

January 15, 2021

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

EXECUTIVE SUMMARY

ALL COUNTY LETTER NO. 21-08

The purpose of this All County Letter (ACL) is to inform all county child welfare agencies and probation departments of the extension of limited exceptions to the in-person requirements for monthly caseworker visits, based on the new color-tiered system established by the Blueprint for a Safer Economy introduced by Governor Gavin Newsom on August 28, 2020.



KIM JOHNSON
DIRECTOR

STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES
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GAVIN NEWSOM
GOVERNOR

January 15, 2021

ALL COUNTY LETTER (ACL) NO. 21-08

TO: ALL COUNTY WELFARE DIRECTORS
ALL CHIEF PROBATION OFFICERS
ALL CHILD WELFARE SERVICES PROGRAM MANAGERS
ALL LICENSED CHILDREN'S RESIDENTIAL FACILITIES
ALL LICENSED CHILDREN'S RESIDENTIAL PROVIDERS
ALL CDSS ADOPTION REGIONAL OFFICES

SUBJECT: **UPDATED COVID-19 RELATED EXCEPTIONS TO IN-PERSON MONTHLY CASEWORKER VISITATION REQUIREMENTS FOR DEPENDENT CHILDREN, NONMINOR DEPENDENTS, AND WARDS**

REFERENCES: [MANUAL OF POLICIES AND PROCEDURES \(MPP\) DIVISION 31 SECTION 320](#); [GOVERNOR'S PROCLAMATION OF A STATE OF EMERGENCY, MARCH 4, 2020](#); [ACL 19-87](#); [ACL 20-25](#); [ACL 20-130](#); [EXECUTIVE ORDER \(EO\) N-71-20](#); [EO N-75-20](#)

The purpose of this All County Letter (ACL) is to provide county child welfare agencies and probation departments with guidance regarding the extension of COVID-19 related limited exceptions to the in-person requirements for monthly caseworker visits.¹

These new extensions have been established based on the color-tiered system established by the [Blueprint for a Safer Economy](#) introduced by Governor Gavin Newsom on August 28, 2020.

Guidance contained in this ACL supersedes the instructions in [ACL 20-130 \(November 20, 2020\)](#), and will be in effect until further guidance is issued by the Department, or until the Governor's Declared State of Emergency due to COVID-19 is terminated, whichever is sooner.

¹ This guidance applies to monthly caseworker visit requirements for children in foster care placements, both child welfare and probation supervised, as well as family maintenance and Title IV-E Candidacy cases.

BACKGROUND

On August 28, 2020, Governor Newsom unveiled the [Blueprint for a Safer Economy](#), which outlined the State's color-tier system for determining the severity of the COVID-19 viral outbreak on a county-by-county basis. In the system, each county receives a color designation based on the level of outbreak in that county. Each color corresponds to a level of severity and determines the activities and restrictions that are required to be in place for the county. The color levels of severity are:

- **Purple**—Represents Widespread outbreak of the virus in the county.
- **Red**—Represents Substantial outbreak of the virus in the county.
- **Orange**—Represents Moderate outbreak of the virus in the county.
- **Yellow**—Represents Minimal outbreak of the virus in the county.

A [Regional Stay Home Order](#), announced December 3, 2020, and a [supplemental order](#), signed December 6, 2020, implemented a new stay-at-home order, which divides the state into five regions and goes into effect at 11:59 PM the day after a region has been announced to have less than 15% Intensive Care Unit (ICU) availability. Once triggered in a region, the order remains in effect for at least three (3) weeks. After that period, it is lifted when the region's projected ICU capacity meets or exceeds 15%. The ICU capacity will be assessed on a weekly basis after the initial three-week period.

On March 21, 2020, [ACL 20-25](#) provided guidance regarding case-by-case waivers of in-person monthly caseworker visits that were authorized pursuant to [Executive Order \(EO\) N-39-20](#) and could temporarily be utilized by county placing agencies while conducting needed casework activities. [EO N-71-20](#) and [EO N-75-20](#) provide CDSS with the authority to continue the allowance of case-by-case waivers of in-person monthly caseworker visits in accordance with the instructions outlined below.

TIER-BASED MONTHLY CASEWORKER VISITS

In conjunction with implementation of Governor Newsom's Blueprint for a Safer Economy, county child welfare agencies and probation departments must conduct monthly caseworker visits according to the following guidelines.

Remote visits conducted through videoconferencing may only be used after a child-specific decision, based on the training and experience of the caseworker² and considering all available information, that an in-person visit is not necessary to ensure the child's safety or wellbeing. For the purpose of this letter, "child" includes nonminor dependents.

² For the purpose of this letter, caseworker includes county child welfare agency social workers and juvenile probation department probation officers.

