A Kentucky Grandparent and Relative Caregiver Handbook

A caregiver's guide created by Kinship Families Coalition of Kentucky in collaboration with the University of Kentucky Cooperative Extension Office
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Acknowledgement and Appreciation

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Children of Native American Culture
If a child is part of a sovereign nation, this information should be immediately flagged to the courts, advocates and social worker right away. There may be different processes for that child. This is covered in the Indian Child Welfare Act (ICWA). For more on this, visit childwelfare.gov/topics/systemwide/diverse-populations/americanindian/icwa/.

Create a binder or folder for all your necessary documentation
It’s important to keep all the needed information in one place. You'll be gathering a lot of paperwork as time goes by. Keep copies of everything you sign. It is always better to have a copy of everything you sign as a reference later – even if the copy is a picture taken with your phone. Make notes after phone calls, emails or visits and court dates. It doesn’t have to be in great detail; just document any pertinent information and outcome from the event. This helps you to remember what you may have agreed to if, later on, you need to file an appeal or grievance. It’s also a good way to recall services that you have applied for that may be pending. This is critical as you learn more about how the system works.

Here are a few things you may need to collect:

- **Appointment Letter and Custody Papers.** You should receive an appointment letter along with custody papers, which allow you to make educational and medical decisions and show that you have the children in your care at this time. Make sure you have several copies. You will need to show a copy to the doctor’s office, school and other places. *Always keep one copy with you for emergencies.* Some caregivers store a copy in their glove box in the car or put a copy in their backpack, briefcase or purse.

- **Child-Specific Documents.** You will need to get a copy of the child’s birth certificate and social security card. The social security numbers will typically be on the appointment letter from your social worker. If the child is enrolled in school, you can usually get a copy of both from their school (you will need your appointment letter and court papers to do so). It is recommended that you apply for original documents, but copies always help at the start. You may also need a *medical card* for the child. If the child doesn’t have medical insurance, they should qualify for Medicaid coverage for their health care. You need to ask the social worker for this information. More about medical issues is included in the “Financial Assistance, Services and Resources” section.

- **Contact Page.** You should create a contact page with important numbers or email information. This typically includes the child’s social worker (during and after work hours), school, doctor, counselor and more. Having this information in one place will help you long term. A blank page is provided for you to use at the end of this chapter.

- **Educational Information.** Go to the child’s school and sit down and talk with the guidance counselor, family resource coordinator and/or principal. Review the child’s aptitude testing and
grades, including previous attendance reports. It’s very helpful to understand where the child is educationally and any challenges they may be facing at school. Should there be issues, make sure you share this information with your social worker. Get copies of everything you can. You will need your appointment letter and custody papers when you go to this appointment. More is covered under the ‘Tips to Help You’ section.

Reach out to a support group or child advocacy group
You may not realize it right now, but you need a network of people who understand a little about what you are going through and who have been through the system themselves. Support or advocacy groups can help explain things to you or connect you with local resources.

The Kinship Families Coalition of Kentucky has a listing of resources on their website (kinshipky.org), and they also have a Facebook page. You can also check with your local cooperative extension office and/or Family Resource Youth Center Coordinator (FRYSC) at your local school. More information is covered under the “Financial Assistance, Services and Resources” section of this handbook.

Critical decisions with time constraints
There are some benefits and services that need to be requested early in the process. It is highly recommended that, as soon as possible, you check these and all services listed in the “Financial Assistance, Services and Resources” section. Some examples are:

- DPP 1278 Relative Placement Benefit ($350/child for clothing and essentials)
- DPP 178 Options and Available Services for Relative and Fictive Kin Caregivers (election of potential foster pay)
- Childcare (If you are working, childcare support is available)
- KTAP (Kentucky Transitional Assistance Program)

Never be afraid to ask a question
If you aren’t sure about something, ask your social worker. If you feel you need further clarification, ask for a reference location for the information in writing. It’s always good to find out where the information comes from so that you can reference it later if you have further questions. You may want to ask about standard operating procedures (SOPs) or pamphlets. Make sure you explain to your social worker that you aren’t challenging their knowledge and expertise, just trying to understand everything to support all involved in the system as you walk through the processes.

Kinship Hotline: You can contact the Cabinet for Health and Family Services’ kinship hotline and ask questions by phone and/or email. You will need the case number and the child’s full name and date of birth. Everything is on the court papers. It is highly recommended that you email so that you can keep a copy of all your questions and answers. Hotline contact info: relative.supports@ky.gov; (877) 565-5608.

Supervisory chain or appeals
If you feel something isn’t right or that you’ve been denied a service wrongly, you have the right to elevate and inquire or appeal. It is recommended that you try to work through the social worker first. If that isn’t successful, here are the following next-step contacts:
- **Family Services Office Supervisor (FSOS)** Your worker’s supervisor. (Check with social worker or local DCBS office): prd.webapps.chfs.ky.gov/Office_Phone/index.aspx
- **Service Region Administrator Associate (SRAA):** The SRAA is grouped within regional counties and supervise the supervisors. chfs.ky.gov/agencies/dcbs/dsr
- **Service Region Administrator (SRA):** The SRA supervises the SRAA. There is a map with names and numbers at chfs.ky.gov/agencies/dcbs/dsr/Documents/sraregionalmap.pdf
- **Director of Service Regions:** This is the director of all SRAs. Ask for the Director of Service Regions at (502) 564-3703.
- **Office of the Ombudsman:** The role of the Ombudsman is to be your advocate. Their phone number is (800) 372-2973 or (502) 564-5497; email is CHFS.Listens@ky.gov. Their website is chfs.ky.gov/agencies/os/omb. You can contact the Ombudsman at any time, but it’s recommended to try the main supervisory chain first. KEEP COPIES OF EVERYTHING YOU SEND.

**Income Tax**

A child can only be claimed by a caregiver or parent household, not both. Two taxpayers cannot claim the same child. Typically, the child must be younger than 19 years old to be claimed as a dependent. However, if the child is a full-time college student, the child can be claimed until 24 years old. If the child has a disability, there is no age limit for being claimed. If the child earns money themselves, to be claimed as a dependent their income cannot be used to support more than half their needs. The child must live with you for more than six months out of the tax year. Should the parents file first and claim the children before you have filed and you have had the child six months or more, you can still file and attach court papers (if you have them) or other documentation. The IRS will work with you to sort this out. For more information, you can contact:

- **Internal Revenue Service (IRS):** 800-829-1040 or irs.gov
- **Kentucky Department of Revenue:** 502-564-4581 or revenue.ky.gov

**Legal Services**

There are a few free legal services available to kinship caregivers. You can ask the social worker and the court to provide an attorney, but that would be up to that individual court to determine. You may have to procure your own attorney if you feel you need one. You can check with the Legal Aid Society at yourlegalaid.org. You can also ask within your local support group for local resources in your area.

*Note: There is a $500 credit towards de facto custodianship from 2018 House Bill 1. (More information is available in the “Types of Custody” section of this handbook.)*

**Life Book**

It is highly recommended to create a life or memory book of pictures, flyers of special outings, honor ribbons or memorabilia from a variety of events. Sometimes children are bounced in and out of the child welfare system and homes, and this helps them to capture some sense of who they are, their memories of loved ones and their accomplishments.
Important Information for Your Binder

Health Information

Medication(s): _________________________________________________________

Allergies or known Medical Conditions: ________________________________

____________________________________________________________________

Physician: ____________________________________________________________

Pharmacist: __________________________________________________________

Health Insurance Information: _________________________________________

____________________________________________________________________

Dentist: ______________________________________________________________

Counselor/Therapist: _________________________________________________

Eye Doctor: ___________________________________________________________

Other: _______________________________________________________________

Additional Information

School: ______________________________________________________________

Social Worker: _________________________________________________________

DCBS Office: _________________________________________________________

CASA (if assigned): ___________________________________________________

Attorney: _____________________________________________________________

Guardian ad Litem: ___________________________________________________

Baby Sitters: _________________________________________________________

Other: _______________________________________________________________

Emergency: 911 and Poison Control 1-800-222-1222
DIFFERENT TYPES OF CATEGORIZED KINSHIP CARE

To date, there are approximately 96,000 children in Kentucky who live in kinship care (the highest in the nation), and most of those children live with grandparents. There are three basic categories of kinship care:

- **Informal Kinship Care**: Children who live with relatives or close family friends who have varying types of informal custody arrangements made within those families. The Department of Community Based Services (DCBS) is not involved.
- **Kinship Care/Fictive Kin**: Children who are placed with relatives (kinship) or close family friends (fictive kin) as a result of an investigation and removal by DCBS—custody of the child is maintained by the relative or DCBS.
- **Relative Foster Care**: Children placed with relatives or close family friends who have become certified as foster parents—custody of the child is maintained by DCBS though the relative manages day-to-day care.

