Target Audience:
County Directors, Child Welfare Administrators, Caseworker and Resource Supervisors, Caseworkers, Resource Workers, and staff who maintain relative guardianship assistance records

Purpose:
To provide county departments with the instructions to enter necessary information into Trails when a youth/child and a relative guardian participate in the Relative Guardianship Assistance Program as defined in rule Section 7.311, et seq. (12 CCR-2509-4).

Background:
The rules for the Relative Guardianship Assistance Program were effective February 1, 2010. Accurate data entry into Trails is necessary in order for the relative guardian and the youth/child involved in the Agreement to receive assistance payments or services and for the county department to be reimbursed. The Relative Guardianship Assistance Agreements may be reimbursed through Title IV-E or state/county (Non Title IV-E) funding. The Agreements may be Medicaid-Only (Title IV-E), Time-Limited, or Long-Term Assistance and may also include non-recurring expenses and case services. Agency Letter CW-10-02-I, dated January 29, 2010 provided guidance about the program. Section 7.311 identifies the requirements for the program.

Procedure:
The Relative Guardianship Assistance Agreement must be negotiated and signed by all relevant parties prior to Probate Court appointment of the guardianship; however, the relative guardian may not receive assistance until the guardianship is appointed by the Probate Court. The county department must enter the Relative Guardianship Assistance Agreement information into Trails, close the original case regarding the youth’s or child’s participation and create a new case within thirty (30) calendar days of the court appointment. Below are the tasks that need to be completed in Trails:

The following functional areas of Trails have been modified in order to support the Relative Guardianship Assistance Program:
Resource/Provider Area:
Colorado Trails was modified to include a new Out of Home (OOH) Service Type called “Relative Guardianship”. The service type will function much like the current Trails service type Adoption which does not require certification by State Division of Child Care in order to pay for the service. Additionally, new service types for Non-Recurring and Ongoing Case Services (CASE) were created and will also function like the current Adoption Non-Recurring and Ongoing Case Services service types.

Opening a new OOH Relative Guardianship Service Type:
An edit check was placed on the Resource/Services/Info window (wm_1016_rs_service) that will suppress the Relative Guardianship service type pick list value as a choice until:
1. A provider has been fully Certified (Approval Type = Certified AND License/Certification type CANNOT = Probationary or Provisional on the Service Approval window) as a KFSTR, FFHC or RCVHC provider for at least six (6) consecutive months and
2. At least one of these service types (FFHC, RCVHC or KFSTR) is still in OPEN status.
3. If they meet criteria #1) but not #2), it will not show in the list. Multiple date spans may be counted for the six (6) consecutive months but there cannot be gaps in the dates.

Case Services:
Non-Recurring Relative Guardianship Case Services are one-time expenses that are paid to the provider and there is a maximum allowable amount of $800 per youth/child
per Relative Guardianship Agreement. This functionality will be a part of the Fiscal Reimbursement Package in Trails, similar to Non-Recurring Adoption Case Services. See SERVICE AUTHORIZATION FISCAL AREA of this document for business rules on reimbursement. Relative Guardianship Case Services are used to pay for ongoing expenses associated with the Relative Guardianship services for a youth/child. Service Details will be required for both CASE service types before allowing these case services service types to be opened in Trails.

Additionally, at least one staff member must be entered into Trails for the OOH Service Type (for both APPRV and REGISTERED approval types) before the service can be opened.
Service Approval Types for Relative Guardianship:
- OOH Relative Guardianship w/o Gov. Body = APPRV
- OOH Relative Guardianship w/Gov. Body open = REGISTERED
- CASE Relative Guardianship (Regular and Non-Recurring) = REGISTERED.

Rates:
Rates information for the new OOH service conforms to the same rules applied for Adoption. The rate may be negotiated up to and cannot exceed the Foster Care Maintenance rate (minus the respite rate) paid to the provider immediately prior to the appointment for relative guardianship. Rates for OOH Relative Guardianship are loaded into Trails for this service type under the Standard Rates window. Minimum rates are based on age categories just as it currently is for the current Adoption service type. Child Maintenance is only Default Service Detail for OOH Relative Guardianship and the rates are as follows:

2. Child Maintenance Age Range 11-14 = $13.28
3. Child Maintenance Age Range 0-10 = $11.81

Rates for Non-Recurring Relative Guardianship Expenses and Relative Guardianship Case Services will not be loaded or 'preset' (no selected rate set by the state). Trails users will be able to adjust the rate as necessary in the service authorization details for the youth/child.

