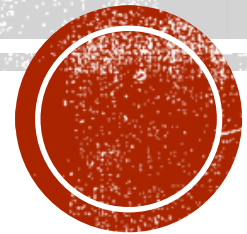


# **TRANSFER OF PERMANENT LEGAL AND PHYSICAL CUSTODY (TPLPC)**

**Information for foster families regarding TPLPC**



# FOSTER FAMILIES THAT WERE LICENSED FOR NON-RELATIVE PLACEMENTS

- Information for foster families who are licensed to provide foster care to non-relative placements, but now are being asked by county and/or tribal workers to be a permanency option for the foster children in their care.
- Information and discussions that will be talked about today.
  - What is TPLPC?
  - Questions to think about in regards to making a decision
  - The process and steps to be granted a TPLPC
  - NHCFS case managers can be a support system throughout the process
  - How it may affect your child foster care license
  - Resources
  - Questions



# WHAT IS TRANSFER OF PERMANENT LEGAL & PHYSICAL CUSTODY (TPLPC)

## ▪ **Legal Rights and Responsibilities:**

- You have the rights & responsibilities for the child's protection, education, care, supervision, and decision-making.
- You are legally & physically responsible for the child until they are 18 years old.
- Children retain their own legal name, unless changed by the court order.
- You and/or birth parents could petition the court to have the TPLPC court order modified and/or be relieved of legal responsibility, but you and/or birth parents would have to show good cause.
- In most TPLPC cases relationship with birth parents, siblings, or other relatives could be on-going if in the child's best interest.
  - Discuss this with each other, NHCFS case manager, and county/tribal worker.  
Want to make sure it's documented in the court-order that it is at your discretion.



- **Northstar Kinship Assistance** provides financial support for eligible children from the foster care system who have a **transfer of permanent legal and physical custody (TPLPC)** to a relative or kin.
- Foster parents who have had a non-relative child placed in their home through foster care can be considered kin and could complete a TPLPC.
  - Example: Jane Doe is a foster care provider and John Smith was placed in her home for foster care. The county has completed the relative search and checked on other permanency options, which there is none. The county worker asks Jane Doe if she would be willing to do a transfer of permanent legal & physical custody.

## QUESTIONS TO CONSIDER

1. Can I commit to a lifetime relationship with the child?
2. Am I interested in caring for the child without court oversight?
3. Am I capable of caring for the child without county protective services or NHCFS case manager? Am I able to access services on my own?
4. Do my family, friends, support me?
5. Am I willing to work with the school to address the child's educational needs?
6. Am I willing & able to continue to provide a safe & stable home for the child until they are 18 years old?
7. Am I confident in my ability to manage family issues, child-rearing, emotional/behavioral problems?
8. Am I in good physical and mental health?
9. Am I willing to accept legal & financial responsibility of the child?
10. Am I comfortable changing the legal status of our family?
11. Am I willing to pursue adoption or TPLPC?



# PROCESS IF YOU DECIDE TO DO A TPLPC WITH YOUR FOSTER CHILD

- The county worker will have a Kinship Placement Agreement (KPA) that they will review with you and then you would sign.
  - KPA is a form that you sign stating that you are willing to move forward with the TPLPC
- The county has to submit the KPA to DHS.
- The county will determine if the child is eligible for Northstar Kinship Assistance.
  - Most foster kids are eligible or can be eligible for NKA.
  - To be eligible for Northstar Kinship Assistance, a child must have:
    - Been removed from their parents by court order or voluntary
    - Lived with you for at least 6 consecutive months.
    - Even if child not Title IV-E
  - NKA is the reimbursement that you will receive after the TPLPC is granted.





# PROCESS IF YOU DECIDE TO DO A TPLPC WITH YOUR FOSTER CHILD

- The child is eligible for Northstar Kinship Assistance (NKA) then county worker will complete the Northstar Kinship Assistance Benefit Agreement.
  - The worker will review the Kinship Assistance Benefit Agreement with you.
  - The benefit agreement is what everyone agrees will be the kinship assistance (reimbursement to you after the TPLPC)
  - All parties will need to sign the benefit agreement, if agreed
  - The county worker will send the signed benefit agreement to DHS
  - The benefit agreement is fully executed when it is signed by DHS.
- County worker will complete the petition to the court for the TPLPC.
  - You will review the petition to the court before it is submitted.
  - This is where you want to make sure that specifics about visits with birth family, your responsibilities, etc.. are clearly stated.



# PROCESS IF YOU DECIDE TO DO A TPLPC WITH YOUR FOSTER CHILD

- The petition and kinship placement agreement will be filed with the court.
  - The court will schedule a hearing to grant the TPLPC or if no court, the judge will sign the court order and grant the TPLPC.
  - Make sure the court does NOT grant the TPLPC if DHS has not yet approved the Northstar Kinship Assistance.
    - You will receive a copy of the Northstar Kinship Assistance after DHS has approved it.
- TPLPC is granted!
  - NHCFS will no longer be involved in that child's case.
  - County or tribal worker will no longer be involved in the case.
  - You have all legal and physical responsibilities for this child.



