
PROCEDURE

Series:	Operating Procedures	COA: CFOP: 170-10 (Replaces 175-79)
Procedure Name:	Relative Caregiver Program	
Procedure Number:	OP-1079	
Reviewed Date:	N/A	
Revision Date:	(2) 12/15/08 (3) 7/3/12 (4) 8/24/16, 01/30/20	
Effective Date:	04/15/05	
Applicable to:	All BFP Staff and Contract Providers, Child Legal Services, Public Assistance Specialists	

PURPOSE: This Relative Caregiver Program procedure has been updated to include information from the new CFOP Relative / Caregiver Support. The CFOP includes policies and procedures for the Relative Caregiver Program including completion of the home study, case planning, legal requirements, eligibility determination, re-determination and other casework activities. The Relative / Caregiver Support explains how we will support children placed by the child welfare system. We will help children achieve stability and well-being with caregivers.

PROCEDURE:

References

Florida Statutes: 39.6231, F.S. Florida Administrative Code 65C-28

Scope and Background

This operating procedure applies to any child welfare professional responsible for placement of children with relative caregivers, ongoing case management, and caregiver support.

1. Legal Authority.

a. Federal statutes, regulations, and policy statements:

- (1) Social Security Act, 42 United States Code (U.S.C.) 606, 607, 672-675, 2131, 2132.
- (2) 45 Code of Federal Regulations (C.F.R.) 233.110, and Parts 1355 through 1356.
- (3) Department of Health and Human Services, Administration for Children, Youth and Families: information memoranda; policy interpretations; policy announcements; letter responses.

b. State statutes, administrative rules and plans:

- (1) Section 39.5085, F.S.

- (2) Chapter 414.095, F.S.
- (3) Temporary Assistance for needy Families (TANF) State Plan.
- (4) Title IV-E State Plan.
- (5) 65C-28.008, Florida Administrative Code (F.A.C).
- (6) ACCESS Florida Program Policy Manual

2. Definition of Terms. All major terms used in this operating procedure are defined in Appendix A.
3. Federal Funding Requirements. The state receives funding for the Relative Caregiver Program monthly payments and benefits from the Temporary Assistance for Needy Families (TANF) block grant. The relative caregiver payment is not related to Title IV-E; however, the child must meet the criteria for Temporary Assistance for Needy Families (TANF) Temporary Cash Assistance (TCA) child-only eligibility. Children who receive a relative caregiver payment are not eligible to simultaneously receive TCA benefits.
4. Unified Home Study Requirements.
 - a. A Planned Placement home study of a relative caregiver must be completed and approved per CFOP 170-10. The child welfare professional is responsible for:
 - 1) Determining whether the relative caregiver is able to provide a physically safe environment and a stable, supportive home.
 - 2) Determining the relative caregiver's financial security, resources, and childcare arrangements.
 - 3) Determining and assisting relative caregivers in accessing services and supports.
 - b. The home study must be completed and filed with the court prior to or at the time the relative placement is being considered as a placement for the child.
 - c. Brevard Family Partnership shall not place a child or continue the placement of a child in a home with a relative caregiver if the results of the home study are unfavorable unless the court overrides the home study recommendation and orders the placement.
5. Relative Caregiver Support Options.

The child welfare professional completing the relative caregiver home study must discuss the Caregiver support services that are available with the caregiver and explain that each program will determine whether the relative caregiver meets any eligibility criteria.

The Brevard Family Partnership Caregiver Support Specialist will make efforts to assist the caregiver in initiating services and offer supports and linkages to each relative to ensure timely access to essential supports including those noted below.

This may include, but is not limited to:

- Assisting with linkages to community resources and completion of program applications



- Scheduling appointments
- Initiating contact with community service providers

Discussing the process for applying for benefits such as Temporary Assistance for Needy Families and Relative Caregiver Funds.

a. Medical Insurance (Medicaid). There is a process in place for automatic, temporary Medicaid enrollment of a child placed in out-of-home care with a relative. The child will be enrolled in a Medicaid plan. If a child is already enrolled in a Medicaid plan, he/she may remain in his/her Medicaid plan at the time of placement or may be moved to another Medicaid plan. The responsibilities of revenue maximization staff for Medicaid eligibility are described in CFOP 170-15, Chapter 2, Medicaid.

b. “Child-only” monthly grant, cash assistance under Temporary Assistance to Needy Families (TANF) may be available subject to the relative caregiver meeting the eligibility criteria. Payment amounts, benefits, eligibility criteria, and application procedures are separate from the Relative Caregiver Program.

