



DEPARTMENT OF HEALTH & HUMAN SERVICES

ADMINISTRATION FOR CHILDREN AND FAMILIES  
Administration on Children, Youth and Families  
1250 Maryland Avenue, S.W.  
Washington, D.C. 20024

**CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

APR 30 2007

B.J. Walker  
Commissioner  
Georgia Department of Human Resources  
2 Peachtree Street  
Atlanta, Georgia 30303

Dear Commissioner Walker:

This letter is in reference to the Program Improvement Plan (PIP) that was mandated as a result of the findings of the title IV-E Foster Care Eligibility Review conducted in Georgia September 11-15, 2006. The revised PIP was submitted to this office electronically on April 18, 2007. The plan has been reviewed and is hereby approved. We appreciate the efforts of your staff in development of this plan.

The Social Security Act section 475(5)(F); 45 CFR 1355.20, 1356.21(b)(2) and 1356.22 state that there must be valid removal of the child from the home during the most recent foster care episode. The applicable section 472(a)(1) of the Social Security Act and 45 CFR 1356.21 states that the removal from the home must be pursuant to a voluntary placement agreement entered into by the child's parent or legal guardian, or was the result of a judicial determination to the effect that continuation therein would be contrary to the welfare of such child and that reasonable efforts of the type described in section 471(a)(15) for a child have been made. The later requirements for a judicial determination of reasonable efforts to finalize the permanency plan were predicated on the notion that, when appropriate, every effort must be made by the State agency to provide services to alleviate the need for removal and subsequently to effect permanency for a child.

We are encouraged by the State improvement strategies that will address more than one area determined not to be in substantial compliance during the review.

The 45 CFR 1356.71 requires the Children's Bureau (CB), Administration for Children and Families (ACF), regional office to intermittently review, in conjunction with the State agency, the State's progress in completing the prescribed action steps in the PIP. Please submit quarterly reports so that we may jointly assess your progress in meeting those goals. The first quarter requiring a progress report is due 90 calendar days from the date the State receives written notification of the PIP approval letter.

Page 2- Commissioner B.J. Walker

You have developed a plan which should have a positive impact on Georgia's title IV-E Foster Care Eligibility program. Implementing the strategies and tracking the progress will require concerted efforts by the IV-E Eligibility staff. We look forward to working with you over the next year in achieving program improvement. If we may be of assistance to you, please let us know.

Enclosed is a copy of the approved plan. If you have any questions regarding this or other related matters, please call Kunle Baoku at 404-562-2949.

Sincerely,

A handwritten signature in black ink, appearing to be 'S. Orr', with a long horizontal line extending to the right.

Susan Orr, Ph.D.  
Associate Commissioner  
Children's Bureau

Enclosure

cc:

Ruth Walker, Program Manager; CB, Region IV; Atlanta, GA  
Mary Dean-Harvey, Director; Division of Family and Children Services; Atlanta, GA

**Georgia Program Improvement Plan (PIP)**

**for**

**Title IV-E Eligibility Review**

**Department of Human Resources**

**Division of Family and Children Services**

**April 2007**

## **Title IV-E Eligibility Program Improvement Plan**

The Georgia title IV-E Eligibility Review was conducted September 11 – 15, 2006, to assess the State's adherence to eligibility criteria for children and their foster care providers, and to validate the State's claims to ensure that appropriate payments were made on behalf of eligible children and to their eligible foster care providers. Eighty cases from a random sample selected from the Adoption and Foster Care Analysis and Reporting System (AFCARS) were reviewed. Since the number of error cases identified exceeded four (4), Georgia was found not to be in substantial compliance with Federal child and provider eligibility requirements for the period of October 1, 2005 through March 31, 2006. Georgia has appealed this finding to the Departmental Appeals Board (DAB) of the U.S. Department of Health and Human Services.

Georgia is required to develop a Program Improvement Plan (PIP) to correct the areas found to be in non-compliance. Although Georgia is challenging the finding of "not being in substantial compliance," the State will proceed to develop the PIP. The PIP must be implemented and completed within one year of the date of acceptance of an approved plan.

This document contains a brief description of the errors noted during the review and a brief description of the plans for program improvement. Similar areas have been grouped together with plans that address those areas. These grouped areas are: court orders, placement in a licensed home/facility, AFDC eligibility at removal, and title IV-E ineligible payments and under payments. Many of the improvement strategies will address more than one area identified during the audit as needing improvement.

### **I. Area in Need of Improvement: Court Orders**

- Judicial determination of Reasonable Efforts to Finalize a Permanency Plan
- Valid removal of child from home during most recent foster care episode
- Inconsistencies in the dates of the court order; court orders lacked attention to details

Findings from cases reviewed during the title IV-E Foster Care Eligibility Review revealed a number of issues related to timing of court orders, continuances and judicial findings of reasonable efforts to finalize a permanency plan. The judicial findings were not being attained timely and court orders did not address the agency's reasonable efforts to finalize the permanency plan. The orders used inappropriate permanency goals, e.g., long-term foster care or independent living. Many of the orders contained contradictory information regarding permanency plans. The judicial finding concerning the permanency plan is not title IV-E compliant. Court orders were found to have inconsistencies in dates and a lack of attention to detail such as not checking a box on a template order. A number of continuances in court hearings resulted in permanency delays for children.

