

**County of Orange Social Services Agency
Family Self-Sufficiency/Foster Care Program**

Program/Area: Foster Care Program
Title: **Emergency Assistance and Emergency Shelter Care Program**
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PURPOSE

The purpose of this policy is to provide guidelines for completing the determination for the Emergency Assistance (EA) and Emergency Assistance-Emergency Shelter Care (EA-ESC) program for Child Welfare and Probation cases.

BACKGROUND

Emergency Assistance was established under Title IV-A of the Social Security Act. In California, it is administered by the California Department of Social Services (CDSS) and federally funded under the Temporary Assistance to Needy Families (TANF) Block Grant. The EA program offers short-term assistance and/or services to probation and child welfare children in an emergency that are at risk of abuse, neglect, abandonment, or exploitation. Program funding helps to support out-of-home care in emergency shelter care, foster care and voluntary placements.

DEFINITIONS

Applicant

The applicant is the “needy child” on whose behalf EA has been requested.

There must be separate eligibility determination for each “needy child.” Each EA applicant must have their own EA application even when they are part of a sibling group.

Date of Application

The date the [EA Application F063-25-367](#) or [EA 1 Probation](#) is signed by the parent or Senior Social Worker (SSW).

Needy Child

A child or youth who is in a state of “emergency”, who is at risk of abuse, neglect, abandonment or exploitation is under age 21, is otherwise eligible for EA, and for whom EA is necessary to resolve the emergency.

EA Episode

A period of time during which a child or youth is experiencing an emergency and for which assistance and/or services have been authorized. The episode cannot exceed 12 months from the date the EA application is signed.

Head of Household

The parent or specified relative with whom the “needy child” is living (or, within six months prior to the month in which EA is requested was living with) in a shared residence.

Relative

A person related to the child by birth or adoption by virtue of one of the following:

- He/she is the father, mother, brother, sister, half-brother, half-sister, uncle, aunt, first cousin, nephew, niece, or any such person of a preceding generation denoted by the prefixes grand-, great-, or great-great-, or
- The stepfather, stepmother, stepbrother, stepsister; or,
- The spouse of any person named above, even after the marriage has been terminated by death or dissolution.

Positive Date

The “Positive” date is the date the EA application is signed by the parent or SSW.

Not To Exceed Date (NTE)

The Not To Exceed (NTE) date is 12 months from the date the EA application is signed.

GENERAL ELIGIBILITY REQUIREMENTS

There are two types of funding under the Emergency Assistance program:

- Emergency Assistance-Emergency Shelter Care (EA-ESC)
- Emergency Assistance (EA).

The following general eligibility criteria must be met in order to approve both types of Emergency Assistance funding:

EA Determination

Foster Care Eligibility Technician is required to determine eligibility to EA within 30 days of the [EA Application F063-25-367](#) or the [EA 1 Probation](#) date regardless if AFDC-FC case determination is made or not. If EA

determination is not made within 30 days there is no eligibility to either EA funding.

Application

An [EA Application F063-25-367](#) or [EA 1 Probation](#) must be taken no later than 30 calendar days from the date the child is removed from the home or the date the child is determined to be at risk. This application must be signed by parent and on file. If the parent is unable or unwilling to sign the application, the application may be completed and signed by a relative or a social worker.

The following eligibility requirements apply to both Child Welfare and Probation cases, except for the Emergency section noted below and are found on either the completed EA Application [F063-25-367](#) or [EA Application EA 1 Probation](#) on the "Certification Section" received from the Social Worker or Probation Officer .

- **Emergency**

An emergency must exist within the family in order for the child to be considered eligible for assistance. For EA, a family is defined as head of household and anyone living with the head of household. For child welfare an emergency is defined as circumstances that place a child at risk of abuse, neglect, abandonment or exploitation. For probation, an emergency is defined as circumstances where the child's behavior resulted in the child's removal from home and a judicial determination that the child must remain in out-of-home care for more than 72 hours.

- **Removal**

The child is or has, within six months prior to the month in which assistance is requested, been living with any of the specified relatives: their father, mother, brother, sister, half-brother, half-sister, uncle, aunt, first cousin, nephew, niece, stepfather, stepmother, stepbrother, stepsister, adoptive parent, or any such person of a preceding generation denoted by the prefixes grand, great, or great-great. This may include the spouse of any person named above, even after the marriage has been terminated by death or dissolution.

- **Income**

The total family income cannot exceed 200% of California's median family income as certified by the applicant, based on official data from the U.S. Department of Housing and Urban Development (HUD), www.huduser.org/search/search.asp. Based on child specific eligibility, each "eligible needy child" is considered a family

or a family of one for the purposes of EA assistance and/or services provided under the EA Program. Therefore, when determining a child's income eligibility only the child's income is considered.

- **Emergency Cause**

The emergency did not arise because an adult family member refused without good cause to accept employment or training.

Note: After reviewing the eligibility requirements the "Eligibility Worker Section" on the [EA Application F063-25-367](#) or the [EA 1 Probation](#) must be completed to reflect eligibility status.

Immigration Status

Needy child must have citizenship status or be determined to be a qualified alien to receive EA or EA-ESC. A non-qualified alien or an undocumented child is not eligible to EA or EA-ESC.

Age

The EA program provides benefits and services for children up to the age of 21.

