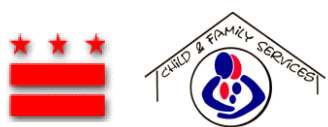


POLICY TITLE: Permanent Guardianship Subsidy		PAGE 1 OF 9
	CHILD AND FAMILY SERVICES AGENCY Approved by: <u>Raymond Davidson</u> Agency Director	REVISION HISTORY:
LATEST REVISION: June 30, 2015	EFFECTIVE DATE: June 21, 2011	

I. AUTHORITY	The Director of Child and Family Services Agency adopts this policy to be consistent with the Agency's mission and applicable federal and District of Columbia laws, rules and regulations, including the D.C. Official Code sections 16-2381 through 16-2399 and title 29, chapters 59 and 61 of the District of Columbia Municipal Regulations (DCMR).
II. APPLICABILITY	This policy applies to all Agency employees and contracted personnel.
III. RATIONALE	The purpose of this policy is to identify the circumstances and process for receiving a Permanent Guardianship Subsidy. A Permanent Guardianship Subsidy makes it possible for children who might otherwise remain in long-term foster care to achieve permanency. Many kin and non-kinship caregivers are willing to care for children but are unable to manage the financial burden or unable to meet the medical needs of the children without a subsidy. A Permanent Guardianship Subsidy may provide financial assistance and medical assistance to permanent guardians of eligible children.
IV. POLICY	<p>It is the policy of the Child and Family Services Agency (CFSA) to make a guardianship subsidy available to individuals who become permanent guardians to children in foster care in the District of Columbia. The prospective guardian must be a licensed foster care provider and the child(ren) must have resided with the prospective guardian for at least six (6) months before the finalization of permanent guardianship may be granted. CFSA or CFSA's contracted private agency assesses the child's placement prior to recommending guardianship to the prospective guardian.</p> <p>The Guardianship Subsidy Agreement needs be completed prior to the Court granting of guardianship. Upon finalization of the permanent guardianship by order of the Court, the subsidized guardianship program will provide the caregiver with either a time limited or monthly board and care payment equal to the prevailing foster care rate (minus any income the child has, such as social security) plus medical coverage through the DC Medicaid program, if accepted by a medical provider in the families' current state of residence.</p> <p>A "successor guardian" may be designated in the Guardianship Subsidy Agreement and approved by the Family Court. In the event that the permanent guardian can no longer continue to serve as the child's caretaker, the successor guardian will immediately obtain physical custody of the child and assume the permanent guardian's rights and responsibilities concerning the child. The successor guardian need not be a relative of the child in question but must be identified in the Guardianship Subsidy Agreement or amended agreement and approved by the Family Court.</p>

V. CONTENTS	<ul style="list-style-type: none"> A. Eligibility Criteria B. Application Process C. Notice to Subsidy Unit of Permanent Guardianship Decision D. Termination of Permanent Guardianship Subsidy E. Subsidy Review F. Transferability of Subsidy to a Successor Guardian G. Appeals
VI. ATTACHMENTS	<ul style="list-style-type: none"> A. Application for Permanent Guardianship Subsidy B. Permanent Guardianship Subsidy Referral C. Relative's Affidavit D. Required Documents Checklist E. Permanent Guardianship Subsidy Agreement F. Instructions for Completing Notice of Action to Deny, Terminate or Reduce Permanent Guardianship Subsidy G. Permanent Guardianship Subsidy Review H. Notice of Administrator's Subsidy Review I. Fair Hearing Form
VII. PROCEDURES	<p>Procedure A: Eligibility Criteria for Guardianship Subsidy</p> <p>Permanent Guardianship enables children to retain ties to their families of origin and community through placement with kin and non-kinship caregivers. When such funding is available, an applicant may be eligible to receive a permanent guardianship subsidy up until the child reaches the age of 21 years when all of the following criteria are met:</p> <ol style="list-style-type: none"> 1. The Court has awarded the applicant permanent guardianship over a child. 2. The applicant must be licensed in the state of residence. 3. The following criteria are met at the time of the application and were continuously met through the point that the Court awarded permanent guardianship: <ol style="list-style-type: none"> a. The Court has adjudicated the child to be a neglected child. b. Following the disposition hearing, the Court placed the child in the legal custody of CFSA. c. The child has been determined to meet one of the following special needs criteria: <ol style="list-style-type: none"> i. Difficult to place for adoption because of age, race, ethnic background, physical or mental condition. ii. The child is a member of a sibling group which should be placed together. iii. The child in all likelihood would go without another permanent placement except for her or his acceptance as a member of the permanent guardian's family. d. CFSA has determined that the child's best interest is not met by the permanency plan of either reunification or adoption.