**Kinship Care Programs**

**Kinship Care Program (Pre-Moratorium)**: Prior to the spring of 2013, Kentucky had a kinship care program where kinship providers received $300 per child assistance until the child turned 18. Due to state budget constraints, the program ended in 2013. However, those who were already enrolled into the program were able to continue receiving assistance. Those caregivers must re-certify their eligibility for the program annually. *Note: Should a provider have issues with this recertification process, you can request an extension. It is highly advised to talk with a local advocacy group for more information.*

**DO vs Glisson (Relative Foster Pay)**: On Jan 27, 2017, the Sixth Circuit Court ruled that the Cabinet for Health and Family Services (CHFS) also known as the Cabinet, must provide foster care payments to “approved” relatives caring for children placed by the Cabinet, affirming the core belief in the importance of family. The ruling had been appealed, but in October 2017, the U.S. Supreme Court denied the request to hear the case, which kept the Sixth Circuit Courts ruling in place. The *DO vs Glisson* ruling meant that Kentucky must pay relatives who have an approved home study the same as licensed foster parents. This is for formalized placements by DCBS and while the case is active. Every case situation is different; you can inquire further at the kinship hotline: ☑️relative.supports@ky.gov, ☎️(877) 565-5608.

**DCBS Published Eligibility Criteria - DO vs Glisson:**

- Individual must be a relative with an approved home evaluation
- The child must currently be in CHFS custody; or the child has been placed in CHFS custody for the current removal period prior to the relative or fictive kin receiving temporary custody
- The relative or fictive kin has not yet obtained permanent custody through a DNA-9 (Permanent Custody Order).
Note: There are pending class action legal suits regarding the DCBS interpretation of some of the criteria.

Paperwork for Placement Under the Kentucky Relative Caregiver Program: You should have been given a DPP 178 Acknowledgement Statement: Options and Available Services for Relative and Fictive Kin Caregivers form to select one of three different options on how you will care for the child. Note that once this selection is made, it cannot be revoked under normal circumstances. However, if you believe there was an unusual circumstance, you can always file an Ombudsman complaint or do an appeal.

- **Option 1 - Caregiver has a custody arrangement prior to DCBS involvement.** The first option states that a caregiver had made arrangements prior to Department of Community Based Services (DCBS) involvement and is not selecting foster care assistance. This selection could possibly affect other potential services; each individual case would have to be evaluated. You can ask your social worker to explain your situation, or visit the KYFaces website and inquire there.

- **Option 2 - Caregiver chooses to seek temporary custody.** This means you will care for the child in a temporary custody status and still follow DCBS and court requirements. DCBS most likely continues to monitor and stay involved regardless if they’ve filed a Dependency, Neglect and Abuse (DNA) case with the courts. Note: There has been confusion about a caregiver’s ability to keep the kids in their care if they don’t have “temporary custody” as in this option, but depending on the situation, you can.

  If DCBS is involved in the case, they will notify you of the fact that, should they deem it appropriate, they can recommend removal to the courts at any time.

- **Option 3 - Caregiver chooses to seek approval as a DCBS foster parent.** This means seeking approval as a DCBS foster parent. Often, a caregiver believes that hearing that the child will remain in the custody of DCBS means that they can’t continue to care for the child — that’s not true. While a case is active, this option allows you to care for the child (assuming you meet all criteria) and collect foster care pay. You will have to take additional training, but as long as you meet the instructions and guidelines from the court and CHFS, you should be able to continue to care for the child. Note: Payment usually starts at six dollars a day until all the paperwork is completed and approval as a foster parent is complete, but further payment is paid retroactively. On the KYFaces website, there is a video that explains further. Go to “Foster Care/Adoption” tab and then to “Videos”:


The Kentucky Relative Caregiver Program: This program provides other services, and you can check those out at chfs.ky.gov/agencies/dcbs. The kinship navigator portal is available at prd.webapps.chfs.ky.gov/kyfaces/Kinship/HowWeSupportYouKinship.

To read more on kinship care, you can go to the Kinship Families Coalition of Kentucky website at kinshipky.org.
Dependency, Neglect and Abuse (DNA)
Children have certain fundamental rights which must be protected and preserved. These include but are not limited to, the rights to adequate food, clothing and shelter; the right to be free from physical, sexual or emotional injury or exploitation; the right to develop physically, mentally, and emotionally to their potential; and the right to educational instruction and the right to a secure, stable family. You can read more about the legal definitions of abuse and reporting abuse at [chfs.ky.gov/agencies/dcbs/dpp](http://chfs.ky.gov/agencies/dcbs/dpp).

Removal of the Child
Should the social worker determine there is sufficient information/evidence that a child is at risk, not safe or has been harmed, they will petition the courts to remove the child. There will be an emergency custody order (ECO) filed, and a hearing will be scheduled to review the situation to be held within 72 hours. Should the days of the week fall around a weekend or holiday, the 72 hours is extended to the next business day. For more information, visit [chfs.ky.gov/agencies/dcbs/dpp/cpb](http://chfs.ky.gov/agencies/dcbs/dpp/cpb).

Placing the Child with You
Understanding the Circumstances. Having a child placed with you can be stressful due to the circumstances that caused it. Remember that it is the social worker’s job to ensure the safety and welfare of the child. You will be asked many questions about your home situation.

Gather as much information as you can regarding what has happened. If it’s abuse, ask about what kind and gather information as to what you can and cannot discuss with the child at the beginning. You will be expected to take the child for a physical exam within two weeks of having the child placed with you. (You will get specific requirements from your social worker). It is highly recommended that you briefly check the child for any physical markings or bruises while the social worker is first with you and document that with the social worker present.

Background Checks. It’s almost always better for a child to be placed with someone they know, such as family. The social worker will collect basic information about you and other adults in your home to conduct a criminal background check. They also look in their own system, called the Child Abuse and Neglect Registry, and check for a prior history of child abuse and neglect. If you pass the basic background checks, the social worker will walk through your home and conduct a safety check and review.

Safety Check and Review. For a child to stay with you, the social worker must make sure that you are able to provide a home that is adequate and safe for the child’s care. They will be checking for things such as the child having their own bed, working smoke detectors throughout the home, sufficient food, medications stored securely and that you have sufficient transportation to transport the child to appointments and other needs. They may also collect basic health history information from you and your spouse/partner to ensure that you are physically and mentally able to care for the child and to go through the court processes.
Some caregivers have one evaluation that day, and others have a follow-up formal home assessment scheduled at a later date. The initial walkthrough is considered an initial or informal assessment. Should you get denied, you can always appeal to the court.

**Note:** If you are being certified as a licensed foster parent, stricter requirements may apply. A full home study is completed for those electing to become approved as foster parents.

**Visitations.** You may be given strict instructions at the beginning about allowing parental visitations with the child. Follow all instructions very carefully. If you aren’t sure, don’t assume – always make sure you understand the conditions of a visit so that you can continue to care for the child. If you have an appointed visit scheduled, always be on time.

- **Supervised Visits:** After placement, you may be required to bring the child to supervised visits. You may be asked to host them at your house or to monitor in public, such as a park or restaurant, or to drop them off at the DCBS office. Talk with your social worker about your preferences and comfort level. The number of visits will most likely increase, if the parents progress with their case plans.
- **Unsupervised Visits:** At some point, you may be required to drop the children off with the parents for unsupervised visits. This could be a few hours or even overnight. Talk with your social worker about any concerns you have.

**Case Plan:** A case plan is established that will address the needs of the child (temporary placement, counseling or physical care). The goal is to help the child heal from any trauma and create a roadmap for potential reunification with the biological parents or permanency for the child.

**Other Paperwork:** You will have to sign other paperwork, and each case and situation varies. If you have questions, talk to your social worker and/or email the kinship hotline at relative.supports@ky.gov or call (877) 565-5608.
CHAPTER FOUR
TIPS FOR ENGAGING WITH THE BIRTH PARENTS

It Can Be Personal
Engaging with the birth parents of the child you are raising can be complex, especially when one or both parents have a substance use disorder and you are related to them. Whether they are currently using or not, it can be difficult.

As a relative to the child, you are also a relative to the child’s parents. You may feel a sense of commitment or obligation to try to help the child’s birth parents while also protecting the child. It may feel like managing these two priorities conflict with one another. Your struggles may look like some of the following:

- A history of broken trust between you and the child’s parents because of issues related to substance use.
- If you do not have legal custody of the child, you may be fearful that the child’s parent will come and take the child away if they are unhappy with the way you interact with them.
- You may struggle with how, when, where or whether to give the child opportunities to safely connect with their birth parents.
- Other family members may have strong opinions about how you should manage the relationships, which may be different than your own opinion or that of the courts.
- You may find it difficult to both respect important traditions of the child’s experience with their birth parents while also creating new healthy traditions as a kinship family.
- You may find it difficult to separate your feelings about the birth parent’s treatment of their child and the child’s desire to see them.

It’s very important to take the time to talk with a friend or a support network.

How A Substance Use Disorder Can Impact the Ability to Care for a Child
Many people know substance use disorders by their stigmatized name, “addictions.” Experts now know that substance use disorders are diseases. They change the way a person’s brain functions and impact a person’s decision making, impulse control, and basic survival instincts. Substance use disorders can make it very difficult for someone to take care of their own basic needs, let alone the needs of their child. Additionally, substance use disorders are a relapsing disease, which means returning to use after a period of sobriety is common. This can be difficult for everyone who is involved in the life of someone with an addiction, especially children. It is important to remember that a person with a substance use disorder is sick and not a bad person. In fact, many people with substance use disorders have histories of past trauma and/or co-occurring mental health disorders that need to be addressed in addition to their substance use disorders.

