

## Chapter 1

## GENERAL INFORMATION

1-1. Introduction.

a. This operating procedure describes the major funding sources used by the Department of Children and Families, herein referenced as DCF or Department, and Community-Based Care Lead Agencies (CBCs) to support child protection activities and services. The operating procedure provides policy and procedures for screening cases, determining eligibility, reporting, and claiming funds.

b. Policies and procedures provided in this operating procedure are intended to complement, not supplant, applicable provisions of state and federal laws and rules. In the event of a conflict or inconsistency between these guidelines and state and federal statutes or regulations, the latter will take precedence and prevail over the provisions in this operating procedure.

c. Any region, circuit, and/or CBC developing its own operating procedures may not impose additional requirements or forms on the public beyond those specified in this operating procedure. In addition, region, circuit, and CBC specific procedures cannot supersede relevant state and federal statutes and regulations.

1-2. Scope. The Child Welfare Program is financed by federal, state, and local funds. To ensure accountability, staff must follow the procedures outlined in this operating procedure. The policy and procedures apply to Department, sheriffs' staff conducting child protective investigations, CBC child welfare staff and their sub-contractors. This includes, but is not limited to, child protective investigators (CPI), child welfare case managers, revenue maximization staff, supervisors, attorneys with Children's Legal Services (CLS) or the Offices of the Attorney General or State's Attorney contracted to perform CLS services, Child in Care (CIC) eligibility specialists, and staff responsible for data management and fiscal operations.

1-3. Authority.

a. Titles IV-A and E, XIX and XX, Social Security Act, as amended.

b. 45 Code of Federal Regulation (CFR), Parts 1355 through 1357; 45 CFR, Part 233.110.

c. State Plans for Title IV-E, Temporary Assistance for Needy Families, Medicaid, and Title IV-D.

d. Florida's Child and Family Services Plan (CFSP).

e. Office of Management and Budget (OMB) Title 2 CFR Part 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.

f. Chapters 39, 409 and 414, Florida Statutes (F.S.).

g. Chapters 65C-1 through 45, Florida Administrative Code (F.A.C.).

h. United States Department of Health and Human Services, Administration for Children and Families' Child Welfare Policy Manual, Action Transmittals (AT), Information Memoranda (IM), Policy Guides and Manuals (PGM), Program Instructions (PI), Program Regulations (PR) and Federal Register Notices.

1-4. Federal Funding Sources. Federal funding for child welfare is from Title IV-A, Title IV-B, Title IV-E, Title XIX, and Title XX of the Social Security Act; and under PL 93-247.

a. Title IV-A and Temporary Assistance for Needy Families.

(1) Title IV-A of the Social Security Act provides grants to states to fund Temporary Assistance for Needy Families (TANF) programs and services. The Department serves as the designated state agency responsible for administering funding under the Social Security Act.

(2) Access to programs and services funded by TANF funds is income based and limited to those meeting eligibility criteria. The Office of Child Welfare (OCW) uses TANF funds to support activities and services designed to remedy some of the underlying conditions that lead to abuse, neglect or abandonment of children; and to strengthen families so that children can be cared for in their own homes or in the homes of relatives. Eligible families must have cases open with child protective investigations or case management. These activities and services are funded through the following TANF programs:

(a) “Regular” TANF. “Regular” TANF funds help to pay for the administrative costs of intake, child protective investigation, and protective services.

(b) Social Services Block Grant II (SSBG II). The TANF SSBG II grant provides funds for social services that seek to accomplish one or more of the following goals: achieving or maintaining economic self-sufficiency; reducing or preventing of dependency; preventing or remedying abuse, neglect or exploitation of children; preventing or reducing inappropriate institutional care; and, securing admission or referral for institutional care when other forms of care are not appropriate.

(c) Relative Caregiver Program. This program provides financial assistance to relatives who are caring full-time for an eligible child. To be eligible, the child must be adjudicated dependent and ordered by the court into the custody of the relative. The relative caregiver must be within the fifth degree of relationship by blood, marriage, or adoption to the parent or stepparent of the child for whom the relative caregiver is providing full-time care. The child must meet the technical and financial requirements of the TANF “child-only” program, with some exceptions. In addition to the TANF eligibility requirements, the placement of the child must be due to a finding of abuse or neglect by the dependency court and based on an approved home study of the relative caregiver. Please refer to CFOP 170-10, [Chapter 8](#), Relative / Kinship Caregiver Support, and the Economic Self-Sufficiency Program Policy Manual (<https://www.myflfamilies.com/service-programs/access/program-policy-manual.shtml>) for information on the Relative Caregiver Program. Effective July 1, 2014, the Florida Legislature expanded the Relative Caregiver Program in s. [39.5085](#), F.S., to include nonrelative caregivers. Please refer to CFOP 170-10, [Chapter 9](#), Nonrelative Caregiver Financial Assistance.

