

# Supporting Unlicensed Kinship Caregivers



**FAMILY TIES: ANALYSIS FROM A STATE-BY-STATE SURVEY OF KINSHIP CARE POLICIES**



## **ACKNOWLEDGMENTS**

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## **ABOUT THE ANNIE E. CASEY FOUNDATION**

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***A new survey of kinship care policies by the Annie E. Casey Foundation finds that states provide unequal levels of support for kin who are caring for children in the custody of child welfare agencies. Few states offer unlicensed kinship caregivers the same resources provided to kinship caregivers who become licensed foster parents. A new federal regulation allows Title IV-E agencies to create licensing or approval standards that are designed specifically for kin. Agencies that implement the regulation can use it to help unlicensed kinship caregivers become licensed and gain access to needed financial assistance and support services. As states take up the opportunity to approve more kin as licensed foster parents, policymakers need to understand gaps in resources, how those gaps can be filled by implementing the new federal rule and how to better support caregivers without licenses.***

When children cannot live with their parents, placement with kin — extended family members or close family friends — can preserve vital connections to parents, families, communities and cultural traditions. This practice, known as kinship care, can result in more stable placements, stronger feelings of belonging, better educational and health outcomes and continued relationships with siblings, compared to placements in group settings or with non-kin foster parents.<sup>1,2</sup>

Many states have policies that enable kin caregivers to be provisionally licensed and receive support for the children in their care as they prepare for full licensure as foster parents.<sup>3</sup> However, many kinship caregivers entrusted with caring for children in the custody of the child welfare agency have not been offered the option of becoming licensed, are unable to meet licensure requirements or have decided not to pursue a

foster home license to avoid the many obstacles and requirements of licensing. These kin are referred to as unlicensed kinship caregivers. It is unclear how many there are, as federal foster care data do not distinguish whether placements are licensed or unlicensed when reporting on children living in a relative placement.

A policy survey fielded in 2022 for the Annie E. Casey Foundation by Child Trends shines new light on inequitable support for children living with unlicensed kinship caregivers. This brief shares findings about states' placement requirements, services and financial assistance for unlicensed caregivers. The role of unlicensed kinship caregivers in children's lives is no less than that of licensed foster parents, kin or unrelated; and the expenses of caring for children are the same. Yet unlicensed caregivers do not have the same access to support as kin or non-kin licensed foster parents,

## Family Ties: Analysis From a State-by-State Survey of Kinship Care Policies

In 2022, the Annie E. Casey Foundation asked Child Trends to field a written survey of child welfare agency administrators to understand policies that guide states' work with relatives and close family friends of children who come to the attention of the child welfare system. This kinship policy survey invited administrators to define "policies" broadly to include statutes, agency regulations and other written policy guidance related to kinship care. Agencies in the 50 states, the District of Columbia and Puerto Rico received the 2022 survey. Forty-six completed it.<sup>4</sup> The 2022 survey updates and expands on the findings of a similarly comprehensive survey conducted in 2007.<sup>5</sup>

To read overall findings from the survey and other briefs in the series, please visit [www.aecf.org](http://www.aecf.org).

the survey found. Many agencies offer these caregivers fewer and different types of support and training. The survey asked states about policies not practices, therefore some states may provide additional support or conduct approval processes that were not included in their survey responses.

A new federal rule, effective in November 2023, allows states to draft and implement a set of kin-specific licensing standards, which will expedite licensing more kin as foster parents.<sup>6</sup> Assisting willing caregivers to become licensed or approved unlocks their eligibility for needed resources for the children in their care. States may use kin-specific licensing standards to remove barriers to licensure, making sure most — if not all — kinship caregivers can receive the resources tied to full licensure. However, even with the flexibility afforded by the new rule, some kinship caregivers may still be unable to become licensed foster parents or unwilling for various reasons such as wariness of engaging with governmental entities.