	<ul style="list-style-type: none"> e. CFSA has determined that the permanency plan of legal guardianship with the applicant is in the child’s best interest. f. The applicant is qualified in every other way but has a current and potential ongoing financial need for a permanent guardianship subsidy. <p>4. In a circumstance in which a successor guardian assumes caretaking responsibility for a child, the successor guardian is eligible for the guardianship subsidy when the following criteria are met:</p> <ul style="list-style-type: none"> a. The successor guardian was named in the Guardianship Subsidy Agreement that was in effect at the time the permanent guardianship was terminated and approved by the Family Court to be a successor guardian through the guardianship order or modification; b. The successor guardian has been granted custody of the child by the Court; c. CFSA has completed fingerprint-based federal and local background criminal checks on the successor guardian and those checks reveal that the successor guardian has not been convicted of the prohibited felonies enumerated in section 471(a)(20)(A) of the Social Security Act.; and, d. CFSA has completed child abuse and neglect register checks of the successor guardian(s) and other adults living in the successor guardian's home consistent with section 471(a)(20)(C) of the Social Security Act.
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	<p>Procedure B: Application Process</p> <p>Any person(s) who wish to receive a permanent guardianship subsidy must apply with the CFSA. CFSA will assist those interested in applying as follows:</p> <ol style="list-style-type: none"> 1. The on-going social worker will review the eligibility criteria to initially determine that the applicant qualifies prior to making a referral to the permanent guardianship subsidy program. 2. If the child and prospective permanent guardian meet the eligibility criteria under <i>Procedure A</i>, the ongoing worker shall complete and submit the packet to the subsidy unit supervisor within 15 calendar days from the time the motion for permanent guardianship is filed. This process shall consist of all of the following steps: <ul style="list-style-type: none"> a. Review the permanent guardianship subsidy program with the caregiver(s) (hereinafter prospective permanent guardian) and provide all applicable forms. b. Assist the prospective permanent guardian with completing the “Application for Permanent Guardianship Subsidy.” (Attachment A) c. Review the “Application for Permanent Guardianship Subsidy” once completed by the prospective permanent guardian. d. Complete the “Permanent Guardianship Subsidy Referral”
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	<p>(Attachment B).</p> <p>e. Submit the packet to the appropriate supervisor for review, approval and signature of the “Permanent Guardianship Subsidy Referral”.</p> <p>3. The permanent guardianship subsidy packet shall consist of the following:</p> <ol style="list-style-type: none"> a. Completed “Permanent Guardianship Subsidy Referral” (Attachment A), b. Completed “Application” (Attachment B), c. Copy of current IRS Form 1040 or 1040EZ, d. Current Commitment Order from the Court, e. Copy of the current License to Operate a Foster Home; and f. Affidavit of Relationship (when applicable) (Attachment C), g. A Superior Court stamped copy of the Motion for Permanent Guardianship, h. A copy of the child’s birth certificate, and i. A copy of the child’s social security card. <p>4. The subsidy unit supervisor shall log in the packet upon receipt.</p> <p>5. Within three (3) business days from the date the packet is logged in, the subsidy supervisor shall review the packet and determine whether it is complete.</p> <ol style="list-style-type: none"> a. If the packet is incomplete, the subsidy supervisor shall return it to the referring supervisor, within one (1) business day of the determination, along with the <i>Required Documents Checklist</i> (Attachment D) identifying the missing or incomplete information or form. b. If the packet is complete, the subsidy supervisor shall assign it to a subsidy worker for review within one (1) business day of the determination date. <p>6. If the subsidy worker determines that the eligibility criteria in <i>Procedure A</i> are met, the subsidy worker shall prepare the <i>Permanent Guardianship Subsidy Agreement</i> (Attachment E) and submit the Agreement for supervisory review and approval. The agreement shall be submitted to the subsidy supervisor within 30 calendar days from the date the case is assigned to the subsidy worker.</p> <p><i>Note: The subsidy worker shall send a copy of all correspondence with the applicant to the ongoing social worker and supervisor.</i></p> <p>7. The subsidy supervisor shall immediately review the <i>Subsidy Agreement</i> for approval and return the agreement to the subsidy worker.</p>
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	<p>8. The subsidy worker shall call to notify the applicant of the Agency’s decision to approve or deny the subsidy request within 3 business days from the completion date of the supervisory review.</p> <p>a. If the subsidy is denied, the subsidy worker shall send a Notice of Action (Attachment F) to the applicant with notice of the right to a fair hearing. An applicant who disagrees with a denial may appeal the decision. <i>See Procedure G below for information regarding the appeal process</i></p> <p>b. If the subsidy is approved, the subsidy worker shall send the Notice of Action and the Subsidy Agreement to the applicant for review and signature with a request to return the agreement within 30 calendar days.</p> <p>9. Once the <i>Subsidy Agreement</i> is signed by the prospective guardian and returned to the Agency, it shall be approved by the program manager within 3 business days of receipt and immediately returned to the subsidy worker.</p> <p>10. The subsidy worker shall send a copy of the agreement to the ongoing worker within one (1) business day and to the prospective guardian.</p> <p>11. The ongoing worker shall submit the signed <i>Subsidy Agreement</i> to the court within ten (10) business days prior to the next court hearing.</p>
	<p>Procedure C: Notice to Subsidy Unit of Permanent Guardianship Decision</p> <p>1. The ongoing social worker shall notify the Subsidy Unit when the Court rules on the motion for permanent guardianship.</p> <p>2. The ongoing social worker shall send a copy of the Court order granting or denying permanent guardianship to the Subsidy Unit within five (5) business days of receipt.</p> <p><i>Note: the Permanent Guardianship Subsidy Agreement shall be approved prior to the granting of permanent guardianship.</i></p>
	<p>Procedure D: Termination of Permanent Guardianship Subsidy</p> <p>1. A <i>Permanent Guardianship Subsidy Agreement</i> shall be terminated under the following circumstances:</p> <p>a. Upon the earlier of the child’s</p> <ul style="list-style-type: none"> i. 21st birthday; ii. Residence outside of the permanent guardian’s home, unless the permanent guardian can demonstrate that she/he retains financial responsibility for the child or the child is attending a residential school; iii. Marriage; iv. Death; v. Enlistment in the military;

