
OVERVIEW

The purpose of guardianship assistance is to provide financial support to ensure permanency for children who would otherwise remain in foster care until reaching the age of majority.

Guardianship assistance supports the goals set forth in the Adoption and Safe Families Act of 1997 (AFSA), which determined 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, when eligible. 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 is not established.

Guardianship Assistance

In order for a child to be eligible for guardianship assistance, the child must be in a licensed foster care home and meet either title IV-E or state funded guardianship assistance requirements; see [GDM 715, Juvenile Guardianship Assistance Eligibility](#).

Eligibility for the juvenile guardianship assistance program (GAP) is determined by the Michigan Department of Health and Human Services (MDHHS) Adoption and Guardianship Assistance Office (AGAO).

A DHS-3313, Guardianship Assistance Agreement, must be signed by the guardian(s) and the MDHHS AGAO program manager or designee before the court's appointment of the guardian(s).

Medicaid

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

The AGAO 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, Nonrecurring Expenses Eligibility and Reimbursement-Guardianship Assistance](#) for more information.

Medical Subsidy

Children who meet eligibility criteria for juvenile guardianship assistance are eligible to apply for the Medical Subsidy program as described in [GDM 735, Juvenile Guardianship Medical Subsidy Eligibility](#). Medical subsidy applications may be submitted either before or after the appointment of the guardian(s) and an agreement may be entered prior to the child's 18th birthday. Specific medical and mental health conditions must be certified, and a Medical Subsidy Agreement must be signed by the guardian(s) and the MDHHS AGAO program manager or designee before the coverage begins.

LEGAL AUTHORITY

MDHHS provides both title IV-E funded and state-funded guardianship assistance programs for foster children placed in juvenile guardianships. The title IV-E funded program is based on federal Public Act 110-351 (Social Security Act, 42 USC 673). The state funded program is based on Public Act 260 of 2008, as amended. Eligibility for either of these programs requires a DHS-3313.

FUNDING SOURCE

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

POLICY CONTACT

Questions about this policy item may be directed to the [Child Welfare Policy Mailbox \(Child-Welfare-Policy@michigan.gov\)](mailto:Child-Welfare-Policy@michigan.gov).