




State of Florida
Department of Children and Families


Rick Scott
Governor

Mike Carroll
Secretary

DATE: December 29, 2016

TO: Regional Managing Directors
Community-Based Care Lead Agency Chief Executive Officers
Sheriff's Offices Conducting Child Protective Investigations

THROUGH: David L. Fairbanks, Deputy Secretary 

FROM: JoShonda Guerrier, Assistant Secretary for Child Welfare 
Vicki Abrams, Assistant Secretary for Operations

SUBJECT: CFOP 170-10, Nonrelative Caregiver Financial Assistance
Effective date: January 1, 2017

PURPOSE: The purpose of this memorandum is to provide notification that the operating procedure governing the Nonrelative Caregiver Financial Assistance Program (CFOP 170-10) has been updated in compliance with section 39.5085, Florida Statutes (F.S.). This operating procedure describes the Department's policies and procedures for administration of the Relative Caregiver Program for nonrelative caregivers.

BACKGROUND: Effective July 1, 2014, the Florida Legislature expanded the Relative Caregiver Program in s. 39.5085, F.S., to include nonrelative caregivers. The Legislature has made a commitment to assist nonrelatives who assume court-ordered custody and care of a dependent child in the role of a substitute parent because of a court's determination of child abuse, neglect, or abandonment. The Legislature recognizes that some children have a close relationship with a person who is not a relative, and that this person should qualify for financial assistance for providing the child with a safe, stable home environment. Nonrelative Caregiver Financial Assistance is available to those nonrelative caregivers who would be unable to serve as a caregiver without financial assistance, and thus would expose the child to the risk of placement in foster care without the assistance.

While the statutory framework for the Relative Caregiver Program includes both relatives and nonrelatives, the funding for the financial assistance comes from different sources, and therefore, the program must be operated separately. The Department will continue to process and operate the Relative Caregiver Program for relative caregivers pursuant to CFOP 175-79. CFOP 170-10 will outline the policies and procedures for the Relative Caregiver Program for nonrelative caregivers.

In updating CFOP 170-10, significant changes to policy included:

- Expansion of the scope of the operating procedure to also apply to staff responsible for processing applications and payments in the Office of Economic Self-Sufficiency.

1317 Winewood Boulevard, Tallahassee, Florida 32399-0700

Mission: Work in Partnership with Local Communities to Protect the Vulnerable, Promote Strong and Economically Self-Sufficient Families, and Advance Personal and Family Recovery and Resiliency

- Clarification that a nonrelative caregiver may not receive the Nonrelative Caregiver Financial Assistance payment for an unrelated child who is eligible for the Relative Caregiver payment based on their half-sibling's placement with a relative caregiver.

ACTION REQUESTED: Please share this memorandum with all child welfare staff of the Department, community-based care lead agencies and subcontracted providers involved with children placed or likely to be placed with a nonrelative caregiver pursuant to Chapter 39, F.S., and ensure that the new operating procedures are implemented effective January 1, 2017. This includes child protective investigators, case managers, Children's Legal Services attorneys, fiscal staff, and Department program specialists. This operating procedure also applies to staff responsible for processing applications and payments in the Office of Economic Self-Sufficiency.

CONTACT INFORMATION: If you require additional information or have any questions, please contact Tonyaleah Veltkamp, Director, Economic Self Sufficiency (850-717-4142 or tonyaleah.veltkamp@myflfamilies.com), or Courtney M. Smith, Office of Child Welfare Manager, Permanency and Well-Being (Courtney.smith@myflfamilies.com or 850-717-4660).

cc: Rebecca Kapusta, General Counsel
Grainne O'Sullivan, Children's Legal Services Statewide Director
Office of Child Welfare Directors
Regional Family and Community Services Directors
Community-Based Care Contract Managers
Center for Child Welfare

CF OPERATING PROCEDURE
NO. 170-10STATE OF FLORIDA
DEPARTMENT OF
CHILDREN AND FAMILIES
TALLAHASSEE, January 1, 2017

Chapter 9

NONRELATIVE CAREGIVER FINANCIAL ASSISTANCE

This operating procedure describes the Department's policies and procedures for administration of the Relative Caregiver Program for nonrelative caregivers. Effective July 1, 2014, the Florida Legislature expanded the Relative Caregiver Program in s. 39.5085, Florida Statutes, to include nonrelative caregivers. The Legislature has made a commitment to assist nonrelatives who assume court ordered custody and care of a dependent child in the role of a substitute parent because of a court's determination of child abuse, neglect, or abandonment. The Legislature recognizes that some children have a close relationship with a person who is not a relative, and that this person should qualify for financial assistance for providing the child with a safe, stable home environment.

