



# STATE OF IOWA

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## **CIRCULAR LETTER NO. 56Z-472-CFS**

ISSUED BY: Bureau of Protective Services, Division of Child and Family Services

SUBJECT: Comm. 267, "Introducing the Iowa Subsidized Guardianship Waiver Program,"  
new.

### **Summary**

Comm. 267, "Introducing the Iowa Subsidized Guardianship Waiver Program," is a new brochure developed to help prospective guardian families, judges, attorneys, case workers, and other interested parties, to understand the subsidized guardianship waiver program.

This brochure is to be given out at the time when the caseworker meets with the prospective guardian of a child assigned to the experimental group and upon request from interested parties

### **Effective Date**

Upon receipt.

### **Material Superseded**

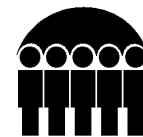
None.

### **Additional Information**

An initial supply of the brochure is being issued to each service area from Central Office. Additional brochures may be ordered from Anamosa. Refer any questions to your service area administrator.

Iowa Department of Human Services

**Introducing the Iowa  
Subsidized Guardianship  
Waiver Program**



## **What is the Subsidized Guardianship Waiver?**

The Iowa Subsidized Guardianship Waiver Program is a five-year demonstration project for a subsidized guardianship program to provide financial assistance to guardians of eligible children who are not able to return home and are not able to be adopted.

While research shows that families make permanent commitments to children in their care for a lot of different reasons that have nothing to do with public supports, current laws about financial assistance might be a barrier for some families who would otherwise make a permanent commitment to be a guardian.

To determine whether changing those laws would lead to improved outcomes, about 1,950 Iowa children in five years will be eligible to participate in this waiver program. The program will examine the impact of offering financial assistance to approved families who choose to accept permanent legal and physical custody of children in their care who are in the experimental group.

## **Why is Iowa trying this?**

Iowa has older children in need of permanency. The financial disincentive for families to make a permanent commitment may be a barrier for some. This program, approved by the federal government, is an attempt to find out whether providing a new continuous set of financial benefits will lead to better outcomes for more children.

Having a permanent family and home can help children in important ways. A caring and loving family that is committed to providing a safe and permanent home promotes healthy growth and development and provides children with a sense of belonging.

Without permanency, children often experience doubt, uncertainty, and hesitancy about where they belong and who is going to care for them. Caregivers provide an invaluable bridge for children who have experienced significant trauma.

Children can gain confidence in their family's ability to function independently without feeling that someone from the child welfare system (a social worker or foster care licensing worker) could disrupt their family's life.

Moving out of the foster care system and into a permanent home is usually best for children. Some families choose to make a permanent commitment to children through adoption. Other families may choose to make a permanent commitment through a transfer of permanent legal and physical custody (guardianship). Those are positive outcomes for most children.

## **How does the program work?**

The Iowa Subsidized Guardianship Waiver Program will systematically compare two groups, a "control" group and an "experimental" group. Eligible children will be randomly assigned to the control group or the experimental group.

Random assignment is a method for ensuring statistical validity. Random assignment is the best method for ensuring that the children in the control group and the experimental group are statistically equivalent. Eligible siblings will be assigned together to either the control group or the experimental group.

Children assigned to the experimental group will be eligible to receive subsidized guardianship if all other conditions are met.

The child's prospective guardian must be a person who has a significant relationship with the child and demonstrates a willingness to make a long-term commitment to the child's care, as determined by the Department caseworker.

Approved caregivers (prospective guardians) may receive government assistance (subsidy) to help provide food, clothing, shelter, and other necessities for children in their care. The subsidy payment can begin after the guardianship order is signed.

### **What happens to children in each group?**

The children and families in the control group will be compared to the children and families who are in the experimental group.

Families in the experimental group will be eligible to receive a guardianship subsidy and the child may remain eligible for Medicaid. The Department of Human Services will no longer monitor or provide supervision and services for a child in the experimental group who enters a guardianship placement.

Children assigned to the control group will not be eligible to receive subsidized guardianship. There is no guardianship subsidy in the control group.

Families in the control group will have the current resources – foster family maintenance, relative caretaker, and Medicaid assistance – available to them as they consider permanency decisions for children currently in their care.

