

Extended Foster Care - Placement

(Revised 09/27/19)

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Forms

The following forms are referenced in this file:

- 04-114 EFC-NMD Grievance Review Hearing
 - 04-102 SILP Readiness Assessment
 - 04-13 Transitional Housing Program - Plus (THP-Plus) Referral Form
 - ICPC 100B Interstate Compact Report on Child's Placement Status (CWS/CMS)
 - TILP Transitional Independent Living Plan (CWS/CMS Template)
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Placement forms There are placement forms specifically for nonminor dependents (NMDs):

FORM NUMBER	FORM NAME
SOC 152	Placement Agency-THP Plus FC Provider Agreement
SOC 153	Placement Agency-FFA Agreement
SOC 154B	Agency-Group Home Agreement
SOC 156A	Agency-Foster Parents Placement Agreement
SOC 157A	SILP Approval and Placement Agreement
SOC 157B	SILP Inspection: checklist of Facility Health and Safety Standards
SOC 815	Approval of Caregiver Home
SOC 817NMD	Checklist of Health and Safety Standards for Approval of Family Caregiver Home-Nonminor Dependent
SOC 818NMD	Relative or Non-Relative Extended Family Member Caregiver Assessment-Non-minor Dependent

Background

Extended Foster Care (EFC) allows foster youth to remain in foster care under court jurisdiction beyond age 18 as NMDs.

Since NMDs are adults, it is expected that NMDs will be provided placements that are the least restrictive and encourage as much independence as possible based on the NMDs developmental needs and readiness for independence. The decisions regarding placement will be made in consultation with the NMD.

If the NMD remains in the same placement after turning 18, a new placement agreement is not needed.

The SCP must be provided with the NMD's Transitional Independent Living Plan (TILP).

Placement options for NMDs

A NMD may reside in (from least restrictive to most restrictive):

- Supervised Independent Living Placement (SILP)

NOTE: SILP may be with parent or guardian from whom the youth was removed. Concerns with this type of SILP requires consultation with the PSS and elevation to the CWS Manager when necessary.

- Dorm/other designated housing of post-secondary institution, including Job Corp.
- Guardian
- Relative/NREFM
- Foster home
- Transitional Housing Program for Nonminor Dependents (THP-NMD), formerly known as Transitional Housing Plan Plus Foster Care (THP+FC)
- FFA
- STRTP

NOTE: STRTPs may only be used if determined by a medical practitioner to have an approved medical condition.

Not eligible for placement:

- Board and care
-

Criminal background clearance

Re-entry NMD needs a background check. If a NMD has a criminal background this does not disqualify them from EFC so long as they meet one of the participation criteria. A criminal background check may be used in assessing the appropriateness of the placement. For example, a SW may not want to place a NMD with certain criminal history in a home with minor dependents. The SW has the discretion to place the NMD prior to receiving the results of the background check as long as the pre-placement appraisal indicates that the NMD does not pose a threat to anyone in the home.

NOTE: Only run background checks with consent of the NMD.

SW expectations

When a NMD is in a placement, the SW is expected to:

- Utilize CFTs to address placement disruption, NMD's service needs or concerns with NMD's eligibility/productivity.
 - Discuss the case plan with the NMD and SCP.
Note: Case plan topics to include: school, therapy, recreation, religion, Independent Living Skills, TILP, etc.
 - Listen to the NMD's input about their needs and placement.
 - Treat NMD with respect.
 - Identify, search for, establish and maintain relationships of "important persons", who can serve as lifelong connections with the youth.
-

**SW
expectations
(cont.)**

In addition to the above minimum requirements for SW/NMD contacts, SW should consider the following best practices:

- Utilize CFTs to address the complex needs of the NMD, such as struggling with parenting, barriers to productivity, safety issues (e.g., DV).
- Ask NMD about the NMD's roommate in a THP-NMD or SILP placement.

NOTE: If there are NMDs sharing a living unit, assigned SWs will communicate with each other on a monthly basis to ensure their clients' needs are met, such as roommate conflict/resolution, etc. As situations arise, including concerns/reports of conflict, contact between the assigned SWs will be more frequent.

