



**Policy Attachment: 16.39**

**Subject:**

**Protocol for Subsidized Permanent Guardianship When Children Re-enter Care**

**Additional Information:**

**Overview**

When a child who has exited to Subsidized Permanent Guardianship (SPG) is placed in state custody, a re-negotiation must be made as to the status of the SPG payments. The guardianship family will be required to participate in the Child and Family Team discussion regarding the needs of the child and the family while the child is in custody as a part of the re-negotiation process. The goal of this discussion will be to ensure that continued SPG payments are appropriate and the rates are based on current facts and circumstances.

**Notification of Subsidized Permanent Guardianship Child Entering State Custody**

1. In all cases, when a child who exited to SPG re-enters state custody, the DCS staff (CPS, FSW, Court Liaison, or Intake) will complete form [CS-0727, Initial Intake, Placement Referral and Checklist](#).
2. DCS staff will forward a copy of form [CS-0727, Initial Intake, Placement Referral and Checklist](#) (with other required documentation; i.e. court order reflecting reasonable efforts, etc) to CWBC to determine eligibility for IV-E foster care and to verify if the child is receiving SPG.
3. The Permanency Specialist will notify the Central Office SPG Designee in the Foster Care Unit within one business day when an SPG child re-enters state custody.

**Re-negotiation during the CFTM**

1. The guardianship family is responsible for informing their local SPG Designee or Permanency Specialist when their child re-enters state custody and the re-negotiation will occur during the CFTM if at all possible.
2. The guardianship family must attend and participate in the CFTM. If the family refuses to attend or participate in the CFTM within ten (10) days, the payment will be adjusted to the .03/day for the child in that family until such time a meeting can be held to re-negotiate the rate.
3. The Permanency Specialist will attend the CFTM and assist the family in developing a plan for continuing support for their child. This plan should address the qualified needs of the child and the needs of the family.
4. Under no circumstances shall extraordinary or special circumstance rates continue while the child is in state custody. These rates are intended for the unique daily care of the child. Therefore, with the child out of the home, the rates cannot be continued.

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5. The re-negotiation of the SPG between the guardianship family and the Permanency Specialist will determine the extent to which the rate will be reduced and will be based on the qualified needs of the child and family. At no time, can the re-negotiated rate for SPG exceed the basic foster care rate or the child's current SPG rate, whichever is lower.
6. Upon agreement of the amount of the SPG rate, the Permanency Specialist will complete a new contract with the guardianship family and secure signatures during the CFTM.
7. If an agreement cannot be reached in the re-negotiation process, the Permanency Specialist and/or FSW will immediately notify the CWBC and/or regional legal counsel to request a child support referral to be made in this case, if appropriate. The rate will be reduced to the current SPG rate or basic foster care rate, whichever is lower and the family can appeal the reduction.

**Monitoring and Quarterly Evaluation of Continuing Subsidized Permanent Guardianship**

1. At least monthly, the SPG cases will be validated against the current custodial cases to prevent duplication of payments to the same client. This will occur at Central Office.
2. The Permanency Specialist will send notification to the Central Office Foster Care Unit when an SPG child re-enters state custody. This notification will include the child's name, date of custody, the date of the CFTM, the previous SPG rate, the re-negotiated rate and the reasons for the rate that was re-negotiated.
3. The Central Office Foster Care Unit will review the information represented and maintain a spreadsheet of the information.
4. At least quarterly, an evaluation of the parent's continuing support for reunification of the child will be conducted during the CFTM and will be re-adjusted if circumstances have changed( i.e. parent has failed to support child, child is placed on a trial home visit, etc.).

**Dissolution of Guardianship**

In all cases in which dissolution occurs, the SPG contract will be terminated effective the date that guardianship is vacated.