



Children and Family Services

Northstar Care for Children

Supporting safe, permanent families for children

Practice Guide



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I. INTRODUCTION

Effective Jan. 1, 2015, children entering foster care or experiencing a change in placement or legal status will be eligible for Northstar Care for Children (Northstar Care). The goal of Northstar Care is to improve permanency for children in Minnesota by:

- Reducing the number of children who leave foster care without a permanent family
- Reducing the benefit discrepancies between permanency options
- Reducing the length of stay for children in out-of-home care
- Increasing the percentage of children adopted within 24 months of entry into foster care.

A. Key Features of Northstar Care

1. Three Components

The three components of Northstar Care are:

- Northstar Foster Care for children in family foster homes and youth in extended foster care – supervised independent living
- Northstar Kinship Assistance for eligible children who have a transfer of permanent legal and physical custody to a relative
- Northstar Adoption Assistance for eligible children who are adopted.

2. Gradually Replaces Pre-Northstar Programs

The existing pre-Northstar Care programs (pre-Northstar) are retained for children already in them, but gradually phased out as children exit. Pre-Northstar programs include:

- Foster care with the Difficulty of Care assessment process
- Relative Custody Assistance (RCA), and
- Adoption Assistance.

Important date – Nov. 26, 2014

No additional children may be added to pre-Northstar Relative Custody Assistance or Adoption Assistance after Nov. 26, 2014, (the day before Thanksgiving). For details, see [Section VII, Phase-in and Transitions](#).

3. Changes in Transfers of Permanent Legal and Physical Custody

With Northstar Kinship Assistance, Minnesota will follow federal Title IV-E regulations regarding transfers of permanent legal and physical custody, which require that prospective relative custodian(s) be licensed foster parent(s) for at least six consecutive months while a child has been in their care. Transfer of permanent legal and physical custody will more closely resemble the process used for adoption.

4. Uniform Assessment

In Minnesota, foster care, adoption and kinship or relative care were treated differently. Each program had different rates, assessment tools and rules. Under Northstar Care, the three methods of assessment have been replaced by one assessment tool, the Minnesota Assessment of Parenting for Children and Youth. This tool focuses on a thorough assessment of the individual needs of a child and the level of parenting required to care for them.

5. Unifies Benefits

Northstar Care unifies benefits for foster care, transfer of permanent legal and physical custody and adoption. Monthly payments follow an eligible child from their initial foster home placement to permanency, and are based on a child's age and individual needs at the time of final court action. Although Northstar Care unifies benefits and the assessment process, eligibility is not uniform across the three components because Title IV-E regulations are different.

6. Addresses the Benefit Discrepancy Barrier

Previously, when foster parents wanted to become a child's permanent family through adoption or transfer of legal custody, financial benefits decreased from the foster care benefit, typically reduced by at least half, and sometimes 70 percent or more. The benefit discrepancy made adoption or transfer of legal custody unlikely for many families. Northstar Care eliminates the previous benefit discrepancy for children age 6 and older. For details, see [Section II, Benefits](#).

7. Costs are Shared

All costs for the three Northstar Care components and the pre-Northstar Care programs are shared among counties, tribes and the Minnesota Department of Human Services (department).

II. BENEFITS

A. Eligibility

Children coming into care on or after Jan. 1, 2015, or who experience a change in placement or legal status will be eligible for Northstar Care. Because Northstar Care eligibility is based on Title IV-E regulations, eligibility varies among Northstar Foster Care, Northstar Kinship Assistance and Northstar Adoption Assistance.

[Minn. Stat., section 256N.20]

1. Eligible Settings

Northstar Care eligibility revolves around situations that promote permanency for children. Eligible settings include family foster homes and extended foster care – supervised independent living settings.

Children in the following settings may be eligible:

- Family foster homes (BRASS Code 181)
- Shelter in family foster homes (BRASS Code 181)
- Therapeutic foster homes (BRASS Code 180)
- Foster homes licensed through a private foster care agency (child-placing agency, BRASS Code 180 or 181)
- Corporate foster homes (sometimes informally known as CADI homes, referring to the Medical Assistance Community Alternatives for Disabled Individuals Waiver that sometimes pays for some costs, BRASS Code 181)
- Youth (ages 18 to 21) in extended foster care, whether with a caregiver (BRASS Code 181), or in a supervised independent living setting (BRASS Code 188)
- Permanent transfer of legal and physical custody to relative custodian(s)
- Adoption.

All of the above settings typically use the uniform assessment as part of the benefit determination. Not everything that fits BRASS Codes 180, 181 and 188 is included in Northstar Care. For example, none of the following are included in Northstar Care:

- The initial clothing allowance
- Rule 4 administrative fees
- Child care beyond that included in the assessment tool, and
- Transportation to school beyond that in the assessment tool for youth in extended foster care – supervised independent living for ages 18-21 living independently.

[Minn. Stat., sections 256N.21-256N.23; section 256N.26; section 256N.27, subd. 4; section 256N.28, subs. 2 and 4; and section 260C.4413]

2. Ineligible Settings

There are settings that are never included in Northstar Care and therefore ineligible. These settings may represent essential services, but most are ineligible because they are not resources for permanency.

The following settings are not eligible for Northstar Care:

- Respite care, including in a family foster home setting (BRASS Code 189 or 489)
- Residential facilities or group homes (BRASS Code 183)
- Residential treatment (BRASS Code 483)
- Residential correctional programs (BRASS Code 185)
- Residential shelter programs (BRASS Code 171).

Rates paid to the above settings are determined by contract rather than uniform assessment, and will not be included in Northstar Care.

[Minn. Stat., section 256N.21; section 256N.28, subd. 2; and section 260C.4412]

3. Title IV-E and Eligibility

The Northstar Care Act requires a determination for children in foster care as to eligibility for Title IV-E foster care. This must be done long before there is any consideration of permanency. Title IV-E eligibility for foster care follows a child into Northstar Kinship Assistance. Even though eligibility for Title IV-E is somewhat different for adoption assistance than for foster care, Title IV-E eligibility for foster care informs Title IV-E eligibility for Northstar Adoption Assistance.

