

ALABAMA DEPARTMENT OF HUMAN RESOURCES SOCIAL SERVICES DIVISION
ADMINISTRATIVE CODECHAPTER 660-5-2
SOCIAL SERVICES PLAN

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660-5-2-.01 Purpose.

(1) The Title XX Block Grant Annual Plan and Pre-expenditure Report is a proposal for balancing available funds with social service needs in all areas of the state. Due to limited funding, the plan cannot include all of the social services needed in Alabama, and all services provided will not be available to everyone in need.

(2) The plan defines each broad service category, offers estimates of cost of services and identifies and estimates the number of individuals to be served. It also lists the methods of delivery for services and the geographic areas to be served; it states which departmental goals and objectives are to be met by the provision of services. The proposed services and distribution of funds described in the plan are determined by priorities based on the Department's goals and statutory requirements, the public review process and needs assessment as discussed in 660-5-2-.04 and 660-5-2-.05.

Author:

Statutory Authority: Omnibus Budget Reconciliation Act of 1981, P.L. 97-35, 42 U.S.C. 1397; Code of Ala. 1975, §§38-2-6, 38-7-1 through -17, 38-9-1 through -11.

History: Effective June 28, 1983.

660-5-2-.02 Authority.

The Alabama Department of Human Resources is designated by the Governor as the single state agency to administer Title XX of the Social Security Act (P.L. 93-647). Title XX, which consolidated social services provisions for low income persons previously funded under Titles IV-A and VI of the Social Security Act, became effective October 1, 1975, and federal funds were allocated annually on the basis of population to reimburse states for seventy-five percent (75%) of the cost of providing social services. In August 1981, the Omnibus Budget Reconciliation Act of 1981 changed Title XX to a Social Services Block Grant, consolidated Title XX Social Services Training and Day Care into one block grant and reduced federal funding.

Author:

Statutory Authority: Omnibus Budget Reconciliation Act of 1981, P.L. 97-35, 42 U.S.C. 1397; Code of Ala. 1975, §§38-2-6, 38-7-1 through -17, 38-9-1 through -11.

History: Effective June 28, 1983.

660-5-2-.03 Program Goals.

The Department's goals and national goals as outlined in federal legislation form the basis for prioritizing proposed social services. These goals currently are:

(a) State Goals.

1. Achieving or maintaining economic self-support to prevent, reduce or eliminate dependency;
2. Achieving or maintaining self-sufficiency, including reduction or prevention of dependency;
3. Preventing or remedying neglect, abuse or exploitation of children and adults unable to protect their own interests; or preserving, rehabilitating or reuniting families;
4. Preventing or reducing inappropriate institutional care by providing for community-based care, home-based care or other forms of less-intensive care; or
5. Securing referral or admission for institutional care when other forms of care are not appropriate or providing services to individuals in institutions.

(b) National Goals.

1. To seek out and prevent or remedy abuse, neglect, exploitation or dependency among eligible individuals unable to protect themselves;
2. To enable low-income individuals and families to meet minimal economic needs;
3. To enable individuals eligible for departmental programs to live at a level and setting consistent with their functional capacity; and
4. To increase the efficiency and effectiveness of the programs and services provided by the Department.

Author:

Statutory Authority: Omnibus Budget Reconciliation Act of 1981, P.L. 97-35, 42 U.S.C. 1397; Code of Ala. 1975, §§38-2-6, 38-7-1 through -17, 38-9-1 through -11.

History: Effective June 28, 1983.

660-5-2-.04 Public Review Process.

(1) The purpose of the public review process is to enable the residents of the State to participate in the decision-making process with respect to the State's services plan. It is intended to assure that opportunity has been provided for public participation of clients, advisory groups, public and private organizations, public officials and the general public in needs assessment, identification of priorities and allocation of resources throughout the development of the services plan.

(2) Public hearings are held in several areas of the State affording interested citizens opportunity to comment on the plan. Additionally, input is provided by the State Advisory Council which is composed of consumers, providers and civic and advocacy groups.

