



CDSS

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EDMUND G. BROWN JR.
GOVERNOR

REASON FOR THIS TRANSMITTAL

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

September 11, 2012

ALL COUNTY LETTER NO. 12-44

TO: ALL COUNTY WELFARE DIRECTORS
 ALL COUNTY WELFARE FISCAL OFFICERS
 ALL CHIEF PROBATION OFFICERS
 ALL INDEPENDENT LIVING PROGRAM MANAGERS
 ALL INDEPENDENT LIVING PROGRAM COORDINATORS
 ALL COUNTY TRANSITIONAL HOUSING COORDINATORS

SUBJECT: TRANSITIONAL HOUSING PLACEMENT-PLUS-FOSTER CARE
 AND CHANGES TO TRANSITIONAL HOUSING PLACEMENT
 PROGRAM AND TRANSITIONAL HOUSING PROGRAM-PLUS

REFERENCE: ALL COUNTY INFORMATION NOTICE NO. I-40-11; ALL COUNTY
 LETTERS NOS. 11-21, 11-53, 11-61, 11-69, AND 11-77;
 WELFARE AND INSTITUTIONS CODE SECTIONS 308,
 11400, 11403, 11403.2, 16504.5, 16522.1, 16522.2, AND 16522.5;
 HEALTH AND SAFETY CODE SECTIONS 1502.7 AND
 1559.110-1559.115; MANUAL OF POLICIES AND PROCEDURES
 SECTIONS 30-912-30-920; PUBLIC LAW 110-351, THE
 FOSTERING CONNECTIONS TO SUCCESS AND INCREASING
 ADOPTIONS ACT OF 2008.

The primary purpose of this All County Letter (ACL) is to provide information about the Transitional Housing Placement-Plus-Foster Care (THP+FC) program, a type of Supervised Independent Living Setting (SILS) that is one of the new placement options for Non-Minor Dependents (NMDs). Changes to the Transitional Housing Placement Program (THPP) and the Transitional Housing Program-Plus (THP-Plus) will also be discussed.

As originally created by Assembly Bill (AB) 12 (Chapter 559, Statutes of 2010), the California Fostering Connections to Success Act, the THP+FC program was to be approved by counties. This placement option is now required to be offered by a licensed transitional housing placement provider to serve NMDs from age 18 up to 21

as expanded by Senate Bill (SB) 1013 (Chapter 35, Statutes of 2012). The THP+FC is added to the current transitional housing placement options of THPP for minor dependents and wards, and THP-Plus for emancipated youth. These placement options provide transitional housing and supportive services based on a Transitional Independent Living Plan (TILP) (Welfare and Institutions Code (W&I) sections 11403.2(a)(1) and 11403.2(a)(2).)

The AB 12, AB 212 (Chapter 459, Statutes of 2011), and SB 1013 are California's enacted laws that implement the option for Extended Foster Care (EFC) authorized by the federal Public Law (P.L.) 110-351, the Fostering Connections to Success and Increasing Adoptions Act of 2008. The AB 1712 is making further changes, reflected in this ACL, and is still pending before the Legislature.

This ACL partially supersedes and clarifies ACL No. 11-53 as it relates to THP+FC. Originally, as explained in ACL No. 11-53, providers were to be approved by counties for operation, and every county was to submit a THP+FC plan to the California Department of Social Services (CDSS). However, this has been changed by SB 1013. The county is no longer required to submit a plan for THP+FC to CDSS. Instead, under SB 1013, the provider serving NMDs in THP+FC must be licensed by CDSS' Community Care Licensing (CCL) Division as a transitional housing placement provider. Consistent with existing THPP licensing regulations, the program must be certified by the applicable county where its administrative or sub-administrative office is located, or a primary placing county, in order to serve NMDs ages 18 to 21. This county certification must be submitted by the provider to CDSS as part of the licensure application process and as part of the provider's THP+FC rate application.