Children who are not eligible for Title IV-E in foster care can still get most Northstar Care benefits. Benefits will be less flexible if children cross state lines, and will cost the county or tribal agency more money. For all these reasons, best practice is to start with determining Title IV-E eligibility early in foster care.

[Minn. Stat., section 256N.21, subd. 1; section 256N.22, subd. 1; section 256N.23, subd. 1; section 256N.27, subd. 1; and section 256N.28, subd. 2]

4. Eligibility Requirements for Northstar Foster Care

Key point of eligibility

A child must live with a foster parent who is licensed, or in the process of becoming licensed (for up to six months), or one of the two special status situations (pre-adoptive placement or extended foster care – supervised independent living setting).

Who determines eligibility?

County or tribal agencies determine eligibility for Northstar Foster Care.

To be eligible for Northstar Foster Care:

- A child must be in foster care away from their legal parent, guardian, or Indian custodian. The legally responsible agency must have placement authority through a court order or Voluntary Placement Agreement, including youth in extended foster care.
- A foster home must be at least one of the following:
 - A licensed foster parent.
 - In the process of becoming licensed (for up to six months), including:
 - An emergency relative placement under tribal licensing regulations or section 245A.035 (the legally responsible agency must ensure a relative completes the foster care application process).

- A licensed adult foster home with an approved age variance under section 245A.16 for no more than six months.
- A pre-adoptive placement under section 245A.03, subd. 2, with an approved adoption home study and a signed Adoption Placement Agreement.
- An unlicensed supervised independent living setting (for youth ages 18 to 21 in extended foster care only, which also does not need to be licensed for Title IV-E).

5. Eligibility Requirements for Northstar Adoption Assistance

Key point of eligibility

To be eligible for Northstar Adoption Assistance, a child must meet all three points of the special needs determination.

Although Title IV-E eligibility in foster care informs the process, federal adoption assistance requirements are separate; a child who is not Title IV-E eligible in foster care may be Title IV-E eligible for Northstar Adoption Assistance, and vice versa.

Who determines eligibility?

A county or tribal agency typically requests eligibility for Northstar Adoption Assistance, but eligibility determinations are made by the department.

To be eligible for Northstar Adoption Assistance:

- A child must have been removed from their parents' or guardian's home by court order or Voluntary Placement Agreement, and a county or tribal social service agency must have issued foster care payments on their behalf while in out-of-home placement.
- There must be court action to either terminate parental rights or accept a parental consent to adoption, and guardianship must be transferred to the commissioner, or tribal equivalent. A child under tribal jurisdiction may meet eligibility criteria through a court-ordered suspension of parental rights, and transfer of guardianship to the appropriate tribal authority.
- A child must have a special needs determination (the same as pre-Northstar Adoption Assistance). **All three of the following points** must be met:
 - A child cannot or should not return home.
 - An agency has already made reasonable recruitment efforts to secure an adoption without Northstar Adoption Assistance, but it was unsuccessful (or a determination by the department that such recruitment efforts would not be in a child's best interest).
 - A child has a condition that makes them difficult to place without Northstar Adoption Assistance.

Any of the following five conditions meet point three above:

- A Social Security Administration determination that a child meets all medical or disability requirements for Supplemental Security Income benefits
- A documented physical, mental, emotional, or behavioral disability
- A member of a sibling group being adopted at the same time by the same parent
- An adoptive placement by a parent who previously adopted a sibling for whom they receive adoption assistance (pre-Northstar or Northstar), or
- Documentation that a child is at-risk (having potential to develop a disability that has not yet manifested).

If a child meets the condition “potential to develop a disability,” but none of the other conditions, they are designated as “at-risk.” For more details, see [Section II. Benefits, B. Primary Benefits.](#)

Other Requirements

Additional requirements include:

- Prospective adoptive parent(s) must meet background study requirements; the study used for foster care licensing may be used for adoption and need not be repeated. For more details, see Section VI, Background Studies.
- A child must be a citizen of the United States, or otherwise eligible for federal public benefits according to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

Exceptions

An American Indian child who **does not** meet Northstar Adoption Assistance requirements noted above may be eligible if the following three conditions are met:

- Child is placed in Minnesota
- Child is Title IV-E eligible
- Agency or entity assuming responsibility for a child pays the entire nonfederal share.

Exclusions

Some prospective adoptive parents are excluded from entering into a Northstar Adoption Assistance Benefit Agreement, including:

- A child's biological parent or stepparent.
- A child’s relative under section 260C.007, subd. 27, with whom they resided immediately prior to child welfare involvement. However, this restriction does not apply if both of the following are true:
 - a. A child was in the custody of a Minnesota county or tribal agency pursuant to an order under chapter 260C, or equivalent provisions of tribal code, and an agency had placement and care responsibility for permanency planning for a child.
 - b. A child is under guardianship of the commissioner of the Minnesota Department of Human Services according to requirements of section 260C.325, subds. 1 or 3, or is a ward of a Minnesota tribal court after termination of parental rights,

suspension of parental rights, or a finding by the tribal court that a child cannot safely return to the care of their parent(s).

- An individual adopting a child who is the subject of a direct adoptive placement under section 259.47, or the equivalent in tribal code.
- A child's legal custodian or guardian who is now adopting the child.
- An individual who is adopting a child who is not a citizen or resident of the United States, and was either adopted in another country or brought to the United States for the purpose of adoption.

Extension

Northstar Adoption Assistance ordinarily ends when a youth turns 18. However, under some circumstances it may be extended. The department will issue further guidance on Northstar extension beyond age 18.

Social Service Information System (SSIS)

The eligibility determination process will be built into SSIS. The “front end” will be in SSIS at the local agency, while the “back end” will be at the department, with electronic exchange between the two.