Author:

Statutory Authority: Omnibus Budget Reconciliation Act of 1981, P.L. 97-35, 42 U.S.C. 1397; Code of Ala. 1975, §§38-2-6, 38-7-1 through -17, 38-9-1 through -11.

History: Effective June 28, 1983.

660-5-2-.05 Needs Assessment.

A variety of methodologies are employed in Alabama to identify service needs. These include key respondent surveys, analysis of census and other population data and analysis of data available through management information systems. No single method is adequate to determine service needs. Each provides qualitatively different, yet important, information. Also, identified needs must

be weighed against available funds and social services goals and objectives.

Author:

Statutory Authority: Omnibus Budget Reconciliation Act of 1981, P.L. 97-35, 42 U.S.C. 1397; Code of Ala. 1975, §§38-2-6, 38-7-1 through -17, 38-9-1 through -11.

History: Effective June 28, 1983.

660-5-2-.06 Rights Of Applicants And Recipients.

An individual has the right to have services provided, if eligible, without regard to race, color, religion, sex, marital status, age, handicap, national origin or political opinions. Equality of treatment from the Department is guaranteed by the federal Civil Rights Act of 1964. In addition, the Federal Rehabilitation Act of 1973 (§504) requires that the Department not exclude from participation, or deny benefits to, any handicapped individual who is otherwise eligible.

Author:

Statutory Authority: Omnibus Budget Reconciliation Act of 1981, P.L. 97-35, 42 U.S.C. 1397; Code of Ala. 1975, §§38-2-6, 38-7-1 through -17, 38-9-1 through -11.

History: Effective June 28, 1983.

660-5-2-.07 Individuals To Be Served.

The following individuals who are making their home in Alabama are eligible to receive services:

(a) Aid to Families with Dependent Children (AFDC) Recipients including grantee relatives not in AFDC budgets. (Note: Under Title III of the Family Support Act of 1988, employed AFDC recipients and AFDC recipients participating in appropriate education and training programs are eligible for day care services under the Jobs Opportunities and Basic Skills Training Program (JOBS), and persons whose AFDC have been terminated due to earned income are eligible for transitional (TRAN) day care services);

(b) Supplemental Security Income (SSI) Recipients (Exception: For Residential Care Services For Individuals With Exception Needs, the individual must be eligible based on income);

(c) State Supplemental Recipients;

(d) Individuals whose needs are taken into account in determining the needs of AFDC recipients;

(e) Individuals eligible based on income; and

(f) Individuals eligible for specific services without regard to income.

(g) Individuals who are age 18 or over and who are or suspected to be at risk of abuse, neglect, and/or exploitation or who are at risk of institutionalization and who otherwise meet service specific criteria for adult services.

1. Individuals at risk of abuse, neglect, or exploitation are defined as individuals who are suspected to be or likely to become adults in need of protection as defined in Rule 660-5-2-.07.

2. Individuals age 18 and over who are at risk of institutionalization are defined as adults who are unable or likely to become unable to live safely outside of an institution due to his or her inability or his or her caretaker's inability to provide the minimum sufficient level of care in his or her own home.

(h) Individuals receiving adult services as of March 1, 1998, will continue to be eligible unless services are terminated according to the administrative code rules in section 660-5-3-.07. To resume services, applicants must meet the criteria specified in (g).

Author: Kay Pilgreen

Statutory Authority: Omnibus Budget Reconciliation Act of 1981, P.L. 97-35, 42 U.S.C. 1397; 45 C.F.R. Part 96; P.L. 100-485, Titles II and III; 42 U.S.C. Sections 602, 681-687; 45 C.F.R. Parts 250 and 255; 54 Fed. Reg. 42145-42267; Code of Ala. 1975, §§38-2-6, 38-7-1 through -17, 38-9-1 through -11; JOBS State Plan and State Supportive Services Plan.