While the statutory framework for the Relative Caregiver Program includes both relatives and nonrelatives, the funding for the financial assistance comes from different sources, and therefore the program must be operated separately. The Department will continue to process and operate the Relative Caregiver Program for relative caregivers pursuant to CFOP 175-79. This operating procedure will outline the policies and procedures for the Relative Caregiver Program for nonrelative caregivers.

BY DIRECTION OF THE SECRETARY:

*(Signed original copy on file)*JOSHONDA GUERRIER
Assistant Secretary for
Child Welfare

SUMMARY OF REVISED, DELETED, OR ADDED MATERIAL

This revision updates Department policy related to Section 39.5085, F.S.

1. In paragraph 9.1. clarifies that this operating procedure describes policies and procedures for maintaining eligibility and deletes the reference to assessing payments.
2. In paragraph 9.2. expands the scope to include staff members who are responsible for processing applications and payments in the Office of Economic Self-Sufficiency
3. In paragraph 9.5.a. and 9.5.c. changes the definition of "child welfare professional" and "unified home study" to agree with the definitions in Chapter 65C-30, F.A.C.

This operating procedure supersedes CFOP 175-11 dated May 1, 2015.

OPR: PDFS

DISTRIBUTION: X: OSES; OSGC; ASGO; PDFS; Region/Circuit Child Welfare staff.

4. Adds paragraph 9.6. that defines "notification requirements."
5. In paragraph 9.7.b. adds requirement that the home study must be used to gather and assess the information necessary to complete the Unified Home Study.
6. Adds paragraph 9.7.c. which requires that child welfare professionals must document in the Unified Home Study that this program was explained and any available information was provided.
7. Amends paragraph 9.7.d. that adds a resource on how to complete Unified Home Study in FSN.
8. Adds paragraph 9.9.e. that addresses that nonrelatives may receive payment for a minor parent and for that minor parent's child when both are adjudicated dependent and meet all other eligibility requirements. Also clarifies that a minor parent may not receive TCA payment for him- or herself and his or her child while the nonrelative receives the NCFA payment for either or both of them.
9. Adds paragraph 9.9.f. that clarifies that a nonrelative caregiver may not receive the NCFA payment for an unrelated child who is eligible for the Relative Caregiver payment based on their half-sibling's placement with a relative caregiver.
10. Amends paragraph 9.10.c.(2) and (3) and in other paragraphs throughout the procedure that reflects that Economic Self-Sufficiency (ESS) now receives and processes the applications rather than the Office of Child Welfare.
11. Amends paragraph 9.11.a. to reflect ESS is responsible for processing the NCFA application.
12. Amends paragraph 9.11.b.(2) adding Sections II and IV to the technical requirements of the application that must be met.
13. Amends paragraph 9.12.a. that requires the Application for Nonrelative Caregiver Financial Assistance to be used for annual reassessment.
14. Deletes paragraph 9.12.b. that requires all nonrelative caregivers enrolled in the program to be reassessed by July 1 of each subsequent year.
15. Amends paragraph 9.12.c. and changes the number to 9.12.b., requiring the Nonrelative Caregiver Payment Administrator to send the CF-FSP 5398 application form to the nonrelative caregiver. The nonrelative caregiver must complete and return the form within 10 calendar days from the mail date. Failure to timely return the completed form will result in termination of the NCFA.
16. Amends paragraph 9.12.d. and changes the number to 9.12.c., requires the Nonrelative Caregiver Payment Administrator to determine continued eligibility for NCFA payments within five business days of receipt of CF-FSP 5398. If the application is timely but incomplete, requires the Administrator to attempt to contact the nonrelative caregiver to obtain the missing information before terminating the NCFA payment.
17. Amends paragraph 9.13.b. adds that the nonrelative caregiver must meet the requirements in Section IV of the application. In addition, clarifies that the nonrelative caregiver must sign Section II of the application.
18. Amends paragraph 9.13.g. that requires a placement change be reported immediately, but no later than five calendar days by the child welfare professional/CBC designee or nonrelative caregiver to the Nonrelative Caregiver Payment Administrator; provides examples of the type of changes to be reported.

