



August 24, 2020

Child Welfare Services County Letter No. 2020-02

To: County Departments of Family and Children Services
DFCS District Directors
DFCS Regional Directors
State Office Staff

From: Tom C. Rawlings, Division Director 
Tom C Rawlings (Aug 25, 2020 1:59 EDT)
Georgia Division of Family and Children Services

Re: Child Welfare Policy Manual: Extended Foster Care for Young Adults 18 to 21 -
State Legislative Updates

Purpose

The purpose of this Child Welfare Services County Letter (CWSCL) is to announce changes to the Extended Foster Care program resulting from state legislation effective July 1, 2020. The following highlights the policy and practice changes:

1. The program name Extended Foster Care replaces Extended Youth Support Services.
2. Updates eligibility criteria for Extended Foster Care to align with title IV-E provisions.
3. Adds new provisions for initial determination and redetermination of eligibility for Extended Foster Care.
4. The Voluntary Placement Agreement for Extended Foster Care (VPA-EFC) replaces the Extended Youth Support Services (EYSS) Agreement.
5. Introduces new provisions for an initial and ongoing judicial review for Extended Foster Care.
6. Introduces a new provision for notifying juvenile court when a young adult receiving Extended Foster Care is subsequently determined to be ineligible.

Discussion

The Georgia Division of Family and Children Services (DFCS) is responsible for the safety, permanency, and wellbeing of children served. DFCS must adhere to state and federal laws guiding the provision of child welfare services. In July 2018, Georgia passed House Bill 972, a law that gives young adults the option to receive Extended Foster Care (EFC) services from age 18 through their 21st birthday. While DFCS currently provides Extended Youth Support Services for this population of young adults, the passage of this law enables federal title IV-E funding for services in the future. Implementation of all

provisions for EFC will occur over time, however the following provisions for eligibility and judicial review became effective July 1, 2020:

Eligibility for EFC

1. Determine eligibility based on the following criteria:
 - a. The young adult was in foster care for at least six months¹ prior to reaching the age of 18, and remained in care until his/her 18th birthday without achieving legal permanency by reunification, adoption or guardianship.
EXCEPTION: Youth who were adopted from foster care at or after age 16 and experience a dissolution of adoption at or after age 18 are eligible for EFC.
 - b. The young adult executes an VPA-EFC, and:
NOTE: A young adult who is within 12 months of becoming 21 years of age shall not be permitted to sign the VPA-EFC.
 - i. Acknowledges the voluntary nature of the program and indicates a commitment to proactively collaborate in transition planning and preparation.
 - ii. Agrees to continue receiving foster care assistance between the age of 18 to their 21st birthday and:
 1. Make ongoing progress completing identified goals in the case plan/ Written Transitional Living Plan (WTLF) which include education, employment, and other skills needed for independence; and
 2. Work towards completion of a transition plan to support their successful transition to adulthood.
 - c. The young adult is a legal resident of Georgia, a citizen or permanent legal resident of the United States or has obtained a legal immigration status such as Special Immigrant Juvenile Status (SIJS).
 - d. The young adult meets one of the following eligibility criteria:
 - i. Completing a secondary education or program leading to an equivalent credential (e.g. high school or GED);
 - ii. Enrolled in an institution which provides postsecondary or vocational education;
 - iii. Participating in a program or activity designed to promote or remove barriers to employment;
 - iv. Employed for at least 120 hours per month;
 - v. Employed for 80 hours per month, provided that he or she is also engaged in one of the activities described in i-iii above or can only work 80 hours per month due to a medical condition; or
 - vi. Incapable of doing any of the activities described in i-iv above due to a

¹ The six months is a noncontiguous time. For example: the young adult was in care for 3 months when he was 5 and then for 2 months at age 9 and finally for 1 month at age 14. This young adult would meet the six-month requirement.

- medical condition, which incapability is supported by regularly updated information in the case plan of the young adult.
2. Have the young adult execute the VPA-EFC within 5 business days following his/her:
 - a. 18th birthday; or
 - b. Request to return to EFC, if they previously opted out or were voluntarily discharged.
 3. Notify the Revenue Maximization Unit (Rev Max) within five business days of determining that the young adult is eligible to receive EFC services to initiate the Medicaid application (see policy [13.10 Independent Living Program: Medical Insurance for Youth 18 Years and Older](#) and the [Georgia Advance Directive for Health Care](#)).
 4. Engage the young adult and his or her support system, including his or her attorney and guardian ad litem, to develop the case plan/WTLP outlining the plan for transition to independent living or another planned permanent adult living arrangement within 30 calendar days of the execution of the VPA-EFC and in accordance with policy [13.3 Independent Living Program: Written Transitional Living Program](#), and [13.4 Independent Living Program: Transition from Foster Care](#).
 5. Submit a written report to the juvenile court, attend the initial review hearing, and review the court order in accordance with the Judicial Review for EFC outlined below, to determine:
 - a. The court's approval of the case plan/WTLP; and
 - b. The court's order with regard to the young adult having EFC services if it has been determined to be in their best interest.
 6. Determine continued eligibility every 12 months following the young adult signing of the VPA-EFC.

