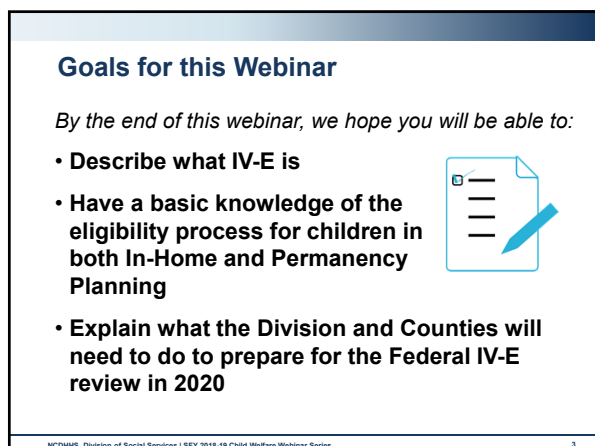


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About Questions

- We will monitor questions via the chat box and answer them as possible throughout the webinar.
- There will also be a **follow-up document** that answers questions asked during this webinar; this document will be e-mailed to all registered participants and posted with the webinar recording.
- The webinar recording will be on ncswLearn.org and on the Family and Children's Resource Program webpage (<http://fcrp.unc.edu/webinars.asp>).



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Panelists

Evan Friedel
Interim IV-E Coordinator

Moderator

Jonathan Rockoff

Tech Support

Phillip Armfield
John McMahon

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What is IV-E & Why does it matter?

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What is Title IV-E?

- IV-E requires Social Service Agencies to provide certain physical and legal protections to children and parents during our involvement
- *IF* and only *IF* we provide those protections and document them appropriately are we allowed to draw down reimbursement for services provided and funds paid



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Federal Foster Care Support: A Brief History

- The federal government has participated in the costs of foster care since 1961
- IV-E was created in 1980 as part of the SSA
- The intention was (and remains) to provide, in appropriate cases, foster care assistance for children who otherwise would have been eligible for federal benefits through AFDC



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A Brief History *continued*

- Although often discussed as an entitlement, IV-E reimbursement is only available as a partial reimbursement of services and funds if certain conditions are met
- The State and Counties share in the costs
- Additions and changes to IV-E have come through MEPA, ASFA, Fostering Connections, and most recently FFPSA

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A Brief History *continued*

There are two major ways IV-E funding/reimbursement can be claimed

Administrative Claiming (Day Sheets: In-Home Services and Foster Care)

- Policy requires IV-E (Program code "Z") be used if the child is eligible
- IV-E is an uncapped funding source for Day Sheets

Maintenance Payments (Board Rate: Foster Care)

- Counties are reimbursed approximately 82% of maintenance payments for IV-E eligible children vs 50% for children who are SFHF eligible

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In-Home Services

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Administrative Claiming (Day Sheets)

To claim IV-E (Z) funding for administrative costs during in-home services, the child must be determined to be a
"Candidate for Foster Care."

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Administrative Claiming (Day Sheets)

- In NC we determine and document the child's candidacy for foster care by meeting a series of specific requirements
- IV-E Administrative claiming may NOT be used until all four of the following have been **completed** and **documented**

1. Have a finding of "Substantiated" or "In Need of Services" during the assessment case.

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Administrative Claiming (Day Sheets)

2. Answer and provide rationale for these questions in section XII of the 5010:

- Has the maltreatment occurred with frequency and/or is the maltreatment severe?
- Are there current safety issues that indicate the child(ren) is likely to be in immediate danger of serious harm?
- Are there significant assessed risk factors that are likely to result in serious harm to the child(ren) in the foreseeable future?
- Is the child in need of CPS In-home Services or Out-of-home Services (answer "yes" if the caretaker's protective capacity is insufficient to provide adequate protection and "no" if the family's protective capacity is sufficient to provide adequate protection)?

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Administrative Claiming (Day Sheets)

3. The In-Home Family Services Agreement (DSS-5239) must indicate in the answer to section VI b. ("What will happen if the child's safety can no longer be assured?") that a petition for custody of the child will be filed.

