OVERVIEW

The Young Adult Voluntary Foster Care (YAVFC) program provides youth, age 18 to 21, with extended foster care benefits that include financial stipends and case management.

INITIAL ELIGIBILITY CRITERIA

Consideration for YAVFC is available to youth who were in out-of-home placement after being referred or committed to the Michigan Department of Health and Human Services (MDHHS) for care and supervision at the age of 18 years old. Youth requesting to participate in YAVFC must meet either of the following criteria:

- **Extending** an open foster care case.
  
  The youth is currently receiving foster care services and is at least 18, but less than 21 years-old.

- **Entering/Re-entering** YAVFC after case closure.
  
  The youth exited foster care/YAVFC after reaching 18 years old, but is less than 21 years-old.

  Note: Youth with a delinquency (DL) court case must have a dual child abuse/neglect case to be considered for eligibility.

PROGRAM REQUIREMENTS

To qualify for an extension of foster care services and receive foster care maintenance payments the youth must meet one of the following conditions:

- Actively completing high school or a program leading to a general educational development (GED).

- Enrolled at least part-time in a college, university, vocational program, or trade school.

  - A youth who is on semester, summer, or other break, but was enrolled the previous semester and will be enrolled after the break, is considered enrolled in school.

  - A school determines if a student is enrolled in the institution. Once the school no longer considers a youth
enrolled, he/she begins the grace period; see Grace Period in this policy.

- Employed at least part-time or participating in a program that promotes employment (such as Job Corps, Michigan Works!, or another employment skill-building program) for at least 80 hours per month. It may be at one or more places of employment and/or a combination of the above activities.

  Note: Federal guidelines do not allow for self-employment to be used for YAVFC eligibility.

- Volunteering for a community organization for at least 80 hours per month, or in combination with education or employment to meet minimum eligibility requirements.

  Note: Volunteering for MDHHS or other child welfare agency caseworkers does not qualify. Community organization representative must document hours spent volunteering.

- Incapable of the above educational, employment, or volunteer activities due to a documented medical condition.

  Note: If eligibility is based on incapacity expected to last more than one year, the caseworker must assist the youth in applying for Supplemental Security Income (SSI) if applicable; see FOM 902-10, SSI Benefits Application and Determination.

**VERIFICATION OF ELIGIBILITY**

Verification of eligibility must be documented in writing and uploaded into MiSACWIS under Eligibility on the Financial screen. The youth must provide documents verifying eligibility to the caseworker prior to signing the DHS-1297, YAVFC Agreement. The following verification forms can be used to document eligibility:

- **DHS-3380, Verification of Student Information** (may also be used to verify vocational training or trade school).

- **DHS-38, Verification of Employment** (may also be used to verify an alternative to employment, such as volunteering). Verification of volunteering not documented on the DHS-38 must be by a representative of the community organization and written on organization letterhead.

- **DHS-54A, Medical Needs**.
Alternative Verification

Alternative forms of eligibility verification may be accepted. This can include:

- Pay stubs that include employer and youth names.
- Work Number printout.
- Letter from school on letterhead showing dates of enrollment.
- Other documentation as approved by program office.

Questions regarding alternative forms of eligibility verification should be directed to MDHHS-YAVFC@michigan.gov.

Ongoing Verification of Eligibility

Ongoing verification of eligibility is required at least quarterly, to coincide with the case service plan due date. Proof of eligibility must accompany the updated case service plan. The supervisor must review and verify the youth’s eligibility. If the youth does not meet eligibility requirements, the caseworker must follow Reporting Eligibility Changes in this policy.

The caseworker must provide the youth with the appropriate eligibility verification form at least 45 calendar days prior to the case service plan due date.

The youth must give the completed form or other acceptable verification of eligibility to the caseworker by the due date.

**Exception:** The DHS-54A, Medical Needs form, may be submitted on an annual basis if the youth’s condition is expected to persist for more than one year, and there is a pending application for SSI.

Reporting Eligibility Changes

**Youth**

Youth must report changes that affect YAVFC eligibility to his/her caseworker within three business days of the change. Failure to report changes timely may affect a youth’s eligibility; see FOM 902-21, YAVFC Funding and Payments.
Note: It is the caseworker’s responsibility to review reporting requirements with the youth when signing the DHS-1297, YAVFC Agreement.

