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Manual Transmission Letter (MTL)
Family Programs Office: Statewide Child Welfare Policy Manual

MTL # 1010-05202016

05-20-2016

TO: Tim Burch, Director - Clark County Department of Family Services
Betsey Crumrine, Social Services Manager V - DCFS – District Offices
Amber Howell, Director - Washoe County Department of Social Services

FROM: Reesha Powell, Deputy Administrator, Division of Child and Family Services

POLICY DISTRIBUTION:

Enclosed find the following policy for distribution to all applicable staff within your organization:

- 1010 Kinship Guardianship Assistance Program (KinGAP)

This policy is/was effective: 5/20/16

☐ This policy is new. Please review the policy in its entirety

☒ This policy replaces the following policy(s): MTL # 1010-03222016
Policy Name: Kinship Guardianship Assistance Program (KinGAP)

☒ This policy has been revised. Please see below for the type of revision:

- ☐ This is a significant policy revision. Please review this policy in its entirety.
- ☒ This is a minor policy revision: p.12-13 UNITY documentation requirements added
- ☒ A policy form has been added:
  - FPO 1010C – KinGAP Successor Guardian Initial Acknowledgement

NOTE:

- Please read the policy in its entirety and note any areas that are additionally required by your agency to be in compliance with the policy enclosed.
- This is an **All STAFF MEMO** and it is the responsibility of the person listed above to disseminate the policy enclosed to appropriate staff within his/her organization and to ensure compliance.
- The most current version of this policy is posted on the DCFS Website at the following address: http://dcfs.nv.gov/Policies/ . Please check the table of contents on this page for the link to the chapter you are interested in.

Child welfare agencies in Nevada believe families are the primary providers for children's needs. The safety and well-being of children is dependent upon the safety and well-being of all family members. Children, youth and families are best served when staff actively listens to them and invite participation in decision-making. We support full implementation of family centered practice by engaging families in child and family teams and offering individualized services to build upon strengths and meet the identified needs of the family.

1010.0 Kinship Guardianship Assistance Program (KinGAP)

1010.1 Policy Approval Clearance Record

☑ Collaborative Policy Date Effective: 5/20/16	This policy supersedes: N/A 1010 KinGAP 3/18/16	Number of pages in Policy: 14
DMG Approval 3/18/16 DMG approved revisions 5/20/16 Review by Representative from the Office of the Attorney General: 3/16/16		Policy Lead: Marla Morris, SSC II

1010.2 Statement of Purpose

1010.2.1 **Policy Statement:** When it is determined by the child welfare agency that reunification or adoption are not viable permanency options for a child in the custody of a child welfare agency, legal permanency for the child can be achieved through the Kinship Guardianship Assistance Program (KinGAP).

1010.2.2 **Purpose**: The purpose of this policy is to expedite legal permanency for children in foster care who are not able to return home or be adopted, or for Indian children for whom termination of parental rights is contrary to tribal custom. KinGAP provides the child the opportunity to live with relatives who have demonstrated a strong commitment to caring for the child on a permanent basis, and have developed a loving and nurturing relationship with the child.

1010.3 Authority

45 CFR 1356.20(d)(8); Title IV-E of the Social Security Act; 42 U.S.C. *SS* 670, 671and 673;
Fostering Connections to Success and Increasing Adoptions Act of 2008
Federal Child Welfare Policy Manual
NRS 432B.621 to 432B.626
Nevada Title IVE State Plan; Nevada Medicaid State Plan

1010.4 Definitions

1010.4.1 **Fair Hearing:** Refers to an opportunity for a person to be heard before the local child welfare agency in a hearing conducted by an impartial official(s) or a designee of the agency. In relation to KinGAP, a hearing may be conducted when a claim for kinship guardianship assistance is denied or is not acted upon within reasonable promptness.

1010.4.2 **ICAMA:** Means the Interstate Compact on Adoption and Medical Assistance. The compact protects the interests of children who receive federally funded (Title IV-E) adoption assistance or KinGAP, when they move to another state. The Compact ensures that the child receives medical assistance in the new state of residence.

1010.4.3 **Assistance Payment:** Refers to a payment made to a relative guardian for the care and support of the child. The payment amount is determined through negotiation between the relative guardian and the child welfare agency.

