

Process checklist: Transfer of permanent legal and physical custody and Northstar Kinship Assistance

Child's name: _____ Case number: _____

Caseworker name: _____ Date assigned: _____

Instructions

Use this checklist as a guide for:

- Completing the transfer of permanent legal and physical custody (TPLPC) to a relative¹ for children in foster care
- Establishing Northstar Kinship Assistance (NKA) eligibility.

The checklist is organized by stage within the process. Each stage includes concrete items to complete. **This checklist is not a practice guide.** It does not address all required or best practice components when working with children in foster care.

It also does not include specific steps to complete in the Social Service Information System (SSIS). The following detailed SSIS instructions are available on PartnerLink, under DHS Systems and IT Updates, [SSIS Worker Documentation](#), in the Northstar Kinship section:

- [Northstar Kinship Workflow in SSIS](#)
- [Northstar Kinship Placement Agreement](#)
- [Northstar Kinship Assistance Eligibility Determination](#)
- [Northstar Kinship Assistance Benefit Agreement](#)

Helpful resources are listed throughout the checklist, as may be needed or applicable. These include references to statutes and policies, as well as documents, forms and practice guides. Additional resources include:

- [Finding Permanency for Children in Foster Care: Transfer of permanent legal and physical custody to a relative \(DHS-7591\)](#)
- [Paths to Permanency: Transfer of permanent legal and physical custody of children in foster care \(DHS-7024B\)](#)

¹ "Relative" does not include a child's parent.

- [Legally and Financially Responsible Agency Roles under Northstar Care for Children \(DHS-3822\)](#).

Note: When applicable, “TPLPC” or “transfer of permanent legal and physical custody” is inclusive of similar provisions in Tribal code or law.

Kinship Placement Agreement (KPA) and Kinship folder

For children in county foster care, formal kinship placements are made when each prospective relative custodian and legally responsible agency staff sign the KPA. The KPA includes specific determinations that the legally responsible agency must make in order for a child to be eligible for Northstar Kinship Assistance. Tribal social services agencies may also use a KPA for making a kinship placement and recording the required agency determinations, or they may use their own documentation.

The KPA, or Tribal equivalent, is submitted to the Minnesota Department of Children, Youth, and Families (DCYF) as part of the Northstar Kinship Assistance eligibility determination. For children in county foster care, it is also filed with the court when the agency files the TPLPC petition.

The Kinship folder is located in SSIS. Its purpose is to send information to the commissioner about children whose permanency goal is transfer of permanent legal and physical custody to a relative who is not a parent, or an equivalent judicial determination in Tribal code. It is also used to submit Northstar Kinship Assistance eligibility determinations for children in foster care.

This section includes requirements for making a kinship placement and sending information to DCYF. To assist county and Tribal agency staff in completing their work, items that are required for Northstar Kinship Assistance are noted. Follow the steps in this section to make a kinship placement and send information about the kinship placement to DCYF.

Tribal social services agency staff who reference this section for their kinship work should consult with their Tribal attorney to determine which requirements are applicable for making a kinship placement according to their Tribal code or law and Title IV-E requirements, and whether there are additional requirements not indicated in this section.

1. Make a kinship placement decision

Prior to proceeding with a TPLPC to the relative or Tribal equivalent:

Ensure prospective relative custodian/s have completed background study requirements. Courts should not defer TPLPCs when background studies have not been completed.

Verify prospective relative custodian's child foster care licensure status.

If prospective relative custodian/s are not licensed, assist with the child foster care licensure process.

Review prospective relative custodian's **foster care home study, including background studies**, prior to proceeding with a TPLPC to the relative (or Tribal equivalent).² *Note: Child foster care licensure is also required for Northstar Kinship Assistance eligibility.*

Update the child's [Social and Medical History for a Child in Foster Care \(DHS-6754A\)](#) as needed.

Obtain copies of the child's:

- Birth records

- Medical records

- Dental records

- Evaluations and assessments (if applicable)

- Relevant health and mental health documentation (if applicable); provide relative custodians with a copy of the child's social and medical history, including attachments, and review document with them to help them make an informed decision regarding their capacity to meet the child's needs.³

Consult with the following individuals regarding permanency options, including both adoption and TPLPC:⁴

- Child's legal parent/s, custodian/s, or guardian/s

- Prospective relative custodian/s

- Youth, if age 14 or older, specifically about the TPLPC. *Note: This is required for Northstar Kinship Assistance eligibility.*

Explain to prospective relative custodian/s:

- Differences between adoption and TPLPC, including legal rights and responsibilities⁵

- Availability of Northstar Kinship Assistance

- Estimation of child's Northstar Kinship Assistance monthly payment.