Governance Body information is NOT APPLICABLE for OOH and CASE Relative Guardianship. However, as with the current functionality for Adoption, if a provider has a Governing Body open in Trails (because they have other open services such as FFHC,
the system will ensure that the payments for Relative Guardianship (both OOH and CASE) go directly to the provider and any FFHC, GRPHC, etc. payments go to the Governing Body as appropriate.

**Case/Client Information:**
When a user needs to record a Relative Guardianship Agreement and service authorization for a youth/child, they will close the youth/child out of the original case and open a new case in Trails. Although the new case WILL NOT require a link back to the original case like ADOPT cases, it will require that Trails create an edit check back to this case in order to verify that the guardian in question was a KFSTR, FFHC or RCVHC provider for at least six (6) consecutive months FOR THE YOUTH/CHILD at the time the guardianship agreement is being made. Counties have the ability to associate the original case to the new Relative Guardianship case and should do so whenever possible; however, this WILL NOT be mandatory in Trails.

The following modifications were made in Trails to accommodate a Relative Guardianship case/client:

1. In the Client Gen Info window (Wm_1016_cl_general), a new value of ‘Child Placed with Relative Guardian’ has been added to the Reason for End Date pick list. In order for a user to select this end date reason, the Legal Custody Status for the child must equal ‘Grdnsp w/Kin thru Probate Court’.
2. In the Client Gen Info window (Wm_1016_cl_general), a new value of ‘Relative Guardianship’ has been added to the Participation Type pick list when Participation Category = PA 6 Specialized Services.
3. In the Court Hearings and Orders windows (Wm_1001_cwc_hearing and wm_1003_cwc_orders), new pick list values have been added as follows:
   - Hearing Type = Relative Guardianship
   - Order Type = Relative Guardianship

In order for counties to open the youth/child that is eligible for Relative Guardianship placement in the new Relative Guardianship case, users must close out the client’s Involvement in his/her original case with the following information:

1. The Reason for End Date on the Client Gen Info window (Wm_1016_cl_general), = ‘Child Placed with Relative Guardian’,
2. The Legal Custody Status on the Client Gen Info window (Wm_1016_cl_general) = ‘Grdnsp w/Kin thru Probate Court’ and,
3. The Removal End Reason on the Removal window (Wm_1002_spvr_child Removal) = “Guardianship”.

The county user will not be allowed to use the Ending Reason of ‘Child placed with Relative Guardian’ WITHOUT updating the youth’s/child’s Legal Custody Status to ‘Grdnsp w/Kin thru Probate Court’ and the Removal End Reason to ‘Guardianship’. 
Counties must open up the client’s involvement in his/her new case with the following information:

1. The youth/child that is eligible for Relative Guardianship placement must be Participating as a Child (PAC)
2. The youth’s/child’s Participation Category = PA 6 AND Participation Type = Relative Guardianship on the Client Gen Info window (Wm_1016_cl_general)
3. The county should not be allowed to open the client in the new Relative Guardianship case UNTIL the youth/child is closed out of his/her original case properly. If the county selects the Participation Category = Relative Guardianship in the new case, the system will recheck to make sure that the youth/child was closed out with the proper ending information. If they have not been, Trails will not allow them to select Relative Guardianship as a Participation Category.
Relative Guardianship Assistance Agreement:
Recording of Relative Guardianship Assistance Agreement information will occur in the Adopt/Rel Gd area of Trails.

New windows were created to accommodate recording of Relative Guardianship General, Affidavit and Assistance Agreement information. The Linking information is not applicable for Relative Guardianship and has been disabled.

When the user selects the Adopt/Rel Gd menu option, the system readily identifies for the user the type of information is being recorded: Adoption or Relative Guardianship. Trails will verify whether or not an Adoption or Relative Guardianship Agreement is already open for a given youth/child. Please Note: Adopt and Relative Guardianship services are mutually exclusive and are not allowed to be open at the same time. Trails users will be able to modify only the windows for which there is an open Agreement. For example, if the youth/child has an open Relative Guardianship
Assistance Agreement, the worker may only view the Relative Guardianship windows. They cannot modify them until the Relative Guardianship Agreement is ended.