- Discuss the THP-NMD program with other SWs who currently have or have had NMD in that particular unit.
- Give all relevant information about the NMD to the potential THP-NMD program.
- Discuss any needs related to gender identity to ensure the provider will be able to provide the needed support to the NMD.
- Give the THP-NMD program relevant information about the NMD's parents, and projected visitation structure.
- Review the placement house rules with the NMD.
- Assist in developing a shared living agreement for a NMD in a SILP with their parent or guardian.
- Ensure the SCP is able to meet the health, safety, and well-being needs of the NMD, and any other needs including anticipated special needs.
- Ensure the SCP is able to maintain the least restrictive and most family-like environment that serves the day-to-day needs of the NMD.
- Ensure the NMD will be permitted to engage in reasonable, age-appropriate day-to-day activities that promote the most family-like environment for the NMD.
- Explain how to use the chain of command for conflict resolution.
- Ensure that the NMD know how to contact a CWS representative 24 hours a day; (Hotline phone number, SW's and PSS's phone numbers).

**Health and
Education
Passport
(HEP)**

The NMDs have all legal decision making authority just the same as any other adult. This includes privacy regarding their medical conditions and consenting to treatment and medications, including psychotropic medications.

While the HEP contains confidential information, the HEP can be provided to the SCP of the NMD, only if the NMD consents to this. The SCP cannot release the HEP information to another party without written consent from the NMD.

The HEP can only be attached to the court report if the NMD allows it.

Compliance visits The purpose and requirement for monthly compliance visits with NMDs remains the same as that of children in foster care. **The purposes of contacts between the SW and NMDs are to, but not limited to:**

- Verify the location, health and safety of the NMD.
- Assess and ensure the NMD's well-being by conducting ongoing assessments and assess effectiveness of services provided to meet the NMD's needs, monitor the NMD's progress and meet identified goals in TILP and Case Plan.
- Provide support to the parenting/pregnant NMD and their children.

NOTE: Check in with NMD about parenting, e.g., assess needs are met and provide referrals to services as needed. Maintain frequent communication between CWS SW with assigned to NMD's dependent child.

- Establish and maintain a helping relationship to provide continuity and stability for the NMD.
- Solicit the NMD's input on adulthood.
- Explore with the NMD's feelings regarding visitation or lack of visitation with siblings.
- Discuss and identify NMD's connection to natural support and lifelong connections.
- Ensure NMD has [W&IC section 391](#) documents.

NOTE: Address in the following reports: status review, final termination and jurisdiction report.

- Ensure that the NMD is remaining on-track regarding eligibility requirements and transitioning to adulthood.

SWs must assess safety and risk at EVERY visit with the NMD, even when a formal SDM safety/risk assessment is not required (SDM safety/risk assessment found in Structured Decision Making (SDM)).

For youth who are placed out-of-state, refer to the "Out of State Placements" section of this PM file.

Reporting suspected abuse of NMDs

Amendments to W&IC section 16504(c) authorizes the child welfare agency to evaluate for an emergency response to an allegation that a NMD is endangered by abuse, neglect, or exploitation by a licensed or approved caregiver in order to determine if the placement is safe and appropriate. The suspected abuse by a licensed or approved caregiver shall be cross reported to the appropriate licensing or approval agency and, as appropriate to law enforcement.

Health and Safety Code section 1536.1 requires the same type of notification to the licensing agency for NMDs in licensed foster homes or facilities when there is suspected abuse or other incidents that would jeopardize the health or safety of residents in the home or facility. If it is suspected that a NMD who is living in a SILP is being abused by a roommate, this should be reported to local law enforcement. This would not be reported to adult protective services, as they do not serve this population of adults.

Resource Family Home (RFH)/ approved relative homes

The NMD may remain in their current placement without requiring a new placement agreement. If a NMD moves to another RFH, a pre-placement appraisal must be conducted and a new placement agreement form must be signed.

NMDs can share a room with a minor in the home if the NMD remains in the same placement. If the NMD changes placement, the NMD may share a room with a dependent child at the discretion of the SW for both the NMD and the dependent child.

NOTE: This conversation will be documented in CWS/CMS as a contact.

There are some regulations for SWs to keep in mind with NMDs placed in foster homes. NMDs:

- Are exempt from criminal record clearance.
 - May share room with a minor dependent if the NMD shared a bedroom with that minor dependent prior to NMD turning 18 and both remain compatible.
 - Has the right to leave/depart home without prior notice to caregiver.
 - Can be left unsupervised overnight.
 - May act as a short-term babysitter.
-

Pre-placement appraisal

A pre-placement appraisal is a process, which includes a conversation with the case manager and caregiver to determine the needs of the NMD, the ability of the SCP to provide for those needs and to ensure the safety of everyone in the home.

