**State Resources for Relative Caregivers**

**In Hall and Dawson County**

**Through the Juvenile Court**

**January 2015**

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**Developed by Jessica Green, CASA Volunteer**

**Edited by Lindsay C. Verity**

**Grandparent/Caregiver Relative Project, *Atlanta Legal Aid Society***

**With deep appreciation for the following contributors:**

**Hilary Leland, Managing Attorney, *Relative Caregiver Legal Hotline***

**Amy Parmer, Resource Advisor, *The GA Center for Resources and Support***

**Todd Stewart, RSM/MCD Supervisor, Hall County DFCS**

**Tonya Ward, TANF ES Supervisor, Hall County DFCS**

**Julia Jessee, Kinship Care Coordinator, *Legacy Link***

**Meredith Todaro, Relative Custodian Extraordinaire**

**Dedicated to June Beharry, a devoted grandmother,**

**whose struggles with these issues inspired me to create this guide.**

**State Resources for Relative Caregivers**

As CASA volunteers, we often see children who are unable to continue living with their biological parent due to deprivation issues. Most often a concerned relative steps forward to offer a stable and loving home for these children. There are a number of questions that arise when a relative accepts the responsibility of taking care of such a child. **Many of these questions have to do with supportive and financial resources**. *Whether or not the relative has ever used public benefits, most find DFCS (Department of Family and Children Services) procedures quite confusing!*  A CASA volunteer who is aware of the options facing the relative and the corresponding benefits will be able to educate the relative in making the significant decision about what role they play in the life of the child, whether that is Temporary Custodian, Relative Caregiver, Guardian, or Adopting Parent.

A child in DFCS custody is placed initially in a state foster home. **The child may then be placed in the home of a relative by Juvenile Court or by DFCS.** If the court places the child with the relative without DFCS’s recommendation it is called a Direct Placement. Custody of the child then transfers to the relative caregiver who becomes the **Temporary Custodian** of the child until Permanency is resolved in court. If DFCS places a child with a relative they become the **Relative Caregiver**. Custody of the child remains with DFCS until Permanency is resolved in court.

DFCS may place the child with the relative immediately following the child’s placement in foster care upon receiving the DFCS Social Services Supervisor’s approval of the placement, satisfactory CPS history, home safety check, and a local criminal records check on all household members 18 and above. Or DFCS may wait til the Relative Care Assessment (RCA) is completed and approved, which can take several months.

It is very important that the caregiver understands that **they will not be eligible for any state caregiver subsidies if they accept Direct Placement of the child through the court.** They will not be eligible for any state caregiver subsidies if they accept placement of a child through DFCS until the RCA is approved. The caregiver is eligible to apply for state benefits (p4). **Once DFCS approves the relative’s RCA, the relative is eligible for a state caregiver subsidy.** (p8) If the rights of the parents are later terminated in court, the relative caregiver would have the option of **adopting** the child (p10) or becoming their **Permanent Guardian (p4).** The benefits and resources available for each option is different and only adoption provides an ongoing state subsidy.

The main public programs that I am addressing are **Medicaid** (public health insurance), **child subsidies and TANF** (monthly financial assistance), **CAPS** (child care), **SNAP** (food stamps), **clothing allowances**, and **legal expenses for adoptions.** This guide is not a training manual, and listed figures and phone numbers are bound to change over time. This basic information is to inform the relative caregiver that they may be eligible for a public program, and if so, how to apply. Keep in mind that every case is different.

My hope is that the following pages will help you to be a better CASA volunteer by understanding the basics of state resources available to your CASA families.

