

EFC - General

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Forms

The following is a list of general forms used for EFC:

- [SOC 157A](#) Supervised Independent Living Approval and Placement Agreement
- [SOC 157B](#) SILP Inspection: Checklist of Facility Health and Safety Standards
- [SOC 161](#) Six month certification of EFC Participation
- [SOC 162](#) Mutual agreement
- [TILP 1](#) Transitional Independent Living Plan & Agreement
- 04-107 EFC Frequently Asked Questions
- 04-109 EFC Transition Jurisdiction Information
- 04-110 EFC Checklist
- 04-111 EFC- Authorization to Use or Disclose Protected Health Information-NMD
- 04-112 EFC-Authorization to use or Disclose Protected Health Information
- 04-113 EFC - Placement Needs and Services (CWS/CMS County Template)
- 04-116 NMD Non-Compliance Letter
- 04-244 CRA-Dispute Letter for Adult

The SOC 161:

- certifies that the NMD is currently participating in EFC services and is expected to continue with compliance for the following six months.
- needs to be attached to the court report for each six month case plan review.

The SOC 162:

- specifies the NMD's intention to remain in EFC and comply with program requirements and eligibility. The mutual agreement is valid throughout a continuous stay, and must be completed within six months of the NMD turning 18; a copy must be sent to the Registrar to send to the HSS.

Background

On September 30, 2010, AB12 was signed into law. There have been other bills that have added legislative changes since the original AB12 bill was passed into law. This bill allows California to implement provisions of the federal law, PL 100-351, also known as Fostering Connections to Success and Increasing Adoptions Act of 2008. This bill was signed into federal law in October 2008.

The goals for extended foster care (EFC) are to:

- Extend time to assist NMDs in becoming better prepared for successful transition into adulthood and self-sufficiency through education and employment opportunities.
 - Assist NMDs to maintain a safety net of support while experiencing independence in a secure and supervised living environment.
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Definitions

“General jurisdiction” means the court has retained jurisdiction over a youth for the purpose of considering a petition to resume its dependency jurisdiction or to assume or resume its transition jurisdiction over the youth as a NMD. The court does not need to make this order. It happens by operation of the law.

“Nonminor dependent (NMD)” is the term used for a dependent or ward eligible for EFC. A NMD is someone who is within the eligible age range who was under a foster care placement order on his or her 18th birthday and is/was currently under juvenile court jurisdiction with a foster care placement order and meeting at least one of the EFC participation conditions.

“Extended foster care (EFC)” is available to youth 18-21 who were under foster care placement order at age 18.

“Supportive Transition” is the service component used for permanent placement services to a NMD.

“Nonminor former dependent (NMF)” is a nonminor who:

- reached 18 years of age while subject to an order for foster care placement, and for whom dependency, delinquency, or transition jurisdiction has been terminated, and who is still under the general jurisdiction of the court, OR
- is over 18 years of age and, while a minor, was a dependent child or ward of the juvenile court when the guardianship was established and the juvenile court dependency or wardship was dismissed following the establishment of the guardianship.

“Parenting NMD” refers to an NMD who is the natural or adoptive father or mother, (whether married or unmarried); or other adult fulfilling the parental role.

“Transition Dependent” is a youth who is a ward between 17 years 5 months and 18 years of age under a foster care placement order who is subject to the court’s transition jurisdiction.

Who is eligible for Extended Foster Care (EFC)

The following is the eligibility criteria for EFC:

- Age
 - Participating conditions
 - Transitional Independent Living Case Plan/Transitional Independent Living Plan (TILCP/TILP)
 - Authority for placement
 - Eligible facilities
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Who is eligible for Extended Foster Care (EFC) (cont.)

Dual agency and supplemental rates will continue on behalf of youth who are consumers of Regional Center.

NOTE: The placement does not have to be a paid placement on the youth's 18th birthday as long as the youth has an order for a foster care placement on his or her 18th birthday.