Document placement decision in case file and out-of-home placement plan.⁶ Determine that prospective relative custodian/s have the strengths, resources and capacity to meet child's identified needs, based on an individualized determination of child's needs, considering the 10 best interest factors (or 11 best interest factors, if child is an Indian child).

Determine that:⁷

- Reunification and adoption are not appropriate permanency options for child.

² Minnesota Rules 2960.3060, subp. 4; Minnesota Statutes 245C.33; Minnesota Statutes 260C.212, subd. 2 (e); Minnesota Statutes 260C.215, subd. 4 (5); Minnesota Statutes 142A.605, subd. 4

³ Minnesota Statutes 260C.221, subd. 5

⁴ Minnesota Statutes 142A.605, subd. 1 (a)(5); Minnesota Statutes 260C.515, subd. 4 (7)(iii); 42 U.S.C. § 673 (d)(3)(A)(iv); 42 U.S.C. § 675 (F)(v) and (vi)

⁵ See [Paths to Permanency: Transfer of permanent legal and physical custody of children in foster care \(DHS-7024B\)](#)

⁶ Minnesota Statutes 260C.212, subd. 1 (c)(1)

⁷ Minnesota Statutes 142A.605, subd. 2

Child demonstrates a strong attachment to prospective relative custodian/s, and prospective relative custodian/s have a strong commitment to caring permanently for child. *Note: Both of these determinations are required for Northstar Kinship Assistance.*

Document determinations and supporting information in child's case file.⁸

2. Review data and verify information

Verify legal names and dates of birth for child, legal parent/s and prospective relative custodian/s.

Double check that names, spellings and dates of birth for child, legal parent/s and prospective relative custodian/s are correctly entered in SSIS and court orders.

Correct any errors immediately.

Confirm child's citizenship/immigration status.

Ensure that child has a Social Security number. Apply for one, if needed.⁹

3. Sign a KPA or Tribal equivalent

The **legally** responsible agency makes the placement and signs documentation. County agencies must use the KPA to make a kinship placement and record agency determinations.¹⁰ Tribes can use the KPA, or they may use an alternative format approved by DCYF staff.¹¹ If using an alternative format, Tribal agencies should follow this step in accordance with their alternative format.

Note: The KPA or Tribal equivalent is a Northstar Kinship Assistance requirement.

Create and print KPA in SSIS.¹²

Review KPA with prospective relative custodian/s.

Have prospective relative custodian/s and legally responsible agency representative sign KPA once they agree to KPA terms.¹³

Ensure all names match from printed signature to legal name.

4. Enter Kinship folder data in SSIS-Worker¹⁴

Create Kinship folder in SSIS.¹⁵

Complete the following verifications to send information to DCYF:

⁸ Minnesota Statutes 142A.605, subd. 2

⁹ For Medical Assistance, a Social Security number for the child is required.

¹⁰ Minnesota Statutes 142A.605, subd. 2; Minnesota Statutes 260C.515, subd. 4 (5)

¹¹ Minnesota Statutes 142A.605, subd. 2 (b)

¹² See [Kinship Placement Agreement](#)

¹³ Minnesota Statutes 142A.605, subd. 2 (b)

¹⁴ Detailed SSIS instructions are available on [PartnerLink](#), under DHS Systems and IT Updates, SSIS Worker Documentation, in the Northstar Kinship section. See also [Northstar Kinship Workflow](#).

¹⁵ See [Kinship Node and Kinship Verifications](#).

Parent verification, including Verified By date
Sibling verification.

Complete the Relative Custodian Verification (**RCV**) Initial for the prospective relative custodian/s. *Note: Upon saving the RCV-Initial, DCYF is notified of the kinship placement and initiation of the Northstar Kinship Assistance process.*

If kinship placement is modified or disrupted: Update the kinship placement event in SSIS via RCV-Update and/or RCV-Close.

Northstar Kinship Assistance eligibility determination

Every child whose SSIS continuous placement episode will end with TPLPC to a relative (who is not a parent) **must** have a Northstar Kinship Assistance eligibility determination completed on their behalf.¹⁶

- County and Tribal social services agency staff are responsible for submitting Northstar Kinship Assistance eligibility determinations to DCYF. They **do not** determine eligibility or ineligibility.
- DCYF staff are responsible for determining whether a child and their prospective relative custodian/s are eligible or ineligible for Northstar Kinship Assistance.

County and Tribal social services agency staff **must not** assume a child or their prospective relative custodian/s are ineligible for Northstar Kinship Assistance. Only the Northstar Kinship Assistance eligibility determination process can establish whether a child is or is not eligible for the program.