Below is the new Relative Guardianship General Information window. It is very similar to the Adoption Gen Info window in Trails although Termination of Parental Rights does not apply for Relative Guardianship. However, if this information is available in Trails, it will be displayed on the window below.
In order to verify and record the 5th degree of relationship of the relative guardian to the youth/child, a mandatory pick list field labeled "Guardian's Relationship to the Child" has been added to the above window. The following is a list of those relationships that fall within the 5th degree, for Relative Guardianship purposes:

- Aunt (Maternal)
- Aunt (Paternal)
- Brother (Half)
- Brother (Step)
- Brother (Biological)
- Brother (Legal)
- First Cousin
- First Cousin Once Removed
- Grand Nephew
- Grand Niece
- Grandparent (Maternal)
- Grandparent (Paternal)
- Great-Aunt (Maternal)
- Great-Aunt (Paternal)
- Great Grand Nephew
- Great Grand Niece
- Great Grandparent (Maternal)
- Great Grandparent (Paternal)
- Great-Uncle (Maternal)
- Great-Uncle (Parental)
- Great Great Aunt
- Great Great Grandparent
- Great Great Uncle
- Great Great Great Grandparent
- Sister (Biological)
- Sister (Half)
- Sister (Legal)
- Sister (Step)
- Second Cousin
- Nephew (Maternal)
- Nephew (Paternal)
- Niece (Maternal)
- Niece (Paternal)
- Uncle (Paternal)
- Uncle (Maternal)

The Adoption Affidavit questions have been modified slightly to accommodate Relative Guardianship. Therefore workers should review the Relative Guardianship Affidavit carefully so that they are responding to the questions appropriately.
The Assistance Agreement window for Relative Guardianship is similar to the Adoption Subsidy Agreement. A county cannot add a Relative Guardianship Assistance Agreement if the youth/child does not have a Participation Category of PA 6 and a Participation Type = Relative Guardianship on the Client Gen Info window in the Relative Guardianship case. Also, Trails will not allow the Assistance Agreement Date field on this window to be prior to the Date Probate Court Appointed Guardianship field on the Relative Guardianship Gen Info window.

Each Relative Guardianship Assistance Agreement entered for a provider is valid for up to three (3) years at a time. The Renewal Date for the Assistance Agreement will auto populate with a future date of three (3) years from the Agreement Date, however it will be editable by the user. After the three (3) years, another Agreement is required in Trails. If a new Agreement is not entered, Relative Guardianship payments WILL NOT stage into payroll with the expired agreement.
Service Authorization and Fiscal Area:
In order to open a Relative Guardianship OOH service authorization for a youth/child, the guardian must have for the youth/child for whom the service authorization is being opened, a valid Relative Guardianship Assistance Agreement entered in Trails and the start date of the service authorization cannot be prior to the Assistance Agreement Date.

As with the current Adoption OOH Service Type, OOH Relative Guardianship will allow multiple OOH Services to be open at the same time for the client. However, Adoption and Relative Guardianship are mutually exclusive and will not be allowed open at the same time.
An OOH Relative Guardianship placement must be open for a youth/child in order for a county worker to open Non-Recurring Relative Guardianship Expenses or Relative Guardianship Case Services. The relative is eligible for relative guardianship assistance payments until the youth’s eighteenth (18th) birthday.

For OOH Relative Guardianship, the valid service details will be:
- Child Maintenance (1002) (This will be a DEFAULT Service detail)
- MAINT 30 Day Absence (1014)
- SER 30 Day Absence (1015)
- 1023 MAINT Negative Adj (1023)
- Difficulty of Care (1036)
- 1040 SER Negotiated Services
- County Funds Non-reimbursable (1045)

For CASE Relative Guardianship (both Non-Recurring and Case Services), the valid service details will be:
- Birth Certificate
- CBI Check
- FBI Check (New Service Detail ID)
- Court Costs
- CPR/First Aid
- Dental
- Legal Services
- Lodging
Absences will be recorded and paid according to what is currently allowable for Adoption Absences (duration and reimbursability for seven [7] and thirty [30] day absences). As with the current Adoption service type, the new Relative Guardianship service will NOT require a Removal to be entered into the system when the user is entering a service authorization for this service type.