Social Security Number

Each child receiving EA or EA-ESC funding must have a social security number (SSN). Presumptive eligibility (PE) will be given for children who do not have SSN's a pseudo number will be used until SSN can be obtained.

Home Approval

The placement must have their home approved to current standards before child is placed in the home. For NREFM and relative placements this is achieved by having the [SOC 815B](#) or [RFA 05](#) on file. For all other types of placements current required license is needed.

Eligibility Period

The eligibility period for EA includes 12 months following the positive date which is the NTE date. The family must not have received EA during the previous 12 months, or if the family had received EA during the previous 12 months, the next eligibility period begins 12 months after the beginning date of the previous period or the previous case must be abated. (See Abatement Section)

Note: If applicant is receiving SSI during the month of application there is no eligibility to EA program.

**EMERGENCY
ASSISTANCE-
EMERGENCY SHELTER
CARE
(EA-ESC)**

EA-ESC is only available for Non-related family member (NREFM) and Relative placements. EA-ESC funding is only available for use for the first 30 days of placement starting from the date of [EA Application F063-25-367](#) or [EA 1 Probation. A foster care case determination is not needed in order to issue EA-ESC to relative and NREFM placements.](#) EA-ESC funding may be used to pay a relative or a NREFM prior to the detention hearing and RFA home approval. If all of the general eligibility requirements above are met the case is eligible to EA-ESC funding.

Positive Date/Application Date

The positive date must be established and is the date the application is signed by the parent or SSW.

EA-ESC Example:

Child is placed out of the home in Emergency Shelter Care with Paternal Aunt on December 5th and the EA application is signed December 6th. The “Positive” date would be December 6th and 30 days from that day would be January 4th. This would be the period for EA-ESC funding. After the 30 day period, on January 5th, a new source of funding would be required as the relative would no longer be eligible for EA-ESC funding.

**EMERGENCY
ASSISTANCE (EA)**

EA funding is available to all placement types except relative placements. EA can be used for NREFM placements after EA-ESC eligibility period has passed. In addition to the general eligibility requirements above, the following eligibility requirements need to be met.

Foster Care Case Determination

A foster care case determination must be completed prior to issuing EA funding.

In order to be eligible for EA payment the case must not be eligible to federal FC funding. If federal funding is available, EA funds may not be used.

Not To Exceed Date (NTE)

The Not to Exceed (NTE) date for EA must be established and is twelve months from the date the EA application is signed by the parent or SSW.

Positive Date

The positive date must be established and is the date the EA application is signed by the parent or SSW.

Example of EA-ESC payments converted to EA payments: Child is placed out of the home with NREFM on December 5, 2016 and positive date is December 6, 2016, EA-ESC would be processed for the time of December 6th 2016 through January 4th 2017. On January 5th if all other eligibility requirements are met case will then pay EA until December 5, 2017 or the child is removed from emergency placement, whichever occurs first. Note: Placement changes can occur within the EA episode. As long as new placement meets all eligibility criteria EA payments can continue until the end of the EA episode.

ABATEMENT

Abatement negates claiming of a current EA episode due to a new episode whose expenses and services are estimated to be greater. Once you have abated a previous EA episode, the new episode with a new positive date may be initiated.

Abatement Example:

A child is determined to be at risk, removed and placed in EA - ESC for approximately 3 weeks and then returned to the parents and the case is closed. Six months later the child is again removed, the parent is arrested and it appears the child will be in foster care for at least 12 months. At this point the county could abate the first EA episode. A new application must be processed and the assistance authorized for the new emergency the county is choosing to claim. The new emergency consists of a new episode and, therefore, a new twelve month period of eligibility exists.

ASSISTANCE TO CHILDREN IN EMERGENCY (ACE)

The ACE database is state wide and contains records for individuals for whom EA has been authorized. ACE is available through the Medi-Cal Eligibility Data System (MEDS) and is used to verify if a child or youth has received EA in the last 12 months. Since EA eligibility is limited to a single episode within a period of 12 consecutive months, it is necessary to track EA to determine if it has been previously authorized on behalf of the applicant child. When EA is approved data entry into ACE will be completed and cleared by foster care eligibility staff following the [ACE processing guide](#).

PAYMENTS

Payment Rates

Payment rates for EA placements follow the basic foster care rates based on placement types. EA-ESC payments may only be issued for

the basic rates following [Basic Foster Care Rates Worker Tool](#) . EA funds cannot be used to pay infant supplemental payments

Note: EA-ESC payments do not cover Special Care Increments or Infant supplemental payments.

Aid Codes

A4 – A county-specific aid code used for EA-ESC issuances for eligible placements for the first 30 days of placement.

5K – Aid code used for all EA issuances excluding issuances for the first 30 days of EA-ESC payment for NREFM and Relative placements.(relatives not entitled to EA funding)

REQUIRED DOCUMENTATION

[Emergency Placement Approval For Relative/NREFM F063-04-815B](#)
[EA Application F063-25-367](#)

REFERENCES

[ACL 05 – 38](#), [ACL 93 – 64E](#), [ACL 94 – 35](#), [ACL 94 – 89](#), [ACL 94 – 90](#)
[ACL 95 – 06](#) , [CFL 99 – 00/52](#)

RESOURCES

[CFS EA Policy H-0105](#)
[Assistance for Children in Emergency \(ACE\) Request - Processing Guide](#)
[Policy 706 Determination of Federal AFDC-FC](#)