

**Georgia Title IV-E
Foster Care Eligibility Review
For the period
October 1, 2005 to March 31, 2006**

Introduction

During September 11-15, 2006 Administration for Children and Families' (ACF) staff from the Central and Regional Offices, State of Georgia staff and a Consultant Reviewer from another State conducted an eligibility review of Georgia's title IV-E foster care program. The eligibility review was conducted in Atlanta.

The purpose of the title IV-E foster care Primary eligibility review was (1) to determine if Georgia was in compliance with the child and provider eligibility requirements as outlined in 45 CFR §1356.71 and §472 of the Social Security Act; and, (2) to validate the basis of Georgia'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 Georgia Title IV-E Foster Care Primary Eligibility Review encompassed a sample of all the title IV-E foster care cases that received a foster care maintenance payment during the period of October 1, 2005, to March 31, 2006. A statistical sample of eighty (80) cases was drawn from the Adoption and Foster Care Analysis and Reporting System (AFCARS) data which were transmitted by ACF to the State agency 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 childcare institution in which the child was placed was licensed or approved for the period of the review.

Case Record Summary:

During the primary review, eighty cases were reviewed. The review team determined that there were six error cases and eight non-error cases. Five of the error cases also had ineligible payments outside the period under review. Although the eight non-error cases were not considered in determining whether the State was in substantial compliance, the ineligible maintenance payments and the associated administrative costs are subject to disallowance. A disallowance in the amount of \$86,157, in maintenance payments and \$36,651, in administrative costs are assessed for these ineligible payments.

Since the number of error cases exceeded four, the ACF has determined Georgia not to be in substantial compliance. Pursuant to 45 CFR §1356.71(i), you are required to develop a Program Improvement Plan (PIP) designed to correct those areas determined not to be in substantial compliance.

The PIP will be developed by the State, in consultation with ACF Regional Office staff, and must be submitted to the ACF Regional Office by January 13, 2007. Once the State agency has satisfactorily completed the PIP, a secondary review of a sample of 150 title IV-E foster care cases will be conducted. The areas where the Six (6) cases were determined to be in error relate to:

- Valid removal of the child from the home during the most recent foster care episode §475(5)(F); 45 CFR §§1355.20, 1356.21(b)(2), and 1356.22
- Reasonable efforts to finalize the permanency plan §§472(a)(1), 471(a)(15)(B)(ii) and (C); 45 CFR §1356.21(b)(2)
- AFDC (Aid to Families with Dependent Children) Eligibility §§472(a)(1) and (4); 45 CFR§1356.71(d)(1)(v)
- Placement in licensed foster care facility §472(b) and (c); 45CFR §§1356.71(d)(1)(iv). 1355.20
- Safety requirements of providers §472(b) and (c); 45CFR §§1356.71(d)(1)(iv). 1355.20

A total of six (6) cases and eight non-error cases were found with errors by the review team. In addition, five of the error cases also had ineligible payments outside the period under review. The reasons for these errors were related to reasonable efforts to finalize permanency plans and placement in a licensed foster care facility. Attachments A and B of this report detail each sample case, the reason(s) for ineligibility and the ineligible dollar amounts associated with that case.

The review team also identified thirteen (13) cases with underpayments. The reason for these underpayments was because State or other Federal funds were used in lieu of title IV-E funds for children who met the eligibility requirements.

The total underpayments amount is \$29,738 in maintenance assistance payments; however, only the amount of \$20,843, in maintenance assistance payments with an associated \$8,329, in administrative costs is still available for claiming by the State within the two-year filing limit.

Areas Identified Onsite as Strengths in the Title IV-E Foster Care Eligibility System:

The State did an excellent job in preparing for and conducting the review. Case records were well organized and supporting documentation was contained in the case records or was promptly provided to the reviewer. During the review, the following additional areas were identified as strengths:

- State revenue maximization staff were knowledgeable about title IV-E eligibility requirements and a good resource.
- All findings regarding contrary to welfare were made in the first court order that sanctions the removal of children in most cases.

- Grounds for the issuance of court orders were detailed with child specific and individualized orders.
- Judicial determinations of “contrary to the welfare” and “reasonable efforts to prevent removal” were timely in the cases reviewed.
- Eligibility determinations and re-determination are completed timely and accurately.
- Interstate Compact for the Protection of Children ICPC placements were stable.
- Custody orders make specific reference to the facts, which support judicial findings.
- Foster Home Reevaluation was timely and included written input from foster parents about their experiences with the agency and the children in their homes.
- Foster parents participation in training was tracked.
- Safety considerations with respect to the staff and caretakers of the institution and foster homes were addressed.
- In most cases, criminal records checks were completed.

Areas In Need of Improvement:

During the review, the following areas were identified as areas in need of improvement:

- Judicial Determinations of Reasonable Efforts to Finalize Permanency Plan were not timely.
- Title IV-E funds were not always claimed when possible.
- Occasional discrepancies were found between court order dates and those recorded for IV-E purposes.
- Continuances in court hearings cause children to languish in foster care.
- AFDC deduction policy was incorrectly applied at the time of initial determination resulting in financial needs not being properly established.
- Ineligible payments were identified outside the period under review.
- In some cases, Foster Care providers were not fully licensed during the child’s placement.
- Inconsistency in the dates of the court order was identified.
- Attention to details was found to be lacking in some court orders. In one case, the court order did not have the required box checked.

We recommend that the State agency continue its collaboration with the judicial community to emphasize and strengthen the link between judicial findings and title IV-E eligibility.

Findings and Disallowances:

Six (6) cases were determined not eligible for title IV-E Foster Care maintenance payments, and the State is ineligible to receive Federal Financial Participation (FFP) for these cases under the title IV-E foster care maintenance assistance program. A total of \$13,984 in FFP must be disallowed based on these six (6) cases.

The State is also ineligible for title IV-E foster care administrative costs relating to the error cases. We have calculated the amount of unallowable administrative costs to be \$8,023. The

State also has an obligation to identify and repay any ineligible payments that occurred for these error cases subsequent to the period under review.

In addition to the above cases found with errors during the period under review, the review team identified thirteen cases with ineligible payments occurring outside of the review period (five out of the thirteen non-error cases were among the six cases determined to be in error for either part or all of the period under review). These additional findings were not considered in the determination of Georgia's substantial compliance with Federal requirements. The State is, nevertheless, ineligible to receive FFP for these cases under the title IV-E program. The amount of ineligible maintenance assistance payments for these cases is \$100,141, in FFP. The respective unallowable administrative costs for these cases are \$44,674, in FFP.

This report constitutes our formal notice of disallowance of \$144,815 in Federal Financial Participation (FFP) for title IV-E foster care maintenance payments and related title IV-E foster care administrative costs. The standard methodologies used by ACF for the computations of both of these disallowances are enclosed in Attachments A and B for your information.