In order to participate as a NMD, the NMD must:

1. meet one of the five participating conditions **and**
2. sign the mutual voluntary agreement (SOC 162).

The following youth are eligible for EFC, if they are:

- Parenting NMD (the parent receives the monthly payment; the baby receives the infant supplement)
- In a Non-related Legal Guardian (NRLG) established through dependency court (eligible for services only)
- On probation and in a foster care placement
- In foster care and residing out of county/state
- ICWA eligible
- Active to Regional Center
- Receiving SSI/SSD (Special requirement needs to be met)
- Married or getting married nonminor.

NOTE: Married NMDs will need to have a SILP Readiness Assessment in order to be placed in a SILP. Transitional Housing Program for Nonminor Dependents (THP-NMD) housing providers that allow non-participant roommates, cannot exclude a married youth on the basis of marital status. Spouses of NMDs in the program can be accommodated under the same rules as other roommates.

The following youth are eligible for EFC if they meet one of the following:

- Nonminor former dependent youth with a relative guardian or non-related legal guardians finalized through Juvenile Court that experience the death of a legal guardian or the guardian has refused to provide ongoing support to the youth.
- Nonminor former dependent youth KinGAP case that experience the death of a legal guardian or the guardian has refused to provide ongoing support to the youth.
- Nonminor who is receiving AAP after attaining 18 years of age that experience the death of an adoptive parent(s) or the adoptive parent has refused to provide ongoing support to the youth.

For more information on these youth, see Extended Foster Care – EFC - Re-entry .

The following youth are not eligible for EFC:

- Incarcerated as an adult (if the youth is arrested, they may still be eligible for EFC so long as they are meeting one of the five criteria for participating).
 - In a Non-related Legal Guardian (NRLG) status established through probate court.
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Participating conditions

There are five participating conditions:

Participating Condition	Definition	Forms
1. Secondary education	<ul style="list-style-type: none"> Enrollment includes but is not limited to high school, GED. Enrollment is deemed continuous during any summer or other scheduled break in the school program. 	<ul style="list-style-type: none"> Verification of participation TILP TILCP SOC 161
2. Post-secondary/ vocational education	<ul style="list-style-type: none"> Must be enrolled in college, community college, or vocational education. Enrollment is deemed continuous during any summer or other scheduled break in the school program. 	<ul style="list-style-type: none"> Verification of participation TILP TILCP SOC 161
3. Program or activity designed to promote or remove barriers to employment	Programs and/or activities include but not limited to unpaid employment, volunteer activities, unpaid internships, drug or alcohol treatment.	<ul style="list-style-type: none"> Verification of participation TILP TILCP SOC 161
4. Employment	<ul style="list-style-type: none"> Employed 80 hours per month. This includes but is not limited to paid employment, paid internships, work study or vocational programs. As long as the NMD is scheduled to work 80 hours, they are eligible even if they do not work the 80 hours due to holidays, illness, excused absences or other circumstances beyond the NMD's control. 	<ul style="list-style-type: none"> Verification of participation TILP TILCP SOC 161
5. Incapable of doing any of the above	Medical condition, both short term and long term condition that renders the NMD incapable of doing any of the four activities. A NMD who is eligible for a disability program such as, Regional Center or SSI.	<ul style="list-style-type: none"> Written verification by health care practitioner or verification of disability benefits TILP TILCP SOC 161

NOTE: Health care practitioner is defined as someone who is licensed or authorized by the state to provide services related to physical or mental health.

Documentation of participation will be recorded in CWS/CMS in the case contact notebook and in the court report.

Military

While youth who are on **active duty military status** continue to be ineligible for EFC, a NMD who is in the reserve command of any branch of the armed forces, or is a member of the National Guard, is eligible for EFC benefits until called upon to serve in active duty, if all other EFC eligibility requirements are met.

Youth who are enlisted in the military, but not on active duty (including those participating in a ROTC program), are eligible for EFC, except during extended training if the military program does not allow a SW to conduct monthly face-to-face contact and supervision during this time. The youth would be eligible to re-enter foster care as soon as SW monthly face-to-face contact can resume.