[Minn. Stat., section 245A.03, subd. 2, paragraph (a), clause (9); section 245C.05, subd. 5; section 245C.08, subd. 1; section 245C.33, subd. 1; section 256N.22; section 256N.28, subds. 1-2; and section 260C.001, subd. 2]

6. Eligibility Requirements for Northstar Kinship Assistance

Key point of eligibility

A child must live with a prospective relative custodian as a licensed foster parent for six consecutive months.

Who determines eligibility?

It is the same as Northstar Adoption Assistance.

To be eligible for Northstar Kinship Assistance, a child must have:

- Been removed from their parents’ or guardian’s home by court order or Voluntary Placement Agreement, and be under custody of a Minnesota county or tribal social service agency.
- Lived with the prospective relative custodian for **six consecutive months** while that custodian has been a **licensed foster parent** or receive an exemption (see below).

Exceptions

It is the same as Northstar Adoption Assistance exception for American Indian children. See [Section 5, Eligibility Requirements for Northstar Adoption Assistance](#).

Exemptions

In unusual cases, the department may grant an exemption to the requirement that a child must have lived with the prospective relative custodian for six consecutive months while that custodian has been a licensed foster parent. The exemption may be regarding:

- The six consecutive months
- The licensure
- Both of the above.

An exemption:

- Cannot be granted for a permanent barrier to a background study
- Does not waive the requirement that the Northstar Kinship Assistance Benefit Agreement must be signed prior to the court ordering transfer of permanent legal and physical custody.

It is important to understand that an exemption is to a federal requirement and, if approved, will eliminate any possibility of Title IV-E eligibility for Northstar Kinship Assistance.

The process for requesting an exemption is built into the Northstar Kinship Assistance Eligibility Determination process in SSIS. As part of an exemption request, an agency must provide the required information, including:

- Why an expedited move to permanency is in a child's best interest
- Why expedited permanency cannot be achieved without provision of Northstar Kinship Assistance
- A child's needs based on the 10 best interest factors
- How the prospective relative custodian(s) are uniquely qualified to meet a child's needs
- Whether a child and prospective relative custodian(s) otherwise meet eligibility requirements for Northstar Kinship Assistance
- An explanation of either:
 - An agency's efforts to get the prospective relative custodian(s) licensed as foster parents and have the child live with them for six consecutive months as licensed foster parents prior to permanency, or
 - Why such efforts were not in a child's best interest.

Court Findings

Northstar Kinship Assistance involves required court findings, as follows:

When an agency is the petitioner

In order for the court to order transfer of permanent legal and physical custody to a relative, the petition must be accompanied by a fully executed **Northstar Kinship Placement Agreement**, which provides documentation of items below. The statute authorizes the court to rely on an agency's documentation in the **Northstar Kinship Placement Agreement**; before ordering transfer or permanent legal and physical custody to a relative, requires the court to find:

1. The relative is fit, willing, and suitable for the transfer of permanent legal and physical custody of the child
2. Transfer of permanent legal and physical custody is in the child's best interests
3. Adoption is not in the child's best interests based on determinations in the kinship placement agreement required under *Minn. Stat. § 256N.22, subd. 2*
4. Either:
 - a. The agency made efforts to discuss adoption with the child's parent(s); or
 - b. The agency did not make efforts to discuss adoption and the reasons why efforts were not made
5. The reasons to separate siblings, if applicable.

When an agency is not the petitioner

- The petitioner must allege and present proof to support required findings 1, 2, 4 and 5
- Proof must also be submitted on finding number 3 which must be modified to read: "Adoption is not in the child's best interests."

In addition, because the agency is not the petitioner, the additional items documented in the kinship placement agreement under Minn. Stat. 256 N.22, subd. 2, must be alleged and proved as follows:

6. If Kinship Assistance has been requested and the child is eligible, receipt of Northstar Kinship Assistance is in the child's best interest
7. A strong attachment exists between the prospective relative custodian and the child, and there is a strong commitment by the prospective custodian to caring permanently for the child
8. The prospective relative custodian understands the legal and financial differences between adoption and transfer of permanent legal and physical custody
9. If the child is age 14 or older, they have been consulted about permanency options.

The court may order transfer of permanent legal and physical custody to a relative when there is no eligibility for Northstar Kinship Care Assistance. In this case, all of the findings listed above are required except number 6.

[Minn. Stat., section 260C.515, subd. 4]

Other Requirements

An agency must determine that:

- Prospective relative custodian(s) meet background study requirements; the study used for foster care licensing may be used for Kinship Assistance and need not be repeated. See [Section VI, Background Studies](#).
- A child is a citizen of the United States, or otherwise eligible for federal public benefits according to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

Exclusions

Some prospective relative custodians are excluded from entering into a Northstar Kinship Assistance Benefit Agreement. They include:

1. A child's biological parent or stepparent
2. An individual assuming permanent legal and physical custody of a child, or the equivalent, under tribal code without involvement of the child welfare system, or
3. An individual assuming permanent legal and physical custody of a child who was placed in Minnesota by another state or a tribe outside of Minnesota.

[Minn. Stat., section 256N.22, subd. 6]

Extension

This is the same as Northstar Adoption Assistance. See [Section 5. Eligibility Requirements for Northstar Adoption Assistance](#).

SSIS

This is the same as Northstar Adoption Assistance. See [Section 5. Eligibility Requirements for Northstar Adoption Assistance](#).

7. Consequences of Not Being Eligible

A child may not be eligible for Northstar Care for any of the reasons covered above, or something specific to a child. If a child is in out-of-home placement, an agency still needs to pay foster parents or providers, but there will be no state share through Northstar Care.

If a child has a transfer of permanent legal and physical custody or is adopted, the department will not provide Northstar Care benefits for those not eligible. It is imperative to complete the eligibility determination, have the Benefit Agreement signed prior to court finalization of either adoption or transfer of permanent legal and physical custody, and have required court findings. See [Section V, Permanency Process](#).

Note: A child who has gained a new permanent family but is not eligible for Northstar Kinship Assistance or Northstar Adoption Assistance, may be eligible for a child-only grant through the Minnesota Family Investment Program (MFIP).