1010.4.4 **Non-recurring Expense Reimbursement:** Means a one-time reimbursement of up to $2,000.00 for actual expenses incurred by the relative or successor guardian obtaining legal guardianship.

1010.4.5 **Relative guardian:** A person related to the child through blood, adoption, marriage, or law or custom of an Indian child's tribe, who is willing to provide a suitable home for the child, able to ensure the child's safety, and able to meet the child's needs, while providing a positive and nurturing relationship to the child on a permanent basis. For any child falling under the Indian Child Welfare Act requirements, relative guardians may be extended family members, as defined by law or custom of the Indian child's tribe or in the absence of such law or custom, shall be a person who has reached the age of eighteen and who is the Indian child's grandparent, aunt or uncle, brother or sister, brother-in-law or sister-in-law, niece or nephew, first or second cousin or step-parent fall into this definition.

1010.4.6 **Successor Guardian:** An individual who serves as a replacement guardian if a legal guardian dies or is incapacitated and who typically has the same duties and powers of the previous guardian.

1010.4.7 **Sibling:** means a person who shares at least one parent with the child at issue.

1010.4.8 **KinGAP Agreement:** Means a written agreement, between the child welfare agency and the prospective relative guardian(s) or successor guardian which specifies the nature and amount of any payments, services and medical assistance to be provided to the relative guardian(s) on behalf of the child.

1010.4.9 **Title IV-E:** Refers to the Social Security Act Title IV Part E that provides federal funding support for child welfare services including Guardianship Assistance payments, administrative and training support.

1010.5 Procedures

1010.5.1 Eligibility Criteria

A. Administrative approval must be granted (utilizing the *KinGAP Approval Checklist)* prior to KinGAP becoming the preferred permanency plan.

B. To qualify for KinGAP, the following requirements must be met:

1. The child must have been removed from his/her home:
   a. Pursuant to a written agreement voluntarily entered into by the parent or guardian of the child and the child welfare agency; or
   b. As a result of a judicial determination that continuation in the home would be contrary to the welfare of the child.
   c. Reasonable efforts must have been made to reunify the child with the parent or guardian from whom they were removed, or the court has found that reasonable efforts to reunify are not required. Active efforts must have been made for all Indian children.
2. Reunification and adoption of the child have been ruled out as appropriate permanency options for the child.
   a. The child must be placed with the licensed relative for a minimum of six consecutive months prior to the establishment of a guardianship; for Title IV-E KinGAP, the child must also be Title IV-E eligible.
   b. The child must demonstrate a strong attachment to the prospective relative guardian; and
   c. If the child is 14 years of age or older, he/she must be consulted and in agreement regarding the guardianship arrangement.

C. Once a child is deemed eligible for the Nevada Kinship Guardianship Assistance Program (KinGAP), the child will qualify either through Federal Title IV-E eligibility or through the State of Nevada general eligibility. A child eligible through Federal Title IV-E qualifies for medical assistance in all states through Federal Medicaid. Whereas, a child eligible through the State of Nevada qualifies for medical assistance through Nevada Medicaid. For additional information on this, see Section 1010.5.4(C) Medical Assistance.

D. **The prospective relative guardian must:**

1. Demonstrate a strong commitment to caring for the child permanently;
2. Have the child residing in their home a minimum of six months prior to establishment of a guardianship;
3. Be a licensed provider of foster care as defined in NRS 424.017;
4. Enter into a written agreement for KinGAP with the child welfare agency before the relative is appointed as the legal guardian of the child; and
5. Be appointed as the legal guardian of the child by a court of competent jurisdiction and comply with any requirements imposed by the court in which the guardianship is granted.

E. **Siblings of an Eligible Child**

1. The child welfare agency must make reasonable efforts to place siblings removed from their home in the same foster home, kinship guardianship, or adoptive placement, unless the child welfare agency documents that such a joint placement would be contrary to the safety or well-being of any of the siblings;

2. If it is in the sibling(s) best interests to be placed together and reunification of the other sibling(s) has been ruled out as an option, every effort must be made to encourage the relative guardian to adopt the sibling(s). When adoption is not an option for the relative guardian; efforts must be made for the sibling to enter into the same KinGAP arrangement if acceptable to the child welfare agency and relative guardian. The agency and relative must be in agreement about the appropriateness of the placement of the sibling in the relative home.