This ACL provides instructions on the following procedures for becoming a licensed transitional housing placement provider to serve NMDs:

- Process for county certification of THP+FC program;
- Process for applying for a license as a transitional housing placement provider to include serving NMDs for both currently licensed transitional housing placement providers and new providers;
- Process for applying for a THP+FC rate, and information on applicable rates; and
- Process for providers to certify living units (Certificate of Compliance).

This ACL also includes information on applicable rates for THP+FC (Attachment 1). The counties are reminded that the base rate for THPP for minors remains \$2,100 (refer to ACL No. 11-03). For information about claiming for THPP for minors, please refer to ACL No. 09-73 and County Fiscal Letter No. 04/05-54.

The THP+FC participants are NMDs, as described in ACL No. 11-77, and therefore all applicable eligibility requirements for EFC apply. For more detailed information on eligibility requirements for NMDs, please refer to ACL Nos. 11-53, 11-61, and 11-69.

BACKGROUND

Federal Background

On October 7, 2008, P.L. 110-351 amended Title IV-B and Title IV-E of the Social Security Act to improve outcomes for children in foster care, provide for tribal foster care and adoption access, and support relative caregivers. The Fostering Connections to Success and Increasing Adoptions Act of 2008 added, among various provisions, a new definition of “child” for the foster care program that includes youth up to 21 when states are approved to provide care up to age 21. On July 9, 2010, the United States Department of Health and Human Services, the Administration for Children and Families, issued implementing guidance in Public Instruction Log No. ACYF-CB-PI-10-11. The federal guidance states: “...agency has the discretion to develop a range of supervised independent living settings which can be reasonably interpreted as consistent with the law, including whether or not such settings need to be licensed and any safety protocols that may be needed. For example, a title IV-E agency may determine that when paired with a supervising agency or supervising worker, host homes, college dormitories, shared housing, semi-supervised apartments, supervised apartments or another housing arrangement meet the supervised setting requirement....”

This guidance recognizes that a SILS can include a wide range of placement types to meet an “*older child’s need for supervision and support as he/she moves toward independence.*” The Aid to Families with Dependent Children-Foster Care (AFDC-FC) funded, state-licensed THP+FC SILS assists the NMD in working toward becoming better prepared for successful transition into independent adulthood and self-sufficiency. The NMD transitions to independent adulthood through education and employment training opportunities while maintaining a safety net of support and experiencing independence in a secure and supervised living environment (Health and Safety Code (H&S Code) section 1559.110(d)(2)(B)). This SILS is further defined in W&IC section 11400(x).

In California, there are now two types of SILS as placement options for NMDs (W&IC section 11400(x)):

1. A Supervised Independent Living Placement (SILP) (as described in ACL No. 11-77) is a foster care placement approved and supervised by the

county social worker or probation officer for that NMD only and in which the NMD is living independently, can be their own payee, and is not receiving provider-based supportive services. A SILP is the least restrictive placement option and pays only the basic AFDC-FC rate with no specialized care increment (W&IC section 11400(w)).

2. The THP+FC program for NMDs, which is offered by a licensed transitional housing placement provider, is a provider-based, supervised housing and supportive services program that includes regular contact with a provider case manager. Through THP+FC, NMDs are able to gain a level of independence in a supervised setting. This type of SILS placement is more restricted and has a higher rate structure than a SILP (W&IC section 11400(x)).

Overview of Transitional Housing in California

There are three transitional housing placement options—THPP¹, THP+FC, and THP-Plus. The THPP and THP+FC are for current foster youth, while THP-Plus is for former foster youth. The THPP serves minor dependents or wards ages 16 and 17, and THP+FC serves NMDs ages 18 and up to 21. A licensed transitional housing placement provider may offer either THPP or THP+FC, or it may offer both options.

Transitional Housing Placement Program¹ (THPP)

The THPP is a foster care program offered by a licensed transitional housing placement provider to provide a safe living environment for 16- and 17-year old minor wards or dependents, so the minors can practice the skills needed to live independently upon exiting the foster care system. In addition to supervised transitional housing, the program provides supportive services based on a minor's TILP and the Needs and Services plan as developed by the provider. The TILP is developed with the youth and other supportive persons that details goals and objectives to achieve while working toward self-sufficiency.