[Minn. Stat., sections 256N.21-256N.23, 256N.25-256N.27; and section 256N.28, subd. 2]

B. Primary Benefits

Northstar Care unifies benefits, making them uniform for children age 6 and older. If a child age 6 or older in Northstar Foster Care is eligible for Northstar Kinship Assistance or Adoption Assistance, and if they stay with the same caregiver(s), they retain the same benefits when their legal status changes.

There are three primary benefits under Northstar Care:

- Medical Assistance or MA (Medicaid, or Title XIX of the Social Security Act)
- Monthly basic payment (based on age of a child)
- Monthly supplemental payment (based on uniform assessment).

[Minn. Stat., section 256N.26, subd. 1]

At-risk Children

All children in foster care and those eligible to receive kinship or adoption assistance are eligible for a monthly basic payment. They may also be eligible for a supplemental payment based on individual needs and the level of parenting their caregivers are providing to support those needs.

There is one exception to this: Children eligible for adoption assistance with "at risk" only status. A child with "at-risk" only status:

- Is at risk of developing a disability and has no other special need
- Will be at Level A
- Will get Medical Assistance but is not eligible for a monthly payment, basic or supplemental
- Can be reassessed using the assessment tool if a disability manifests later, in which case the Adoption Assistance Agreement will be renegotiated.

There is no "at-risk" equivalent for Northstar Kinship Assistance.

[Minn. Stat., section 256N.23, subd. 2; section 256N.25, subs. 2-3; and section 256N.26, subs. 1-2 and 4]

1. Medical Assistance

All Title IV-E children are automatically eligible for Medical Assistance. Eligibility continues as long as a child receives Northstar Care benefits, including extensions.

The following applies to children who are not Title IV-E eligible for Northstar Adoption Assistance, including children who reside:

- In Minnesota are eligible for Medical Assistance.
- Outside of Minnesota always receive medical coverage. Some states allow non-Title IV-E children eligibility for Medicaid. If not, a child will receive Medical Assistance. However, if that happens, coverage will be limited to providers authorized by Minnesota's Medical Assistance program.

The following applies to children who are not Title IV-E eligible for Northstar Foster Care and Northstar Kinship Assistance, including children who:

- Are not automatically eligible for Medical Assistance.
- Usually meet eligibility criteria independently. To receive this benefit, application must be made on behalf of a child to their county of residence agency or appropriate tribal agency, and meet all eligibility criteria.

[Minn. Stat., section 256B.055, and section 256N.26, subd. 2]

2. Monthly Basic Payment

Other than those “at-risk,” all children on Northstar Care receive a **monthly basic payment** based on age. As with the pre-Northstar Care Foster Care Basic Rate, this gets translated into a daily rate which can also be used for partial month payments. SSIS will automatically calculate the monthly basic payment based on a child's age.

Pre-school Entry Alternate Rate (age 5 and younger)

The monthly payment follows an eligible child from foster home to permanency, but the amount depends on the age of a child at the time of final court action on adoption or transfer of permanent legal and physical custody, for eligible children:

- Age 6 or older at the time of final court action, the monthly payment is the same as they would get in a foster home.
- Who are age 5 or younger at the time of final court action, the monthly payment is half what they would get in a foster home (the Pre-school Entry Alternate Rate).

Note: As a child ages, the Pre-school Entry Alternate Rate benefits continue to be half of what would be available in foster care. The Pre-school Entry Alternate Rate does not apply to children considered “at-risk” for Northstar Adoption Assistance.

SSIS will track at what age a child achieves permanency and will apply the Pre-school Entry Alternate Rate, when appropriate.

[Minn. Stat., section 256N.25, subd. 2; and section 256N.28, subds. 3-5]

Monthly basic payments by age effective Jan. 1, 2015-June 30, 2016:

Northstar Care for Children monthly basic payment rates in effect Jan. 1, 2015	All children in foster homes or independent living, and those who enter permanency at age 6 or older	Pre-school Entry Rate for all children who enter permanency at age 5 or younger *
At-risk (Level A)	none	none
Basic: Ages birth-5	\$565	\$283
Basic: Ages 6-12	\$670	\$335
Basic: Ages 13 and older	\$790	\$395

[Minn. Stat., section 256N.26, subds. 1, 3 and 5]

3. Monthly Supplemental Payment

Most children on Northstar Care also receive a monthly supplemental payment, based on their current assessment level. As with pre-Northstar Foster Care Difficulty of Care, this is translated into a daily rate, which can also be used for partial month payments. The monthly supplemental payment is added to the monthly basic payment. SSIS will automatically calculate the monthly supplemental payment based on an approved assessment in effect.

Monthly supplemental payments by assessment level effective Jan. 1, 2015-June 30, 2016:

Northstar Care for Children monthly supplemental payment rates in effect Jan. 1, 2015	All children in foster homes or independent living, and those who enter permanency at age 6 or older	Pre-school Entry Rate for all children who enter permanency at age 5 or younger *
Level A (at-risk)	None	none
Level B (basic only)	None	none
Level C	\$100	\$50
Level D	\$200	\$100
Level E	\$300	\$150
Level F	\$400	\$200
Level G	\$500	\$250
Level H	\$600	\$300
Level I	\$700	\$350
Level J	\$800	\$400
Level K	\$900	\$450
Level L	\$1000	\$500
Level M	\$1100	\$550
Level N	\$1200	\$600
Level O	\$1300	\$650
Level P	\$1400	\$700
Level Q	\$1500	\$750

[Minn. Stat., section 24; and section 256N.26, subs. 1, 4-5 and 8]

Annual rate adjustments

The monthly basic payment and supplemental payment rates above are effective Jan. 1, 2015-June 30, 2016. The department released these monthly payments and equivalent daily rates in [DHS bulletin #14-32-11](#) (July 7, 2014), “Northstar Care for Children Maintenance and Supplemental Difficulty of Care Payment Rates.”

