**Frequently Asked Questions (FAQs)**

**IV-E Foster Care Eligibility**

1. **What is the IV-E Foster Care Waiver?**
   **Answer:** The U.S. Department of Health and Human Services’ Administration for Children and Families (ACF) authorized the five-year waiver under Title IV-E of the Social Security Act, allowing Florida to demonstrate that flexibility in funding will result in improved services for families. The waiver allows federal foster care funds to be used for any child welfare purpose rather than being restricted to out-of-home care as generally required under federal law. It also enables funds to be used for a wide variety of child welfare services including prevention, intensive in-home services to prevent placement of children outside the home, reunification and foster care. The IV-E Foster Care Waiver goes into effect October 01, 2006.

2. **What is simplified eligibility?**
   **Answer:** Simplified eligibility is a process which includes the development of a checklist put into place to support IV-E Adoption procedures if and when it is needed when a child is adopted, as well as to provide a back-up mechanism in the event the State of Florida chooses to opt out of the waiver. The intent of the simplified eligibility process is it to remove any unnecessary eligibility related activities eliminated under the IV-E Foster Care Waiver and preserve a packet of information in a child’s case management file if it is needed.

3. **How does this apply to me and what I do?**
   **Answer:** The type of role you perform for Community Based Care and Child Welfare will determine how much the IV-E Foster Care Waiver impacts you and your Agency. The IV-E Foster Care Waiver should reduce the amount of criteria and job related tasks it currently takes to determine a child’s eligibility, capture and track eligibility data, capture and track Service Activity and eliminate the need for duplicate client files created as Revenue Maximization Files.

4. **Does the IV-E Foster Care Waiver impact a child’s Supplemental Security Income (SSI) eligibility?**
   **Answer:** There is not any intent under the waiver to handle SSI eligibility differently than prior to the waiver. The SSI eligible child will have the benefit of the services funded from the IV-E waiver. Refer to CFOP 175-71. *Note: Child is IV-E Non-Reimbursable.*
5. What does it mean to presume IV-E eligibility?

**Answer:** To presume eligibility is to make your best determination of a child’s IV-E eligibility based on the information collected in the simplified eligibility checklist and packet. There will be no formal Notice of Case Action or ESS / CIC determinations made on IV-E foster care eligibility for the majority of the Foster Care population.

6. This Wavier only affects children coming into care, Correct?

**Answer:** The IV-E Foster Care waiver gives the flexibility to use the IV-E foster care funds for any child known to the child welfare system. You will complete the IV-E Foster Care Initial Checklist ONLY for children who come into care.

7. The child currently in care (at re-determination), he/she child can be flipped to IV-E wavier?

**Answer:** There is no need to flip. You will not have to do anything other than the communication form for Medicaid eligibility purposes.

8. In what situations would I presume eligibility and why?

**Answer:** Presuming eligibility will occur for Medicaid purposes; if we can differentiate children who would likely be IV-E eligible from those who would not likely be IV-E eligible. It would be useful in categorizing their Medicaid eligibility for entry into the FLORIDA system. Currently, there are different coverage codes for IV-E and non IV-E eligible children for Medicaid even though they are both eligible for Medicaid.

9. Currently, Florida determines whether the child is IV-E eligible and informs the receiving state of the child’s IV-E eligibility for Medicaid purposes. The receiving state provides Medicaid once we inform them of the child’s eligibility (child may be IV-E or non IV-E for Medicaid). How does the IV-E Foster Care Waiver impact a child who enters out of home care in Florida and is subsequently placed out-of-state through ICPC in a licensed home? Is the child’s Medicaid coverage group IV-E or non IV-E?

**Answer:** The intent under the waiver is to maintain Medicaid eligibility for any child in foster care that is currently eligible for Medicaid. This would extend to children who are out of state. Essentially, their Medicaid status should be unchanged under the waiver.