3. It is not necessary for sibling(s) to be placed, or the guardianship granted, at the same time. If a sibling is placed with the same relative guardian, eligibility criteria is automatically met for the sibling based upon the initial child's eligibility for KinGAP with the relative guardian, and an additional KinGAP payment may be made on behalf of the sibling.

4. In the case of siblings removed from their home, who cannot be placed together, arrangements must be made to provide for frequent visitation or other ongoing interaction between the siblings. When this is prohibited, the child welfare agency must document that frequent visitation or other ongoing interaction would be contrary to the safety or well-being of any of the siblings.

1010.5.2 Case Plan Requirements

A. Specific information is required in the case plan for the child with a permanency goal of relative guardianship through KinGAP.

B. The case plan must describe the following:

1. How the child meets the KinGAP eligibility requirements;

2. The steps the agency has taken to determine that return to the home or adoption is not an appropriate option;

3. The efforts the agency has made to discuss adoption with the child's relative foster parent and the reasons adoption is not an option;

4. The efforts the agency has made to discuss kinship guardianship with the child's parent(s) or the reasons why efforts were not made;

5. The reason why a permanent placement with a prospective relative guardian and receipt of a kinship guardian assistance payment is in the child's best interests; and

6. If the child's placement with the prospective relative guardian does not include siblings, the case plan must also include a description of the reasons why the child is separated from siblings during placement.

1010.5.3 Relative Notification and KinGAP Application

A. The child welfare agency will inform a child's relatives about the KinGAP during the initial relative notification process which occurs within 30 calendar days of the child entering foster care.

1. It is important to inform the prospective relative guardian(s) that the KinGAP application process will only occur if/when reunification and adoption have been ruled out as permanency options for the child, the child has resided for a minimum of six consecutive months in the relative's home, the relative has become a licensed provider of foster care as defined in NRS 424.017, there is a demonstrated loving commitment by the relative to care for the child on a permanent basis and that KinGAP must be approved through the child welfare agency prior to finalization of the court established guardianship.

2. If a relative opts to move forward with a standard guardianship rather than a guardianship through Nevada KinGAP, the agency shall obtain written confirmation from the prospective relative guardian that they were informed of the KinGAP assistance option, were advised of the child's eligibility, and that they understand that applications and agreements for assistance must be approved prior to finalization of the guardianship.

1010.5.4 Types of Assistance Available

A. Monthly Assistance Payments

1. The monthly assistance payment rate shall be determined by discussion and negotiation between the relative guardian and the agency designee and cannot exceed the foster care rate which is based on the age of the child.

2. To establish the payment amount, agency staff shall consider factors which include, but are not limited to:

   a. the immediate needs of the child;

   b. the services required to meet the child's needs;

c. service costs; the family's ability to provide the services; and

d. other available community resources.

3. As the child's needs or family circumstances change, an adjustment to the payment amount may be requested when the need arises and/or during the annual review process.

4. The use of a means test is not permitted in determining the child's eligibility or amount of assistance. The payment that is agreed upon, when combined with the relative guardian's resources, must meet the child's needs. Medicaid, private insurance, public education, and other resources shall be considered as resources for the child and family when negotiating the amount of assistance.

5. The payment amount will be based upon the specific needs of the child and the circumstances of the family.

6. The child welfare agency must document the child's needs, identify available resources, service costs, and how the amount of the KinGAP payment amount was determined.

7. Monthly KinGAP payments are paid effective the court date of finalization of the guardianship.

B. Application for Reimbursement of Non-recurring Expenses

1. The agency will pay the total cost of non-recurring expenses associated with obtaining legal guardianship of the child. This one-time payment cannot exceed $2,000.00. This non-recurring expense limit is applied per guardianship. Reimbursement includes legal fees directly related to finalizing the guardianship and other reasonable costs associated with facilitating and finalizing the guardianship (fingerprinting, birth certificates, travel costs, etc).

   a. The child welfare agency may minimize the relative's non-recurring expenses to obtain legal guardianship through the use of an agency or contract attorney.

   b. The child welfare agency is obligated to reimburse non-recurring expenses incurred by the prospective relative guardian pursuing legal guardianship.

