
POLICY TRANSMITTAL NO. 09-33	DATE: JUNE 30, 2009
FAMILY SUPPORT SERVICES DIVISION	DEPARTMENT OF HUMAN SERVICES OFFICE OF LEGISLATIVE RELATIONS AND POLICY

TO: ALL OFFICES

SUBJECT: MANUAL MATERIAL

OAC 340:10-22-1.

EXPLANATION: **Policy revisions were approved by the Commission and the Governor as required by the Administrative Procedures Act.**

OAC 340:10-22-1 is revised to broaden eligibility for the Supported Permanency Program to reduce delay in achieving permanency for children.

Original signed on 6-16-09

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WF # 09-07 (NAP)

INSTRUCTIONS FOR FILING MANUAL MATERIAL

OAC is the acronym for Oklahoma Administrative Code. If OAC appears before a number on an Appendix or before a Section in text, it means the Appendix or text contains rules or administrative law. Lengthy internal policies and procedures have the same Chapter number as the OAC Chapter to which they pertain following an "OKDHS" number, such as personnel policy at OKDHS:2-1 and personnel rules at OAC 340:2-1. The "340" is the Title number that designates OKDHS as the rulemaking agency; the "2" specifies the Chapter number; and the "1" specifies the Subchapter number.

The chronological order for filing manual material is: (1) OAC 340 by designated Chapter and Subchapter number; (2) if applicable, OKDHS numbered text for the designated Chapter and Subchapter; and (3) all OAC Appendices with the designated Chapter number. For example, the order for filing personnel policy is OAC 340:2-1, OKDHS:2-1, and OAC 340:2 Appendices behind all Chapter 2 manual material. Any questions or assistance with filing manual material will be addressed by contacting Policy Management Unit staff at 405-521-4326.

REMOVE

340:10-22-1

INSERT

340:10-22-1, pages 1-3, revised 7-1-09

340:10-22-1. Temporary Assistance for Needy Families (TANF) Supported Permanency Program

Revised 7-1-09

(a) **Scope.** In an effort to promote permanency for a child(ren) who is in the custody of the Oklahoma Department of Human Services (OKDHS) and placed with a relative(s) residing in Oklahoma who is a paid kinship relative foster home, the Supported Permanency Program has been developed. ■ 1 Supported permanency is considered appropriate when the:

(1) child meets age requirements described on Schedule XVII of Appendix C-1, Maximum Income, Resource, and Payment Standards, or has a sibling who meets age requirements described on Schedule XVII of Appendix C-1, and resides in the same relative foster home;

(2) relative(s) meets the specified degree of relationship as defined in OAC 340:10-9-1;

(3) court has made a finding that reasonable efforts to reunite the child(ren) with his or her parent(s) are not required or have been made and failed, and the permanency plan of reunification has been ruled out;

(4) child(ren) currently resides with the relative(s) in Oklahoma and has resided with the relative(s) four of the last six months;

(5) relative(s) has completed all requirements to be an approved OKDHS foster care home;

(6) relative(s) is willing to assume legal responsibility; and ■ 2

(7) court and, if appropriate, the child(ren), are in agreement with the plan for the relative(s) to obtain legal responsibility.

(b) **Eligibility.** ■ 3 Once the Supported Permanency Program is determined appropriate by the Child Welfare (CW) worker and the transfer of legal responsibility has been approved by the court, the CW worker makes a referral for Temporary Assistance for Needy Families (TANF) to the appropriate Family Support Services worker in the human services center. ■ 4 When the child(ren) is approved for TANF supported permanency, he or she is eligible for SoonerCare (Medicaid) and child care benefits, if appropriate.

(1) Income of this child(ren) is considered the same as for any other TANF eligible child. ■ 5

(2) Food benefit eligibility is dependent on the eligibility of the household.

(3) Benefit reduction as a result of program violation is applicable for school attendance and immunization. ■ 6

(4) If the child(ren) leaves the home to reside elsewhere, the Supported Permanency Program benefit is terminated for the child(ren).

(5) If the child(ren) returns to this home, he or she may be eligible for cash assistance but not the Supported Permanency Program benefit.

INSTRUCTIONS TO STAFF 340:10-22-1

Revised 7-1-09

1. Refer to OAC 340:75-6-31.4.

2. The transfer of legal responsibility can be completed through:

(1) a permanent care and custody transfer in a juvenile proceeding. See OAC 340:75-1-18.2;

(2) a custody transfer to a kinship guardian. See OAC 340:75-1-18.3; or

(3) a traditional guardianship. See OAC 340:75-6-31.

3. Supportive service funds described in OAC 340:10-18 are not available for this child(ren).

4. (a) The Child Welfare (CW) worker makes the referral on Form 04PP006E, Supported Permanency Referral, within five working days of the relative(s) obtaining legal responsibility. Form 04PP006E must have the copy of the legal responsibility order and the e-mail authorization from the Children and Family Services Division (CFSD) Permanency Planning Section attached. The date legal responsibility is awarded is considered the date of application for Temporary Assistance for Needy Families (TANF).

(1) The Family Support Services (FSS) worker must contact the relative(s) within five working days of receipt of Form 04PP006E.

(2) The relative(s) is advised by the CW worker to contact the FSS worker within ten working days of the relative(s) obtaining legal responsibility when no personal contact has been made by the FSS worker.

(b) The TANF application is processed the same as any other "child only" case. However, the benefit amount is determined by use of the Oklahoma Department of Human Services (OKDHS) Appendix C-1, Maximum Income, Resource, and Payment Standards, Schedule XVII.

(1) To identify this child(ren), a "CK" benefit type is used in the Benefit Type block located on the Household tab of Family Assistance/Client Services (FACS).

(2) The Information Management System (IMS) transaction F17K is used to issue retroactive or supplemental payments. To access the F17K transaction, enter F17K space case number.

(c) The age of the child(ren) determines the amount of the cash benefit. County Worker Activity (CWA) 14 notifies the worker when the child(ren) turns 5 years 10 months and 12 years 10 months. The worker must make a change on the Financial Assistance tab on Family Assistance/Client Services (FACS) on or after the day the child(ren) turns age 6 or 13 for the benefit amount to recalculate correctly. If the child's birthday falls after regular roll, the change is made for the next effective date and the F17K transaction is used to issue a supplemental payment.

5. Refer to OAC 340:10-3-26.

6. Refer to OAC 340:10-3-57(g).