Chapter 9

Nonrelative Caregiver Financial Assistance

GENERAL REQUIREMENTS

9-1. Purpose. (Chapter 39, Florida Statutes [F.S.]) This operating procedure describes the policies and procedures for approving and maintaining eligibility for nonrelative caregiver financial assistance payments.

9-2. Scope. The policies and procedures within this operating procedure apply to all child welfare staff of the Department, community-based care (CBC) lead agencies and subcontracted providers involved with children placed or likely to be placed with a nonrelative caregiver pursuant to Chapter 39, F.S. This includes child protective investigators, case managers, Children's Legal Services attorneys, fiscal staff, and Department program specialists. Contract providers must be governed by the terms of their contract. This operating procedure also applies to staff responsible for processing applications and payments in the Office of Economic Self-Sufficiency.

9-3. Goal. The goal of nonrelative caregiver financial assistance is to provide support and stability to a child placed with a nonrelative caregiver who would not be able to serve as a caregiver without the financial assistance. The purpose of the financial assistance is to alleviate the financial burden by helping with the cost of housing, food, clothing, incidentals, supplies, and any other costs or services that aid in the care, safety and well-being of the dependent child.

9-4. Authority. Chapter 39, F.S., provides the legal authority for nonrelative caregiver financial assistance. Nonrelative caregiver financial assistance payments are funded with general revenue appropriated by the Florida Legislature.

9-5. Definitions.

a. Child Welfare Professional. As defined in Chapter 65C-30, F.A.C. means an individual who is primarily responsible for case activities that has met the criteria for Florida Certification as a Child Protective Investigator, Case Manager or a Licensing Counselor.

b. Financial Need. The financial need of the nonrelative caregiver to provide for the needs of the child placed with them by the court.

c. Nonrelative. An unrelated person, not connected by blood or marriage, or relative outside of the fifth degree of specified relationship.

d. Nonrelative Caregiver Financial Assistance Payments. Payments to assist with the added expense of housing, food, clothing, incidentals, supplies, and any other costs or services that aid in the care, safety and well-being of the dependent child.

e. Unified Home Study (UHS). As defined in Chapter 65C-30, F.A.C., means an assessment of a potential caregiver residing in Florida to determine if he or she is responsible and capable of providing a physically safe environment and a stable, supportive home for children under his or her care and that he or she will be able to meet the children's well-being needs. This home study is completed using the UHS module in Florida Safe Families Network (FSFN).

9-6. Notification Requirement. The child welfare professional recommending the nonrelative caregiver placement must inform the nonrelative caregiver about Nonrelative Caregiver Financial Assistance and must note in FSFN that the information was provided.

9-7. Home Study Requirements.

a. A Unified Home Study (UHS) must be completed for any court recommended nonrelative caregiver. The nonrelative caregiver must be capable of providing a safe, stable home environment for the dependent child and assure the child's safety and well-being.

b. The home study requirements established in s. [39.521\(2\)\(r\), F.S.](#), must be used to gather and assess the information necessary to complete the Unified Home Study for the proposed nonrelative caregiver.

c. The child welfare professional completing the Unified Home Study must document under "Financial Security, Resources and Child Care Arrangements" that the Nonrelative Caregiver Financial Assistance was explained to the caregiver and any available information such as a fact sheet or brochure, if available, was provided.

d. The Unified Home Study must be completed and filed with the court prior to the court's consideration of the nonrelative caregiver as a placement option for the dependent child. The Unified Home Study must be completed in FSFN. The following FSFN resource is located on the Center for Child Welfare, FSFN "How Do I Guide" page: Unified Home Study How Do I... Guide.

e. The Department must not place the child or continue the placement of the child in the home of the nonrelative caregiver if the results of the Unified Home Study are unfavorable without a court order approving the placement with the nonrelative caregiver after the court considered the Department's documented concerns.

f. If the dependent child is of sufficient age to express a preference, the reasonable preferences and wishes of the child must be considered when determining if the placement with the nonrelative caregiver is in the best interests of the child.