Trails will enforce current reimbursability rules (e.g. current plus two (2) months, Service Closed, etc.) for payments generated for all (OOH and CASE) Relative Guardianship service authorizations. Additionally, for Non-Recurring Relative Guardianship Expenses Case Services, the county will enter this service detail and the cost into the service authorization details area for the youth/child. Once the service authorization is approved
and stages into the payroll window, the total cost(s) will be compared to the maximum allowable amount of $800 and any amount over $800 will be split into a separate payment for the provider and will be non-reimbursable to the county.

Entitlements and IV-E Area:
IV-E Entitlement:
Two new entitlements called ‘IV-E Relative Guardianship’ and ‘IV-E Not Eligible Relative Guardianship’ will be created in Trails. The ‘IV-E Relative Guardianship’ entitlement will be the funding source for Relative Guardianship placement payments for those youth/children that are IV-E eligible. The ‘IV-E Not Eligible Relative Guardianship’ entitlement will indicate that a youth/child who is placed in Relative Guardianship is not Title IV-E eligible and therefore the payment will be processed with the next available funding source for which the youth/child may be eligible (e.g., SSI, WRI, etc).

As with current IV-E entitlements in Trails, the Medicaid, MOE and Title XX sections will be disabled. Also, once this IV-E Entitlement is added for the client, the entitlement field will be disabled. The new IV-E Relative Guardianship entitlement start date cannot begin prior to the Probate Court date.

The new IV-E Relative Guardianship and IV-E Not Eligible Relative Guardianship entitlements are mutually exclusive and cannot have overlapping date spans. Additionally, the following entitlements are also mutually exclusive with the two new entitlements and cannot have overlapping date spans:

1. IV-E Subsidized Adoption Eligible
2. IV-E Subsidized Adoption, Other State
3. IV-E Not Eligible Sub-Adopt
**Medicaid:**
Trails will allow the opening of a Medicaid Entitlement for youth/children who are placed in Relative Guardianship. The youth placed in Relative Guardianship is eligible for Medicaid up to his/her 18th birthday (Title IV-E).

**IV-E Module:**
The IV-E batch process has been modified to generate a Relative Guardianship episode for youth/children once a Relative Guardianship Service Authorization is opened for them in Trails. A new Relative Guardianship IV-E episode has been created in the IV-E Module. There are a total of six new windows that will capture the following information and the functionality for Relative Guardianship:
1. Demographics
2. Eligibility Factors
3. Add Siblings
4. Relative Guardianship Assistance Agreement
5. Provider Details
6. IV-E Summary page

Once the Relative Guardianship IV-E episode is generated, data will be pulled from several areas in order to complete several fields in the new Relative Guardianship episode. Data will pull from the new Relative Guardianship case in Trails (e.g., demographic information), from the original case (e.g. previous removal episode and service authorization information) OR if the youth/child has a previous IV-E determination episode in the IV-E Module, data will be pulled from the latest IV-E determination for the youth/child. If the latest determination for the child is still open, the IV-E worker will need to end date it in the module.
If the youth’s current age is greater than or equal to eighteen (18) years old prior to or on the Date the Probate Court Appointed Guardianship (field located on window `wm_1099_pl_general_information`), the youth is not eligible for IV-E Relative Guardianship. The youth/child must also be a US Citizen or Qualified Alien and Colorado Resident.

The following questions will be the Eligibility Factors for determining IV-E eligibility for Relative Guardianship:

**Question 1:** Does the County Department have authority for placement and care or legal custody of the child? The response will be auto-filled from the latest removal for the child, prior to the Relative Guardianship placement, either from Trails if the child is not already in the module, or from the module if he/she is. The field will be editable. If the response is Yes, the light = yellow and the user should proceed to Question #2. If the response is No, the light = red and the child IS NOT IV-E Eligible and the user will ACCEPT Eligibility and Claimability and the episode is complete.

