CABINET FOR HEALTH AND FAMILY SERVICES
Department for Aging and Independent Living
Division of Quality Living
(Amended at ARRS Committee)

910 KAR 1:260. Kentucky Family Caregiver Program.

RELATES TO: KRS Chapter 13B, Chapter 514, 199.011(4), 205.455(4), 209.030, 42 U.S.C. 601, 651, 1381, 3030s, 3030s-1

STATUTORY AUTHORITY: KRS 194A.050(1), 205.201(1)

CERTIFICATION STATEMENT:

NECESSITY, FUNCTION, AND CONFORMITY: KRS 205.201(1) requires the cabinet to promote and aid in the establishment of local programs to the aging. KRS 194A.050(1) requires the secretary to promulgate all administrative regulations authorized by applicable state laws necessary to operate programs and fulfill the responsibilities vested in the cabinet. This administrative regulation establishes the Kentucky Family Caregiver Program.

Section 1. Definitions.

(1) "District" is defined by KRS 205.455(4).

(2) "Federal poverty level" means the degree to which a household's gross income matches the official poverty income guidelines published annually in the Federal Register by the U.S. Department of Health and Human Services.

(3) "Formal support system" means a service obtainable through public or private service programs.

(4) "Grandchild" means a grandparent's grandchild:

(a) Through blood, marriage, or adoption; and

(b) Who is no more than eighteen (18) years of age.

(5) "Grant" means a payment to a grandparent for services specified in Sections 6(3)(a) or 7 of this administrative regulation and based on:

(a) Need; and

(b) Actual cost.

(6) "Household" means an individual or group of individuals who are living together in a principal residence as one (1) economic unit.

(7) "Household income" means all annual gross earned and unearned income received by a household, including a:

(a) Lump sum payment; or

(b) State or federal benefit assistance payment.

(8) "Informal support system" means any care provided to an individual ***if the care[which]*** is not provided as part of a public or private formal service program.

(9) "Local resolution" means a phone conversation or meeting between a grandparent and district to resolve the grandparent's dispute against denial of eligibility.

(10) "National Family Caregiver Support Program" means the program established by 42 U.S.C. 3030s-1.

(11) " Older relative caregiver" is defined by 42 U.S.C. 3030s (a)(4).

(12) ~~[(11)]~~ "Primary caregiver" means a grandparent providing full time care for that person's grandchild.

(13) ~~[(12)]~~ "Respite services" is defined by KRS 205.455(12).

(14) ~~[(13)]~~ "Supplemental services" means the services that a grandparent ***could[may]*** receive in accordance with Section 7 of this administrative regulation through application and grant or voucher process.

(15) ~~[(14)]~~ "Support services" means the services that a grandparent ***could[may]*** receive in accordance with Section 6 of this administrative regulation through application and

grant or voucher process.

(16) ~~[(15)]~~ "Voucher" means a payment made directly to a vendor for the services specified in Sections 6(3)(a) or 7 of this administrative regulation.

Section 2. Eligibility.

(1) To be eligible for the Kentucky Family Caregiver Program, a grandparent shall:

(a) Be a Kentucky resident;

(b) Be the primary caregiver for a grandchild;

(c) Reside with the grandchild who shall not be residing in the same household with the grandchild's parent, but may reside in a house owned by the grandchild's parent; and

(d) ~~[Not receive a monthly payment for Kinship Care in accordance with 922 KAR 1:130; and]~~

~~[(e)]~~ Not have household income that exceeds 150 percent of the federal poverty level.

(2) A grandparent who has adopted a grandchild shall be eligible for the Kentucky Family Caregiver Program:

(a) If the grandparent is not eligible for other state or federal adoption subsidies; and

(b) For a period not to exceed one (1) calendar year from final order of adoption.

(3) To apply or reapply for the Kentucky Family Caregiver Program, a grandparent shall complete, sign, and submit a DAIL-KFC-1 Application, ***(***electronic forms and signatures ***shall be~~[are]~~*** accepted***)~~[,]~~***for Kentucky Family Caregiver Services:

(a) To a local district of residence; and

(b) For each voucher or grant requested.

