



Administrative Policies and Procedures: 15.16

Subject:	Subsidized Permanent Guardianship Case File Contents
Authority:	TCA 36-1-201-206; 37-2-316, 37-5-105(3), 37-5-106, 37-5-107; P.L.110-351, Fostering Connections to Success and Increasing Adoptions Act of 2008.
Standards:	DCS Practice Standards: 2-102A, COA: PA-FKC 4.02, PA-FKC 4.04, PA-RPM 6.01-6.02, PA-RPM 7.01-7.03, PA-RPM 7.04, PA-RPM 7.05 PA-CR 2, PA-TS 2.03
Application:	To All Department of Children's Services Permanency Staff
Policy Statement:	
Subsidized Permanent Guardianship case files include information about a child's initial and continued eligibility for Subsidized Permanent Guardianship program for subsidies paid at any rate.	
Purpose:	
To ensure Subsidized Permanent Guardianship case files are uniformly compiled and contain pertinent and supporting documentation.	
Procedures:	
A. Case file organization	All Subsidized Permanent Guardianship Case File contents will be organized and filed in accordance to Protocol for Subsidized Permanent Guardianship Case File Contents .
B. Initial application	<ol style="list-style-type: none">The following Subsidized Permanent Guardianship forms and supporting documentation for initial Subsidized Permanent Guardianship requests should be permanently maintained in the hard copy case file as of 12/2006:<ol style="list-style-type: none">CS-0719, Intent to Obtain Subsidized Permanent Guardianship/ Application for Subsidized Permanent GuardianshipCS-0721, Subsidized Permanent Guardianship Agreement<ul style="list-style-type: none">◆ In instances where the initial Subsidized Permanent Guardianship Agreement is not included in the subsidy file, subsequent Subsidized Permanent Guardianship agreements or renewal affidavits in the case file shall serve as the agreement between the guardianship parent and DCS.

	<p>c) Removal Court Order that led to the child’s removal from the home and resulted in the child’s custody being transferred to the Department of Children’s Services for cases determined eligible for Subsidized Permanent Guardianship on or after 11/20/14. For Subsidized Permanent Guardianship cases made effective prior to 11/20/14, the Court Order that led to the child’s removal will be maintained in the Child Welfare Benefits Foster Care Eligibility file.</p> <p>2. All Subsidized Permanent Guardianship forms and supporting documentation listed above will be included and maintained in the Subsidized Permanent Guardianship case file as well as uploaded to the TFACTS subsidy record for Subsidized Permanent Guardianship cases, beginning on or after 1/1/2014.</p>
<p>C. Initial supporting documentation</p>	<p>1. Cost of non-recurring Subsidized Permanent Guardianship expenses are required when these expenses are included in the agreement.</p> <p>2. Documentation of conditions or high risk factors for which a child is approved for Subsidized Permanent Guardianship. If the child is under current treatment, documentation of current diagnosis and prognosis is obtained from the treating, licensed professional.</p> <p>3. When there is no current treatment or diagnosis, but the child has high risk factors that indicate there may be a future need for treatment (e.g., an abused child who needs future counseling, etc.), initial documentation reflects the identified risk factors and their causes.</p>
<p>D. Special or Extraordinary Subsidized Permanent Guardianship initial approvals</p>	<p>1. Special or Extraordinary Subsidized Permanent Guardianship rates are reserved for children whose needs are so unique and/or extensive that they cannot be met at a regular Subsidized Permanent Guardianship rate.</p> <p>2. The Subsidized Permanent Guardianship case file contains the following forms and documentation to support approvals of Special or Extraordinary Subsidized Permanent Guardianship Rates, as applicable:</p> <p>a) CS-0674, Special or Extraordinary Rate Request, Foster Care Approval in place ninety (90) days prior to the approval of the Subsidized Permanent Guardianship rate if the child is placed in a DCS resource home,</p> <p>b) If the DCS Foster Care Extraordinary rate has not been in place for at least ninety (90) days prior to the approval of an Extraordinary Subsidized Permanent Guardianship rate (only for children placed in DCS resource homes) a Ninety (90) Day Waiver from the Director of Foster Care and Adoption or designee is required; and</p> <p>c) CS-0934, Special or Extraordinary Rate Justification, and/or supporting documentation from the licensed professional.</p>
<p>E. Revisions in Subsidized Permanent Guardianship</p>	<p>1. Revision of the Subsidized Permanent Guardianship agreement may be requested any time a significant change occurs in the child’s circumstances. The guardian or DCS initiates a revision to determine whether the child may qualify for a different Subsidized Permanent Guardianship rate.</p>

