Guardianship Assistance Program (GAP)

June 2020

Participants Guide



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Objectives

When you complete this session, you will be able to:

- Explain the Guardianship Assistance Program (GAP), including eligibility and benefits.
- Describe Permanent Guardianship and apply FSFN process.
- Explain GAP and GAA Termination and how it is processed in FSFN

Guardianship Assistance Program Guardianship Assistance Program (GAP) Overview:

- A Title IV-E benefits program that is available to relatives and fictive kin who commit to caring for a child long term
- Offers financial assistance and other services, such as Medicaid, to the children and their relatives
- Strengthens permanency for children discharged to permanent guardianship

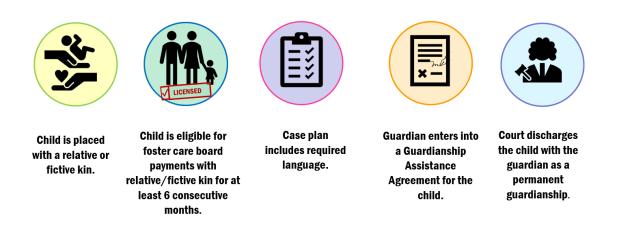
Guardianship Assistance Program (GAP) Benefits

GAP benefits are:

- Monthly payments of \$333 for support of the child,
- Medicaid benefits until 18 years of age (or 21 if eligible for Extension of Guardianship Assistance Program),
- Tuition and fee exemptions,
- Available for children who are living out-of-state,
- One-time payment to assist with the costs of establishing permanent guardianship (\$2000 non-recurring).

The child and guardian may be eligible for these benefits even if they live out-of-state. This is different from the relative/nonrelative caregiver program which requires families to reside in the state of Florida to receive benefits.

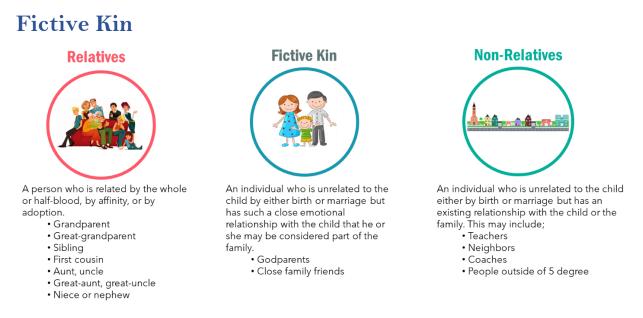
Guardianship Assistance Program (GAP) Eligibility Overview



To be eligible for GAP, a child must be placed with a relative or fictive kin, and the child must be eligible to receive foster care board payments for at least 6 consecutive months with the current caregiver.

Florida Statutes requires that Child Welfare Professionals must include the required language (Ch. 39.6225 - 10(a-g)) in the Permanent Guardianship Case Plan for a family to be eligible for GAP benefits.

The caregiver must also enter into a Guardianship Assistance Agreement for the child prior to the case closing and the court discharging the child to permanent guardianship.



One eligibility requirement for the GAP program is the placement of the child with a relative or fictive kin.

A **relative** is defined as a person who is related by whole or half-blood, by affinity, or by adoption. Examples include grandparents, great-grandparents, siblings, first cousins, aunts, uncles, great-aunts, great-uncles, nieces, or nephews.

Fictive kin is a relatively new term. It is defined as an individual who is unrelated to the child by either birth or marriage but has such a close emotional relationship with the child that he or she may be considered part of the family. Fictive kin can be godparents or a close family friend.

A **non-relative** is defined as an individual who is unrelated to the child either by birth or marriage but has an existing relationship with the child or family. This could include: teachers, neighbors, coaches, and people outside of 5 degrees.

The difference between fictive kin and non-relative is the degree of relationship between the caregiver and the child. If the child has a close relationship, the caregiver is considered a fictive kin. If the relationship is not close, the caregiver is considered a non-relative. A caregiver can be initially considered a non-relative and changed to fictive kin if the child and caregiver build a close relationship over time.