Counties that have not submitted a THPP plan for minors but intend to start providing this placement option must submit a county plan to CDSS, as described in ACL No. 11-53.

¹ The Community Care Facility Act originally designated this facility category as a "transitional housing placement facility" (H&S code section 1502) serving foster youth ages 16 and up to 19 (if still in high school), and CCL regulations were titled "transitional housing placement program" regulations. The SB 1013 renamed the CCL licensee as the "transitional housing placement provider" and retained the term Transitional Housing Placement Program (THPP) for the county-certified program for minors. In this ACL, the acronym THPP refers to the program for minors and the licensee is referred to as a "transitional housing placement provider" without an acronym.

Transitional Housing Placement-Plus-Foster Care (THP+FC)

The THP+FC program is a foster care placement option effective July 1, 2012, for NMDs. This new option is available to NMDs age 18 and up to age 21. Foster youth who have reached 18 years of age must meet the educational or employment eligibility criteria to receive EFC benefits. Although attending high school is not a specific requirement, it may be used to satisfy the eligibility criteria.

The THP+FC is a program offered by a licensed transitional housing placement provider to provide safe housing for NMDs and assistance in developing the skills needed for transitioning to independent living. The program provides supportive services based on the NMD's TILP and Needs and Services plan as developed by the provider. To serve this older population, a currently licensed transitional housing placement provider must expand its Plan of Operation to indicate it will serve NMDs ages 18 to 21, obtain county certification, update its license, and obtain a THP+FC rate. Similarly, a prospective transitional housing placement provider must obtain a THP+FC county certification indicating it will serve NMDs ages 18 to 21, state licensure as a transitional housing placement provider, and a THP+FC rate. These processes are explained below. *The SB 1013 eliminated the requirement for counties to submit a county plan to CDSS for the THP+FC program.*

The THP+FC providers are licensed as transitional housing placement providers and, as such, will be subject to CCL regulations, which are contained in the California Code of Regulations (CCR), Title 22, sections 80000–80095, as applicable, and sections 86000–86088, as well as sections 86100–86187 of the AB 12 Interim Licensing Standards, which may be found at ccl.d.ca.gov/PG2802.htm.

Transitional Housing Program-Plus (THP-Plus)

The THP-Plus is an optional, county-certified, provider-based transitional housing placement option for former foster youth, including those formerly supervised by probation, ages 18 to 24 who exited foster care at or after age 18. Former foster youth in this program are not eligible for AFDC-FC funds. The program's goal is to provide a safe living environment, for up to 24 months, while assisting the youth in developing the life skills necessary to be successful living independently. The program provides supervised transitional living housing and supportive services based on a TILP, which is developed by the young adult, the county Aftercare ILP coordinator or delegate, and other supportive persons. The TILP details the goals and objectives he/she will achieve while working toward self-sufficiency. *The SB 1013 eliminated the requirement for counties to submit a county plan to CDSS for their THP-Plus program and eliminated county requirements to dedicate 70 percent of its realigned THP-Plus funding to the*

THP+FC program. However, if a county intends to eliminate or significantly reduce the level of its THP-Plus program by 10 percent in any one year or by a cumulative 25 percent over the previous three years, the decision must be affirmed in open session by a vote of its local Board of Supervisors pursuant to Government Code section 30026.5(f), as adopted in SB 1020 (Chapter 40, Statutes of 2012.)

PROCESS TO EXPAND CURRENT THPP TO INCLUDE THP+FC

Outlined below are procedures for *currently licensed* transitional housing placement providers serving foster youth ages 16 to 18 seeking to expand services to include NMDs.

A licensed transitional housing placement provider must first submit a revised Plan of Operation to the applicable county, along with its request for a THP+FC certification. The provider must then submit the county certification, the revised Plan of Operation, and a new license application (LIC 200) to the appropriate CCL Regional Office. Revisions to the Plan of Operation must incorporate NMDs.

