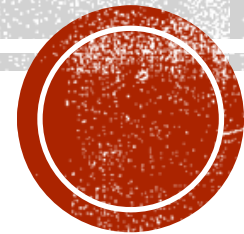


WHERE WE STAND WITH TITLE IV-E CLAIMING



Courtney Smith, MSW - Adoption and Permanency Manager - Office of Child Welfare

Jennifer W. Perez - Statewide Revenue Maximization Specialist - Office of Child Welfare

RECAP: WHY THIS? WHY NOW?

What is the Title IV-E Waiver?

- Allowed states to waive certain provisions of Title IV-E of the Social Security Act. These provisions govern Federal programs relating to foster care and other child welfare services.
- Allowed Federal Title IV-E foster care funds to be used for a wide variety of child welfare purposes rather than being restricted to eligible children in licensed foster care homes or institutions, as is the case under federal law.
 - On Waiver – Any Child in Any Placement Setting
 - Off Waiver – Eligible Child in Eligible Placement Setting



What does Title IV-E Fund?

- Foster Care Maintenance Payments: cost of and the cost of providing food, clothing, shelter, daily supervision, school supplies, child's personal incidentals, liability insurance, reasonable travel to child's visitation, and reasonable travel to child's school at time of removal.
- Maintenance Adoption Subsidy Payments: monthly subsidy and nonrecurring expenses
- Administration Costs: case planning and management, eligibility determinations, provider management, agency management.
- Training
- SACWIS/CCWIS
- Guardianship Assistance Program: monthly payments and nonrecurring expenses
- Candidates of Foster Care – Preventative Services (State Plan pending approval)

**RECAP:
WHY THIS?
WHY NOW?**



RECAP: WHY THIS? WHY NOW?

- Waiver Expiration Date: September 2019
- With the sun setting of the Title IV-E Demonstration Waiver, the Department has implemented ways to draw down additional funding to support the state's child welfare system while ensuring to maintain a quality level of enhanced services being offered to Florida citizens.
- Projected \$90 Million Deficit
- The Path Forward Initiative



THE PATH FORWARD INITIATIVE

Title IV-E Extended Foster Care (EFC) – Implemented 1/4/19

Extension of Maintenance Adoption Subsidy (EMAS) – Implemented 1/4/19

Expansion of Family Foster Home Licensing (Level 1 Foster Homes) – Implemented 4/12/19

Guardianship Assistance Program (GAP) – Implemented 7/1/19

Extension of Guardianship Assistance Program (EGAP) – Implemented 7/1/19

Title IV-E Candidacy – Implemented 10/1/19

Title IV-E Eligibility Improvements – Ongoing



THE PATH FORWARD INITIATIVE

Title IV-E Extended
Foster Care (EFC) –
Implemented 1/4/19



THE PATH FORWARD INITIATIVE

Expansion of Family
Foster Home Licensing
(Level 1 Foster Homes) –
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THE PATH FORWARD INITIATIVE