NOTE: The pre-placement appraisal is not necessary for relative or NREFM placements.

Foster Family Agency (FFA)

Each FFA must submit a report to the court regarding the NMD's compliance with the TILP.

Shared living agreement

A Shared Living Agreement is an optional agreement that is negotiated between the NMD and the SCP. The NMD includes, but is not limited to, the following topics:

- Communication
 - Household responsibilities
 - Curfew
 - Increased responsibilities
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Group home/STRTP

Continuing a group home/STRTP placement for NMDs may only be considered, if the placement allows the NMDs to finish high school. After graduation or age 19 whichever occurs first, placement in a group home/STRTP is prohibited, unless the NMD meets participation condition involving a medical condition and group home placement is a short-term transition period to a less restrictive and more family-like setting or discharge to the appropriate system of care for adults. There are specific questions that must be addressed in the court report, if the NMD is placed in a group home/STRTP.

NOTE: A group home/STRTP may only be used if determined by a medical practitioner to have an approved medical condition.

Wraparound services

Refer to PM file –Wraparound for complete information.

THP-NMD

Transitional Housing Program for Nonminor Dependents (THP-NMD) is a placement program:

- Available to NMDs, ages 18 and up to 21.
NOTE: NMDs, who are undocumented, are eligible as long as the Special Immigration Juvenile Status (SIJS) procedure has been initiated.
- Offered by a licensed transitional housing placement provider (THPP) to provide safe housing for NMDs and assistance in developing the skills needed for transitioning to independent living.
- Which provides supportive services based on the NMD's TILP and Needs and Services plan as developed by the provider.

THP-NMD providers that allow non-participant roommates, cannot exclude a married youth solely on the basis of marital status. Spouses of the NMDs in the program can be accommodated under the same rules as for other roommates, as long as there are no concerns regarding the safety and wellbeing of the NMD or other participants in the program. All non-participants in a THP-NMD program, including spouses of participants, are subject to a criminal background check ([Health & Safety Code, § 1559.110, subdivision \(g\)\(2\)\(G\)](#)).

The THP-NMD providers may allow non-EFC participants to reside with the youth, subject to criminal background checks. Refer to the Resource Guide for complete information.

There are three types of THP-NMD housing sites:

1. Host Family:

- NMDs live with a supportive adult who has been selected and approved by the transitional housing placement provider.
 - A supportive adult is someone who already has an existing relationship with the eligible NMD.
 - Lives in an apartment, single-family dwelling, or condominium owned, rented, or leased by the host family.
- NMD, potential Host Family and SW need to agree that Host Family is a good fit for NMD. NMDs receive supportive services and the host family will provide basic board and care.
 - The THPP must certify the host family and all adults living in the residence through Live Scan.
 - The THPP conducts a home inspection to certify the environment is safe and suitable for the NMD to reside.

2. Single Site:

- NMDs live in an apartment, single family dwelling, or condominium rented or leased by a THPP, in which one or more THPP adult employees reside and provide supervision to NMDs.

3. Remote Site:

- This is a single housing unit where NMDs live independently and THPP staff does not live in the same unit/building with the NMDs.
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THP-NMD (cont.)

This table illustrates how to refer a NMD to THP+FC:

STEP	WHO	ACTION							
1	SW	Send a completed 04-13 to CWS THP+FC Jill Gentry Program Specialist (THP+FC PS), for eligibility determination: ATTN: THP-NMD Program Specialist County of San Diego - HHSA CWS - Special Services Section 7947 Mission Center Court San Diego, CA 92108 Mail Stop W-466 Phone: (619) 767-5455, Fax: (619) 767-5221 NOTE: Incomplete referral form will be returned.							
2	CWS THP PS	<table><tr><th>If NMD is determined...</th><th>then...</th></tr><tr><td>eligible</td><td>forward referral to the appropriate THPP(s).</td></tr><tr><td>not eligible</td><td>inform the referring SW.</td></tr></table>		If NMD is determined...	then...	eligible	forward referral to the appropriate THPP(s).	not eligible	inform the referring SW.
If NMD is determined...	then...								
eligible	forward referral to the appropriate THPP(s).								
not eligible	inform the referring SW.								
3	THPP(s)	Inform THP+FC PS, NMD, and SW regarding application process, and whether or not the NMD is accepted into the program.							
4	SW	<table><tr><th>Refer any questions regarding...</th><th>To the...</th></tr><tr><td>the NMD's eligibility</td><td>THP+FC PS</td></tr><tr><td>status of an eligible NMD</td><td>applicable THPP(s).</td></tr></table>		Refer any questions regarding...	To the...	the NMD's eligibility	THP+FC PS	status of an eligible NMD	applicable THPP(s).
Refer any questions regarding...	To the...								
the NMD's eligibility	THP+FC PS								
status of an eligible NMD	applicable THPP(s).								