2. The application and agreement approving the non-recurring benefit must be signed prior to finalization of the guardianship.

3. Non-recurring expenses cannot be reimbursed by the child welfare agency without detailed receipts.

C. Medical Assistance: A child eligible for KinGAP through Federal Title IV-E qualifies for medical assistance in all states through Federal Medicaid. A child eligible for KinGAP through State of Nevada general eligibility, qualifies for medical assistance through Nevada Medicaid. A monthly KinGAP assistance payment of at least $1.00 must be paid for the child to remain eligible for Medicaid.

1. When the relative guardian lives in Nevada, medical assistance for the child is provided through Nevada Medicaid regardless of the child's KinGAP eligibility (Federal or Nevada).

2. When the relative guardian resides in another state or later moves outside of Nevada:

   a. A child, eligible for KinGAP through Federal Title IV-E, is automatically eligible for Medicaid within any state where the child resides. The Interstate Compact on Adoption and Medical Assistance (ICAMA) is the mechanism for the provision of medical coverage to children who reside with a relative guardian in another state.

   b. For a child whose eligibility for KinGAP is through the State of Nevada and medical assistance is only provided through Nevada Medicaid, the relative guardian is responsible to either add the child to the relative guardian's private health insurance policy, purchase a separate health insurance policy for the child or identify if there are necessary health providers in the state of residence that will accept Nevada Medicaid. NOTE: It is rare for health providers outside of Nevada to be willing to accept Nevada Medicaid due to the additional paperwork requirements needed to process outside claims.

3. Third party medical insurance: the agency worker shall discuss the child's eligibility for coverage under the relative guardian's health insurance plan as a part of the assistance negotiation process. If a family chooses to enroll the child in their private health insurance, the agency worker should ensure that the family understands that generally, Medicaid is considered secondary or "payer of last resort," meaning that if the child has other health insurance or belongs to other programs which can pay a portion of medical bills, payment will need to be collected from the private insurer first. Medicaid may then pay all or part of the remaining amount.

D. Additional Assistance for Children entering KinGAP at age 16 or older:

1. **Independent Living Services**: Children, age 16 or older who leave foster care for KinGAP, are eligible for services through the Federal Chafee Independent Living Program, until age 21. This program is designed to help youth prepare for independence and adulthood. Services include, but are not limited to, help with education, employment, financial management, housing, emotional support and creating connections with caring adults.

2. **Educational and Training Vouchers Program (ETV):** Children, age 16 or older who leave foster care for KinGAP are eligible for ETV. ETV provides resources specifically to help meet the education and training needs of these youth. If the youth is eligible for ETV at 21, they may remain eligible to age 23 as long as they remain enrolled in a post-secondary education or training program and are making satisfactory progress toward completion of that program.

1010.5.5 KinGAP Agreement and Requirements

A. **KinGAP Agreement:** Upon completion of the negotiation process, the child welfare agency shall complete the written *KinGAP Agreement* for the prospective relative guardian's review and signature.

B. **At a minimum the written agreement must specify:**

1. Name(s) of the relative guardian(s);

2. Names and date(s) of birth of the child(ren) for which the guardianship is to be granted;

3. Amount of, and manner in which a KinGAP assistance payment will be provided;

4. Additional services and assistance for which the child and relative guardian will be eligible under the agreement;

5. That the agency will pay the total cost of non-recurring expenses associated with obtaining legal guardianship of the child to the extent the total cost does not exceed $2,000;

6. That the agreement remains in effect regardless of the relative guardian and/or child's state of residence;

7. The effective date and duration of the agreement;

8. The manner in which it may be adjusted periodically, based on the circumstances of the relative guardian and the needs of the child;

9. The procedure by which the relative guardian may apply for additional services;

10. Conditions upon which the assistance can be terminated or suspended;

11. Signatures by all parties, including the child welfare agency Administrator/Director or their designee, prior to finalization of the court established guardianship.

12. Although not required, it is strongly recommended that a successor guardian be named when executing the initial KinGAP agreement to assume duty of guardianship on the death or incapacity of the guardian. If the current guardian is not able, or is unwilling to identify a successor guardian at the time of the initial agreement, a successor guardian may be subsequently named in an amendment to the agreement.