**State Resources for Relative Caregivers**

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**State Resources for Custodians or Guardians**

\*\*\*MEDICAID/ public health insurance for low-income families

Medicaid is a free government health insurance program for low-income children, which covers medical expenses including preventive care, immunizations, screening and treatment of health conditions, doctor and hospital visits, and vision and dental care. If the household income is over the limit for Medicaid, they may be eligible for PeachCare. PeachCare is also a public health insurance program for low-income children, but may have premiums, copayments, and limited coverage. Both Medicaid and PeachCare coverage must be renewed yearly. There are many different ways that a child can become eligible for Medicaid. Monthly subsidies from foster care, TANF, SSI, and adoption assistance all include Medicaid. If the subsidy is lost, the Medicaid is also lost and another type of Medicaid must be sought. While the child is in the custody of DFCS, the child will likely be provided a form of foster care Medicaid.

Family Medicaid (formerly “Right from the Start Medicaid”) is not tied to any monthly subsidy and is based solely on the income of the household, which makes it a good option for children not eligible for any monthly subsidies and children no longer in the custody of DFCS.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Family Medicaid** |  | **GROSS ANNUAL INCOME LIMITS** | (Percentage of Federal Poverty Level) |  |
| Household size | child 0-1 y.o.  (205%) | child 1-5 y.o.  (149%) | child 6-19 y.o.  (133%) | child 0-18 y.o.  (247%) |
| 2 | $32,246 | $23,438 | $20,921 | $38,853 |
| 3 | $40,569 | $29,487 | $26,321 | $48,881 |
| 4 | $48,892 | $35,536 | $31,720 | $58,909 |

When a child leaves the legal custody of DFCS, a custodian or guardian is responsible for applying for Medicaid for the child even if the child comes *into their care* with Medicaid. **Applications can be completed online or over the phone.** The online address is [www.compass.ga.gov](http://www.compass.ga.gov). The Georgia One Phone System center number is 1(877) 423-4746. Many phone applicants have complained about long waits and dropped calls on this system. If the applicant has difficulty, they can call a Hall or Dawson County DFCS’s Family Medicaid worker from the list below for personal assistance. Once approved by DFCS, Medicaid will be retroactive to the first day of the month that it was applied for.

Hall County DFCS Family Medicaid workers Dawson County DFCS Family Medicaid workers

Brad Williams (770) 531-6437 Gina Allen (770) 844-3337

Erica Pittman (770) 531-6436 Todd Scott (770) 531-6439

Todd Scott (770) 531-6439

# \*\*\*TANF/ child subsidy for low-income families

TANF stands for “*Temporary Assistance for Needy Families*” and is a monthly subsidy payment for families with children, which comes with Medicaid for the children. A person normally applies on behalf of their household. The household’s income and countable resource limits are listed in the chart below*.* (A countable resource is primarily your bank account; pensions and retirement funds are not counted.) Adults in the household between the age of 18 and 59 are required to work or attend school 36 to 40 hours per week and are eligible to receive CAPS childcare funding.

**But**, **if the caregiver** **applies for TANF as a “payee” on behalf of the child,** the child is considered as a “household of one” and **only the child’s income and resources would be considered.** The guardian is not required to work or attend school if they are labeled as a payee instead of a beneficiary. A caregiver who is receiving any other child subsidy is not eligible for TANF. If any part of the application regarding the biological parents of the child is left blank, the application will not be considered. If the applicant doesn’t know an answer in this section they need to note that. A child support referral is generated on all biological parents unless good cause exists. If a biological parent is living in the same household as the guardian and the child, the biological parent must apply for TANF for the child.

**The maximum one child** with no income or resources **ca**n **receive from TANF is $155 a month.** Grandparents who are 60 years old or older or disabled according to Social Security or the Veterans Administration may be eligible for an additional Monthly Subsidy Payment (MSP) **and receive an extra $50 per child with their TANF payment.**

|  |  |  |  |
| --- | --- | --- | --- |
| Household Size | Gross Monthly  Income Limits | Resource Limits | Max TANF Award |
| 1 | $435 | $1,000 | $155 |
| 2 | $659 | $1,000 | $235 |
| 3 | $784 | $1,000 | $280 |
| 4 | $925 | $1,000 | $330 |

**TANF can only be applied for through a paper application.** Paper applications can be requested either by calling Georgia One Phone System at 1(877) 423-4746 or at the local DFCS office. The Hall County DFCS office is located at 970 McEver Road Extension in Gainesville; the Dawson County DFCS office is located at 424 Highway 53 in Dawsonville. The applicant will receive an appointment letter in the mail for a phone interview. If they miss the phone appointment, the applicant will have 10 days to schedule a new appointment. The application will be denied if a new appointment is not made.