For situations in which the county of jurisdiction or the county in which the child is placed (if different) is in the **purple** or **red** tier status, the monthly caseworker visit may be conducted through videoconferencing on a case-by-case basis pursuant to the assessment process described in [ACL 20-25](#). However, an in-person case visit must occur at least once every three months. Additionally, it is recommended that a county institute a “one address; one in-person visit” policy. Namely, in order to minimize risks, when in-person visits are conducted, one caseworker visits and assesses all children residing in the placement. If the visiting caseworker is not the child’s assigned caseworker, the child’s assigned caseworker must additionally conduct a videoconferencing visit with the children in the home for whom they are providing case management.

For counties (either of jurisdiction or in which the child is placed, if different) in the **orange** or **yellow** tier status, in-person monthly caseworker visits are required with proper use of Essential Protective Gear (EPG)³. However, videoconferencing visitation may occur on a case-by-case basis pursuant to the assessment process described in [ACL 20-25](#) if someone in the household is diagnosed with COVID-19, has symptoms of COVID-19, or has been exposed to COVID-19 within the past two weeks and the visit cannot be postponed within the month. An in-person visit must be conducted at least every other month.

Counties must continue to take appropriate measures to comply with applicable confidentiality and privacy laws when contacting and/or conducting assessments via videoconference. All remote contacts must be documented in accordance with the instructions set forth in [ACL 20-31](#). As a reminder, only videoconference contacts will be a sufficient substitute to meet state and federal face-to-face monthly visit requirements.⁴

Out of State Placements

California foster youth in out-of-state placements must continue to receive monthly visitation. Children placed in home-based foster care are generally supervised and visited by the receiving state, consistent with Regulation 11 of the Interstate Compact on the Placement of Children (ICPC). For these children, the county caseworker should consult with the responsible agency in the receiving state and document the monthly visitation plan established by the receiving state as a result of COVID-19.

³ Please note that [public health guidance](#) recommends that children under the age of two or anyone who has trouble breathing or is unable to remove the mask without assistance should not wear face masks or coverings.

⁴ https://www.cdss.ca.gov/Portals/9/Additional-Resources/Letters-and-Notices/ACINs/2020/I_33_20.pdf

When the county caseworker is responsible for providing monthly visitation for an out-of-state placement, the caseworker should determine whether the monthly visit must occur in-person or through videoconference utilizing the in-state color-tier approach described above. In addition to the color-tier status of the placing county, the county must also consider similar criteria with respect to COVID-19 positivity status in the local jurisdiction in the receiving state in assessing whether an in-person or videoconferencing visit is appropriate, and under what circumstances. Counties must also follow the protocols described above for in-person visitation every three (3) months if the videoconference option is utilized.

ONGOING SAFETY PRECAUTIONS

Prior to conducting any in-person visits, county placing agency staff should ask the family, nonminor dependent, and caregiver⁵, as appropriate, the following questions:

- Has anyone in your home/facility tested positive for COVID-19 in the past 14 days?
- In the past 14 days have you, your children, and/or anyone else in your household had [any of the following symptoms](#)?
 - Fever
 - Cough
 - Shortness of breath
 - Chills
 - Repeated shaking with chills
 - Muscle pain
 - Headache
 - Sore Throat
 - New loss of taste or smell
- Have you, your children, and/or anyone in your household/facility had close contact with a person who tested positive for COVID-19 with a laboratory-confirmed test in the last 14 days?

If someone answers “yes” to any of the questions, they should be encouraged to contact their doctor and let them know about their symptoms and/or exposure. If someone in the household has been exposed to COVID-19 or is experiencing symptoms and the visit must occur in person to meet the requirements of this letter, the caseworker should obtain proper EPG before going on an in-person visit.

Additionally, caseworkers should utilize the following preventative practices during all visits:

- Practice physical distancing when in someone’s home – stay six feet away
-

- from people when possible in order to accomplish the purpose of the visit.
- Minimize the number of people in the home or facility, if possible, to only those necessary to complete the purpose of the visit.
 - Open windows and doors within the home or facility to increase air circulation while conducting indoor visits.
 - Wear the appropriate EPG.
 - Caseworkers may provide and ask the family members,⁶ caregivers, or NMDs to wear a mask during an in-person visit, but they cannot require it.
 - Frequently wash hands with soap and water for at least 20 seconds. If this is not feasible, use hand sanitizer.
 - Avoid touching eyes, nose or mouth.
 - Cover your cough or sneeze with a tissue or your elbow or a tissue. Wash hands afterwards. If this is not feasible, use hand sanitizer.
 - Follow guidance from public health officials.

Please work with your county Office of Emergency Services to obtain EPG for your caseworkers as needed. If you have problems obtaining EPG, please contact your local Office of Emergency Services immediately. Please also inform CDSS if the issue is not resolved quickly.

Questions or requests for clarification regarding the information in this letter should be directed to the Permanency Policy Bureau at (916) 657-1858 or CFSD@dss.ca.gov.

Sincerely,

Original Document Signed By

GREGORY E. ROSE
Deputy Director
Children and Family Services Division

² Please note that [public health guidance](#) recommends that children under the age of two or anyone who has trouble breathing or is unable to remove the mask without assistance should not wear face masks or coverings.