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Administrative Claiming (Day Sheets)

4. Parent(s) must sign the DSS-5239 indicating they were a part of the CFT and actively participated in the development of the plan.


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Administrative Claiming (Day Sheets)

- Once **all** these steps are completed the Administrative time for this child may be claimed for IV-E. Non IV-E codes must be used prior to this point.
- Time may be claimed back through the first day of the month that all of requirements are met

Example: if the last requirement was met on April 25, all of April may be coded to IV-E



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Permanency Planning

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Elements of Initial Eligibility

- Legal Issues, depending on how the child comes into care
- Determination of the Removal Home
- AFDC Connectedness (Need and Deprivation)
- Citizenship



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Eligibility Determination

- Initial Eligibility determined via the DSS-5120
- Child must be coded SFHF until IV-E eligibility is established.
 - **HOWEVER**, child is eligible for IV-E payments for the full month in the month that all requirements are met
- To claim IV-E maintenance reimbursement, child must be placed in a licensed placement

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Eligibility Determination *continued*

- Re-determination is completed at a minimum once every 12 months via DSS-5120A
- Redetermination focuses on Reasonable Efforts made to achieve the permanent plan for the child
 - Must be established in court order



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Why Getting it Right Matters

- Counties are reimbursed 82% of maintenance costs for children who are IV-E eligible
- Counties are reimbursed 50% of maintenance costs for children who are State

★ An error in IV-E determination can result in a substantial loss in funds.

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Potential Payback Over 12 Months

Age	Agency FFH	Private FFH	Residential
Birth – 5	\$1,825	\$4,699	\$16,444
6 – 12	\$2,233	\$5,182	\$17,051
13 - 18	\$2,436	\$5,448	\$17,051

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Foster Care 18-21

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Elements of Foster Care 18-21 IV-E Eligibility

- Under 18 IV-E eligibility ends on the youth's 18th birthday. Once 18-21 VPA is signed, a new eligibility determination is completed on the DSS-5120E.
- It is possible for a youth who was not IV-E eligible during the initial placement to meet IV-E requirements after turning 18.
- The state is responsible for the remaining nonfederal portion of the standard board rate for all eligible young adults. Therefore, there is no cost to the county.

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Elements of Foster Care 18-21 IV-E Eligibility

- **Age:** Young adult is age 18, 19, or 20
- **Need:** Young adult meets definition of "need" based on his / her income and resources *(if married, the spouse's income would be included)*
 - **Note:** income of removal home is NOT considered for Foster Care 18-21 funding eligibility
- **Placement:** Young adult is residing in an eligible placement (licensed family foster home or group home, college or university dormitory, or semi-supervised independent living setting).

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Elements of Foster Care 18-21 IV-E Eligibility

Judicial Determination: A judge has found the young adult's participation in Foster Care 18-21 is in his/her best interest *(within 90 days of the VPA)*

Placement: Young adult is residing in an eligible placement (licensed family foster home or group home, college or university dormitory, or semi-supervised independent living setting).

Transitional Living Plan (TLP): Young adult has an individualized TLP with goals and activities and is working towards them.


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Medicaid for 18-21

- Young adults participating in Foster Care 18-21 are categorically eligible for Medicaid through the Expanded Foster Care Program, whether they are IV-E or State funded.
- You **MUST** communicate with your Medicaid workers if the child leaves the program as they may have to switch their coverage.
- Interagency communication should take place with Medicaid on a yearly basis to confirm the young adult's continued participation and eligibility for the Foster Care 18-21 program.


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Redeterminations for 18-21

- There is no requirement to complete a formal redetermination (5120-A) for IV-E eligibility every 12 months.
- Continued funding eligibility for the Foster Care 18-21 Program is verified on an ongoing basis by documenting the young adult's continued program eligibility (meeting one of the five eligibility requirements) and approval of the young adult's placement on the Monthly Contact Record for Foster Care 18-21.

