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**Testimony Before the Council of the District of Columbia**

**Committee on Facilities and Family Services**

**Performance Oversight Hearing  
Child and Family Services Agency  
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Good afternoon, Chairperson Lewis-George and Members of the Committee on Facilities and Family Services. My name is Victoria Taplin, and I am a Managing Attorney with DC KinCare Alliance. Our mission is to support the legal, financial, and related service needs of relative caregivers who step up to raise children in their extended families in times of crisis when the children’s parents are not able to care for them due to hospitalization, mental health and substance use disorders, incarceration, death, abuse and neglect, and/or deportation. In the six years since our founding, we have helped over 800 relative caregivers raising more than 1,000 DC children in more than 1,000 legal matters. DC KinCare Alliance is a member of the Fair Budget Coalition, and we support budget priorities and policies that alleviate poverty in the District of Columbia.

I am testifying today regarding the DC Child and Family Services Agency, specifically with respect to its administration of the Grandparent Caregiver Program (GCP) and the Close Relative Caregiver Program (CRCP), as well as its Kinship Navigator website.

**A. CFSA’s Administration of the GCP and CRCP**

In 2023, CFSA began imposing new requirements on applicants, which cause significant delays and added stress for caregivers who are trying to get these subsidies to feed and clothe the children in their care. These additional requirements are not mandated by the applicable statutes and, in fact, act in contravention of their requirements that the Mayor “process an application for a subsidy with reasonable promptness.” DC Code section 4-251.03(i) and 4-251.23(i). Moreover, they undermine the purposes of the programs to ensure the safety and security of children living with relative caregivers.

We have become aware of these requirements after assisting our caregiver clients to complete their applications on the online portal, after which they receive a call from kinship

program staff requesting the provision of additional and sometimes duplicative documentation. These requirements are discussed below.

1. Proving DC Residency. Until recently, DC residency could be proved by one of the following documents: a District-issued ID, a lease or mortgage, **OR** a utility bill. Now program staff is requiring a District-issued ID **AND** a current lease or mortgage, and is not accepting a utility bill. And in the case of a lease, even when the applicant provides it, program staff does not always accept it. This was the case with two of our clients whose leases had converted to month-to-month after expiration of the initial 12-month term. They were told that because their lease agreement had expired, they would have to obtain a rental verification from their landlord, which is onerous and can take time. In fact, this is how many public voucher leases operate in DC – they convert to month-to-month agreements after the conclusion of the initial 12-month period. If the concern is really about proving that the applicant still lives in DC, a recent utility bill showing their name and DC address should be sufficient.

2. Proving Primary Caregiver of Child.

a. Custody Order. One way for a caregiver to prove that they are the primary caregiver for the child is to furnish a copy of their custody order if one has been issued. We have heard from two of our clients in recent months that program staff told them to go to the court clerk and obtain documentation that the custody order they had provided was “current” and had not been superseded by a more recent one. Given that program staff can easily email the court clerk to request a copy of the docket to verify if a more recent custody order has been issued, it is an unreasonable and burdensome imposition on the applicant’s time and resources to require them to go to the courthouse.

b. School Records. Even when caregivers have provided proof of a current court-ordered custody, program staff is also requiring they furnish a document from the school showing that the child is presently enrolled. In the past, a school enrollment form was an option for an applicant to prove they were the child's primary caregiver *in the event that* they did not have a custody order. Now, however, program staff is requiring both documents. Notably, the CFSA's Kinship Navigator website specifies that only one of these forms of documentation is required, not both.

3. Proving Eligibility Determination for TANF. All that the GCP and CRCP's governing statutes require is that an applicant has applied for TANF. Specifically, D.C. Code §§ 4-251.03(a)(7) and 4-251.23(a)(7) state "A grandparent [or relative caregiver] may be eligible to receive subsidy payments under this section if the grandparent [for relative caregiver] *has applied* for Temporary Assistance for Needy Families benefits for the child." And the program's own application portal states that *proof of application* for TANF for the child is all that is required. Yet recently, program staff has been requiring a determination letter of TANF eligibility, rather than just proof of application, for GCP applicants.