As states take up the opportunity to approve more kin as licensed foster parents, policymakers need to understand gaps in support, how those gaps can be filled by implementing the new federal rule and how to better support caregivers without licenses.

## FINANCIAL ASSISTANCE AND OTHER RESOURCES

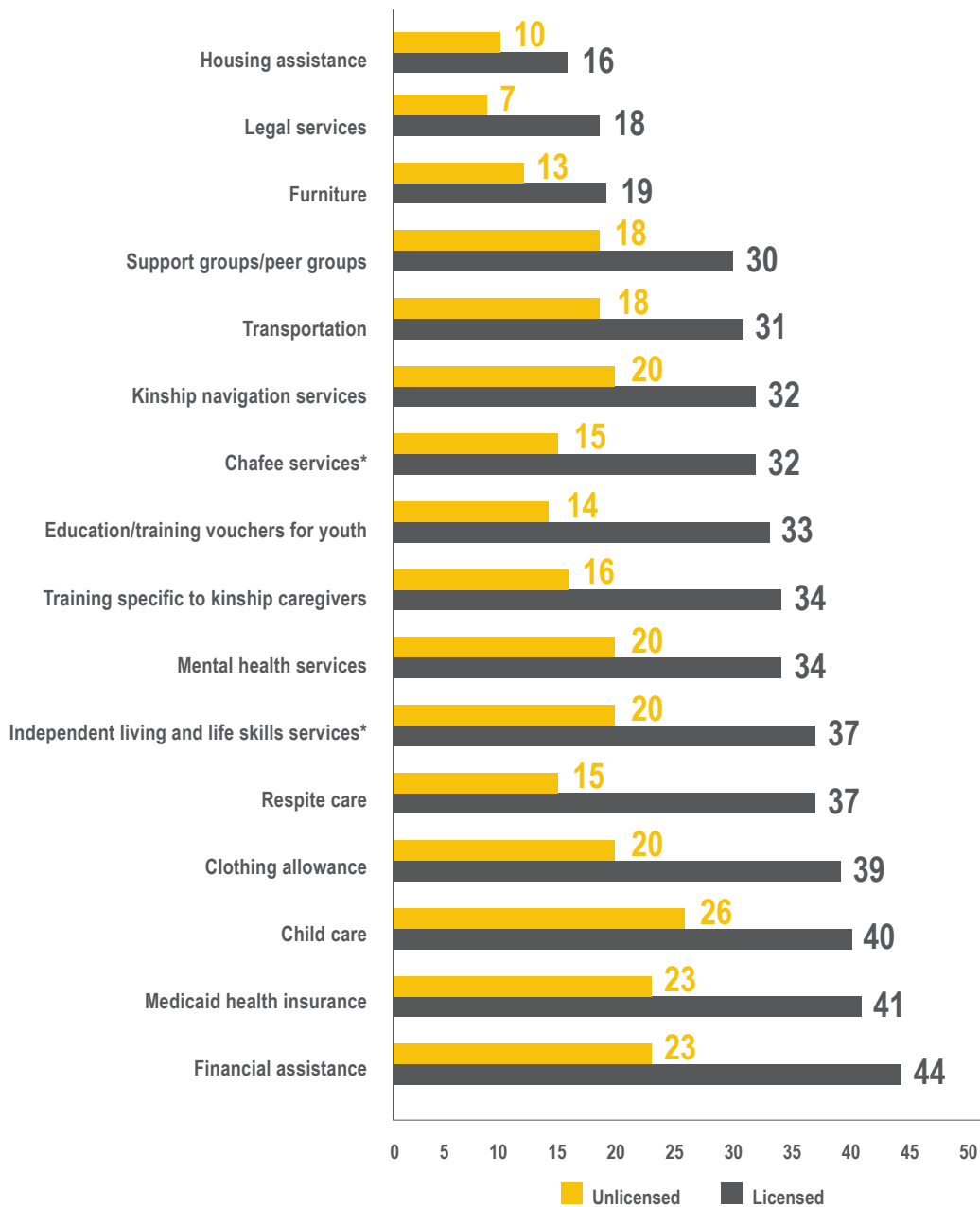
**Unlicensed kinship caregivers cannot access the same level of services and support as those who are licensed, the survey found.**

