

Child and Family Services Policy Manual: Substitute Care for Children Foster Child – Income or Resources

Purpose This section clarifies the circumstances and time frames under which the Department will become payee for income or resources available to children in out-of-home care.

Income Sources In all cases, the placing Child Protection Specialist asks the parent or guardian about possible income sources available to the foster child. These sources may include:

- Social Security Benefits (S.B.) - death and survivor benefits, retirement benefits, disability benefits;
- Supplemental Security Income (SSI);
- Veterans Administration Benefits;
- Railroad Retirement Benefits; or
- Trust Income.

When the Department is partially or fully funding the cost of out-of-home care and the child will be in placement for 60 days or longer, the Regional SSI Specialist must apply for the Department to become payee. The central office address (P.O. Box 8005, Helena, MT 59604) will be used on all requests to become payee so it receives all monthly checks and correspondence.

All funds received will be utilized in accordance with DPHHS policy 403-2, Trust Accounts. All paperwork to continue eligibility for benefits will be completed in the central office, with the assistance of field staff, when appropriate. The Regional SSI Specialist should notify the Social Security Administration when a child enters a new placement, enters or leaves a placement funded more than 50% by Medicaid, or leaves foster care.

Children lose their eligibility for SSI cash assistance when they are placed in a correctional facility such as Pine Hills School so the Social Security Administration should be notified immediately of these placements.

Exceptions If the child will be in care for less than 60 days, the Child Protection Specialist and his or her supervisor may choose not to apply for the resources if, in doing so, the parent or guardian

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would be financially unable to provide a suitable home environment for the child when he or she returns home. Justification for not applying for available income must be approved by the Regional Administrator. The Child Protection Specialist's written request and Child Protection Specialist Supervisor's and Regional Administrator's approvals must be filed in the child's case record.

Children with SSI CAPS

The Department will become payee for a child's Supplemental Security Income if the Department has been granted custody, supervision, or control of the child and is funding the child's cost of care. If the Department is not funding the cost of care, it should be noted in the case notes that the child is receiving SSI benefits and SSI Medicaid by adding SSI eligibility to CELL. Children in foster homes and groups homes qualify for the Montana State Supplemental Payment. Department Form 108 should be submitted to the Social Security Administration to initiate this payment.

In cases where DPHHS does not make foster care payments, SSI may be paid directly to the foster parent or institution providing care to the child. In these instances it should be noted in case notes, by adding SSI eligibility to CELL, that the child is receiving SSI benefits. If the child is denied benefits in the future, it is our responsibility to appeal the decision on behalf of the child.

SSI Resources

Children receiving SSI benefits may have resources up to \$2,000.00. Resources = current balance minus income received in the current month.

SSI/ IV-E Eligibility

Children receiving SSI benefits at the time of removal are not automatically eligible for IV-E. IV-E eligibility must be determined as for any other child at the time of removal. IV-E dollars cannot be used for foster care maintenance any month in which SSI funds were issued; therefore, even though a child may be determined IV-E eligible, funding may not begin until a later date when the decision is made to suspend the SSI funds.

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