Managing the Relationship Between the Child You Are Raising and Their Birth Parent
Modeling Efforts: To have a healthy relationship with the child’s parents is important for both the child and the parents. It is also important to let the parents know you want and seek to help them have a healthy relationship with their child. Talk with the child about the visit later and help them sort out
their feelings where possible. Make sure you are following instructions from any therapist and/or the courts on contact first.

**Maintaining Boundaries.** A key part of managing the relationship between the child and their birth parents is to maintain boundaries. This helps ensure the child is safe physically and emotionally and can help parents who are working on recovery. If there are legal boundaries set in relation to visits, follow them.

**Setting Boundaries.** If there are no legal boundaries, seek to set firm but fair boundaries. Create a written agreement with the parent about what is appropriate and inappropriate behavior for visits. Have written consequences (for example, a three-strike system) in case the parent does not abide by the agreement. If you cannot come to an agreement, consider talking with a mediator or neutral third party who can help you come to one. If the child is in therapy or seeing a counselor, consider talking with the counselor at the end of the session about the best ways to conduct safe visits with the parents. The child should not be present for this conversation. The counselor should be able to factor in what the child is sharing and provide helpful ideas.

**Talking with Birth Parents about Their Behavior**
Be open and honest with the parents in a way that is respectful and supportive. Talk with them privately – not in front of the child or anyone else. Explain the reason behind your decisions. Acknowledge the parent’s successes and growth whenever possible. If you aren’t sure, talk with your social worker or counselor.

**Managing Your Feelings and Relationship with the Child’s Birth Parents**
Being aware of your own feelings about the birth parents will help you manage the relationship in a way that is more helpful to you, the child and the parents. Emotions may range from sadness, anger and fear for their safety to joy in their successes.

Issues of trust also impact the relationship. It may be difficult to feel you can trust a parent with a substance use disorder, especially if they have lied to you in the past. Try to be cautiously optimistic. Give parents the benefit of the doubt, while doing what you can to make sure the child is as safe as possible.

**Preparing for Visits**
Visits between the child and their birth parents are often stressful for everyone involved. Being aware of the emotions each family member may be experiencing can help you prepare for and manage the visit.

**Managing Expectations.** As a caregiver, you are concerned about managing the child’s expectations and protecting their physical and emotional health. You may be concerned about the well-being of the parents and whether they are seeking or engaging in recovery. The child may be simultaneously managing feelings of excitement, anger and sadness before, during and after the visit. Birth parents also come with a set of stressors related to their possible struggle with drug and alcohol use, their own feelings of inadequacy because they are not able to safely raise their child, and concern about how the child may react to them during the visit.
Depending on the child’s age and maturity, consider seeking their input on planning the visit. Make sure to tell them that keeping them safe is your priority. If the child does not want to visit their parents but is legally required to, tell them you understand that they are upset or hurt, and remain upbeat about the visit. Let the child know when the visit is planned so they have time to emotionally prepare. Find out what the child would like to do on the visit. Try to arrange an activity if it is reasonable, or work with the child to come up with a similar activity. Consider the impact of the location on the child and parents’ visit. Talk to the child’s counselor and seek their advice.

If the parents have missed visits in the past and you are worried that they might not show up, hold the visit somewhere you could do a fun activity with the child if the parents do not make it. Always document and report missed visits or concerns and report to your social worker.

**Concerns During a Visit.** If you are worried that the parents may currently be using drugs or you are aware of any other concerns, talk with your social worker immediately.

**Discussions with Your Relative Child about Their Birth Parents.** Be honest, fair and non-judgmental when talking about the parents. Try to focus on the positives. For example, “Your dad loves you so much” and “Your mom works hard to get better so she can see you more often.” Do not talk disrespectfully about the parents, especially if there is any possibility the child will hear it. (It is good practice not to talk disrespectfully about the parents at all, but venting to a trusted person about your feelings is okay.) Remember that the child still loves their parents and may want to have a good relationship with them.

**Discussing Parents who are in Prison.** It is always important not to lie to the child you are raising. Explain to them gently and honestly that the birth parent broke the law and is now in jail or prison. Share that this does not mean their parent is a bad person. Let the child know that they can write letters, draw pictures, send photos or visit their parent if the prison allows it. Some prisons have programs to make family visits easier, so you can call the prison and ask about visitation and correspondence. It is advised to discuss visitation options with a counselor.

*Used with permission from gu.org/resources.
CHAPTER FIVE
THE COURT PROCESS

The court process can be challenging and possibly confusing as you navigate through all the different hearings and try to learn all the terminology. Family court judges may vary in how they hold hearings (some may be in person, virtual, and some paper reviews). In the chapter “Terms and Definitions,” we’ve provided a listing of much of the lingo you may hear.

Types of Court Hearings

Initial Court Hearing: A social worker can file an emergency custody order (ECO) to have the child removed, or a child is removed at a temporary removal hearing (TRH). A TRH happens after a removal due to an ECO (within 72 hours) or if another party requests a Temporary Removal Hearing. At a temporary removal hearing, the court determines whether there are reasonable grounds to believe that the child would be dependent, neglected or abused if returned to or left in the custody of their parent or other person exercising custodial control or supervision, even though it may not have been proved conclusively who perpetrated the dependency, neglect or abuse. A weekend or holiday does not count as part of the 72 hours. For example, if a child is removed on a Thursday, the hearing would not be until Monday. If there is a holiday on the weekday, the date may extend further.

At the initial hearing, CHFS will make their case that the child should not remain at home and explain the basic circumstances for why the child or children were removed. If the judge agrees, then the child is formally and temporarily placed with suitable family first (you) or where they feel the child is best served. Should there not be sufficient evidence for removal, the child remains with the parent/guardian. There are major financial implications if a relative takes temporary custody or becomes approved as a foster parent. Note: Consult these options carefully with your social worker.

Ten Day Conference/Initial Case Planning: Typically, there is a meeting ten business days after the Temporary Removal Hearing. This is to discuss tasks for each stakeholder. A case plan for the biological parents must be completed in order for the child(ren) to be returned. As a caregiver, you will be required to ensure proper care, follow established visitation agreements and more.

Adjudicatory Hearing: This hearing is held by the juvenile and/or family court to determine if there is enough evidence to prove that a child was abused, neglected or abandoned, or if there is another legal basis for the state to intervene to protect the child. This is also referred to as a “fact-finding hearing.” This is typically held 15-90 days after the first hearing. Parents may also stipulate to neglect or abuse if they agree that the hearing would result in a finding of abuse/neglect by the court.

Dispositional Hearing: This is a hearing to determine what needs to happen with the child and the family while the case is in discussion. An example would be to review where the child would live or who will have legal custody, or even what services are needed to reduce the risk and to address effects of maltreatment. This is typically held after the second hearing (three to 30 days after the second hearing).

Permanency Hearing: This determines if a child should be reunited with the parents or if there will be a Termination of Parental Rights (TPR). The outcome is to determine some type of permanent placement
as the case comes to a close. If there is a TPR, the child remains with the relative caregiver, who receives permanent custody or becomes available for adoption if in foster care. This hearing is typically at a 12 to 18 months time frame. Note: If the children remain with you permanently, you may lose some of the kinship benefits. Consult with your social worker.

Termination of Parental Rights (TPR) Hearing. A hearing to determine the removal of parental rights.

Other Significant Roles in Court
Guardian Ad Litem (GAL): Appointed for the child to represent the best interests of the child throughout the entire court process.

Court Appointed Special Advocate (CASA): Sometimes the court will appoint a CASA to your child. This may happen early in the court process or later. However, this means you may have to comply with other required home visits (typically once a month) in addition to the social worker visits. Some of these visits may be unannounced. The CASA is not there to judge you but to be the eyes, ears and voice of the child. They are to assess how the child is adapting (educationally, physically and emotionally) and make recommendations to the court. They not only check in at your home for a visit but may also monitor the biological parents with the children at their visits. They make court recommendations that are separate from the social worker. They are a separate and distinct voice for the child. For more information about CASA, visit nationalcasagal.org/our-work/the-casa-gal-model.

Legal Aid: Legal aid provides free legal representation to eligible low income families on a number of issues, such as public benefits and child welfare. See below for more information on who your local legal aid is and how to contact them.

Kentucky Legal Aid
📞 (270) 782-5740
📞 (866) 452-924 (toll free)
🌐 klaid.org

Legal Aid Society
Serves Breckinridge, Bullitt, Grayson, Hardin, Henry, Jefferson, LaRue, Marion, Meade, Nelson, Oldham, Shelby, Spencer, Trimble, and Washington County
📞 (502) 584-1254
📞 (800) 292.1862 (toll free)
📞 (844) 673-3470 (custody and visitation hotline)
🌐 yourlegalaid.org

Legal Aid of the Bluegrass
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כתובת אתר אינטרנט: https://lablaw.org
CHAPTER SIX
TYPES OF CUSTODY

Guardianship
Guardianship is a legal procedure in Kentucky that gives a caregiver legal authority to take a child for medical care and to sign for school-related activities. This doesn’t suspend parental rights.

To file for guardianship, you must go to District Court (unless done in family court in an active DCBS case) and file a petition. If the parents will not be in court for the hearing, you must provide a notarized letter from one or both parents stating that you are caring for the child, or provide a certified letter sent to each parent’s last known address telling them of the court date and reason for it. This must be done prior to the court granting any guardianship. The judge must make the decision, and you should have formal paperwork from the proceeding outcome. To apply, call your local courthouse; typically, the local county attorney will provide assistance.