The survey asked child welfare administrators about direct services their agencies provide. Forty-five states required the child welfare agency to provide at least one service or type of assistance directly to a licensed kinship caregiver, while only 30 states<sup>7</sup> required the child welfare agency to do so for unlicensed kinship caregivers caring for a child in the custody of the child welfare agency. For every service or type of support listed in Figure 1, far more states required the child welfare agency to provide it to licensed kinship caregivers than to unlicensed caregivers.

In addition to the services and resources listed in Figure 1, states are more likely to provide financial assistance toward the cost of caring for children to licensed kinship caregivers. More than half of states responding to the survey did not provide financial assistance payments for unlicensed kinship caregivers, and those that did were more likely to provide a smaller amount than the financial support afforded to non-kin caregivers.

## Figure I: Services and Assistance Provided by Child Welfare Agencies for Kinship Caregivers, Licensed vs. Unlicensed

Number of states reporting that unlicensed kinship caregivers are eligible for resources through their child welfare agencies, by type of resource.



\* Many states consider young people in foster care eligible to receive independent living services that are intended to help them thrive and prepare for adulthood. Independent living services for young people ages 14 and older may include life skills classes, mentoring, and academic and other resources funded locally or by the federal John H. Chafee Foster Care Program.

SOURCE: The Annie E. Casey Foundation's 2022 kinship care policy survey, with analysis by Child Trends.

**Some states confirmed disparities in the services they provide to licensed and unlicensed kinship caregivers.**

Fourteen states confirmed that they have identified disparities in service provision between licensed and unlicensed kinship caregivers: Their unlicensed kinship caregivers have less access to sources of financial assistance and lower amounts of financial assistance to help care for the children in their home, compared to licensed kinship caregivers.

**While many states referred kinship caregivers for child-only payments from the Temporary Assistance for Needy Families (TANF) program, far fewer provided foster care maintenance payments, which are usually larger.**

Only 13 states reported unlicensed kinship caregivers are eligible for foster care maintenance payments. The map (Figure 2) depicts unlicensed kinship caregivers' eligibility for different types of financial assistance, by jurisdiction.

**Only 33 states responding to the survey required referrals to services outside their child welfare agencies for unlicensed caregivers.**