Documenting Fictive Kin in FSFN

Unified Home Study-Relationship to Caregiver

vider ID: 900010120 Worker Name: Wzimvoo	, Kellie S (200000 HEAD	QUARTE	RE Purpose of Home Study: Emergency Placement	\mathbf{v}	Pending
Demographics Prior Intakes ar Investigations/Refe			Einancial Security Resources and Child Care Arrangement Assessment	Qutcome/ Attachments to the Unified Home Study	Actions: Approval
Case Information				~	
Case(s) Associated Case ID Case Name Investigat	tion ID Action				
900010100 Starnell, Mommy	✓ <u>Delete</u>				
,					
					Text:
	Insert				Text: Unified Hom Study
Children Associated	Insert	0			Unified Hom Study Prior
Children Associated Names (Person ID)	Insert DOB	Ag	Relationship to Caregiver(if any) Court Case	e Number	Unified Hom Study
		-	Relationship to Caregiver(if any) Court Case	e Number	Unified Hom Study Prior Maltreatmen
Names (Person ID)	DOB	10	······································		Unified Hom Study Prior Maltreatmen

The Demographics tab of the Unified Home Study allows for Fictive Kin and Non-Relative in the "Relationship to Caregiver (if any)" drop down in the Children Associated group box.

You can use the Demographics tab from the Unified Home Study to assign caregivers to the child using the drop-down menu. This page also captures additional household members and non-household members older than 12 years old. In this page, you can also see the child's current and previous caregivers (from the Initiated Date).

This box populates with all "active" Case Participants, who have a Service Role on Maintain Case of Child Receiving Services and are under the age of 18.

The values for "Relationship to Caregiver (if any)" field are consistent with those currently captured in the "Relationship to Caregiver" drop down on the Provider tab of the Out-of- Home Placement page. If the value is available, the field on the Out of Home Placement page pre-fills from the UHS when the child is placed with this specific caregiver.

Out of Home Placement-Relationship to Caregiver

hild: Starnell, Andrew (ID: 900010141 Age: 10 DOB: 04/12/2008)		Starnell, Mommy (ID: 900010100)	Request Number:
<u>R</u> emoval/Placement	<u>P</u> rovider	<u>F</u> inancial	Actions:
Provider Information Name: Grandma Smith Search: ID: 900010120 Actual Name of Default/Historical Provider (if applicable): C/O: C/O: Street/Route: 222 Second Street City: Tallahassee County: Leon Phone: Ext: Fax: Email: Fax:	Contact: Unit Designator: State: FL Zip: 3231 Country: United States Att Phone: Alt Ext:		Placement Exception Reasons View Request Text: Text Change in Placement Voluntary Placement Agreement
Relative Placement Relationship of Child to Relative Caregiver: Fictive Kin			Waiver Attachment-Over 5 Waiver Attachment-More than 2 under 2 Request for Foster Home Waiver

The Provider Tab of the Out of Home Placement page allows for documentation of Fictive Kin in the Relative Placement group box.

The Provider tab consists of two group boxes:

- Provider Information
- Relative Placement information

In the Relative Placement group box, the Relationship of Child to Relative Caregiver field provides additional functionality for users to document the child's relationship to the relative provider. This field, which contains a drop-down list of relationship values for selection, is required for relative placements.

If the Placement Setting is Foster Family Home (Relative), the Relationship to Caregiver field drop down pre-fills from the UHS associated with the person provider with whom the child is being placed.