**Supervised
Independent Living
Placement (SILP)**

The SILP is a placement option created specifically for NMDs who are in EFC.

The SILP is intended to provide young adults with the opportunity for highly independent living experiences while receiving financial support along with the safety net of a case manager to provide support and services for problems that arise.

NMDs, including married NMDs, are responsible for finding their own SILP; however, the SILP must still be approved by the county. To ensure the safety of the NMDs who are living in a SILP, a readiness assessment (04-102) and approval for the SILP location are required.

NMDs receiving a dual agency rate are not appropriate for a SILP.

**Supervised
Independent
Living Placement
(SILP) (cont.)**

Some examples of a SILP are:

- Apartments (alone or with roommates)
- Single room occupancies
- Renting a room
- Dorms/university housing
- SPA Alumni Housing
- With parent or guardian

NOTE: SILP may be with parent or guardian from whom the youth was removed. Concerns regarding this type of SILP requires consultation with the PSS and elevation to the PSPM when necessary.

Some examples of housing that would not be considered a SILP:

- Board and Care facilities
- Group Homes/STRTPs

The intention of EFC is for the NMD to move towards independence, so best case practice would indicate that moving from the most restrictive environment to the least restrictive environment is the desired outcome. For example, a NMD would not move from a SILP to a group home/STRTP.

SILP paperwork can be accepted from the Probation Officer (PO). This is different from when a PO does a relative home assessment and the SW cannot accept it.

Some indicators that a NMD is ready for a SILP include, but are not limited to:

- Income exceeds rent and utilities;
- Stable income;
- Knowledge of how to count money, budget or pay bills; or
- Able to care for self without assistance.

The SW will complete the SOC 157A along with the SOC 157B and send it to the Registrar, who will in turn send it to the Human Services Specialist (HSS). A copy of the SOC 157A will be kept in the NMD's case file and a copy should be provided to the NMD.

Some best practices to consider, when working with a NMD who wants a SILP placement:

- Allow the NMD to try a SILP, even if the SW does not think the NMD is ready and cannot reason with the NMD.
- Have the SW and NMD explore the NMD's financial plan to include, sufficient funds to pay for rent.
- Conduct a CFT to problem solve and prepare for SILP.
- Include the specific steps the NMD needs to take to be ready for a SILP and include those in the TILP.

SILPs are not eligible for Special Care Increments (SCI).

The county with juvenile court jurisdiction is responsible for payment.

Background checks of other adults in the household are not required in a SILP.

**Supervised
Independent
Living Placement
(SILP) Readiness
Assessment
(04-102)**

The 04-102 will be completed when a NMD:

- Requests to live in a SILP;
- Has been living in a supported SILP, but may presently be ready for a more independent SILP;
- Requests a new SILP and their circumstances have changed, or;
- Was not deemed ready for a SILP in the past, but has since accomplished TILP goals designed to assist the NMD with SILP readiness.

When a NMD is moving from one SILP placement to another, the SW will utilize the tool to ensure the NMD has adequate income to meet their expenses for the new living arrangement.

CFT should be scheduled to discuss the NMD's situation and team with the NMD to assist them.

A completed assessment may indicate that a NMD is not ready to live:

- completely on their own but could function well in a supportive SILP where they would reside with an adult who can assist them in further developing the skills needed to live in a fully independent SILP.
- in any type of SILP, then the SW will note the items in which skills need to be developed.

NOTE: SW and NMD should incorporate these areas as goals in the NMD's Transitional Independent Living Plan (TILP). A best practice is to add these goals to the TILP following the SILP readiness assessment, instead of waiting for the next scheduled TILP update, so the NMD can receive the services needed to build their skills as quickly as possible.