This section outlines requirements for submitting a Northstar Kinship Assistance eligibility determination for children in foster care under the jurisdiction of Minnesota district court or Tribal court to DCYF.

5. Prepare documentation

Submit the following documents to the assigned DCYF staff for review and processing of the Northstar Kinship Assistance eligibility determination:¹⁷

Child's birth certificate (or similar documentation verifying child's legal name, parentage and citizenship/immigration status, if not U.S. citizen)

If child's legal name changed and is **not** reflected on birth certificate, submit court order reflecting child's legal name change.¹⁸

Signed KPA or Tribal equivalent

Fully compliant background study clearance letters for prospective relative custodian/s and other adult household members

¹⁶ Minnesota Statutes 142A.605, subd. 5 and subd. 7

¹⁷ Minnesota Statutes 142A.605, subds. 2(b) and 7

¹⁸ Note: If this court order required that the child's birth certificate be amended, but it was not amended, there may be additional steps required. Consult with your assigned DCYF staff.

For children placed in homes **licensed for foster care by a Tribal social services agency**: A copy of the child foster care license verifying licensure effective dates.

MAPCY rating report intended for permanency

Court order authorizing child's removal from the home or voluntary placement agreement

AFDC relatedness worksheet

Other documentation as requested by DCYF staff.

6. Review data and verify information

Review Title IV-E foster care status. If needed, consult with the Title IV-E trainer assigned to your agency.

Review placement authority (court order or VPA) and removal home.

If **court order**, ensure the following requirements were met:

Court order authorized removal of the child from their home

Court order contained a judicial determination to the effect that remaining in the home would be contrary to the child's welfare

Child's removal from their home coincided with court order **or** DCYF approved extenuating circumstances, resulting in a delay in removal.

If **Voluntary Placement Agreement (VPA)**, ensure the following requirements were met:

VPA authorized child's placement, based on parent and agency signature.

The correct type of VPA was used (for example: If ICWA applies, ensure the ICWA VPA was used).

Verify legal names and correct dates of birth for child and prospective relative custodian/s are used in documentation, court orders and SSIS.

Correct any errors immediately.

Review MAPCY rating report to ensure purpose and level are accurate.

7. Submit eligibility determination in SSIS¹⁹

A Northstar Kinship Assistance eligibility determination is used for:

- Applying for NKA benefits. *Families can negotiate benefits to receive only Medical Assistance if they do not want to receive a payment for the child.*
- Declining NKA benefits. *Families that decline Northstar Kinship Assistance are declining both payments and Medical Assistance.*
- Requesting an exemption to the licensure and/or six month requirement/s.

Complete a Northstar Kinship Assistance eligibility determination in SSIS-Worker for the child.

¹⁹ See [Kinship Assistance Eligibility Determination](#) for detailed SSIS data entry instructions.

Submit all documentation listed as required in the eligibility determination to the assigned DCYF staff, preferably by secure email or Attached Documents in SSIS. See Step 5 above.

Make sure to select "Send to DCYF for approval" when finished.

Complete any data or document correction requests sent by DCYF staff.

Family is **declining benefits**:²⁰ This can be done any time after the KPA is signed.

Print the Statement to Decline Benefits and review the following with the family:

Discuss that the family is requesting to **NOT** apply for the program and that once the TPLPC is finalized, the child will no longer be eligible to apply for the program regardless of changes to the family's situation or the child's needs.

Document the reason/s that the family wishes to decline Northstar benefits for the child.

Have the prospective relative custodian/s sign the document.

Send the Statement to Decline Benefits to DCYF along with the eligibility determination. Skip the rest of this step and proceed to step 12.

Requesting an exemption: This can be done at any time after the KPA is signed.

If circumstances warrant an exemption to the licensing requirement or the requirement for a child to live in the home of a licensed prospective relative custodian for at least six consecutive months, complete an exemption request within the eligibility determination and continue with this step.²¹

8. Review child's eligibility status

If child receives **conditional approval**²² for Northstar Kinship Assistance: Follow steps outlined in letter sent by DCYF staff. *(Note: this includes if exemption was approved.)*

If child is determined **ineligible** for Northstar Kinship Assistance due to not meeting criteria:

If family wants to appeal, support prospective relative custodian/s with appealing child's ineligibility prior to proceeding with finalizing permanency through TPLPC or Tribal equivalent *(If family wins appeal, NKA benefits will be Non Title IV-E), or*

If family does not want to appeal, proceed with finalizing permanency through TPLPC or Tribal equivalent.