When a NMD is enlisted in a part-time military program, their Transitional Independent Living Plan (TILP) can include the military participation as a TILP goal.

- If the goal states that the purpose of the military employment is to enable the youth to gain needed work habits, skills, and responsibilities of maintaining employment, Welfare & Institutions Code (W&IC) section 11008.15 allows any income derived from the military participation to be disregarded for eligibility determinations.

A person who is on active duty is a full-time member of the military. After completing basic training (also known as boot camp), they are stationed at a base within the U.S. or overseas. Active duty terms typically last two to six years. The period of basic training is considered active duty; therefore, an NMD who enlists and is attending basic training is ineligible for EFC.

Persons in the military reserves or National Guard are considered as part-time military personnel, although they can be deployed at any time, at which point they are on active duty and ineligible for EFC until the active duty ends.

EFC for Victims of Human Trafficking

Youth who have successfully met the requirements of Penal Code (PC) section 236.14 to vacate their adjudication, are not required to have met their rehabilitative goals to remain eligible for transition jurisdiction, foster care, or EFC. Youth must meet all other criteria for transition jurisdiction and a NMD must also meet the requirements of EFC.

SW responsibilities

Some of the SW responsibilities include, but are not limited to:

- Engage youth to develop and achieve their goals for stable and permanent housing and independent living, as described in the TILP.
 - Assist youth in formulating TILP goals, review, and update at least every six months.
 - Assess readiness and help the youth choose an appropriate approved or licensed placement (such as RF home, relative's home, transitional housing program, or supervised independent living placement or remain with his/her nonrelated legal guardian).
 - Help the youth stay eligible for extended foster care by responding to any problem(s) the youth has reported and help them find services and supports to meet their needs and maintain eligibility.
 - Develop a Shared Living Agreement, as needed, and help resolve any problems that arise with the youth's placement.
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SW responsibilities (cont.)

- Ensure that the youth has Medi-Cal or other health insurance, and help them get medical, dental, and/or mental health care, as needed.
- Inform the youth about any changes to their foster care benefits and provide them information about the procedure to appeal a decision to either cut off or reduce their benefits.
- Provide the youth with their attorney contact information, and information about upcoming juvenile court hearings, and how to participate in these hearings, as applicable.
- Maintain frequent communication between CWS SWs of:
 - NMD's dependent child,
 - NMDs boyfriend/girlfriend or other significant relationships and
 - 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.

NOTE: As situations arise, including concerns/reports of conflict, contact between the assigned SWs will be more frequent.

NMDs not compliant

There will be times when a NMD is not complying with their case plan and/or not meeting EFC eligibility criteria. If this happens, it is the SWs responsibility to work with the youth to engage and assist them in maintaining their eligibility.

If efforts to resolve the eligibility issue are unsuccessful and the NMD remains unwilling to remain in an approved placement and either comply with the case plan or modify the case plan the SW will complete the following:

- Contact the youth's attorney and explain when the youth needs to be doing to meet the eligibility criteria.
 - Document all efforts to engage the youth in CWS/CMS.
 - Send the youth the NMD Non-Compliance Letter (04-116).
 - Request the court to set a WIC 391 hearing to begin the process to terminate jurisdiction.
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Reporting suspected abuse of NMDs

When an IRS/IS referral on a NMD is received by the Hotline, the Hotline SW will enter a contact into CWS/CMS and provide the reported information to the assigned SW for the NMD. .

NOTE: Under no circumstances is a referral to be created when the NMD is the only alleged victim of abuse or neglect, as CWS/CMS does not allow for the creation of a referral on a youth older than 18 years of age.

- Send an email to the assigned SW and PSS with the information in the email.
 - Cross-report any suspected abuse, neglect, or exploitation by the licensed or approved caregiver of the NMD to the appropriate licensing or approval agency (CCL), and to law enforcement (WIC16504(c)).
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Reporting suspected abuse of NMDs (cont.)