History: Effective June 28, 1983. Amendment effective October 9, 1985. Emergency amendment effective October 1, 1985. Succeedent permanent amendment effective January 9, 1986. Succeedent emergency amendment effective October 1, 1990. Succeedent permanent amendment effective January 9, 1991. **Amended:** Filed February 18, 1999; effective March 25, 1999.

660-5-2-.08

General Types Of Services.

(1) Direct Services. Direct services are those services provided by department staff (social service workers, homemakers, etc.) or volunteers recruited and supervised by department staff. Direct services include service management as well as other "facilitating" and "linking" activities. In support of direct services, training is designed to further social service components of the Department's mission, goals and objectives by:

(a) Training new social service workers and supervisors in the knowledge and job skills essential to the provision of effective services;

(b) Retraining existing staff in the new policies, procedures and program areas; and

(c) Providing refresher and corrective action training for experienced staff.

(2) Purchased Services. Some services are purchased from public and private agencies and/or individuals. The formal purchase agreement usually is a signed contract. Further information about the Department's "purchase of services" program may be obtained from the Office of Social Service Contracts, State Department of Human Resources, 50 Ripley Street, Montgomery, Alabama 36130-1801.

(3) Volunteer Services. Volunteer Services provide essential support non-professional assistance to the Department's staff to better enable them to fulfill professional and agency responsibilities. Volunteers enhance and help maintain the quality of social services. As unpaid staff members they work directly with clients as requested by Department staff.

Author: Kay Pilgreen

Statutory Authority: Omnibus Budget Reconciliation Act of 1981, P.L. 97-35, 42 U.S.C. 1397; Code of Ala. 1975, §§38-2-6, 38-7-1 through -17, 38-9-1 through -11.

History: Effective June 28, 1983. **Amended:** Filed February 18, 1999; effective March 25, 1999.

660-5-2-.09 Proposed Categories Of Services.

Proposed categories of services include:

(a) Adoption Services (also provided through Title IV-B)-- Services provided on behalf of a child who is legally free for adoption, inclusive of recruitment and study of prospective adoptive homes, placement of the child, supervision of the child, and other post-placement services; legal services; reporting to the court and supervision of a child for whom an adoption petition has been filed in Probate Court; purchase of adoption placement services for children with special needs; and information and referral;

(b) Day Care for Adults - A program of care for a portion of a 24-hour day in a protective setting for the individual (1) who is at risk of abuse, neglect, or exploitation or (2) who is at risk of institutionalization. Service includes medical examination (when not available without cost to the Department) to determine appropriateness of service; casework and services to assure placement appropriate to the need of

individuals served; Information and Referral and Counseling with the provider of care; service includes meals and may include transportation. If termination or reductions are necessary due to funding reductions, the person most recently authorized with the lowest priority will be the first terminated or reduced. (NOTE: When two or more adults on the waiting list have the same priority, the "date of request" will be used to determine which has priority.) Full-time adult day care services are not available for residents of group living arrangements serving four or more unrelated individuals;

(c) Day care for Children--Provision of counseling, including information and referral, and care for a portion of a 24-hour day. Service includes developmental programs, nutritious meals, and physical examinations prior to admission in accordance with requirements of minimum standards (if such examinations are not available without cost to the Department). Purchase of service is limited to: (1) prevent or remedy abuse/neglect/exploitation of child as documented in the protective services plan and to enable foster care children placed with employed foster parents to receive day care; (2) enable employment of AFDC recipients and allow transitional child care services for AFDC recipients whose benefits are terminated due to earned income; (3) enable AFDC recipients to participate in employment, training and education programs and to enable food stamp recipients in selected counties to participate in Food Stamp Employment and Training; (4) enable employment of child's parent/responsible caretaker who is income eligible and at risk of welfare dependency (5) enable a child's parent/responsible caretaker who is income eligible and defined eligible for block programs (6) enable employment of grantee relative/responsible caretaker not in the AFDC budget; or (7) to relieve stress caused by disability of parent/responsible caretaker or child. Day care may be approved as an Aid to Refugee Service for a child whose parents do not speak English and who are enrolled full or part-time in English as a second language class and for a child whose parent/responsible caretaker is enrolled in school or a training program for the purpose of developing employment potential. With the exception of JOBS and transitional child care day care payments are limited to a specified number of slots per county for each funding source (Title XX, At-Risk, and Block Grant). Payment for day care services for children is authorized on a "first come, first served basis" as long as there are slots available. When slots under a particular funding source are filled, a waiting list is established which contains the names of children who were denied day care because of lack of an available slot. As slots become available, children on the waiting list are selected for service based on date of application and/or reasons why day care is needed.