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	<ul style="list-style-type: none"> b. If the permanent guardian is no longer the permanent guardian for the child; c. If the permanent guardian dies; d. Based upon information on changes in circumstances learned through a review of the Permanent Guardianship Subsidy Agreement; e. Due to the permanent guardian's failure to act on the Agency's request for an annual subsidy review (<i>see Procedure E below</i>); or f. By terms of the agreement. <p>2. The subsidy worker will remind the permanent guardian that any change of address or occurrence of any of the factors listed in <i>Procedure D(1)(a) and (b)</i>, needs to be communicated to the Subsidy Unit within two (2) weeks.</p>
	<p>Procedure E: Subsidy Review</p> <ul style="list-style-type: none"> 1. The Subsidy Unit shall complete an annual review of a permanent guardianship subsidy once each calendar year, based upon the guardianship finalization date. 2. The Subsidy Unit shall also complete interim reviews of the subsidy whenever CFSA has information that the factors listed in <i>Procedure D(1)(a) and (b)</i> may apply; or <ul style="list-style-type: none"> a. Whenever there are changes in the foster care board and care payments; or b. On a case-by-case basis, when the child's age would change the permanent guardianship amount; or c. Upon the request of the permanent guardian. <p><i>Note: the Agency shall begin the review no later than 30 days from the receipt of the request.</i></p> 3. The review shall determine the following: <ul style="list-style-type: none"> a. Whether the permanent guardian continues to meet the eligibility criteria identified in <i>Procedure A</i> above; b. Whether any of the factors listed in <i>Procedure D</i> apply; c. Whether existing successor guardianship plans continue to apply and, if changes are necessary, to remind the guardian to seek modification of the guardianship order; d. Whether any adjustment to the permanent guardianship subsidy amount is necessary based upon the child's age or any changes in the foster care board and care payments; and e. Whether there are any other factors, such as change in the circumstances of the permanent guardian or the needs of the child, which necessitate a change in the subsidy amount. <p><i>Note: The initial subsidy payments shall not exceed the child's current foster care board and care rate at the time the guardianship order is issued and may not be higher than the amount that would have been paid if the child had remained in foster care. In addition, the payment</i></p>

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shall not be paid past the child's 21st birthday. A review of the subsidy award will not automatically qualify the applicant for a higher rate.

