

**Florida Title IV-E
Foster Care Eligibility Review
For the Review Period
April 1, 2003 to September 30, 2003**

Introduction

During February 23-27, 2004, Administration for Children and Families (ACF) staff from the Central and Regional Offices and staff from the Florida Department of Children and Families (DCF) conducted an eligibility review of Florida's title IV-E foster care program. The review site was the DCF State office in Tallahassee, Florida.

The purpose of the title IV-E foster care eligibility review was (1) to determine if Florida was in compliance with the child and provider eligibility requirements as outlined in 45 CFR 1356.71 and Section 472 of the Social Security Act; and (2) to validate the basis of Florida's financial claims to ensure that appropriate payments were made on behalf of eligible children and to eligible homes and institutions.

Scope of the Review

The Florida title IV-E foster care review encompassed a sample of all of the title IV-E foster care cases that received a foster care maintenance payment during the period of April 1, 2003 to September 30, 2003. A statistical sample of eighty cases was drawn from data which was transmitted by the State agency to the ACF for the period under review. Each child's case file was reviewed for the determination of title IV-E eligibility, and the provider's file was reviewed to ensure that the foster home or child care institution in which the child was placed was licensed or approved for the period of the review.

Case Record Summary

During the initial primary review, eighty cases were reviewed. Four cases were determined to be in error for either part or all of the review period. Since the number of error cases is fewer than nine, ACF has determined that Florida's title IV-E foster care maintenance program is in substantial compliance with Federal child and provider eligibility requirements for the period April 1, 2003 through September 30, 2003.

An additional fourteen cases had ineligible payments outside of the period under review. All of these cases and one of the error cases had ineligible payments due to the lack of required judicial determinations regarding reasonable efforts to finalize the permanency plan of the child. States must obtain a court order that contains a judicial determination that the agency has made reasonable efforts to finalize the permanency plan that is in effect within twelve months of the date the child is considered to have entered foster care and at least once every twelve months thereafter while the child is in foster care. A copy of the judicial determination must be maintained in each child's IV-E foster care eligibility file. To address this area, we recommend that Florida improve the training of its foster care workers and continue the collaboration with the judicial community in the State to emphasize the link between judicial findings, permanency for children, and IV-E

eligibility. Efforts should continue to encourage each court to issue timely court orders reflecting judicial consideration of each child’s individualized needs and conditions, as well as judicial determinations regarding the State agency’s activities and efforts to finalize permanency plans.

The following chart details the reason(s) for ineligibility and the statutory and regulatory citations for each of the eighteen cases reviewed that had ineligible payments.

**ERROR CASES WITH DETAIL OF ERROR INELIGIBLE PAYMENTS
(During the Period Under Review)**

Sample Number	Error Description	Statutory Citation	Regulatory Citation
FL 3	Ongoing Judicial Activity	472 (a)(1), 471(a)(15)(B)(ii) and (C)	1356.21(b)(2)
FL 9	Aid to Families with Dependent Children (AFDC) Eligibility	472 (a)(1) and (4)	1356.71(d)(1)(v)
FL 52	Placement in a Licensed Foster Home	472(A)(3), (b), and (c)	1356.71(d)(1)(iv) 1355.20
FL 62	Aid to Families with Dependent Children (AFDC) Eligibility Placement in a Licensed Foster Home	472 (a)(1) and (4) 472(A)(3), (b), and (c)	1356.71(d)(1)(v) 1356.71(d)(1)(iv) 1355.20

**NON-ERROR CASES WITH INELIGIBLE PAYMENTS
(Outside the Period Under Review)**

Sample Number	Error Description	Statutory Citation	Regulatory Citation
FL 12	Ongoing Judicial Activity	472 (a)(1), 471(a)(15)(B)(ii) and (C)	1356.21(b)(2)
FL 13	Ongoing Judicial Activity	472 (a)(1), 471(a)(15)(B)(ii) and (C)	1356.21(b)(2)
FL 15	Ongoing Judicial Activity	472 (a)(1), 471(a)(15)(B)(ii) and (C)	1356.21(b)(2)

Sample Number	Error Description	Statutory Citation	Regulatory Citation
FL 26	Ongoing Judicial Activity	472 (a)(1), 471(a)(15)(B)(ii) and (C)	1356.21(b)(2)
FL 29	Ongoing Judicial Activity	472 (a)(1), 471(a)(15)(B)(ii) and (C)	1356.21(b)(2)
FL 31	Ongoing Judicial Activity	472 (a)(1), 471(a)(15)(B)(ii) and (C)	1356.21(b)(2)
FL 33	Ongoing Judicial Activity	472 (a)(1), 471(a)(15)(B)(ii) and (C)	1356.21(b)(2)
FL 48	Ongoing Judicial Activity	472 (a)(1), 471(a)(15)(B)(ii) and (C)	1356.21(b)(2)
FL 64	Ongoing Judicial Activity	472 (a)(1), 471(a)(15)(B)(ii) and (C)	1356.21(b)(2)
FL 73	Ongoing Judicial Activity	472 (a)(1), 471(a)(15)(B)(ii) and (C)	1356.21(b)(2)
FL OS-1	Ongoing Judicial Activity	472 (a)(1), 471(a)(15)(B)(ii) and (C)	1356.21(b)(2)
FL OS-2	Ongoing Judicial Activity	472 (a)(1), 471(a)(15)(B)(ii) and (C)	1356.21(b)(2)
FL OS-11	Ongoing Judicial Activity	472 (a)(1), 471(a)(15)(B)(ii) and (C)	1356.21(b)(2)
FL OS-16	Ongoing Judicial Activity	472 (a)(1), 471(a)(15)(B)(ii) and (C)	1356.21(b)(2)

Strengths

The reviewers found that the foster care eligibility staff in Florida has a very good understanding of AFDC eligibility determination and re-determination policies. In all but two cases reviewed, there was documentation that the child was financially needy and deprived of parental support at the time of removal from the home.

All cases reviewed met the requirements that the court order removing a child from home contained proper language regarding the judicial determination that continuation in the home is contrary to the child's welfare. All cases reviewed also contained the proper language regarding judicial determination of reasonable efforts to prevent removal.

The reviewers found detailed case plans and "Judicial Review Social Study/Permanency Reports" for almost all of the children in the cases reviewed. These documents outlined the numerous actions or activities that are taking place in these cases in order to achieve permanency for the children either through reunification or adoption.

Disallowance

The review included a sample of eighty cases. The sample was drawn from a universe of cases that received at least one title IV-E foster care maintenance payment during the 6-month AFCARS period of April 1, 2003 to September 30, 2003. Four cases reviewed were determined to have ineligible payments for part or all of the review period. Therefore, a disallowance in the amount of \$47,809 in Federal Financial Participation (FFP) is assessed for the entire period of time that these cases were determined to be in error.

An additional fourteen cases were identified that contained ineligible payments that were made outside of the period under review. Although these cases will not be considered as "error cases" for determining substantial compliance, the ineligible maintenance payments and the associated administrative costs are nevertheless subject to disallowance. A disallowance in the amount of \$157,924 in FFP is being assessed for these ineligible payments.

Attachment A contains individual spreadsheets for each of the four "error cases" which show the computations used to determine both the maintenance payment and the associated administration allowance. Similarly, Attachment B contains individual spreadsheets for each of the "non-error cases," which show the computations used to determine the amount of unallowable costs that were made outside of the period under review.