\*\*\*CAPS /day care

CAPS stands for “*Childcare And Parent Services.*” The state may pay for childcare expenses for a caregiver who works or attends school 36 to 40 hours a week under the CAPS program. The standard household income limits are listed below, though a DFCS case manager may waive the income limits for caregivers. Grandparents raising grandchildren **under age five** are exempt from the work or school requirement if they are a recipient of any DFCS assistance for the child(ren) if they are (1) at least age 60 or (2) under age 60 **and** receiving SSI or social security disability.

|  |  |
| --- | --- |
| Household Size | 160% Federal Poverty Level  Gross Annual Income Limits |
| 1 | $16,640 |
| 2 | $22,400 |
| 3 | $28,160 |
| 4 | $33,920 |

**CAPS can be applied for online** at [www.compass.ga.gov](http://www.compass.ga.gov) or by calling Georgia One Phone System center at 1(877) 423-4746. If you are unable to wait on a lengthy hold until a live operator assists you, call (404) 651-6316 to leave a call back number.

\*\*\*SNAP /Food Stamps

SNAP (“*Supplemental Nutritional Assistance Program”*), which includes the Food Stamp program, provides monthly benefits to low-income households to help pay for the cost of food. To be eligible, the household income limit is 130% of the Federal Poverty Level (see chart below) and resource limit is $2,250. If someone in the household is 60 years old or older or disabled, the countable resource limit is raised to $3,250. (A countable resource is primarily your bank account; pensions and retirement funds are not counted.) Most recipients between the age of 18 and 60 will be required to participate in a work or school activity, unless the recipient is disabled. Benefits will vary depending on the number of deductions taken. If approved, the household receives a “Quest” debit card in the mail, which can be used at any place that sells food. (The average recipient in 2014 received what amounted to $1.38 per meal.)

|  |  |  |
| --- | --- | --- |
| Household Size | 130% Federal Poverty Level  Gross Annual Income Limits (2014) | Average Monthly  SNAP Benefit (2014) |
| 1 | $15,171 | $140 |
| 2 | $20,460 | $247 |
| 3 | $25,728 | $367 |
| 4 | $31,008 | $443 |

**SNAP can be applied for online** at [www.compass.ga.gov](http://www.compass.ga.gov) **or by calling** Georgia One Phone System center at 1(877) 423-4746. If you are unable to wait on a lengthy hold until an operator can assist you, call (404) 651-6316 to leave a call back number.

\*\*\*SSI (Supplemental Security Income)-- Federal Government Benefit

SSI (Supplemental Security Income) is a monthly subsidy for low-income individuals who are disabled and have not paid enough into the Social Security Administration to receive a Social Security Disability subsidy. Children have not worked enough to get social security benefits and are therefore only eligible for SSI. The biological or legal parent’s income is taken into consideration in determining how much the SSI subsidy will be. However, a child receiving SSI should continue to be eligible after moving in with the caregiver, regardless of the caregivers’ income, as the child is not living with the legal or biological parents. The caregiver must notify the Social Security Administration of the changes in address and payee status. The automated Social Security line is open 24 hours a day at 1(800) 772-1213.