NOTE: The relative has the option to include their needs in a regular Temporary Cash Assistance (TCA) benefit. Once converted to a Relative Caregiver Program payment, only the child’s needs may be included.

a. Once a child placed with a relative has been adjudicated dependent and an approved home study has been filed with the court; the child-only payment can be transitioned to a Relative Caregiver Program payment.

c. Relative Caregiver Program (RCP). Monthly payments for the Relative Caregiver Program are established per s. 39.5085, F.S. Payments may be made to the relative caregiver for each eligible child placed with them to cover the cost of providing for the child’s basic needs.

a. “Child-only” and monthly payments for the Relative Caregiver Program are subject to the eligibility criteria outlined in the Temporary Assistance for Needy Families (TANF) State Plan.

b. In order for a child who is placed with a relative caregiver to receive a monthly Relative Caregiver Program payment, the child must:

a, Live in the home of a specified relative based on an approved home study. A “specified relative” must meet the degree of relationship described in ss 39.5085(2)(a)1 and 2, F.S

b. Be adjudicated dependent and be in:

- (1) Court-ordered temporary legal custody of the relative under protective supervision of the department pursuant to s. 39.521(1)(c)3, F.S.; OR,
- (2) Court-ordered placement in the home of a relative as a permanency option listed in ss. 39.6221 or 39.6231, F.S.; or former s. 39.622, F.S., if the placement was made before July 1, 2006.

- (3) If a child is placed in the custody of a relative pursuant to an order of the court against the recommendation of the department or contracted service provider, the relative shall be allowed to participate in the RCP.
- (4) Contingent upon availability of funds and continuing eligibility, RCP benefits shall continue until the child reaches age 18, is no longer living in the home of the relative caregiver, or the child is adopted. NOTE: Half-siblings deriving their eligibility from a related sibling will also lose eligibility when the related child becomes ineligible for one of the reasons listed above.
- (5) If the relative caregiver is receiving an RCP payment, the payment must be terminated no later than the first day of the following month after a parent or stepparent moves into the home, allowing for a 10-day notice of adverse action.
- (6) A relative caregiver may receive the RCP payment for a minor parent who is in his/her care, as well as for the minor parent's child, if both children have been adjudicated dependent and meet all other eligibility requirements.

d. Supports for Non-Florida Residents. A child placed with a relative in Florida by another state or a Florida child placed out of state is not eligible for "child-only" TCA or Relative Caregiver Program payments from the State of Florida. Based on the state where the Florida child is placed, financial assistance may be available. The Interstate Compact on the Placement of Children (ICPC) will facilitate access to resources for relatives in other states when a child has been placed based on an approved home study conducted through the ICPC.

e. Licensed Foster Care. Relative caregivers who provide care for children placed with them are not required to meet foster care licensing requirements. If a relative decides to become licensed in order to receive higher monthly board and care payments, all requirements in s. [409.175](#), F.S., and Chapter [65C-13](#), F.A.C., for licensure must be met.

f. Permanency Achievement. When a relative caregiver provides permanency for a child who has been placed in their care, the following subsidies are available:

(1) In the case of adoption by the relative caregiver, an adoption subsidy may be paid. When the child has specific physical, mental, emotional, or behavioral needs which require care, supervision, and structure beyond what is ordinarily provided in a family setting, a maintenance subsidy may be negotiated up to 100% of the statewide foster care board rate. The subsidy must be approved prior to adoption finalization. Refer to Rule [65C-16.012](#), F.A.C., for types of adoption assistance and Rule [65C-16.013](#), F.A.C., for determination of maintenance subsidy payments.

(2) In the case of other permanency options, the relative caregiver may continue to be eligible for the Relative Caregiver Program benefits. Other permanency options include the following:

- (a) Permanent guardianship under s. [39.6221](#), F.S.
- (b) Permanent placement with a fit and willing relative under s. [39.6231](#), F.S.
- (c) Guardianship under s. [744.3021](#), F.S.

(3) DCF Tuition and Fee Exemption. Children placed by the department per s. [39.5085](#), F.S., in out-of-home care may be eligible for a tuition and fee exemption at any public Florida University or Florida College System institution or Florida workforce education programs. Each university or college shall waive eligible youth and young adults from payment of tuition and fees until they reach 28 years of age. The young adult must meet the eligibility criteria listed in s. [1009.25](#), F.S.