4. For the annual review, the subsidy worker shall send by regular mail the *Permanent Guardianship Subsidy Annual Review* (Attachment G) and a letter outlining the review process to the permanent guardian(s) at least 30 calendar days prior to the annual review date. The letter shall also contain the contact information of the assigned subsidy worker as well as the consequences for the failure to act on the Agency's request for an annual subsidy review.
5. The subsidy worker shall send a second letter, by certified and regular mail, at least 15 calendar days prior to the review date if the permanent guardian(s) has not responded to the initial request for completion of the review form.
6. The permanent guardianship subsidy may terminate if the permanent guardian(s) has not submitted a completed *Permanent Guardianship Subsidy Annual Review* by the review date.
7. If the permanent guardian(s) submits a completed *Permanent Guardianship Subsidy Annual Review* within 90 days after the review date, the Subsidy Unit shall complete the subsidy review. If the subsidy is continued, the subsidy supervisor may authorize retroactive payments from the date on which the subsidy terminated or 90 days, whichever is shorter.
8. The permanent guardian(s) may request an interim review of the permanent guardianship subsidy agreement.
 - a. A request for an interim review needs to be in writing. The subsidy unit will instruct any permanent guardian(s) who seeks a review to submit it in writing to the Subsidy Unit with the reasons for seeking the review.
 - b. The subsidy worker shall conduct the review no later than 30 calendar days after the Subsidy Unit receives the written request.
 - c. The annual review date shall be changed to 1 year from the date of the approval or denial of the interim review request.
9. An adjustment in the amount of the permanent guardianship subsidy made as a result of an interim review conducted may be made retroactive to the date the written request was received by the Subsidy Unit.
10. The subsidy worker shall notify the permanent guardian(s) in writing, by certified mail, of the continuation, denial, reduction/increase, or termination of the permanent guardianship subsidy and explain the reason for the decision and the fair hearing procedures (*see the Fair Hearings Policy*).

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	<p>11. The permanent guardianship subsidy may terminate if the permanent guardian(s) has not submitted a completed <i>Permanent Guardianship Subsidy Annual Review</i> by the review date.</p> <p>12. If the permanent guardian(s) submits a completed <i>Permanent Guardianship Subsidy Annual Review</i> within 90 days after the review date, the Subsidy Unit shall complete the subsidy review. If the subsidy is continued, the subsidy supervisor may authorize retroactive payments from the date on which the subsidy terminated or 90 days, whichever is shorter.</p> <p>13. The permanent guardian(s) may request an interim review of the permanent guardianship subsidy agreement.</p> <ol style="list-style-type: none"> A request for an interim review needs to be in writing. The subsidy unit will instruct any permanent guardian(s) who seeks a review to submit it in writing to the Subsidy Unit with the reasons for seeking the review. The subsidy worker shall conduct the review no later than 30 calendar days after the Subsidy Unit receives the written request. The annual review date shall be changed to 1 year from the date of the approval or denial of the interim review request. <p>14. An adjustment in the amount of the permanent guardianship subsidy made as a result of an interim review conducted may be made retroactive to the date the written request was received by the Subsidy Unit.</p> <p>15. The subsidy worker shall notify the permanent guardian(s) in writing, by certified mail, of the continuation, denial, reduction/increase, or termination of the permanent guardianship subsidy and explain the reason for the decision and the fair hearing procedures (see <i>the Fair Hearings Policy</i>).</p>
	<p>Procedure F: Transferability of Subsidy to a Successor Guardian</p> <p>When a permanent guardian is no longer able to care for the child because of death or incapacity, the successor guardian may be granted a guardianship subsidy. See <i>Permanent Guardianship Disruptions Administrative Issuance CFSA-06-11</i>.</p> <ol style="list-style-type: none"> Upon filing a motion for permanent guardianship, a successor guardian may be designated by the child's prospective guardian and must be approved by the court. Following the initial guardianship order and completion of the initial Guardianship Subsidy Agreement, any changes to the successor guardianship must be reflected in a modified Guardianship Subsidy Agreement and approved by the Court.