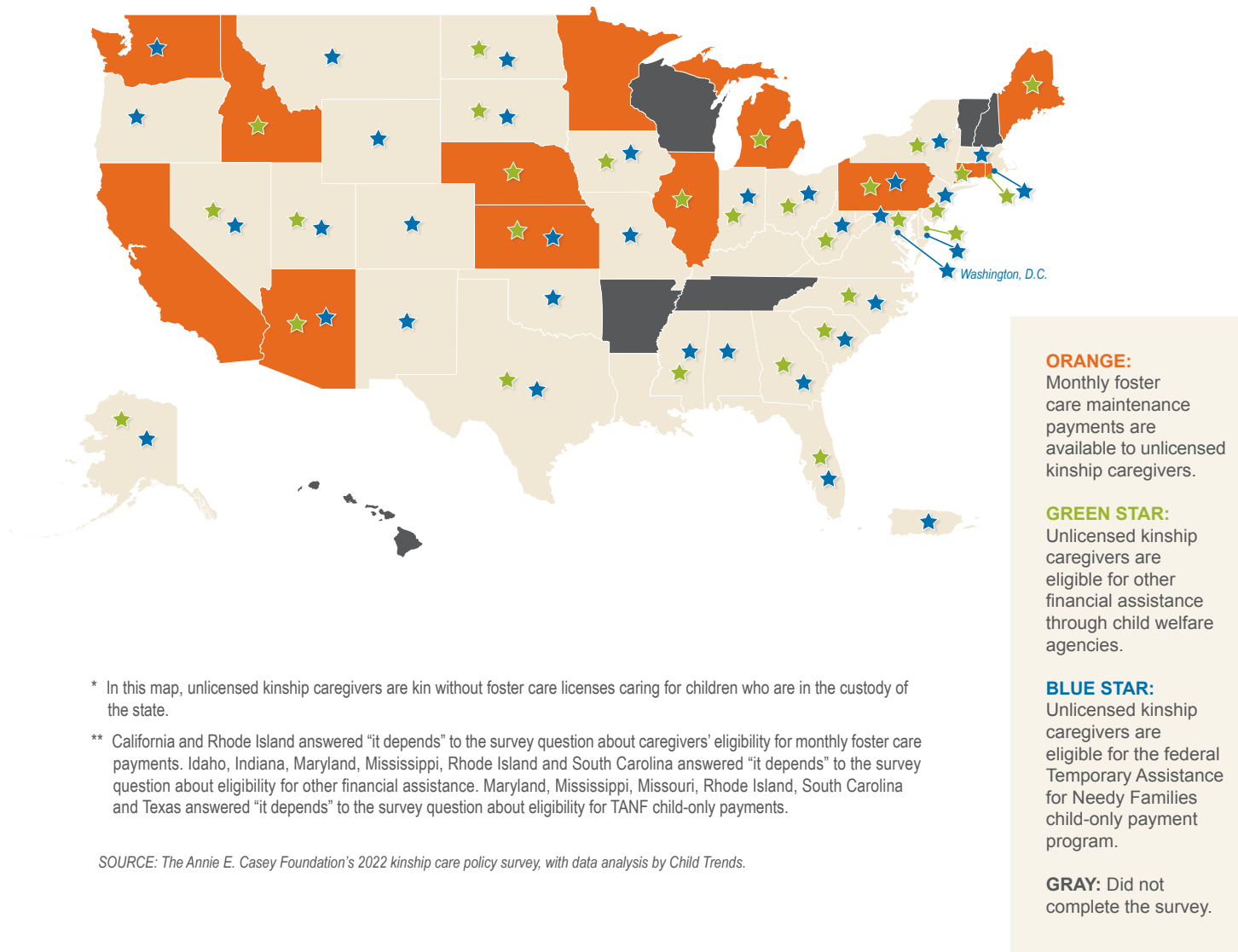
The survey asked child welfare administrators whether their states required their agencies to make referrals to help caregivers get aid from sources outside the system. Thirty-five states required referrals for licensed kinship caregivers, while 33 states required referrals for unlicensed kinship caregivers. The services that can be obtained through these referrals included child care, transportation, transitional housing, legal services and independent living programs for older youth.

As with direct service provision, more states required their agencies to offer these outside options for services to licensed kinship caregivers than to unlicensed kinship caregivers in most categories of support. There were three exceptions. Most states referred unlicensed caregivers to TANF's child-only grants, because licensed kinship caregivers can receive a foster care maintenance payment in lieu of a much smaller TANF payment. TANF child-only payment rates vary by state. In most cases, these payments are significantly less than foster care maintenance rates. The TANF child-only amount also is not provided at a per child rate, meaning it rises only incrementally for each additional child raised by a kin caregiver. The other two exceptions include referrals to other financial assistance and kinship navigation services (27 states referred unlicensed caregivers; while 23 referred licensed caregivers). Kinship navigation services, which may or may not be administered by the child welfare agency, help kinship caregivers connect to services and support for themselves and the children in their care.<sup>8</sup>

Also, more states required their child welfare agencies to confirm receipt of services for licensed kinship caregivers (28 states) than for unlicensed kinship caregivers (19 states).