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The 2020 Federal IV-E Review

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2020 IV-E Federal Review Basic Facts

- Audit is based on Maintenance (Board) Payments, not Administrative (Daysheet) Payments.
- 80 cases will be reviewed. We are allowed to have 4 errors and still “pass.”
- More than 4 errors will lead to a second level review with 2x the sample size. Not passing that 2nd review will lead to a statewide penalty for all counties.
- Even claiming \$1 of IV-E maintenance during the Period Under Review makes a child eligible for inclusion.

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2020 IV-E Federal Review Milestones/Activities

- "Money Matters: Foster Care Funding Basics"
- **Feb-March 2019:** NCDSS held 8 “Everything IV-E” trainings across the state to assist county staff in understanding the basics behind IV-E determination for children entering foster care.
- **April-June 2019:** NCDSS will facilitate County workshops focusing on use of Federal IV-E Record Review tool.


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2020 IV-E Federal Review Milestones/Activities

April-August 2019: Counties will be expected to review the eligibility record (using the federal review tool) of EVERY child currently in Agency Custody who has been determined to be IV-E eligible regardless of current placement or reimbursement status. Any child found to be made IV-E in error must have funding sources changed and any adjustments made by **8/31/19**.


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2020 IV-E Federal Review Milestones/Activities

- ~ **Oct 1, 2019 - March 31, 2020:** Period under review for **NC Federal IV-E Review** (based on timeframe of previous 3 reviews)
- ~ **May 2020:** NC will receive sample pull from **Federal Partners** (80 cases to be reviewed with 20 cases provided as oversample) **NCDSS staff will re-review records of children pulled for the sample**
- ~ **6/15/2020:** All cases in sample pull (sample and oversample) to be delivered to **Dix Campus**
- ~ **7/20/2020:** Federal Partners arrive for 5-day review

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Questions



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Contact Information



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Follow-Up Document for the Webinar

IV-E: An Overview of Eligibility and the 2020 Federal Review

Presenter

Evan Friedel

Child Welfare Services Section, NC Division of Social Services

Produced by

Family and Children's Resource Program, part of the
Jordan Institute for Families
UNC-Chapel Hill School of Social Work

Sponsored by

NC Division of Social Services

Webinar handouts: https://fcrp.unc.edu/files/2019/04/IV-E_webinar_slides.pdf

Recording: if you missed the webinar or want to view it again, go to: <http://fcrp.unc.edu/webinars.asp>

Answers to Questions Asked During the Webinar

Responses in this document are from the NC Division of Social Services Child Welfare Services Section.

I. IV-E and In-Home Services

Is a child considered IV-E when first taken into custody until determined different by the DSS-5120?

No. A child is only IV-E when we have made the determination of eligibility via the DSS-5120.

What if the parents cannot write OR prefer not to sign, but verbally agree?

If they can't write, we would ask them to make a mark of some kind and have that witnessed. If they prefer not to sign, we encourage agencies to work through that resistance if at all possible. If this isn't possible, there are some options. If you are in this circumstance, contact the IV-E Coordinator or your CPR for guidance to ensure you get what you need to document IV-E eligibility.

Would it make a difference if the child is in a TPSA?

If a family is being served by In-Home services (215), the child can still be IV-E eligible if all four requirements spelled out in the webinar are met. If the child is in custody and in a TPSA, that is a different scenario. If the child is in custody and in a TPSA you would have to follow the process laid out in the DSS-5120 to determine Removal Home status and ultimately IV-E eligibility.

What if you do not have a parent to sign? Does that mean you don't meet the requirements? For example, what if you cannot locate the parents?

If you don't have a parent to plan with, then the child can't be IV-E eligible at that time, though if circumstances change the child could be eligible later. There is also the obvious practice consideration that if you truly do not have parental involvement, would a petition be appropriate? Consult your CPR as needed for case guidance.

What if only one parent will sign the FSA?