**Goal #1:** Agency generated court orders will use the State approved set of model court orders assuring proper determinations, dates and documentation for compliance with IV-E approval. Any exception to the usage must be approved by DHR/DFCS legal counsel and/or the Attorney General's Office or by State statute changes.

**Action 1:** Special Assistants to the Attorney General (SAAG's) will utilize DFCS model court orders that have been provided.

The Revenue Maximization (RevMax) Unit is the identified gatekeeper for all court orders on children in foster care. Unit staff will maintain monthly tracking logs regarding SAAGs not utilizing model court orders. DFCS leadership will be apprised of all issues regarding compliance so that the Division can communicate any concerns to the Attorney General's Office. (Reference Goal #1, Action 2)

**Responsible Persons:** Attorney General's Office; and DHR Legal Counsel.

**Area:** Statewide

**Measurement:** Memorandum to SAAGs mandating the use of the DFCS approved model court orders dated December 4, 2006. Monthly reports will be completed on IV-E denials due to improper court order findings or the lack of timeliness of findings and will provide such reports to DHR/DFCS Legal Counsel and DFCS leadership for follow up action. The monthly report will be an ongoing best practice activity.

**Completion Date:** December 4, 2006

**Status:** Completed

**Action 2:** RevMax will be the gatekeeper for court orders. Social Services staff will be required to forward a copy of all court orders and referenced attachments on active children in foster care as of June 30, 2007, to Rev Max.

**Responsible Persons:** County Directors; Field Program Specialists; Social Services staff; Revenue Maximization Unit Manager; RevMax Supervisors; and RevMax staff.

**Area:** Statewide

**Measurement:** A quarterly statistical report will be developed using monthly field data regarding denial reasons related to court orders. A summary report including the estimated fiscal impact will be provided to the Legal Services Manager and DHR staff for their information. A monthly listing of cases denied along with the denial reason and the names of the responsible SAAG and judge will be provided to each county office, each regional office, DFCS management staff and DFCS legal counsel. (Reference Goal #1, Action 1, Measurement)

**Completion Date:** Memorandum to Regional, County, and RevMax staff sent no later than July 1, 2007. Social Services staff will send a copy of all court orders to RevMax staff no later than September 30, 2007. Rev Max staff will provide a

report of missing orders by December 31, 2007. The quarterly statistical report is an ongoing activity.

**Status:** Pending

**Action 3:** Social Service staff, RevMax staff, Social Services Administrators, Social Service Program Directors, County Directors, Field Program Specialists and Regional Directors will complete a IV-E Court Orders training no later than February 2008.

Training will cover not only the judicial finding requirements but also the child specific determinations that are required. The purpose of this training is to serve as a refresher course for veteran staff in order to have a more comprehensive knowledge regarding those determinations that must be made in the court orders. This will assist in identifying those court orders that do not meet title IV-E criteria. The agency has had a social services certification process that includes the title IV-E judicial finding requirements and the child specific determinations since 2004 for all new social services case managers.

**Responsible Persons:** Lorenzo Wash, Director, Education and Training Section; Regional Directors; County Directors; and Revenue Maximization Unit Manager.

**Area:** Statewide

**Measurement:** Training records maintained by the Education and Training Section. Monthly reports provided by Education and Training Section will include names, office location, date course completed and post test score. Corrective Action Plans will be developed for those staff persons who do not have a passing score.

**Completion Date:** A directive mandating the training will be issued by August 1, 2007. The training for current position holders will be completed by February 29, 2008.

**Status:** Pending

**Action 4:** Complete a review of court orders on 100% of open title IV-E cases where children have been in care for 12 months or longer as of August 31, 2007, in order to identify those cases where court orders are not compliant and where corrective actions may be taken on those court orders.

**Responsible Persons:** County Directors; Social Services Field Program Specialists; RevMax Supervisors; State Core IV-E Team; Social Services staff; and Rev Max staff.

**Area:** Statewide

**Measurement:** Tracking log for recording the review date, the findings for each case and whether or not corrective action has been taken.

**Completion Date:** February 29, 2008

**Status:** Pending

**II. Areas in Need of Improvement: Placement in Licensed Home/Facility**

- Placement in a fully licensed home or facility
- Safety requirements for providers in that all fingerprint checks are complete

Foster Care providers were not fully licensed during a child's placement, and title IV-E maintenance payments were claimed for the ineligible period. Temporary approvals were not clearly documented in the provider files, were confusing to the reviewers and were not implemented appropriately by staff. These inconsistencies in approvals led to over payments and one error case.

**Goal #2:** IV-E payments will only be made to those homes that are in full approval status.

**Action 1:** Clarification of policy regarding temporary approvals of DFCS foster homes.

**Responsible Persons:** Family Services Director; Program Planning and Policy Development Unit.

**Area:** Statewide

**Measurement:** Release date of manual transmittal to field, clarifying policy on temporary approvals of DFCS foster homes. (Reference Goal #2, Action 2)

**Completion Date:** August 31, 2007

**Status:** Pending

**Action 2:** All DFCS homes in approval status as of July 31, 2007, will be reviewed to insure that they are in full approval status and comply with all safety checks. Staff will re-rate children placed in homes found not to be in full approval status from IV-E to IV-B until such time that the home comes into compliance with standards.