Title IV-E
Candidacy –
Implemented
10/1/19



THE PATH FORWARD INITIATIVE

Title IV-E Eligibility
Enhancements –
Ongoing

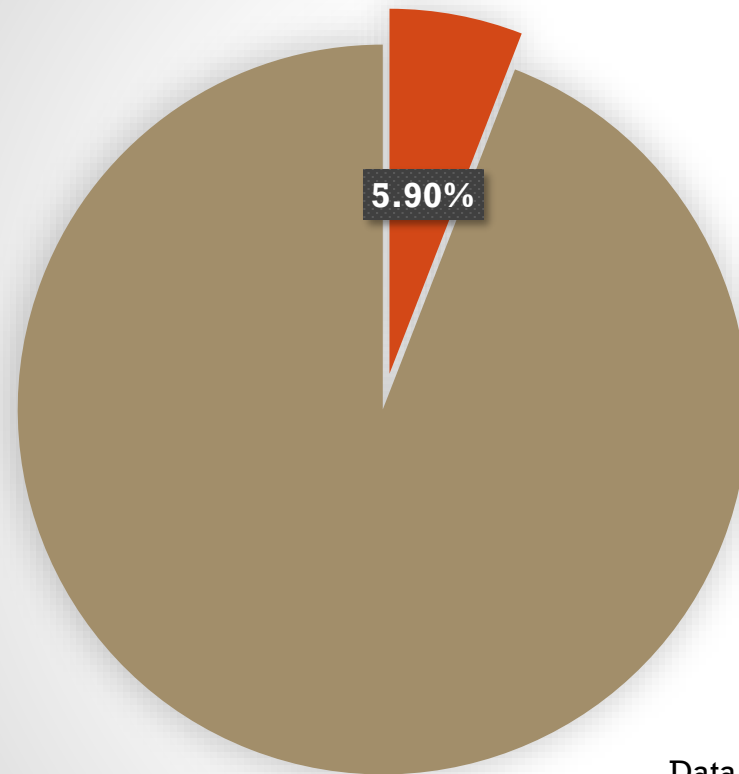


WHAT ARE THE IV-E ELIGIBILITY REQUIREMENTS?

Eligibility and Reimbursability

- Valid Removal
 - Sanctioned by:
 - Voluntary Placement Agreement executed by parent and Department.
 - Judicial finding of contrary to welfare (CTW) in first order.
 - Child cannot remain with the person who was subject of CTW finding.





■ Contrary to Welfare

Data as of 8.3.2020 for IV-E Ineligible children in care as of 4.30.2020.

INELIGIBLE — CONTRARY TO WELFARE



ADDITIONAL JUDICIAL REQUIREMENTS

Reasonable Efforts to Prevent Removal

Finding must be made within 60 days from when child was removed. If not, Ineligible for the remainder of the removal episode.

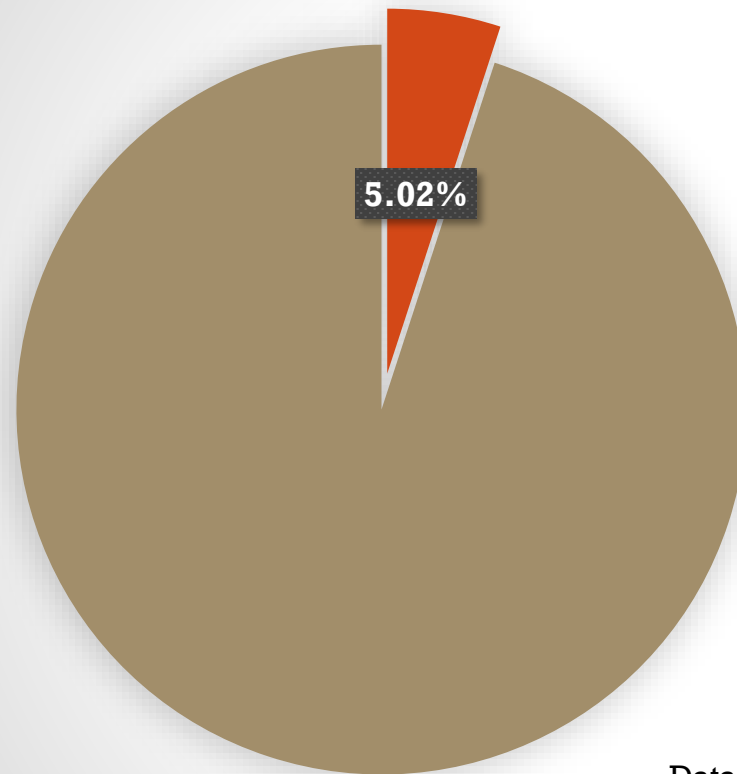
Reasonable Efforts to Finalize Permanency Plan

Finding must be made within first 12 months from when child considered to have entered foster care and ongoing every 12 months. If not, cannot claim until finding made.

Placement & Care Responsibility

Must be vested with the Department. If not, cannot claim for any period in which the court has not made finding.





■ RE Prevent Removal

Data as of 8.3.2020 for IV-E Ineligible children in care as of 4.30.2020.