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	<ol style="list-style-type: none"> 3. A successor guardian named in the guardianship order may immediately obtain physical custody of the child in the event that the permanent guardian can no longer continue to serve as the child’s caretaker. The successor guardian, or another party acting on the successor guardian’s behalf, needs to move the court for a modification of the guardianship order within 30 calendar days of assuming physical custody of the child. CFSA will remind the successor guardian of this step upon learning that the successor guardian has assumed caregiving responsibility for the child. 4. Within two weeks of learning of the need for the successor guardian to assume caretaking responsibility for the child, CFSA shall conduct a home visit and safety assessment of the Successor Guardian’s home. 5. CFSA shall enter into a Guardianship Subsidy Agreement with the Successor Guardian. 6. CFSA will comply with the background check requirements delineated in Procedure A.4(c) and (d). 7. Once the court has modified the guardianship order naming the successor guardian as the permanent guardian, CFSA has completed the home visit and assessment, background checks, and Guardianship Subsidy Agreement, the guardianship subsidy shall transfer to the successor guardian. <p><i>Note: If a successor guardian has not been named in the Guardianship Subsidy Agreement that was in effect at the time a permanent guardian can no longer continue to serve as the child’s caretaker, CFSA may assist the family in identifying potential kinship resources to serve as permanent caretakers. Title IV-E Successor Guardianship Assistance benefits do not apply to this scenario.</i></p>
	<p>Procedure G: Appeals</p> <ol style="list-style-type: none"> 1. A permanent guardian aggrieved by a decision of the Agency in connection with the denial, reduction, suspension, or termination of the permanent guardianship subsidy, including a failure to timely act on a request for review as outlined in <i>Procedure D</i>, may appeal the decision through a written Request for a Fair Hearing Form (Attachment I). <p><i>Note: The subsidy worker shall send written notice to the permanent guardian through a Notice of Action within 10 business days before the subsidy modification. The social worker shall provide immediate notice to a permanent guardian whose subsidy is denied, reduced, suspended or terminated on an emergency basis. The Notice of Action shall inform the permanent guardian of the right to appeal and shall include the Request for Fair Hearing Form (Attachment I).</i></p> <ol style="list-style-type: none"> 2. A permanent guardian has 30 calendar days from the date of the notice of action denying, reducing, suspending, or terminating the permanent guardianship subsidy to request a fair hearing. All requests for a fair hearing received by the Agency shall be immediately provided to the

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	<p>CFSA Fair Hearings Office. The address is included on the Request for a Fair Hearing Form provided to guardians.</p> <ol style="list-style-type: none"> 3. The FHC shall notify the subsidy program administrator of each request for a fair hearing involving a permanent guardianship subsidy within 48 hours or 2 business days of receipt of the request. 4. The Fair Hearing Coordinator (FHC) shall schedule the hearing in coordination with the Office of General Counsel (OGC) and the Subsidy Unit. The hearing shall take place within 45 calendar days of receipt of the appellant's request. 5. The FHC shall send written notice to the appellant informing the appellant of the date, time and place of the Fair Hearing. The notice shall be provided within 10 business days of the receipt of the request for a Fair Hearing and at least 10 business days in advance of the Fair Hearing. 6. The subsidy program administrator shall review each request for a fair hearing and other relevant case documentation. 7. Program Administrator's Review (PAR): The subsidy program administrator shall coordinate with the appellant to schedule an informal review within 15 calendar days of receipt of the fair hearing request. <ol style="list-style-type: none"> a. The subsidy program administrator shall advise the appellant that the informal review is required but it does not delay or replace the fair hearing process. The subsidy program administrator will strongly encourage the appellant to attend the PAR. The subsidy program administrator will conduct a PAR regardless of whether the appellant participates or attends. b. The subsidy worker and subsidy supervisor shall attend the informal review unless otherwise determined by the subsidy program administrator. c. The subsidy program administrator shall notify the appellant, Fair Hearing Coordinator and Office of General Counsel in writing of the results of the informal review within 5 business days of the informal review. (Attachment H) d. If the dispute is resolved at the PAR, the Fair Hearing Coordinator shall cancel the fair hearing and notify the Hearing Examiner and all parties. 8. If the dispute is not resolved at the PAR, the matter shall proceed to the scheduled Fair Hearing. (See the Fair Hearings Policy)
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GOVERNMENT OF THE DISTRICT OF COLUMBIA
Child and Family Services Agency