C. A copy of the signed agreement must be provided to the relative guardian.

1010.5.6 KinGAP Review Requirements

The following requirements represent the minimum standards that must be followed by the local child welfare agencies. Courts and child welfare agencies may elect to impose additional oversight requirements.

A. The agency must review the *KinGAP Agreement* at least annually or whenever circumstances change. Annual contact with the family is required to verify:

1. Child remains in the home, and/or

2. Family continues to support the child;

3. Assistance provided meets the child's needs;

4. Child is meeting compulsory education requirements; and

5. Determine whether changes have occurred that would require changes in the benefits provided.

B. The relative guardian must be informed of the need to notify the agency of any changes in circumstances that would make them ineligible for the payments or eligible for payments in a different amount, within 10 business days of a change in circumstances. This also includes any change of address and/or phone number(s).

C. At the time of review or whenever the family requests a change in the amount of assistance provided due to a change in circumstances, the child welfare agency shall re-negotiate the assistance agreement.

D. The monthly assistance payment cannot exceed the amount that would have been paid on behalf of child if the child had remained in family foster care.

E. The agency must document the change in the child's needs, available resources, and how any payment amount or provision of services was determined.

1010.5.7 Criteria for Suspension or Termination of KinGAP Agreement and Assistance

Termination or suspension of the *KinGAP Agreement* affects the assistance only and has no effect on the court established legal guardianship/permanent custody and the guardian(s)' legal responsibility to the child.

A. A *KinGAP agreement* will be terminated under the following circumstances:

1. The child attains the age of 18;

2. The agency determines that the relative guardian is no longer legally responsible for the child, to include:

   a. Child becomes an emancipated minor,

   b. Child marries,

   c. Child enlists in the military,

   d. Child is adopted,

   e. Guardianship is vacated,

   f. Death of the relative guardian(s), without a named successor guardian, or

   g. Death of the child.

3. The relative guardian(s) indicates they no longer require KinGap assistance for the child.

B. A KinGAP agreement may be terminated, suspended or amended under the following circumstances:

1. Child enters out-of-home care and legal custody of another agency (foster care, residential treatment, incarceration or other such placement);

2. The relative guardian is no longer legally responsible for the support of the child or the child is no longer receiving any support from the relative guardian;

3. Relative guardian is receiving other sources of income on behalf of the child, which may require the reduction or termination of the KinGAP assistance;

4. When it is determined that the child, ages 6 to 17, is not attending a compulsory education program toward completion of secondary education,

e.g.; an elementary or secondary school, a state authorized independent study program or home schooling consistent with state law where the guardian resides. This requirement is mandatory unless the child has a previously documented medical condition that would disallow participation in an educational program.

5. When the relative guardian fails to provide information and/or documentation requested by the child welfare agency for verification and compliance purposes of the *KinGAP Agreement.*

1010.5.8 Successor Guardian

It is strongly recommended that a successor guardian(s) be named when executing the initial KinGAP agreement in the event that child's relative guardian(s) dies or becomes incapacitated which includes a physical or mental illness or impairment that results in a substantial inability to care for the child.

A. The successor guardian does not have to be a relative and nothing precludes the kinship guardian from identifying more than one successor guardian in the agreement. There is no requirement for prior placement of the child in the home before a successor guardianship can be pursued.

B. Identification of a successor guardian in the KinGAP Agreement will not guarantee an automatic transfer of guardianship in the event that the current relative guardian is no longer able to fulfill guardianship responsibilities.

C. On the death or incapacity of a relative guardian receiving KinGAP payments, the successor guardian is responsible to notify the local child welfare agency where the KinGAP agreement was finalized so a new agreement can be initiated. Unless there is good cause, the agency must be notified within 10 calendar days utilizing the *Successor Guardian Notification Form.* Documentation of the death or incapacity must also be provided which may include, but is not limited to, any of the following:

1. A medical report or other written statement from a physician, psychologist, or other appropriate professional that provides sufficient information regarding the determination of incapacity.

2. A copy of a death certificate, statement from a physician or other suitably qualified personnel, or an obituary.

3. Other reliable documentation.

D. In order to remain eligible for KinGAP payments, the following must occur:

1. The successor legal guardian must be named in the KinGAP Agreement prior to the death or incapacity of the relative guardian(s).