	<p>2. The information or forms listed below should be completed and included in the Subsidized Permanent Guardianship file when there is a revision made to the Subsidized Permanent Guardianship agreement, if appropriate.</p> <ul style="list-style-type: none"> a) Form CS-0721 Subsidized Permanent Guardianship Agreement, b) Form CS-0720 Notice of Denial, Termination or Change in Subsidized Permanent Guardianship c) Form CS-0403, Appeal for Fair Hearing d) Supporting Documentation <ul style="list-style-type: none"> ◆ Verification of Full Time School Attendance, if applicable for youth 18 or older ◆ SSA, VA, SSI verification, if applicable ◆ Documentation to support the special or extraordinary rate approval e) Form CS-0674, Special or Extraordinary Rate Request, if applicable, for revisions approved for special or extraordinary rates, effective on or after July 1, 2012. Form CS-0674 was not required to be included in the subsidy file for revisions or renewals of adoption assistance agreement prior to this date. f) Form CS-0934, Special or Extraordinary Rate Justification on and/or Supporting Documentation, if applicable g) Form, CS 0936, Adoption Assistance/Subsidized Permanent Guardianship Re-Negotiation, if applicable for Subsidized Permanent Guardianship cases made effective on or after March 1, 2008. h) Form, CS-0949 Review of Eligibility for Subsidized Permanent Guardianship Child Turning 18. As of January 1, 2014, form CS-0949 is no longer required to be included in the Subsidized Permanent Guardianship case file.
<p>F. Subsidized Permanent Guardianship Renewals</p>	<p>State Funded Subsidized Permanent Guardianship Agreements are renewed periodically to ensure that the child/youth remains eligible for the Permanent Guardianship Agreements program. The items listed below should be maintained in the Subsidized Permanent Guardianship case file for each renewal, as appropriate:</p> <ul style="list-style-type: none"> 1. A renewal memorandum; 2. A notarized copy of form CS-0459, Subsidy Renewal Affidavit 3. CS-0721, Subsidized Permanent Guardianship Agreement, if applicable 4. Proof of Address; 5. Verification of Full-Time School Attendance; if applicable 6. Form CS-0934, Special or Extraordinary Rate Justification; if applicable

	<p>7. Supporting documentation for a Special or Extraordinary Subsidized Permanent Guardianship rate; if applicable.</p>
<p>G. Termination of Subsidized Permanent Guardianship</p>	<p>When an Subsidized Permanent Guardianship case is terminated, the following documentation is maintained in the case file:</p> <ol style="list-style-type: none"> 1. Notification to parents of Subsidized Permanent Guardianship termination and appeal rights; forms CS-0720, Notice of Denial Termination or Change in Subsidized Permanent Guardianship and CS-0403, Appeal for Fair Hearing, if applicable. 2. Form CS-0721, Subsidized Permanent Guardianship Agreement indicating the date the agreement was terminated.
<p>H. Required signatures</p>	<p>All forms include appropriate signatures as required by the form instructions.</p>
<p>I. On-going quality assurance of Subsidized Permanent Guardianship case files</p>	<p>Subsidized Permanent Guardianship case files will be reviewed at least quarterly for quality assurance.</p>

<p>Forms:</p>	<p><u>CS-0403. Appeal For Fair Hearing</u></p> <p><u>CS-0459. Subsidy Renewal Affidavit</u></p> <p><u>CS-0674. Special or Extraordinary Rate Request</u></p> <p><u>CS-0668. Authorization of Release of Information and HIPAA protected Health Information to the to the Department of Children’s Services and Notification of Release</u></p> <p><u>CS-0719. Intent to Obtain Subsidized Permanent Guardianship/ Application for Subsidized Permanent Guardianship</u></p> <p><u>CS-0720. Notice of Denial, Termination or Change in Subsidized Permanent Guardianship</u></p> <p><u>CS-0721. Subsidized Permanent Guardianship Agreement</u></p> <p><u>CS-0949. Review of Eligibility for Subsidized Permanent Guardianship Child Turning 18</u></p> <p><u>CS-0934. Special or Extraordinary Rate Justification</u></p> <p><u>CS-0936. Adoption Assistance-Subsidized Permanent Guardianship Re-negotiations</u></p>
----------------------	--

<p>Collateral Documents:</p>	<p><u>Protocol for Subsidized Permanent Guardianship Case File Contents</u></p> <p><u>Protocol For Adoption Assistance/Subsidized Permanent Guardianship When Children Re-Enter State Custody or Placed in Out of Home Care</u></p> <p><u>Policy 16.39. Subsidized Permanent Guardianship</u></p>
-------------------------------------	---

<p>Glossary:</p>	
<p><i>Subsidized Permanent Guardianship</i></p>	<p>A permanency outcome for children that involve the court’s transfer of legal responsibility for a minor child from the State Public Child Welfare Agency to a caregiver/guardian, the child and family also qualify to receive on-going financial support, based on state and federal eligibility criteria.</p>
<p><i>Guardian:</i></p>	<p>A person or persons appointed by the court to provide full supervision, protection, and assistance of the person or property, or both, of a minor. T.C.A. 34-1-101(10).</p>
<p><i>Handicapping Condition:</i></p>	<p>Known and diagnosed medical, mental, or emotional conditions that will require ongoing treatment or therapy of a medical or remedial nature.</p>

Permanency Specialist:	This is a DCS term used to identify the position previously known as DCS Adoption Specialists. This person is principally responsible for preparing children and families for permanence through subsidy contracts negotiating and preparing Adoption Assistance, and maintaining technical knowledge of all permanency options.
Social Security Benefits for Dependent Children (SSDC):	A Federal Initiative that provides monthly cash assistance payments to individuals or eligible children on behalf of a deceased parent that was eligible for Social Security Disability Income. The parent worked long enough to have paid Social Security taxes.
Strong Attachment:	A relationship that existed prior to DCS custody between the potential guardian and the child or family.
TennCare (or successor plan) Rate:	The rates established by TennCare (Medicaid) or any subsequent plan for a particular medically necessary service or treatment.
Title IV-E:	A section of the Social Security Act that provides funding for the maintenance of children in foster care who meet certain Aid to Families with Dependent Children (AFDC) eligibility criteria and who meet certain legal requirements, e.g., best interests, reasonable efforts.
Veteran's Affairs (VA) Dependents Benefits:	A Federal Initiative that provides monthly cash assistance payments to eligible dependents of veterans who died in active duty, who died of service related injuries, or who were eligible for veteran's disability payments.