The 04-102 form is broken down into sections, some of which contain subjects that require developed skills in order for the NMD to be designated as SILP-ready, while other sections include subject areas in which skills can be emerging and the NMD can continue building these skills while placed in a SILP.

**Supervised
Independent
Living Placement
(SILP) Readiness
Assessment
(04-102) (cont.)**

There are prompts for questions that should be asked of the NMD to help determine their level of knowledge and skill in that area. When checking the “yes”, “no” or “skills to be developed” boxes, the totality of the NMD’s answers to the questions should be considered and an overall assessment made as to the NMD’s skills in each area.

If the only reason that a NMD would not be deemed SILP-ready is due to not having enough income to meet their expenses, SWs should assist the NMD in exploring other sources of income and benefit to help them increase their income and/or decrease expenses. If the NMD does not have the necessary funds for a security deposit, SW may check to see if Independent Living Program (ILP) or other funding is available to assist the NMD.

NOTE: If the SILP readiness and/or physical inspection is not approved, the NMD can grieve that determination through the [Grievance Hearing Process](#).

**SILP with a
parent/guardian**

Title IV-E funds can be used for a youth age 18 or older living in a SILP who is residing the same home as their parent or guardian as long as the Title IV-E agency is providing supervision.

When referring to a NMD living in a SILP with a parent, the term “parent” refers to both a parent from whom the youth was removed or any non-custodial parent. This can include, but is not limited to, a biological parent, guardian or adoptive parent.

It is important to note that the NMD **is not being placed** with the parent, being returned home to the parent or in any way under the care or supervision of the parent. The NMD remains a dependent of the juvenile court under the placement and care supervision of the child welfare agency, and must continue to meet all eligibility criteria for EFC and must continue to work with the child welfare agency towards achieving independence, including maintaining monthly contact with their SW.

Approving a SILP for a NMD in a home where the parent is also residing must follow the same approval process that is utilized for any other SILP. 04-102 will be completed with the NMD to evaluate the NMD’s readiness for a SILP. The SILP assessment should be based upon the type of SILP being considered. After the readiness assessment is completed, SWs shall complete the SOC 157A and, if appropriate, complete the SOC 157B.

**SILP with a
parent/guardian
(cont.)**

SWs must make a determination of whether it is safe for the NMD to reside in the same home as the parent(s) in the same way it would be made with regards to anyone else a NMD chooses to live with in a SILP. A 04-102 will be utilized to determine, if the NMD is making appropriate decisions to the person(s) with whom they plan to reside. If, for example a parent is known to have an active substance addiction, is an untreated perpetrator of sexual abuse or domestic violence is occurring in the home, that would indicate that the SILP request is not appropriate and should not be approved.

Any concerns need consultation with the PSS, elevation to the PSPM when necessary and documented in the 04-102 form and, if the concerns rise to the level of indicating that the NMD is not ready for the proposed SILP, the NMD should be directed to explore other placement options, including other SILP arrangements, if appropriate.

It is important to distinguish between safety issues and concerns regarding the relationship between the NMD and their parent. As an adult, the NMD has the right to make decisions about their placement choice as long as their safety is not jeopardized.

When a SILP with a parent is approved for a NMD, it may be helpful to assist the NMD and parent in developing a shared living agreement.

THE NMD'S PARENT IS NEVER TO BE THE PAYEE FOR THE FOSTER CARE PAYMENT.

**SILP
roommate
selection**

It is likely that NMDs will need to live with a roommate(s) in a SILP in order to maintain a financially stable living arrangement. They have freedom to choose their roommates and it is important for SWs to guide NMDs about how to select appropriate roommates/housemates, particularly if the roommate(s) they choose is someone they do not know well. SWs can introduce NMDs to tools to help protect themselves such as the Megan's law website and background checks.

It is not required that SILP roommates have background checks as NMDs are adults and need to learn how to make important life decisions. Only NMDs can ask potential roommates for the results of a background check. SWs may advise the NMDs to ask roommates to provide the results of a background check, if there is reason to suspect that a NMD may be choosing a potentially dangerous living situation. SWs should respect the NMDs privacy and adult status when discussing whether a background check is appropriate.