(d) TANF funded Maintenance Adoption Subsidy Program. Per s. [409.166](#), F.S., the program provides federal funds to facilitate the timely placement of children, whose special needs or circumstances would otherwise make it difficult to place with an adoptive family. Eligible children receive adoption benefits designed to assist adoptive parents in meeting their needs. Adoptive parents are also eligible for a capped reimbursement of nonrecurring expenses to help offset the cost of adoption.

(e) TANF funded Guardianship Assistance Program. Per s. [39.6225](#), F.S., the program provides federal funds for payment and Medicaid for the care of children by relatives or fictive kin who have assumed legal guardianship of eligible children for whom they previously cared as foster parents. Caregivers may also be eligible for a capped reimbursement of nonrecurring expenses to help offset the cost of obtaining guardianship.

b. Title IV-B Child Welfare Services.

(1) Title IV-B of the Social Security Act contains two subparts, Subpart 1 and Subpart 2. States receiving Title IV-B funds under either subpart must follow a state plan assurance explaining how the money is used and the programs and services that are run wholly, or in part, with Title IV-B funds. See 42 U.S.C. 622 for federally mandated state plan assurance requirements.

(2) The state plan assurance covers a period of five years with each state mandated to complete an annual update (the Annual Progress and Services Report). The annual updates are required to receive federal allocation of Title IV-B funds, as well as allocation of federal funds under the Child Abuse Prevention and Treatment Act (CAPTA). The update also gives states an opportunity to apply for funding to support the Chafee Foster Care Independence Program.

(3) Upon the expiration of each five-year plan, each state is required to submit a new Child and Family Services Plan (CFSP) and to continue with annual updates. Florida's CFSP is available on Florida's Center for Child Welfare Practice at <http://centerforchildwelfare.fmhi.usf.edu/Index.shtml>.

(4) Title IV-B, Subpart 1 of the Social Security Act.

(a) Title IV-B, Subpart 1 of the Social Security Act, also known as The Stephanie Tubbs Jones Child Welfare Services Program, provides grants to states and Indian tribes for programs directed toward keeping families together. The funds are intended for programs and services that assist families whose children have either been removed, or who are on the verge of being removed, from their homes. The funds are also used for reunification services and efforts. Programs and services funded under this subpart are available to children and their families without regard to income.

(b) Generally, there is a strong emphasis on using these funds, in combination with state, local, and private funds to:

1. Protect and promote the welfare of all children;
2. Prevent the neglect, abuse, or exploitation of children;
3. Support at-risk families through services which allow children, where appropriate, to remain with their families or return to their families in a timely manner;
4. Promote the safety, permanence, and well-being of children in out-of-home care and adoptive families; and,
5. Provide training professional development, and support to ensure a well-qualified workforce.

(5) Title IV-B, Subpart 2.

(a) Title IV-B of the Social Security Act, Subpart 2, also known as Promoting Safe and Stable Families (PSSF), provides funding for programs and services designed to:

1. Help prevent the unnecessary separation of children from their families;
  2. Improve the quality of care and services to children and their families;
- and,

3. Ensure permanency for children by either reuniting them with their parents, seeking adoption, or by making other permanent living arrangements.

(b) States are required to spend most of their allotted Title IV-B, Subpart 2 funds for services that address:

1. Family support;
2. Family preservation;
3. Time-limited family reunification; and,
4. Adoption promotion and support.

(c) The services are designed to help child welfare agencies and eligible Indian tribes establish and operate integrated, preventive family preservation services and community-based family support services for families at risk or in crisis.

c. Title IV-E Federal Payments. Title IV-E provides federal funding to help provide foster care, independent living services, adoption assistance, and guardianship assistance. Like all states that receive Title IV-E funds for foster care, independent living services, adoption assistance, and guardianship assistance, Florida must follow a Title IV-E State Plan. The Plan includes all applicable state statutory, regulatory, or policy references and a citation for each requirement, as well as supporting documentation. Additionally, the plan must be updated when there are significant changes to state programs or in response to changes in federal law.