2. The relative guardian(s) must have died or become incapacitated.

3. The successor guardian, and all other adults living in the successor guardian's home, must pass a fingerprint criminal records check and receive a satisfactory report from the Statewide Central Registry clearance.

   a. Per Federal requirements, in any case in which a record check reveals a felony conviction for child abuse or neglect, for spousal abuse, for a crime against children (including child pornography), or for a crime involving violence, including rape, sexual assault, or homicide, but not

including other physical assault or battery, final approval shall not be granted; and

b. In any case in which a record check reveals a felony conviction for physical assault, battery, or a drug-related offense, if was committed within the past 5 years, final approval shall not be granted;

4. The successor guardian and the agency must enter into a new written KinGAP Agreement.

a. The amount of the original payment is not renegotiated. A new KinGAP Agreement between the successor guardian and the agency must be signed prior to the court's appointment of the successor guardian.

b. The successor guardian must be informed of the need to notify the agency of any changes in circumstances that would make them ineligible for the payments or eligible for payments in a different amount within 10 business days of a change in circumstances. This also includes any change of address and/or phone number(s).

c. A court of competent jurisdiction confirms the conditions required for the successor(s) to be appointed as the legal guardian in the state of Nevada have been met.

E. The agency will allow a 90 day grace period from the relative guardian's death or incapacity for the successor to obtain legal guardianship through a court of competent jurisdiction, and will hold payment until a new agreement and legal guardianship have been executed.

1. The agency will pay the total cost of non-recurring expenses associated with obtaining legal guardianship of the child. This one-time payment cannot exceed $2,000.00. This non-recurring expenses limit is applied per guardianship. Reimbursement includes legal fees directly related to finalizing the guardianship and other reasonable costs associated with facilitating and finalizing the guardianship (fingerprinting, birth certificates, travel costs, etc).

2. The child welfare agency is obligated to reimburse non-recurring expenses incurred by the successor(s) pursuing legal guardianship.

a. The application and agreement approving the non-recurring benefit must be signed prior to finalization of the guardianship.

b. Non-recurring expenses cannot be reimbursed by the child welfare agency without detailed receipts.

F. Once all requirements have been met, including the finalization of the guardianship, the KinGAP payments will transfer to the successor guardian. Payments will not be retroactive to the date of death or incapacity of the relative guardian.

1010.5.9 Fair Hearing

A. Fair hearings may be requested by the relative or successor guardian if:

1. Their initial application for assistance is denied;

2. The assistance payment is decreased without their approval; or

3. Their request for a change in payment level due to a change in the relative guardian(s) circumstances is denied; or

4. Assistance is denied, reduced or terminated and the family disagrees with the decision of the agency.

B. The right to a hearing and the method by which the relative guardian may obtain the hearing shall be stated in writing and provided to the relative guardian at the time of written notice regarding the denial, reduction or termination of assistance.

C. Successor guardian cases carry the same fair hearing rights as relative guardian KinGAP cases.

1010.5.10 Eligibility for Title IV-E Adoption Assistance Program

If a child was eligible for Title IV-E adoption assistance when he/she entered KinGAP, the child will continue to be eligible for the IV-E Adoption Assistance Program if the child is later adopted by their relative guardian. Adoption assistance is negotiated as if he/she had not been in KinGAP.

Adoption may include reimbursement for non-recurring expenses, but does not include completion of home study and assistance with termination of parental rights by the child welfare agency.

1010.6 Jurisdictional Actions

1010.6.1 **Development of Internal Policies:** Agencies which provide child welfare services shall develop internal policies and procedures as necessary to implement the provisions of Federal and State law and this policy.

1010.6.2 **Timelines:** Policy/procedure development and implementation of the KinGAP shall be completed within 90 calendar days of approval and distribution of this policy.

