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An act to amend Sections 11374 and 11390 of the Welfare and Institutions Code, relating to public social services.



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THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 11374 of the Welfare and Institutions Code is amended to read:

11374. (a) Each county that formally had court ordered jurisdiction under Section 300, 601, or 602 over a child receiving benefits under the state-funded Kin-GAP program shall be responsible for paying the child's aid regardless of where the child actually resides.

(b) ~~Notwithstanding any other provision of law, when a child receiving benefits under the CalWORKs program~~ Approved Relative Caregiver Funding Program (ARC) pursuant to Section 11461.3 becomes eligible for benefits under the state-funded Kin-GAP program during any month, the child shall continue to receive benefits under the CalWORKs program, as appropriate, to the end of that calendar month, and Kin-GAP payments shall begin the first day of the following month. Program, ARC benefits shall cease on the day that the juvenile court dismisses the dependency or terminates the wardship, and Kin-GAP payments shall begin on the day after the day that the juvenile court dismisses the dependency or terminates the wardship.

SEC. 2. Section 11390 of the Welfare and Institutions Code is amended to read:

11390. (a) A person who is a kinship guardian under this article, and who has met the requirements of Section 361.4, shall be exempt from Chapter 4.6 (commencing with Section 10830) of Part 2 governing the statewide fingerprint imaging system. A guardian who is also an applicant for or a recipient of benefits under the CalWORKS program, Chapter 2 (commencing with Section 11200) of Part 3, CalFresh, Chapter 10 (commencing with Section 18900) of Part 6 shall comply with the statewide fingerprint imaging system requirements applicable to those programs.

(b) Any exemptions exercised pursuant to this section shall be implemented in accordance with Section 11393.

(c) Income to the child, including the Kin-GAP payment, shall not be considered income to the kinship guardian for purposes of determining the kinship guardian's eligibility for any other aid program, unless required by federal law as a condition of the receipt of federal financial participation.

(d) Each county that formally had court-ordered jurisdiction under Section 300 or Section 601 or 602 over a child receiving benefits under the Kin-GAP Program shall be responsible for paying the child's aid regardless of where the child actually resides.

(e) ~~Notwithstanding any other provision of law, when a child receiving benefits under the AFDC-FC foster care program becomes eligible for benefits under the Kin-GAP Program during any month, the child shall continue to receive benefits under the AFDC-FC foster care program, as appropriate, to the end of that calendar month, and Kin-GAP payments shall begin the first day of the following month.~~ Program, AFDC-FC benefits shall cease on the day that the juvenile court dismisses the dependency or terminates the wardship, and Kin-GAP payments shall begin on the day after the day that the juvenile court dismisses the dependency or terminates the wardship.

(f) All of the following shall apply to any child or nonminor in receipt of Kin-GAP benefits:

(1) ~~He or she~~ The child or nonminor is eligible to request and receive independent living services pursuant to Section 10609.3.



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(2) ~~He or she~~ The child or nonminor may retain cash savings, not to exceed ten thousand dollars (\$10,000), including interest, pursuant to Section 11155.5.

(3) ~~He or she~~ The child or nonminor shall have earned income disregarded pursuant to Section 11008.15.

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LEGISLATIVE COUNSEL'S DIGEST

Bill No. _____
as introduced, _____.
General Subject: Kinship Guardianship Assistance Payments Program.

Existing law establishes the California Work Opportunity and Responsibility to Kids (CalWORKs) program, under which each county provides cash assistance and other benefits to qualified low-income families and individuals, the federally funded and state-funded Kinship Guardianship Assistance Payment Program (Kin-GAP), which provides aid on behalf of eligible children who are placed in the home of a relative guardian, the Aid to Families with Dependent Children-Foster Care (AFDC-FC) program, under which counties provide payments to foster care providers on behalf of qualified children in foster care, and the Approved Relative Caregiver Funding Program (ARC) for the purpose of making the amount paid to relative caregivers for the in-home care of children placed with them who are ineligible for AFDC-FC payments equal to the amount paid on behalf of children who are eligible for AFDC-FC payments. Existing law provides that when a child receiving benefits under the CalWORKs or AFDC-FC program becomes eligible for benefits under state-funded or federally funded Kin-GAP, respectively, during any month, the child shall continue to receive benefits under the CalWORKs or AFDC-FC program to the end of that calendar month, and Kin-GAP payments shall begin the first day of the following month.

This bill would instead provide that when a child receiving benefits under the ARC or AFDC-FC program becomes eligible for benefits under the state-funded or federally funded Kin-GAP Program, respectively, ARC or AFDC-FC benefits shall cease on the day that the juvenile court dismisses the dependency or terminates the wardship, and Kin-GAP payments shall begin the following day.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