Note: There will most likely be court fees, but this can be done without an attorney. If you cannot afford to pay these fees, ask about an “in forma pauperis” statement at the time you file. If you qualify for “in forma pauperis” the fees may be waived.

Informal Custody
Informal custody is an arrangement that is not within the court system and in most cases an arrangement by the caregiver and the parents or formal guardian. In order to make sure that the informal caregiver ensures that the child is enrolled in school and will receive health care, it is recommended to get a Caregiver’s Authorization Affidavit. The Caregiver’s Authorization Affidavit serves as a template for caregivers without legal custody to get the authorization needed to address the educational and/or medical needs of the children they are caring for. The form was created to help relative caregivers easily without consulting an attorney. This form can be found at kinshipky.org/forms/. The affidavit is good for one year and must be notarized. It can be renewed annually unless revoked by parents, de facto custodian, guardian or legal guardian.

Temporary Custody
Temporary custody is very different from guardianship in that the parental rights of the natural parent have been suspended (not terminated), and you must assume the legal rights and obligations that accompany full-time care of the child. Temporary custody is viewed as temporary because the court is hoping to return the child to the custody of the parents at a future date, but this is not always the case. The child can remain in your custody until they are eighteen years of age on a temporary custody order. Often, as the case progresses and at closure, if the child is going to remain with you permanently, you should receive the status of permanent custody. You must comply with the court established guidelines for care.

Relative Foster Care
Foster care is an option where you can continue to care for the child and receive assistance as regular foster parents do. This is possible when the Cabinet for Health and Family Services has custody of the child. You will have to complete training and meet eligibility requirements. The foster care placement status remains until the case is closed and permanency is achieved. If a child ages out at age 18 or is
adopted, there may be additional benefits or options for the child to access. Talk with your social worker and make sure you understand everything before you sign any paperwork. On the KYFaces website, there is a video that explains further – go to “Foster Care/Adoption” tab and then to “Videos”: prd.webapps.chfs.ky.gov/kyfaces/Home/Videos?tab=kinship.

Permanent Custody
Permanent custody is one step further than temporary custody in that it is not as likely the parent will regain custody.

Note: The parents can always petition the court to revisit custody arrangements. There can also be varying types of permanent custody. Sole custody is that you solely have the child, but there can be shared custody depending on the court’s determination regarding visitation.

Adoption
Adoption is the legal recognition of an individual as the child’s parent. This process terminates all-natural parental rights, including the right to visitation as well as all financial obligations to the child. The adoptive parents assume all of these rights as well as responsibilities. Adoption is the only way you can guarantee that the biological parent(s) will never regain custody. Pursuing adoption can create additional challenges and necessitate legal counsel. Because adoption is permanent, there will be many opportunities during the adoption-seeking process for the parent to be reunited with the child, especially if the parent is contesting the process. To allow for adoption, the parent must voluntarily terminate their rights or be proven unfit, and the court must then legally recognize the termination.

Every situation has different circumstances, so it is important that you discuss your particular circumstances with an attorney. You must have an attorney to file for adoption, as all legal steps must be taken. Also be sure to discuss any financial concerns prior to filing for adoption – this can save you much time and frustration later! For most relative caregivers, there isn’t much legal support for adoption, but always check with your social worker and local legal aid office to make sure. Relatives approved as foster parents receive agency support through finalization of adoption, including reimbursement of up to $1000 in legal fees and ongoing adoption support.

What is a de facto custodian?
A de facto custodian is a person other than a biological parent who has been the primary caregiver and financial supporter of a child for six months (if the child is three years old or younger) or a financial support for a year or more for a child older than three years old. A de facto custodian must be recognized by a court, and the designation offers the custodian equal status as the biological parents in court. Often in normal family court proceedings de facto custodianship is not required, but different circumstances may present themselves in such a way that you want to pursue this status. For more information, reach out to your social worker or consult an attorney. Kentucky House Bill 1 of 2018 provided a $500 credit for legal support for de facto status. Ask an attorney about this credit.
Relative Placement Support Benefit (RPSB)
Relatives and fictive kin may be eligible to receive a one-time monetary benefit that can help with basic needs when the child is first placed with you, such as furniture, clothing, shoes, car seats or a deposit for a larger apartment.

Note: House Bill 492 of 2021 added Fictive Kin to the RPSB. It also states, “A program for a one (1) time monetary benefit as established by an administrative regulation promulgated in accordance with KRS Chapter 13A per child given to the relative or fictive kin caregiver at the time a child is placed with the relative or fictive kin caregiver…” This is confusing to many as to whether the benefit is once in the lifetime of the child or at placement. Funding availability is also a factor. It is suggested to always ask for it at placement regardless of whether the child has been in the system before.

You should be asked to sign a DPP 1278 Relative Placement Support Benefit Acknowledgement Form. At the bottom of this form, you will be asked to select one of two options. The first option acknowledges that you’ve been made aware of the RPB and that you are interested in the benefit. The second option is that you are not interested. Understand that if you select the second option (not interested) that you are essentially waiving the RPSB permanently. Once you have this conversation with your social worker, follow up to ensure you get this payment. Email the kinship hotline to check on the status or request a follow-up on all available services at relative.supports@ky.gov.

Relative Placement Benefit Payments:

- $350 for one (1) child
- $700 for two (2) children
- $1,050 for three (3) children
- $1,400 for four (4) children
- $1,750 for five (5) children
- $2,100 for six (6) or more children (capped amount)

Kentucky Transitional Assistance Program (KTAP)
KTAP is a monetary assistance program that provides financial assistance to needy dependent children in Kentucky and the parents or relatives with whom the children are living if eligibility criteria are met:

a. The applicant must be a U.S. citizen or qualified immigrant.
b. There may be requirements such as having the parents pay child support.
c. Caregivers cannot receive KTAP benefits for children if the parents reside in the same household.
d. This benefit is not available to fictive kin caregivers for fictive kin children but may be available to caregivers for their own children. Note: If you are a kinship care provider, you can apply using the child’s income, not yours. (Most children don’t have an income.)
To apply, visit Kynect at [kynetc.ky.gov](http://kynetc.ky.gov) or call Family Support at (855) 306-8959. Information can also be found at KYFACES: [chfs.ky.gov/agencies/dcbs/dfs/fssb/Pages/ktap.aspx](http://chfs.ky.gov/agencies/dcbs/dfs/fssb/Pages/ktap.aspx)

**KTAP Income Parameters**

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**KTAP Payments**

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*Taken from KY FACES Website at chfs.ky.gov/agencies/dcbs/dfs/fssb/Pages/ktap.aspx.

**Supplemental Nutrition Assistance Program (SNAP)**
Formerly known as “Food Stamps,” this is a federal and state funded program to help low-income families buy the food they need to stay healthy. If your household is approved, you will receive an
Electronic Benefit Transfer (EBT) card, and benefits will be deposited into an account each month. You will use the EBT card and a pin number to access the food stamp account.

For this assistance program, the entire household must meet eligibility requirements and provide proof of their statements about household circumstances. Because children cannot be counted as a separate family unit, all combined income coming into the household needs to fall below the limits. The program is available to all eligible households regardless of the age of the children. The amount of benefits a household receives is based upon the number of individuals in the household and the household income after allowable deductions, such as rent, utilities, and childcare expenses.

You can apply online at kynect.ky.gov, or by calling or visiting your local DCBS office. Depending on your county, God’s Pantry Food Bank, Brighton Center, or Catholic Charities of Louisville may be able to help you apply. You will need to provide information about the combined resources of your household and any sources of income for the household. You can inquire more about this by calling DCBS Family Support at (855)-306-8959, visiting chfs.ky.gov/agencies/dcbs/dfs/nab/Pages/snap, or visiting your local DCBS office.

**Women, Infants and Children (WIC)**
A short-term supplemental nutritional program that helps families access healthy foods. Those who qualify for services are expectant mothers, new mothers and/or infants and children under the age of five. You must have custody of the child for them to be eligible for this benefit.

There is an income guideline for WIC, but the guidelines are more generous than many other programs. WIC does not use the same standards as other agencies, so you will need to call your local health department to find out whether a grandchild qualifies. This program does not work with the Child Support Enforcement Offices, so they will not attempt to contact the parents for reimbursement. You should plan to bring proof of the child’s identification, household income, and proof of residency. You should also bring information about any other benefits the child or your household is receiving. There are WIC offices located in each county. To find out where the office is located in your county, call the Health Department for the phone number. You should schedule an appointment, and when you call you should tell them that you will be applying for your grandchild or relative. They will be able to provide you with all the information you need to apply. For more information call (800) 462-6122 or visit chfs.ky.gov/agencies/dph/dmch/nsb/Pages/wic.

**Social Security**
Your child may be eligible for benefits from Social Security in a variety of ways:

- **Supplemental Security Income (SSI):** Your child (birth to age 18 or 22, if regularly attending school) may qualify for SSI if they have a disability that severely limits their activities and/or the condition has lasted or is expected to last for at least a year, and the child has little or no income or resources.
- **Social Security Disability Insurance (SSDI):** SSDI provides monthly benefits to disabled workers who have earned sufficient credits by working to be insured under Social Security. These benefits may also be paid to disabled widows or adult children disabled before age 22.
• **Retirement Benefits:** If you have a dependent child and receive Social Security retirement benefits, your child may receive a monthly payment up to one half of your retirement benefit amount. The child must be unmarried and under the age of 18 (19 if in school) or disabled.