(1) The Title IV-E Foster Care program helps provide safe and stable out-of-home care for children until they are returned to their homes, are permanently placed with adoptive families, or are placed in other permanent arrangements by a child welfare agency. Also, the program provides federal funds for foster care maintenance payments to eligible children under state custody. Children must meet eligibility requirements under Title IV-E to qualify for benefits.

(2) Title IV-E Extended Foster Care provides federal funds for foster care maintenance payments and services to young adults ages 18 to 21 who were in the department's custody upon turning 18. The goal of the program is to further guide young adults to independence.

(3) Title IV-E Maintenance Adoption Subsidy provides federal funds to facilitate the timely placement of children, whose special needs or circumstances would otherwise make it difficult to place with adoptive families. Eligible children receive Medicaid and a monthly adoption subsidy designed to assist adoptive parents in meeting their needs. Adoptive parents are also eligible for a capped reimbursement of nonrecurring expenses to help offset the cost of adoption.

(4) Title IV-E Extension of Maintenance Adoption Subsidy provides adoption benefits to qualifying adoptive parent(s) for the continued support of their young adult until the age of 21.

(5) Title IV-E Guardianship Assistance Program provides federal funds for the care of children placed in permanent guardianship with their relative or fictive kin. Eligible children receive Medicaid and a monthly guardianship assistance payment designed to assist the caregiver in meeting the child's needs. Caregivers may also be eligible for a capped reimbursement of nonrecurring expenses to help offset the cost of obtaining guardianship.

(6) Title IV-E Extension of Guardianship Assistance Program provides federal funds to provide benefits to qualifying guardian(s) for the continued support of their young adult until the age of 21.

(7) Administrative Costs. Costs deemed necessary for the administration of the Title IV-E State Plan are reimbursable. The state cost allocation plan identifies which costs are allocated and claimed under Title IV-E. Costs that are not reimbursable under Title IV-E include those costs incurred for social services which provide counseling or treatment to the child, the child's family, or foster family to remedy personal problems, behaviors, or home conditions.

(8) Federal Reimbursement Rates.

(a) Administrative costs: 50% with some exceptions.

(b) Foster care maintenance and adoption subsidy: cost multiplied by the Federal Medical Assistance Percentage (FMAP) rate which varies annually.

(c) Training costs: 75% of the department's designated pre-service and in-service training programs.

1-5. State Funded Programs. A child or young adult who meets program requirements but does not meet Title IV-E nor TANF criteria may participate in the foster care, adoption, or guardianship programs funded by state funds/general revenue. This includes Extended Foster Care, Extension of Maintenance Adoption Subsidy, and the Extension of Guardianship Assistance Program.

1-6. Fiscal Charge.

a. All staff of the Department, sheriff's offices performing CPI functions, CBCs and their sub-contracted agencies are responsible for managing the state's resources in accordance with the OMB Title 2 CFR Part 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards which requires that costs be allowable, reasonable, and necessary.

b. Client payments made must be documented in the state's CCWIS as defined in the CBC Cost Allocation Plan.

c. CBCs must follow guidance outlined in the FSFN Payment Reference Guide maintained by the Office of CBC/ME Financial Accountability (OFA) for setting up Service Types in FSFN.

1-7. Definitions.

a. Adoption. The act of creating the legal relationship between parent and child where it does not exist, thereby declaring the child to be legally the child of the adoptive parent(s) and their heir at law; and entitled to all rights and privileges and subject to all objections of a child born to such adoptive parents in lawful wedlock.

b. Adoption Assistance. Payments and services provided to a special needs child and his or her adoptive family, as specified in the adoption assistance agreement. Such assistance may include maintenance adoption subsidy (MAS), Medicaid, and reimbursement of non-recurring expenses.

c. Adoption Entity. The Department, an agency, a child-caring agency registered under s. 409.176, F.S., an intermediary, or a child-placing agency licensed in another state which is qualified by the Department to place children in the State of Florida.

d. Aid to Families with Dependent Children (AFDC). Financial assistance funded under Title IV-A of the Social Security Act and provided to children who are deprived of the support and care of one or both parents; and who meet certain technical and financial requirements. Commonly referred to as "welfare" or "cash assistance."