INELIGIBLE – REASONABLE EFFORTS TO PREVENT REMOVAL

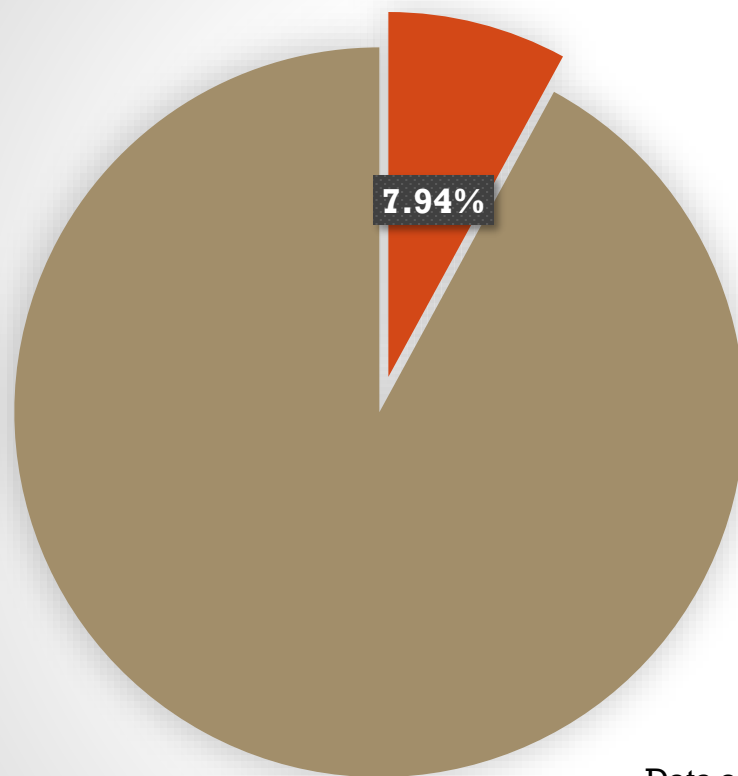


AID TO FAMILIES WITH DEPENDENT CHILDREN (AFDC)

▶ **Child must have been Living With/Removed From a Specified Relative who was subject of CTW finding.**

- **Financial Need**
 - **Income cannot exceed Consolidated Need Standard (CNS) as established in 1996.**
 - **Assets cannot exceed \$10,000.**
- **Deprivation: child must be deprived of parental support.**
 - **Death**
 - **Absence from home**
 - **Incapacity**
 - **Underemployment/Unemployment**



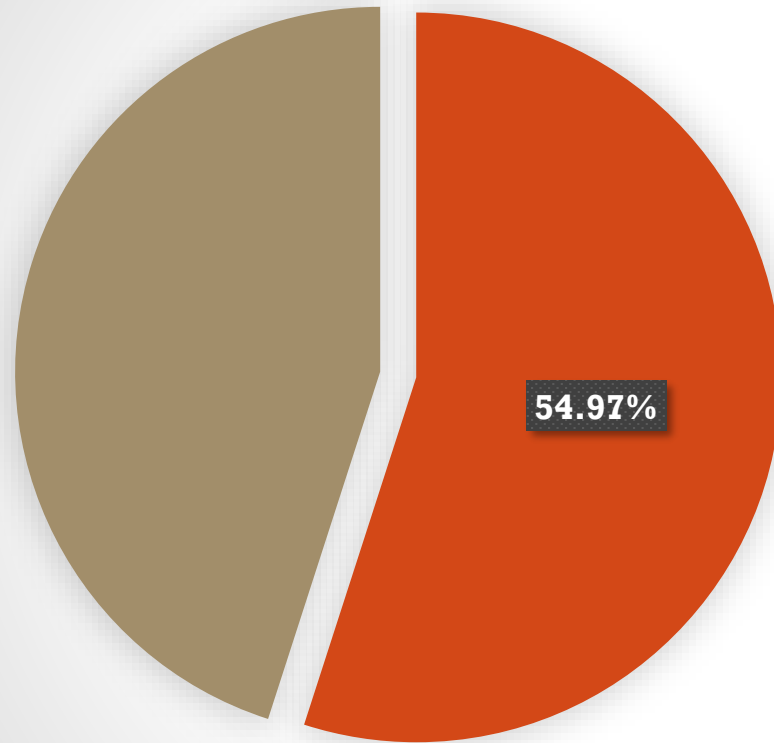


■ Specified Relative

Data as of 8.3.2020 for IV-E Ineligible children in care as of 4.30.2020.