The department will revise rates effective July 1, 2016, and annually thereafter. Revisions will be made in the same manner that foster care rates have been adjusted for the past 25 years, based on the Estimates of the Cost of Raising a Child, published by the U.S. Department of Agriculture. Revisions cannot increase rates by more than 3 percent annually. [Minn. Stat., section 256N.26, subs. 1 and 8-9]

Important: Pre-Northstar Care programs will no longer have annual rate adjustments.

Other Benefits

Besides benefits outlined above, Northstar Care includes the following other benefits, including reimbursement:

- Of non-recurring expenses incurred by caregivers in finalizing an adoption or transfer of permanent physical and legal custody
- For pre-approved home and vehicle modifications needed to address a child's disability applies only to Northstar Adoption Assistance

[Minn. Stat., section 256N.25, subd. 1, and section 256N.26, subd. 10]

III. BENEFIT LEVELS

A. Starting Benefit Level

When scored and approved, a uniform assessment (see [Section IV, Uniform Assessment](#)) yields a score that translates into a starting benefit level. This level does not include a child care allowance.

B. Standard Benefit Level

The standard benefit level is calculated by adding:

Starting benefit level + child care allowance (if any)

Level L is the highest level available through the standard assessment. Any higher level requires the department's approval of an extraordinary level request. An approved extraordinary level increase can add up to five additional levels from the standard benefit level.

C. Extraordinary Levels

Extraordinary level increases are for a very small number of children with the highest needs. Extraordinary level benefits are for when caregivers are providing intensive supervision that fills a gap not covered by other services.

To qualify for an extraordinary level increase:

- An assessment must be completed
- The department's approval is required
- A child must physically reside with a caregiver.

[Minn. Stat., section 256N.24, subs. 2 and 4; and section 256N.26, subd. 4]

Additional information on extraordinary levels will be in the "Uniform Assessment Practice Guide."

D. Final Benefit Level

The final benefit level is calculated by adding:

The standard benefit level + the extraordinary level increase (if any)

SSIS will base payments on the final benefit level. However, if department approval of an extraordinary level request is pending, SSIS will base payments on the standard benefit level.

E. Monthly Total Payment

Consistent with practice for pre-Northstar Care programs, adding the monthly basic and supplemental payments together yields the monthly total payment. In some cases, the monthly total payment may be reduced but can never be less than zero.

For Northstar Kinship Assistance and Adoption Assistance, the monthly total payment may be reduced for two reasons, including monthly:

- Child income offset
- Negotiated reduction.

Monthly Child Income Offset

For Northstar Kinship Assistance and Adoption Assistance, if certain kinds of income are received for a child, the monthly payment will be offset (reduced) by that amount.

The types of income that count toward an income offset are financial benefits through:

- Retirement Survivor's Disability Insurance (RSDI)
- Veteran's benefits
- Railroad retirement benefits, or
- Black Lung benefits.

In Northstar Kinship Assistance or Adoption Assistance, these sources of income are paid to the caregiver(s). The amount of the child income offset is adjusted up and down over time, as financial benefits fluctuate.

Monthly Negotiated Reduction

For Northstar Kinship Assistance and Adoption Assistance, the monthly payment is limited by what the payment would be in foster care. However, it is also negotiated with the relative custodian(s) based on family circumstances, and may involve a negotiated amount below what a child would otherwise receive.

[Minn. Stat., sections 256N.25-256N.26]

IV. Uniform Assessment

In Minnesota, foster care, adoption and kinship or relative care were treated differently. Each program had different rate assessment tools and rules. Under Northstar Care, three different methods of assessment have been replaced by one assessment tool that focuses on a thorough assessment of the individual needs of a child and the level of parenting required to care for a child. The Minnesota Assessment of Parenting for Children and Youth (assessment tool) will be used to determine the benefit rate for a child in a family foster home. This same tool will be used for a child who has been adopted from foster care or whose custody has been permanently transferred to a relative or kin.

A uniform assessment is central to Northstar Care for Children. It determines the supplemental payment, one of the three main benefits. See Section II, Benefits. The information in this section provides an overview of the uniform assessment. The department will issue a practice guide for the uniform assessment that includes instructions county and tribal agency staff must follow, as well as tips and suggestions.

[Minn. Stat., sections 256N.24 and 256N.26; section 256N.28, subd. 2]

A. Minnesota Assessment of Parenting for Children and Youth

The Minnesota Assessment of Parenting for Children and Youth:

- Is the tool established by the commissioner of the Minnesota Department of Human Services
- Is completed in SSIS and shows up under the child's name on the set-up screen
- Determines whether a child will receive a monthly supplemental payment, and if so, the amount of this payment
- Is similar to how the previous Difficulty of Care assessment determined part of the amount of the monthly foster care benefit, or how the supplemental assessment process worked for pre-Northstar Relative Custody Assistance or Adoption Assistance.

Agencies use the same assessment tool as a child progresses from foster care to kinship or adoption. This eliminates having an entirely different agency (the department) approve an assessment based on an entirely different tool than has been used in foster care.

The assessment tool asks two basic questions:

- What are a child's needs?
- What is the caregiver doing to meet those needs?

The assessment tool:

- Measures the needed parenting level, whether foster parents, relative custodians or adoptive parents
- Considers the individual needs of a child and the extra care, attention and impact on a caregiver's family to safely parent a child in the home and community

- Shifts the focus away from how “sick” a child is
- Focuses on a child’s well-being and development
- Supports a child’s safety while in placement
- Supports a child achieving permanency.

Assessment Based on Age

There are three types of assessments:

- Children ages birth – 12
- Youth ages 13 and above who are not in extended foster care – supervised independent living
- Youth ages 18 to 21 who are in extended foster care – supervised independent living.

Each type of assessment uses specialized questions organized into domains. Each domain has a focus around examining the needs of a child and what a caregiver is doing to meet these needs (or in the case of independent living settings, a youth’s support needs).

Note: For children under age 13, the assessment considers the need for child care. See [Section D. Child Care Allowance](#) below.