Primary Foster Care Caseworker

The primary foster care caseworker must report changes that affect a youth’s funding eligibility to the child welfare funding specialist (CWFS) within three business days via the DHS-650-YA, Young Adult Voluntary Foster Care Checklist.

Changes that must be reported to the CWFS include:

- The date a youth starts a grace period and the date the grace period is scheduled to end.
- A youth’s living arrangement; for example, address changes, foster family license changes, child caring institution license changes, return to the biological parent’s home, or incarceration.
- Changes in the youth’s family composition; for example, the youth has a child, custody change, or the minor child moves in/out of the youth’s home.
- SSI/RSDI starting or stopping.
- Case closure.
- Caseworker change or agency change.

Grace Period

A grace period is the period of time after the youth ceases to meet program requirements when eligibility can be re-established without penalty; see FOM 902-21, Young Adult Voluntary Foster Care (YAVFC) Funding and Payments.

Grace periods are applied as follows:

- Youth are allowed a 30-day grace period in which to re-establish eligibility.
- Youth are allowed up to three grace periods per fiscal year.
- A grace period begins the day immediately following the day the youth becomes ineligible, whether it is reported timely to the caseworker.
• Within one business day of discovering the youth is no longer meeting the eligibility requirements, the caseworker must schedule a 90-Day Discharge Planning Meeting; see Family Team Meeting (FTM) Requirements in this policy.

• During the grace period, the caseworker must actively assist the youth in re-establishing the employment, education, or incapacitating medical condition requirements and include documentation of these efforts in the service plan.

• YAVFC payments and Medicaid coverage continue during grace period status.

  Exception: YAVFC payments will not continue if the youth enters a non-reimbursable placement. However, the youth will continue to be eligible for case management services during the grace period.

A grace period may not be used for youth who become ineligible due to one of the following circumstances:

• Reaches his or her 21st birthday.

• Enters active duty military service, excluding the Reserve Officers’ Training Corps (ROTC) or a reserve component of the Armed Forces, see Termination of YAVFC in this policy.

• Legally adopted.

• Marriage.

• Death.

YOUNG ADULT VOLUNTARY FOSTER CARE AGREEMENT

The DHS-1297, Young Adult Voluntary Foster Care (YAVFC) Agreement, is an agreement that outlines eligibility requirements in the areas of education, employment, living arrangement, residence notification, visitation, and case reviews. Youth are eligible for foster care services and payments on the date the DHS-1297, YAVFC Agreement is signed.
Youth Extending

The option of YAVFC must be discussed during Semi-Annual Transition Meetings, 90-Day Discharge Planning Meetings, and at least 30 calendar days prior to the youth’s 18th birthday as a part of a monthly home visit.

Youth must sign a **DHS-1297, YAVFC Agreement**, before participating in YAVFC. **The youth is not eligible for YAVFC service or payments until the agreement is signed.** The agreement may not be signed until all of the following have occurred:

- The youth reaches 18 years old.
- The caseworker has received verification of eligibility.
- Family/juvenile court jurisdiction has been dismissed on or after the youth’s 18th birthday, and the caseworker has received the written court order; see **Judicial Determination** in this policy.
- The superintendent of the Michigan Children’s Institute has discharged state wards (if applicable); see **FOM 722-15, Case Closure**.

The original YAVFC agreement must be placed in the youth’s record, a copy must be given to the youth, and a copy must be uploaded into MiSACWIS under Eligibility on the Financial screen.

Youth Entering/Re-entering

The intake process for youth entering/re-entering YAVFC is as follows:

- Youth who request to enter YAVFC must be referred to the MDHHS office in the county in which s/he resides.

  **Note:** Youth must live in the state of Michigan at the time of entry/re-entry in YAVFC; see **Residency Requirements** in this policy.

- A non-CPS intake must be entered in MiSACWIS and YAVFC eligibility determined on the financial screen.
• Within three calendar days of a young adult’s written or verbal request, the case must be assigned to a caseworker.

• Within five business days of case assignment, the caseworker must visit the youth in his/her placement or living arrangement and explain YAVFC requirements.

• If the youth agrees to participate in YAVFC, the caseworker must provide the youth with the appropriate eligibility verification form. The form must be completed and returned within 10 calendar days. The caseworker must follow up with the youth to provide any needed assistance; see Verification of Eligibility in this policy.

• Upon returning the completed eligibility verification form, the youth must sign the DHS-1297, YAVFC Agreement.