A provider that is not licensed as a transitional housing placement provider will need to follow the process for new providers, beginning on page ten, to obtain this type of license before it can serve the NMD population. Additionally, in order to receive Title IV-E funding, it is necessary to apply for and receive a THP+FC rate from CDSS.

A. County Certification

The current county certification process as described in W&IC section 16522.1(b) for a transitional housing placement provider to serve minors in THPP is NOT used for a transitional housing placement provider to serve NMDs in THP+FC. The above certification process to provide THP+FC is a streamlined process. The applicable county is encouraged to consult and coordinate with other counties in which the provider plans to operate the THP+FC Program so that the certification represents a consensus of the placing counties that the provider meets the certification standards.

A licensed transitional housing placement provider needs a certification from ONE county for the THP+FC Program.

Provider Responsibilities

Currently licensed transitional housing placement providers:

- a. Update the Plan of Operation, in accordance with CCR, Title 22, section 86022 and section 86122 of the AB 12 Interim Licensing Standards to reflect service provisions for NMDs.
- b. Submit updated Plan of Operation to the child welfare director of the applicable county for certification.
- c. Should disclose in writing any revocation or disciplinary action pending or finalized (with the result of the final action) in any CCL programs.

NOTE: Transitional housing placement providers that have previously submitted updated Plans of Operation in accordance with CCR, Title 22, section 86022 and section 86122 of the AB 12 Interim Licensing Standards to reflect provisions for NMDs will need to update their Plans of Operation again in order to reflect that their THPP program will now serve minor foster youth who are dependents or wards 16-17 years of age and that they are opening a new program to serve NMDs age 18 and up to 21 as a THP+FC program. This revision to their Plans of Operation should be amended for THP+FC to include that the Program Staffing Ratio for case manager to client does not exceed one to twelve for each full-time case manager.

Applicable County Responsibilities

1. County reviews Plan of Operation for THP+FC for NMDs and other relevant information for the requesting provider prior to certification. A description of the elements of the Plan of Operation may be found in CCR, Title 22, section 86022. Additionally, the provider should describe the type of housing models to be offered to NMDs.
2. County certifies the following (per W&IC section 16522.1(c)):
 - a. That the program is needed by the county.
 - b. That the provider is capable of effectively and efficiently operating the program.
 - c. That the provider is willing and able to accept the AFDC-FC eligible NMDs for placement by the placing agency who need the level of care and services that will be provided by the program.
 - d. That the Plan of Operation is suitable to meet the needs of the identified population.
 - e. That, additionally, the Plan of Operation has a Program Staffing Ratio for case manager to client not to exceed one to twelve.

3. County issues certification to provider in the form of a letter on county letterhead, a certificate, or other appropriate document determined by the county signed by the Child Welfare Director (or designee).

B. Licensing Application

Provider Responsibilities

1. Provider submits a new application for a Community Care Facility License (LIC 200) to the appropriate CCL Regional Office, indicating it will serve NMDs.

NOTE: A provider that has already submitted a revised LIC 200 to serve NMDs in its THPP and may already have been approved by CCL should attach that copy to its new revised Plan of Operation and to its county certification when submitting the information to CCL for the licensing application.

The LIC 200 is available through the CCL website at <http://www.dss.cahwnet.gov/cdssweb/entres/forms/English/LIC200.pdf>.

A list of CCL licensing offices is available through the CCL website at http://ccl.ca.gov/res/pdf/childres_rolist.pdf.

2. Provider attaches its Plan of Operation and county certification (or indicates the certification is in process and will be submitted subsequently), along with other relevant information, to the application for licensure to serve NMDs.

It may take approximately 90 days before a license is issued, or longer if additional information must be acquired and reviewed. In order for a county to verify that the provider's license has been updated, the county must contact either the provider or CCL.

CCL Responsibilities

The CCL will include a notation in the comment section of the license indicating the transitional housing placement provider has a THP+FC program that has been certified by the applicable county to serve NMDs. The comment will appear on the license automatically when the provider seeks to update its license as a result of caring for the NMD population.