[Minn. Stat., section 256N.24]

B. Initial Assessment

An assessment is required within 30 days of placement, similar to the Out-of-home Placement Plan, but can be completed any time after placement. County and tribal agencies are not required to complete an assessment unless a child is in placement for 30 days or longer.

If the legally responsible agency is different from the financially responsible agency, the financially responsible agency:

- Is responsible for ensuring that an assessment is completed
- Has final approval but *must* request the assistance of the legally responsible agency in completing the assessment.

Emergency Rate

A default emergency rate (Level D) is available to county and tribal agencies without an approved assessment, but only for the initial 30 days of a continuous placement. An agency may decide to conduct an assessment at any time, replacing the emergency rate. Once the initial assessment is completed, if the benefit goes:

- Up, the higher rate is retroactive to the placement date
- Down, the lower rate is effective as of the date the assessment was approved.

[Minn. Stat., section 256N.24, subs. 1 and 5-6; and section 256N.26, subd. 6]

Note: A county or tribal agency may pay more than the emergency rate but the additional amount is non-reimbursable through Northstar Care. If paying more than the emergency rate, payments must be split and entered into SSIS as two payments, one for:

- Emergency rate (Level D), and
- The additional cost with a special cost code of 96 – Additional foster care (non-reimbursable).

C. Reassessment

If a child is moving from foster care to kinship or adoption, a new assessment is not required if the following four conditions are all true:

- Child is in Northstar Foster Care
- The most recent uniform assessment is with the prospective permanent caregiver
- The assessment is current (usually less than one year), and
- Nothing major has changed that would suggest that a new assessment should be conducted.

There are situations when SSIS might require a new assessment. An example is when a significant birthday has occurred between when the previous assessment was done and beginning the eligibility determination. Two significant birthdays (ages 6 and 13) affect benefit amounts.

For reassessments in Northstar Foster Care:

- An assessment **must** be completed within 30 days of placement with reassessment at six months, then annually
- A reassessment **may** be done more frequently at any time agency staff decides it is warranted
- Foster parents may request a reassessment if at least six months have elapsed since any previous assessment or reassessment for a child
- Foster parents may also request a reassessment in less than six months by providing written documentation that there have been significant changes in a child's needs that necessitate an earlier reassessment.

To request a reassessment, foster parent(s) send a written request for a reassessment to the financially responsible agency. The written request must include:

- The name of the child
- The name, address and contact information of caregivers
- The reason for the request, and
- If requesting less than six months after the previous assessment, written supporting documentation for why a reassessment is needed now.

If a reassessment is requested by the caregiver(s), and is appropriate:

- The financially responsible agency is responsible for ensuring that a reassessment

is completed

- If the legally responsible agency is different from the financially responsible agency, the financially responsible agency has final approval, but **must** request the assistance of the legally responsible agency in completing a reassessment
- If a reassessment cannot be completed (including approval) within 30 days of a caregiver's request, the agency responsible for reassessment must notify caregiver(s) of the reason for the delay, and a reasonable estimate of when a reassessment can be completed.

For reassessment of Northstar Kinship Assistance or Adoption Assistance:

- When Northstar Kinship or Adoption Assistance Benefit Agreements have been negotiated and signed by all parties, reassessments must pause until the court orders transferring custody or finalizing an adoption, or until the benefit agreement lapses, whichever comes first.
- After the court has ordered transfer of permanent legal and physical custody or finalized adoption, there are no required reassessments. However, caregivers may request a reassessment if at least six months have elapsed since any previous assessment or reassessment.
- The process for requesting and completing a reassessment is the same as for Northstar Foster Care. See Reassessments and Northstar Foster Care above.

[Minn. Stat., section 256N.24, subds. 1, 5-6, 9-12 and 14; and section 256N.26, subd. 15]

D. Child Care Allowance

The assessment determines the amount available for the child care allowance, in part based on the age of a child. A child care allowance may be available, if needed, by the caregiver(s) for work or education. The child care allowance:

- Consists of an increase beyond the starting benefit level
- Partially defrays costs and is unlikely to cover the full cost of child care
- Has a higher range for children birth – age 6 than for those 7 -12
- Is not available for youth 13 and older.

[Minn. Stat., section 256N.24, subds. 2-3, and section 256N.28, subd. 2]

Note: The Child Care Assistance Program (CCAP) is a better support than the Northstar Care child care allowance. The child care allowance must not be included in an assessment if child care is available through CCAP or other sources.

V. PERMANENCY PROCESS

A key goal of Northstar Care is to eliminate barriers to permanency. This should increase the likelihood that children who cannot be reunified with their previous family gain a new permanent family. The legal processes for providing a new permanent family are:

- Transfer of permanent legal and physical custody
- Adoption.

One point that does not change with Northstar Care is the clear preference in federal and state law for adoption over transfer of permanent legal and physical custody. Although adoption may be ruled out and transfer of legal custody determined to be in a child's best interest, the preference always starts with adoption.

[Minn. Stat., section 256N.22, subd. 2, and section 260C.513; section 473 (d)(3) of the Social Security Act]

A. Northstar Adoption Assistance Process

For adoption, the benefits change under Northstar Care, but the process is similar to pre-Northstar Adoption Assistance.

If the department determines that a child and prospective adoptive parent(s) meet eligibility requirements, the next step is to negotiate a Northstar Adoption Assistance Benefit Agreement. See [Section II, Benefits, A, Eligibility](#).

Northstar Adoption Assistance Benefit Agreement

For the Northstar Adoption Assistance Benefit Agreement:

- The department requests the legally responsible agency, financially responsible agency, or both, to negotiate with the prospective adoptive parent(s).
- Even if eligible, the prospective adoptive parent(s) have the option of declining Northstar Adoption Assistance benefits by signing a written statement.
- Northstar Adoption Assistance Benefit Agreement is signed by the prospective adoptive parent(s), agency and the department staff.
- The agreement must be signed prior to finalization of the adoption by the court. If not signed before finalization, the door to Adoption Assistance is forever closed (unless determined eligible through a fair hearing process).

