



CABINET FOR HEALTH AND FAMILY SERVICES
Department for Community Based Services
Division of Protection and Permanency

Andy Beshear
Governor

275 East Main Street, 3E-A
Frankfort, KY 40621
502-564-6852
www.chfs.ky.gov/agencies/dpbs

Eric C. Friedlander
Secretary

Marta Miranda-Straub
Commissioner

PROTECTION AND PERMANENCY INFORMATION MEMORANDUM, 21-08

TO: Service Region Administrators
Service Region Administrator Associates
Service Region Clinical Associates
Regional Program Specialists
Family Services Office Supervisors

FROM: Kelli Root, Acting Assistant Director
Division of Protection and Permanency

DATE: March 17, 2021

SUBJECT: Consolidated Appropriations Act Budget Bill

The purpose of this information memorandum is to provide guidance on the revised state budget, including federal language pertaining to transition age youth as a result of the [Consolidated Appropriations Act, 2021](#) issued in December 2020. To comply with federal guidance, there will be a moratorium on the following statutes through September 30, 2021: [KRS 610.110 \(6\)](#), [KRS 620.140 \(1\) \(e\)](#), and [KRS 625.025](#).

Youth on extended foster care may remain committed to the Cabinet for Health and Family Services (Cabinet/CHFS) or receive transitional living support past 21 years of age. Any youth over the age of 18 who terminated their commitment with the Cabinet during the COVID-19 public health emergency shall be permitted to voluntarily re-enter foster care and extend commitment (Effective January 27, 2020 through April 15, 2021).

Effective through September 30, 2021, youth on extended commitment shall not have their commitment terminated solely due to age or noncompliance with education or work requirements. However, regions who experience youth participating in criminal activity or dangerous behaviors should submit a memo through their regional independent living specialist (ILS) to the Transitional Services Branch for review and consultation.

These flexibilities allow young people age 18 and older to re-enter care through a voluntary placement agreement and the option to use a range of supervised independent living settings, which are not required to be licensed, as the youth's foster care placement. For example, a title IV-E agency may determine that when paired with a supervising agency or supervising worker, host homes, college dormitories, shared housing, semi-supervised apartments, supervised apartments, or another housing arrangement meet the supervised setting requirement (meaning it is an allowable title IV-E placement option for youth age 18 or older in foster care).

Youth who are eligible to return to foster care under the new guidance should make a request via kyrise.ky.gov. The regional ILS will schedule a meeting with the youth and the worker in the region. The worker will complete a [DPP-115 Confidential Suspected Abuse-Neglect, Dependency or Exploitation Reporting Form](#) to petition the court, and complete any other necessary paperwork to reinstate the youth's commitment and secure placement. If the youth is homeless, the ILS will connect the youth to immediate resources until the reinstatement is complete. However, the request to reinstate should be processed within 72 hours. If unsuccessful in securing placement, the region should work with the Children's Review Program (CRP) to schedule a consultation with the Clinical Services Branch in central office.

The Cabinet will communicate with private child caring (PCC) agencies to continue to administer the savings program for youth placed in independent living settings. Although a youth's commitment to the Cabinet may not be terminated for failure to meet the work or educational requirements during this time, PCC agencies should continue to follow the independent living guidelines regarding monthly stipends and expectations around submitting verification of employment and education. PCCs should continue to assist youth with their goals, to include obtaining/maintaining employment and pursuing educational opportunities. PCCs should also continue to work with youth to ensure they have a housing plan upon exiting care. The Transitional Services Branch will be providing bi-weekly support to PCCs to discuss the youth's progress on goals and transition plan to exit care. The Cabinet will be extending the current addendum to the PCC agreement to allow youth to remain in foster care beyond their 21st birthday. This addendum will remain in effect until September 30, 2021.

If you have any questions regarding this memorandum, please contact:

Paula Saenz, Transitional Services Branch Manager
Paula.saenz@ky.gov
(502) 564-2147, ext. 3599