9-8. Nonrelative Caregiver Financial Assistance Payments.

a. Nonrelative Caregiver Financial Assistance payments must be made to the nonrelative caregiver, on behalf of the child, to assist with the added expense of housing, food, clothing, incidentals, supplies, and any other costs or services that aid in the care, safety and well-being of the dependent child.

b. Nonrelative Caregiver Financial Assistance payments must be made to the nonrelative caregiver on behalf of the child in an amount based on the child's age as listed in Florida Administrative Code Rule 65C-28.008.

c. Contingent upon continued availability of funding and continued eligibility, nonrelative caregiver financial assistance payments must continue until the child reaches age 18, is adopted, is no longer placed in the home of the nonrelative caregiver, moves from the state of Florida, or the nonrelative caregiver becomes licensed as a foster placement, whichever is sooner.

ELIGIBILITY, APPLICATION AND APPROVAL

9-9. Eligibility Criteria.

a. Nonrelative Caregiver Financial Assistance is available to those nonrelative caregivers who would be unable to serve as a caregiver without financial assistance, and thus would expose the child to the risk of placement in foster care without the assistance.

b. Nonrelative caregivers who receive Supplement Security Income (SSI) on the behalf of the child will be denied nonrelative caregiver financial assistance payments for the child.

c. Nonrelative caregivers who receive Social Security Disability Insurance (SSDI) or Social Security Survivor Benefits on the behalf of the child in an amount less than the monthly payments for NCFA, as set forth in subsection (3)(d) of rule 65C-28.008, F.A.C., shall be eligible to receive NCFA. The amount of the monthly NCFA payment shall be the difference between the monthly NCFA payment set forth in subsection (3)(d) of rule 65C-28.008, F.A.C., and the amount of the child's SSDI or Social Security Survivor Benefit.

d. The following criteria apply to Nonrelative Caregiver Financial Assistance payments:

(1) A completed Unified Home Study;

(2) A court order adjudicating the child dependent;

(3) A court order placing the child in the care and custody of the Nonrelative Caregiver and finding that the placement is in the best interest of the child; and,

(4) A signed statement by the Nonrelative Caregiver expressing financial need to continue to care for the child long term.

e. A nonrelative may receive the NCFA payment for a minor parent who is in his or her care, and for that minor parent's child, if both children have been adjudicated dependent and meet all other eligibility requirements. The minor parent may not receive a TCA payment for him- or herself and his or her child while the nonrelative receives the NCFA payment for either or both of them. If the minor parent applies for TCA for him- or herself and his or her minor child, the NCFA payment must be terminated.

f. Nonrelative caregivers may not receive the NCFA payment for an unrelated child who is eligible for the Relative Caregiver payment based on their half-sibling's placement with a relative caregiver. If the unrelated child becomes ineligible for the Relative Caregiver payment due to a change in the eligibility of the related half-sibling (ex. related child is adopted, leaves the home, or turns age 18) the nonrelative caregiver may apply and receive the NCFA payment for the unrelated child, if otherwise eligible and funds are available.

9-10. Application.

a. The application (Application for Nonrelative Caregiver Financial Assistance, form CF-FSP 5398, available in DCF Forms) includes general demographic information, a financial attestation by the nonrelative caregiver, an eligibility criteria checklist and a certification by the child welfare professional that all requirements are met.

b. The child welfare professional recommending the nonrelative caregiver placement must assist the nonrelative caregiver in determining whether Nonrelative Caregiver Financial Assistance is appropriate or whether another Department or community program can assist the family and strengthen the placement.

c. When a nonrelative caregiver expresses interest in Nonrelative Caregiver Financial Assistance, the child welfare professional recommending placement must provide the application form

to the nonrelative caregiver within two business days. The child welfare professional must assist the nonrelative caregiver in completing the application.

(1) The nonrelative caregiver must sign the financial attestation portion of the application, Section II, to indicate his or her financial need for assistance to care for the child long term.