When the court finalizes an adoption:

- The Northstar Adoption Assistance Benefit Agreement becomes effective and the local agency stops making foster care payments.
- The department initiates monthly Northstar Adoption Assistance payments only after receiving a copy of the adoption decree and verifying that all requirements have been met. This typically involves a delay of two to four weeks.

[Minn. Stat., sections 256N.23 and 256N.25; section 256N.28, subd. 2; sections 260C.503-260C.515 and 260C.23]

B. Northstar Kinship Assistance Process

There are a number of changes in the permanency process for transfer of permanent legal and physical custody. Among these changes are the new pre-kinship placement and the associated Kinship Placement Agreement.

Important: The Kinship Placement Agreement, eligibility determination, and Northstar Kinship Assistance Benefit Agreement **must** all be in place **prior** to final court action. As the final step, the court must include the required court findings in its order.

Kinship Placement Agreement

The foster care placement becomes a pre-kinship placement via a Kinship Placement Agreement. The Kinship Placement Agreement is:

- Similar to a pre-adoptive placement
- Signed by prospective relative custodian(s) and agency staff – the department’s designee signature is not needed
- Includes a number of requirements and determinations
- Prospective relative custodian(s) may either opt out of Northstar Care or pursue eligibility for benefits.

Once the Kinship Placement Agreement is signed, if the department determines that a child and prospective relative custodian(s) meet eligibility requirements, the next step is to negotiate a Northstar Kinship Assistance Benefit Agreement. (see [Section II. Benefits, A. Eligibility](#)). The steps for the Northstar Kinship Assistance Benefit Agreement are similar to the Northstar Adoption Assistance Agreement.

Northstar Kinship Assistance Benefit Agreement

For the Northstar Kinship Assistance Benefit Agreement:

- The department requests the legally responsible agency, financially responsible agency, or both, to negotiate with the prospective relative custodian(s).

- Even if eligible, the prospective relative custodian(s) have the option of declining the Northstar Kinship Assistance benefits by signing a written statement.
- The Northstar Kinship Assistance Benefit Agreement is signed by the prospective relative custodian(s), agency and department staff.
- The agreement must be signed prior to finalization of the transfer of permanent legal and physical custody by the court. If not signed before finalization, the door to Kinship Assistance is forever closed (unless determined eligible through a fair hearing process).

When the court finalizes the transfer of permanent legal and physical custody:

- The Northstar Kinship Assistance Benefit Agreement becomes effective and the local agency stops making foster care payments
- The department initiates monthly Northstar Kinship Assistance payments only upon receipt and verification of the court order, court findings, and verifying that all requirements have been met.

[Minn. Stat., sections 256N.22 and 256N.25; section 256N.28, subd. 2; section 260C.212, subd. 1; and 260C.503-260C.515]

VI. BACKGROUND STUDIES

As noted in [Section II. Benefits, A. Eligibility](#), it is important to promptly license foster parents, particularly relatives.

Background Study Changes

The 2014 Legislature made three important changes in the background study process to reduce delays, including when:

- Getting relatives licensed to be foster parents, if the result of a background study is a disqualification, but not a permanent barrier, the county agency and the department must expedite requests for a set-aside or variance. This provides a significant new tool for getting relatives licensed in a timely basis.
- A relative is a licensed foster parent and moving toward transfer of permanent legal and physical custody of a child placed in their home, the background study completed for foster care licensing may be used for Northstar Kinship Assistance eligibility. The background study must have been completed on or after July 1, 2007.
- A licensed foster parent is moving toward adoption of a child placed in their home, the background study completed for foster care licensing may be used for both the Adoption Placement Agreement and for Northstar Adoption Assistance eligibility. The background study must have been completed on or after July 1, 2007.

The intent of the second and third changes is to eliminate redundant background study processes at permanency, since they were previously completed as part of child foster care licensing.

[Minn. Stat., section 245A.03, subd. 2, paragraph (a), clause (9); section 245A.035; section 245A.16; section 245C.33, subds. 1 and 4; section 245C.451; section 256N.21; and section 256N.28, subd. 2]

VII. PHASE-IN AND TRANSITIONS

A. Pre-Northstar Permanency Programs Close Nov. 26, 2014

As noted earlier, to implement Northstar Care, no new or pre-Northstar Care Adoption Assistance or Relative Custody Assistance cases may start after Nov. 26, 2014.

All steps for pre-Northstar Care Adoption Assistance or Relative Custody Assistance cases must be completed on or before Nov. 26, 2014, including:

- Eligibility work
- Agreements signed by all required parties
- Court finalization (adoption decree or order of permanent transfer of legal and physical custody).

Consequences if not completed

If all steps for pre-Northstar Care Adoption Assistance or Relative Custody Assistance cases are not completed on or before Nov. 26, 2014, all pending agreements for pre-Northstar programs are void. The usual grace period of 30 days after court action to finalize Relative Custody Assistance expires on Nov. 26, 2014, even if court action occurred less than 30 days prior to Nov. 26, 2014.

With pre-Northstar benefits not possible and Northstar Care not available until Jan. 1, 2015, the department advises caution with final court action between Nov. 26, 2014, and Jan. 1, 2015. **The outcome of any transfers of permanent legal and physical custody or adoptions between Nov. 26, 2014, and Jan. 1, 2015, is a child will not receive benefits.**

B. Four Phase-in Processes

There are four phase-in processes for Northstar Care:

- New entry
- Re-entry
- Status transitions
- Commissioner transitions.

The first three are phase-ins based on developments within a case. The fourth is through exercise of authority that may not be related to a case.

[Minn. Stat., section 256N.20, subd. 7, and section 256N.28, subd. 2]

1. New Entry Phase-in

Beginning Jan. 1, 2015, children who have never been in any of the pre-Northstar programs enter Northstar Care.

[Minn. Stat., section 256N.21, and section 260C.4411]

2. Re-entry Phase-in

Beginning Jan. 1, 2015, children who have been in any of the pre-Northstar programs, but not currently, enter Northstar Care for Children if one of its components (typically foster care) is appropriate. This is the first way in which children who have already been associated with pre-Northstar programs become part of Northstar Care.