To apply for any of these benefits, you will want to arrange a phone or in-person appointment. When you set up the appointment, ask what information and documents you will need to bring with you. You can inquire by calling (800)-772-1213 or visiting socialsecurity.gov.

**Child Care Assistance Program (CCAP)**

The Child Care Assistance Program (CCAP) offers access to quality childcare by providing financial assistance to help cover the cost of childcare. To be eligible, you must be a resident of Kentucky and your child a U.S. citizen or qualified “alien.” In order to be eligible for this program, parents must be employed. Single parents must work an average of 20 hours per week and couples must work 40 hours combined. You may also be eligible if you meet one of the following requirements: have child protective or preventive services authorization, are a participant in the Kentucky Works Program, are a teen parent attending high school or pursuing a GED, or have a child under the age of 13. Parents requesting childcare for children over the age of 13 must provide proof to show the child’s inability to care for himself or herself.

Relatives and fictive kin caring for children due to a protective or preventative child safety issue are not required to pay a co-pay for childcare, regardless of their income. Renewal of childcare assistance can be requested every 12 months as long as the family needs childcare within the age limits that apply to all children and families. More details on this program can be found at chfs.ky.gov/agencies/dcbs/dcc/Pages/ccap, and families can apply at kynect.ky.gov. It is recommended that you talk to your social worker or inquire at the kinship hotline at relative.supports@ky.gov or (877) 565-5608. You can also check out more tips on childcare in the “Tips for You” chapter.

*Note: Always ask about the length of any program because sometimes there are unique conditions that may terminate the service unexpectedly.*

**Medicaid**

Medicaid is an assistance program that provides complete health care coverage for low-income children and their parents, guardians and caretakers; SSI recipients; children in foster care; pregnant women; and certain aged, blind and disabled individuals. You do not have to have legal custody of the child to apply for benefits for a medical card, but you must be a relative. You may apply for this benefit without applying for K-TAP or other services. This benefit is based on the income of the child alone if they are without a parent in the house. Relative caregiver income is exempt. As with K-TAP, you must comply with Medical Support Enforcement to help recover medical expenses that the state must pay out for the child. Call your local DCBS office and schedule an appointment. You will have to provide them with the following information:

- Proof of your relationship to the child
- Information about the parents
- Verification of household size and names
- Verification of child income and resources
- Social Security card, if already issued

For more information, call (800) 635-2570 or visit kynect.ky.gov.

Medicaid Contacts

Managed Care
Kentucky Medicaid Managed Care or Kentucky Medicaid Program
Kentucky Medicaid Managed Care Hotline, 8am to 5pm Eastern Time, Mon.-Fri.
📞 (855) 446-1245
🌐 chfs.ky.gov/agencies/dms

MCO CONTACTS FOR MEMBERS AND PROVIDERS
Aetna Better Health of Kentucky (serving Medicaid enrollees outside the Passport region)
📞 (855) 300-5528
🌐 aetnabetterhealth.com/kentucky

Anthem BCBS Medicaid
📞 (855) 690-7784
🌐 mss.anthem.com/ky

Humana CareSource
📞 (855) 852-7005
🌐 caresource.com/members

Passport Health Plan
📞 1 (800) 578-0603
🌐 passporthealthplan.com

WellCare of Kentucky (serving Medicaid enrollees outside the Passport region)
📞 (877) 389-9457
🌐 wellcare.com/Kentucky

Kentucky Children’s Health Insurance Program (KCHIP)
A federally funded program that provides free or low-cost health insurance for Kentucky’s children. The income limits for KCHIP are more generous than those for Medicaid. KCHIP covers children whose family income is too high for Medicaid but too low to afford private health insurance. If the child you are raising already has health insurance or Medicaid, you do not need to apply. A child should be considered for this program regardless of the relative caregiver’s income. It is not necessary to have legal custody of a child to apply for this benefit and you may apply without applying for other services. As with K-TAP and Medicaid, the state will seek out the child’s parents for financial support. Call or visit your local DCBS office, call the toll-free number below to request an application, or download one from the KCHIP website. Once all of the information is received, you will receive a letter telling you whether
or not your child has been approved. If your child is approved, you may owe a monthly premium. The approval letter will state how much you owe, and you will receive a bill in the mail. For more information, call 1-877-KCHIP-18 or visit kynect.ky.gov.

**School and Community Nutrition Programs**

Good nutrition makes a vital contribution to physical development and cognitive performance. The Kentucky Department of Education administers several programs that deliver quality nutrition and nutrition education to Kentucky students and other citizens. For more information, call (502) 564-5625.

*Child and Adult Care Food Program*: The Child and Adult Care Food Program (CACFP) is a federally funded program that provides meal reimbursement to childcare centers, head starts, adult day care centers, emergency shelters, after school programs, and family daycare homes for serving nutritious meals and encouraging healthy eating habits.

*School Meals Programs*: The School Meals Programs, such as the National School Lunch Program and School Breakfast Program, are federally funded programs that fight hunger and obesity by reimbursing public schools, private non-profit schools, after-school programs and residential childcare institutions for providing healthy meals and snacks to children. Children below 185% of the Federal Poverty Line, who receive SNAP or Medicaid, or attend high poverty schools may be eligible for free and reduced price meals. Talk with the Family Resource Youth Center Coordinator or School Nutrition Director at your child’s school for details.

*Summer Food Service Program*: The Summer Food Service Program (SFSP) is a federally funded program available in some communities that ensures that low-income children continue to receive nutritious meals when school is not in session. Just as learning does not end when school lets out, neither does a child’s need for good nutrition. Talk with the Family Resource Youth Center Coordinator or School Nutrition Director at your child’s school for details.

Commodity Supplemental Food Program: Low income, relative caregivers over sixty may be eligible to receive a monthly, pre-packaged meal box designed for their unique nutritional needs through the Commodity Supplemental Food Program (CSFP). Contact the Kentucky Department of Agriculture or your local food bank to learn more and determine eligibility.

**Community Collaboration for Children (CCC)**

These are in-home based services that educate, strengthen, and support families to prevent child abuse and neglect. These services address children’s physical, mental, emotional and educational needs while strengthening and supporting families. CCC accepts referrals from community partners, self-referrals, family, friends and the Department for Community Based Services (DCBS). CCC services are available free to families who maintain custody of children across the state. Some of CCC’s services are for the following:

- Children with disabilities
- Teenage parents and parents who are young adults
- Parents with disabilities
- Single family households
• Families with young children
• Low-income families/families living in poverty
• Families who are struggling
• Children who are truant or exhibiting problems in a school system
• Grandparents or caregivers raising children
• Homeless families and those at risk of homelessness
• Unaccompanied homeless youth

Excerpt taken directly from DCBS KYFaces at prd.webapps.chfs.ky.gov/kyfaces.

**Early Learning Child Educational Program**
Check with your local school system about the program. It is available to four-year-old children whose family income is no more than 160% of poverty level or for children who are three or four years of age with development or speech delays, regardless of income.

**Early Childhood Mental Health Program (ECMHP)**
The primary goal of ECMHP is to provide program and child-level consultation on social, emotional and behavioral issues to programs that serve children from birth through age five to help with social, behavioral and emotional needs and to evaluate and assess for potential therapeutic services. For more information, contact (502) 564-3756 or visit Governor's Office of Early Childhood at kidsnow.ky.gov.

**First Steps**
A statewide early intervention program that aids children with developmental disabilities from birth to age three and their families. These services may be provided in the home or in childcare settings. A child’s eligibility is determined in one of two ways:

- **Developmental Delay**: If an evaluation shows that a child is not developing typically in at least one of the following skill areas: communication, cognition, physical, social and emotional or self-help.
- **Established Risk Concern**: When a child receives a diagnosis of physical or mental condition with high probability of resulting developmental delay, such as Down Syndrome.

For more information, visit chfs.ky.gov/agencies/dms/provider/Pages/firststeps.aspx. Anyone can refer a child for First Steps services by calling (877) 417-8377.

**Low Income Housing Energy Assistance Program (LIHEAP)**
A federally funded energy assistance program that helps low income individuals afford their heating and cooling bills. LIHEAP is primarily available in the winter months, but occasionally is available in the summer as well when funding allows. Applications are generally accepted in November and December, but individuals at risk of utility disconnection or eviction may apply for crisis assistance between January and March.
When summer funding is available, eligible households may receive a one-time payment to their electric provider. Households where a member is younger than six, older than 65, or has a member with a health condition or disability that requires cooling may also qualify for an air conditioner.

LIHEAP also funds the Weatherization Assistance Program (WAP). This program helps eligible households lower their energy bills at no cost through services such as installing insulation, exterior, duct repairs, and heating equipment replacements, where necessary.

You can apply for both LIHEAP and WAP at your local Community Action Council. To find your local Community Action Council, visit https://www.capky.org/network/ or call (502) 875-5863.