ATTACHMENT E: PERMANENT GUARDIANSHIP SUBSIDY AGREEMENT

I (we), _____, hereby enter into this Permanent Guardianship Subsidy Agreement ("Agreement") with the District of Columbia Child and Family Services Agency ("CFSA").

1. The payments made pursuant to this Agreement are made to financially support the care of _____ ("child"), a male/female born _____, who is legally committed to CFSA custody.
2. I (we) understand and agree that this Agreement is the sole and complete statement of the funds and services that I (we) shall receive from a permanent guardianship subsidy related to the child.
3. I (we) understand and agree that this Agreement is effective only upon the receipt of an order of permanent guardianship from the Family Court of the District of Columbia Superior Court.
4. I (we) understand and agree that if an order of permanent guardianship is not received from the Family Court of the District of Columbia Superior Court within one (1) year of the date this Agreement is signed, this Agreement is null and void.
5. I (we) understand and agree that this Agreement is subject to the requirements of District law, including but not limited to DC Official Code § 16-2384, § 16-2395, § 16-2398 § 16-2399 and Title 29 of the District of Columbia Municipal Regulations, Chapter 61.
6. I (we) understand and agree that this Agreement shall remain in full force and effect regardless of my state of residence.
7. I (we) understand and agree that I (we) may review this Agreement with my (our) attorney prior to signing, and that I (we) have had the opportunity to review this Agreement with my (our) attorney.

____ initial here if you choose not to have the Permanent Guardianship Subsidy Agreement reviewed by your attorney

____ initial here if your attorney has reviewed the Permanent Guardianship Subsidy Agreement

PERMANENT GUARDIANSHIP SUBSIDY AGREEMENT

Eligibility

8. I (we) understand and agree that to the extent funds are available, I (we) am (are) eligible to receive a permanent guardianship subsidy because: (1) the court has awarded me (us) permanent guardianship over the child; (2) I (we) am (are) the child's kinship caregiver¹ for at least the six continuous months immediately preceding application for the subsidy, and continued to be the child's kinship caregiver when the court entered the permanent guardianship order; (3) CFSA has determined that the child's best interest is not met by the permanency plan of either reunification or adoption; (4) CFSA has determined that the permanency plan of legal guardianship with us (me) is in the child's best interest; and (5) the following criteria were met for the child at the time I (we) applied for the subsidy and were continuously met through the point that the court awarded permanent guardianship: (a) the court has adjudicated the child to be a neglected child; (b) following a dispositional hearing, the court placed the child in CFSA's legal custody; and (c) the child:

- _____ Is a member of a sibling group
- _____ Would be difficult to place for guardianship because of her or his racial or ethnic background, or physical or mental disability
- _____ Is at least two (2) years of age, and would likely not be placed in a permanent placement but for her or his acceptance as a member of the applicant's family

Subsidy Amount and Services

9. I (we) understand and agree that I (we) will receive the following:

- _____ Total cost of non-recurring expenses associated with obtaining legal guardianship to the extent the total cost does not exceed \$2,000.
- _____ Short-term payments in the amount of _____, which will be paid _____ and which are intended to meet the cost of integrating the child into this family by _____
- _____ Long-term payments in the amount of \$ /day, which equals \$ per 31 day month. **I (we) understand and agree that this amount is not negotiable.**

_____ District of Columbia Medicaid, or Title XIX Medicaid in the State where the child resides

10. I (we) understand and agree that upon written request to the CFSA Family Resource Division, I (we) may also receive post-guardianship services, which may include advocacy, support, and information and referral.

11. I (we) understand and agree that the long-term payment will be received monthly beginning the first day of the month immediately following the order of the Court

¹ To be a "kinship caregiver" the applicant must provide full-time parenting and protection of a kin foster child and either (1) reside in the District and be licensed as a foster parent by CFSA, or (2) reside outside of the District, be licensed as a foster parent by the jurisdiction of residence, and be approved by CFSA to provide foster care to the child.