(d) Day Care for the Physically and/or Mentally Handicapped--Day Care for the Physically and/or Mentally Handicapped includes habilitative and rehabilitative services for the physically and/or mentally handicapped in a group setting away from a home for a portion of a 24-hour day. This service will provide training in education, communication, functional living skills, and social functioning. Day Care for the Physically and/or Mentally Handicapped is available to individuals 6-17 only during periods outside the regular public school year. Individuals 18-20 may be served only when they are not eligible to receive services through the LEA. Transportation, daily meals and snacks may be included. Physical examinations and D & E services may be provided if not available without cost to the Department. Day Care for Physically and/or Mentally Handicapped will be available to school-age children (6-17) only during periods outside the regular public school year; (2) be diagnosed mentally retarded by medical or other diagnosis with preference for services made to persons with moderate and below diagnosis of mental retardation, with the family's need for the service taken into consideration. When waiting lists must be established, the degree of retardation and date of request for service will be used to establish waiting lists. If terminations are necessary due to funding reductions, the persons most recently authorized will be the first terminated. If they continue to be eligible for the service, those terminated will go to the top of the waiting list.

(e) Foster Care for Adults--Service provided in private approved homes on a 24-hour basis for persons who are in need of residential care in a family setting. It serves the individual who is (1) at risk of abuse, neglect or exploitation; or (2) at risk of institutionalization and is unable to live in his or her own home and whose family is unable to meet the client's needs because of distance, ill health, estrangement, or the family's inability to provide adequate care. Foster care placement may be arranged after a protective services investigation reveals the client cannot protect himself from abuse, neglect, or exploitation. Service includes medical examination (when not available without cost to the Department) to determine appropriateness of services; Information and Referral; casework services to assure placement appropriate to the need of individuals being served, proper care, continuing appropriateness of foster care; legal services; case planning and monitoring of service delivery with the provider of care; limited transportation; recruitment and study of foster homes; diagnostic and evaluation services and mental health counseling. Also includes payment for specialized foster care services provided under certain conditions for adult with physical, mental, or emotional or behavior problems who are not eligible for State Supplementation. Service does not include payment for room and board, and client must have sufficient resources to pay this

cost. Portions of this service are also provided under State Supplementation program;

(f) Foster Care for Children--Services for children outside of their own homes on a 24-hour basis in a licensed or approved facility include: diagnosis and evaluation; counseling with parents, relatives, child, provider of foster care; Information and Referral; recruitment and study of foster care resources; legal services; purchase of social services for children in licensed or approved child care facilities; and transportation for children returned to this state and from this state to another state pursuant to placement agreements. Transportation and recreational services may be included in purchase of service contracts. Payment may be made for specialized foster care services in foster homes for children with physical, mental, emotional or behavioral problems. Portions of this program are available under the State Supplementation program;