**Drug treatment
as a SILP**

A drug treatment facility is allowable as a SILP, if the following conditions are met:

- The NMD is entering the program voluntarily (and it is not part of the terms of probation or court ordered)
- Monthly face-to-face contact is still possible (i.e., the center does not have a prohibition on the participants having visitors for a time that would exceed a monthly contact)
- It is identified in the TILP (as all SILPs are supposed to be)
- A SILP readiness assessment must be completed.

If the NMD is receiving the payment directly, the TILP needs to identify how the payment is being used in a manner that is consistent for allowable costs. As with all other foster care payments, the payment the NMD receives for a SILP is for their “care and supervision.” “Care and Supervision” includes but is not limited to food, clothing, shelter, school supplies and personal incidentals. Some spending money is allowable.

The SOC 157A&B will need to be completed. The SW will:

- mark this under the exempt.
- cross out dorm and write in drug treatment facility.

NOTE: It would not require the health and safety checklist to be completed.

**SILP for
16 - 17 year olds**

Per WIC 11402.7, a dependent who is at least 16 years of age, who is otherwise eligible for AFDC-FC benefits, as described in Section 11401, may be eligible to receive their AFDC-FC payment directly, if **all** of the following conditions apply:

- (1) The minor is enrolled in a postsecondary educational institution.
- (2) The minor is living independently in a dormitory or other designated housing of the postsecondary educational institution.
- (3) The placement is made pursuant to a supervised placement agreement and transitional independent living plan, as described in paragraph (16) of subdivision (g) of Section 16501.1.

A dependent receiving court-ordered reunification services (**FR**) is not eligible to live independently in postsecondary educational institutional housing pursuant, if the court finds that the placement would impede reunification efforts.

Out-of-state placements

NMDs in out-of-state placements are eligible for EFC benefits. Interstate Compact for the Placement of Children (ICPC) after age 18 is at the discretion of the other state and counties should work cooperatively to see if the other state will agree to continue ICPC supervision services beyond age 18. If not, it is the county's responsibility to provide or secure services.

As soon as the EFC SW is aware* that the NMD is moving or has moved out of state, SW will:

- email ICPC at SanDiegoICPC.HHSA@sdcounty.ca.gov to request Courtesy Supervision information about the receiving State. In the email, include the following:
 - The NMD's name and DOB
 - City and state where the NMD will be residing
- visit with the NMD in the other state to approve SILP if the other state will not approve SILP for San Diego
- send required documentations to ICPC SW
- enter a narrative that ICPC was requested
- continue to make monthly visits with NMD until a courtesy supervision worker is assigned to the case.

NOTE:

If the NMD's out of the state move is...	then the EFC SW will visit the NMD...
planned	on the same or next working day.
unplanned	<ul style="list-style-type: none">• as soon as they know/can. <p>NOTE: Assigned SW can also check with other EFC workers to visit with the NMD.</p>

San Diego ICPC will:

- Contact individual state to confirm whether the receiving state will provide courtesy supervision.
- Confirm the necessary documents to initiate the courtesy supervision
- Relay information and expectations to EFC SW
- Send required information to other State (100A, 100B, other required documents)
- Keep track and collect data:
 - NMD Name & DOB
 - EFC Social Worker
 - Receiving State Name, SW name, SW phone number, ICPC contact person, ICPC contact phone number
 - Start date of Courtesy supervision
 - Notes
- Notify the EFC SW whether the receiving state has approved/declined the courtesy supervision request.

**Out-of-state
placements
(cont.)**

If the courtesy supervision request was approved, then:

- Monthly contacts are made by the ICPC in the receiving state and EFC SW will:
 - receive a **monthly** verbal report and **quarterly written** report, which will be emailed by the ICPC office.
 - update NMD's case plan (under Case management services SW Plan Contact tab) to input contact waiver so Safe Measures does not report missed visits.
 - will enter a monthly narrative as provided by the receiving state.

If the request is declined, then the EFC SW must continue to provide services and make monthly contact.

EFC SW must provide ICPC 100 B to San Diego ICPC office for changes in situation or court terminates, on approved courtesy supervision cases.

**NMD leaves
placement**

If a NMD leaves a placement with no expectation to return or plan to reside in another approved placement, set a special hearing to terminate jurisdiction.

If the NMD cannot be located, documentation must show that there were reasonable efforts made to locate the NMD when his/her location is unknown.