Judicial Review for Extended Foster Care

1. Prepare a written report to be submitted to the court, to include:
 - a. The child's name, date of birth, race, gender and current address;
 - b. Facts to support a finding that the young adult meets eligibility for EFC and an explanation as to why receipt of EFC is in the young adult's best interest;
 - c. A copy of the signed VPA-EFC;
 - d. The case plan/WTLP which outlines the plan for the young adult to transition to independent living or another planned permanent adult living arrangement which is appropriate for the age and independence of the young adult;
 - e. Any information the young adult wants the court to consider; and
 - f. Any additional information DFCS wants the court to consider.
2. In consultation with the Special Assistant Attorney General (SAAG) file the written report with the court within 120 days of executing a VPA-EFC with the young adult.
3. Attend the initial review hearing held by the juvenile court within 30 days of the filing of the written report for which the court shall:
 - a. Make written findings of fact for the purpose of determining whether EFC is in the best interest of the young adult.

- b. Issue an order with regard to the young adult having EFC services if it has been determined to be in their best interest;
 - c. Approve or reject the case plan/WTLP outlining the plan for transition to independent living or another planned permanent adult living arrangement.
4. Review the court order to determine if it includes findings of whether EFC is in the best interest of the young adult.
5. Document the court hearing in Georgia SHINES and upload the court orders to External Documentation within 72 hours of receipt.
6. Submit a report to the court within five days prior to any scheduled court hearing recommending a permanency plan for transition to independent living or another planned permanent adult living arrangement (APPLA), which shall include:
 - a. A copy of the case plan/WTLP;
 - b. The name, address, and phone number of the young adult;
 - c. Date of entry to EFC; and
- NOTE:** The date the young adult is considered to have entered foster care shall be 60 days after the young adult signed the VPA-EFC.
- d. Description of the placement and services being provided.
7. Attend the review hearing held no later than 12 months after the young adult is considered to have entered foster care to determine whether:
 - a. The services and supports provided by DFCS under the VPA-EFC are developmentally appropriate and, in the child's, best interests;
 - b. DFCS has made reasonable efforts to finalize the transition plan to another planned permanent adult living arrangement (APPLA) or independent living; and
 - c. The young adult is making progress toward achieving independence based on the tasks and outcomes identified in their case plan/WTLP.
8. Review the court order to determine the findings of the court and whether the court approved the case plan/WTLP.
9. Provide written or electronic notification to the young adult and to the court within five business days of discharge from EFC.
10. Upload the court orders from each hearing for the young adult to Georgia SHINES within 72 hours of receipt.

The following policies shall continue to be used to support young adults in EFC pending revisions to the Child Welfare Policy Manual:

- 13.3: Written Transition Living Plan
- 13.4: Transition from Foster Care
- 13.7: Youth Rights and Responsibilities
- 13.10: Medical Insurance for Youth 18 Years and Older and the Georgia Advance Directive for Health Care
- 13.11: Post Foster Care Resources

The following policies are **no longer applicable and will be removed** from the Child Welfare Policy Manual:

- 13.9: Extended Youth Support Services
- 13.12: Juvenile Court Reviews for Youth 18-23

Forms and Tools has been updated as follows:

1. The Voluntary Placement Agreement for Extended Foster Care has been added.
2. The Extended Youth Support Services Agreement has been discontinued.

Implementation

This County Letter is available on the Online Directives Information System (ODIS) at <http://odis.dhs.ga.gov/>. Regional and County Leadership shall provide opportunities for staff to review and discuss the updated policy to ensure implementation.

Please refer to policy [1.3 Administration Access, Distribution and Review of Child Welfare Policies](#) for the applicable requirements and procedures for policy review.

Please direct questions regarding this policy release to the Field Program Specialist in your region. Regional staff shall submit questions to the Policy and Regulations Unit at PPPDUnit@dhs.ga.gov.

EXPIRED