**Known Clothing Closets**

**Jack’s Closet (Northern KY)**
📞 (513) 607-0514
🌐 facebook.com/jacksclosetCUMC

**Hope’s Closet (Louisville)**
📞 (502) 299-2397
🌐 hopesclosetky.com

**Raising Arrows Ministry (Madison)**
✉️ raisingarrowsministry@gmail.com;
🌐 facebook.com/RaisingArrowsMinistry

**The Moses Basket**
Located in Carlisle County, Ballard County, Graves County, Hickman & Fulton County, Livingston and Crittenden County, Calloway County, Caldwell/Lyon County
🌐 themosesbasket.com

**Food Banks**

**Dare to Care**
Serves Jefferson, Shelby, Bullitt, Oldham, Spencer, Carroll, Trimble, and Henry County
🌐 daretocare.org

**Feeding America, Kentucky’s Heartland**
📞 (502) 299-2397
🌐 feedingamericaky.org
Freestore Food Bank
Serves Boone, Bracken, Campbell, Gallatin, Pendleton, Owen, Grant, Kenton, and Mason County
freestorefoodbank.org

God's Pantry Food Bank
Serves Anderson, Bath, Bell, Bourbon, Boyle, Breathitt, Carter, Clark, Clay, Elliott, Estill, Fayette, Fleming, Floyd, Franklin, Garrard, Harlan, Harrison, Jackson, Jessamine, Johnson, Knott, Knox, Laurel, Lee, Leslie, Letcher, Lewis, Lincoln, Madison, Magoffin, Martin, McCreary, Menifee, Mercer, Montgomery, Morgan, Nicholas, Owsley, Perry, Pike, Powell, Pulaski, Robertson, Rockcastle, Rowan, Scott, Whitley, Wolfe, and Woodford County
godpantry.org

Facing Hunger Food Bank
Serves Boyd, Greenup, Lawrence, and Martin County
www.facinghunger.org

Tri-State Food Bank
Serves Crittenden, Daviess, Henderson, Hopkins, Livingston, McLean, Union, and Webster County
tristatefoodbank.org

Additional Caregiver Contacts

AARP Grandparent News
aarp.org/grandparents

Amachi Central Kentucky
Amachi Central Kentucky is a mentoring program that seeks to pair caring, positive adults with children and youth in the state who have one or both parents in state or federal prison or are affected by incarceration in some way. While there are many programs to help those in prison, there are few viable programs to address the specific needs of the children left behind. Amachi is a passionate response to the needs of children impacted by incarceration. Amachi is designed to address their needs and alter the potential negative direction of these children's lives through mentoring.
(859) 389-8279
lexlf.org/amachi-central-kentucky-1

Adult and Child Health (Dept for Public Health)
For information on child health and family health improvement programs.
1 (800) 462-6122

Benefits Check Up
There are more than 2,500 benefit programs available nationwide. Find out what may be available in your area.
benefitscheckup.org
Big Brothers Big Sisters
The agency matches children ages six to 13 with adult volunteers to have fun and share experiences, concerns and accomplishments. Children are matched with volunteers based on the child’s specific needs and interests. Most of the children in the program come from a single parent/guardian home, but each situation is considered on a case-by-case basis.

(859) 231-8181
bbbs-bluegrass.org

Bluegrass Area Agency on Aging and Independent Living
The Bluegrass Area Agency on Aging and Independent Living promotes and provides for the development of community-based systems of care, which include planning, access and delivery of services, coordination of activities and programs, and advocacy on behalf of and education for older persons, disabled individuals and caregivers in the communities of the Bluegrass.

(866) 665-7921
bgaaail.com

United Way of Kentucky
An organization that may help connect you with health, education and/or financial resources or support in your community.
(502) 589-6897
uwky.org/about

Cooperative Extension Offices (Co-Ops)
Extension offices are a great resource for information and support services in your local area. Services include research-based information, education classes and training programs in agriculture, family consumer sciences, 4-H and youth development. Some co-ops assist in hosting or facilitating kinship support groups.
extension.ca.uky.edu/county

Catholic Charities
Catholic Charities’ counseling program is a non-denominational, non-profit program. The counselors offer adult, individual, marital relationship, family, adolescent, parenting, grandparenting and child therapy for a wide range of issues. Counselors are available to facilitate groups. Hours are weekdays and several evenings during the week.
(502)-637-9786
catholiccharitieslexington.org

Child Abuse/Adult Abuse
To file a report of any kind for child and/or adult abuse.
(877) 597-2331

Child Care Resource and Referral
Provides referral to childcare resources in your area.
(877) 316-3552
**Child Support Info/Enforcement Hotline**
For more information or questions concerning child support or enforcement. This number will help direct you where you need to go to gather information.

📞 (800) 248-1163

**Community Action**
Located in all 120 Kentucky counties, Community Action agencies provide life-changing resources to support a wide array of service areas, including food security, transportation, home energy, early childhood education, senior support, emergency services, housing, workforce development, family advocacy and more.

📞 1 (800) 456-3452
🔗 capky.org

**Generations United**
The mission of Generations United is to improve the lives of children, youth and older people through intergenerational collaboration, public policies and programs for the enduring benefit of all.

📞 (202) 289-3979
🔗 gu.org

**Kinship Families Coalition of Kentucky**
The Kinship Families Coalition of Kentucky is a community group dedicated to raising awareness of the issues surrounding kinship care in Kentucky and forwarding recommendations for policy changes to increase support for kinship families. Members include relative caregivers, advocacy organizations and support service providers. The mission is to promote policies and facilitate connections to increase support for and with kinship families. The Kinship Families Coalition of Kentucky site has a tab where you can find a local support group near you.

🔗 kinship.ky.org

**Kentucky Youth Advocates (KYA)**
Credible advocacy organization that often publishes and promotes policies through their Blueprint for Kentucky’s Children. KYA provides research affecting every child in their Kentucky KIDS COUNT annual publications. KYA reviews data and pursues legislative changes to make Kentucky a better place for children.

🔗 kyyouth.org

**Kynect**
Kynect is Kentucky’s online benefits marketplace. Through this website, caregivers can apply for subsidized healthcare coverage, Medicaid, KCHIP, SNAP, CCAP, and K-TAP, as well as check on the status of their application, report changes, schedule appointments, and receive updates on their benefits.

🔗 kynect.ky.gov

**Kentucky Housing Corporation (KHC)**
The Kentucky Housing Corporation (KHC) is a quasi-state agency that operates a number of programs to help caregivers purchase a home such as downpayment assistance, tax credits, and housing counseling, as well as helps qualifying caregivers find and afford rentals through Section 8 Housing Choice Vouchers.
and project-based rentals. If you are at risk of eviction or foreclosure, KHC may also be able to help you find mortgage and rental assistance.

https://www.kyhousing.org

**Department of Community Based Services (DCBS)**
DCBS is a department of the Cabinet for Health and Family Services. The divisions of DCBS are Family Support (food stamps, medical, welfare, etc.) and Protection & Permanency (child and adult abuse and neglect, foster care, and adoptions, etc.) Note: Most public assistance applications are taken at local DCBS offices or online at kynect.ky.gov.

(855) 306-8959

chfs.ky.gov/agencies/dcbs

**Department for Housing**
For information on fair housing rights and responsibilities and accepts complaints of housing discrimination. Also, provides general information on U.S. Housing and Urban Development (HUD) programs.

(800) 669-9777

**Food and Drug Administration**
For more information on food, dietary supplements, and cosmetic safety, as well as the Food Safety Modernization Act (FSMA).

1 (800) FDA-4010

**Food Stamp Case Changes Reporting**
To file a report of changes concerning food stamps.

1 (800) 306-8959

**Grandfamilies State Law & Policy Resource Center**

grandfamilies.org

**Home Health Agency Hotline**
For more information or to file a complaint against your home health agency provider.

1 (800) 635-6290

**Immigrant Eligibility for Public Benefits**
For information and assistance to obtain green cards, family petitions, and citizenship. Also helps provide U.S. Visa for foreign nationals who are victims of crime, violence or trafficking.

(859) 233-3840

**Kentucky Foster Adoptive Caregiver Exchange System**
Familial and fictive relationships and attachments are paramount for a child’s well-being. Relatives and fictive kin caregivers undertake the responsibility of caring for their loved ones and are a valuable resource to the Commonwealth. These caregivers also need resources and support to ensure their success.

(877) 565-5608
KY-KINS
The University of Kentucky has launched a new program Kentucky Kinship Information, Navigation and Support Program (KY-KINS) housed in the Kentucky Kinship Resource Center (KKRC).

Text KINSHIP to 31996
kinship@uky.edu
CHAPTER EIGHT
ADVOCACY

Being an advocate can be done in many ways. Caring for your children is one. However, if you want to be more involved and become an advocate for change, you can begin by being a registered voter. Know your state senator and representative, and reach out to them about issues that are important to you. You can also join a local support group and see what you can do together as state legislators are open to visiting local groups. You can also reach out to other advocacy groups in your community or state, such as the Kinship Families Coalition of Kentucky.

Find and Connect with Legislators
You can find your legislators at apps.legislature.ky.gov/findyourlegislator/findyourlegislator.html or usa.gov/elected-officials. You need to know who represents you at all levels: your state House Representative, State Senator, Congressional Representative and U.S. Senator. Remember that although you may not agree with their votes and actions, they represent you and your community.