\*\*\*WIC (Women, Infant, and Children)—Health Department

The Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) provides supplemental foods, health care referrals, and nutrition education for low-income pregnant women, new mothers, infants, and children up to age five who are found to be at nutritional risk. You are automatically eligible if you qualify to receive food stamps, TANF, or Medicaid. For more information or to schedule an appointment for applying, call the Hall County Health Department at 770 535-5743 or the Dawson County Health Department at (706) 265-2611.

**\*\*\*RELATIVE GUARDIANSHIP & ENHANCED SUBSIDIZED GUARDIANSHIP**

Through the Relative Subsidized Guardianship Program, DFCS is able to provide financial assistance to relatives that have obtained permanent guardianship of a child who was in the legal custody of DFCS for a minimum of 12 months. If the child has been in DFCS’ custody for less than a year, this time requirement can be waived if the state office approves the DFCS case manager’s request. **The monthly rate of payment for Subsidized Guardianship is $313.30.**  There are no financial eligibility requirements for a relative to qualify for this program.

A relative whose income is at or less than 200% of the Federal Poverty Level may qualify for the Enhanced Subsidy Guardianship Payments. (See chart below.) If the relative qualifies they need to ask the DFCS case manager about this at the start. Once the relative begins receiving the standard Subsidized Guardianship, they are not allowed to switch over to the Enhanced Subsidy Guardianship program, even if they meet income requirements. Enhanced Subsidy Guardianship rates vary depending on the age of the child.

|  |  |
| --- | --- |
| Age of Child | Monthly Rate |
| Newborn to 5 | $365.91 |
| 6 to 12 | $413.67 |
| 13 to 18 | $471.15 |

|  |  |
| --- | --- |
| Household Size | 200% Federal Poverty Level (2014)  Enhanced Subsidy Annual Income Limit |
| 1 | $23,340 |
| 2 | $31,460 |
| 3 | $39,580 |
| 4 | $47,700 |

The two main components for getting Subsidized Guardianship are for DFCS to approve the relative and for the Juvenile Court to appoint the relative as the permanent guardian of the child.

To qualify for the subsidy:

* The relative must meet the TANF degree of relationship (p8)
* In order to approve the relative, the DFCS case manager needs to complete a Relative Care Assessment, make home visits to the relative, and do a Safety and Home Assessment. All over the age of 18 in the household will have a DFCS history check and a criminal records check.
* Non-reunification with the biological parents must be granted by the juvenile court.
* Any child under the age of 14 or who is free for adoption will need a waiver from the Permanency Unit of DFCS.
* The child must live with the relative for at least 6 months under DFCS supervision.
* Permanent guardianship must be granted by the Juvenile Court to the caregiver.
* The DFCS case manager and relative will sign a Guardianship Application and Agreement.
* The legal process of being named guardian normally takes 9 to 12 months. The DFCS requirements must all be completed and approved by the time that the judge awards guardianship to the relative caregiver or they will not be eligible for this subsidy. The Juvenile Court must transfer the child from the legal custody of DFCS to the guardianship of the relative. Once the caregiver is appointed as the Permanent Guardian, they will receive the Subsidized Guardianship monthly payments until the child turns 18 provided the child stays in school.

**Subsidies & Clothing Allowances for Relative Caregivers**

**\*\*\*ENHANCED RELATIVE RATE (ERR) SUBSIDY**

**A relative caregiver may be eligible for the Enhanced Relative Rate subsidy if a child in the legal custody of DFCS is placed by DFCS into their home.** This monthly payment provides financial support to assist relative caregivers with the basic care of the child.