(4) An applicant shall receive a written notice of eligibility or non-eligibility from a district within thirty (30) days of meeting the requirements of subsections (1) and (3) of this section.

(5) A payment from the Kentucky Family Caregiver Program may affect the eligibility income requirements for receipt of a federal or state benefit assistance payment.

(6) If a child receives assistance from the Kentucky Children's Health Insurance Program or the Department for Medicaid Services, the child shall not be eligible to receive the medical services specified in Section 7(1)(e) of this administrative regulation.

(7) National Family Caregiver Support Program, excluding an older relative caregiver, participation shall not exclude participation in the Kentucky Family Caregiver Program.

Section 3. District Responsibilities.

(1) A district shall review the DAIL-KFC-1 Application for Kentucky Family Caregiver Services to determine completeness of the following information:

(a) Demographics;

(b) Establishment of eligibility relationship between grandparent and grandchild;

(c) Household income verified with:

1. A federal tax form;
2. A W-2;
3. A pay stub; or
4. Other documentation of monthly gross income;

(d) Living arrangements of household;

(e) Residency;

(f) Needs ~~[Need]~~ per grandchild; and

(g) Formal or informal support systems.

(2) A district shall consider applications on a priority basis, with applicants that did not receive services through the program in the past fiscal year, receiving a higher priority.

(3) A district shall:

(a) Develop a policy and procedure for:

1. Grandparent outreach of the Kentucky Family Caregiver Program;

2. Assurance of a grandparent's eligibility in accordance with Section 2(1) and (2) of this administrative regulation;
3. Informing a grandparent of the grandparent's rights and responsibilities; and
4. Client confidentiality and referrals;

(b) Develop a process for use of assistance, including a grant or voucher;

(c) Develop a process for:
1. Billing a participating vendor for provided services;
2. Monitoring and evaluation of the program; and
3. The review of invoices and receipts for approved items and expenditures;

(d) Notify the cabinet in writing if the process specified in paragraph (c) of this subsection changes;

(e) Make payment for the services specified in Sections 6(3)(a) and 7 of this administrative regulation through a voucher or grant;

(f) Document and maintain a case file for a grandparent that:
1. Is kept in a locked cabinet or is digitally secure utilizing the state database system;
2. Has all documentation regarding the grandparent secured to the file; and
3. Includes at a minimum:
a. The DAIL-KFC-1 Application for Kentucky Family Caregiver Services;
b. Consent and release of information;
c. Verification of eligibility;
d. Verification that the grandparent was informed of the grandparent's rights and responsibilities;
e. Documentation showing services provided;
f. Documentation of referrals and other resources given to the grandparent;
g. Progress notes or case notes, if applicable;
h. Correspondence, if applicable;
i. Documentation of grievance, local resolution, or hearing, if applicable;
j. Documentation of service termination, if applicable; and
k. Assignment of a case number;

(g) Provide the department with documentation of services provided and the number of grandparents served through the Kentucky Family Caregiver Program in that district;

(h) ~~[Verify with a local department for community based services office:]~~
~~[1.] [That a grandchild or grandparent is not receiving a monthly payment specified in Section 2(1)(e) of this administrative regulation;]~~
~~[2.] [Any type of state or federal benefit assistance payment a grandparent or grandchild is receiving; and]~~
~~[3.] [Medical services a grandchild receives through the Kentucky Children's Health Insurance Program or the Department for Medicaid Services;]~~

~~[(i)]~~ Provide for appeal procedures in accordance with Section 10 of this administrative regulation;

(i) ~~[(j)]~~ Provide referral and assistance to access other community services needed by the grandparent or grandchild; and

(j) ~~[(k)]~~ Maintain a current fiscal year waiting list for prioritizing a grandparent in the following year if the grandparent:
1. Applied for the current fiscal year;
2. Was not served in the current fiscal year; and
3. Reapplies for the program the following fiscal year.

Section 4. Department Responsibilities. The department shall:

(1) Be the state-wide administrator for the Kentucky Family Caregiver Program;

(2) Monitor a district at a minimum annually for assurance of compliance with the program requirements of this administrative regulation;

(3) Allocate available funding; and
(4) Provide technical and programmatic assistance, if needed.