**INELIGIBLE – LIVING WITH/REMOVED
FROM SPECIFIED RELATIVE**



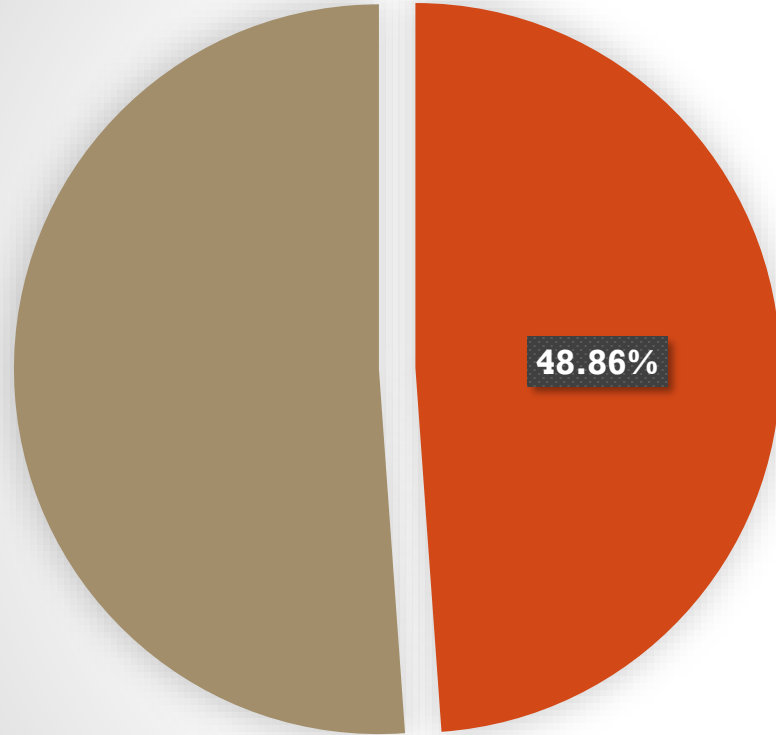


■ AFDC Financial

Data as of 8.3.2020 for IV-E Ineligible children in care as of 4.30.2020.

