



**DCY GUIDANCE LETTER 24-017  
DIVISION OF POLICY**

**TO:** Directors and Administrators, Public Children Services Agencies  
Administrators, Title IV-E Courts

**FROM:** Gina Speaks-Eshler, Deputy Director of Policy

**DATE:** June 11, 2024

**SUBJECT:** Kinship Guardianship Assistance Program (KGAP) Requirements and Workflow

**Background**

The Kinship Guardianship Assistance Program (KGAP) became effective in January 2023 pursuant to Ohio Revised Code (ORC) [5101.1416](#), [5101.1411](#), and [5153.163](#). KGAP provides a monthly subsidy to eligible children and kinship caregivers until the child is 18 or 21 years of age. The Department of Children and Youth (DCY) offers three (3) KGAP programs to benefit eligible children, young adults, and kinship caregivers statewide. They are Title IV-E federal KGAP, State KGAP and federal KGAP Connections to Twenty-One (KGAP C21). The state of Ohio provides the non-federal match for the KGAP. Federal and State KGAP are administered by both the Public Children Services Agencies (PCSA) and DCY. The PCSA determines the eligibility of the child and kinship caregiver and assists the kinship caregiver in applying for KGAP to DCY. DCY reviews the application, ensures all required information for eligibility is complete, and contacts the kinship caregiver to negotiate subsidy and obtain signatures on the KGAP agreement. KGAP C21 is administered solely by DCY with no PCSA collaborative requirements. DCY is responsible for assisting young adults and their kinship caregiver with the application for KGAP C21 program benefits, including determination of initial and ongoing eligibility.

**Purpose**

This communication is to provide an overview of KGAP eligibility requirements, the essential steps for the PCSA to complete, and the established timeframes critical to ensuring a child and kinship caregiver receive KGAP subsidy. **In order for kinship caregivers to receive KGAP subsidy, an agreement between the kinship caregiver, PCSA, and DCY must be developed and signed prior to a court awarding the kinship caregiver legal custody/guardianship of the child.**

**Guidance**

PCSA are to submit an application for KGAP through Ohio Comprehensive Child Welfare Information System (Ohio CCWIS) and notify DCY at least 30 days prior to the court date in which the kinship caregiver is to receive legal custody/guardianship. This provides adequate time for the DCY staff and the PCSA staff to work with the kinship caregiver to negotiate monthly subsidy, develop the agreement and obtain all signatures prior to the award of legal custody/guardianship.

If an application is submitted through Ohio CCWIS and it is less than 30 days prior to the court hearing, the PCSA should consult with legal counsel to request the rescheduling of the court hearing for a later date to ensure the kinship caregiver will receive KGAP subsidy for the child.

KGAP Eligibility Requirements	
<u>CHILD</u>	<u>KINSHIP CAREGIVER</u>
<ul style="list-style-type: none"> <li>✓ Removed as a result of a voluntary placement agreement or a judicial determination that continuation in the home is not in the child's best interest.</li> <li>✓ Reunification or adoption are not appropriate permanency options.</li> <li>✓ Placed with a certified kinship caregiver(s) for at least six consecutive months prior to obtaining legal custody/guardianship.</li> <li>✓ Is a citizen or legal resident of the United States and legal custody/guardianship granted in the US.</li> <li>✓ Has a strong attachment to the kinship caregiver(s).</li> </ul>	<ul style="list-style-type: none"> <li>✓ Certified as a foster home.</li> <li>✓ Has cared for the eligible child as a certified foster caregiver(s) for at least six consecutive months. (<i>Six months can consist of one day in the beginning month and last month of the sequence.</i>)</li> <li>✓ Has either a kinship relationship with the child or has obtained a ruling indicating a kinship relationship exists.</li> <li>✓ Has a strong commitment to caring permanently for the child.</li> <li>✓ Has entered a KGAP agreement <u>prior</u> to receiving legal custody/guardianship.</li> <li>✓ Must name a primary successor legal guardian in the agreement.</li> </ul>
<ul style="list-style-type: none"> <li>✓ If the child is at least 14 years of age, the child was consulted regarding the kinship guardianship arrangement.</li> </ul>	<ul style="list-style-type: none"> <li>✓ Must receive a court order granting legal custody/guardianship of the child to receive the monthly subsidy.</li> </ul>
<ul style="list-style-type: none"> <li>✓ If the child is close to 16 years of age, the child may be eligible for extended KGAP benefits through KGAP C21 when the KGAP agreement is effective, and legal custody is granted, on or after the child's 16<sup>th</sup> birthday.</li> </ul>	<ul style="list-style-type: none"> <li>✓ Are eligible to receive reimbursement of nonrecurring expenses incurred during and related to the legal custody/guardianship process up to two thousand dollars. These funds may be received even if the KGAP placement disrupts.</li> </ul>

