluate whether the Title IV-E agency conducted annual AFDC-FC redeterminations for cases in the sample.

Current Medi-Cal policy for annual redeterminations can be found in ACWDL (All Counties Welfare Directors Letter) 06-16. It is anticipated that the Department of Health Care Services (DHCS) will be issuing a Q&A ACWDL regarding Medi-Cal annual redeterminations. In the meantime, if counties have questions they may contact Debora Wong-Kochi, DHCS, at (916) 552-9490.

If you have any questions regarding this ACL, please the Foster Care Eligibility Unit Consultant assigned to your county at (916) 651-9152.

Sincerely,

Original Document Signed By:

GREGORY E. ROSE
Deputy Director
Children and Family Services Division