## Figure 2: Eligibility for Financial Assistance for Unlicensed Kinship Caregivers

In 13 states, child welfare agencies make unlicensed kinship caregivers\* eligible for foster care maintenance payments, the 2022 survey found. Additional forms of financial support for unlicensed kinship caregivers are shown. These include eligibility for federal Temporary Assistance for Needy Families (TANF) child-only payments, which are based on the child's placement rather than the caregiver's income and are generally smaller than a foster care maintenance payment. Some states answered the survey questions with "it depends." \*\*



\* In this map, unlicensed kinship caregivers are kin without foster care licenses caring for children who are in the custody of the state.

\*\* California and Rhode Island answered "it depends" to the survey question about caregivers' eligibility for monthly foster care payments. Idaho, Indiana, Maryland, Mississippi, Rhode Island and South Carolina answered "it depends" to the survey question about eligibility for other financial assistance. Maryland, Mississippi, Missouri, Rhode Island, South Carolina and Texas answered "it depends" to the survey question about eligibility for TANF child-only payments.

SOURCE: The Annie E. Casey Foundation's 2022 kinship care policy survey, with data analysis by Child Trends.

## APPROVAL AND PLACEMENT POLICIES

### **Required approval processes for unlicensed caregivers varied by state.**

Three-quarters of responding states reported that they have a policy requiring an approval process for unlicensed kinship caregivers to care for a child in the custody of the child welfare agency. Thirty-three<sup>9</sup> states have a separate approval process for kin who want to provide temporary care for a child in their home and do not become a licensed foster placement. Most (26 states) do not require unlicensed kin to meet the same standards as licensed kinship caregivers, while five states reported that they do require unlicensed kin to meet the same standards.<sup>10</sup> Beyond the approval process, 33 states had the same level of ongoing case supervision for unlicensed kinship caregivers as for licensed relative foster parents.

### **States are mixed on whether they prioritize placing children with licensed kin over unlicensed kin.**

Sixteen states confirmed that the child welfare agency is required to prioritize placing children in the custody of the child welfare agency with kin who are willing to become licensed foster parents, preferring them over kin who will not or cannot become licensed. Twenty-four states do not require the child welfare agency to prioritize placement with licensed

over unlicensed kinship caregivers. Six additional states responded that placement priority depends on factors such as court orders, the preferences of the parents and children, a relative's willingness to become licensed, the child's permanency plan goals or the relative's financial ability to care for the child.

### **Most states do not require unlicensed kinship caregivers to complete the same amount of training as licensed kinship caregivers.**

Fourteen states do not require unlicensed kinship caregivers to complete any training, the survey found. Five states require some training but less than that required of licensed kinship caregivers. Three states require unlicensed kinship caregivers to complete the same training as licensed kinship caregivers. In five states, all trainings for kinship caregivers, whether licensed or unlicensed, are customized to meet families' needs and/or are focused on kinship caregiving.



## CONCLUSION

Children and youth in the custody of the child welfare agency deserve to have access to resources that meet their needs, regardless of whether their caregivers have a foster home license. In many states, the survey found, unlicensed kinship caregivers do not have equal access to vital resources. Although many unlicensed caregivers complete an approval process — and some are held to the same standards as caregivers with licenses — the children they care for receive fewer services and less financial support than children in the homes of licensed caregivers.

The survey findings underscore disparities that must be addressed to strengthen kinship care, which is widely accepted to be the best possible placement for many children and youth.<sup>11</sup> Among all the types of foster care placements, the share of placements with kin is growing nationally. The new federal regulation presents an opportunity for transformation. To take best advantage of it, states must gather data and reassess their kinship care policies, services and spending to ensure all caregivers have the same access to resources for children and youth in child welfare custody.

As states implement the new federal rule and develop kin-specific licensing standards, more kinship caregivers will be eligible for licensure and Title IV-E jurisdictions will be able to seek federal

reimbursements for foster care maintenance payments for them. Experts in the kinship care field hope that through these mechanisms states will greatly reduce the number of unlicensed caregivers.