## KGAP Essential Steps OVERVIEW

<b>Step 1</b>	PCSA determines the child's eligibility per the above listed criteria.
<b>Step 2</b>	PCSA determines the kinship caregiver's eligibility per the above listed criteria.
<b>Step 3</b>	<p>PCSA updates the family Case Plan goal or concurrent plan objective as "legal custody/guardianship to relative/kinship".</p> <ul style="list-style-type: none"> <li>• After the plan is approved the PCSA answers the six (6) questions specific to the agency's efforts and reasons why permanent placement with a kinship caregiver is in the best interests of the child in Ohio CCWIS.</li> <li>• The PCSA completes the child and kinship caregiver eligibility in Ohio CCWIS.</li> </ul>
<p><b>Note: To be eligible for KGAP, the youth must be placed as a foster child for six months.</b></p> <ul style="list-style-type: none"> <li>• <b>The kinship caregiver status for the child must be foster care placement.</b></li> <li>• <b><u>After the child has been in the certified kinship caregiver foster home as a foster care placement for 3-4 months, begin Step 4.</u></b></li> </ul>	
<b>Step 4</b>	<p>PCSA completes the following:</p> <ul style="list-style-type: none"> <li>• Provides the kinship caregiver with either the Federal KGAP or State KGAP application. <ul style="list-style-type: none"> <li>○ The <b>Federal KGAP</b> application is to be used when a child is IV-E eligible and qualifies for federal funding.</li> <li>○ The <b>State KGAP</b> application is to be used for a child that is not IV-E eligible.</li> </ul> </li> <li>• Assists the kinship caregiver in completing and signing the application as needed.</li> <li>• Provides the kinship caregiver(s) with an approval or denial of their KGAP application.</li> <li>• If the caregiver KGAP application is denied, PCSA will notify the kinship caregiver(s) and provide state hearing rights.</li> <li>• If approved, PCSA uploads the signed application in Ohio CCWIS. <ul style="list-style-type: none"> <li>○ <b>The completed application and eligibility record is to be submitted at least 30 days before the court date in which the kinship caregiver is to receive legal custody/guardianship of the child.</b></li> </ul> </li> </ul>
<b>Step 5</b>	<p>PCSA notifies DCY, via email to inform a completed application and eligibility record has been submitted in Ohio CCWIS:</p> <ul style="list-style-type: none"> <li>• Federal KGAP Application: <a href="mailto:FederalKGAP@childrenandyouth.ohio.gov">FederalKGAP@childrenandyouth.ohio.gov</a></li> <li>• State KGAP Application: <a href="mailto:StateKGAP@childrenandyouth.ohio.gov">StateKGAP@childrenandyouth.ohio.gov</a></li> </ul> <p><b>The email notification is to be sent when the application is uploaded into Ohio CCWIS and contains the following:</b></p> <ul style="list-style-type: none"> <li>• Subject Line identifies the applicant type: <ul style="list-style-type: none"> <li>○ Federal KGAP Applicant</li> <li>○ State KGAP Applicant</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>• Narrative content: <ul style="list-style-type: none"> <li>○ Name and contact information of the kinship caregiver, including the best way to contact the caregiver.</li> <li>○ Child's Name and Person ID number.</li> <li>○ The date of the court hearing to request legal custody/guardianship to be granted to the kinship caregiver, if scheduled.</li> <li>○ Name and email of PCSA staff contact. (This should be the person who can address any questions for this case.)</li> <li>○ Name and email of PCSA staff who should receive the completed and signed KGAP Agreement, if different from above staff.</li> </ul> </li> </ul>
<b>Step 6</b>	<p>DCY verifies eligibility of a submitted application by reviewing the following in Ohio CCWIS:</p> <ul style="list-style-type: none"> <li>• Completed application,</li> <li>• Case plan or Concurrent Plan goal/objective,</li> <li>• Responses to the six (6) required questions.</li> </ul> <p><b>If any of the above information is missing or incomplete the KGAP process will stop.</b></p> <ul style="list-style-type: none"> <li>• DCY staff will inform the PCSA staff of the information needed.</li> <li>• Upon notification by the PCSA the requested information has been corrected/entered DCY will complete this step.</li> </ul>
<b>Step 7</b>	<p>DCY staff approves application for KGAP and completes the following:</p> <ul style="list-style-type: none"> <li>• Initiates negotiation of KGAP subsidy amount with the kinship caregiver by contacting the kinship caregiver to discuss KGAP subsidy amount. <ul style="list-style-type: none"> <li>○ Discuss KGAP, the availability of the nonrecurring expenses program, and the KGAP subsidy that may be available.</li> <li>○ Provide the kinship caregiver(s), if interested, with a nonrecurring program application and/or a KGAP agreement with the agreed upon amount identified.</li> </ul> </li> <li>• Contacts the PCSA staff to inform of the agreed upon KGAP subsidy amount.</li> <li>• For State KGAP, requests the PCSA staff with assistance in connecting the kinship caregiver with the county Ohio Department of Job and Family Services (ODJFS) benefits for child-only assistance once legal custody/guardianship is awarded.</li> </ul>
<b>Step 8</b>	<p>DCY staff completes the agreement and sends to the kinship caregiver for signature.</p> <ul style="list-style-type: none"> <li>• Upon receipt of the signed agreement from the kinship caregiver, the agreement is forwarded to the PCSA staff for authorization signature.</li> <li>• Upon returning the signed agreement to DCY, the PCSA should request the hearing for transfer of custody of the child to be scheduled.</li> </ul>

