Frequently Asked Questions Regarding Extended Foster Care Benefits

Question: Can a Non-Minor Dependent (NMD) in a Supervised Independent Living Placement (SILP) receive CalFresh benefits?

Answer: The NMD living in SILP can apply for CalFresh. Eligibility for CalFresh is made on a case by case basis and considers the household composition, the individual's income, earned and unearned, including the AFDC-FC grant, assets, the amount of rent and utility expenses, student status and other factors. The fact that the NMD is receiving a foster care payment does not, in and of itself, make the young adult ineligible. Eligibility will be based on the combined income and resources of the young adult and may include the income and resources of other persons living in the SILP who purchase and prepare meals with the NMD. If the NMD is employed, that income will factor into the eligibility decision. Additionally, if the NMD is attending college, eligibility considerations are different.

NMDs living in a SILP should be encouraged to apply for CalFresh, as they may be eligible, but should be informed that a variety of factors go into the eligibility determination, so it is not guarantee.

Question: In reference to ACL-12-12, we have a question about the terms "TILCP" and "TILP". Is it the State's intention that these are two separate documents, or one document being the Case Plan, which includes the TILP within it, hence the term "TILCP"?

Answer: Statute refers to the case plan for a NMD as the Transitional Independent Living Case Plan (TILCP). Below is the definition of the TILCP, as in Welfare and Institutions Code (W&IC) 11400 (y). This is basically the same Permanency Planning (PP) case plan that is developed for the foster youth prior to reaching age 18, but addresses additional documentation for NMDs. The term TILCP is inclusive of the existing Child Welfare Services/Case Management System (CMS/CMS) updated case plan

document, the six month review hearing court report narrative, as described in W&IC section 366.3(l) and (m), and the updated Transitional Independent Living Plan (TILP).

W&IC section 11400 (y) "Transitional independent living case plan" means, on or after January 1, 2012, the nonminor dependent's case plan, updated every six months, that describes the goals and objectives of how the nonminor will make progress in the transition to living independently and assume incremental responsibility for adult decision making, the collaborative efforts between the nonminor and the social worker, probation officer, or Indian tribe and the supportive services as described in the transitional independent living plan (TILP) to ensure active and meaningful participation in one or more of the eligibility criteria described in subdivision (b) of Section 11403, the nonminor's appropriate supervised placement setting, and the nonminor's permanent plan for transition to living independently, which includes maintaining or obtaining permanent connections to caring and committed adults, as set forth in paragraph (16) of subdivision (f) of Section 16501.1.

Question: We have a youth who turned 18 in October of 2011. He was living with a relative who was non-federally eligible, so the funding was coming from non-needy relative through CalWORKS because there was no eligibility for federal foster care. This youth remained in foster care beyond January 1, 2012 and was eligible for extended benefits through CalWORKS, which he continued to receive until he left the home of the relative on February 17, 2012. He is now living with friends. Can this new living arrangement be considered as a SILP and paid for using state foster care funding with the youth as the payee?

Answer: Yes, as the youth was still in foster care and receiving payment benefits on January 1, 2012, he is eligible for a SILP. However, since he is already living on his own, the living arrangement is not eligible until the county assesses the NMD as ready for a SILP and the actual residence is approved as a SILP. Once the SILP is finalized, the NMD can receive the

basic foster care rate for a SILP. The NMD would be in the realigned "State Foster Care" program.

Since non federal foster youth placed with an approved relative receiving CalWORKS benefits are dependents, and are considered in foster care, they are eligible for all placement options. Keep in mind, the intent is to avoid placing young adults in a more restrictive environment such at THP-Plus-FC, unless that is the most appropriate placement. The young adult should be in the least restrictive environment and provided with a continuum of care.

If dependency was terminated prior to the NMD leaving the home of the relative, the young adult would have to re-enter foster care to be eligible. That would mean the young adult may then be federally eligible as a child only eligibility determination. For re-entry cases, the IV-E eligibility is based solely on the young adult's income and assets (see ACL 12-12 regarding re-entry).