NOTE: Under the Personal Responsibility and Work Opportunity Act of 1995, AFDC was discontinued and replaced by the Temporary Assistance to Needy Families (TANF) Block Grant. However, Title IV-E eligibility is based on previous AFDC eligibility criteria in the Title IV-A State Plan that was in effect on July 16, 1996.

e. Assistance Group (AG). Individuals of parent or sibling relation to the child in which eligibility is being determined who resided in the removal home. Such individuals shall be included in the standard filing unit (SFU) unless excluded by certain provisions. Children of a minor parent or young adult are not included in the minor parent's or young adult's AG when Title IV-E eligibility is being determined for the minor parent or young adult.

f. Case TANF. A determination of Temporary Assistance for Needy Families (TANF) eligibility for a child receiving case management services in an in-home or out-of-home case.

g. Child. An individual who has not attained 18 years of age.

h. Community-Based Care (CBC) Agencies. The community entities that provide child welfare services, including administrative and financial, under contract to the Department. May also include subcontracts under the lead agency's oversight.

i. Comprehensive Child Welfare Information System (CCWIS) or Florida's Safe Families Network (FSFN). The state's automated official case management record for all children and families receiving child welfare services, from screening for child abuse and neglect at the Florida Abuse Hotline through adoption. Additionally, it is the official record for all expenditures related to service provision for children, youth, and/or families receiving in-home, out-of-home, adoption services, adoption subsidies, and post-foster care supports such as independent living services. This financial information supports the determination of the cost of care for each individual child, as well as claiming of expenditures to the appropriate funding sources. All pertinent information about every investigative and case management function must be entered into FSFN, including the Child's Resource Record. Staff may have duplicate paper copies of the case file, along with supporting paper documentation, but the FSFN electronic case file is the primary record for each investigation, case management, and placement provider, including all related financial expenditures and activities.

j. Consolidated Need Standard (CNS). As set by the 1989 Florida Legislature, the amount recognized by the Federal Poverty Income Guidelines. The CNS takes into consideration certain basic needs of applicants and recipients. These include food, household supplies, personal care items, transportation, clothing, and utilities.

SFU Size	1	2	3	4	5	6	7	8	9	10
1996 CNS	\$645	\$864	\$1082	\$1300	\$1519	\$1737	\$1955	\$2174	\$2392	\$2610

Each additional individual adds \$219.

k. Date Court Proceedings Initiated. The date the petition/motion is filed with the court as to the removal of the child. If a petition/motion is not filed or is filed after the removal court order, the date is the date the court order is effective.

l. Department. The Florida Department of Children and Families.

m. Deprivation. A child or young adult living without the support and care of one or both parents due to one or both parents' continued absence from the home (death, separation, divorce, or incarceration), incapacity, unemployment, or underemployment.

n. Fictive Kin. Pursuant to s. [39.01\(29\)](#), F.S., a person unrelated by birth, marriage, or adoption who has an emotionally significant relationship, which possesses the characteristics of a family relationship, to a child or young adult.

o. Florida Safe Families Network (FSFN). See definition for Comprehensive Child Welfare Information System.

p. Foster Care Maintenance Payments. Payments to cover the cost of providing food, clothing, shelter, daily supervision, school supplies, personal incidentals, liability insurance with respect to a foster child or young adult, and reasonable visitation. In the case of institutional care, the term includes the reasonable costs of administration and operation of the facility, which are necessary to provide the items listed in the preceding sentence.

q. Intermediary. An attorney who is licensed or authorized to practice in Florida and who is placing or intends to place a child for adoption, including placing children born in another state with citizens of this state or country or placing children born in this state with citizens of another state or country. This is often referred to as independent adoption.

r. Investigation TANF. A determination of Temporary Assistance for Needy Families (TANF) eligibility for a victim child who is a subject of a child protective investigation.

s. Medicaid. A state administered federal program of medical assistance funded under Title XIX of the Social Security Act that provides basic health care to various coverage groups.

t. Need. Refers to the financial need of the child or young adult and/or family.

u. Non-Recurring Adoption Expenses. The reasonable and necessary adoption fees, court costs, attorney fees, and other expenses, up to \$1000, which are directly related to the legal adoption of a child with special needs, which are not incurred in violation of state or federal law, and which have not been reimbursed from other sources or funds.

v. Non-Recurring Guardianship Expenses. The reasonable and necessary guardianship fees, court costs, attorney fees, and other expenses, up to \$2000, which are directly related to obtaining legal guardianship of a child, which are not incurred in violation of state or federal law, and which have not been reimbursed from other sources or funds.

w. Out-of-Home Care. Twenty-four hour out-of-home care for children or young adults placed away from their parents or guardians and for whom the Department has placement and care responsibility.