	<p><b>Note: For IV-E eligible children approaching the age of 16 YRS</b></p> <p>DCY, PCSA, and juvenile court staff should ensure both the effective date of the Federal KGAP agreement and the date legal custody is granted, <u>occurs on or after the child's 16<sup>th</sup> birthday</u>. This allows the young adult and kinship caregiver to apply for KGAP C21 at age 18.</p>
<b>Step 9</b>	<p>The court hearing resulting in a court order granting legal custody/guardianship of the child to the kinship caregiver is held.</p> <ul style="list-style-type: none"> <li>• This must occur after the KGAP agreement has been signed. <b>If the kinship caregiver is granted legal custody/guardianship prior to the signing the KGAP agreement the kinship caregiver is not eligible to receive KGAP subsidy.</b></li> </ul>
<b>Step 10</b>	<p>PCSA enters the court order information in Ohio CCWIS (legal action section) and uploads the journal entry within <u>10 days</u> of receipt of the order and notifies DCY via email the information has been entered and uploaded.</p> <ul style="list-style-type: none"> <li>• PCSA is to enter the end date of PCSA custody.</li> <li>• PCSA is to enter end date of payment for foster care placement with the kinship caregiver(s) that received legal custody/guardianship.</li> <li>• <b>The above dates are to be the same date.</b></li> </ul>
<b>Step 11</b>	<p>PCSA notifies DCY via email when the journal entry has been received and entered.</p> <ul style="list-style-type: none"> <li>• Subject Line identifies the applicant type ruling: <ul style="list-style-type: none"> <li>○ Federal KGAP Applicant Ruling</li> <li>○ State KGAP Applicant Ruling</li> </ul> </li> <li>• Narrative confirming Ohio CCWIS has been updated. <ul style="list-style-type: none"> <li>○ Name and contact information of the kinship caregiver.</li> <li>○ Child's Name and Person ID number.</li> </ul> </li> </ul>
<b>Step 12</b>	<p>DCY confirms Ohio CCWIS legal action section is complete and the journal entry has been uploaded.</p> <ul style="list-style-type: none"> <li>• The date of the court order matches the dates entered in Step 10 for custody end and payment end.</li> <li>• DCY authorizes payment of KGAP subsidy.</li> </ul>
<b>Step 13</b>	<p><b>Approved State KGAP requires the legal kinship caregiver to apply for child-only benefits <u>within 60 days of receiving legal custody/guardianship</u>.</b></p> <ul style="list-style-type: none"> <li>• The PCSA should assist the legal custodian apply for the child-only benefits.</li> <li>• KGAP subsidy payments will begin once DCY receives confirmation the legal caregiver has applied for child-only benefits.</li> </ul>

### **Resources for Ohio SACWIS Entry**

- a. [SACWIS Knowledge Base - KGAP in Ohio SACWIS \(jfskb.com\)](#)
- b. [Kinship Guardianship Assistance Program KBA.pdf \(jfskb.com\)](#)

### **Contacts for Questions**

For additional information or questions regarding the **Federal KGAP**, please contact [FederalKGAP@childrenandyouth.ohio.gov](mailto:FederalKGAP@childrenandyouth.ohio.gov).

For additional information or questions regarding the **State KGAP**, please contact [StateKGAP@childrenandyouth.ohio.gov](mailto:StateKGAP@childrenandyouth.ohio.gov).

For additional information or questions regarding **KGAP C21**, please contact [Kgapconnectionsto21@childrenandyouth.ohio.gov](mailto:Kgapconnectionsto21@childrenandyouth.ohio.gov).