For children who come into care October 1 or later, it is necessary to complete the IV-E Foster Care Checklist and the Medicaid/IV-E Foster Care Application. The Medicaid application is then submitted to child in care for processing. If the child is IV-E eligible (presumptively) then the child’s Medicaid is IV-E. The child in care caseworker will continue to provide a Notice of Case Action as is current policy.
10. ICPC now requires Title IV-E eligibility determinations. Will this be handled the same as adoptions (a full determination by Child in Care)?

**Answer:** You are correct that ICPC requires a simplified IV-E FC eligibility determination (the same as any child in licensed care). Refer to FAQ #6.

11. The reason for the inclusion of the income/family size chart was confusing. It was great to have it, but do we use this for determining IV-E eligibility at shelter? Do we use it to determine Medicaid eligibility? Is this there in case the child is available for adoption? For reconstruction if the "opt out" is used?

**Answer:** The income/family size chart is included as a guide for determining whether the child is presumptively eligible for IV-E FC. The presumptive eligibility allows the child to be coded as categorically eligible for Medicaid IV-E (MCFE). It was only intended to assist in the Medicaid eligibility process. You may use the guide when determining IV-E foster care eligibility at the time the child is placed in an adoptive home and for reconstruction purposes, if necessary.

12. There is still some confusion about "Presumptive Eligibility". Could you spell out exactly what makes a child eligible, and even more importantly, what makes the child Non-IV-E eligible?

**Answer:** Don’t over think the presumption. Collect the documents and put them in the file. That is the most important. If the case “seems” like an old school IV-E case, then check the IV-E eligible box. It ONLY matters for Medicaid coding and basic State reporting estimates.

13. Here is a specific example, and the Answer to this might help us be sure. Let's say a child is removed from a household where both parents are working and their income exceeds CNS. The child has no income or assets. Is this child presumed IV-E eligible or ineligible (and perhaps some explanation of why or why not)?

**Answer:** This situation “seems” old school IV-E ineligible, so mark the box of IV-E ineligible. The child can still get non IV-E Medicaid (MCFN). Under the waiver, the child is now eligible for any and all child welfare services and funds, without regard to the removal circumstances.

14. If a child has a large trust fund, would this child be IV-E eligible or ineligible? Is Medicaid eligibility the same, as far as eligibility?

**Answer:** Same as would have been prior. If the child’s trust fund is irrevocable, then the asset does not count against the eligibility.
15. On the form on page 8, can we have a signature page for Rev Max Specialist?
   **Answer:** We are not making changes to the absent parent information page at this time. The absent parent information page is a part of the 2626a that is signed by the rev max specialist.

16. Will CIC still produce a Notice of Case Action when the child leaves licensed foster care or SSI benefits have been approved?
   **Answer:** Yes, a Notice of Case Action will be generated. There is no change.

17. Who should make the eligibility determinations under the new waiver- PIs or RevMax personnel?
   **Answer:** Technically, there is no eligibility determination for IV-E Foster Care. We are recommending that rev max determine if the child is presumptively eligible for IV-E Foster Care. This is then annotated on the Medicaid application for purposes of coding Medicaid eligibility.

18. The Title IV-E Foster Care Initial Checklist has a section to notate the AFDC/Eligibility Related Documentation. Since the revised Child in Care Medicaid Application will not have a space for collection of this data, where and how should income and asset supporting documentation and deprivation documentation be recorded?
   **Answer:** The income and asset information, and deprivation may be located in the financial affidavit or the shelter petition.

19. Should the State opt out of the 5-years IV-E Waiver program, will the districts then be responsible for building eligibility of children coming into care from that point FORWARD or BACKWARD or both?
   **Answer:** As stated during the train-the-trainer calls, it is unlikely that the state or the federal agency will opt out of the waiver. Eligibility is a revenue maximization function. If it were to happen, determinations would be done from a point in time FORWARD.

20. What will the eligibility determination process be?
   **Answer:** The Eligibility Simplification IV-E Foster Care Desk Reference provides the specifics. Basically, rev max completes an IV-E Foster Care checklist, as well as the Application for Medicaid.
21. Are all children going to be deemed IV-E eligible or are the Case Managers required to use the Income Guide?