[Minn. Stat., section 256N.21; section 256N.28, subd. 2; and section 260C.4411]

3. Status Transitions Phase-in

A status transition is the primary way to move a child from pre-Northstar foster care into Northstar Care.

There are four main types of status transitions, involving a child who:

- Moves to a different family foster home or from a family foster home to extended foster care – supervised independent living setting. This transition always results in a child entering Northstar Care Foster Care.
- Has permanent legal and physical custody transferred to a relative caregiver. Child will enter Northstar Care if they meet eligibility criteria for Northstar Kinship Assistance. See [Section II. Benefits, A. Eligibility](#).
- Is adopted. Child will enter Northstar Care if they meet eligibility criteria for Northstar Adoption Assistance. See [Section II. Benefits, A. Eligibility](#).
- Moves to a different placement setting that is neither a family foster home nor an extended foster care – supervised independent living setting. In some circumstances, this is a **temporary move**, such as a consequence placement or residential treatment. If a child is placed back with the pre-Northstar family foster home or EFC – SIL within a year without any intervening family foster homes or EFC – SIL's, there is **no status transition** and a child remains in the pre-Northstar foster care program.

There are other types of status transitions that may apply to pre-Northstar Relative Custody Assistance (RCA) or pre-Northstar Adoption Assistance, such as disruption of the permanency arrangement.

[Minn. Stat., section 256N.20, subd. 7; sections 256N.21-256N.23; section 256N.28, subds. 2 and 7; sections 257.85, 259A; and 260C.4411]

4. Commissioner Transitions

A limited number of children each year will transition into Northstar Care through a commissioner transition. Commissioner transitions are ordered by the department when it makes sense to transition a child who is on a pre-Northstar Care permanency program (Relative Custody Assistance, Adoption Assistance, or the Minnesota Permanency Demonstration Project) into Northstar Care.

Commissioner transitions cannot shift a child out of pre-Northstar foster care into Northstar Foster Care.

Need for Commissioner Transitions

Phasing in will occur at different rates for foster care compared to permanency. Pre-Northstar permanency programs involve children who stay in the program for many years, with slow turnover. Children in pre-Northstar foster care vary in their length of time in the program, resulting in faster turnover for foster care than is experienced by permanency programs. Turnover is the primary determinant of how rapidly Northstar Care gets phased in. During phase-in, commissioner transitions will be timed to partially offset this spending imbalance.

Commissioner transitions will:

- Speed up phasing in of Northstar Care for Children, promoting permanency goals for children, helping county and tribal agencies and the state meet budget targets leading to administrative simplification
- Be based on permanency and other considerations, prioritized in state statute
- Be timed to partially offset phase-in spending imbalances.

When Northstar Care is fully phased-in, children will no longer be in pre-Northstar programs, the new higher level of spending will be fairly stable and predictable, and there will be no more distortions created by different rates of phasing-in.

[Minn. Stat., section 256N.27, and section 256N.28, subd. 7]

Types of Commissioner Transitions

There are two main types of commissioner transitions from pre-Northstar:

- Relative Custody Assistance to Northstar Kinship Assistance
- Adoption Assistance to Northstar Adoption Assistance.

Another less likely type of commissioner transition is from the Minnesota Permanency Demonstration Project into Northstar Kinship Assistance, or Northstar Adoption Assistance.

Pre-Northstar Relative Custody Assistance to Northstar Kinship Assistance

At its discretion, the department may replace a Relative Custody Assistance or Minnesota Permanency Demonstration Project agreement with an appropriate Northstar Care Benefit Agreement. The amount under the Northstar Care Benefit Agreement will never be less than the benefit received under the pre-Northstar agreement, and often will be more.

Pre-Northstar Adoption Assistance to Northstar Adoption Assistance

The department does not have the same authority with a commissioner transition from pre-Northstar Adoption Assistance to Northstar Adoption Assistance. The department may invite adoptive parents to replace a pre-Northstar Adoption Assistance Agreement with a Northstar Adoption Assistance Benefit Agreement, but it cannot terminate the pre-Northstar Adoption Assistance Agreement. In most cases, adoptive parents would choose the better benefits available under Northstar Adoption Assistance, but it must be a mutual agreement.

Eligibility for Northstar Care

Northstar Care eligibility tests are not applied to commissioner transitions.

Any child who moves from Relative Custody Assistance, pre-Northstar Adoption Assistance, or the Minnesota Permanency Demonstration Project into Northstar Care through a commissioner transition is automatically qualified to be part of Northstar Kinship Assistance or Northstar Adoption Assistance.

Benefit Options

Under a commissioner transition, the benefits are more flexible than for children who enter Northstar Kinship Assistance or Adoption Assistance via other methods. The monthly basic payment is always based on the age of a child, but there are **two sets of options** that make the over-all benefits more flexible.

Option 1 – the department may employ either:

- The full benefit levels, or
- The Pre-school Entry Alternate Rate “regardless of the age of the child.” In many circumstances, the Pre-school Entry Alternate Rate will be higher than a child has received under the pre-Northstar program.

[Minn. Stat., section 256N.28, subd. 7]

Option 2 – the department may either:

- Use a special assessment (since a child was in a pre-Northstar program, there will have been no reason for a child to have had one previously), or
- Forego a special assessment and assign an appropriate level based on other criteria.

Special Assessments

The department is unlikely to request special assessments for commissioner transitions. If requested to complete a special assessment, an agency:

- Must complete the special assessment promptly, and no longer than 60 days
- Will base the monthly supplemental payment on the approved assessment level.

If foregoing a special assessment, the department will **assign** an appropriate level and base the monthly supplemental payment on that. The amount will not be lower than under the pre-Northstar program.

[Minn. Stat., section 256N.20, subd. 7; section 256N.21, subd. 6; section 256N.22, subd. 13; section 256N.24, subd. 14; section 256N.24, subs. 1, 7-8 and 12-14; and section 256N.28, subs. 2 and 7]



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