If child's **exemption request** was **denied**:

²⁰ **Do not** have family sign Statement to Decline Benefits based solely on the possibility that the family and/or child will not be eligible for Northstar Kinship Assistance (including that the family is not licensable). Only DCYF staff can determine eligibility. Assuming ineligibility and requiring families to sign a Statement to Decline Benefits takes away a family's right to appeal denial of eligibility.

²¹ Minnesota Statutes 142A.605, subd. 1 (a)(2)(ii)

²² Conditional approval means the child is eligible for Northstar Kinship Assistance, pending full execution of a benefit agreement followed by TPLPC finalization (or Tribal equivalent).

Assist prospective relative custodian/s with meeting all eligibility criteria prior to submitting a new eligibility determination, **or**

Proceed with finalizing permanency through TPLPC or Tribal equivalent if the family does not want to meet all eligibility criteria. Print the Statement to Decline Benefits and have the prospective relative custodian/s sign it. Inform DCYF staff that the family wants to proceed without meeting all eligibility criteria.

Northstar Kinship Assistance benefit agreement

To receive NKA benefits, an eligible child must have a Northstar Kinship Assistance benefit agreement negotiated on their behalf among the prospective relative custodian/s, the financially responsible agency and the commissioner. This benefit agreement must be signed by all parties (fully executed) before finalizing permanency through TPLPC or Tribal equivalent.

See [Kinship Benefit Agreement](#) for detailed SSIS data entry.

9. Create benefit agreement in SSIS-Worker

Double check that names, spellings and dates of birth are correctly entered in SSIS-Worker for Child and prospective relative custodian/s.

Create and print a Northstar Kinship Assistance benefit agreement in SSIS-Worker for Child.

10. Review benefit agreement with prospective relative custodian/s

Review terms of the benefit agreement with prospective relative custodian/s. Agency staff should ensure prospective relative custodian/s understand:²³

When child's benefits begin and when benefits will end

Whether their monthly payment includes additional MAPCY levels for childcare and/or extraordinary levels

Whether their monthly payment will be issued at the school-age entry rate or preschool entry rate

When and how to request reassessment via the MAPCY

Child's eligibility for Medical Assistance in Minnesota or, if residing outside of Minnesota, whether child is categorically eligible for Medicaid in their state of residence

Eligibility for reimbursement of nonrecurring expenses associated with the TPLPC finalization

Child's benefit agreement will be in effect regardless of where they live

Relative custodian's responsibility to report specified changes to their Northstar Kinship Assistance payment specialist at DCYF, including if they are no longer legally and/or financially responsible for the child

Who to contact if they have questions about their benefits.

²³ M.S. § 142A.608, subd. 1

After agreement to the terms, have prospective relative custodian/s and authorized financially responsible agency representative sign the benefit agreement.²⁴

Complete the caregiver information page with prospective relative custodian/s.

11. Submit benefit agreement to DCYF

Submit the signed benefit agreement and completed caregiver information page to your agency's assigned DCYF staff for review and signature.

Complete any corrections requested by DCYF staff during their review.

Ensure there is a fully executed benefit agreement, with all required signatures, prior to proceeding to TPLPC finalization.

Finalizing permanency through TPLPC or Tribal equivalent

Warning: Court should not finalize permanency until one of the following has been met:

Child has been found eligible for Northstar Kinship Assistance, and there is a Northstar Kinship Assistance benefit agreement signed by each prospective relative custodian, financially responsible agency staff and DCYF staff.

Eligibility was established through fair hearing process, and there is a Northstar Kinship Assistance benefit agreement signed by each prospective relative custodian, financially responsible agency staff, and DCYF staff.

Child has been found ineligible for Northstar Kinship Assistance, and prospective relative custodian/s are not appealing the decision.

Child has been found ineligible for Northstar Kinship Assistance, and child's eligibility was denied through fair hearing process.

Prospective relative custodian has declined benefits by signing a Statement to Decline Benefits, and the financially responsible agency submitted this signed statement to DCYF via the eligibility determination process.

12. File permanency petition (TPLPC or Tribal equivalent)

Verify legal names and dates of birth for child, legal parent/s and prospective relative custodian/s.

Double check that names, spellings and dates of birth for child, legal parent/s and prospective relative custodian/s are correctly entered in SSIS and court orders.

Correct any errors immediately.

²⁴ Signatures must be either: 1) Handwritten, original signatures, or 2) electronic signatures verified by software that includes digital certification. A person with delegated authority to sign on behalf of another must sign their own name. A person's typed name must match their signature field.

For children in county foster care: File a TPLPC petition along with KPA and any other documents required to be filed with petition at the court with jurisdiction over the child's permanency proceedings.²⁵

If agency is not filing TPLPC petition, contact Northstar.benefits@state.mn.us, as there may be NKA eligibility issues.