(2) The child welfare professional must verify the information in the application for Nonrelative Caregiver Financial Assistance. Once the information is verified by the child welfare professional, he or she must sign the certification contained in Section V of the application indicating the nonrelative caregiver meets all eligibility requirements. The complete and certified application should be uploaded and attached to the Unified Home Study in FSFN, and then emailed to the following address within two business days: HQW.nonrelative.caregiver@myflfamilies.com. When email is not available, applications can be mailed via the postal service to the following address:

Department of Children and Families
Office of Economic Self-Sufficiency
Attention: Nonrelative Caregiver Payment Administrator
1317 Winewood Boulevard, Building 3, 4th Floor
Tallahassee, Florida 32399

(3) If additional information is needed, the child welfare professional must contact the Nonrelative Caregiver Payment Administrator at the Office of Economic Self-Sufficiency (ESS) for clarification and assistance. All communication with the nonrelative caregiver regarding financial assistance must be documented in FSFN within two business days of the communication.

9-11. Processing the Application (ESS).

a. Upon receipt of the complete and certified application from the child welfare professional, the ESS Nonrelative Caregiver Payment Administrator will review the application within five business days.

b. The effective date of the application will be the later of the following:

(1) Date the nonrelative caregiver signed the attestation of need and requested Nonrelative Caregiver payment assistance.

(2) Date all technical requirements referenced in Section II, Section III, and Section IV of the application were met.

c. Once the Nonrelative Caregiver Payment Administrator approves the application, he/she must update FSFN to allow for payments. The Nonrelative Caregiver Payment Administrator must add the Department Approved Service type for "Nonrelative Caregiver Payments" to the Provider Record in FSFN. Additionally, the Nonrelative Caregiver Payment Administrator must create a new out-of-home placement record in FSFN utilizing the Department Approved Service type for "Nonrelative Caregiver Payments". This change in the FSFN Record will allow for payments to be generated, but will not count as a placement change for the dependent child.

d. The Nonrelative Caregiver Payment Administrator will review the application and complete the Notice of Action (form CF-FSP 5399, available in DCF Forms) indicating whether the application was approved or denied, and if the application is denied, the reason for the denial and the nonrelative caregiver's right to appeal will be included in the Notice of Action. The Nonrelative Caregiver Payment Administrator will send the completed Notice of Action to the nonrelative caregiver via e-mail, if available, or by mail within five business days of the receipt of the application. The CBC case manager or designee will be copied on the notification.

e. The Nonrelative Caregiver Payment Administrator must document the approval or denial of the application for Nonrelative Caregiver Financial Assistance in Florida Safe Families Network (FSFN) within two business days.

9-12. Reassessment of Eligibility (ESS).

a. Eligibility for Nonrelative Caregiver Financial Assistance shall be reassessed annually by using the "Application for Nonrelative Caregiver Financial Assistance" CF-FSP 5398.

b. The Nonrelative Caregiver Payment Administrator shall conduct the reassessment by sending the CF-FSP 5398 application form to the nonrelative caregiver. The CF-FSP 5398 application form must be completed and returned by the nonrelative caregiver within 10 calendar days from the mail date. Failure to timely return a completed CF-FSP 5398 form will result in termination of the NCFA payment for the child effective the following month, allowing for 10-day notice of adverse action.

c. The Nonrelative Caregiver Payment Administrator shall review the returned CF-FSP 5398 to determine continued eligibility for the NCFA payment within five business days of receipt. If the form is returned timely, but is incomplete, the payment administrator must attempt to contact the nonrelative caregiver to obtain the missing information before terminating the NCFA payment.

d. The Nonrelative Caregiver Payment Administrator shall document the continued eligibility or ineligibility in FSFN within two business days of completing the eligibility reassessment.

FINANCIAL ASSISTANCE PAYMENTS

NOTE: All Nonrelative Caregiver Financial Assistance payments are subject to availability of funding.