If...	then the Hotline SW will...
the NMD is under Kin-Gap,	explain to the reporting party that they may contact Law Enforcement.
there are minor children living in the home where the NMD is alleged to be a victim,	generate a referral for the minor children alleged to be victims to be assigned to the appropriate region for investigation and secondary to the EFC worker.
a NMD living in a SILP is alleged to be abused by roommate,	report the allegations to local law enforcement.

Once the NMD’s SW becomes aware of the allegations, the assigned EFC SW will:

- Address the allegations with the NMD to assess the safety and appropriateness of the placement.
- Record the contact purpose as a “delivered service”.
- Conduct a SDM Safety Assessment.
- Follow up with other involved agencies (CCL, Law Enforcement).
- Consult with other assigned SW.

Travel

A NMD is only entitled to the monthly foster care payment. There are no other costs that are covered under the EFC program.

For those youth out-of-state, the following will be allowable travel:

- CWS will cover the cost of air/bus/rail travel for an EFC youth coming back to San Diego from attending school out-of-state or out-of-county, in lieu of a compliance visit by the social worker.

The youth/SW will be responsible to ensure the youth has accommodations in San Diego during their visit. Food and housing/hotel will not be a covered expense.

Court Appointed Special Advocate (CASAs)

While NMDs retain many of the rights of children in foster care, NMDs must also be recognized as emerging adults working in partnership with courts, attorneys, and child welfare partners. Therefore, NMDs must be consulted about their desire to continue receiving CASA services, or to re-engage CASA services when returning to juvenile court jurisdiction and re-entering foster care.

The CASA assignment can remain after the youth turns 18, **only if** the NMD consents. The CASA may have access to the NMDs records, only with the explicit written and informed consent of the NMD. The youth can withdrawal their consent at any time.

IFPP Services for NMDs

NMDs can be referred to Intensive Family Preservation Program (IFPP) services and funding when the IFPP SW is going to be working with the NMD and their children.

W&IC section 16601 does not allow for CWS to provide IFPP services to a NMD parent when there is no suspected abuse or neglect. However, IFPP services are available to NMDs and their own children, only when there is an open referral or case on the NMD's child(ren).

Credit Reports for NMDs

By law, every adult is entitled to one free yearly credit report from each of the three credit reporting agencies. NMDs can request one or all three at the same time, or NMDs can request each report over the course of the year. The reports can be requested electronically, by phone or in writing.

Because they are adults, NMDs must request and receive their own credit reports. However, the SW will ensure that the NMD receives assistance in requesting and reviewing the reports.

Assisting the NMDs could be, but is not limited to:

- Referring the NMD to www.annualcreditreport.com.
- Assisting the NMD with accessing the www.annualcreditreport.com website and completing the credit report application online.
- Providing the NMD with a request form and assisting with completion of the form.
- Providing the NMD with the telephone number for making a request and assisting them with the call.

In some rare situations and based on developmental needs, the SW may need to secure authorization from the NMD for the SW to receive the credit report on the NMD's behalf. The SW will coordinate with the NMD's attorney.

The most efficient way is to request the reports electronically because the reports are available immediately.

If there are any discrepancies in the NMD's credit report, send the CRA-Dispute Letter for Adult (04-244) to the CRA where the credit history exists. Attach the most recent minute order* and a copy of the youth's birth certificate.

NOTE: Redact confidential (account numbers, social security numbers, etc.) information from the minute order that is attached to the letter.

Credit Report Documentation for NMDs

The SW will document the NMDs credit report information (or the NMDs refusal) in the new CWS/CMS Notebook titled "Credit Report" in the Client Management section in CWS/CMS.

To create new rows click the "+" in the Credit Report grid. A new Credit Report Information dialog box opens.

Alignment with SET

This policy aligns with SET [Value 1](#) ensuring the youth's voice is gathered/represented at every meeting to inform key decisions and focus on safety, permanency and well-being and by engaging the youth in safety planning by utilizing respectful, honest and transparent communication.
