

FOSTER CARE HANDBOOK



REPLACES:

SECTION:
PAGE NO.: 1
ISSUED/REVISED: 04-05-85

INTERCOUNTY
TRANSFERS

SECTION: 45-102.2
PAGE NO.: 1
EFFECTIVE: 02-09-17

I. County of Responsibility

The county with legal custody of a child either by court order, relinquishment, or by voluntary placement agreement is responsible for the Foster Care payment regardless of where the child is physically placed, unless the child is on aid in another county or comes under the jurisdiction of another county.

The manner in which a county begins its payment responsibility depends upon the child’s circumstances at the time of placement in foster care or when a change in programs is necessary.

A. Voluntary Placement

1. The county of responsibility for a child accepted for voluntary placement by a county welfare department or a licensed public or private adoption agency is the county in which the agency accepting the voluntary placement is located.
2. If after placement the parent moves to another county, the first county will no longer continue to assume responsibility for continuing services and payment. The Foster Care case shall be closed and if necessary referred to the other county.
3. If a child is placed in a county other than the county of the parent’s residence, the placing county is responsible for the aid payment.

B. Court Ordered Placements

1. The county which has court jurisdiction is responsible for providing both mandatory services and the Foster Care payment. Jurisdiction is based upon the residence of the custodial parent.
2. When the juvenile court transfers jurisdiction of a dependent child to another county, the receiving county has jurisdiction and service responsibility as of the date they receive and file the order to accept transfer. The eligibility case is transferred as per procedures in EAS 40-187 and 40-188 and 40-190.
3. If the Court orders the placement of a non-federal (state) child with relatives in another county, and the child is not on aid in Contra Costa County, the application for the Approved Relative Caregiver Program (ARC) program would be initiated, processed and paid by our county.

C. Legal Guardianship Placements

FOSTER CARE HANDBOOK

REPLACES:

SECTION:

PAGE NO.: 1

ISSUED/REVISED: 04-05-85

INTERCOUNTY
TRANSFERS

SECTION: 45-102.2

PAGE NO.: 2

EFFECTIVE: 02-09-17

The county of responsibility in legal guardianship cases is the county of residence of the legal guardian, if the child is not a dependent of the court. If a child moves with their guardian to another county, an intercounty transfer shall be initiated.

Reminder: If the non-related legal guardian moves to another state, eligibility for Foster Care ceases.

D. Foster Care Rates

1. Basic Foster Care rates are established by the state. Specialized Care Increments (SCI) also known as Difficulty of Care (DOC) rates are established by the individual counties; payment must be made in accordance with the rates of the County in which the foster home is located.
2. If the foster parents move out of the county, the foster family must be certified (pending licensed) or licensed in the new location for continued Foster Care to be paid.

II. County of Payment Responsibility

A. County of Payment Responsibility

A child placed in Foster Care may be eligible to receive cash assistance through CalWORKs, ARC or Foster Care. The county with payment responsibility will depend upon the child's circumstances at the time of the placement in foster care or when a change in programs is necessary.

B. Foster Care Child Placed Out-of-County With Relatives

The payment is made by the county in which the child is a dependent, therefore when the child who is a dependent of our county is placed with a relative in a another county, the (Federal) Foster Care or (Non-Federal) ARC payment is initiated in and paid by our county. to the relative living in another California County.

C. Child Not Receiving Aid Prior to Out-of-County Placement With Relative

When a dependent child is physically residing in our county and then placed with a relative in another county when the child was not receiving any assistance prior to dependency or placement, our county must determine federal or state eligibility.

DMCL # 17-13

REPLACES:

SECTION: PAGE NO.: 1 ISSUED/REVISED: 04-05-85

INTERCOUNTY TRANSFERS

SECTION: 45-102.2 PAGE NO.: 3 EFFECTIVE: 02-09-17

If the child is determined:

- Federally eligible and the relative chooses the Foster Care option, our county will process a Foster Care application and make the Foster Care payment.
- Non-federally eligible and the relative chooses to apply for the ARC Program, our county will process an ARC application and make the ARC payment.

Note: The county of court jurisdiction will be the county with payment responsibility for the ARC Program even if the child is placed in a county that is not participating in the ARC Program.

III. Intercounty Transfer (ICT) Period

The ICT 30-day transfer period begins with the postmarked date of the “Notification of Foster Care Transfer” (FC 18). The transfer period ends at the end of the month following the ICT notification, or the end of the month in which aid is discontinued for cause, whichever is earlier.

- When the first business day falls on a Saturday, Sunday, or a legal holiday, the first business day following the weekend or holiday is considered to be the first day of the 30-day transfer period.
- The transfer of responsibility may occur at an earlier date by mutual agreement of the counties involved.

