

Child Welfare Policy Manual

Questions & Answers

3.1E INDEPENDENT LIVING, Certifications and Requirements, Miscellaneous Requirements

1. Question: Does the court have to approve the youth's case plan that describes the services needed for him/her to transition from adolescence to adulthood?

(Deleted 03/28/2019)

2. Question: Do the fair hearings requirements in 45 CFR 205.10 apply when a young person believes they were wrongly denied a service, direct financial assistance or an educational and training voucher (ETV) under the Chafee Foster Care Program for Successful Transition to Adulthood and/or the ETV program?

Answer: Yes. The regulations at 45 CFR 1355.30(p)(2) provide that the procedures for hearings found in 45 CFR 205.10 apply to all programs funded under titles IV-B and IV-E of the Social Security Act. The Chafee Foster Care Program for Successful Transition to Adulthood Program (including the ETV program) is authorized in title IV-E of the Social Security Act and is therefore subject to the regulations in 45 CFR 205.10. In addition, the requirements in 45 CFR 205.10 apply to fair hearings in relation to services as well as for financial claims (see CWPM 8.4G, Q/A #1).

- **Source/Date:** 4/26/2022
- **Legal and Related References:** 45 CFR 205.10 and 1355.30(p)(2); CWPM 8.4G #1