

County of Santa Clara

Social Services Agency



353 West Julian Street
San Jose, California 95110-2335

DATE: 7/13/2020

TO: Honorable Board of Supervisors
Jeffrey V. Smith, M.D., J.D., County Executive

FROM: Robert Menicocci, Social Services Agency Director *RM*

SUBJECT: **Off-agenda Report on State Flexibilities and Waivers to Supplement the Respite Care Program for Resource Families During the Novel Coronavirus Pandemic**

On May 5, 2020, the County of Santa Clara (County) Social Services Agency (SSA), Department of Family and Children's Services (DFCS) presented information to the Board of Supervisors (Board) regarding its continuum of care services (Item No. 8). At that meeting, Supervisor Ellenberg asked the Administration to provide information regarding whether guidance from the California Department of Social Services (CDSS) allows for special rates and grace period extensions, whether the County is using funds allocated by the State to supplement the respite care program for resource families affected by the novel coronavirus, and whether the funding can be used for childcare.

Executive Order N-53-20

On April 17, 2020, Governor Gavin Newsom signed Executive Order (EO) N-53-20¹ to address the Resource Family Approval (RFA) program and provide temporary statewide waivers and flexibilities related to post-approval requirements, emergency placements, and authorized rate flexibility for specified placements.

Waivers and Flexibilities to the RFA Program

The waivers and flexibilities relating to post-approval requirements and emergency placements provided updated information for the RFA program relating to social distancing and the impact of the novel coronavirus pandemic. Specific guidelines for the RFA program may be relaxed and/or waived by county child welfare staff, if deemed appropriate and the child can continue to be maintained safely in the home. The guidelines impacted are the RFA policy requirements regarding in-person visits and interviews, capacity of homes and bedroom sharing considerations, training requirements, complaint investigations, the RFA annual approval update, and emergency placements. In-person inspections of homes and grounds have not been waived, and therefore, RFA social workers need to continue to complete this task in person.

¹ In response to the EO, the CDSS issued All County Letters No. 20-43 and No. 20-44 to provide updated guidance for the RFA program, emergency placements, and rate flexibilities due to the impact of the novel coronavirus.

Funding Flexibilities for the RFA Program

The EO provided guidance related to the funding available to families caring for children within a county's child welfare system.

- RFA homes that are not yet fully approved are authorized to continue receiving emergency caregiver funding for up to 365 days when the determination to approve or deny the RFA application has been delayed due to the novel coronavirus pandemic.
- The EO temporarily authorizes higher rates for placements impacted by pandemic. If a child or another member of a household requires isolation due to the coronavirus, are suspected of having symptoms of the coronavirus, or require a new placement due to the coronavirus, then the EO authorizes counties to apply the Family Only Rate of \$2,609 per month. If the child or youth is placed with a Foster Family Agency (FFA), then the FFA static rate of \$6,291 can be applied (\$2,609 provided to the caregiver, \$3,682 for FFA administrative costs). Counties are also authorized to provide the FFA static rate to RFA homes for children and youth who need additional supports and services due to the coronavirus, and can utilize community-based organizations or an FFA to provide wraparound-like supports funded through the FFA administrative costs portion of the rate.
- Short-Term Residential Therapeutic Program (STRTP) placements may be impacted by the novel coronavirus or there may be capacity limits due to isolation and quarantine responses. If a youth experiences a placement disruption at an STRTP, then counties are authorized to negotiate an appropriate rate with an FFA to care for the youth. The negotiated amount is not to exceed the STRTP rate. The FFA would be required to provide the youth with individualized exceptional care, supervision, and services. Additionally, if the youth cannot be placed into an FFA, then counties may utilize this flexibility to negotiate a rate to a family, and payment to an FFA or community-based organization to provide wraparound level of exceptional care and services, while the youth is in the care of the family. The combined rates to the family and community-based organization are not to exceed the STRTP rate.

The EO does not provide for any of the increased placement rates or flexibility to be applied towards respite care or childcare. The increased rates are only meant to provide additional support and services to children, youth and families directly impacted by the novel coronavirus due to entering quarantine or experiencing a placement disruption.

DFCS and Executive Order N-53-20

DFCS has not had any situations to date in which it utilized additional funding to maintain placement due to children or caregivers testing positive for the coronavirus or needing to quarantine while awaiting testing. A process has been put in place to offer additional funding for any caregivers and children in these situations. Additionally, correspondences have been sent to caregivers and providers to inquire whether they are available to provide care for children who have tested positive for Covid-19 or who have been exposed to the coronavirus and require a 14-day quarantine.

c: Chief Board Aides
Miguel Márquez, Chief Operating Officer
James R. Williams, County Counsel
Megan Doyle, Clerk of the Board