6. Relative Caregiver Program Payments.

a. Section [39.5085\(2\)\(d\)](#), F.S., provides that the amount of the Relative Caregiver Program benefit payment may not exceed 82 percent of the statewide licensed foster care board rate. It also states that the cost of providing Relative Caregiver Program assistance may not exceed the cost of providing out-of-home care in emergency shelter or licensed foster care.

b. The basic monthly benefit payment schedule (not including Medicaid, family support and preservation services, flexible funds utilized in accordance with s. [409.165](#), F.S., subsidized child care, and other services which may be available through the department or other local, state, or federal programs) is uniform and is based on the age of the child. The following chart shows the payment standards by age of the child.

<u>AGE OF CHILD</u>	<u>MONTHLY PAYMENT STANDARD</u>
0 through 5	\$ 242
6 through 12	\$ 249
13 through 18	\$ 298

7. Eligibility Process for Relative Caregiver Financial Assistance.

a. Brevard Family Partnership and the Department of Children and Families' Economic Self-Sufficiency Program Office are jointly responsible in determining eligibility. The eligibility determination process is described in Rule [65C-28.008](#), F.A.C.

(1) The Brevard Family Partnership Caregiver Support Specialist is responsible for assisting relative caregivers with the eligibility application process. The Dependency Care Manager responsible for the child placed with a relative caregiver will ultimately be responsible for ensuring that the local procedures are followed.

(2) Brevard Family Partnership and the Economic Self-Sufficiency Program Office will utilize form CF-FSP [5233](#), Relative Caregiver Communication (available in DCF Forms), or communicate by electronic means to notify one another of a relative caregiver's desire to apply for financial assistance and to communicate changes in circumstances that may affect the amount of the payment or eligibility for the payment. The communication form is a requirement of communication for both programs per Rules [65C-28.008\(2\)\(i\)5](#) and [65C-28.008\(2\)\(k\)6](#), F.A.C.

b. In addition to on-going case management services and required judicial reviews, Brevard Family Partnership or subcontracted staff are responsible for:

(1) Completing face-to-face contacts with the child and relative caregiver per requirements in Rule [65C-30.007](#), F.A.C. During each contact with a relative caregiver, the child welfare professional will determine whether the relative caregiver has any needs for support including services or training that might be critical to placement stability.

(2) Assisting the relative caregiver with obtaining the monthly financial assistance benefits, as necessary.

(3) Notifying ESS within five business days when a child in the home of a relative caregiver becomes potentially eligible for the Relative Caregiver Program benefits and the relative caregiver has indicated a desire to be considered for these benefits.

(4) Notifying ESS within ten business days when there are changes that may impact the Relative Caregiver Program benefits, such as the child has been adopted, turned age 18, or left the home. The Relative Caregiver Communication (form CF-FSP [5233](#), available in DCF Forms) is used for this purpose.

c. Office of Economic Self-Sufficiency (ESS). ESS staff are responsible for:

(1) At the interview, informing all persons caring for children who are relatives about the Relative Caregiver Program. A notation in the running record comments will serve as verification that the client was informed of this program.

(2) Explaining the options associated with the Relative Caregiver Program to the applicant.

(3) Asking the relative caregiver to complete the Relative Caregiver Program Request for Eligibility Consideration (form CF-ES [2305](#), available in DCF Forms) if a paper application is submitted. The Relative Caregiver Program Request for Eligibility Consideration notice is provided as part of the online application when the relative caregiver applies for cash assistance through the [Self Service Portal](#) (SSP).

(4) When completing the paper CF-ES [2305](#), providing the relative caregiver with a copy of the form and maintain a copy in the document imaging system.

(5) Determining the child's initial and ongoing eligibility for the Relative Caregiver Program payment and Medicaid as well as providing notification of such action to the client and Dependency Care Manager.

(6) Determining continued eligibility for the child's monthly Relative Caregiver Program benefits, including Medicaid, through scheduled eligibility reviews, and acting on changes (expected and unexpected).

(7) Maintaining an electronic case file for the relative caregiver payee which contains a separate assistance group and payment for each relative caregiver eligible child.

(8) Communicating with the Dependency Care Manager and Caregiver Support Specialist as necessary to provide updates on the eligibility status of the child.

(9) When the request for Relative Caregiver Program payment originates at the ESS office, providing written notification to the Dependency Care Manager via the Relative Caregiver Communication (form CF-FSP [5233](#), available in DCF Forms) or communicate by electronic means, within ten business days.

d. Initial Application.

(1) The Dependency Care Manager will follow local CBC Lead Agency procedures to complete form CF-FSP [5233](#) (available in DCF Forms), Relative Caregiver Communication, for each child placed with the relative caregiver.

(2) The Dependency Care Manager will submit the completed form(s) to the local ESS office. The Dependency Care Manager will retain a copy in the relative caregiver's provider record in the Florida Safe Families Network (FSFN).