NOTE: When recommending terminating jurisdiction because a NMD can no longer be located, take into consideration the intent of EFC and balance that with liability to the agency.

SWs are to follow the Procedure for Reporting a NMD AWOL and When the Child/NMD Returns policy outlined in - Absent Client - No Contact with HHSA.

**NMD Grievance
Review Hearing
Request Process**

NMDs have the right to request a grievance review hearing in a situation where the NMD disagrees with CWS actions such as:

- the SILP Readiness Assessment
- an unapproved SILP
- a proposed move to a new placement
- the NMD has a conflict with the SW that cannot be resolved between SW and NMD.

CWS will not provide grievance reviews, if the request is based solely on any of the following:

- any action of the agency in compliance with a court order
- actions supported by law or agency regulations
- a question regarding the validity of a statute or a regulation.

In the event of a SILP denial, the NMD should be provided with the reasons why a SILP has not been approved:

- Rent and utilities exceed income
 - NMD does not have consistent and regular income
 - NMD lacks knowledge of how to count money, budget or pay bills
 - NMD is unable to care for self without assistance due to a serious medical or mental health condition
 - Skills need to be improved and the SW/NMD needs to come up with a plan for the NMD to be ready for the SILP.
-

**NMD Grievance
Review Hearing
Request Process
(cont.)**

The SW should:

- examine possibility of making SILP appropriate
- if applicable, encourage NMD to look for another SILP
- review the SILP guidelines with the NMD.

The EFC SW will provide the NMD with the 04-114 at the first face-to-face contact with the NMD. This also applies to re-entry NMDs. If the NMD requests a GRH, a grievance hearing officer (GHO) will conduct the hearing.

If the NMD wants to schedule a grievance hearing, they must:

- fill out the 04-114 completely and attach supporting documentation (i.e., Budget form, School enrollment form) through mail or fax within 30 days.
- send grievance form to the following address:
ATTN: EFC Grievance Hearing Officer
8965 Balboa Avenue
San Diego, CA 92123
Fax Number: (858) 616-5833

The NMD can also report issues or concerns to the Office of the Foster Care at (877) 846-1602, or via email at fosteryouthhelp@dss.ca.gov.

**NMD Grievance
Review
Hearing procedures**

The Grievance Review Hearing must be held within ten (10) working days from the date the written request for a grievance hearing is received. All parties involved will be notified of the date, time and place of the hearing, no less than five (5) working days prior to the scheduled hearing. Once a NMD has filed the request for a grievance review hearing, the following steps will occur:

**NMD Grievance
Review
Hearing procedures
(cont.)**

STEP	WHO	ACTION
1	Grievance Review Hearing Officer	<p>Conduct the review hearing, using the following information:</p> <ul style="list-style-type: none"> • Hold the review in a non-adversarial atmosphere. • Record the hearing on audiotape. The record of the proceedings will be kept on file for twelve (12) months after the final decision and will include all documents and items which were accepted as evidence at the review. NOTE: Must advise parties of recording and obtain consent. • Permit all parties to examine any documents and physical evidence introduced at the hearing. • If parties or witnesses testify at the hearing, only authorized persons will be present during the review, unless all parties and the Hearing Officer consent to the presence of other parties. • Explain that all testimony will be given under oath or affirmation. • Render a decision based upon the evidence presented at the hearing and upon CWS policy. • Within five (5) working days after the hearing has been completed, submit a written report of the findings and recommendations to the agency Director or Designee authorized to make the final decision. <p>NOTE: The Hearing Officer has the authority to continue to review the grievance for a period not to exceed ten (10) calendar days if additional evidence or witnesses are necessary for determination of the grievance issues.</p>
3	CWS Director	Prepare a final written decision, which will be issued within five (5) working days of receipt of the report from the Grievance Review Hearing Officer.
4	CWS Director's Secretary	<p>Forwards a copy of the report to:</p> <ul style="list-style-type: none"> • Each party involved in the review • Representatives of each party • EFC CWS Manager • EFC Deputy Director

Alignment with SET This policy aligns with SET [Value 3](#) and the guiding principle to identify living situations that support youth and their relationships and the agency practice of ensuring the voice of the youth is heard. It also aligns with [Value 2](#) and the agency practice of exhibiting clearly defined, respectful working relationships with kinship and resource families.