The original DHS-1297, YAVFC Agreement must be placed in the youth’s record and a copy must be:

• Given to the youth.

• Filed with the Circuit Court Family Division (CCFD) 20, Ex-Parte Petition Regarding Young Adult Voluntary Foster Care; see Judicial Determination in this policy.

• Uploaded into MiSACWIS under Eligibility on the Financial screen.

Court Appointed Guardians

If there is a court order of mental incompetency and there is a court appointed guardian for the youth, the guardian is responsible for signing the DHS-1297, YAVFC Agreement.

JUDICIAL DETERMINATION

Federal guidelines require courts to make a judicial determination that remaining in foster care is in the youth’s best interests. If the order containing this finding is not signed by the judge or referee within 180 days of the date the youth signed the DHS-1297, YAVFC Agreement, the youth is no longer eligible for the YAVFC Program and the case must be closed.
Extended Foster Care Services

A youth may **not** participate in YAVFC until family/juvenile court jurisdiction is dismissed. The following steps must be completed to extend a YAVFC case:

- Once the decision for a youth to participate in YAVFC has been made, the caseworker must request that the court schedule a review hearing for dismissal of the youth's child abuse/neglect (CA/N) case.
- State wards must be discharged by the superintendent of the Michigan Children's Institute before participating in YAVFC; *FOM 722-15, Case Closing*.
- The court must terminate jurisdiction over the young adult by dismissing the CA/N case, and the Delinquency (DL) case if applicable, on or after the young adult’s 18th birthday.
- The caseworker must obtain a copy of the written court order dismissing the CA/N case, and the Delinquency (DL) case if applicable,
- As soon as possible, but no later than five business days after receiving a copy of the written court order, the caseworker must have the young adult sign the DHS-1297, YAVFC Agreement. **The young adult is not eligible for YAVFC until the agreement is signed.**

Ex-Parte Petition and Attachments

The primary foster care caseworker must file the Circuit County Family Division (CCFD) 20, Ex Parte Petition Regarding Young Adult Voluntary Foster Care in the county in which the youth resides, within 60 calendar days of the youth signing the DHS-1297, YAVFC Agreement. The following information must be attached to the Ex-Parte Petition Regarding Young Adult Voluntary Foster Care:

- DHS-1297, YAVFC Agreement.
- The applicable eligibility verification form(s).
- The most recent case service plan that includes the recommendation to participate in YAVFC.
• Any documentation that supports the youth’s efforts and participation in YAVFC.

If the youth resides in the county where the family/juvenile court jurisdiction is dismissed, the primary foster care caseworker may bring the completed CCFD 20, Ex-Parte Petition Regarding Young Adult Voluntary Foster Care, all required attachments, and the youth to the review hearing, so that the DHS-1297, YAVFC Agreement, can be signed and the petition can be filed immediately upon receipt of the written court order dismissing the CA/N case.

**Ex-Parte Filing Delays**

Ex-parte petitions filed more than 60 calendar days after the youth signs the agreement may be accepted by the court up to but not exceeding the 150th day after the agreement is signed.

**Court Responsibility**

After the agreement has been filed, the court will:

• Open a young adult voluntary foster care case. Determine, not later than 21 days after the date the report was filed, whether it is in the youth’s best interest to be in foster care.

• Serve the MDHHS and the youth with the CCFD 21, Order Regarding Voluntary Foster Care Agreement, which makes the best interest finding.

• Terminate jurisdiction over the youth.

  Note: A hearing is **not** required for this process but may be held on the court's own motion or at the request of the youth or the department.

After this process is complete, the department will retain full responsibility of the YAVFC case and reporting requirements to the court will cease.

**PLACEMENT AND LIVING ARRANGEMENT OPTIONS**

Matters to discuss when assisting a youth with living arrangement decisions include but are not limited to:
Youth in YAVFC may reside in one the following living arrangements:

- Licensed foster home.
- Licensed child caring institution.
- Licensed adult foster home.
- Approved setting in which the individual is living independently including, but not limited to, the following:
  - Rental home/apartment setting, with or without roommates.
  - College dormitory.
  - Relative home.
  - Friend/partner home.
  - Host home/supportive adult home.