(g) Handicapped Children Services from funds dedicated or appropriated or allocated by law especially for services to handicapped children. Funds may be dedicated, appropriated or allocated by law or ordinance or by private donation, grant or from other sources. The provision of this service is restricted by the law, ordinance or criteria under which funds are made available. Application, income scales and fees, service availability, priorities for services, waiting list and other requirements of Rule Chapter 660-5-2 and Rule Chapter 660-5-3 apply to Handicapped Children Services. The definition of "handicapped" is the same as the definition of "disability" under the federal Americans with Disabilities Act of 1990, 42 U.S.C. §12102(2) (29 C.F.R. §16302(g)) and the definition of "individual with handicaps" under the federal Rehabilitation Act of 1973. 29 U.S.C. §705(20)(A) and (B) and federal regulations implementing the Americans with Disabilities Act which define a disability in terms of a physical or mental impairment substantially limiting a major life activity. 29 C.F.R. §1630.2(i) and (j). A "physical impairment" is any physiological disorder, condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological, muscular-skeletal, special sensory organs (including speech organs), respiratory, cardiovascular, reproductive, digestive, genito-urinary, hemic and lymphatic, skin, and endocrine. 28 C.F.R. §36.104, 29 C.F.R. §1630(2)(h)(1). A "mental impairment" is any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities. 28 C.F.R. §36.104; 29 C.F.R. §1630(2)(h)(2).

(h) Homemaker Services for Adults--Assistance provided in managing and keeping in operation the home of the individual who is (1) at risk of abuse, neglect, or exploitation and for

whom homemaker services is the least restrictive method by which such protection can be provided or (2) at risk of institutionalization. When waiting lists must be established for recipients for the service, these same criteria will be used (in order listed) for removing names from the waiting when the service becomes available. Service may include help in bathing and dressing when the county department has documentation that the homemaker has successfully completed training to perform these tasks; limited transportation; casework related to the need for acceptance of an appropriate use of service, and Information and Referral. (NOTE: When two or more adults on the waiting list have the same priority, the "date of request" will be used to determine which has priority.) If terminations or reductions are necessary due to funding reductions, the person most recently authorized with the lowest priority will be the first terminated or reduced. Those terminated or reduced will go to the top of the waiting list.

(i) Homemaker Services for Children--Assistance provided by homemakers to help families with children by teaching them good methods of home management, child care and personal care; and by managing and keeping the family's home in operation including the provision of supplemental care of the children when the parent, responsible relative, or foster parent is disabled, temporarily unable to provide such care. Service also includes casework service relating to the need for, acceptance of, and appropriate use of the service, and Information and Referral. If termination or reductions are necessary due to the funding reductions, the person most recently authorized will be the first terminated or reduced unless this is a protective service case. Homemaker Services for Children is not available in all counties. However, Waivered Homemaker Services will be available when a child who is an SSI or State Supplementation recipient has been approved for Waivered Services by the Alabama Medicaid Agency and who without the provision of Homemaker Services would require nursing home care, and a child who is an SSI or a State SUP recipient whose physician has certified that the recipient would be in need of ICF or SNF care, and whose application for Waivered Services is pending a determination by Medicaid;

(j) Preventive and Supportive Services--Casework to assist individuals and families in: making appropriate use of physical and mental health resources; counseling and referrals for family planning; counseling unmarried parents; preventing unnecessary institutional care; improving nutrition; improving living arrangements; making the best use of income and resources; improving parenting, individual functioning, and communication skills; removing barriers to employment service; and providing Information and Referral. Services may include legal representation in those situations involving CHINS (Children in Need of Supervision);

(k) Protective Services for Adults--Services including case management directed toward preventing or remedying neglect, abuse, or exploitation of individuals 18 years of age or older who are unable to protect their own interests, or are harmed or threatened with harm through the action or inaction by another individual or through their action due to ignorance, incompetence or poor health, if such action or inaction results in: (1) physical or mental injury; (2) neglect or maltreatment; (3) failure to receive adequate food, shelter, or clothing; (4) deprivation of entitlements due them; or (5) wasting of their resources. Services include: identifying those in need of such services; investigating their situations (Exception: the County Department of Human Resources shall not be required to investigate any report of abuse, neglect, exploitation, sexual abuse, or emotional abuse that occurs in any facility owned and operated by the Alabama Department of Corrections or the Alabama Department of Mental Health and Mental Retardation); diagnosing their situations and service needs; providing case management and diagnostic and evaluative services and mental health counseling to them and to others on their behalf; transportation necessary for worker to provide the service; or arranging appropriate living arrangements; arranging for medical care and other community resources; arranging for guardians or conservators; arranging for protective placement or providing advocacy to ensure receipt of rights and entitlements, including legal representation for the DHR; emergency shelter care limited to 28 days per fiscal year; receiving and filing adult protective service reports; making required reports to the court and Information and Referrals.