The pre-filling is system derived in the following manner:

- If the "Relationship to Caregiver" is documented on the Unified Home Study page, for the searched and selected Provider on the Out of Home Placement page, for the particular child who is being placed, the Relationship of Child to Relative Caregiver is pre-filled.
- Therefore, if the user selects a value from the Relationship of Child to Relative Caregiver drop down prior to searching and selecting the applicable Person Provider, but upon searching and selecting the applicable Person Provider there is a documented "Relationship to Caregiver" on an associated Unified Home Study, the value is prefilled. The previously selected value is overridden but remains user modifiable.
- If there is more than one Unified Home Study documented for the same child to provider (e.g., for a relicensing home study), the system pre-fills the drop down using

the "Relationship to Caregiver" documented on the Unified Home Study with the most recent Date Initiated.

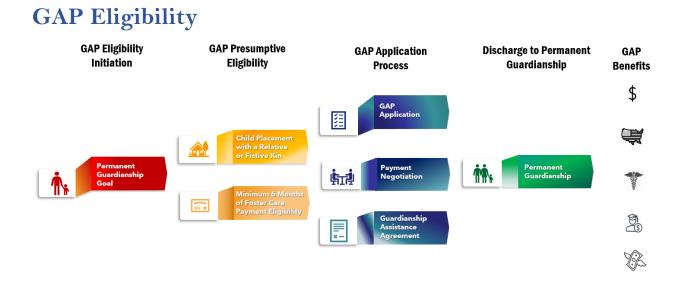
Maintain Case – Relationship Tab

Case Last/Provider: Starnell First: Mommy	Cousin-Maternal CLS Cas Cousin-Paternal Name: Daughter Daughter-Step DCF Employee - Not Institution Facility Staff		Case ID: 900010100 Status: Open Open Date: 02/21/2019 Program Code: Ch	Unit: 200000 HEADQUARTERS
Participants Relationships Relationships	Addr, Father Father-Adoptive Father-Birth Father-Legal		y Support Network Contacts	Closing History
Subject(s)	Father-Step		Subject(s)	
Starnell, Mommy V	Fictive Kin		Starnell, Andrew 🗸	Delete
Starnell, Mommy 🗸	Granddaughter		Starnell, Jared	Delete
Starnell, Mommy V	Grandfather Grandfather-Maternal		Stamell, Wesley	Delete
Starnell, Andrew 🗸	Grandfather-Paternal Grandmother		Starnell, Mommy 🗸	Delete
Starnell, Jared 🔽	Grandmother-Maternal		Starnell, Mommy	Delete
Starnell, Wesley 🔽	Grandmother-Paternal Grandson Guardian/Custodian-Not Parent Husband Licensed Family Shelter/Foster Parent Mother Mother-Adoptive	~	Starnell, Mommy 🔽	<u>Delete</u>

The Relationship Tab on the Maintain Case Page gives a FSFN user the ability to define the relationship of one case participant to another. The tab allows documentation of Fictive Kin, and FSFN will generate Fictive Kin for the reverse relationship.

Users can add new rows by clicking the Insert button. All fields are inserted as empty, required fields for each new row. The user can then select any case participant from the Subject(s) drop-down lists and define the relationship between them.

Note: Placement Caregivers should be created as Providers not Case participants.



GAP Eligibility has four stages with different tasks associated to each stage. The first stage is GAP Eligibility Initiation. Here, either the primary goal has changed to permanent guardianship, or a concurrent goal of permanent guardianship has been added.

The second stage is GAP Presumptive Eligibility. In this stage, the child must be placed with a relative or fictive kin, and the caregiver is eligible for at least 6 months of foster care board payment. During the presumptive eligibility stage, no legal document is required.

Once stage 1 and 2 requirements are met, the relative or fictive kin completes the GAP Application. Then, the relative and the child welfare professional negotiate the payment. The child welfare professional then finalizes the Guardianship Assistance Agreement.

During the last stage, the court discharges the child to permanent guardianship and the relative or fictive kin will be eligible for GAP benefits on behalf of the child.

GAP Eligibility Initiation

- Court accepts the primary or concurrent goal of permanent guardianship.
- Within 30 days of a goal change to permanent guardianship or addition of a concurrent goal of permanent guardianship, presumptive eligibility must be completed on the child in licensed care with a relative or fictive kin.
- Child Welfare Professional initiates GAP eligibility process in FSFN.