Ineligible Placements

The following placement types are not eligible for payment:

- **AWOLP.** Youth in YAVFC who are placed with a paid provider who, without permission, do not return to their provider are considered AWOLP. Youth who are AWOLP are eligible for an unpaid grace period. The caseworker is required to complete diligent searches to locate the youth during the grace period; see FOM 722-03A, Absent Without Legal Permission (AWOLP). Youth returning from AWOLP to an eligible placement would become eligible for payment.

- **Jail/Incarceration.** Youth expected to be incarcerated for more than 30 days are eligible for an unpaid grace period.

- **Parental Home.** Placement with a legal or biological parent, whether parental rights have been terminated, is considered an ineligible placement. A grace period will not be applied when a
youth enters a parental home placement. The case must be closed, and payments stopped immediately; see FOM 902-21, Young Adult Voluntary Foster Care Funding and Payments.

REPORTING REQUIREMENTS

Case service plans are required for YAVFC cases. The DHS-442, Case Service Plan YAVFC, must be used for all YAVFC case plans, regardless of prior wardship.

For youth extending, entering, or re-entering YAVFC, an initial case service plan must be completed within 30 calendar days of the youth signing the DHS-1297, YAVFC Agreement, and at least every 90-calendar days thereafter.

CASEWORKER/ YOUTH VISIT REQUIREMENTS

Caseworker contacts for youth in YAVFC are subject to the same policy, documentation, and frequency requirements as any other foster care case; see FOM 722-06H, Caseworker Contacts.

Note: If a youth placed in independent living refuses to make face-to-face contact with his/her caseworker for 30 days, a grace period would be applied on the 31st day; see Grace Period in this policy.

Youth Extending

The caseworker must continue to meet with the youth at least monthly. These visits are subject to the same documentation and frequency requirements as an open foster care case; see FOM 722-06H, Caseworker Contacts.

Youth Entering/ Re-entering

During the first two months of the case assignment date, the caseworker must have two face-to-face contacts with the youth; at least one per month must occur in the placement. The first visit with the youth must take place within five business days from the date the case is assigned to the caseworker. The caseworker must continue to visit the youth in his/her placement/living arrangement monthly thereafter.
Youth Residing Out-of-State

Youth participating in YAVFC who reside out-of-state must have an in-person visit once a month with the primary foster care caseworker unless an interstate compact/out-of-state private agency is providing courtesy supervision. See Interstate Compact in this policy.

DHS-1295, Young Adult Monthly Visit Report

The DHS-1295, Young Adult Monthly Visit Report, must be completed with the youth during each home visit. The original must be placed in the case record and a copy must be given to the youth.

Residency Requirements

Youth must reside in Michigan in order to file the CCFD 20, Ex-Parte Petition Regarding Young Adult Voluntary Foster Care.

County of Residence

The county of residence is the county where the youth has a permanent address or where the youth lives the majority of the time.

Homeless Youth

The county where the youth resides the majority of the time may be used as the county of residence. For further clarification of homeless persons; see BEM 220, Homeless Persons.

Interstate Compact

If the receiving state permits the extension of foster care to age 21, that state may provide supervision of the youth participating in YAVFC. If the state will not agree to supervise the case, the sending state has the option to contract with a private agency in the receiving state for courtesy supervision.

If courtesy supervision cannot be secured, the assigned foster care caseworker is responsible for all case management requirements.
FAMILY TEAM MEETING (FTM) REQUIREMENTS

Semi-Annual Transition Meeting/Semi-Annual Case Review

For a youth extending his/her case into YAVFC, a Semi-Annual Transition Meeting must be completed within 180 days from the date of the previous Semi-Annual Transition Meeting. For youth entering/re-entering, a Semi-Annual Transition Meeting must be held within 30 days of the youth signing the DHS-1297, YAVFC Agreement. Each Semi-Annual Transition Meeting must then be completed within 180 days from the previous. The Semi-Annual Transition Meeting must follow currently established guidelines; see FOM 722-06B, Family Team Meetings.

Areas that must be addressed during the FTM include but are not limited to the following:

- Safety.
- Appropriateness and necessity of the placement.
- Compliance with the case plan.
- Permanency goals.
- Progress toward achieving independence, including whether appropriate and meaningful independent living skill services are being developed.
- Projected date by which the youth may no longer require extended foster care services.