**Answer:** There is no eligibility for IV-E; every child can access any dollar or service. The IV-E eligibility matters in your "presumption" for Medicaid coding. Hence, the use of the Income Guide for rev max.

22. What will the new forms look like?

**Answer:** The IV-E Foster Care Initial Checklist is a one-page document. The form and instructions are contained in the Eligibility Simplification IV-E Foster Care Desk Reference.

23. For children under Protective Supervision on 10-1-06, will the checklist be required?

**Answer:** No, the IV-E Foster Care Initial Checklist is not required for children under Protective Supervision in their own homes.

24. a. When a child enters licensed foster care, Rev Max will still fill out and submit the Title IV-E application and request for Medicaid.

**Answer:** No. Rev Max will complete the IV-E Foster Care Initial Checklist. Based on the child and family's circumstances, rev max will determine if the child is presumptively IV-E foster care eligible. This should be annotated on the IV-E application and request for Medicaid.

b. Will CIC open all Medicaid as MCFN (not 4e eligible)?

**Answer:** If presumptively eligible for IV-E Foster Care, the Medicaid will be MCFE.

25. Are all the foster care children except for illegal immigrants going to be IV-E?

**Answer:** There is no eligibility for IV-E; every child can access any dollar or service. The IV-E eligibility matters in your "presumption" for Medicaid coding. Hence, the use of the Income Guide for rev max.

26. In the FAQ section, questions 8 and 30, the Answer for question 30 says "You cannot presume eligibility unless deprivation is met..." So, if deprivation is not met, do we presume that the child is "ineligible" and if so, does the same apply to income? If we presume ineligible, is that just for Medicaid? Does that mean that we can pay a IV-E board payment due to the waiver, and that the child's Medicaid is non IV-E?

**Answer:** The eligibility status is ONLY for Medicaid coding. There is NO impact on what the child is eligible for within child welfare anymore. There really is no
longer a “IV E board payment”. Yes, you can pay a IV-E board payment for a child in licensed care.

27. Is it expected that new IV-E procedures and forms will be uniform statewide? **Answer:** The Desk Reference provides the guidance for IV-E foster care eligibility. The IV-E Foster Care checklist should be consistent statewide.

28. If a child is placed in a foster home that is “not fully licensed”, can Title IV-E funds under the Waiver be used to pay foster care maintenance since safety factors (fully licensed foster homes) have not been waived? If the Answer is “yes”, how are safety factors applicable under the waiver? If “no”, what funds should be used for maintenance payments and how will these funds be identified? **Answer:** The IV-E Foster Care waiver provides the flexibility on use of IV-E funds. It is permissible to use the IV-E foster care funds under the waiver to pay foster care maintenance for homes that are licensed. Safety ties to practice not to funds. Keeping children free from abuse and/or neglect is still the paramount concern.

29. How does this affect non-Citizenship children? **Answer:** As stated above, under the waiver IV-E foster care funds may be used for any child known to the child welfare system. Children who are non qualified citizens are eligible for any service.

30. In the draft to simplify eligibility, it states deprivation can be met by unemployed parents (see explanation of terms, page 4, and checklist for foster care, page 10). Does this mean that we can presume Title IV-E eligibility without meeting UPE Criteria? **Answer:** There is no eligibility for IV-E foster care. Every child can access any dollar or service. It does matter in your “presumption” for Medicaid coding.

31. Does the parent’s income have any effect on the IV-E eligibility as this is not highlighted on the 2626A form? **Answer:** NO, there is no eligibility for IV-E foster care. Every child can access any dollar or service. It does matter in your “presumption” for Medicaid coding.

32. a) Permanency hearings where there are no efforts documented OR NOT HELD timely are these children still IV-E eligible?
Answer: There is no eligibility for IV E foster care under the waiver. Every child can access any dollar or service. It does matter in your “presumption” for Medicaid coding. Permanency hearings are required at least every 12 months, but do not impact IV-E foster care eligibility because of the waiver. (10/06/06)

b) Do we notify Child in Care that the child is not IV-E eligible until we have another judicial review documenting efforts?