13. Finalize permanency (TPLPC or Tribal equivalent)

*Note: For children in county foster care, a TPLPC may be deferred if NKA eligibility is still being established. Once NKA eligibility has been established, including a benefit agreement signed by all parties if a child is eligible for NKA, then the TPLPC can be finalized.*²⁵

Attend hearing to finalize permanency through TPLPC or Tribal equivalent.

For children in county foster care:

Include visitation and/or contact arrangements between child and parents, siblings and other relatives, if applicable, in final TPLPC court order.^{26 27}

Ensure TPLPC court order includes the following findings:

A transfer of permanent legal and physical custody to a relative who is not the child's parent is in the child's best interest.

Receipt of Northstar Kinship Assistance under chapter 142A, when requested and the child is eligible, is in the child's best interest.

Adoption is not in the child's best interest based on the determinations in the KPA.

The agency made efforts to discuss adoption with the child's parent/s, or the agency did not make such efforts and the reasons why efforts were not made.

If applicable, there are reasons to separate siblings during placement.

For children under Tribal court jurisdiction who are eligible to receive NKA benefits:

Ensure final permanency order includes a judicial determination indicating that a relative will assume the duty and authority to provide care, control and protection of a child who is residing in foster care, and to make decisions regarding the child's education, health care and general welfare until adulthood, and that this is in the child's best interest (Tribal equivalent to TPLPC).

For all children exiting foster care through a TPLPC to a relative:

Send final TPLPC/Tribal equivalent court order to Adoption.Assistance@state.mn.us.

Complete any correction requests related to a final TPLPC/Tribal equivalent court order.

Enter Reason Discharged from Placement in SSIS – Transfer of permanent legal and physical custody to a relative.

²⁵ When applicable, "TPLPC" or "transfer of permanent legal and physical custody" includes similar provisions in Tribal code or law.

²⁶ Minnesota Court Rules of Juvenile Protection Procedure, Rule 42.07, subd. 6

²⁷ Minnesota Statutes 260C.515, subd. 4 (7)

Post-TPLPC finalization

14. Provide information and referrals to relative custodian/s and child

Provide youth with a copy of their social and medical history, including attachments, and their health and education record, if age 14 or older. Youth younger than age 14 may also receive copies of these documents, if appropriate.²⁸

Provide relative custodian/s with a copy of the child's health and education record.

Give relative custodian/s a list of important documents they will need following finalization, including:

- Certified copies of the final TPLPC/Tribal equivalent court order

- Assist relative custodian/s with obtaining child's other documentation if necessary.

If child receives or is eligible to receive certain federal benefits:

- Ensure relative custodian/s know to contact the Social Security Administration (SSA) to become rep payee for the child's Supplemental Security Income (SSI) benefit and to report the Northstar Kinship Assistance monthly payment received on behalf of child. The SSA will determine what impact, if any, Northstar Kinship Assistance has on the monthly SSI payment. Relative custodian/s will need to provide the SSA with a certified copy of the TPLPC court order. For more information, see the [Social Security Administration's website](https://www.ssa.gov) (ssa.gov).

Inform relative custodian/s of helpful post-permanency services for the child and for the relative custodian/s and family.

Provide information to relative custodian/s on how to apply for county and/or Tribal agency-based services, such as children's mental health or developmental disabilities services, in their county or Tribe of residence.

Families can receive both Northstar Kinship Assistance and child support if ordered by the court. The court could redirect an existing child support order to the relative custodian/s at the time of finalization of the TPLPC and/or reserve the child support issue for future discussion.

15. Assist with Medical Assistance (MA) transfer

Once NKA benefits commence, confirm:

- MA eligibility worker in financially responsible agency (for foster care) knows child's foster care placement has ended.²⁹

- MA eligibility worker in relative custodian/s' county of residence (or Tribe, if Tribe operates MA program) knows that NKA benefits have begun for the child.³⁰

- Child is receiving MA through NKA basis of eligibility.

²⁸ Minnesota Statutes 260C.212, subd. 1 (f)

²⁹ The foster care MA eligibility worker learns of a child's foster care end date through SSIS-MAXIS interface.

³⁰ The department will notify the child's county or Tribe of residence when NKA benefits begin, so the MA eligibility worker in the child's county or Tribe of residence can open MA for NKA.

16. Close case in SSIS

Enter case closing reason in SSIS.

Follow record content and retention laws.³¹

³¹ [Minnesota Records Retention Schedule](https://mnhs.org/preserve/records/retentionsched.php) (mnhs.org/preserve/records/retentionsched.php)