Connect with legislators. Once you know who your legislators are, you should connect with them. Determine what works best for you and them ahead of time. If you write or email and the correspondence is too long, they probably won’t read it. Always tell your story, but keep it short, simple and focused. If you meet in person or talk via phone, think ahead of time about what you will say so that you will remain focused despite any emotion you may feel regarding your story.

Here are some effective ways to contact your legislators:

- **Phone calls:** Try calling your legislator’s district office. If you do not speak with the legislator, ask the name of the person with whom you are speaking. Leave a message with your phone number if you do not speak with someone directly. In your phone conversation, be sure to say where you live and why the issue is important to you. If you are calling about a specific bill, state the name and number, if known. Keep your call focused and pick a few talking points to focus on. Ask the legislator’s position on the issue. Thank the legislator or aide for his or her time.

- **Writing (letter or email):** Be very specific about why you are writing. Make the subject line count. Keep the correspondence brief and to the point. Write in a way that educates without a threatening or condescending tone. Follow up after your legislator votes and let them know that you agree or disagree and why. For letters, you should use your own stationery or colored paper. Avoid form letters or mass mailings. Be sure to include your name, address and phone number. Avoid abbreviations or symbols that might be confusing.

Don’t give up. Sometimes it takes several contacts to be heard. Persistence is the key to making change. Visit kinshipky.org/ways-to-act for more tips and information.
CHAPTER NINE
TIPS TO HELP YOU

Understanding and Managing Stress
Any of the signs below can impact a child’s ability to behave, learn, or heal. Children in kinship care experience a lot of feelings of uncertainty; they need to be reassured that they will be safe, stable and taken care of in their new environment. Be honest with the child(ren) in your care and encourage them to ask questions and talk through their feelings. By allowing a child to connect the dots between their thoughts, feelings and actions over time, they can learn how to develop appropriate behaviors and responses to future situations.

Some signs to watch for include:

- Headaches, difficulty concentrating, poor memory and/or mental fatigue
- Nervousness, easily startled, rapid heartbeat
- Sleeping too much or too little
- Complaints of aches or pains, muscle tensions, illness, digestive problems or nausea
- Anger outbursts or reckless behavior, irritability, edginess or agitation
- Unable to communicate what they want or having difficulty with social boundaries
- Anxious, distrusting of others, depression or isolation
- Nightmares, flashbacks or other disturbing thoughts

Adverse Childhood Experiences (ACEs)
ACEs are potentially traumatic events, such as witnessing violence, experiencing abuse or having a parent who is incarcerated. More than 24% of Kentucky kids have experienced at least two ACEs. ACEs have lifelong effects on health and overall success and well-being, but there are steps we can take to reduce the impact of ACEs so that Kentuckians grow up healthy and hopeful. To learn more, check out the National Child Traumatic Stress Network at nctsn.org. You can also explore the Face It Movement’s resource on surviving, healing and thriving after experiencing a traumatic event at faceitabuse.org/wp-content/uploads/2021/03/THRIVE_Brochure.pdf

Solutions for a Caregiver to Help A Child’s Stress
Offer Choices. A child may challenge (or rebel to) a kinship caregiver’s new authority and control. During these difficult situations, some children may feel as though they have no control over anything. It can be beneficial to give the child the space to assert themselves while still maintaining structure and discipline. This allows them to be more involved in decision making. Giving children choices allows them to have some control over the things that happen to them.

Stable Environments. The transition of a child moving into a kinship situation and settling in comes with some challenges. By establishing a routine, you and the child will feel more secure and structured in this new phase of life. Try to keep life as normal as possible for both of you. External order supports children’s internal order. Children who are coming out of chaotic situations prior to moving in with a kinship caregiver may have difficulty adjusting. Be aware that this is a normal response for children adjusting to an unfamiliar environment. Set clear behavior expectations for your child to follow. It may be beneficial to provide visuals for the rules, routines and daily schedules so the child can predict what will happen next, which reassures them of the stability of the situation.
Positive Relationships. Be positive in your care by providing support and empowerment. Empower the child to have healthy self-esteem and a positive image. Also, provide support for children to have a sense of purpose in any activities or learning they choose to engage in, and especially provide positive encouragement about their future.

Helping to Meet the Emotional Needs of Relative Caregivers
The role of transitioning from a grandparent, aunt, uncle, cousin or older sibling to a parent is a big change. During this transition time, it is important for kinship caregivers to remember to take care of themselves – in addition to the child. Self-care is extremely important. You can take care of others better when you’ve also taken care of yourself. Be aware that it is okay to have mixed feelings about taking the role of a caregiver, and know that these are normal feelings to have. Make some time for yourself, including your own emotional and physical health.

Balance. Find time to rest and relax between work and home responsibilities. Take time to unplug from your busy schedule to relax.

Health. Take care of your body. Make sure to eat balanced meals, drink plenty of water, and get enough sleep.

Positivity. While you may face challenges, make sure to keep a positive perspective. Find the positives in what you do.

Safe Spaces. Find a safe place to share your feelings. Seek out someone you can talk with confidentially to help you sort out your feelings. It is highly recommended to find a local support group and people who understand what you are going through.

Tips for Navigating Childcare
Selecting a childcare center or certified home is one of the most important decisions you will make as a caregiver. Part of making a good decision is to visit and observe the activities of the childcare provider. Review the law regarding childcare centers, and trust your judgment. For childcare resources and referral information, call (877) 316-3552. There is a child care referral phone line with a counselor available to answer questions and provide information Monday through Friday from 8:00am to 4:30pm. For contact information from other areas of Kentucky visit chfs.ky.gov/agencies/dcbs/dcc/Pages/find-care.aspx.

Paperwork. Take time to review the childcare provider’s policy and procedures. Below are some things to consider.

- Is there a license or certificate posted? All childcare providers must have a valid license or certificate.
- Have you reviewed the compliance reports that are posted?
- Did you review the daily schedule to get informed about the day’s activities and what children are learning?
- Did you see what foods are on the menu?
- Does the facility have the proper background check(s) for all staff?

Check the premises. Take a tour of the inside and outside of the facility, and consider the following:
● Are the classroom play areas child-friendly and safe?
● Do you see any hazards (such as cleaning chemicals, electrical cords, medications or uncovered outlets)?
● Is the center clean?
● Are furnishings child-sized?
● Is the outside play area safe, clean and free from hazards?

**Watch interactions between staff and children.** Observe and pay attention to these important questions:

● Do the children have toys and play equipment?
● Are the toys appropriate and safe for the age of the children?
● Do children play outside?
● Do younger children play separately from older children?
● Do staff closely supervise the children?
● Are there enough staff in the classrooms for the number of children?
● Do the children seem occupied by the activities?
● Does the staff seem patient with the children?
● How does the center staff communicate with parents about issues?
● Did the center serve a healthy snack or meal?
● What does the center do when children misbehave?

Your initial reaction is very important – ALWAYS TRUST YOUR JUDGMENT! For additional information, contact Kentucky’s Division of Regulated Care at ☎ (502) 564-7962.
CHAPTER TEN
TERMS AND DEFINITIONS (ALPHABET SOUP)

**Adjudicatory Hearing:** Held by the juvenile and/or family court to determine if there is enough evidence to prove that a child was abused, neglected or abandoned or whether another legal basis exists for the state to intervene to protect the child. Also referred to as “fact-finding hearing.”

**Adoption:** When someone adopts a child, they have all the rights and responsibilities of a biological parent. The birth parents no longer have any rights.

**Best interests of the child:** The debate the court has when deciding what type of services, actions and orders will best serve a child.

**Benefind:** Public Assistance programs access for services such as food, cas, and medical assistance. Many DCBS services are accessed through Benefind at kynect.ky.gov.

**Cabinet for Health and Family Services (CHFS):** State agency that oversees the health and safety of children and adults. chfs.ky.gov

**Case Permanency Plan:** The casework document that outlines the outcomes, goals and tasks necessary to ensure the safe return of the child.

**Child Care Assistance Program (CCAP):** Monetary assistance for childcare.

**Child Protective Services (CPS):** The social services agency designated to receive reports, conduct investigations and assessments, and provide intervention and treatment services to children and families in which child maltreatment is reported to have occurred.

**Court-Appointed Special Advocate (CASA):** A person, usually a volunteer appointed by the court, who works to ensure that the needs and interests of a child are fully protected.

**Custody:** When one is responsible for supporting and providing care for the child. In certain states, a child's parents may still retain some of their rights — even if another adult has physical custody. A parent can voluntarily relinquish custody of a child to another through a written legal agreement, or it can be formally ordered by the court.

**De Facto Custodian:** A de facto custodian is a grandparent or other caregiver other than a biological parent who has been the primary caregiver and financial supporter of a child for at least the minimum time required under the statute. A grandparent or other caregiver of a child who qualifies as a de facto custodian has the legal right to be heard by a Kentucky court in a custody case. Without de facto custodian status, a kinship caregiver cannot seek custody of a grandchild without first proving that the biological parents are unfit to serve as parents.
Department of Community Based Services (DCBS): Child and adult protection agency, including foster care. Provides essential services for families in need.

Dependency Neglect and Abuse (DNA): When a child is denied their rights, including but are not limited to the rights to adequate food, clothing and shelter; the right to be free from physical, sexual or emotional injury or exploitation; the right to develop physically, mentally, and emotionally to their potential; and the right to educational instruction and the right to a secure, stable family.

