



Home	Bill Information	California Law	Publications	Other Resources	My Subscriptions	My Favorites
------	------------------	----------------	--------------	-----------------	------------------	--------------

AB-680 Public social services: foster care benefits. (2025-2026)

SHARE THIS:  

Date Published: 02/14/2025 09:00 PM

CALIFORNIA LEGISLATURE— 2025–2026 REGULAR SESSION

ASSEMBLY BILL

NO. 680

Introduced by Assembly Member Ahrens

February 14, 2025

An act to amend Section 11401.5 of the Welfare and Institutions Code, relating to public social services.

LEGISLATIVE COUNSEL'S DIGEST

AB 680, as introduced, Ahrens. Public social services: foster care benefits.

Existing law establishes various programs to provide foster care benefits, including, among others, the Aid to Families with Dependent Children—Foster Care (AFDC-FC) program, under which counties provide payments to foster care providers on behalf of qualified children in foster care and to nonminor dependents. Existing law requires the county to review the child's or nonminor dependent's payment amount annually, including an examination of any circumstances of a foster child or nonminor dependent that are subject to change and could affect the child's or nonminor dependent's potential eligibility or payment amount.

This bill would require that review to include a review of a child's or nonminor dependent's eligibility for foster care benefits, and would require that review to also be conducted each time the county receives specified information. The bill would require, if the county determines pursuant to that review that a child or nonminor dependent is no longer eligible for foster care benefits under the program from which they are currently receiving foster care benefits, but is eligible for foster care benefits under another program, the county to ensure that the child or nonminor dependent receives the foster care benefits to which they are entitled under the new program, and to provide a notice of action that includes specified information to the caregiver of the child or to the nonminor dependent. The bill would also require the county to provide a notice of action that includes specified information to the caregiver of the child or to the nonminor dependent if the county determines pursuant to that review that the child or nonminor dependent is no longer eligible for foster care benefits under any program.

This bill would require a county to make an initial determination of the amount of foster care benefits to which a child is entitled within 30 days of the juvenile court's initial order to detain the child.

By imposing new duties on counties, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 11401.5 of the Welfare and Institutions Code is amended to read:

11401.5. (a) *The county shall make an initial determination of the amount of foster care benefits to which a child is entitled within 30 days of the juvenile court's initial order to detain the child pursuant to Section 319.*

~~(a)~~

(b) The county shall review *a child's or nonminor dependent's eligibility for foster care benefits and the amount of a child's or nonminor dependent's* ~~payment amount annually.~~ *foster care benefits annually and each time the county receives information indicating the child or nonminor dependent may be entitled to a different amount of foster care benefits or may be eligible for foster care benefits under a program other than the one under which they are currently receiving benefits. For purposes of this subdivision, a county is deemed to have received information indicating that there has been a change in circumstances for a child who was placed in a home on an emergency basis pursuant to Section 309 at the time the home is subsequently approved pursuant to Section 16519.5. The review shall include an examination of any circumstances of a foster child or nonminor dependent that are subject to change and could affect the child's or nonminor dependent's potential eligibility or ~~payment~~ *benefit amount, including, but not limited to, authority for placement, eligible home or facility, needs, and age. If the county determines that it needs additional information to determine a child's or nonminor dependent's eligibility for a specific foster care benefit program, the county shall solicit that information from the child's caregiver or from the nonminor dependent.**

(c) (1) *If a county determines pursuant to a review conducted pursuant to subdivision (b) that a child or nonminor dependent is no longer eligible for foster care benefits under the program from which they are currently receiving foster care benefits, but is eligible for foster care benefits under another program, the county shall ensure that the child or nonminor dependent receives the foster care benefits to which they are entitled under the new program. Foster care benefits shall continue to be provided at the same rate as immediately prior to the review, without interruption, while the county is undertaking this administrative procedure.*

(2) *If the county makes the determination described in paragraph (1), it shall provide a notice of action to the caregiver of the child or to the nonminor dependent that includes, at a minimum, all of the following information:*

(A) *An advisement that the program under which their foster care benefits are provided has changed.*

(B) *The name of the new program under which their foster care benefits are being provided and an explanation of that program.*

(C) *A description of their administrative hearing rights relative to that determination.*

(d) *If a county determines pursuant to a review conducted pursuant to subdivision (b) that a child or nonminor dependent is no longer eligible for foster care benefits under any program, it shall provide a notice of action to the caregiver of the child or to the nonminor dependent identifying the foster care benefits programs for which their eligibility was assessed and the specific reason that the child or nonminor was determined ineligible for those programs.*

~~(b)~~

(e) Consistent with federal law, any income and resources of the foster child or nonminor dependent obtained after the initial eligibility determination shall not be used to redetermine eligibility during a single foster care episode.

(f) *For purposes of this section, "foster care benefits" means benefits provided under any of the following programs:*

(1) *The state-funded Kinship Guardianship Assistance Payment Program (Article 4.5 (commencing with Section 11360)).*

(2) *The federally funded Kinship Guardianship Assistance Payment Program (Article 4.7 (commencing with Section 11385)).*

(3) *Aid to Families with Dependent Children—Foster Care (Section 11401 or 11405).*

(4) *The Approved Relative Caregiver Funding Program (Section 11461.3).*

(5) *The Adoption Assistance Program (Chapter 2.1 (commencing with Section 16115) of Part 4).*

SEC. 2. To the extent that this act has an overall effect of increasing the costs already borne by a local agency for programs or levels of service mandated by the 2011 Realignment Legislation within the meaning of Section 36 of Article XIII of the California

Constitution, it shall apply to local agencies only to the extent that the state provides annual funding for the cost increase. Any new program or higher level of service provided by a local agency pursuant to this act above the level for which funding has been provided shall not require a subvention of funds by the state or otherwise be subject to Section 6 of Article XIII B of the California Constitution.