



STATE OF MICHIGAN
DEPARTMENT OF HUMAN SERVICES
LANSING

RICK SNYDER
GOVERNOR

MAURA D. CORRIGAN
DIRECTOR

June 24, 2013

The Honorable Bruce Caswell, Chair
Senate Appropriations Subcommittee on DHS
Michigan State Senate
Lansing, Michigan 48933

The Honorable Peter MacGregor, Chair
House Appropriations Subcommittee on DHS
Michigan House of Representatives
Lansing, Michigan 48933

Dear Senator Caswell and Representative MacGregor:

Section 222 of PA 200 of 2012, Article X, requires the Department of Human Services to report on the following:

“The department shall report no later than April 1 of the current fiscal year on each specific policy change made to implement a public act affecting the department that took effect during the prior calendar year to the house and senate appropriations subcommittees on the budget for the department, the joint committee on administrative rules, and the senate and house fiscal agencies.”

Those policy changes made during calendar year 2012 to implement a public act affecting the department are attached. In addition, all DHS policy is available on the DHS website at www.mfia.state.mi.us/olmweb/ex/html/.

If you have any questions about the attached material, please contact Judith Galant, policy coordinator, at 241-7084.

Sincerely,

Susan Kangas
Chief Financial Officer

Attachment

cc: Senate and House Appropriations Subcommittees on DHS
Senate and House Fiscal Agencies
Joint Committee on Administrative Rules

THE DEPARTMENT OF HUMANS SERVICES 2012 POLICY CHANGES

This report was compiled based on policy bulletins published throughout calendar year 2012 in order to implement a public act affecting the department.

ADOPTION SUBSIDY

AAB 2012-001

EFFECTIVE

April 1, 2012.

SUBJECT

Adoption Subsidy Manual (AAM) 631 Fostering Connections to Success and Increasing Adoption Act of 2008.

AAM 631 is being added to allow DHS to extend title IV-E funded and state-funded adoption assistance agreements up to age 21 for adoptees who were adopted on or after their 16th birthday, who have a subsidy contract in place prior to finalization and who meet additional criteria.

The policy defines youth as an individual who is at least 18 years of age, but less than 21 years of age.

Reason: Public Act 225 of 2011.

AAB 2012-002

EFFECTIVE

August 1, 2012.

Subject

Funding Source

A funding source change must occur for title-IV-E-funded cases during the grace period. Title-IV-E-funded cases must be changed to state-funding when the grace period begins, and must be changed back to title IV-E funding when the youth re-establishes eligibility.

Grace Period

Youth are allowed up to three grace periods per fiscal year.

Reason: Public Act 225 of 2011.

BRIDGES

BPB 2012-004

EFFECTIVE

April 1, 2012.

Subject(s)

1. Supplemental Security Income (SSI) repay agreements.
2. Disqualified persons.

**1) SSI REPAY
AGREEMENTS****BEM 272, State-Funded Family Independence Program (FIP) and
State Disability Assistance (SDA) Repay Agreements**

State-funded FIP has been added to this item. DHS requires repayment agreements for individuals who received state-funded FIP. DHS receives recoveries for a retroactive time frame when SSI benefits are subsequently approved for the same period.

Reason: Public Act 63 of 2011.

**2) Disqualified
Persons****Food Assistance Program (FAP)****BEM 212, Food Assistance Program Group Composition**

Added terminology that a disqualified person is one who is ineligible for FAP because the person refuses or fails to cooperate in meeting an eligibility factor.

Individuals are now disqualified for drug-related felony, 2nd offense; see BEM 203.

Reason: Public Act 198 of 2011.

BPB 2012-013**EFFECTIVE**

September 1, 2012.

Subject

Children's Clothing Allowance (bulletin only).

FAMILY INDEPENDENCE PROGRAM (FIP)

The 2012 Fiscal Appropriation Act included funding for the children's clothing allowance. The allowance is intended to assist FIP families to purchase clothing for their children.

The children's clothing allowance for the 2012 fiscal year is \$100 per individual and is excluded as income for all programs.

**ELIGIBILITY
CRITERIA**

- Child-Only FIP cases.
- Children ages 5-17; including children age 4 turning 5 or age 17 turning 18 at any point in September.
- Eligible for FIP during September 2012; including SSI eligible children in the FIP eligibility determination group (EDG) for September 2012.

Definition

Child-only cases are defined as cases in which there is **not** an eligible adult on the case. These could include the following:

- Ineligible grantees (grandparents, aunts or uncles that are not required to be a part of the case).
- Parent(s) receiving SSI.
- Unrelated guardians who are court appointed.