NOTE: Out-of-home care is provided by someone other than a biological or legal parent.

x. Reimbursability. The ability to claim federal reimbursement based on the child and family or young adult meeting all eligibility requirements, in addition to the child's placement in an eligible, licensed home or facility.

y. Removal Home. The removal home is home of the person(s) who is(are) the subject(s) of the contrary to welfare finding or whom executed a voluntary placement agreement. The removal home is the basis for which AFDC criteria is considered as part of a Title IV-E Foster Care Eligibility Determination.

z. Specified Degree of Relationship. For the purpose of this operating procedure, the definition includes any relative by blood (including half-blood), marriage or adoption within the fifth degree of kinship to the child or young adult even if the marriage was terminated by death or divorce. The following relatives meet the specified degree of relationship for a specified relative:

(1) First Degree: parent (adoptive, legal or biological) or stepparent.

NOTE: A non-judicial determination of paternal relationship must be made on the natural, biological father or his relatives as listed herein.

(2) Second degree: sibling and grandparent, or stepsibling. NOTE: The parent of a stepparent is not a specified relative.

(3) Third degree: great-grandparent, aunt, uncle, niece, or nephew.

(4) Fourth Degree: great-great grandparent, great-aunt, great-uncle, or first cousin.

(5) Fifth degree: great-great-great-grandparent, great-great aunt, great-great uncle, or first cousin once removed.

aa. Standard Filing Unit (SFU). All individuals from the assistance group (AG) whose income and/or assets and needs are considered in the determination of eligibility for a category of assistance. The SFU establishes the family size in which the CNS is applied.

bb. Termination of Parental Rights (TPR). A legal proceeding which terminates the parents' rights to their child and frees the child for adoption. Also referred to as a permanent commitment.

cc. Voluntary Placement. An out-of-home care placement of a safe child requested by the parents or legal guardians, without court involvement or a young adult who meets eligibility criteria pursuant to s. [39.6251](#), F.S.

dd. Young Adult. An individual who has attained 18 years of age but has not attained 21 years of age.

#### Things to Remember

- Compliance with the requirements of the funding streams promotes child safety, well-being, and permanency, largely because the requirements are synonymous with quality case management.
- Documentation, verification, and materials supporting the eligibility decisions must be recorded in FSFN.
- Ongoing monitoring and quality improvement are important in ensuring the accuracy of eligibility for federal and state funding.

1-8. Records Retention for Child Welfare Case Records. Pursuant to s. [39.202\(7\)](#), F.S., the Department shall make and keep reports and records of all cases under [Chapter 39](#), F.S., relating to child abuse, abandonment, and neglect and shall preserve the records pertaining to a child and family until the child who is the subject of the record is 30 years of age; at which time the record may then be destroyed.

a. File Retention. Title IV-E foster care and adoption assistance records must be retained until the child who is the subject of the records is 30 years of age (in pamphlet CFP [15-7](#), see the retention schedules for "Family Safety Revenue Maximization Case Records," and for "Foster Care Case Files"). After receiving authorization from the Department of State as per CFOP [15-4](#), the record may then be destroyed and identifiers from automated records may be expunged.

(1) Circumstances which require retention beyond the specified period include:

(a) Claim(s), negotiation(s), audits, or other action(s) initiated but not concluded;

or,

(b) Information/documentation pertaining to lost benefits; or,

(c) For adoption records, the “record copy” (whether electronic, paper or other format) must never be destroyed; or,

(d) An adoption assistance file that contains ongoing Title IV-E adoption subsidy eligibility documentation. An adoption assistance file must be maintained for every child who receives or is expected to receive a Title IV-E adoption subsidy, medical subsidy, or Medicaid. The file must be maintained until the child who is the subject of the records is 30 years of age. Since the adoption file and the foster care file are combined and prepared for permanent filing and are sealed after the adoption finalization, the information which documents the child’s initial and ongoing adoption assistance eligibility must be maintained in a separate file that remains accessible for review.

(2) In order for the state to claim Title IV-E funding, foster care and adoption records (including sealed foster care and adoption records) must be available in the event of a federal Title IV-E eligibility review, or federal or state audit. According to federal policy, all payments made on behalf of the children whose records are not available for review upon request by federal reviewers will be disallowed. Associated administrative costs will also be disallowed.

b. Retention Schedules. OCW is required to establish and maintain, with the approval of the Department of State, Division of Library and Information Services, Archives and Records Management Unit, records retention schedules for all child welfare case records. These retention schedules will be used by child welfare units to determine which case records are eligible for destruction (records may not be destroyed until authorized by the Department of State). The retention schedules include the following requirements:

(1) Adoption Records. The “record copy” for finalized adoption records, either automated or paper, shall never be destroyed.