(l) Protective Services for Children--Services directed toward preventing or remedying abuse, neglect, or exploitation of children under the age of 18 years of age unable to protect their own interests or harmed or threatened with harm by a person responsible for the individual's health or welfare (and for runaways) through: (1) non-accidental physical or mental injury; (2) sexual abuse or exploitation; (3) or negligent treatment or maltreatment including the failure to provide adequate food, medical maltreatment including the failure to provide adequate food, medical treatment, clothing or shelter. Services include: identifying children in need or protection, receiving child abuse and neglect reports, making reports to the central registry, investigating complaints or reports, diagnosis and evaluation, making reports to courts having juvenile court jurisdiction, providing Information and Referral, supervision of child in home of parents or relatives, arranging protective placement, providing legal services, arranging medical care, making use of community resources, including training for parents and providing shelter care including clothing when shelter care is provided in a purchase of service contract. Shelter (and clothing and transportation under a purchase of service contract) is

limited to 30 days in any six months period. Service also includes transportation of runaways from and to another state and transportation for children returned to this state and from this state to another state pursuant to placement agreements. In combination with these services certain other services may be provided without regard to income when used to prevent or remedy abuse, neglect, or exploitation of the individual receiving protective services for children. These services are: homemaker services for children (limited to 90 days WRTI in any six months period) and day care children (limited to 90 days WRTI in any six months period);

(m) Residential Care Services for Delinquent Children and Youth--This service, provided in a residential setting, includes the provision of supervision; counseling and training related to vocational, academic and adjustment needs; and Information and Referral. Transportation, physical examinations, essential clothing and chemotherapy to alleviate behavioral or emotional problems which contribute to placement in the facility are also provided. In addition to services, room and board for a period not to exceed six months is available. Service also includes casework service relating to the need for, acceptance of, and appropriate use of the service. (NOTE: When room and board and/or physical examinations and chemotherapy are provided, they are an integral but subordinate part of the service.);

(n) Residential Care for Individuals with Exceptional Needs--The provision of services in a residential setting including comprehensive care, counseling and training for individuals with emotional, behavioral, and physical handicaps, or those with adjustment problems such as "child in need of supervision." Also included are supervision, diagnosis and evaluation, transportation, counseling related to adjustment problems, education, recreation and socialization training, essential clothing, and Information and Referral. Education services are available to all individuals during periods outside of the regular school year. Chemotherapy to alleviate behavioral or emotional problems which contribute to the placement in the facility and physical examinations are provided. In addition to services, room and board for a period not to exceed six months is available. (NOTE: When room and board and/or physical examinations and chemotherapy are provided, they are an integral but subordinate part of the service.)

Author: Kay Pilgreen

Statutory Authority: Omnibus Budget Reconciliation Act of 1981, P.L. 97-35, 42 U.S.C. 1396n, 1397; 45 C.F.R. Part 96; P.L. 100-485, Titles II and III; 42 U.S.C. §§ 602, 681-687; 45 C.F.R. Parts 250 and 255; 54 Fed. Reg. 42145-42267; Title IV-A of the Social Security Act, §§402 (1) and 403 (n); Code of Ala. 1975, §§38-2-6, 38-7-1 through -17, 38-9-1 through -11; Social Security

Act Title XIX State Plan Waiver; JOBS State Plan and State Supportive Services Plan.