Section 5. Kentucky Family Caregiver Payment.
(1) To the extent funds are available, the maximum total of assistance per grandchild, including a grant or voucher, shall be up to $500 per grandchild in any one (1) fiscal year.
(2) Funds shall be allocated based on priority order as specified in Section 3(2) of this administrative regulation.
(3) A grant or voucher shall not be given for services that occur before a district's establishment of a grandparent's eligibility.
(4) Prior approval with a district for counseling and supplemental services shall be required before actual purchase.
(5) If the Kentucky Family Caregiver Program funding is at capacity, an eligible applicant shall be placed on a waiting list and as funding becomes available be accepted for services in priority order as specified in Section 3(2) of this administrative regulation.

Section 6. Support Services. Support services shall include:
(1) Information about available services;
(2) Assistance in gaining access to services; and
(3) Assistance to the grandparent in decision-making and problem-solving relating to a care giving role including:
(a) Individual counseling;
(b) Organization of a support group; and
(c) Caregiver training.

Section 7. Supplemental Services.
(1) Supplemental services specific to the grandchild shall include:
(a) Child clothing and personal care needs;
(b) Respite services provided by a caregiver or agency approved by the district, for the grandparent;
(c) Educational supplies or assistance documented by the grandchild's school of attendance;
(d) Required legal services, which shall:
1. Be related to the grandchild's safety and stability; and
2. Not include representation against any criminal charges;
(e) Medical and dental services, except for copays and premiums; and
(f) Furniture to be used by the grandchild ~~[including a:]~~
~~[1.] [Bed; or]~~
~~[2.] [Dresser]~~.
(2) Supplemental Services shall not include:
(a) Utilities;
(b) Appliances for household use~~***[, unless approved by the department]***~~;
(c) Items utilized for the entire family;
(d) Technology unless prescribed for communication due to a disability; ~~[or]~~
(e) Computers unless written documentation is provided by the school requiring a home computer and then one (1) per household is allowed; or
(f) Extracurricular costs and related equipment.

Section 8. Grandparent Responsibilities. A grandparent shall:
(1) Provide a district with the information required to determine eligibility as specified in Section 2 of this administrative regulation;
(2) Comply with a district's application process as established in Section 2(3) of this administrative regulation;
(3) Sign the DAIL Attestation form ***; [.]***

(4) Complete training on the reporting of fraud, abuse, neglect , and exploitation;

(5) ~~[(3)]~~ Comply with the district's policies for expenditures of assistance, including:

(a) A grant or voucher; or

(b) Submittal of a receipt for cost reimbursement, if applicable~~;~~***;*** ~~[.]~~

(6) ~~[(4)]~~ Comply with the appeal procedures established in Section 10 of this administrative regulation if making an appeal; and

(7) ~~[(5)]~~ Notify the district immediately of a change in status that is in noncompliance with the eligibility requirements specified in Section 2 of this administrative regulation.

Section 9. Fraud. A grandparent's fraudulent use of a voucher or grant may result in prosecution pursuant to KRS Chapter 514.

Section 10. Appeal Procedure.

(1) A grandparent wishing to appeal denied eligibility for services shall first have a local resolution with the district of residence.

(2) If the grandparent is dissatisfied with the results of the local resolution, the grandparent may request a state administrative hearing in accordance with KRS Chapter 13B.

Section 11. Incorporation by Reference.

(1) The following material is incorporated by reference:

(a) "DAIL-KFC-1 Application for Kentucky Family Caregiver Services", edition June 2026; and

(b) "DAIL Attestation", June 2026 ~~[8/2012, is incorporated by reference]~~.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Cabinet for Health and Family Services, 275 East Main Street, Frankfort, Kentucky 40621, Monday through Friday, 8 a.m. to 4:30 p.m., Eastern Time / 7 a.m. to 3:30 p.m. Central Time, or online at the agency's website at https://www.chfs.ky.gov/agencies/dail/Pages/scsep.aspx.

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