PERMANENT GUARDIANSHIP SUBSIDY AGREEMENT

awarding permanent guardianship and will continue to be paid monthly unless terminated pursuant to this Agreement or otherwise in accordance with law.

12. I (we) understand and agree that the amount of the long-term payment is based on my federal adjusted gross income, on the amount of the foster care board and care payment that I receive for the child's care at this time (which is \$_____/day), and the payment schedule for the long-term permanent guardianship subsidy as set forth in 29 DCMR Ch. 61.

13. I (we) understand and agree that payments or services shall be received pursuant to Paragraphs 9 and 10 of this Agreement only to the extent that funds are available for those purposes.

Review of Long-Term Subsidy and Agreement

14. I (we) understand and agree that any long-term payment will be reviewed at least annually, and that the amount of the long-term payment may be revised based on, but not limited to, my (our) federal adjusted gross income; the payment schedule for the long-term permanent guardianship subsidy rates as set forth in 29 DCMR Ch.61; and, with my (our) consultation, CFSA's determination that my (our) circumstances or the service needs of the child indicated in item #1 of this agreement warrant such revision.

15. I (we) understand and agree that CFSA shall review this Agreement: (1) annually; (2) whenever CFSA has information that indicates that any of the conditions set forth in Paragraph 17 apply; (3) whenever changes in the payment schedule for the long-term permanent guardianship subsidy as set forth in 29 DCMR Ch. 61 or the child's age would change the permanent guardianship subsidy amount; or (4) upon my request.

16. I (we) understand and agree that if I fail to cooperate with CFSA in the conduct of the review, CFSA may terminate the permanent guardianship subsidy.

Termination of Agreement

17. I (we) understand and agree that this Agreement shall terminate: (1) based on information learned through a review as set forth in Paragraph 14 or 15; (2) if I (we) die or am (are) removed from the position of permanent guardian; (3) upon the earlier of the child's: (a) 21st birthday; (b) residence outside my home, unless I (we) can demonstrate that I (we) retain financial responsibility for the child and the child is attending a residential school; (c) marriage; (d) death; or (e) enlistment in the military.

18. I (we) understand and agree that I (we) shall notify CFSA within two weeks of the occurrence of any of the factors listed in Paragraph 17 (3)(a-e) of this Agreement. I (we) further agree to notify CFSA within two weeks of my change of address.

Appeal

19. I (we) understand and agree that, as a recipient of a permanent guardianship subsidy, if I (we) am (are) aggrieved by a decision of CFSA in connection with the denial, reduction, suspension, or termination of the subsidy, I (we) may appeal that decision in accordance with 29 DCMR Chapter 59 or otherwise in accordance with law. I (we) may not appeal any terms within this permanent guardianship subsidy agreement.

PERMANENT GUARDIANSHIP SUBSIDY AGREEMENT

Designation of Successor Guardian

20. I (we) understand that in the event that I (we) can no longer serve as legal guardian due to death or incapacity, I (we) may designate a "Successor Guardian" to assume caretaking responsibility for the child(ren) named in this agreement.

21. I (we) understand that I (we) am (are) not compelled to name a Successor Guardian.

22. I (we) understand that the Successor Guardian must be approved by CFSA and by the Family Court of the District of Columbia Superior Court in the guardianship order.

23. I (we) understand that I (we) may modify the Successor Guardian designated below by way of a written amendment to this agreement and by seeking a modification to the guardianship order through motion filed with the Family Court.

Successor Guardian Full Name

Relationship to Child (if any)

Home Address

Phone Number or email address

____ By initialing here, I (we) attest that I (we) have discussed the custody succession plan with the Successor Guardian indicated above.

- OR -

____ By initialing here, I (we) attest at this time that I (we) opt **not** to designate a Successor Guardian.

This Agreement represents the entire Agreement between [the prospective permanent guardian(s)] and CFSA. The latest date of signing below is the date of this Agreement.

Prospective Permanent Guardian

Date

Prospective Permanent Guardian

Date

Ritu Atwal, Program Manager
Family Resources Division
D.C. Child and Family Services Agency

Date