1010.6.3 **Documentation:**

A. **Case File Documentation:**

Table 1010.1 Case File Documentation for KinGAP Policy

File Location	Data Required
Primary Case File	CASE FILE: **1.** Documentation of steps taken to determine that reunification or adoption is not an appropriate permanency option for the child; **2.** If applicable, documentation of reasons child was separated from siblings during placement; **3.** Documentation of reasons a permanent placement with a relative, through the KinGAP, is in the best interests of the child; **4.** Documentation of all efforts made to discuss adoption of the child by the relative as an alternative to appointment as the legal guardian of the child and the reason that the relative has chosen not to pursue adoption; and **5.** Documentation of all efforts made to discuss with the birthparent of the child the agreement to provide assistance to a relative or the reason that the agency was unable to discuss the agreement with the birthparent of the child, as applicable. **6.** All forms related to KinGAP

B. UNITY Documentation (electronic):

Table 1010.2: UNITY Documentation for KinGAP Policy

Applicable UNITY Screen	Data Required
▪ Case Plan (CFS076)	▪ Permanency Goals Tab o Child must have a Primary Goal of GRDNSHPBYRELATIVE or GRDNSHPBYUNRLTD. ▪ Permanency Goals Tab: Compelling Reasons button o Documentation of steps taken to determine that reunification or adoption is not an appropriate permanency option for the child; o reasons child was separated from siblings during placement; o reasons a permanent placement with a relative, through the KinGAP, is in the best interests of the child; and o all efforts made to discuss adoption of the child by the relative as an alternative to appointment as the legal guardian of the child and the reason that the relative has chosen not to pursue adoption. ▪ CFT Tab and Summary button o Documentation of all efforts made to discuss with the birthparent of the child the agreement to provide assistance to a relative or the reason that the agency was unable to discuss the agreement with the birthparent of the child, as applicable.
▪ KinGAP Checklist (CFS533)	▪ Documentation of the completion of items required for KinGAP eligibility. o Documentation of whether or not the child is a sibling under and existing Nevada KinGAP with the same relative; o if the child entered child welfare custody by voluntary agreement of the parent or guardian or by court order; o if reasonable efforts have been made to reunify the child or the court has found that efforts to reunify are not required; o if the child is a native American child and summary of efforts made; o if steps to determine adoption is not in the child's best interest have been taken, a summary of efforts made, and why the relative foster parent has not chosen to pursue adoption;

Applicable UNITY Screen	Data Required
	○ if the relative caregiver had placement of the child for a minimum of 6 consecutive months while licensed as a foster home; ○ if the relative caregiver demonstrates a strong commitment to caring for the child and a summary of evidence; ○ if the child is 14 or older and has agreed to the guardianship, who witnessed the agreement, and the date. ○ Child Welfare Agency Program Manager and Administrator signatures. ○ Guardianship Granted Date and the Subsidy Worker to be assigned to the KinGAP case.
▪ KinGAP Agreement (CFS534)	▪ Documentation of the contract between the Child Welfare Agency and the Guardian (initial and renewals) ○ Documentation of whether the child currently lives in the home; ○ if the child has married, emancipated, or enlisted in the military; ○ if the child has become eligible for special benefits or if benefits have changed; ○ if the child has income from any other sources; ○ if the child is school age and if are they attending school; ○ types of services being provided and payment amounts; ○ reasons for termination, amendment, or suspension of an agreement; ○ Successor Guardian First and Last names, Street Address, City, State, Zip Code and Phone Number.

1010.6.5 Supervisory Responsibility:

A. Ensure a child's relatives are informed about the potential for KinGAP during the initial relative notification process when a child enters foster care.

B. Administrative approval must be granted prior to KinGAP becoming the preferred permanency plan.

C. Prior to qualification for KinGAP, it must be determined that other sources of financial resources are not appropriate or available.

D. Review case plans to include specific information for a child with a permanency goal of relative guardianship through the KinGAP.

E. Ensure staff follow the KinGAP policy and procedures in its entirety.

1010.7 State Responsibilities

1010.7.1 State Oversight:

A. The State will provide technical assistance regarding program development and implementation to the child welfare agencies.

1010.8 Policy Cross Reference

1010.8.1 Policies:

A. 0204 - Case Planning

B. 0701 - Interstate Compact on the Placement of Children (ICPC)

1010.9 Forms/Attachments

1010.9.1 FPO 1010A – KinGAP Approval Checklist

1010.9.2 FPO 1010B – KinGAP Successor Guardian Notification Form

1010.9.3 FPO 1010C – KinGAP Successor Guardian Initial Acknowledgement