(2) Child Abuse Records. This record series consists of child abuse or neglect records regardless of the outcome, and regardless of when the records were created, and regardless of when the records were closed. These records are preserved until the child is 30 years of age. They may then be destroyed, but only after receiving authorization from the Department of State.

(3) All Other Child Welfare Case Records. Refer to CFP [15-7](#) for the applicable retention schedule. Records may only be destroyed after receiving authorization from the Department of State.

c. Record Destruction. No record(s) shall be destroyed until authorized by the Department of State. A record shall not be destroyed until the case is past the time limits of the last closed service, and then only after receiving authorization from the Department of State.

1-9. Quality Assurance. The CBC, in collaboration with OCW, will routinely perform quality assurance and oversight functions of federal funding.

a. Federal Funding Quality Assurance Reviews assess compliance with Title IV-E and Title IV-A (TANF) eligibility criteria. The CBC shall submit a Federal Funding Annual Eligibility Monitoring Plan and a Federal Funding Annual Eligibility Monitoring Report annually for each Federal Fiscal Year.

(1) The plan shall be submitted, through the DCF contract manager, for review and approval by October 15<sup>th</sup> for reviews to be conducted within the current Federal Fiscal Year. The DCF contract manager will review the plan to ensure all required criteria is addressed. OCW will provide approval. The plan shall contain, at minimum, the following:

(a) How the CBC oversees and assures that federal funding eligibility claims are appropriate and accurate. At a minimum, the funding sources that must be captured are Title IV-E

Foster Care including Extended Foster Care, Title IV-E Adoption Subsidy, and TANF Adoption Subsidy. At the option of each CBC, general revenue funded Foster Care and Adoption payments may be included as additional review cases.

(b) The mechanism for when and who will perform the reviews within the Federal Fiscal Year.

(c) A description of the data source to capture the sample and the utilization of a statistically valid sample at the 90% / 10% confidence level/interval. However, in order to assess the variability of practice, purposive samples may be drawn rather than pure random sampling. If optional funding sources are included, a separate sample size calculation may be utilized.

(d) The review tool templates to be used for each funding source.

(2) To complete reviews for the Foster Care funding source, the CBC shall obtain Safety Requirement compliance for each group home and foster home where a child in the sample was placed during the Period Under Review (PUR).

(a) For group homes, the CBC shall utilize the Federal Monitoring – Region Licensing Compliance Template, see Attachment 1 to this chapter, to indicate each group home name, FSFN Provider ID, and collective PUR for each group home.

(b) The request shall be sent to the Region contract manager to forward to Region licensing staff.

(c) Within 60 calendar days from receipt, regional licensing staff will review provider licensure and background screening compliance, upload signed license, employee background screenings, and licensing packet to the FSFN Provider File Cabinet, complete the template regarding compliance and dates of non-compliance during the PUR, and return to DCF contract manager.

(3) The report shall be submitted, through the DCF contract manager within thirty (30) days following the completion of the reviews and no later than September 30<sup>th</sup>. The DCF contract manager will review the report to ensure all required criteria is addressed. OCW will provide approval. The report shall contain, at minimum, the following:

(a) The total population size for each funding source reviewed and sample size.

(b) The number of error cases and the number of error cases which were brought into compliance.

(c) A summary of each error case, effort to bring the file into compliance, and outcome.

(d) Recommendations and actions to be taken for improvement.

b. The Administration for Children and Families will conduct Title IV-E eligibility reviews in each state. The reviews assess the state's compliance with Title IV-E eligibility criteria and provide technical assistance on the proper application of Title IV-E criteria.

(1) The criteria used to assess Title IV-E foster care eligibility include:

(a) Judicial determinations – “contrary to the welfare” and “reasonable efforts.”

(b) Voluntary Placement Agreement with appropriate judicial determinations within 180 days from the date the agreement was signed by all parties.

(c) Placement and care responsibility vested with the Department.

(d) AFDC eligibility (July 16, 1996 criteria) of the family and child at removal based on meeting the financial and technical requirements.

(e) Child is in a fully licensed home or facility.

(f) Licensing file has a complete licensing history.

(g) Documentation of compliance with safety requirements.

(2) The focus will be Title IV-E foster care maintenance payments. The cases to be sampled will be pulled from the Adoption and Foster Care Analysis and Reporting System (AFCARS).