PAYMENTS

Bridges will automatically issue supplements for the clothing allowance to groups with qualifying children who are eligible for FIP payments in Bridges as of the single deadline date for August 31, 2012. The children's clothing allowance supplement is deposited into the client's EBT cash account.

The supplement amount will include \$100 for each SSI eligible child and eligible child ages 5-17. The supplement will be automatically issued if the FIP EDG is active on August 31, 2012 for September benefits. A supplement will be deposited into the client's EBT cash account at the same time as the FIP payment is issued, but will appear on a separate line. The supplement will be viewable in Bridges, View Benefits, under Benefit Issuance.

Any request for new case openings or member adds for September 2012 that are processed after the initial clothing allowance monthly payroll run for September will require an exception. Please contact application support to request a supplement for the case.

Note: Once the funding for the children's clothing allowance is depleted, there will be no additional funds allocated, regardless of the eligibility of the case.

A letter from Department of Human Services Director Maura Corrigan is mailed to eligible clothing allowance supplement households in August (see attached). This letter advises eligible families of the allowance coming in September to help with the cost of children's clothing.

For questions regarding this bulletin please contact the Employment and Training Program policy mailbox: Policy-Employment@michigan.gov.

Reason: Public Act 63 of 2011.

GUARDIANSHIP

GDB 2012-001

EFFECTIVE April 1, 2012.

SUBJECT New Item

GDM 716, Extension For Youth Entering Guardianship At Ages 16-17, is being added to the Guardianship Manual to allow DHS to extend

guardianship assistance beyond age 18 for youth who were 16 or older when their guardianship assistance payment became effective. The youth must have been eligible for guardianship assistance until his/her 18th birthday and meet specific criteria.

The policy defines youth as an individual who is at least 18 years old, but less than 21 years old.

Reason: Public Act 255 of 2011 and Public Act 229 of 2011.

GDB 2012-002**EFFECTIVE**

August 1, 2012.

SUBJECT

1. Grace periods and funding source.
2. Additional subsection added.

1) Grace periods and funding source

GDM 716, Extension For Youth Entering Guardianship at Ages 16-17

Funding Source

A funding source change must occur for title-IV-E-funded cases during the grace period. Title-IV-E-funded cases must be changed to state-funding when the grace period begins, and must be changed back to title IV-E funding when the youth re-establishes eligibility.

Grace Period

Youth are allowed up to three grace periods per fiscal year.

2) Additional subsection added

GDM 780, Administrative Hearings:

Notice requirements section was added.

Reason: Public Act 225 of 2011.

FOSTER CARE

FOB 2012-006**EFFECTIVE**

April 1, 2012.

Subject

Young adult voluntary foster care.

FOM 722-16, FOSTER CARE – YOUNG ADULT VOLUNTARY FOSTER CARE**FOM 902-21, YOUNG ADULT VOLUNTARY FOSTER CARE (YAVFC) FUNDING AND PAYMENTS**

The Fostering Connections to Success and Increasing Adoptions Act of 2008 (PL 110-351) includes an option for states to extend foster care maintenance payments for 18-21-year-olds who meet eligibility requirements.

To implement this option Michigan passed the Young Adult Voluntary Foster Care Act (2011 PA 225-230). By enacting this legislation, youth age 18-21 are now able to receive foster care services in two ways:

1. Youth who enter foster care prior to age 18 may continue to stay under court and/or DHS supervision up to age 20 pursuant to MCL 712A.2a. These services are provided under court jurisdiction and not considered voluntary.

Example: Former Michigan Children's Institute (MCI) wards up to 20 years old can continue to receive foster care services to age 20 under the former MCI program; see FOM 722-15, Foster Care - Case Closing and FOM 901-8, Fund Sources.

Example: Temporary court wards who were title IV-E eligible prior to age 18, but are expected to complete graduation requirements before age 19, may remain title IV-E eligible under the current FOM 902, Funding Determinations and Title IV-E Eligibility.

2. Youth who were in state-supervised foster care at the age of 18 or older may voluntarily elect to receive foster care services through DHS following the termination of court jurisdiction until age 21. Because these services are provided without court jurisdiction they are considered voluntary. Young Adult Voluntary Foster Care (YAVFC) is the program that the Department of Human Services is utilizing to implement this option.

Reason: Public Act 225 of 2011.

FOB 2012-017

EFFECTIVE

November 1, 2012.

