

DEPARTMENT OF SOCIAL SERVICES

CHILDREN'S DIVISION

P. O. BOX 88

JEFFERSON CITY, MISSOURI

3-31-2009

<u>What's Inside:</u> Policy updates impacting Legal Guardianship Subsidy.

M E M O R A N D U M

TO: REGIONAL EXECUTIVE STAFF, CIRCUIT MANAGERS, AND
CHILDREN'S DIVISION STAFF

FROM: CELESTA HARTGRAVES, ACTING DIVISION DIRECTOR

SUBJECT: LEGAL GUARDIANSHIP SUBSIDY POLICY UPDATES
PERTAINING TO HR 6893

DISCUSSION:

The purpose of this memorandum is to provide information to staff about HR 6893 Fostering Connections to Success and Increasing Adoptions Act of 2008 and the first of a group of changes that impact children in the foster care system.

In response to HR 6893, changes have been made to the current practice regarding negotiation of new Guardianship Subsidy agreements with prospective guardians. Legal Guardianship Subsidy will now be paid from Federal IV-E funds to eligible children and guardians. This change requires Guardianship Subsidy contracts to be negotiated, approved and entered into the system **prior** to the Legal Guardianship being awarded by the Court. Additionally a child must have a IV-E determination prior to guardianship being awarded just as for an adoption subsidy agreement to be completed. This change requires staff to be diligent in negotiating the subsidy agreement timely when guardianship becomes the goal.

Changes have been made in policy to reflect the requirement that eligible families pursuing guardianship subsidy must comply with all licensing requirements set forth in policy in order to be eligible for subsidy. This change will not affect families with a previously negotiated guardianship subsidy contract. Previously approved contracts will continue to be paid out of state only funds.

The Adoption Subsidy and Guardianship Subsidy Contracts have been updated to incorporate the new federal guidelines. Staff are instructed to download the most recent version of the Subsidy Contracts to ensure that subsidy agreements are negotiated on the current version of the contracts.

The FACES system has been changed to require that guardianship placements be indicated in one of two ways, either as guardianship-relative or guardianship-non-relative.

NECESSARY ACTION

1. Review this memorandum with all Children's Division staff.
2. Review revised Child Welfare Manual chapters as indicated below.
3. All questions should be cleared through normal supervisory channels and directed to:

PDS CONTACT

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CHILD WELFARE MANUAL REVISIONS

[Section 4.22 - Guardianship](#)
[Section 4.30.2 – Legal Basis and Funding Source](#)
[Section 4.30.3 – General Policy](#)
[Section 4.30.4 – Child's Eligibility Criteria for Adoption or Legal Guardianship Subsidy](#)
[Section 4.30.5 – Case Manager, Private Child Placing Agency and Foster Care Case Management Contractor Responsibilities](#)
Section 4.30.12 – Miscellaneous (DELETED)
[Section 4.30 – Attachment A – Subsidy Coverage Limitations](#)

FORMS AND INSTRUCTIONS

[CD-AD \(3/09\)](#)
[CD-SG \(3/09\)](#)
[CD-AD-18 \(3/09\)](#)

REFERENCE DOCUMENTS AND RESOURCES

HR 6893

RELATED STATUTE

N/A

ADMINISTRATIVE RULE

N/A

COUNCIL ON ACCREDITATION (COA) STANDARDS

N/A

CHILD AND FAMILY SERVICES REVIEW (CFSR)

N/A

PROTECTIVE FACTORS: N/A

Parental Resilience
Social Connections
Knowledge of Parenting and Child Development
Concrete Support in Times of Need
Social and Emotional Competence of Children

FACES REQUIREMENTS

Indication of guardianship-relative or guardianship-non relative in the placement type.