

**OHIO TITLE IV-E
FOSTER CARE ELIGIBILITY REVIEW
July 9 through 13, 2007**

Introduction

Staff from the Central and Region V Offices of the Children's Bureau (CB) of the Administration for Children and Families (ACF) and from the Ohio Department of Job and Family Services (ODJFS) conducted a primary review of Ohio's title IV-E foster care program in Columbus July 9 through 13, 2007. The purpose of the review was to determine if payments made on behalf of children in foster homes and institutions were made in accordance with title IV-E (Sections 471 and 472) of the Social Security Act and title 45 of the Code of Federal Regulations (CFR), Section 1356.71.

Scope of the Review

A sample of 100 (80 and an over sample of 20) cases was drawn from Adoption and Foster Care Analysis and Reporting System (AFCARS) data. The listing of cases was transmitted to State staff who verified that a foster care maintenance payment had been made in each case during the period under review (PUR), April 1 through September 30, 2006. Onsite, the Review Team evaluated 80 cases to determine title IV-E eligibility for the child in care and to determine whether the foster home or institution was properly licensed.

This was Ohio's third primary review. Its initial primary review was held in March 2001. A second primary review was held in September 2004. During the initial primary review, Ohio was found to be in substantial compliance with title IV-E requirements because it had eight or fewer error cases. In the 2004 review, Ohio was found to be in substantial compliance because it had four or fewer error cases. During this review, of the 80 cases reviewed, there were four error cases. Thus, Ohio met the standard of having four or fewer error cases and is in substantial compliance with title IV-E eligibility requirements for the PUR. It will not have to submit a Program Improvement Plan.

Case Record Summary

The following gives details of the four error cases and the one case with an identified underpayment:

Error Case-Sample number 38

The State claimed title IV-E foster care maintenance and administrative costs for the period April 21, 2006 through June 30, 2007 when the child in the case was not eligible. A judicial determination that reasonable efforts were made or were not required to be made in order to prevent a child's removal from the home or to reunify the child and the family was not made within 60 days from the date the child was removed from the home.

Reference: 45 CFR 1526.21

Disallowances: Federal Financial Participation (FFP)
Maintenance, \$4,355.63 Administrative, \$9,554.39

The disallowance covers the period April 21, 2006 through June 30, 2007 minus May, 2007 when there was no payment and no claim.

Error Case-Sample number 42

The State claimed title IV-E foster care maintenance and administrative costs for a period August 21 through 31, September 1 through 30, and October 1, 2006, when the child had left foster care for a trial home visit. This is an error case because, although the State rescinded the payments May 21, 2007, that date was 11 days after the CB provided the sample to Ohio.

Disallowances: (FFP) Maintenance, \$553.28 Administrative, \$669.00

Error Case-Sample number 52

The child was reunified with his family and left foster care July 19, 2006. The State claimed title IV-E foster care maintenance costs through July 31. This is an error case because, although the county attempted to rescind the incorrect payments January 17, 2007, the transaction was rejected by the State's payment system.

Disallowance: (FFP) Maintenance, \$138.38

Error Case-Over Sample number 2

The State claimed title IV-E foster care maintenance costs for the month of June 2006. The child had entered foster care April 25, 2006 and left foster care May 31, 2006. This is an error case because the State claimed for the period June 1 through 30 when the child was not in foster care.

Disallowance: (FFP) Maintenance, \$191.62

Case with an Identified Underpayment - Over Sample number 2

The child entered foster care April 25, 2006 and left foster care May 31, 2006. The State made no title IV-E claims for this 36-day period during which the child was title IV-E eligible and the provider was fully licensed. This results in an underpayment.

Underpayment: (FFP) Maintenance, \$610.78

Strengths and Model Practices

- Form JFS 01645, "*Agreement for Temporary Custody of a Child*," is an excellent instrument. In the cases in which there were voluntary placements, there were procedures to assure that the 30-day time limits for renewal of the agreements were followed. All cases followed the requirements and were very well managed.
- County agencies filed petitions for Termination of Parental Rights as soon as statutorily allowed.
- Cases were adjudicated within the first 60 days.

- Copies of complaints were attached to court orders. They were specific, timely, and contained appropriate language.
- Petitions in the county with the greatest number of children in foster care were very detailed and included addresses of fathers and paternal relatives. Court orders contained the exact dates on which children were removed.
- One excellent practice was the listing of specific services that had been provided to families to prevent removal. This was provided for in a large number of cases.
- Automation of the Forms JFS 01452 and JFS 01452A for the determination and re-determination of eligibility, using Aid to Families with Dependant Children (AFDC) criteria, have proven to be very helpful to new staff and have increased the accuracy of the determinations by the counties. Forms are maintained in the title IV-E case record as documentation that AFDC was re-determined.

Areas in Need of Improvement

- There was variation among the counties as to the completeness of the case histories. Some were excellent and gave good descriptions of the child’s situation and some were sketchy.
- In a few instances, the actual date that the child entered care was not in the record.

Disallowances

The review included a sample of 80 cases drawn from a universe of cases that received at least one title IV-E foster care maintenance payment during the six-month AFCARS period of April 1, 2006 through September 30, 2006. As indicated earlier in this report, based on the results of the review, Ohio has been found to be in substantial compliance; however, four cases were determined to be in error and are not eligible for funding under title IV-E foster care. A disallowance in the amount of \$5,238.91 FFP in maintenance assistance and \$10,223.39 FFP in associated administrative costs is assessed for the entire period of time that the cases were determined to be in error.

	Error Case	Error Case	Total FFP
	Maintenance	Admin.	
Sample # 38	\$4,355.63	\$9,554.39	\$13,910.02
# 42	\$ 553.28	\$ 669.00	\$ 1,222.28
# 52	\$ 138.38	\$ 0	\$ 138.38
# OS 2	\$ 191.62	\$ 0	\$ 191.62
TOTAL	\$5,238.91	\$10,223.39	\$15,462.30

Identified Underpayment

	Maintenance	Admin.	
Sample # OS 2	\$610.78	\$ 0	
Total FFP	\$610.78		