Obtaining the signature of one parent meets the requirement of IV-E IF the signing parent has an item to work on in the case plan or is assisting in meeting goals/objectives for the child. If all of the items in the plan relate to the other parent, then this may not qualify. If you have a situation like this, please feel free to contact the IV-E coordinator or CPR for guidance. We encourage you to get the signature of both parents whenever possible.

If only one parent signs, does it matter if it is the parent who the finding was in regards to? Or can it be the non-resident parent who signs?

Ideally both parents would sign. However, if the nonresident parent is involved with the agency and involved in the case planning process, their signature could be sufficient. Also see the guidance given in the answer two questions above.

Does income matter in determining eligibility of IV-E in In-Home Services (215)?

No.

Can a child be IV-E if we are given custody during an adjudication of an In-Home Services case?

Possibly. The key is to make sure the judge is giving you your "best interest"/"contrary to the welfare" language. You would then still have 60 days to get your reasonable efforts language, although it is possible the judge may address that in the order giving you custody. If yes, that would meet the legal requirements and the child can be eligible for IV-E. All other requirements must still be met and documented on the DSS-5120.

2. IV-E and Foster Care and Permanency Planning

We were always told we needed to wait on the 7-day hearing to get the reasonable efforts finding because there had to be an official hearing that goes along with the finding of reasonable efforts. Therefore, I'm concerned about using the initial nonsecure order. Can you address that change?

If you're using latest version of the AOC-J150 (Jan. 2018 or later) and it is signed by a judge and filled out correctly, you meet legal requirements for foster care. This includes "best interest"/"contrary to the welfare" and Reasonable Efforts. It is critical, however, that the form be filled out correctly with all information where it needs to be.

If it's a court-approved caretaker who is actively pursuing licensing, can we code Z?

No. To use code Z for administrative time, it must be a specified relative placement. However, if a court-approved caretaker becomes licensed, we can start coding Z.

When a child enters care, can the Permanency Planning code (P) be used at entry rather than SFHF?

"P" is a code for day sheets that qualify as "state" funding. So yes, you can use P while determining IV-E if the child meets the eligibility for P. Please see the funding manual or contact your CPR if you have specific questions about eligibility for "P."

If a child is in a court-sanctioned placement and the providers don't want to be licensed, would they have to be coded State?

Yes. (Note: in theory there would be no maintenance payment, since the placement is not licensed.)

Can we code to SFHF any administrative duties (including documentation and paperwork) if the child is in an unlicensed placement?

Yes. If they are IV-E eligible but are currently in an unlicensed placement, you would code "state" on your day sheets unless it is a family member actively pursuing foster home licensure. However, the moment the placement becomes licensed, you can claim IV-E reimbursement. To further answer this question, the codes "109", "009", "215", and "210" all allow for documentation/paper work and transportation by the social worker to be coded to whatever program code (Z, P, R, O, etc.) the child is eligible for.

Regarding the slide that says the child must be coded SFHF until IV-E eligibility is established...does that mean that if a child came in May 5 and we don't finish the booklet until June, we can code state for May even if they met all requirements in May?

Yes, the child is eligible as soon as all elements/requirements for eligibility are met, not when the booklet is completed.

Do we code all children to IV-E when we attend court?

You must code each child to what they are eligible for. Even siblings may need to be coded differently, if they are different in terms of IV-E eligibility.

With regard to administrative costs and day sheets, must a child be in a licensed foster home to use code Z?

If we are talking about foster care, yes, to use code Z the child must be in a licensed foster home. The exception is if the child is placed with a relative who is actively pursuing licensure. (Note: the relative must be taking action to pursue licensure, not just considering it.) The other exception is if the child is going into a trial home placement with the individual they were removed from. If so, the judge must indicate in the order that it is a trial placement, it cannot last for more than 6 months, there must be a risk level of moderate or above, as well as case documentation as to why the child is still a "candidate for foster care." This documentation needs to address why the child could still be removed (i.e., why the risk level is where it is).

