

STATE OF WISCONSIN
Department of Health and Family Services
Division of Children and Family Services

DCFS MEMO SERIES 99-01
January 19, 1999
Re: KINSHIP CARE; ELIGIBILITY
ISSUES

To: Area Administrators/Assistant Area Administrators
Bureau Directors
County Departments of Community Program Directors
County Departments of Developmental Disabilities
Services Directors
County Departments of Human Services Directors
County Departments of Social Services Directors
Direct Services Supervisors
Licensing Chiefs/Section Chiefs
Tribal Chairpersons/Human Services Facilitators

From: Susan N. Dreyfus
Administrator
Division of Children and Family Services

Two issues have arisen recently in regard to the Kinship Care Program that apparently require some clarification. These relate to eligibility criteria for the program and the consideration of benefits a child might be receiving.

It has come to our attention that some counties/tribes have gone beyond the statutory and policy requirements for eligibility for Kinship Care and instituted an additional criterion related to income. In one case, a county has limited eligibility for the program to those relatives with incomes below 165% of the poverty level. **This is not allowable. The Kinship Care Program has no financial eligibility test.** The criteria for the program, as stated clearly in s.48.57(3m), Stats., and Division Numbered Memos, are a determination of the child's need for the living arrangement, the best interests of the child, and the existence of or potential for court jurisdiction.

The other issue relates to consideration of benefits a child might be receiving. We have received clarifying information about the handling of social security benefits. Any such benefit is irrelevant to a child's eligibility for Kinship Care. If, for example, a child is receiving a social security death benefit, that benefit cannot be attached and, as such, should be disregarded in terms of a payment under the Kinship Care program. In short, if the eligibility requirements for Kinship Care are met, the relative caretaker should receive a \$215 monthly payment on behalf of the child whether or not the child is receiving any social security benefit, and that social security benefit should continue to be paid to whomever the current recipient is.

The only benefit which relates to Kinship Care is SSI. By statute, a child receiving SSI continues to be ineligible for Kinship Care. This memo similarly has no impact on the consideration of child support as described in previous policy communications.

REGIONAL OFFICE CONTACT: Area Administrator

CENTRAL OFFICE CONTACT: Kinship Care Specialist
Division of Safety and Permanence
608-422-6921