GAP Presumptive Eligibility

Once permanent guardianship becomes the primary or concurrent goal, the Child Welfare Professional responsible for GAP will need to confirm and document in FSFN that:

- The child is placed with a relative or fictive kin.
- The relative or fictive kin is eligible for foster care board payments for the child for at least 6 consecutive months.

Once the Child Welfare Professional responsible for GAP confirms the permanent guardianship goal, placement with relative or fictive kin, and that they were eligible for a minimum of 6 months of foster care payments, they will need to create a Guardianship Assistance Agreement (GAA) page in FSFN.

The child welfare professional should then contact the revenue maximization staff at the CBC within 15 calendar days to review the Title IV-E eligibility status.

Required Case Plan Language

Case managers must document the following in the case plan (Ch. 39.6225 F.S.):



Ch. 39.6225 F.S., requires that a permanent guardianship case plan is completed with the required language.

Case managers were already including some of the required information in their permanent guardianship case plans:

- **Appropriate Permanency:** The manner in which the department determined that reunification or adoption is not appropriate.
- Adoption Discussion with Guardian: Efforts to discuss adoption with the child's permanent guardian.
- **Appropriate Placement:** The reasons why a permanent placement with the prospective relative is in the best interest of the child.
- **Siblings:** The reasons why the child is separated from his or her siblings during placement, if applicable.

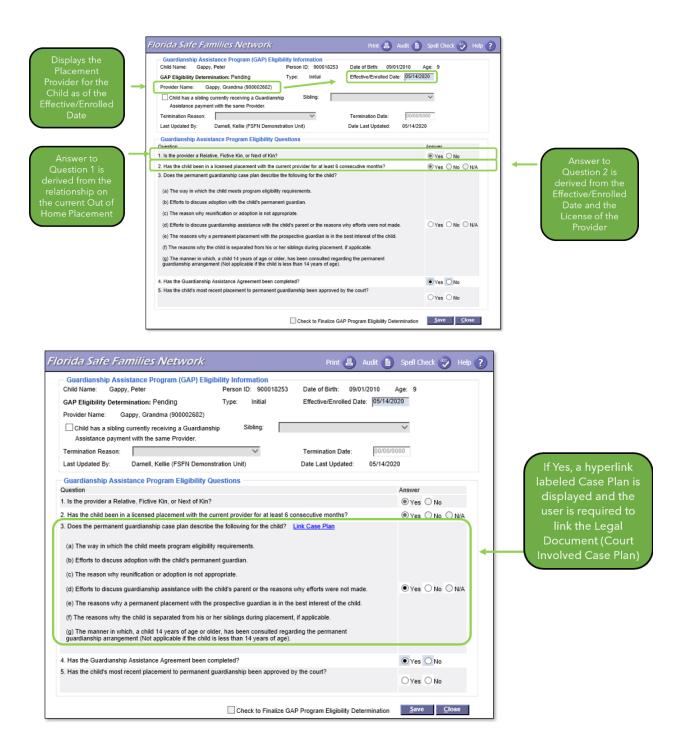
These items are statutorily required per Ch. 39.6221 F.S. to achieve permanency with Permanent Guardianship. Three additional items are required for the child to qualify for GAP:

- **Program Eligibility:** The manner in which the child meets program eligibility requirements.
 - The child is placed with a relative or fictive kin.
 - The caregiver is a licensed foster home and is eligible for at least 6 consecutive months of foster board payment.
- **GAP Discussion with Parents:** The efforts to discuss guardianship assistance with the child's parent or the reasons why efforts were not made.
 - Describe permanent guardianship to the parents
 - Discuss GAP and the possibility of reopening the case
 - Explain the Guardianship Assistance Program benefits
- **The Effort to Consult the Child:** The efforts to consult the child, if the child is 14 years of age or older, regarding the permanent guardianship arrangement.
 - Describe permanent guardianship to the child
 - Explain the Guardianship Assistance Program benefits

