

WASHINGTON TITLE IV-E REVIEW

Introduction

Region X Administration for Children and Families (ACF) conducted an initial primary review of the State of Washington title IV-E program to determine if title IV-E payments were made on behalf of eligible children to eligible foster homes and institutions. The period reviewed was from October 1, 2000 through March 31, 2001. The on-site review was held in Olympia from September 10 through September 13, 2001 and was completed by a team of five Federal staff and three State Division of Children and Family Services staff.

Scope of the Review

The review team conducted a review of a sample of 80 cases identified from the Adoption and Foster Care Analysis and Reporting System (AFCARS) data universe for this period. The team determined that, for the review period, 78 cases were eligible for title IV-E and two cases were ineligible for title IV-E. For a State to be determined in substantial conformity on an initial primary review, no more than 8 cases may be found in error. Consequently, the State of Washington has been determined in substantial conformity on the initial primary review. No secondary review will be required and the only financial penalty to be taken will be for the ineligible payments on these two cases amounting to \$20,528 Federal Financial Participation (FFP).

Case Record Summary

Below is a summary of the findings for each of the two cases determined to be ineligible.

- Sample number 20: The requirement for physical removal from the home was not met. 42 USC 672(a). This child entered care 10-20-98 prior to the effective date of the new regulations allowing for constructive as well as physical removal.
- Sample number 61: The initial removal order (which was a dependency review order) did not contain a judicial determination to the effect that continuation in the child's home is contrary to the child's welfare. 42 USC 672(a)(1).

Strengths

In the title IV-E cases reviewed, the following strengths were noted:

- "Contrary to the welfare" judicial determinations were consistently contained in the initial shelter care orders.
- "Reasonable efforts to prevent placement" judicial determinations were usually in the initial removal order and were always in orders no later than 60 days from placement.
- Some cases included recent court orders with the "reasonable efforts to finalize the permanent plan" judicial determination.
- Voluntary placement agreements were properly signed and dated and a judicial determination was obtained within 180 days of placement.
- Criminal history checks were completed for licensed foster homes where reviewed.
- Washington has a good eligibility infrastructure with good forms, trained federal funding specialists, and good information system support.

Recommendations for Improvement

Because the period reviewed was largely prior to the effective date of the new "reasonable efforts to finalize a permanent plan" requirement, this review did not formally measure State compliance with that provision. The next primary review will measure the State against these stricter standards and will allow only four, rather than eight cases to be determined ineligible. Consequently, we encourage the State to continue its efforts to ensure children and providers meet the title IV-E eligibility requirements.

Based on the title IV-E cases reviewed, we have the following recommendations for further improvement:

Judicial requirements:

- "Contrary to the welfare" determinations must be included in all initial orders including a dependency review order when it is used as a removal order.
- Care must be taken to ensure that the first order of removal (including motion and order of removal or other emergency removal order) is properly identified and included in the case and eligibility record. This order should be as close as possible to the removal date for the safety of the child, to maximize Federal funding, and to meet State statutory requirements.
- Additional efforts are required to consistently obtain the new "reasonable efforts to finalize the permanent plan" judicial determination requirements. Special attention must be paid to court order language and to cases in which the permanency plan is no longer reunification. Cases without the required determination must be charged to state funds effective 4-1-2000.

Eligibility determinations:

- The case record and the eligibility record should include clear documentation of the date the child last lived with his or her parent. This is particularly important if the State is to take advantage of the new eligibility provision allowing constructive removals after 3/26/00.
- The title IV-E eligibility forms should be fully completed including supporting documentation and rationale for decision-making.

Provider licensing:

- The provider licensing file should include clear documentation of decision-making, particularly in cases in which offenses are identified on a criminal record check.
- The licensing file should contain clear notation in a prominent place when a license has been suspended, cancelled or revoked.
- Criminal history checks must be completed prior to the issuance/effective date of the license.
- Efforts should be made to reduce delays from initial license application to actual licensing and to decrease the substantial delays noted in some renewals.

Disallowance

Ineligible payments associated with the cases reflect all periods of ineligibility through the service period ended June 30, 2001 as follows. A disallowance letter for \$20,528 is enclosed with this report. Additionally, all service periods after June 30 must be removed from the IV-E claims.

Sample #	FFY 99	FFY 2000	FFY 2001	Total
20	\$3,341.90	\$6,393.98	\$24,381.68	\$34,117.56
61		\$1,576.37	\$4,499.55	\$6,075.92
TOTAL	\$3,341.90	\$7,970.35	\$28,881.23	\$40,193.48
FMAP	52.50%	51.83%	50.70%	
FFP	\$1,754.50	\$4,131.03	\$14,642.78	\$20,528.31