

Emergency Placement vs. Compelling Reason

Emergency Placement (Relative/NREFM only)	Compelling Reason (May be anyone)
<p>Definition: “Emergency placement” means a placement of a child or nonminor dependent (NMD) with a relative or nonrelative extended family member (NREFM¹) prior to Resource Family Approval (RFA)² pursuant to Welfare and Institutions Code (WIC) section 361.4. (Effect. 1/1/18; current WIC §§ 309 & 361.45)</p>	<p>Definition: “Compelling Reason” means a decision to place a child with an applicant prior to approval as a Resource Family based upon the best interest of the child, to include maintaining a child’s family-like connections.</p>
<p>Differences: Background Check and Home Inspection Prior to an Emergency Placement, a County:</p> <ol style="list-style-type: none"> (1) Conducts a criminal background clearance check that includes a Child Abuse Central Index (CACI) and California Law Enforcement Telecommunications System (CLETS) for a relative or NREFM and adults residing in the home pursuant to WIC§ 16504.5. This is followed by a Live Scan (FBI, DOJ) within 10 calendar days after placement is made. CLETS is a name-based criminal check and could be inaccurate versus a Live Scan which is fingerprint based. (2) Conducts a brief home inspection which includes a County inspecting the home and grounds to determine that they are free of conditions that may pose an undue risk to health and safety of the child or NMD. 	<p>Differences: Background Check Assessment and Home Health and Safety Assessment Prior to a Compelling Reason Placement:</p> <ol style="list-style-type: none"> (1) RFA application has been received, (2) Home Health and Safety Assessment (as documented on RFA 03) has been completed and corrections have been made and (3) The background check assessment of the applicant and adults residing or regularly present in the home has been completed. This includes Live Scan, DMV, Megan’s Law Registered Sex Offered Check, and an Administrative Action Records System (AARS)³ and Licensing Information System (LIS)⁴ checks, and if applicable, criminal record exemptions and clearances based on investigations for serious arrests.
<p>Requirements SECTION 7-01: Emergency Placement with Relative or NREFM</p> <ul style="list-style-type: none"> ▪ Within 5 business days after a child or NMD is temporarily placed with a relative or NREFM, a County shall: <ul style="list-style-type: none"> ○ Discuss funding options available to a relative or NREFM ○ Provide a relative with a blank copy of form CW 2218 “Rights, Responsibilities and Other Important Information” and form CW 2219 “Application for California Work Opportunity and Responsibility to Kids (CalWORKs)” for all eligible children temporarily placed with the relative.⁵ (Best Practice tips: Assist the family with completing the application). NREFMs are not eligible for a CalWORKs payment on behalf of the child in this situation. 	<p>Requirements SECTION 7-02: Placement Based on Compelling Reason</p> <ul style="list-style-type: none"> ▪ Complete the Permanency Assessment and prepare the Written Report within 90 calendar days of the date a child or NMD was temporarily placed with the applicant, unless good cause exists. If good cause exists, a County shall document the reasons for the delay and generate a timeframe for completion. ❖ An applicant is not eligible to receive an AFDC-FC or state foster care payment until the applicant is approved as a Resource Family and the child or NMD meets all other eligibility criteria. The temporary placement of a child or NMD with an applicant pursuant to this section does not ensure approval as a Resource Family.

¹ See [ACIN I-39-15](#) for information regarding expansion of NREFM definition.

² Reference: [RFA Written Directives Version 4.1](#)

³ A check for prior licensing-related administrative actions contained in the Administrative Action Records System (AARS) database maintained by the Department, and a check for prior Resource Family-related administrative actions contained in the AARS and Notice of Action databases maintained by the Department.

⁴ A check for prior licensing history and criminal record exemption denial or rescission actions contained in the Licensing Information System (LIS) database maintained by the Department.

⁵ See [ACL 16-45](#)

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- Begin the RFA process with the applicant which includes submission of the RFA Application and a Comprehensive Assessment of the family. The Comprehensive Assessment includes the Home Health and Safety Assessment (including the background checks), and Permanency Assessment. The Comprehensive Assessment and the Written Report will be completed within 90 calendar days of the date a child or NMD was temporarily placed with the applicant, unless good cause exists. If good cause exists, a County shall document the reasons for the delay and generate a timeframe for completion.

- ❖ An applicant is not eligible to receive an AFDC-FC or an ARC payment until the applicant is approved as a Resource Family and the child or NMD meets all other eligibility criteria. The temporary placement of a child or NMD with an applicant pursuant to this section does not ensure approval as a Resource Family.