C. Rate Application

A licensed transitional housing placement provider will receive a different rate for THP+FC for NMDs than it does for THPP minors, due to their differing needs and services.

Provider Responsibilities

1. A currently licensed transitional housing placement provider wishing to serve NMDs must complete an application for a THP+FC rate. A copy of the THP+FC rate application is located at:
<http://www.cdss.ca.gov/cdssweb/entres/forms/English/SOC179.pdf>
2. The THP+FC rate application can be initiated by the provider while updating its existing licensure. The rate application needs to specify the type of housing model the provider plans to operate, as the host family model has a separate rate.
3. A rate will not be approved until all required documents are received by CDSS.
4. Subsequent to the initial rate application being submitted to and approved by CDSS, a rate letter will be issued to the provider and counties. The rate application includes a list of county placement agencies using this program. The rate letter is effective for two years. Information will be forthcoming regarding biennial rate applications.
5. Enclose the following documents with the SOC 179 (rate application):
 - Transitional housing placement provider license, or application for a license, to serve NMDs
 - County Certification of THP+FC program
 - Articles of Incorporation (Secretary of State)
 - Internal Revenue Service Tax Exempt Letter
 - Job Titles/Descriptions
 - Organization Chart
 - List of Board members
 - Non-Profit declaration signed by the Board of Directors: requires that the organization will operate during the fiscal year in the public interest for scientific, education, service or charitable purposes; is not organized for profit making purposes; and uses its net proceeds to maintain, improve, or expand its operations.
 - Lease Agreement(s) in effect at the time of the application: must be submitted with biennial rate applications for ongoing programs, as well as with rate applications for new THP+FC programs.

- Statement of Information 100 (SI 100)
- A case manager is required for the single site and remote site models to guide and support participants. The provider is required to submit the following case manager information as part of the rate application process:
1) list of case manager names; 2) type of case manager degrees.

Submit the rate package to:

California Department of Social Services
Foster Care Audits and Rates Branch
Rates Unit
744 P Street, M.S. 9-6-74
Sacramento, CA 95814

For additional information regarding THP+FC rates please refer to Attachment 1.

PROCESS TO BECOME A NEW TRANSITIONAL HOUSING PLACEMENT PROVIDER TO OPERATE A THP+FC PROGRAM

Outlined below are procedures for *new providers* that are seeking a license as a transitional housing placement provider in order to operate a THP+FC for NMDs. These procedures also apply to current providers that are licensed to operate another facility (such as Foster Family Agencies, Group Homes, or unlicensed programs such as THP-Plus) but would like to become a new transitional housing placement provider to include THP+FC.

To offer services to an NMD, a provider must obtain certification from the applicable county and be licensed by CCL.

A. County Certification

New Providers

A transitional housing placement provider needs a certification from ONE county for the THP+FC Program.

1. Provider requests certification of its THP+FC program from the child welfare director of the applicable county. If the provider plans to operate in more than one county, only one certification is needed. Please visit

<http://www.cwda.org/about/membership.php> for a list of county welfare directors that oversee the child welfare program.

2. Provider creates a Plan of Operation, in accordance with CCR, Title 22, section 86022 and section 86122 of the AB 12 Interim Licensing Standards. "Provider Plan of Operation" means a current, written, definitive Plan of Operation including but not limited to the following: a comprehensive program statement, staff training plan, procedures to respond to complaints, written contract, and program policies, as well as the type of housing models to be offered. (If the Plan of Operation includes a program to provide the NMD a portion of the AFDC-FC rate for money management purposes, this may be described but is not required to be provided.)
3. Provider should disclose to the applicable county in writing any revocation or disciplinary action in any CCL program.
4. Provider submits a request to the applicable county for certification including a completed Plan of Operation and other relevant information, as required by the applicable county.