The lack of federal data on the number of unlicensed kinship caregivers prevents a complete quantitative assessment of how many caregivers the new licensing rule can help and which caregivers are still facing barriers. Some states are gathering data about unlicensed kinship caregivers and the children in their care, the survey found. All states and the federal government should gather data on the number of kinship caregivers who do not become licensed, the reasons they are unlicensed and what resources are available to unlicensed caregivers.

Kinship caregivers — unlicensed and licensed — can be key partners with states and communities in this rapidly changing policy area. States must engage unlicensed caregivers in designing solutions, learn why they are not licensed and determine the resources they need. As new policies are developed, these caregivers can illuminate opportunities for states to strengthen the approval process and remove gaps in services and payments.

## ENDNOTES

- 1 Generations United. (2023, May). *Fact sheet: Children thrive in grandfamilies*. Retrieved from [www.gu.org/resources/children-thrive-in-grandfamilies](http://www.gu.org/resources/children-thrive-in-grandfamilies)
- 2 Washington, T., & Mihalec-Adkins, B. P. (2023, September). *Kinship care supports the academic performance of children*. Rockville, MD: Child Trends. Retrieved from [www.childtrends.org/publications/kinship-care-supports-the-academic-performance-of-children](http://www.childtrends.org/publications/kinship-care-supports-the-academic-performance-of-children)
- 3 The Annie E. Casey Foundation. (2024, March). Unlocking foster care licensing for more kinship caregivers. *Family ties: Analysis from a state-by-state survey of kinship care policies*. Retrieved from [www.aecf.org/resources/unlocking-foster-care-licensing-for-more-kinship-caregivers](http://www.aecf.org/resources/unlocking-foster-care-licensing-for-more-kinship-caregivers)
- 4 Arkansas, Hawaii, New Hampshire, Tennessee, Vermont and Wisconsin did not complete the 2022 survey. Some participating states did not answer every question.
- 5 Allen, T., DeVooght K., & Geen, R. (2008, December). *State kinship care policies for children that come to the attention of child welfare agencies*. Rockville, MD: Child Trends. Retrieved from [https://cms.childtrends.org/wp-content/uploads/2020/01/State-Assistance-to-Kin\\_ChildTrends\\_2008.pdf](https://cms.childtrends.org/wp-content/uploads/2020/01/State-Assistance-to-Kin_ChildTrends_2008.pdf)
- 6 Department of Health and Human Services, Administration for Children and Families, Administration on Children, Youth and Families, Children's Bureau. (2023, September 28). Separate licensing or approval standards for relative or kinship foster family homes (effective November 27, 2023). *Federal Register*, 88(187). Retrieved from [www.federalregister.gov/documents/2023/09/28/2023-21081/separate-licensing-or-approval-standards-for-relative-or-kinship-foster-family-homes](http://www.federalregister.gov/documents/2023/09/28/2023-21081/separate-licensing-or-approval-standards-for-relative-or-kinship-foster-family-homes)
- 7 An additional six states (Alabama, Connecticut, Delaware, Mississippi, New Jersey and Rhode Island) responded "it depends" to this question and are included in Figure 1.
- 8 For an overview of programs and available funding resources, see [Grandfamilies.org](http://Grandfamilies.org). (n.d.). *Kinship navigator programs*. Retrieved from [www.grandfamilies.org/topics/kinship-navigator-programs](http://www.grandfamilies.org/topics/kinship-navigator-programs)
- 9 California, Kansas and Minnesota responded "it depends" to this survey question and are included in this analysis.
- 10 New Mexico responded "it depends" to this survey question and is not included in this analysis.
- 11 Generations United. (2022). *Fact sheet: Grandfamilies and kinship families: Strengths and challenges*. Retrieved from [www.gu.org/app/uploads/2022/10/General-Grandfamilies-Fact-Sheet-2022-FINAL-UPDATE.pdf](http://www.gu.org/app/uploads/2022/10/General-Grandfamilies-Fact-Sheet-2022-FINAL-UPDATE.pdf)





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