When asked why a TANF determination is now required when it had never been before, program staff indicated that the GCP regulations require that a TANF determination be made. The regulations at DC Mun. Regs. Tit. 29, § 6802.1(i) indeed provide that a grandparent will be eligible to receive a subsidy if: "The applicant has applied for Temporary Assistance for Needy Families (TANF) benefits for the child through the Department of Human Services, and an eligibility determination has been made." However, this eligibility determination requirement has never been enforced before and, even if it were, program staff could still move forward with an application with proof that the applicant has applied, and

just require that the determination be made prior to the first payment so the program could deduct any TANF payment from the rate.

To require a grandparent to wait for a TANF eligibility determination letter before processing an application for a subsidy is a tremendous hardship on that grandparent. Determination of eligibility for TANF typically takes a minimum of 45 days from the date of application, and oftentimes a grandparent cannot apply for TANF right away because they have to obtain the children's birth certificates and other documentation, so it is typically much longer than 45 days from when a grandparent begins to care for a child until they are able to apply for TANF and receive an eligibility determination. Even assuming they could apply immediately, the grandparent has to wait those 45 days for a determination (and this is also assuming the Department of Human Services properly and timely processes the application), and then another 45 days for them to be deemed eligible for the subsidy, and then another 45 days to receive their first subsidy payment – a total minimum waiting period of four and a half months. While they wait, grandparents are being forced to forego vital resources for the children in their care that they cannot make up any other way. Notably, there have been no regulations issued yet for the CRCP and program staff have indicated that they are not requiring a TANF determination letter for CRCP as yet, but plan to issue regulations that will require this shortly. We urge CFSA to remove this requirement from the GCP regulations and not include it in the forthcoming CRCP regulations.

4. History of DC Residences for CPR Check Application. As part of the GCP and CRCP application process, an applicant must undergo a Child Protection Registry (“CPR”) check. CFSA’s own instructions for the application state that for caregiver subsidies, only five years of DC residence history must be provided. Nonetheless, our caregiver clients’ applications have recently bounced back after submission with an email

message stating that the caregivers must resubmit their applications with 20 years of residences reported. Providing 20 years of residences, with dates, addresses, and contact names is painstaking for our clients, and moreover, it is not required by the program guidelines. We assume this is a software glitch, and have brought it to CFSA's attention, but as yet we have not heard whether this issue has been resolved.

These are all very burdensome requirements that are not required by statute, not necessary for program integrity, and are an anathema to the purposes of these programs. As such, we urge CFSA to remove them. Indeed, some of our clients have told us these extra requirements are just too much, and that they may have to forgo receiving the subsidy as a result.

**B. CFSA's Kinship Navigator Website**

I would like to highlight some issues with CFSA's Kinship Navigator website with respect to the GCP and CRCP. First, there often appears to be a disconnect between what is submitted through the online application portal and what CFSA program staff actually receive. In connection with assisting our clients to complete online applications, we upload supporting documents to the portal. Our clients frequently report that after they receive confirmation of their online application, program staff ask them to provide these same documents again. Program staff has also indicated that they "can't access the application without the applicant sharing their user name and password," or that they "can't see the documents on the portal." This sounds like a software glitch, but it is extremely frustrating for our clients who have already gathered the documents so that we can upload them onto the portal, only to be told that they need to provide them again. CFSA owes it to their constituents to promptly fix this problem.

Second, the website contains incorrect instructions with respect to the programs. For instance, under “eligibility criteria” for both programs, the website states that “the amount of a subsidy a caregiver is eligible to receive shall be offset by any amount a caregiver receives as ... SSI for the child.” This is no longer true, as the offset for SSI was removed as part of the Budget Support Act of 2023. *See* D.C. ACT 25-176 at p. 59. The website also states that a determination of TANF eligibility is required to be deemed eligible to receive the GCP and CRCP subsidies. While the GCP regulations require a TANF determination, there are no regulations requiring it for the CRCP. These inaccuracies on the website should be corrected.

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Thank you for the opportunity to testify today. I am happy to answer any questions.