



Federal Child Welfare Manual Update

8.5B Guardianship Assistance Program, Eligibility

1. Question: *(deleted 3.24.10)*

May a title IV-E agency that operates the Guardianship Assistance Program (GAP) require a child to have resided in foster care with the prospective relative guardian for a minimum period longer than six consecutive months for the child to be eligible for the GAP program?

6. Question: *(new 2.25.11)*

Please provide additional guidance on what counts as a "consecutive month" for purposes of determining eligibility for title IV-E kinship guardianship assistance payments.

Answer: One of the eligibility criteria for title IV-E kinship guardianship assistance payments is that the child must be eligible for title IV-E foster care maintenance payments for at least a consecutive six-month period while the child resided in the prospective relative guardian's licensed or approved foster family home. A month may be counted in the six consecutive month period if the child met all of the title IV-E foster care maintenance payment eligibility criteria for at least one day of that particular month while in the prospective relative guardian's home, and is therefore eligible for a title IV-E foster care maintenance payment for at least a portion of that month.

- **Source/Date:** 2/24/2011
- **Legal and Related References:** Social Security Act – Section 472, 473(d)(3)(A)(i)(II), 45 CFR 1355.20(a), ACYF-CB-PI-10-11

To go to this question directly in the Child Welfare Policy Manual, go to:

http://www.acf.hhs.gov/cwpm/programs/cb/laws_policies/laws/cwpm/policy_dsp.jsp?citiID=410

Child Welfare Policy Manual: Table of Contents, Section 8 Index

http://www.acf.hhs.gov/cwpm/programs/cb/laws_policies/laws/cwpm/policy.jsp?idFlag=8

U.S.C. refers to the United States Code
C.F.R. refers to the Code of Federal Regulations