9-13. Payments (ESS).

a. Upon receipt of a completed and certified application for Nonrelative Caregiver Financial Assistance from a child welfare professional, the ESS Nonrelative Caregiver Payment Administrator will initiate the process to generate payments to the nonrelative caregiver.

b. Nonrelative caregivers will become eligible to receive payments effective the day that all of the eligibility requirements specified in Sections II, III, and IV of the application (Application for Nonrelative Caregiver Financial Assistance, form CF-FSP 5398, available in DCF Forms) were met. This includes the nonrelative caregiver signing Section II of the application.

c. Nonrelative Caregiver Financial Assistance will be paid using a pro-rated daily amount for the days the child resided in the nonrelative caregiver's home during a calendar month.

d. Payments will be issued one month in arrears. For example, financial assistance payments for July will be issued in August. The August financial assistance payment would then follow in September, etc.

e. When a child's absence from the nonrelative caregiver's home requires a placement change in FSFN (e.g., extended detention stay, long term hospitalization or placement for treatment services), but the child remains in the care and custody of the nonrelative caregiver, the nonrelative caregiver financial assistance payment will be suspended for up to 60 days. If on the 61st day the child remains absent from the home, the Nonrelative Caregiver Financial Assistance payments will be ended and the nonrelative caregiver will need to reapply for Nonrelative Caregiver Financial Assistance if/when the dependent child returns to the nonrelative caregiver's home.

f. As long as funding continues to be available, nonrelative caregiver financial assistance will continue until the child reaches age 18, is adopted, is no longer placed in the home of the nonrelative caregiver, moves from the state of Florida, or the nonrelative caregiver becomes licensed, whichever is sooner.

g. When a placement change occurs, it is the responsibility of the child welfare professional/CBC designee or nonrelative caregiver to immediately notify the Nonrelative Caregiver Payment Administrator of the placement change. The Nonrelative Caregiver Payment Administrator shall end the child's placement in FSFN. A placement change that must be reported immediately, but no later than five calendar days, by the child welfare professional/CBC designee or nonrelative caregiver to the Nonrelative Caregiver Payment Administrator include:

- (1) When the child is adopted;
- (2) The child is no longer placed in the home of the nonrelative caregiver;
- (3) The child moves from the state of Florida;
- (4) The nonrelative caregiver becomes licensed as a foster placement; or
- (5) There is a change in the nonrelative caregiver's address.

h. When a payment ends due to a lack of funding, or due to a disqualifying event (e.g., the child no longer lives in the nonrelative caregiver's home, turns age 18, is adopted, moves from Florida, or the nonrelative becomes licensed as a foster parent), the Nonrelative Caregiver Payment Administrator will complete the Notice of Action (form CF-FSP 5399, available in DCF Forms) indicating the reason for terminating the payments. The Nonrelative Caregiver Payment Administrator will send the completed Notice of Action to the nonrelative caregiver via e-mail, if available, or by mail within 30 days of receiving notice of the change. The CBC case manager or designee will be copied on the notification.

i. Once the court closes the dependency case, placing the child in permanent guardianship with the nonrelative caregiver, and terminates the Department's protective supervision, the financial assistance payments continue until the child reaches 18, is adopted, is no longer placed in the home of the nonrelative caregiver, or moves from the state of Florida as long as all required reassessments are completed timely.

(1) Upon receipt of the court order placing the child in permanent guardianship, it is the responsibility of the child welfare professional to notify the ESS Nonrelative Caregiver Payment Administrator via email at HQW.nonrelative.caregiver@myflfamilies.com of the closure.

(2) The Nonrelative Caregiver Payment Administrator must change the child's out-of-home placement in FSFN and initiate a service in FSFN. This change will allow for continued payments.

(3) The Nonrelative Caregiver Payment Administrator will also transition primary worker responsibility from the child welfare professional to the Nonrelative Caregiver Payment Administrator when the child welfare professional has concluded all of his or her work with the family and is ready to end all of his or her assignments to the case.

(4) Upon transition, the child welfare professional or CBC designee will be responsible for ending the assignment of the child welfare professional when all case management responsibilities have concluded.

(5) The case will remain open in FSFN and will be maintained by the Nonrelative Caregiver Payment Administrator as long as payments are generated to the nonrelative caregiver.

(6) If the child's placement changes or if there is a change in the nonrelative caregiver's address, or ability to care for the child, it is the responsibility of the nonrelative caregiver to notify the Nonrelative Caregiver Payment Administrator at: HQW.nonrelative.caregiver@myflfamilies.com or by calling (850) 487-2760.

(7) The Nonrelative Caregiver Payment Administrator must terminate the nonrelative caregiver service in FSFN when noticed of any change in the child's placement.