To qualify for the subsidy:

1. **The child must remain in the legal custody of DFCS** to continue to receive the subsidy
2. There is no income limit for the caregiver, as the child is under the legal/financial responsibility of DFCS, and not the relative caregiver.
3. The caregiver must meet the TANF degree of relationship: Grandparent (up to great-great-great), Sibling (half, whole or step), Aunt/Uncle (up to great-great), Niece/Nephew (including the child and grandchild of niece or nephew), First cousin, First cousin once removed (child of a first cousin)
4. **The DFCS case manager will complete a Relative Care Subsidy Assessment.** This includes home visits to the relative by the DFCS case manager and a Safety and Home Assessment, which is completed by a contracted and independent group. Anyone in the household age 18 or older is fingerprinted, has a criminal records check, and a DFCS history check. All calls to “911” made from the house phone are checked. The primary caregiver(s) needs to provide a medical statement confirming their physical ability to take care of a child, and to have a drug screen. The primary caregiver(s) also needs to provide proof of driver’s license, liability insurance, proof of income, and lease or mortgage documentation.

After the assessment is approved, the DFCS case manager and relative will sign the Enhanced Relative Rate Placement Agreement and monthly payments will begin within 2 months. This monthly subsidy will continue until the child turns 18 provided that the child remains in school.

|  |  |
| --- | --- |
| Age of Child | Monthly ERR Rate |
| Newborn to 5 | $365.91 |
| 6 to 12 | $413.67 |
| 13 to 18 | $471.15 |

# \*\*\*CLOTHING ALLOWANCE

**Relative Caregivers are given an initial clothing allowance and an annual clothing allowance for the child**. The **initial clothing allowance for newborns to age 12 is $306; for aged 13 to 18 is $409.** Following the initial year, each child in the custody of DFCS is eligible for an **annual clothing allowance of $409**. The caregiver must mail or bring original clothing receipts and a DFCS clothing invoice to the DFCS case manager within 30 days of the purchase to be reimbursed. Hall County DFCS office is located at 970 McEver Road Extension, Gainesville 30504-3938. Dawson County DFCS office is located at 424 Highway 53, Dawsonville 30534 and their mailing address is P.O. Box 867, Dawsonville 30534.

**Subsidies for Relative Foster Parents**

If a Relative Caregiver is also approved as a State Foster Parent, the relative can receive a foster care per diem reimbursement instead of the ERR and is 20% more than the ERR. The relative must meet the same requirements as a regular foster home.

|  |  |
| --- | --- |
| Age of Child | Per Diem Reimbursement |
| Newborn to 5 | $15.04 |
| 6 to 12 | $17.00 |
| 13 to 18 | $19.36 |

**State Resources for Adoption**

\*\*\*MEDICAID/ public health insurance

There are many different types of Medicaid programs, and eligibility differs from case to case. Unless the child qualifies as “Special Needs” and is eligible for a monthly Adoption Assistance benefit from DFCS, the adopted child is not given any extra consideration when applying for Medicaid. A child having Medicaid prior to adoption may not be eligible for Medicaid after adoption. Eligibility depends on the household’s size and income. Adopting relatives interested in the child receiving Medicaid are responsible for applying for this benefit from DFCS. Neither the court nor DFCS will apply for them.

The other information on Medicaid is the same as that listed above for guardianship and custody.

# \*\*\*TANF/ child subsidy for low-income families

As stated earlier (p4), a caregiver can apply to be the child’s TANF payee if the caregiver is not the child’s biological or adoptive parent. As a TANF payee, most of the income and work requirements are waived. However, after an adoption, most families will lose TANF, as the entire income of the family will have to be considered to determine eligibility for TANF and the work requirements will not be waived. If a grandparent was receiving an extra monthly subsidy payment of $50 per child, the subsidy will be lost after the adoption, as the caregiver will no longer legally be the child’s grandparent.

# \*\*\*CAPS /day care

Eligibility for CAPS should not change after the caregiver adopts, as the benefit is already dependent on the caregiver’s employment and income.

**\*\*\*SNAP (Food Stamps)**

The members of a household for food stamp purposes are counted as the people who buy and prepare food together regardless of their legal or biological relationship to each other. As a result, the amount of a household’s food stamp benefit should not change after an adoption, even if the caregiver’s legal relationship to the child changes.