History: Effective June 28, 1983. Emergency amendment effective August 4, 1983. Emergency amendment to emergency amendment of August 4, 1983, effective September 23, 1983. Permanent amendment effective December 9, 1983. Succeeded emergency amendment effective October 18, 1984. Succeeded permanent amendment effective January 9, 1985. Succeeded emergency amendment effective March 7, 1985. Succeeded permanent amendment effective June 10, 1985. Succeeded emergency amendment effective July 17, 1985. Succeeded permanent amendment effective October 9, 1985. Succeeded emergency amendment effective September 30, 1985. Succeeded permanent amendment effective January 9, 1986. Succeeded emergency amendment effective October 1, 1985. Succeeded permanent amendment effective January 9, 1986. Succeeded permanent amendment effective March 14, 1986. Succeeded emergency amendment effective January 1, 1986. Succeeded permanent amendment effective April 24, 1986. Succeeded emergency amendment filed February 6, 1986; effective March 1, 1986; rescinded effective February 28, 1986. Succeeded emergency amendment filed February 28, 1986; effective March 1, 1986; rescinded effective April 18, 1986. Succeeded emergency amendment effective April 1, 1986. Succeeded permanent amendment effective July 25, 1986. Succeeded permanent amendment effective December 9, 1986. Succeeded permanent amendment effective February 4, 1988. Succeeded emergency amendment effective May 13, 1988. Succeeded permanent amendment effective August 11, 1988. Succeeded emergency amendment effective September 16, 1988. Succeeded permanent amendment effective December 9, 1988. Succeeded emergency amendment effective April 1, 1990. Succeeded permanent amendment effective July 10, 1990. Succeeded emergency amendment effective October 1, 1990. Succeeded permanent amendment effective November 9, 1990. Succeeded permanent amendment effective January 9, 1991. Succeeded emergency amendment effective April 1, 1991. Succeeded permanent amendment effective July 10, 1991. Succeeded emergency amendment effective October 1, 1991. Succeeded permanent amendment effective January 9, 1992. Succeeded permanent amendment effective June 10, 1992. Succeeded permanent amendment effective August 12, 1992. Succeeded emergency amendment effective December 17, 1992. Succeeded permanent amendment effective March 11, 1993. Succeeded emergency amendment effective July 21, 1994. **Amended:** Filed August 4, 1994; effective September 8, 1994. **Amended:** Filed September 6, 1994; effective October 11, 1994. Succeeded emergency amendment effective June 21, 1995. **Amended:** Filed August 4, 1995; effective September 8, 1995. **Amended:** Filed February 18, 1999; effective March 25, 1999. **Amended:** Filed April 6, 2012; effective May 11, 2012.

660-5-2-.10**Income Scales And Fee Schedules.**

(1) In order to provide services to the greatest number of individuals, the Department offsets costs by charging fees based

on income and family size for some services. Refer to Appendix A for current fee schedules and income scales for applicable services.

(2) "Family" means the basic family unit consisting of an adult and his or her spouse (including common-law) and children under 18 (or under 21 if in school) related by blood, marriage or adoption who are residing in the same household. A member of this basic family unit temporarily out of the home--for example, attending school but returning for holidays and vacations, or hospitalized--continues to be considered a part of the family. Considered as separate families are:

(a) Related persons 18 years of age or over, other than spouses, who live together;

(b) Unrelated persons 18 years of age or over who live together;

(c) Children for whom the Department, another State Department, or licensed child-placing agency has legal custody or planning responsibility and who are in need of placement in a foster care facility with the following exception: If the Department, another State Department or licensed child-placing agency has only planning responsibility for children in need of Residential Care Services for Individuals with Exceptional Needs, these children must be considered a part of their own family in determining eligibility;

(d) Children for whom the Department has custody or planning responsibility who are living with relatives other than parents; and

(e) Individuals under 18 years of age who are:

1. married; or

2. self-supporting and living apart from the basic family unit; or

3. grantee relatives for their own children or siblings (for purposes of considering family income).

Author: Jerome Webb

Statutory Authority: Omnibus Budget Reconciliation Act of 1981, P.L. 97-35; 42 U.S.C. 1397; 45 C.F.R. Part 96; P.L. 100-485, Titles II and III; 42 U.S.C. §§602, 681-687; 45 C.F.R. Parts 250 and 255; 54 Fed. Reg. 42145-42267; Code of Ala. 1975, §§38-2-6, 38-7-1 through -17, 38-9-1 through -11; JOBS State Plan and State Supportive Services Plan.