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Guardianship Assistance Program (GAP) Eligibility Information

- Displays the Placement Provider for the Child as of the Effective/Enrolled Date
- Question 1 is derived from the relationship on the current Out of Home Placement
- Question 2 is derived from the Effective/Enrolled Date and the License of the Provider
- For Question 3, if Yes, a hyperlink labeled Case Plan is displayed and the user is required to link the Legal Document (Court Involved Case Plan)

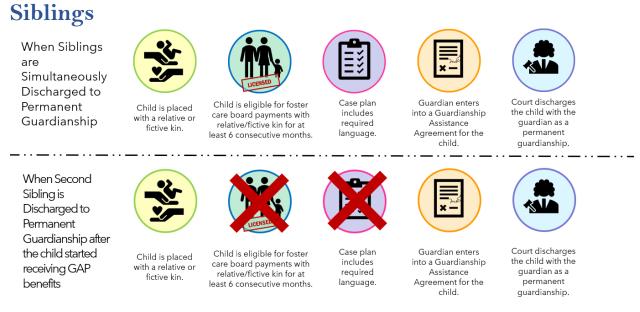


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Required Statutory Language

• The statutorily required language for GAP Eligibility should be documented under the Current Placement in the Permanent Guardianship Case Plan

Case Int Housel Na Case Nam Worker Name: Dependen Participa Change	me: e: Starnell, Mommy, FS Runtschke, Danielle Cas cy Case Manager: nts/Family Visitat Strategy Visitat Time/I n / Family Time me Date of Birth	FN Case ID: 3627301 e Plan Type: Judicial ion/Family Additiona Placement Informa	n With	ID: 900001853 te Caregiver Respon d in Protect Capacit	ve Outcome	Case Plan Date Modified: 06/1 Attac <u>h</u> ments	Worksheet ID:	Document the required language for GAP Eligibility in the Permanent Guardianship Case Plan
	Placement Child Name	Provider Name	Placement Type	Placement Begin Date	Current Removal Date	Action	Text:	
۲	Starnell, Wesley	Mother Foster	Foster Placement (Traditional)	01/03/2018	01/03/2018	Summary Information		
vvnat are t	he strengths of this placement	?						
What, if an	y, are the problems with the p	acement?						
Is the plac needs? If r		st family-like setting consistent wi	h the child's best interest and spec	cial Yes ○ N	0 ()			
Is the plac home?	ement in close proximity to the	child's home? If no, describe effo	rts to place the child closer to his o	or her Yes 🔿 N	0			~ >



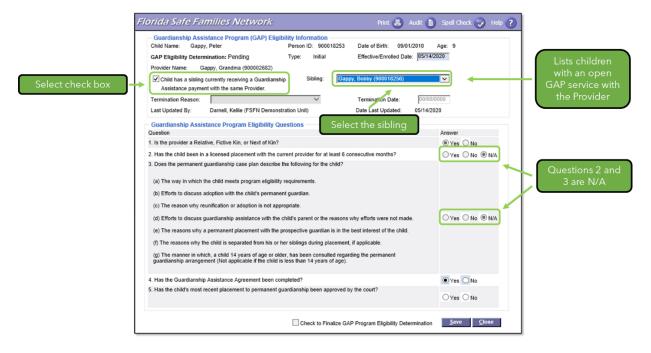
There are two possible scenarios to place siblings together based on the second sibling's placement timing.

If siblings are placed with a relative at the same time, they both go through the same GAP eligibility determination process, which includes: placing the child with a relative or fictive kin, being eligible for 6 months of foster care payment, including required language in case plan, signing guardianship assistance agreement, and discharging the child with the guardian as a permanent guardianship. Each requirement is evaluated for each sibling.

