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**LEGAL BASE**

The Michigan Department of Human Services (DHS) provides both title IV-E funded and state-funded guardianship assistance programs (GAP) for foster children placed in juvenile guardianships. The title IV-E funded program is based on federal Public Act 110-351. The state funded program is based on Public Act 260 of 2008, as amended. Eligibility for either of these programs requires a DHS-3313, Guardianship Assistance Agreement.

**FUNDING SOURCE**

Depending on the child's eligibility, guardianship assistance is funded by either federal title IV-E or state funds.

**PURPOSE**

The purpose of guardianship assistance is to provide financial support to ensure permanency for children who may otherwise remain in foster care until reaching the age of majority. Guardianship assistance supports the goals of the Adoption and Safe Families Act of 1997 (AFSA), which determined that guardianship provides permanency for foster children when reunification and adoption are not viable permanency goals.

The transfer of legal responsibility removes the child from the child welfare system, allows a caregiver to make important decisions on the child's behalf, establishes a permanent caregiver for the child, and addresses financial needs through ongoing assistance payments. Juvenile guardianship should not be used for temporary placement of children. The program is specifically for children who would remain in foster care until age 18 if the juvenile guardianship was not established.

**Guardianship  
Assistance**

In order for a child to be eligible for guardianship assistance, the child must be in licensed foster care and meet either title IV-E or state funded guardianship assistance requirements (see GDM 715). Eligibility must be certified by DHS and a DHS-3313, Guardianship Assistance Agreement, must be signed by the guardian and the DHS designee before the court's appointment of the guardian.

**Medicaid**

Children who qualify for title IV-E funded guardianship assistance are categorically eligible for Medicaid.

The DHS Subsidy Office will determine Medicaid eligibility for children who qualify for state funded guardianship assistance. Children who meet asset and income criteria as a family of one in the guardianship will receive Medicaid through the guardianship assistance program.

**Nonrecurring  
Expenses**

Children who qualify for guardianship assistance are eligible for nonrecurring expenses reimbursement (see GDM 730).

**Medical Subsidy**

Children who meet eligibility criteria for guardianship assistance are eligible for the Medical Subsidy program as described in GDM 735. Medical subsidy applications may be submitted either before or after the appointment of the guardian and may be approved up to the child's 18th birthday. Specific medical and/or mental health conditions must be certified and a Medical Subsidy Agreement must be signed by the guardian and the DHS designee before the coverage begins.