INELIGIBLE – AFDC FINANCIAL NEED



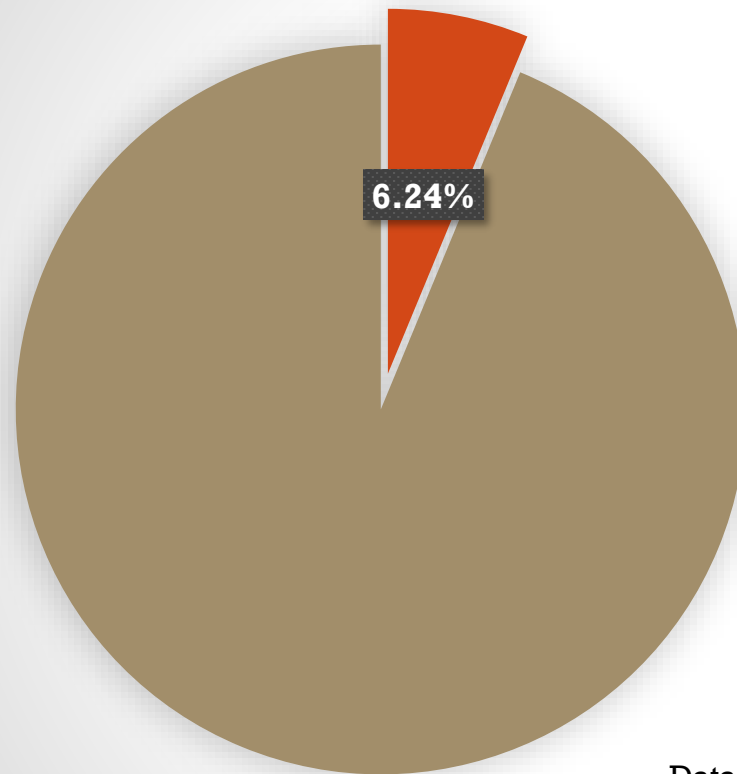


■ AFDC Deprivation

Data as of 8.3.2020 for IV-E Ineligible children in care as of 4.30.2020.

INELIGIBLE – AFDC DEPRIVATION





■ Unverified Financial

Data as of 8.3.2020 for IV-E Ineligible children in care as of 4.30.2020.

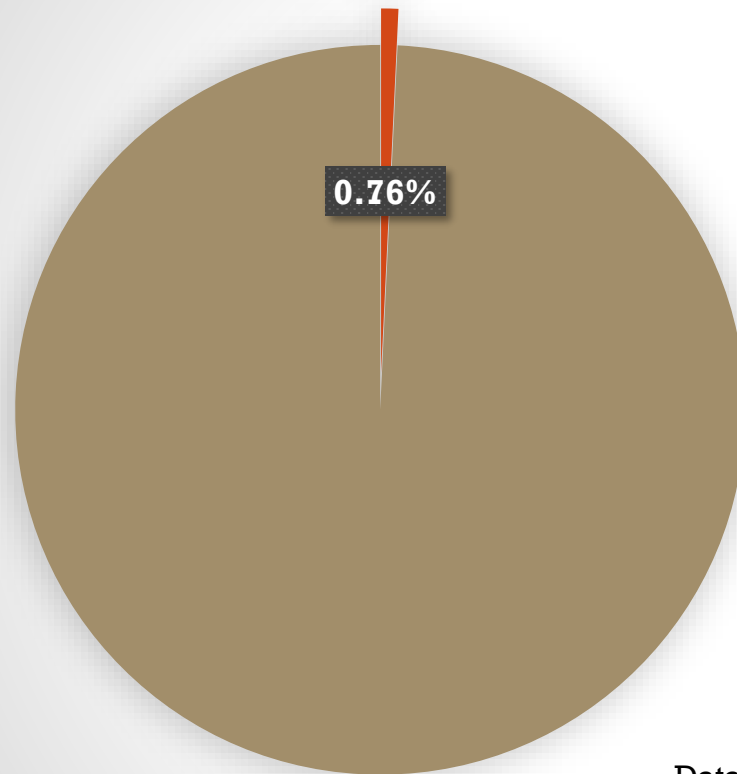
INELIGIBLE – AFDC UNVERIFIED FINANCIAL NEED



JUDICIAL REQUIREMENT-VPA

- If child remains in care beyond 180 days, a judicial hearing must have occurred and a finding made that continued placement is in the child's best interest within the 180 period.
- If not, cannot claim IV-E funding for the remainder of the removal episode as of day 181.





■ 180 Day Best Interest

Data as of 8.3.2020 for IV-E Ineligible children in care as of 4.30.2020.

INELIGIBLE – VPA 180 DAY BEST INTEREST



PLACEMENT

- Must be in a licensed foster home or child care institution.
 - Provider must meet criteria for full licensure.
- Safety Requirements must be met by the child's foster care provider.
 - Background checks.





Family First Prevention Services Act

- The Act reforms the federal child welfare financing streams to provide services to families who are at risk of entering the child welfare system.
- Aims to prevent children from entering foster care by allowing federal reimbursement for mental health services, substance use treatment, and in-home parenting skill training.
- Seeks to improve the well-being of children already in foster care by incentivizing states to reduce placement of children in congregate care (group homes).