However, if a sibling is discharged to permanent guardianship after the guardian begins receiving GAP benefits for another sibling, the 6-months foster care payment eligibility requirement and the case plan items requirement are not required for GAP eligibility.

Documenting Siblings under the Guardianship Assistance Program Page

- Select the box indicating "Child has a sibling currently receiving a Guardianship Assistance payment with the same provider."
- Indicate which sibling in the corresponding box.
- FSFN will indicate Questions 2 and 3 are "N/A" as not needed for this eligibility determination.



Guardianship Assistance Agreement

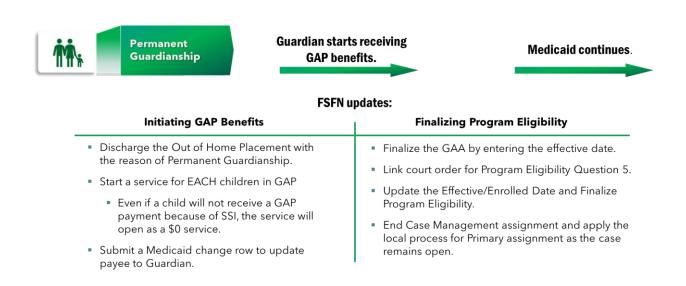
• The date the GAA is signed can now be entered prior to the Effective Date.

ſ	Guardianship Assistance Agreement	Florida Safe Families Networ Participant and Guardian(s) Information Child Name: Gapoy, Peter Guardian t: Grandma Gapoy Guardianship Assistance Agreement Info	ID: 900018253	Create Date/ Time: Guardian 2:	Hand Book (Print	Audit Spell Ch	eck 🥑 Help 🧃		
		Certification: Region:	Initial Update Northwest				Agreement signed by both the Guardian(s) and a Department representative	● Yes ○ No		
		Agreement Type:	Guardianship Assistance Agr	reement		- 1	Date Signed:	05/14/2020		1
		Fiscal Agency:	FSFN Demonstration Fiscal		~	0	Effective Date/Date of Agreement:	00/00/0000		
		Guardianship Assistance Subsidy Type:	Guardianship: IV-E with Med	dicaid	V		Basic Subsidy Amount:	\$333.00	1	
		Provider Name:				Search	Enhanced Subsidy Amount:	\$0.00	1	
		Does the Guardian(s) and child elect to opt into the	he extension of Guardianship A	ssistance Program?	⊖Yes ⊖No ⊖N/A		Agreement Amount:	\$333.00	1	
		Does the Guardian elect to name a successor Guardian? • Yes ONo	Justification:				Legal Cost:	\$0.00	1	Date Signed can
	The process for	Successor Guardian 1: Aunt Gappy					Travel Expenses:	\$0.00	1	now be prior to
	identifying an out-	Successor Guardian 2:					Other:	\$0.00	1	the Effective Date
		Reason Agreement Terminated:	~	Date: 00/00/0000			If Other, Explain:		1	the Ellective Date
	of-state Successor	1					Total Projected Cost:	\$333.00	1	
	Guardian is the	Enhanced Subsidy Justification							1	1
	same as the in-							~	1	1
	same as the In-								1	1
	state process.							~	1	1
									1	1
							Save	<u>C</u> lose		

NOTE: The process for identifying an out-of-state Successor Guardian is the same as the instate process.

Discharge to Permanent Guardianship

After discharge to Permanent Guardianship, the guardian should begin receiving GAP benefits. The following FSFN updates should be completed to initiate GAP benefits and finalize the program eligibility determination.