Applicable County Responsibilities

1. County reviews Plan of Operation and other relevant information for each provider prior to certification. A description of the elements of the Plan of Operation may be found in CCR, Title 22, section 86022. Additionally, each provider should describe the type of housing models to be offered to NMDs.
2. County certifies the following (per W&IC section 16522.1(c)):
 - a. That the program is needed by the county.
 - b. That the provider is capable of effectively and efficiently operating the program.
 - c. That the provider is willing and able to accept the AFDC-FC eligible NMDs for placement by the placing agency who need the level of care and services that will be provided by the program.
 - d. That the Plan of Operation is suitable to meet the needs of the identified population.
 - e. That, additionally, the Plan of Operation has a Program Staffing Ratio for case manager to client not to exceed one to twelve.
3. County issues certification to provider in the form of a letter on county letterhead, a certificate, or other appropriate document determined by the county signed by the Child Welfare Director (or designee). The applicable county is encouraged to consult and coordinate with other counties in which the provider plans to operate the THP+FC program so that the certification represents a consensus of the placing counties that the provider meets the certification standards.

B. Licensing Application

Provider Responsibilities

1. Provider submits a new Application for a Community Care Facility License (LIC 200) to the appropriate CCL Regional Office, indicating it will serve NMDs. The LIC 200 is available through the CCL website at <http://www.dss.cahwnet.gov/cdssweb/entres/forms/English/LIC200.pdf>. A list of CCL licensing offices is available through the CCL website at http://cclld.ca.gov/res/pdf/childres_rolist.pdf.
2. Provider attaches its Plan of Operation and county certification, along with other relevant information, to the application for licensure to serve NMDs.

It may take approximately 90 days before a license is issued, or longer if additional information must be acquired and reviewed. In order for a county to verify the provider's license has been updated, the county must contact either the provider or CCL.

CCL Responsibilities

The CCL will include a notation in the comment section of the license indicating the transitional housing placement provider has a THP+FC program that has been certified by the applicable county to serve NMDs. The comment will appear on the license automatically when the provider seeks to update its license as a result of caring for the NMD population.

C. Rate Application

A licensed transitional housing placement provider wishing to serve NMDs will receive a different rate for THP+FC for NMDs than it does for THPP for minors, due to their differing needs and services.

The rate application process for new providers is the same as for currently licensed transitional housing placement providers. For the rate application procedures, please refer to the Rate Application section under the process for currently licensed transitional housing placement providers (page nine).

TYPES OF THP+FC HOUSING SITES

There are three types of housing sites for NMDs placed with a transitional housing placement provider:

1. Host Family: A placement where the NMD lives with a caring adult who has been selected and approved by the transitional housing placement provider serving NMDs in THP+FC. The NMD receives provider-based supportive services, and it is expected the host family will provide basic board and care for the NMD. See also CCR, Title 22, section 86001(h)(3).
2. Single Site: A placement where an NMD lives in an apartment, single family dwelling, or condominium rented or leased by the transitional housing placement provider serving NMDs in THP+FC, in which one or more adult employees of the provider reside and provide supervision.
3. Remote Site: A single housing unit where the NMD lives independently and where provider's staff does not live in the same building. This may include apartments, single family dwellings, or condominiums rented or leased by the transitional housing placement provider in various locations, not necessarily near each other. Minor foster children placed prior to October 1, 2012, may remain in this type of housing model; adults living in the remote site with minor foster children are subject to criminal background clearance and Child Abuse Central Index requirements, as required by licensing regulations. After October 1, 2012, new placement of minors into THPP remote sites is prohibited.

CERTIFICATE OF COMPLIANCE FOR LIVING UNITS

In accordance with CCR, Title 22, section 86030.5, a licensed transitional housing placement provider must complete and sign a Certificate of Compliance for each single living unit ensuring each unit meets the requirements of H&S Code section 1501(b)(5). *The transitional housing placement provider shall secure and maintain for each THPP participant living unit any fire clearance required by and approved by the fire authority having jurisdiction.*

A copy of the Certificate of Compliance for each living unit shall be kept in the administrative office records maintained by the provider. A Certificate of Compliance is not transferable to any other living unit and shall be void upon a change of location or under emergency conditions. More detailed instructions concerning conditions of program participation are contained in ACL No. 11-61, dated November 4, 2011.