Subject

Consent for the Removal/Verbal Approval Prior to November 1, 2012.

Removal/Verbal Approval Prior to November 1, 2012

Pursuant to PSM 715-2, Removal and Placement of Children, DHS staff may not take any child into custody without a written order authorizing the specific action.

Prior to November 1, 2012, in the event a judge or referee gave verbal approval/consent for removal and placement of a child, that verbal approval/consent would not jeopardize the child's potential title IV-E eligibility if all the following conditions were met:

- The verbal consent occurred during non-working hours (such as nights, weekends, or holidays) and emergencies.
- The first written order following the verbal consent must **reference the date of the removal**. The order must have been obtained within 24 hours or on the next business day following weekends and holidays.
- The first written order contained the findings of fact, on which the verbal consent was based, and includes the contrary to the welfare finding.

Reason: Public Act 163 of 2012.

CHILDREN'S PROTECTIVE SERVICES (CPS)

PSB 2012-005

EFFECTIVE

August 1, 2012.

Subject

CPS removal of children.

**COURT-ORDERED
REMOVAL OF
CHILDREN FROM
HOME**

PSM 715-2

When it is necessary to remove a child from his/her home, a petition or affidavit of facts must be submitted (electronically or otherwise) to the Family Division of Circuit Court. Local DHS staff must receive (electronically or otherwise) a written court order authorizing removal and placement or authorizing the department to arrange for placement. Document why it is contrary to the welfare of the child to remain in the home and what reasonable efforts were made to prevent removal.

Law enforcement agencies may remove a child with or without a court order based upon their own statutory requirements. CPS cannot receive custody of a child from law enforcement or remove a child from his/her home or arrange emergency placement without a **written** court order (communicated electronically or otherwise) authorizing the specific action (even if requested by law enforcement). When DHS is contacted by law enforcement seeking the assistance of CPS in the removal of a child, CPS must immediately contact the designated judge or referee.

Emergency
Orders

Emergency removal and placement (sometimes referred to as ex parte orders) must **only** occur after hours and when the child is either at substantial risk of harm or his/her surroundings present an imminent risk of harm. In all other situations, a preliminary hearing must be the venue for the court to make a determination regarding preliminary jurisdiction and/or placement.

A judge or referee may issue a written ex parte order upon receipt (electronically or otherwise) of a petition or affidavit of facts and the court finds all of the following:

- There is reasonable cause to believe that the child is at substantial risk of harm or is in a surroundings that present an imminent risk of harm and immediate removal is necessary to protect the child's health and safety.
- The circumstances warrant an ex parte order pending the preliminary hearing.
- Consistent with the circumstances, reasonable efforts were made to prevent or eliminate the need for removal of the child.
- No remedy other than protective custody is reasonably available to protect the child.
- Continuing to reside in the home is contrary to the child's welfare.

The ex parte order shall be supported by written findings of fact.

Reason: Public Act 163 of 2012.

COURT DECISIONS PSM 715-3

At a preliminary hearing, the court may order placement of a child in foster care if the court finds all of the following:

- Custody of the child with the parent presents a substantial risk of harm to the child's life, physical health or mental well-being.
- No provision or service or other arrangement except removal of the child is reasonably available to adequately safeguard the child from risk as described above.
- Continuing the child's residence in the home is contrary to the child's welfare.
- Consistent with the circumstances, reasonable efforts were made to prevent or eliminate the need for removal of the child.
- Conditions of child custody away from the parent are adequate to safeguard the child's health and welfare.

Reason: Public Act 163 of 2012.

JUVENILE JUSTICE FIELD SERVICES

JJB 2012-001

EFFECTIVE April 1, 2012.

Subject New Item: YOUNG ADULT VOLUNTARY FOSTER CARE FOR JUVENILE JUSTICE

Youth who are dual wards at the time they become 18 years old may be eligible for young adult voluntary foster care.

Reason: Public Act PA 225 of 2011.

STATE EMERGENCY RELIEF

ERB 2012-004

EFFECTIVE October 15, 2012.

Subject ERM 208

Low Income Home Energy Assistance Program (LIHEAP) Income Limits.

ERM 208, Budget Procedures, has been updated to reflect the new Energy/LIHEAP income limits.

The revised LIHEAP income limits are as follows:

Group Size	Income Limit
1	\$1,397
2	1,892
3	2,387
4	2,882
5	3,377
6	3,872

For each additional family member, add \$495 per month.

Reason: Public Act 615 of 2013.