## **Who can participate in the program?**

A child must meet the following criteria to be eligible for assignment into either the control group (no subsidy) or the experimental group (possible subsidy):

- ◆ The child meets one of these age requirements:
  - The child is 14 years of age or older and consents to the guardianship; or
  - The child is 12 years of age or older, and guardianship has been determined to be in the child's best interest; or
  - The child is under 12 years of age and is part of a sibling group with a child who is 12 years of age or older.  
  
(A sibling group is at least two children who are whole or half-siblings with a common parent, including an adoptive parent.)
- ◆ The child has lived in licensed foster care at least six of the last 12 months before initiation of the guardianship;
- ◆ The child has a documented permanency goal of long term foster care, guardianship or another planned permanent living arrangement, and the Department has determined that the options of reunification and adoption are not appropriate; and
- ◆ The child has lived in continuous placement with the prospective guardian for the past six months before initiation of the guardianship and guardianship subsidy.

## **What is a guardian?**

A guardian is a person who is appointed by a court, who is a relative or non-relative, who has a significant relationship with the child and demonstrates a willingness to make a long-term commitment to the child's care.

## **What are a guardian's responsibilities?**

The guardian must:

- ◆ Be able to nurture the child and maintain a safe and stable home.
- ◆ Understand the expected role and attitude toward the child's family.
- ◆ Make decisions involving the protection, education, and care of the child and consent to the child's medical, mental health, or other treatment.
- ◆ Report any unearned income of the child to the Department and provide documentation from the source of the income. The child's income from sources such as social security, veteran's administration, railroad compensation, and trust funds and the family's insurance are considered in negotiating the subsidy.
- ◆ Explore and use services available free of charge to meet the needs of the child.
- ◆ Complete a medical assistance review forms at least yearly or more often if requested.
- ◆ Participate in the annual court review by completing the probate court review form for the court's review.

The guardian must also notify the Department of Human Services in writing in the event of any of the following:

- ◆ The child marries or enlists in the military.
- ◆ The child no longer lives with the guardian, except when the child needs to be placed out of the guardian's home for treatment and the plan is for the child to return to the guardian's home.
- ◆ The death of the child.
- ◆ The guardian requests a permanent cessation of the guardianship payment.
- ◆ The guardian is incapacitated and guardian can no longer discharge the responsibilities necessary to protect and care for the child, and the guardianship was or will be vacated.
- ◆ The guardian fails to abide by the terms of the *Guardianship Subsidy Agreement*.
- ◆ The guardianship case is terminated by court order.

### **Is the program expensive?**

There is no new funding available for this demonstration program. The federal government has given Iowa the authority to use existing federal funds more flexibly for subsidized guardianship.

The Iowa Subsidized Guardianship Waiver Program must be “cost neutral.” That is, the Iowa Department of Human Services cannot be reimbursed any more federal dollars for the program than it would have been reimbursed without the program.

## **When does the program begin and end?**

The Department plans to begin this program in the last quarter of 2006 and will continue for five years. If successful, the program may be extended another five years and broadened in scope.

All children in the program who receive the new financial benefit will continue to receive it until they reach age 18, regardless of whether the federal government extends the authority to continue past the initial five-year demonstration.

## **How will Iowa assess the program's impact?**

Because the program is part of a larger federal study of different ways to improve the foster care system, a systematic evaluation of this program is very important.

As the program proceeds, an effort will be made to compare outcomes of similar families and situations. Since one goal of the study is to measure the likely impact of the new continuous benefit if extended statewide or nationwide, rigorous statistical methods will be used, including random assignment.

Throughout the demonstration, an independent evaluator will monitor and assess children's placements in out-of-home care and stays in permanent homes. The evaluation will look at a number of factors, including the safety and well-being of the children

If the evaluation produces strong preliminary evidence in favor of the experimental group, the state may request an adjustment to the sampling ratio to increase the proportion of children assigned to the experimental group.

## **Educational Resources**

Children who have been in foster care may be eligible for the Chafee Foster Care Independence Program and for Education and Training Vouchers.

The Education and Training Vouchers grant helps pay tuition and other school-related expenses for students who have aged out of Iowa's foster care system and students who were adopted after their 16th birthday.

### **Where can I get more information?**

For further information, families are encouraged to contact their county/tribal agency social worker. The Department's administrative rules for this program are published at 441 Iowa Administrative Code Chapter 204, "Subsidized Guardianship Program."