Answer: There is no IV-E eligibility so no need to inform Child in Care. (10/06/06)

33. If a child is a non licensed foster home what is the child's eligibility?

Answer: As stated in question 28 of the FAQs, the IV-E Foster Care waiver provides the flexibility on use of IV-E funds. It is permissible to use the IV-E foster care funds under the waiver to pay foster care maintenance for homes that are licensed. Safety ties to practice not to funds. Keeping children free from abuse and/or neglect is still the paramount concern. (10/06/06)

Medicaid

34. If citizenship or ID requirements are not met, will the case still be pended?

Answer: No, not at initial application for Medicaid; however, the citizenship and identity requirements must be met by first review.

35. Does the 12 month review of a child’s Medicaid eligibility continue to be applicable?

Answer: Yes. Eligibility for Medicaid only must be reviewed every 12 months (see CFOP 175-71).

36. How will Medicaid (re)-eligibility be determined? New forms?

Answer: There is no change to the process for re-determination of Medicaid eligibility. The rev max specialist will submit a completed CIC Eligibility Review and Communication Worksheet. See question 9. above.

37. Can the only copy of the initial checklist and the application for Medicaid be filed in the family file or saved digitally?

Answer: The initial checklist should be saved in the family file or saved digitally. A copy of the application for Medicaid should also be saved in the family file as the original is sent to child in care.

38. If the CICs do not need the RevMax files to determine Medicaid reviews, can the RevMax files be archived?
**Answer:** Child in care relies on the information provided by the rev max specialist for conducting the eligibility determinations. The supporting information may be located in the child's case file. When archiving files, please make certain the information is easily retrievable.

39. Why does the Title IV-E Foster Care Initial Checklist (along with the Revised Medicaid Application) have to be sent to Child in Care for a Medicaid determination since the Checklist is not a part of the application process for Medicaid?

**Answer:** The checklist does not need to be submitted to Child in Care.

40. Once the Case Manager completes the 2626A and forwards it to the CIC for Medicaid, is the CIC required to notate the top of the form with the true IV-E Eligibility type?

**Answer:** No, CIC does not notate the top of the 2626a. The top of the 2626a is annotated by the rev max specialist based on the results from the Foster Care Initial Eligibility Checklist.

**Adoption**

41. Adoption subsidy will be handled much the same as it is now. A full determination will be completed. How are the adoption annual reviews changed?

**Answer:** There are no changes for IV-E adoption annual reviews based on the IV-E Foster Care waiver.

42. Does the IV-E Foster Care Waiver include IV-E adoption subsidy?

**Answer:** No, the waiver does not include IV-E adoption subsidy. The eligibility criteria and process remains the same for IV-E adoption subsidy.

43. What are the requirements for Adoption Subsidy renewals?

**Answer:** Adoption subsidy is not included in the waiver. The requirements for Adoption Subsidy renewals are separate from the IV-E foster care waiver. Instructions on adoption subsidy renewals will be issued separately.

44. One nice benefit of the waiver is storage space is at a real premium for us, and we should be keeping a lot less paper. I wanted to see just what we should be keeping. I know that we have to be sure that all the income info on the family is kept. If a case goes to adoptions, then that is very hard to re-construct. Do you have some guidelines, or a list of documentation you would recommend? I want to be sure that we are doing what the law requires, and also be able to follow what you think would be best practice.
**Answer:** The Adoption Subsidy Checklist provides a list of required documentation.

45. Will Rev Max still receive a Notice of Case Action regarding the initial Medicaid request?
**Answer:** Child in care will continue to issue a Notice of Case Action regarding Medicaid.

46. When a child was disposed into Foster Care in the past we would complete notice to ESS in-order that they could change the Medicaid funding source from Shelter to Out-of-Home IV-E Medicaid. Is this going to be the same process with the 4E waiver?
**ANSWER:** If a child in licensed care receives "emergency" Medicaid, then it is necessary to inform child in care of the change.