Dispositional Hearing: Hearings to determine what needs to happen with the child and the family while the case in discussion (for example, where the child will live, who will have legal custody, and what services are needed to reduce the risk and to address the effects of maltreatment).

Due Process: The principle that every person is entitled to a fair and unbiased legal process.

Family First Prevention Services Act (FFPSA): Part of Federal Bipartisan Budget Act (HR 1892) that restructures how federal child welfare financing is prioritized emphasizing family first.

Fictive Kin: People not related by birth or marriage who have an emotionally significant relationship with the child.

Foster Care: A substitute care for children placed away from their parents or guardians and for whom the state agency has placement and care responsibility.

Guardian ad litem (GAL): A lawyer appointed by the court who represents a child in any case involving child abuse. Usually, this person considers the best interests of the child and may perform a variety of roles, including those of independent investigator, advocate, advisor and guardian for the child.

Guardianship: When one has the duty to care for a child if the child is taken away from their parent (or other legal guardian) by the courts. In some states, when someone takes guardianship of a child, a parent loses all their rights. The terms "custody" and "guardianship" can mean different things in different states, so it is important to get the correct information for where you live.

Informal Kinship Care: Children who live with relatives or close family friends who have varying types of custody depending on arrangements made within those families.

Informal Custody: An informal arrangement that is not within the court system. Most often arranged by parents or formal guardian and caregiver.

Medicaid: Assistance program that provides health care coverage for low income children and their parents, guardians and caretakers, disabled and blind individuals.

Kentucky Children’s Health Insurance Program (KCHIP): Federal program providing free or low-cost health insurance for Kentucky’s children.
Kentucky Transitional Assistance Program (KTAP): Monetary assistance program that provides financial assistance to needy dependent children and the parents, or relatives with whom the children are living.

Kinship Care: Children who were placed with relatives or close family friends as a result of an investigation and removal by DCBS. Custody of the child is maintained by the relative or the Department of Community Based Services.

Legal Guardian: An adult to whom the court has given parental responsibility and authority for a child. Appointment as guardian requires the filing of a petition and approval by the court and can be done without terminating the parental rights of the child’s parents.

Mediation: A voluntary process that allows the parties involved to agree on a permanency decision in the best interests of the child with the help of a trained, neutral, third party. Mediation generally avoids confrontational court hearings.

Life Book: A binder or scrap book for a child to keep pictures and memorabilia as they grow up.

Permanency Plan (PP): Addresses the needs of the child. Federal and state law guide timelines for permanency and depending on the progress of the family the permanency plan for the child may change to adoption or permanent placement with a relative.

Permanency Hearing: Determines if a child should be reunited with parents or termination of parental rights.

Protective Custody: A form of custody required to remove a child from their home and place them in out-of-home care. Law enforcement may place a child in protective custody based on an independent determination that the child’s health, safety and/or welfare is jeopardized. A child can also be placed in protective custody by court order.

Putative Father: Legal term for a man who is not married to the child’s mother and who is alleged or claims to be the biological father of a child.

Relative Foster Care: Children placed with relatives who have become certified as foster parents. Custody of the child is maintained by the Department of Community Based Services.

Relative Placement Support Benefit (RPSB): A $350 benefit for a child when first placed with a relative caregiver.

Relinquishment: The voluntary termination or release of all parental rights and duties that legally frees a child to be adopted. This is sometimes referred to as a “surrender,” or as making an adoption plan for one’s child.

Review Hearing: Held by the juvenile or family court to review case progress (usually every six months) and to determine the need for continued court oversight.

Safety Plan: A casework document developed when it is determined that a child is at risk of serious harm. In the safety plan, the caseworker targets the factors that are causing or contributing to the risk
of imminent, serious harm to the child and identifies, along with the family, the interventions that will control the safety factors and assure the child’s protection.

**Case Plan:** The casework document developed between the caseworker and the family that outlines the tasks necessary to achieve case goals and outcomes. A service agreement may also be known as a case plan.

**Supplemental Nutrition Assistance Program (SNAP):** State-funded program to help low-income families buy food.

**Temporary Custody:** Temporary arrangement by courts while the parental rights have been suspended.

**Termination of Parental Rights (TPR):** The voluntary or involuntary relinquishment of parental legal rights for the care, custody and control of a child.

**Women, Infants and Children (WIC):** Short-term supplemental nutrition program that helps expectant mothers, new mothers and/or infants and children under the age of five.
## APPENDIX
**Relative and Fictive Kin Service Array Worksheet**
**(DCBS Standards of Practice)**

<table>
<thead>
<tr>
<th>Relative/Fictive Kin Caregiver (Take custody or control of the child)</th>
<th>Relative/Fictive Kin Caregiver (Pursue approval as a Child Specific Foster Parent)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Home Approval Requirements</strong></td>
<td><strong>Home Approval Requirements</strong></td>
</tr>
<tr>
<td>● Approved Home Evaluation</td>
<td>● Approved Home Evaluation</td>
</tr>
<tr>
<td>● Background Check (will require fingerprint check if the individual has resided out of state within the past five years)</td>
<td>● Background checks, including fingerprint-based criminal background check</td>
</tr>
<tr>
<td>● Online Pediatric Abusive Head Trauma Course- only Fictive Kin caregivers</td>
<td>● Online Pediatric Abusive Head Trauma Course</td>
</tr>
<tr>
<td><strong>Additional Requirements</strong></td>
<td><strong>Additional Requirements</strong></td>
</tr>
<tr>
<td>None</td>
<td>● Child must remain in DCBS custody</td>
</tr>
<tr>
<td></td>
<td>● Attend Foster Parent Pre-Service training (5 hours face to face, 5 online courses)</td>
</tr>
<tr>
<td></td>
<td>● Participate in the completion of a foster home study*</td>
</tr>
<tr>
<td></td>
<td>● Provide documentation of physical health, marriage and divorce records, and other required home study paperwork</td>
</tr>
<tr>
<td><strong>Agency Contact</strong></td>
<td><strong>Agency Contact</strong></td>
</tr>
<tr>
<td>● Monthly home visits by child’s social worker</td>
<td>● Monthly home visits by child’s social worker</td>
</tr>
<tr>
<td></td>
<td>● At minimum, quarterly home visit by foster family’s assigned social worker</td>
</tr>
<tr>
<td></td>
<td>● Annual re-evaluation and home study update</td>
</tr>
</tbody>
</table>

*Table continues on next page***

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<table>
<thead>
<tr>
<th>Relative/Fictive Kin Caregiver <em>(Take custody or control of the child)</em></th>
<th>Relative/Fictive Kin Caregiver <em>(Pursue approval as a Child Specific Foster Parent)</em></th>
</tr>
</thead>
</table>
| **Long Term Placement Implications**  
- If reunification with birth family is not possible, the agency will request **Permanent Custody** to the relative/fictive kin caregiver  
- Legal guardianship may be sought by the caregiver  
- Independent adoptions are possible long-term options for relatives and fictive kin who choose to accept custody  
- If reunification with birth family is not possible, the agency will proceed with **Termination of Parental Rights and Adoption** by the relative/fictive kin caregiver  
- Permanent custody to the relative or fictive kin may also be an option, however the per diem will end once custody is released from DCBS. Other supportive services may be available  
- DCBS is seeking to establish the federal Guardianship Assistance Program in the near future, which would provide another option for permanency and long-term support without necessitating adoption |
| **Financial Assistance**  
- Relative Placement Support Benefits are available for relative caregivers. This is not available for fictive kin.  
- Kentucky Transitional Assistance Program (KTAP)  
- Childcare assistance for working caregivers  
- Medical Insurance – Medicaid  
- Food Stamps- based on financial eligibility  
- Information and referral  
- Relative Placement Support Benefits are available for relative caregivers. This is not an option for fictive kin.  
- Childcare assistance for working caregivers  
- Medical Insurance–Medicaid  
- Information and referral to other state and community services  
- Monthly per diem at a reduced rate prior to approval |
<table>
<thead>
<tr>
<th>to other state and community services</th>
<th>Monthly maintenance foster care per diem at the appropriate rate after approval</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Assistance Post-Permanency</strong></td>
<td></td>
</tr>
<tr>
<td>- Some financial assistance in the row above may continue post permanent custody, depending on the eligibility of the caregiver.</td>
<td>- Adoption Subsidy (if the child meets eligibility</td>
</tr>
<tr>
<td>- Aftercare Planning to set up services and referral based on the needs of the child</td>
<td>- Tuition Waiver (if the child is eligible for Adoption Subsidy)</td>
</tr>
<tr>
<td></td>
<td>- Guardianship Assistance Program (once available)</td>
</tr>
<tr>
<td></td>
<td>- Referral for post-permanency services specific to needs of child and family</td>
</tr>
</tbody>
</table>

*In order to become a Child Specific Foster Home, the home study must be approved.**

**Relatives/fictive kin may be approved as a basic foster home type if they desire, meet requirements, and if they are interested in fostering other children in out of home care.**

For the most up-to-date worksheets and manuals, please visit manuals-sp-chfs.ky.gov.
**Once the relative/fictive kin accepts custody, children SHALL NOT enter DCBS custody for the purpose of the caregiver becoming of foster parent.**

*SSW = Social Service Worker*
To learn more, please visit the Kinship Families Coalition of Kentucky website at kinshipky.org.