**Responsible Persons:** Social Services Field Program Specialists; State Core IV-E Team; Resource Development Supervisors; and Foster Home Case Managers (Resource Development Case Managers).

**Area:** Statewide

**Measurement:** Tracking log and report indicating status, date required safety checks were completed on each DFCS foster home, corrective actions taken and return to full approval status.

**Completion Date:** December 31, 2007

**Status:** Pending

**III. Area In Need of Improvement: AFDC Eligibility**

- Eligibility for AFDC at removal

AFDC Relatedness of financial need was not met at initial determination of eligibility as a result of incorrectly applied budget deductions.

**Goal #3:** Assure correct budgeting procedures for AFDC relatedness for title IV-E eligibility.

**Action 1:** Clarification of budgeting procedures based on AFDC policy in effect July 16, 1996, for title IV-E online training curricula for new Office of Family Independence (OFI) staff.

**Responsible Persons:** Lorenzo Wash, Director, Education and Training Section; and Medicaid Policy Unit.

**Area:** Statewide

**Measurement:** Release date of the updated title IV-E online training curricula.

**Completion Date:** September 30, 2007

**Status:** Pending

**Action 2:** Current RevMax staff will complete training on correct AFDC budgeting procedures. New staff will complete mandatory online IV-E Training with revised AFDC relatedness budgeting procedures. (Reference Goal #3, Action 1)

**Responsible Persons:** Revenue Maximization Unit Manger; RevMax Supervisors; Medicaid Policy Unit; and Lorenzo Wash, Director, Education and Training Section.

**Area:** Statewide

**Measurement:** Training records of RevMax staff completing the training maintained by the Education and Training Section.

**Completion Date:** November 30, 2007

**Status:** Pending



**Action 3:** A targeted first level supervisory review of initial AFDC Relatedness budgeting for all current IV-E foster care cases as of June 30, 2007, will be conducted by RevMax supervisors to identify cases that may be budgeted incorrectly. Supervisory reviews will begin once all current staff has received AFDC Relatedness budgeting training. Agency policy requires a full case review from initial determination to review month so that not only error prone areas but all areas will be looked at for accuracy. (Reference Goal #3, Action 2) Field Program Specialists will conduct random sample second level reviews.

**Responsible Persons:** Revenue Maximization Unit Manager; and RevMax Supervisors.

**Area:** Statewide

**Measurement:** Supervisory review summaries indicating results of supervisory reviews, identification of error cases, corrective actions taken and staff training completed. Random sample second level review summaries indicating results of review, identification of error cases, and corrective actions taken.

**Completion Date:** April 30, 2008

**Status:** Pending

#### **IV. Area in Need of Improvement: Title IV-E funds not claimed; ineligible payments**

**Goal #4:** A total of 98% of payments will be paid based on appropriate funding determinations.

**Action 1:** The agency will revise its procedures for notification of initial IV-E determination and of any changes in reimbursability from Rev Max staff to county department and accounting staff to include safeguard procedures to ensure timely and appropriate payments and to prevent appropriate determinations coupled with inappropriate payments.

**Responsible Persons:** Alan Davis, Director of Field Fiscal Services; Revenue Maximization Unit Manger; Medicaid Policy Unit; and Program Planning and Policy Development Unit.

**Area:** Statewide

**Measurement:** Release date of Manual Transmittal containing policy and procedure changes.

**Completion Date:** August 30, 2007

**Status:** Pending

**Action 2:** Social Service staff, RevMax staff, Social Services Administrators, Social Service Program Directors, County Directors, Field Program Specialists, Regional Accounting staff and Regional Directors will complete a IV-E Funding Process training on new funding notification and safeguard procedures no later than February 2008, to prevent inappropriate payments. (Reference Goal #4, Action 1)

**Responsible Persons:** Lorenzo Wash, Director, Education and Training Section; State Core IV-E Team; Regional Directors; County Directors; Regional Accounting staff; Revenue Maximization Unit Manager; and RevMax staff.

**Area:** Statewide

**Measurement:** Training records maintained by the Education and Training Section. Monthly reports provided by Education and Training Section to include names, office location and date staff completed the course. The agency will incorporate new policy and procedures into current curricula for new staff.

**Completion Date:** Directive mandating the training will be issued by September 1, 2007. The training for current position holders is to be completed by February 29, 2008.

**Status:** Pending

## V. Reporting of Progress

The agency will forward quarterly progress reports to the Children's Bureau (CB), Administration for Children and Families, on the action steps identified for each goal, and will forward a final report at the end of the PIP period. Any proposed changes to the PIP will be negotiated between DHR/DFCS and CB. Technical assistance will be requested as needed with such need reviewed on a quarterly basis. A State Core IV-E PIP Team has been established to review progress towards these goals and to recommend additional actions as needed.