

CHANGE NOTICE FOR MANUAL

DATE: MARCH 1, 2017

MANUAL: Chapter XIII: Child Welfare Funding Manual

CHANGE NO: CWS-CN-03-2017

TO: COUNTY DIRECTORS OF SOCIAL SERVICES / HUMAN SERVICES

ATTENTION: CHILD WELFARE PROGRAM MANAGERS & SUPERVISORS
CHILD WELFARE SOCIAL WORKERS

RE: Revision to Chapter XIII: Child Welfare Funding Manual, Section 1700 – Guardianship Assistance Program.

EFFECTIVE: Immediately

I. BACKGROUND | CHANGE INTENT

The Child Welfare Funding Manual has been updated to incorporate the changes needed for the approval and implementation of the State's IV-E Plan, to clarify certain areas of policy; including circumstances under which Guardianship Assistance benefits are terminated, and other language and formatting updates. Revisions made to the policy are in red underlined font.

II. SPECIFIC CHANGES

The changes include:

- I. Purpose and Legal Basis – Addition of language related to Fostering Connections to Success and Increasing Adoptions Act of 2008 as follows:
 - This Act also requires states who have implemented a guardianship assistance program to exercise due diligence in identifying and providing notice to adult relatives and all parents having custody of siblings of their options for participating in the care and placement of the child, and the process and requirements for subsequently entering into a guardianship assistance agreement.

- II. Definitions – Clarification of Guardianship Assistance definition.

- III. Eligibility – Addition of the following:
 - Eligibility criteria a. The child has been removed from his or her home pursuant to a voluntary placement agreement or as a result of a judicial determination to the effect that continuation in the home would be contrary to the welfare of the child.
 - Revision of eligibility criteria, formerly letter b., now letter c. to clarify that a child is eligible for guardianship assistance benefits if the child is eligible for foster care maintenance payments and has been placed in a licensed home of the prospective legal guardian for a minimum of 6 consecutive months.
 - Revision of eligibility criteria, formerly letter d., now letter e. to include criteria for sibling eligibility that the prospective legal guardian and the county child welfare agency agree on the appropriateness of the arrangement for the sibling.
 - The addition of an option for continuation of benefits to age 21 if warranted due to some physical or mental disability with the state's approval. Additional guidance on this new

approval process will be issued with later correspondence.

- IV. Guardianship Assistance Program Requirements – Addition of the following:
 - Letter A. Permanent Plan of Legal Guardianship – Case Plan Requirements
 - Letter B. Guardianship Assistance Checklist – Addition of language regarding determination of the extension of guardianship assistance benefits to age 21 for a child who has a mental or physical disability.
 - Revision of language under Reimbursement Process to clarify that Guardianship Assistance payments are provided on behalf of children to individuals who assume legal guardianship of children and youth for whom they have cared for as foster parents and for whom they have committed to care for on a permanent basis.
 - Addition of letter G. Medicaid and Social Services.
- V. Documentation and Periodic Reviews – Addition of more specific language regarding the responsibility of the legal guardian(s) to notify the county child welfare agency of changes related to their legal responsibility or financial support for the child. Addition of language regarding the requirement that counties must ensure that children who receive guardianship assistance benefits and are compulsory school age are enrolled full-time in elementary or secondary school or have completed secondary school. If the child is not enrolled as a full-time student, documentation must support that the child is unable to attend on a full-time basis due to a medical, physical, or therapeutic condition.
- Addition of X. Termination of Guardianship Assistance Benefits/Payments – This section describes the specific circumstances under which guardianship assistance benefits will be terminated.

III. INSTRUCTIONS

Go to the Child Welfare Funding Manual website at:

<https://www2.ncdhhs.gov/info/olm/manuals/dss/csm-78/man/>

OBSOLETE	USE
Child Welfare Funding Manual, Section 1700 – Guardianship Assistance Program (December 2016)	Child Welfare Funding Manual, Section 1700 – Guardianship Assistance Program (March, 2017)

If you have any questions regarding the policy related to these changes, please contact the Child Welfare Policy Team at 919-527-6340 or Susan Sanderson, IV-E Coordinator, at 910-298-4395.

Sincerely,



Kevin Kelley, Section Chief
Child Welfare Services