IV. Initiating an ICT, Sending County’s Procedures

When the county of responsibility for a child receiving Foster Care changes, the EW initiating the ICT must:

- A. Verify that our county has transferred the case (in CWS/CMS) to the other county.
- B. Verify and update information in MEDS and clears all MEDS alerts. If the child has changed their county of residence, update the following if necessary and/or appropriate:
 1. County Resident Code
 2. Resident address

FOSTER CARE HANDBOOK



REPLACES:

SECTION:
PAGE NO.: 1
ISSUED/REVISED: 04-05-85

INTERCOUNTY
TRANSFERS

SECTION: 45-102.2
PAGE NO.: 4
EFFECTIVE: 02-09-17

3. Discontinue the Health Care Plan (CCHP)
- C. Verify and update information in CalWIN, if necessary and/or appropriate:
1. Current reinvestigation
 2. Placement changes
- D. Verify that CWS/CMS Placement, Payment and State Identification section were properly end-dated.
- E. Within 10 days of being notified of the dependency transfer notify the receiving county of the initiation of a Foster Care transfer by completing and sending the “Notification of Foster Care Transfer” (FC 18) along with copies of the following forms/documentation to the receiving county:

MANDATORY for all Foster Care ICTs:

- SAWS1
- FC 2
- SOC 158A or equivalent
- Birth Certificate
- Social Security Number
- FC 3/FC 3A

REQUIRED documentation, if applicable:

- EA authorization documents (EA 1, ACE screen print or other documents)
- Alien Status
- Evidence supporting federal eligibility (linkage & deprivation)
- Property of minor/trust information

DMCL # 17-13

FOSTER CARE HANDBOOK



REPLACES:

SECTION:
PAGE NO.: 1
ISSUED/REVISED: 04-05-85

INTERCOUNTY
TRANSFERS

SECTION: 45-102.2
PAGE NO.: 5
EFFECTIVE: 02-09-17

- Minor's non-exempt income
 - Independent Living Plan (if available)
 - 18 year old and over, eligibility documentation (mutual placement agreement and school verification)
 - Information regarding any pending applications (e.g. SSI)
 - FC 4, Foster Child Program Choice Indicator
 - Any other information necessary to determine eligibility
 - Any documents supporting the eligibility determination made by Contra Costa County when requested by the receiving county
- F. Inform the non-related legal guardian in writing of his/her responsibility to apply for a redetermination of eligibility in the new county.
- G. Determine and maintain eligibility during the transfer period, and report any changes which effect eligibility or payment to the new county.
- H. Obtain written notification (FC 18, Section B) from the new county of the receipt and disposition of the transfer.
- I. Discontinue Foster Care and send the appropriate NOA at the end of the ICT transfer period.
- V. Processing an Incoming ICT Packet
- A. The Foster Care Program Analyst initially receives the incoming ICT packet and forwards it to the appropriate Foster Care Unit Supervisor based on the county district where the child's Social Worker is assigned. The Unit Supervisor will confirm in CWS/CMS that Contra Costa has accepted the jurisdiction for the child.
- B. The receiving Intake Foster Care Eligibility Worker (EW) shall:
1. Receive the ICT Packet and review for completeness.

FOSTER CARE HANDBOOK



REPLACES:

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PAGE NO.: 1
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INTERCOUNTY
TRANSFERS

SECTION: 45-102.2
PAGE NO.: 6
EFFECTIVE: 02-09-17

2. Request the FC 2, SOC 158A and court documents from the Social Worker (through the Clerical Specialist).
3. Redetermine the child’s eligibility and payment based on the child’s circumstances.
4. Complete the FC 3 (document on the FC 3 “Per FC 3 from [sending county name]”).
5. Complete a new CW 371 and CA 2.1 for each parent; make a child support referral.
6. Provide the sending county with any information which might affect eligibility or payment during the transfer period.
7. Make an effort to get the cooperation of the foster child’s non-related legal guardian, when applicable.
8. Request from the sending county any necessary form or documentation not previously sent.
9. Notify the sending county of the disposition of the transfer by completing the FC 18, Section B prior to the end of the ICT period.

Note: Prior to any ICT denial the receiving county’s ICT Liaison must be informed. Complete Section B of the FC 18 and send a copy of the FC 18 and the denial NOA to the EW in the other county. Also send a copy of the denial NOA to the placement provider.

VI. REFERENCE

EAS 40-125; County of Responsibility, Voluntary Placement
EAS 40-187; Intercounty Transfer Period
EAS 40-188; Intercounty Transfer Procedures
EAS 40-190; County Responsibility
[CWDA ICT Protocol](#)