Prevention Activities Under Title IV-E

- Provides option for states to use title IV-E to provide up to 12 months of evidence-based mental health services, substance abuse treatment, and in-home parenting training to families at risk of entry of the child welfare system.
- Eligible candidates include children who can remain safely at home with receipt of services, youth in foster care who are parenting, or parents or caregivers where services are needed to prevent the child's entry into foster care.
- States must maintain a prevention plan for the child to remain safely at home that lists the services or programs to be provided.
- Services must be trauma-informed and pre-approved on the HHS Clearinghouse as promising, supported, well-supported evidence-based practices (at least 50% of total expenditures must be for well-supported practices).



**FFPSA
PART II**

Enhanced Support Under Title IV-B

- **Eliminates time limit for family reunification services.**
- **Requires implementation of an electronic interstate case processing system to expedite placement of children in foster care by FY 2027.**
- **Provides \$5 million in grants to states to assist with implementation of processing system.**
- **Reauthorizes Regional Partnership Grants through FY 2021.**



**FFPSA
PART III**

Miscellaneous

- Establishes model foster care licensing standards to support placement in a relative foster family home.
- Require states to develop a statewide plan to prevent child abuse and neglect fatalities.



Ensuring The Necessity of a Placement That Is Not a Foster Family Home

- Title IV-E reimbursement for group homes will only be available for two weeks unless the child is in a qualified residential treatment program (QRTP), a setting that specializes in prenatal or parenting support, provides high-quality services to youth at risk of or victims of sex trafficking, is a family-based treatment facility for substance abuse, or supervised independent living for youth over 18.
- A QRTP must include a trauma-informed treatment model designed to meet the emotional and behavioral needs of children as identified by an assessment within 30 days of the child's placement (must be court approved within 60 days of placement).
- Provides states the option to delay the congregate care provisions for up to two years while forfeiting reimbursement for prevention services.



**FFPSA
PART V**

Continuing Support for Child and Family Services

- **Appropriated 8 million dollars for competitive grants to support recruitment and retention of high-quality foster families.**
- **Reauthorizes the Stephanie Tubbs Jones child welfare services program, the Court Improvement program, and the John H. Chafee Foster Care Independence Program.**
- **Expands until 23 Chafee supports for states that elected to extend eligibility for foster care to 21, and expands use of education and training vouchers for youth until 26.**



**FFPSA
PART VI**

**Continuing Incentives to States to Promote
Adoption and Legal Guardianship**

- **Reauthorizes Adoption and Legal Guardianship Incentive Payment Program.**



**FFPSA
PART VII**

Technical Corrections

- Amends state plan requirement under Title IV-B to describe ways to reduce length of time to permanency for children under the age of 5 and to address developmental needs of all vulnerable children under the age of 5 who receive IV-E or IV-B services.



FFPSA
PART VIII

Ensuring States Reinvest Savings Resulting from Increases in Adoption Assistance

- **Delays Fostering Connections implementation of federal assistance for adoption of special needs children.**
- **Authorizes children with special needs under 2 years old to be eligible for assistance if they meet existing requirements.**
- **Requires GAO study on state reinvestment of these savings because of this delay.**

- Utilizes Federal funds to support the array of services provided by local agencies (Children Services Councils, Children Alliance, Tribes, State, County and City agencies and governments) to vulnerable children, youth and families involved with the child welfare system.
- Section 409.26731, Florida Statutes, establishes the authority of the Department to certify publicly appropriated, local funds as state match for eligible Title XIX and Title IV-E expenditures.
- Must have an Interagency Agreement with the Department.
- Local Match Initiative being developed to guide implementation.



IV-E FEDERAL REVIEWS RESUME

- The 1994 Amendments to the Social Security Act authorize the Children’s Bureau to review state child and family services programs to ensure compliance with the requirements.
 - Primary reviews occur at 3-year intervals.
 - If State not found in “substantial compliance” a Program Improvement Plan (PIP) is required.
 - Upon completion of PIP, a Secondary review is conducted at a 1-year interval.
- Financial payback (disallowance) associated with each Error Case and Improper Payment.

Review Type	Sample Size	Error Threshold
Primary	80	4
Secondary	150	10%

Tentatively 2021 – On Hold



Q & A