FSFN Updates

Initiating GAP Benefits

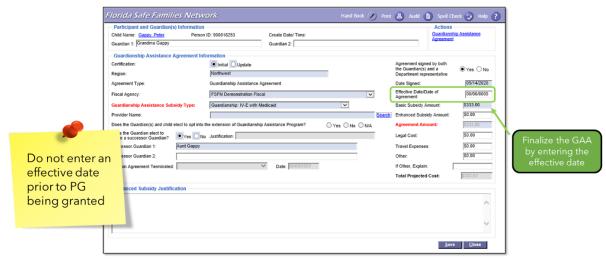
- Discharge the Out of Home Placement with the reason of Permanent Guardianship.
- Start a service for ALL children in GAP
- Even if a child will not receive a GAP payment because of SSI, the service will open as a \$0 service.
- Submit a Medicaid change row to update payee to Guardian.

Finalizing Program Eligibility

- Finalize the GAA by entering the effective date.
- Link court order for Program Eligibility Question 5.
- Update the Effective/Enrolled Date and Finalize Program Eligibility.
- End Case Management assignment and apply the local process for Primary assignment as the case remains open.

Finalize the GAA

• Finalize the GAA by entering the effective date. **Note**: this step occurs after Permanent Guardianship has been granted by the Court

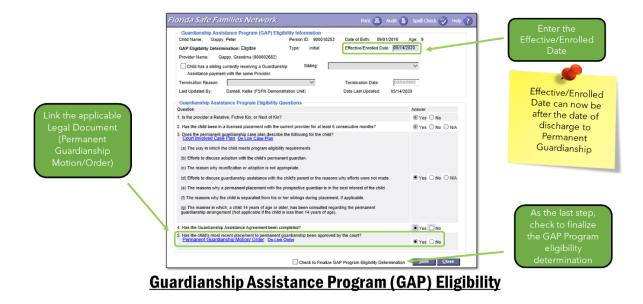


Guardianship Assistance Agreement

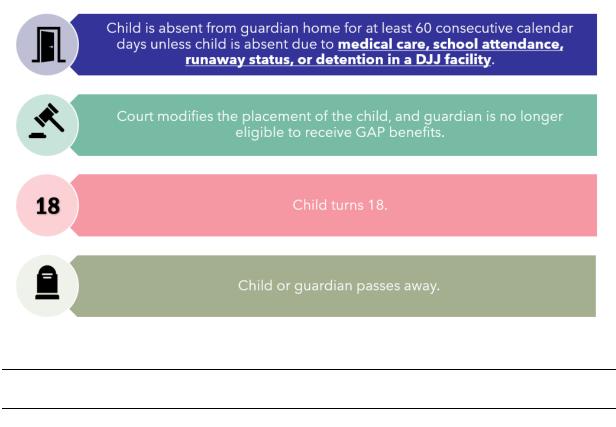
Finalizing GAP Eligibility

- Link the applicable Legal Document (Permanent Guardianship Motion/Order)
- Enter the Effective/Enrolled Date. **Note**: The Effective/Enrolled date can now be after the date of discharge to Permanent Guardianship
- Check to finalize the GAP Program eligibility determination as the last step

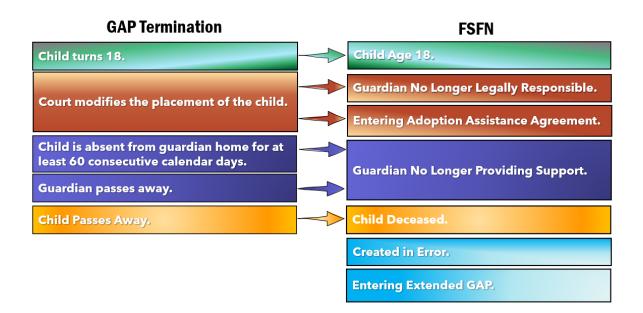
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GAP Termination



FSFN Termination Reasons



Other FSFN Changes

- Specialists can document program eligibility after a child's placement discharges to Permanent Guardianship.
- Young Adult Program Eligibility (YAPE) will accurately determine program eligibility for a young adult entering the EGAP.
- Out of Home Placement discharge reason added to support discharging to the Successor Guardian.
- Added "No Response Received" to TANF

