

**THE SOUTH DAKOTA TITLE IV-E FOSTER CARE ELIGIBILITY REVIEW
REPORT
DEPARTMENT OF SOCIAL SERVICES
CHILD PROTECTIVE SERVICES
MAY 13-16. 2003**

I. INTRODUCTION

The South Dakota Department of Social Services, Office of Child Protective Services (CPS) staff, in partnership with the Administration for Children and Families (ACF) staff from the Central and Regional Offices, conducted a IV-E Foster Care Eligibility Review, in Pierre, South Dakota from May 13, through 16, 2003.

The purpose of the Title IV-E Foster Care Eligibility Review was to evaluate the accuracy by the state in claiming Federal Financial Participation (FFP) and assure that appropriate maintenance payments were made on behalf of eligible children placed in eligible homes and institutions.

II. SCOPE OF THE REVIEW

The South Dakota Title IV-E Eligibility Review encompassed all Title IV-E foster care cases in the state during the period of April 1, 2002 through September 30, 2002. A computerized statistical sample of eighty-eight cases (eighty cases are to be reviewed, however an over-sample of eight cases are added, subject to any case disqualification) was drawn from the Adoption and Foster Care Analysis and Reporting System (AFCARS) data, which was transmitted by the state agency to ACF. ACF then provided a statistical sampling frame that consists of individual children who received at least one Title IV-E foster care maintenance payment during the six-month period noted previously. For each case, the child's file was reviewed for documentation which supported the determination of Title IV-E eligibility and that the home, foster care home and/or institution in which the child was placed, was licensed during the period under review.

The South Dakota IV-E Eligibility Review Team included twelve individuals: Virgena Wieseler, Program Administrator; Chauntel Taggert, Program Specialist; Pamela Bennett, Program Specialist; Marie Kent-Singleton; Field Program Specialist; Carrie Flakus, Program Specialist for Medical/TANF Eligibility; and Duane Jenner, Program Specialist and the IV-E Foster Care Eligibility Review Coordinator. Tanya Howell, Program Specialist, represented the ACF Central Office. ACF Regional staff participating in the eligibility review included: Marilyn Kennerson, National Review Team Leader; Cynthia Thomas, Child Welfare Team Lead; Region VIII State Program Specialists, Eric Busch and Gloria Montgomery and Regional Office South Dakota Team Leader Kevin Gomez.

III. CASE RECORD SUMMARY

The eligibility review of eighty cases was South Dakota's Initial Primary Review and of the sampling frame, five cases were determined to be ineligible for Title IV-E maintenance payments, and therefor to be in error. The Code of Federal Regulation, 45 CFR 1356.71 (c)(4), specifies "when the total number of ineligible cases does not exceed eight, ACF can conclude with a probability of 88 percent . . . that the State will be considered in substantial compliance." The South Dakota Department of Social Services, Office of Child Protective Services has been determined to be in substantial compliance with Title IV-E requirements. Specific information on the five cases and their errors, are as follows:

Case ID

Case 1

The Judicial Determination was not timely per 45 CFR 1356.21(b)(2). The overpayment Federal Financial Payment (FFP) amount for the period of ineligibility from August 1, 2002 through September 1, 2002 is \$447.19.

Case 2

The child was ineligible for IV-E due to excessive income of a parent. The State wrongly determined that the child was eligible for IV-E. The overpayment of FFP from June 1, 2002 through September 30, 2002 is \$1538.35.

Case 3

This child was ineligible for the entire episode of foster care due to the absence of "reasonable efforts" language within 60 days of the removal from the home per 45 CFR 1356. The maintenance payment of FFP from November 1, 2001 through September 30, 2002 is \$9,077.01.

Case 4

The Permanency Plan hearing was not held timely per 45 CFR 1356.21 (b)(2). This case was not counted as an error, but is a disallowance because it occurred before the Period under review. The overpayment of FFP is calculated from January 1, 2002 through February 28, 2002 for \$498.68.

Case 5

The Permanency Plan hearing was not held timely per 45 CFR 1356.21(b)(2). This case was not counted as an error, but is a disallowance because it occurred before the period under review. The overpayment of FFP is calculated from April 10, 2001 through May 30, 2001 for \$1726.77.

THE TOTAL DISALLOWED AMOUNT IS \$13,288 which includes the IV-E FFP Maintenance Costs.