The living unit cannot be more than two hours by car from the provider's administrative or sub-administrative office, according to CCR, Title 22, section 86087.1(c). Therefore, programs that are planning to open new living units which are located more than two hours from their administrative office must establish a sub-administrative office to provide support for these new living units within the two-hour radius. Each sub-administrative office must be independently licensed by CCL, pursuant to Title 22, section 86001(s)(2), and be certified by an applicable county.

Provider Responsibilities

1. Existing Provider:

After updating its county certification, state license and receiving a rate, the provider may begin issuing Certificates of Compliance for each living unit it operates.

2. New Provider:

- a. Upon receiving a license and a rate, the provider may begin issuing Certificates of Compliance for each living unit it operates (a provider may not issue a Certificate of Compliance for a site prior to receiving a license and a rate).
- b. The Certificate of Compliance shall include the following:
 - (1) The capacity for which the site has been certified,
 - (2) Any limitations, including ambulatory status,
 - (3) Any preferences requested by the site owner,
 - (4) Date of issuance,
 - (5) Date of expiration not to exceed one year from the date of issuance, and
 - (6) The type of housing model.

A licensed transitional housing placement provider may certify living units within and across county lines and has the responsibility to decertify previously approved sites. County placement agencies may also request, and CCL may require, that providers decertify sites due to health and safety issues.

PROCESS FOR NMD PLACEMENT

Upon licensure as a transitional housing placement provider to serve NMDs and receipt of the THP+FC rate, counties may begin placing NMDs in a THP+FC program. As a state-licensed community care facility, the provider may accept placements from any county.

A provider must certify each participant living unit in accordance with H&S Code section 1501(b)(5) and as outlined below prior to the placement of an NMD.

A minor who would otherwise age out of THPP may remain with a provider whose license has not yet been updated to include NMDs if the licensed transitional housing placement provider meets the following conditions: (1) has submitted an updated Plan of Operation to serve NMDs to the appropriate CCL Regional Office, (2) has requested a county THP+FC certification from the applicable county, and (3) intends to apply for the THP+FC rate.

The provider may continue to serve these youth while these actions are pending. The provider will still receive the THPP rate, and these youth will still be considered as participating in THPP, until the THP+FC rate is obtained. However, the provider cannot accept a new NMD placement until the county certification and the rate have been issued.

Counties have the discretion to develop Memoranda of Understanding (MOU), interagency agreements, or contracts, as required by individual county policies. Neither state statute nor state regulations require counties to contract with providers. As part of the NMD placement process, some counties may require an MOU or contract addressing the responsibilities of all parties prior to placement of the youth (please refer to ACL No. 11-53 for more information).

A placing county has the option to require the provider to furnish a copy of each Certificate of Compliance to the county.

THP+FC Placement Decisions

As NMDs are legal adults, it is expected that they be provided the least restrictive placements and given the greatest amount of independence possible, based on the NMD's developmental needs and readiness for independence. The decisions regarding placements with a licensed transitional housing placement provider, as in any other foster care placement option, shall be made in consultation with the NMD and based on an assessment of the NMD's strengths and needs.

DATA COLLECTION

As for any other foster care placement, counties are required to record data about a **placement in a THP+FC** program. Data must be entered into and be collected through the Child Welfare Services/Case Management System application. Please refer to ACL No. 12-05, dated January 13, 2012, concerning the special project code for THP+FC.

For any questions or concerns regarding this ACL, please contact the Independent Living Program Policy Unit at (916) 651-7465 or via email at ilppolicy@dss.ca.gov, or me at (916) 657-2614.