**Question 2:** Is the child currently eligible for Title IV-E in Foster Care on the Title IV-E Initial Eligibility Determination? If the response to Question #2 is Yes, the light = green and the user proceeds to the IV-E Relative Guardianship Assistance Agreement window. If Question #2 is No, Question 3 enables and must be completed.

**Question 3:** Does the child have sibling(s) placed with this Relative Guardianship provider who are currently eligible for IV-E? If the response to Question #3 is No, the light = red and the child is NOT IV-E Eligible. The user will ACCEPT Eligibility and Claimability and the episode is complete. If Question #3 is Yes, user must proceed to Question #3a.
**Question 3a:** Indicate below which sibling(s) are IV-E Eligible (Go to Add Siblings window). The user will need to click on the ADD Siblings button on the window, which will take them to the ADD SIBLINGS window.

A grid similar to the Household grid in the Initial IV-E Episode was created to capture sibling information. If the user answered YES to Question #3, they must select from this grid, the IV-E Eligible sibling(s) that are placed with the child in the SAME Relative Guardianship placement (same provider). Only the following sibling relationship types are valid for Relative Guardianship:

1. Sister (Biological)
2. Sister (Half)
3. Sister (Legal)
4. Sister (Step)
5. Brother (Half)
6. Brother (Step)
7. Brother (Biological)
8. Brother (Legal)

When sibling(s) are selected, Trails verifies that at least one of the sibling(s) selected is IV-E Eligible. Once the system validates that the identified sibling is IV-E eligible, the light = green and the user will proceed to the Relative Guardianship Assistance Agreement window. If the user does not identify a valid sibling OR the question is left blank, the light = red and the child is NOT IV-E Eligible. The user will ACCEPT Eligibility and Claimability and the episode is complete.
The information contained in the Relative Guardianship Assistance Agreement window in the module is populated with data pulled from the Trails Case. The Relative Guardianship Assistance Agreement Date and Date Probate Court Appointed Guardianship fields as well as Provider Information, all comes over from Trails.

The user must check the Relative Guardian check box next to the placement where the youth/child is currently residing. Additionally, they must also check the Verified check box once they have verified the licensing information on the Provider Details Window.

When both boxes are checked, the light = green and the placement IS IV-E Claimable. If one or both boxes are not checked, the light = red and the user will be given an error message stating they must check the Verified and/or Relative Guardian box(es).
The IV-E Summary window for Relative Guardianship contains detailed information regarding the completed IV-E Relative Guardianship episode as well as client eligibility information. It also lists the Determination Group Status (green, red or yellow lights) the Determination Groups with hyperlinks for workers to navigate directly to the window when they click on it.

The Determination Due Date for Relative Guardianship will be calculated by adding 45 days to the Date Probate Court Appointed Guardianship field in Trails.

There are three (3) new IV-E Filters as follows:
1. A filter that will list ALL Relative Guardianship (RG) episodes.
2. A filter that shows if a sibling in the new Relative Guardianship case comes into the module and is identified as being IV-E Eligible AFTER previous siblings in the same case have already been determined in an Relative Guardianship episode as NOT IV-E Eligible. The module will flag these sibling(s) (they must all be in the same RG case) and their RG episodes will show up in a Filter called RG Episodes – Now Eligible.
3. A filter that will list ALL RG IV-E Not Eligible determinations.

RG Episodes – Now Eligible:
IV-E workers will need to go into these RG Episodes and update Question #3 in the Eligibility Factors to YES and then identify the sibling in Question #3a. Trails will also verify that both siblings (IV-E Eligible and not IV-E Eligible) are placed in the same RG placement (same provider ID). If both criteria are met, the light = green and the user will proceed to the Relative Guardianship Assistance Agreement Window to update the Provider information.
Miscellaneous changes to the Adoption Service Type in Trails:
A new Service Detail called FBI Check has been added and made available in the Adoption Non-Recurring Case Services and well as the Adoption Case Services. The only unit type available will be = EPISODE. It will be a paid Service Detail in Trails and will function like the other current Adoption Case Services Service Details.

Effective Date:
April 1, 2010  (Trails enhancement rollout March 29, 2010)

Supersedes:
N/A

Contact Person:
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