**Note:** A neutral person without case management responsibility such as a permanency resource manager, supervisor, or program director, must facilitate the FTM. This is a requirement of title IV-E eligibility and must be documented; see FOM 902-21, Case Reviews.
90-Day Discharge Planning Meeting

Within one business day of discovering the youth is no longer meeting eligibility requirements, the caseworker must schedule a 90-Day Discharge Planning Meeting to be held within three business days, see FOM 722-06B, Family Team Meetings.

The 90-Day Discharge Planning Meeting must be held to determine how the youth will regain eligibility or prepare for discharge from foster care. The youth must be informed that his/her case will close if eligibility requirements are not met by the end of the grace period.

CHILD OF A YOUTH IN FOSTER CARE

Foster care maintenance payments are available for youth who are parents, as well as payment for the youth’s child, if that child is living or placed with the youth in the same home or child caring institution. Payments may be made for the child, regardless of the child’s wardship status or whether or not the child is under the care and supervision of MDHHS; see FOM 902-21, Youth Parent.

MEDICAID

Youth who are eligible for YAVFC are categorically eligible for Medicaid. The child of a parent in YAVFC is categorically eligible for Medicaid.

TERMINATION OF YOUNG ADULT VOLUNTARY FOSTER CARE

Self-Initiated Termination

Youth may terminate the DHS-1297, YAVFC Agreement, at any time, by notifying the caseworker, in writing, of his/her desire to terminate YAVFC.

MDHHS-Initiated Termination

MDHHS must terminate the DHS-1297, YAVFC Agreement, if the youth becomes ineligible. Ineligibility for YAVFC occurs when the youth:
• Discontinues his/her educational, vocational, or trade program, or volunteerism and does not re-enter a similar program or meet another eligibility requirement within the 30-calendar day grace period.

• Is no longer employed at least 80 hours per month and does not meet one of the other eligibility requirements within the 30-calendar day grace period.

• Is no longer deemed incapable due to a medical condition and does not meet one of the other eligibility requirements within the 30-calendar day grace period.

• Refuses to contact the caseworker for more than 30-calendar days and does not make contact within the 30-calendar day grace period.

• Is incarcerated for more than 30 calendar days.

• Reaches his/her 21st birthday.

• Enters active duty military service.

**Exception:** Membership in the Reserve Officers’ Training Corps (ROTC) or a reserve component of the Armed Forces, does not disqualify a youth for YAVFC, unless participation requirements exceed 21 consecutive calendar days of active duty or training responsibilities.

• Is legally adopted.

• Marries.

• Dies.

**Case Closure Process**

If the grace period ends and ineligibility continues, the caseworker must initiate case closure within one business day by completing the following steps:

• Notify the youth, either verbally or in writing that a request is being made to close his or her case.

• Submit a DHS-1302, YAVFC Case Closure Request, to the supervisor.
• Obtain the supervisor’s signature of approval.

• Send the approved request to one of the following:
  • In a designated county, the county child welfare director.
  • In any other county, the county director.
  • For a private child placing agency provider, the agency’s director.

• If the director approves the case closure, send a DHS-1301, YAVFC Case Closure Notice, to the youth and uploaded in the Financial section of MiSACWIS.

• If the director denies the closure, schedule an FTM within one business day of receiving the denial, and conduct the FTM within three business days to determine how the youth will regain eligibility.

YAVFC RE-ENTRY

Regardless of the reason for a prior YAVFC case closure, youth may re-enter YAVFC, before the age of 21, if eligibility requirements are met.

Youth requesting to re-enter YAVFC must have a new CCFD 20, Ex-Parte Petition Regarding YAVFC, including all attachments, filed with the court; see Judicial Determination in this policy.

Youth must also receive a new initial funding determination; see FOM 902-21, Young Adult Voluntary Foster Care Funding and Payments.

JOB AIDS

YAVFC Extending Intake and Court Process

YAVFC Entry Timeframes

YAVFC Training

YAVFC Payment Job Aid
LEGAL BASE

Federal Law

Social Security Act, 42 U.S.C. 672(f)(1)
Social Security Act, 42 U.S.C. 672(f)(2)
Social Security Act, 42 U.S.C. 675(8)

45 CFR 1356.21(k)

State Law

Young Adult Voluntary Foster Care Act, MCL 400.641 - 400.663

Court Rules

MCR 3.616. Proceeding to Determine Continuation of Voluntary Foster Care Services

POLICY CONTACT

Questions about this policy may be directed to the MDHHS-YAVFC mailbox.