# PROCESS OF TPLPC

- Kinship Placement Agreement



- Kinship Assistance Benefit Agreement



- Petition the Court



- TPLPC Granted





## Monthly Basic Payment Rates

Automatically determined by SSIS based on age

Group Age	Kids in permanency 6 or Older	Kids in permanency 5 or younger
<b>Level A (at risk)</b> There is no at risk status for TPLPC-Kinship Assistance	<b>No monthly payments</b> There is no at risk status for TPLPC-Kinship Assistance	<b>No monthly payments</b> There is no at risk status for TPLPC-Kinship Assistance
Basic: 0-5yrs old	\$658	\$329
Basic: 6-12yrs old	\$780	\$390
Basic: 13+yrs old	\$921	\$461

## NORTHSTAR KINSHIP ASSISTANCE-TPLPC

- This is the base payment you will receive a month per child.
- Kinship Assistance ends when the child turns 18 years old.
- Kinship Assistance (reimbursement) comes from DHS once a month.
- If TPLPC is granted for a child 5 yrs or younger half the rate.
- Monthly payment adjustments goes up as the child ages or in July sometimes based on the cost of raising a child.
- Children that are Title IV-E automatically receive medical assistance (MA) through TPLPC
- Children not title IV-E may not receive MA, but you can apply at your local county on behalf of them and they may meet the criteria independently.



# NORTHSTAR KINSHIP ASSISTANCE-TPLPC

## Monthly Supplemental Payment Rates

Based on Minnesota Assessment of Parenting for Children and Youth (MAPCY)

	Young people in foster care or those who enter permanency at age 6+	Young children who enter permanency age 5 or younger
Level A (At Risk)	None	None
Level B (Basic Only)	None	None
Level C	\$104	\$52
Level D	\$208	\$104
Level E	\$312	\$156
Level F	\$416	\$208
Level G	\$520	\$260
Level iH	\$624	\$312
Level I	\$728	\$364
Level J	\$832	\$416
Level K	\$936	\$468
Level L	\$1040	\$520
Level M	\$1144	\$572
Level N	\$1248	\$624
Level O	\$1352	\$676
Level P	\$1456	\$728
Level Q	\$1560	\$780

- Monthly supplement rates come from the MAPCY
- You will know the kinship assistance (reimbursement rate) when you review the benefit agreement and sign off on that.
- Children 6 yrs & older at the time of application for TPLPC, the monthly payment is the same as they would have in foster care.
- You can request reassessment of the kinship assistance after the TPLPC as long as least 6 months have passed.
  - Need to request the reassessment in writing,



# **SUPPORT FROM YOUR NHCFS CASE MANAGER**

- If a county and/or tribal worker approaches you regarding being a permanency option for a current foster youth, please notified you NHCFS case manager immediately.
- Use your NHCFS case manager to help you become informed and make an informed decision
- If you choose to do the TPLPC please do NOT sign paperwork unless your NHCFS case manager is there to review it and help answer any questions you may have.
- NHCFS case managers just want you to be fully informed about what TPLPC means for the case and let you make an informed decision that is best for you and your family.



# COULD A TPLPC AFFECT YOUR CHILD FOSTER CARE LICENSE?

- **It is possible that a TPLPC could affect your child foster care license!**
- If you are granted a TPLPC of a child and/or children it may affect your child foster care license due to the following:
  - Capacity- how many kids you are licensed for
  - Ratio- 1 to 5 adult ratio
  - Sleeping space and space for belongings
  - The needs of the child(ren)
  - Vehicle accommodations
- **PLEASE CONSULT WITH YOUR NHCFS CFC LICENSOR IF YOU HAVE QUESTIONS IN REGARDS TO IF A TPLPC WOULD OR WOULD NOT EFFECT YOUR CFC LICENSE!**



# RESOURCES

## INFORMATION ABOUT TPLPC

- **PATHS TO PERMANENCY** (DHS-7024A)
- **NORTHSTAR CARE FOR CHILDREN- PRACTICE GUIDE** (DHS-7024)
- **TPLPC PROCESS CHECKLIST** (DHS-6978)
- **NORTHSTAR CARE FOR CHILDREN- FAQ AND ANSWERS**
- **MN ADOPT WEBSITE**
- **CHECK WITH YOUR NHCFS CASE MANAGER FOR MORE INFORMATION!**

## RESOURCES AFTER TPLPC

- **PCA**
- **THERAPIST- MH SERVICES**
- **MEDICATION PROVIDER**
- **COUNTY RESOURCES (CMH)**
- **COMMUNITY REOURCES**
- **MN ADOPT**
- **DHS ADOPTION DEPT.**