# \*\*\* SOCIAL SECURITY CHILD’S BENEFIT

People who paid taxes into Social Security while they were employed will receive social security benefits when they retire or become disabled. If the adopting relative is receiving social security benefits, the child can also receive a social security child’s benefit as a dependent until the child turns 18 years old. [If the adoptive parent did not pay into Social Security and, as a result, is only receiving SSI there is no benefit available to the child.] For more information on this, contact the Social Security office automated line at 1 (800) 772-1213 24 hours a day. The local office in Hall County can be reached at 1(866) 331-2309 and for Dawson County at 1(800) 772-1213.

**\*\*\*ADOPTION ASSISTANCE**

There are two forms of adoption assistance:

1. **Non-recurring Adoption Assistance** – a one-time payment of up to $1500 per child to pay for the costs and expenses associated with an adoption, including attorney’s fees, court costs, and home investigation costs; and
2. **Monthly Adoption Assistance Subsidy with Medicaid** – a monthly payment to assist with caring for an adopted child. The amount of the subsidy depends on the child’s age.

|  |  |
| --- | --- |
| Age of Child | Monthly Subsidy |
| Newborn to 5 | $441.04 |
| 6 to 12 | $463.85 |
| 13 to 18 | $486.67 |

**To qualify for the Non-recurring Adoption benefit (for legal costs) the only requirement is that the child must meet what the state has defined as “Special Needs.”** DFCS does not have to be involved in the adoption at all. In Georgia, to qualify for Special Needs, the child must meet **one of the following two criteria:**

1) the child has a disability- physical, mental, or emotional- validated by a licensed physician or psychologist, OR

2) the child is adopted along with one or more siblings

**To qualify for the Monthly Adoption Assistance Subsidy with Medicaid, the child must be “Special Needs” (see above description) and the child must have been in state foster care.**

The following process must be followed:

1. DFCS conducts and approves an Adoption Home Study on the relative’s home. This includes home visits by the DFCS case manager and a Safety and Home Assessment, which is completed by a contracted and independent group. Anyone in the household age 18 or older is fingerprinted, has a criminal records check, and a DFCS history check. All calls to “911” made from the house phone are checked. The primary caregiver(s) needs to provide a medical statement confirmed their physical ability to take care of a child, and to have a drug screen. The primary caregiver(s) needs to provide proof of a driver’s license, liability insurance, proof of income, and lease or mortgage documentation.
2. DFCS and the adopting relative sign a **Placement Agreement and the relative signs the agreement for adoption assistance benefits**. (The Request for a Special Needs Determination – which is the first step in applying for adoption assistance - may be made up until the signing of the Adoption Placement Agreement (Form 33/37) for children in the permanent custody of DFCS, **up until the Termination of Parental Rights and Transfer of Custody** to a specified relative/ individual for the purpose of adoption for DHS-involved transfers of custody)
3. Both biological parents’ rights are terminated.
4. Adoption is finalized in Juvenile court.

Helpful agencies that offer free legal advice and resource information regarding adoption are the Atlanta Legal Aid Society’s Relative Caregiver Legal Hotline 1(888) 257-9519 and The GA Center for Resources & Support (404) 929-0401.

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**Note: This guide is focused on state resources for carergivers. United Way can be a helpful guide for local and community services, and can be reached online at** [www.211unitedway.org](http://www.211unitedway.org)**. Remind caregivers that at tax time they may file for Earned Income Tax Credit, Child and Dependent Care Credit, and Child Tax Credit. The number for questions for the IRS is 1(800) 829-1040. Atlanta Legal Aid’s statewide Relative Caregiver Legal Hotline provides free legal and resource advice and can be reached Monday through Thursday from 9:00am to 2:00pm at 1 (888) 257-9519. Kinship Care of Legacy Link is a good resource for advocacy, caregiver information, and monthly grandparent support groups. Julia Jessie, the coordinator, can be reached at (**770) 538-2650.