Sincerely,

Original Document Signed By:

GREGORY E. ROSE
Deputy Director
Children and Family Services Division

Attachments

Attachment 1

Assembly Bill (AB) 12 (California's Fostering Connections to Success Act) and AB 212 provided statutory authority for California's implementation of extended foster care (up to age 21 by the year 2014), as authorized by federal Public Law 110-351. Additionally, AB 12 and AB 212 provided a new placement option for the 18-21 year old population, referred to as Non-Minor Dependents (NMDs). Placements of NMDs are funded by Aid to Families with Dependent Children-Foster Care (AFDC-FC) for federally and non-federally eligible foster youth. The program for NMDs placed with a licensed transitional housing placement provider is called Transitional Housing Program-Plus-Foster Care (THP+FC), and providers wishing to provide housing/services under this program must submit a rate application in accordance with the instructions in this All County Letter. The THP+FC as set forth in Senate Bill (SB) 1013 (Chapter 35, Statutes of 2012) requires the provider to be organized and operated on a private and nonprofit basis.

Licensed transitional housing placement providers may offer up to three housing models for NMDs, for which there are two rates. The Single and Remote sites have the same rate, while the Host Family model has its own rate.

Single Site Housing - \$2,797 Per Month Per Youth

Single Site Housing is a placement where an NMD lives in an apartment, single family dwelling, or condominium rented or leased by the THP+FC provider, in which one or more adult employees of the THP+FC provider reside and provide supervision.

Remote Site - \$2,797 Per Month Per Youth

A Remote Site is a single housing unit where the NMD lives independently and where provider's staff do not live in the same building. This may include apartments, single family dwellings, or condominiums rented or leased by the THP+FC provider in various locations, not necessarily near each other. Minor foster children placed prior to October 1, 2012, may remain in this type of housing model; adults living in the remote site with minor foster children are subject to criminal background clearance and Child Abuse Central Index requirements, as required by licensing regulations. After October 1, 2012, new placement of minors into THPP remote sites is prohibited.

Host Family Model - \$2,225 Per Month Per Youth

The Host Family model is a placement where the NMD lives with a caring adult who has been selected and approved by the transitional housing placement provider serving NMDs in THP+FC. The NMD receives provider-based supportive services, and it is expected the host family will provide basic board and care for the NMD. See also CCR, Title 22, section 86001(h)(3).

In all housing models, NMDs receive guidance, supportive services, and case management from the licensed transitional housing placement provider, while having access to safe, stable housing to prepare for self-sufficiency before exiting foster care. For case management information, please refer to ACL No. 11-69, dated October 13, 2011.

Attachment 2

The following chart provides a simple overview and comparison of the three transitional housing placement options:

Transitional Housing Placements

| | Transitional Housing Placement Program | Transitional Housing Placement-Plus-Foster Care | Transitional Housing Program-Plus |
|---------------------|---|--|--|
| Age | 16-18 | 18-21 | 18-24 |
| Dependent/Ward | Yes | Yes | No |
| Time limit | N/A | N/A | 2 years |
| Funding | *AFDC-FC | *AFDC-FC | *CWS Realignment funds |
| State-Licensed | Yes | Yes | No |
| Open *CMS Case Rate | Yes | Yes | No |
| ACIN No. | I-18-05, I-40-09 | I-40-11 | I-40-09 |
| ACL No. | 11-03 | 11-53, 11-69, 11-77, 11-85 | 11-03 |
| Regulations | Title 22, sections 80000–80095, as applicable, 86000–86088 *MPP sections 30-900 to 30-911 | Title 22, sections 80000–80095, as applicable, 86000–86088 Assembly Bill 12 Interim Licensing Standards, sections 86100–86187 | *MPP sections 30-912 to 30-920 |
| Statutes | *W&IC Sections 11400(r), 11403.2, 11403.3, 16522,16522.1, 16522.2, 16522.5 *H&S Code sections 1502, 1559.110, 1559.115 | *W&IC Sections 11403, 11403.2, 11403,3, 16522,16522.1 *H&S Code sections 1502, 1559.110, 1559.115 | *W&IC Sections 11400(s), 11403.2 *H&S Code section 1505(l)(4) |

- * CMS - Case Management System
- * AFDC-FC - Aid to Families with Dependent Children-Foster Care
- * MPP – Manual of Policies and Procedures
- * W&IC – Welfare and Institutions Code
- * H&S – Health and Safety