(3) The ESS worker will review the family composition and determine if the family will be subject to the work requirements and time limits under the Temporary Cash Assistance (TCA) program, or, alternately, if the child is eligible for a "child-only" payment. Assistance under the TCA "child-only" category is not time-limited, nor is the relative caregiver subject to work requirements.

(4) The FLORIDA system will process the child's eligibility for the Relative Caregiver Program payment.

(5) If all eligibility factors are met, the case will be approved by ESS for payment.

e. Conversion to Relative Caregiver Program Payment.

(1) Once the child placed with a relative caregiver is adjudicated dependent and a home study has been completed, the Dependency Care Manager will update form CF-FSP [5233](#), Relative Caregiver Communication, with the date of adjudication and completed home study. The Dependency Care Manager will submit the form to the local ESS office within five business days following the placement determination.

(2) ESS will take action to convert the TCA payment to the Relative Caregiver Program payment for each eligible child. This includes the following steps:

(a) Select the Relative Caregiver payment option on the Application Entry Pick-a Benefit (AIPB) in FLORIDA.

(b) Change the child's living arrangement status from "01" to "32" on the FLORIDA AIIC screen.

(c) Complete the Application Entry Relative Caregiver (AIRL) screen for each Relative Caregiver Program eligible child. The AIRL screen captures the child's placement eligibility information (court adjudication and home study) from the form CF- FSP [5233](#) needed to determine eligibility for the Relative Caregiver Program benefit.

NOTE: The Relative Caregiver Program eligibility driver creates a separate assistance group for each Relative Caregiver Program eligible child and determines their eligibility separately based on their age and any countable income.

(d) Remove the Relative Caregiver Program eligible child from the existing TCA assistance group or terminate an existing TCA assistance group (AG) if all children are eligible for the Relative Caregiver Program payment.

(e) Convert the TCA payment to the Relative Caregiver Program payment for the next recurring month.

NOTE: Payments cannot be received for a child from both TCA and Relative Caregiver Program in the same month. Notify the relative caregiver and the Dependency Care Manager of the payment conversion to the Relative Caregiver Program.

(3) Eligibility will be reviewed by ESS every 12 months and adjusted periodically, if appropriate, to reflect changed circumstances. If the review determines that the payment should be lowered, the relative caregiver shall be notified of his or her right to a fair hearing. For purposes of this paragraph, examples of “changed circumstances” shall include the following:

(a) The child begins receiving Supplemental Security Income.

(b) The child begins receiving unearned income. Examples are social Security benefits, child support, etc.

(4) ESS also evaluates eligibility for other public assistance programs if the child’s circumstances change and he or she is no longer eligible for the Relative Caregiver Program payment.

8. Child Support Collections (42 U.S.C. 654 and 671(a)(17)). States are required to take all appropriate steps to secure an assignment of support rights on behalf of a child receiving maintenance payments assistance under TANF, Title IV-E, or medical assistance. Also, sections 454 and 458 of the Social Security Act require states to collect and distribute child support for foster care cases. Relative caregivers are required to cooperate with the Child Support Enforcement Program in establishing, modifying, or enforcing support orders with respect to children in their care who are receiving TANF, Title IV-E, or medical assistance benefits.

9. Case Planning.

a. The Dependency Care Manager will work with the relative caregiver and child as appropriate to develop and implement outcomes in the case plan that is co-constructed with the parent(s)/legal guardian(s).

(1) When the case plan goal is reunification, the relative caregiver will be an excellent resource for contributing suggestions for the family change strategies. The Dependency Care Manager should refer to CFOP 170-9, Chapter 4, Family Engagement Standards for Exploration.

(2) The relative caregiver’s relationship with the child will be a benefit in identifying educational, medical, and other needs that must be addressed in the case plan.

(3) Unless it is clear the relative placement will result in permanency for the child, a concurrent permanency goal and concurrent plan should be established.

(4) In order to ensure the relative caregiver is actively involved in reunification efforts, the relative caregiver must be assigned tasks in the case plan to facilitate visitation and communication between the parent(s) and child. When siblings are separated, the relative caregiver must be assigned case plan tasks to facilitate visitation and communication between the child(ren) and the siblings.

b. When the case plan goal is permanent guardianship of a dependent child per s. [39.6221](#), F.S., or permanent placement with a fit and willing relative per s. [39.6231](#), F.S., the relative caregiver, child, if age appropriate, and other involved parties will assist with identification of the measurable objectives, tasks, and services needed to maintain the placement. The case planning discussions must address the need for a permanency goal and a realistic timetable for achieving one of these permanency options.

c. The Children's Legal Services (CLS) attorney shall notify the relative caregiver of all hearings either in writing or orally. The court may release CLS from this obligation if the relative's involvement is impeding the dependency process or is determined to be detrimental to the child's well-being.

d. The Dependency Care Manager shall inform each relative caregiver that he/she has the right to:

- (1) Attend all hearings.
- (2) Submit written reports to the court.
- (3) Speak to the court regarding the child.