Should we be doing the IV-E tool on the DSS-5120-A?

Yes. If a child has been in care for more than 12 months, the DSS-5120A would be part of the case record and you would need to be reviewing it as part of your review process.

After a child is adopted and is coded to 010 and 012, do we continue to use Z codes if they were IV-E eligible before adopted? Or should we use P, V, and so on?

Service code "010" does not allow for "Z" to be used in combination with it. If you are providing "Post Adoption Services," that would be better coded to "016" rather than "010" if the child had been adopted while in DSS custody. "010" is designed to be used primarily for adoptions where the child was not in DSS custody (e.g., private or step-parent adoptions). "016" does allow for the Z code to be used. When using "012," you would use Z if the child is IV-E adoption assistance and one of the other state codes for children who are IV-B or "state" adoption assistance.

3. Foster Care 18-21

We have a young adult in the FC 18-21 program that abruptly moved out of state. We still have him in the program but have not paid any money to him because he has not communicated with us directly about where he is staying. Can we close this case out?

Foster Care 18-21 services cannot be terminated unless the court is in agreement and makes a finding of fact that supports termination.

If a young adult is undocumented when they sign a VPA and later receive their green card, do I have to redetermine eligibility?

No, once funding eligibility is determined upon a young adult signing a VPA, the funding source never changes UNLESS the VPA is terminated and the young adult re-enters Foster Care 18-21 by signing a new VPA. At that time funding eligibility will be determined based on the circumstances at the time the new VPA is signed.

We had a young adult who decided to leave his approved placement and return to the home of his mother, which was the removal home. The court ordered the agency to continue paying the \$634 monthly payment until we sent him a 30-day notice. Are we able to claim reimbursement for this payment?

Yes, you are still able to claim the reimbursement. However, policy requires the 30-day notice to be sent before services are terminated. When Foster Care 18-21 cases are audited, this could potentially be a payback to the state because policy was not followed.

If an 18-21-year-old receives an SSI check and is unable to work or attend school, can we still consider him eligible for the Foster Care 18-21 program?

If the young adult is receiving SSI, then more than likely he has a medical condition that would prevent him from meeting the employment and education requirements. If so, then yes, he is still eligible for the program. We do not want to deny this program to any young adult who could benefit from it.

What if you do not have the judicial determination of the 18-21-year-old completed within the 90 days of VPA? Is the child ineligible until the determination is made, or are they indefinitely ineligible?

The youth would still be eligible. It is not the youth's fault that the court hearing was not held timely. The youth would not be IV-E eligible until the hearing is held. Any payments the youth receives during that time would be SFHF (all state funds). You will need to have the hearing as soon as possible because if the case is found in error during an audit, the county may have to pay the state back for the time period before the hearing was held.

4. 2020 Federal IV-E Review

Will the Foster Care 18 - 21 program be part of this review?

Based on the guidance we have received thus far, no.

Where is the federal review tool? Where can I find it?

The tool is not currently available on the state website. It will be sent out as part of statewide preparation for the review, but feel free to contact the IV-E coordinator if you need a copy.

Participant responses to the question:

What's one thing you will do in response to what you have learned today?

- Start Reviewing IV-E cases ASAP
- Review all of our IV-E cases with the review tool
- Continue to educate workers on requirements.
- I will be sharing this information with the Child Welfare staff. Also, we will review our IV-E files again.
- Review our In home cases for IV-E eligibility
- Will be reviewing every IV-E case with the review tool
- Worry more about children coded IV-E in error!
- We need to review all of our IV-E cases NOW!
- Use the new J-150; complete review tool on 5120-A
- Carteret Co will be completing a 100% review of all IV-E cases.
- Double check Day sheets to ensure IV-E cases have been accurately coded each month so that funding it appropriately made.
- I learned the IV-E requirements for In-Home Services.
- Review my cases that are IV-E and verify have appropriate documents
- Begin reviewing all of the IV-E records
- Review all IV-E records for 100% and begin a IV-E folder in the record.