**HSn & ICWSIS**

47. How will the simplified eligibility affect or change the entry of children's funding eligibility Answers in HSn? Will we still record an eligibility value/Answer in HSn for children in home and out of home care?
**Answer:** Yes, continue to code the child’s eligibility in HSn.

48. Is IV-E eligibility still going to be recorded in HSn, how often? and by whom?
**Answer:** Yes, IV-E eligibility is still recorded in HSn. There should be no change in frequency as it is based on the child's eligibility (or presumption). The person entering the information in HSn is a local decision as it is today. Basically, there should be no change to this.

49. Does implantation of the waiver change how we code eligibility in ICWSIS?
**Answer:** This is under review and detail is forthcoming.

50. What changes will be made to ICWSIS to reflect the flexible spending and when does this occur?
**Answer:** Significant changes are forthcoming from the Financial workgroup.

51. Will the code in ICWSIS be updated to match the OCA’s?
**Answer:** Yes, ICWSIS coding will be updated to match the OCAs.
Other Related Questions

52. Under section 2.1 of the approved waiver, there is a statement requiring “the State will provide the Department…the array of community-based services that each Lead Agency will provide under the waiver demonstration.” Please provide the array of services submitted for Lead Agencies. How was the array of services of our Lead Agency determined since we did not provide input?

Answer: The Service Array workgroup is addressing this section of the waiver. Information is forthcoming.

53. Does the waiver change the method for Title IV-A/EA for licensed foster care children?

Answer: No, the waiver does not change IV-A/EA for children in licensed foster care. Remember, the Waiver is specific to IV-E foster care.

54. Does this do away with IVA-EA eligibility determination and all related ICWSIS entry?

Answer: Eligibility for IV-A/EA is separate from the IV-E Foster Care waiver. However, it is our understanding that we are shifting from using IV-A/EA funds starting in October 2006.

55. Will the Cost Allocation Plan and invoice format be changed because of the waiver? How?

Answer: The cost allocation plan and invoice format should be simpler. The financial workgroup will provide information on the changes.

56. Are Time Logs still a requirement?

Answer: No. Starting October 1, 2006, Time Logs will no longer be required.

57. Is this training being done for CIC workers?

Answer: Yes, training is available for CIC workers.

58. Can we have the URL for the website?

Answer: http://eww.dcf.state.fl.us/~fsp/newpages/ivewaiver.shtml

59. What is built into this for annual growth for increase in population? I had heard 3% at one time, but I am not positive of that figure.

Answer: You are correct, 3% is built in for annual growth.
60. Does the ASFA rule that we need to ensure that a permanency hearing be held every 12 months to show that efforts have been achieved apply still?  
**Answer:** YES, permanency hearings must be held at least every 12 months.

61. If the license expires in a foster home does it make a difference under the waiver?  
**Answer:** YES, do not let licenses expire; however, it will not directly relate to IV-E earning as it does now.

62. Currently rev max needs an Eligibility Review and Communication form (2694) each time a child has any type of placement change. Is this still required?  
**Answer:** No. It is correct to notify the CIC worker any time the child moves from one placement to another. CIC needs to make sure the placement is licensed, the board rate, and the child’s address in case a new Medicaid card is needed. Also, without the correct address and foster parent name, there will be problems with them (foster parents) accessing information about the child’s doctor.  
(10/06/06)

63. If a child’s placement changes from foster care to relative caregiver is a TANF form required or can IV-E funds be used?  
**Answer:** No, the TANF 200% of Eligibility form is not required. The flexibility the IV-E foster care waiver provides allows the use of IV-E foster care funds for any child in the child welfare system.

64. What about the children in the CIN/FIN’s program who are eligible for IV-E foster care. Will the process be the same for these children as is for the Out-of-home children?  
**Answer:** We are reviewing this situation and will provide a response in the near future.

65. Will CPIs need to continue to get TANF eligibility from parents during the investigation?  
**Answer:** Yes. There is no change to the current requirement to complete the TANF 200% of Eligibility form at investigation and each 12 months thereafter.  
(10/06/06)