10. FSFN Documentation.

a. In FSFN Case Notes, the child welfare professional must document:

- (1) His/her discussion with the relative caregiver about support options available.
- (2) His/her actions to assist the relative caregiver with obtaining any supports needed, including documentation of referrals completed.
- (3) The case plan tasks that the relative caregiver has agreed to assist with until formally incorporated into the child's court-approved case plan.

b. The relative caregiver home study must be completed and approved using the functionality available in FSFN.

BY DIRECTION OF THE CHIEF EXECUTIVE OFFICER:



PHILIP J. SCARPELLI
Chief Executive Officer
Brevard Family Partnership Family of Agencies

APPROVAL DATE: 4/21/2020

APPENDIX A**TERMS AND DEFINITIONS**

<u>TERM</u>	<u>DEFINITION</u>
Temporary Assistance for Needy Families (TANF) Temporary Cash Assistance (TCA)	Temporary cash assistance is the state's program which provides cash assistance to needy families with dependent children. The TANF Act passed in 1996 enacting the time-limited cash assistance program. Certain groups of temporary cash assistance participants are exempt from the time limit, including child-only cases.
Date of Eligibility	<p>For eligibility to begin, a home study must be completed, a child must be adjudicated dependent and a court order must be in effect that orders temporary custody of the child to the relative or relative placement under protective supervision of Brevard Family Partnership. Once these activities are completed and the relative caregiver payment requested, the TCA technical and financial policy must be met by the child. For children unknown to TCA at the time of the request for the relative caregiver payment, the relative caregiver payment will begin the earlier of 30 days from the date of application or the date of approval.</p> <p>NOTE: In most situations, the relative caregiver case will be initially approved as a TCA child-only case. When the relative caregiver payment is approved, benefits will begin the first month that the child may be removed from the TCA case. These situations are treated as changes. Payment cannot be received from TCA and Relative Caregiver in the same month.</p>
Designee	Refers to a community-based care contractual provider or other agency or entity named by Brevard Family Partnership to perform duties and responsibilities assigned to Brevard Family Partnership.
Ongoing Determination of Eligibility	Determination of the continuing eligibility of a child for Relative Caregiver Program payment must be done according to the regular review cycle established in the TCA program. Generally, this requires the relative to participate in 6-12 month re-determinations of eligibility.
Need	Refers to the financial need of the child. Neither income nor assets of the child can exceed the Relative Caregiver Program payment standards, or the asset limit prescribed by the TANF State Plan.
Relative Caregiver Program Payments	Payments to cover the cost of caring for the child, (and cost of providing) food, clothing, shelter, daily supervision, school supplies, and personal incidentals, i.e., for example, transportation, non-prescription medication.
Removal Home	The family setting from which the child was first legally removed, including a relative's or non-relative's home if such person had assumed and continued to exercise day to day responsibility for care and control of the child, prior to court involvement.

Medicaid

Medical assistance funded under Title XIX of the Social Security Act, which provides basic health care to various coverage groups. Children who are eligible for relative caregiver payment are eligible for Medicaid coverage.

Termination of Parental Rights (TPR)

A legal proceeding which terminates the parents' rights to their child and frees the child for adoption.

Also formerly referred to as permanent commitment.

Specified degree of relationship

Refers to the non-parent relative with whom the child resides. A child must be living in a home maintained by a specified relative as a condition of eligibility. The relative must be a non-parental relative within the fifth degree of specified relationship shown below:

- Brothers, sisters (including those of half-blood)
- Aunts, uncles, nieces, nephews
- Grandparents, great-grandparents
- First cousins (and 1st cousins once removed)
- Relatives of a father whose relationship must be determined by a non-judicial determination of paternal relationship
- Stepbrother or stepsister
- **(Note:** The parent of a stepparent is not a specified relative).
- The natural and other legally adopted children and other relatives of the adopted parents, as long as they are within the specified degree
- Legal spouses of any persons named in the above groups even though the marriage terminated by death or divorce.
- Individuals of preceding generations as denoted by prefixes such as grand, great-grand, great-great-grand.
- The half-sibling of the child also placed with a relative.