History: Effective June 28, 1983. Emergency amendment effective October 1, 1985. Permanent amendment effective January 9, 1986. Permanent amendment effective January 9, 1987. Succeedent emergency amendment effective October 1, 1990. Succeedent permanent amendment

effective January 9, 1991. Succeedent emergency amendment effective October 1, 1991. Succeedent permanent amendment effective January 9, 1992. **Amended:** Filed: May 5, 1993. Succeedent permanent amendment effective June 9, 1993. Amended Appendix A (Attachment): Filed March 6, 1996; effective April 10, 1996. Amended Appendix A (Attachment): Filed February 18, 1999; effective March 25, 1999. Succeedent emergency amendment effective May 22, 2000. Succeedent permanent amendment effective August 10, 2000. Amended Appendix A (Attachment): Filed August 3, 2000; effective September 7, 2000. Amended Appendix A (Attachment): Filed September 4, 2008; effective October 9, 2008. Amended Appendix A (Attachment): Filed November 6, 2009; effective December 11, 2009.

660-5-2-A Appendix A.**APPENDIX A - ATTACHMENT 660-5-2-.10**

Income Scales for Persons Applying for or Receiving Services as an
"Income Eligible"

For all services other than Day Care for Children and Residential Care for Individuals with Exceptional Needs the maximum allowable gross monthly income is 200% of the poverty Guidelines as identified in the Federal Register by the U.S. Department of Health and Human Services under the authority of 42 U.S.C. 9902(2):

Day Care for Children, the maximum allowable gross monthly income for all clients and the weekly per child fee is:

PARENTAL FEE CHART

Weekly Fee:	\$8.00	\$10.50	\$13.00	\$15.50	\$18.00	\$21.50	23.00
Family Size	Initial Eligibility Monthly Income Scale (All New Applicants Must Enter Under This Scale)						
2	364-771	772-896	879-1020	1021-1143	1144-1268	1269-1392	1393-1578
3	458-1012	1213-1190	1191-1354	1355-1519	1520-1683	1684-1847	1848-1984
4	551-1172	1173-1370	1371-1560	1561-1750	1751-1940	1941-2129	2130-2389
5	645-1383	1384-1605	1606-1828	1829-2051	2052-2272	2273-2495	2496-2794
6	738-1587	1588-1844	1845-2099	2100-2355	2356-2609	2610-2864	2865-3199
7	832-1792	1793-2083	2084-2372	2373-2663	2664-2952	2953-3242	3243-3604
>=8	925-1999	2000-2321	2322-2645	2646-2968	2969-3289	3290-3613	3614-4009

Weekly Fee:	\$30.50	\$38.00	\$45.50
Family Size	Continuing Eligibility Monthly Income Scale		
2	1579-1632	1633-1748	1749-1821
3	1985-2066	2067-2214	2215-2289
4	2390-2503	2504-2682	2683-2756
5	2795-2938	2939-3147	3148-3224
6	3200-3372	3373-3615	3616-3691
7	3605-3812	3813-4084	4085-4159
>=8	4010-4206	4207-4507	4508-4626

Families with income below the amount shown in the \$8.00 column of the Initial Eligibility Monthly Scale are not required to pay a fee. All fees are per child. No discounts are applied for families with more than one child in care.

For Residential Care for Individuals with Exceptional Needs, the maximum allowable gross monthly income is:

No. in Family	Monthly Income	No. in Family	Monthly Income	No. in Family	Monthly Income
1 Persons	\$3,196	5 Persons	\$4,175	9 Persons	\$4,557
2 Persons	3,341	6 Persons	4,419	10 Persons	4,602
3 Persons	3,681	7 Persons	4,465		
4 Persons	3,928	8 Persons	4,511		

Author:
Statutory Authority:
History: