

Kansas Title IV-E Foster Care Eligibility Review October 1, 2001 to March 31, 2002

Introduction

During the week of September 9, 2002, Administration for Children and Families' staff from the Central and Regional Offices and the State of Kansas staff conducted an eligibility review of Kansas' title IV-E foster care program.

The purpose of the title IV-E foster care eligibility review was (1) to determine if Kansas 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 Kansas' 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 Kansas 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 October 1, 2001 to March 31, 2002. A computerized statistical sample of 185 cases was drawn from the Adoption and Foster Care Analysis and Reporting System (AFCARS) data which was transmitted by the State agency to the ACF for the period under review. The 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.

During the secondary review, 150 cases were reviewed. Two cases were determined to be in error for either part or all of the review period for reasons that are identified in the Case Record Summary section of this report. The dollar value of the sample was \$ 1,972,105 with the error cases totaling \$37,078.97. These data indicate that Kansas' dollar error rate of 1.88% was less than 10% and the error cases error rate of 0.2% was less than 10%. Therefore, Kansas is considered to be in substantial compliance.

Case Record Summary

The following details the error cases and reasons for the error, erroneous payments and appropriate citations:

Sample number MS046: title IV-E foster care claims were made while child was residing in an unlicensed relative home. Erroneous placement type had been entered in the FACT system. 45 CFR 1356.30

Sample number MS088: title IV-E eligibility determination was not made on the home from which the child was removed from and with the same specified relative. 45 CFR 1356.21(k).

The erroneous payments associated with the two error cases were calculated as follows, and include all payments claimed on behalf of the child for the entire period of the error.

Sample MSO46	Maintenance (FFP Only)	Admin. (FFP Only)	Total (State and Federal)	FMAP	FFP
FFY 99	\$3,922.62	\$91.62	\$6,461.15	60.05%	\$4,014.24
FFY 2000	\$4,958.38	\$2,025.77	\$11,986.43	60.03%	\$6,984.15
FFY 2001	\$0	\$2,236.20	\$4,472.40	59.85%	\$2,236.20
FFY 2002	\$3,170.44	\$1,490.80	\$8,060.64	60.20%	\$4,661.24
Total	\$12,051.44	\$5,844.39	\$30,980.86		\$17,895.83

Sample MSO88	Maintenance (FFP Only)	Admin. (FFP Only)	Total (State and Federal)	FMAP	FFP
FFY 99	\$0	\$0	\$0	60.05%	\$0
FFY 2000	\$0	\$0	\$0	60.03%	\$0
FFY 2001	\$5,350.72	\$701.92	\$9,956.95	59.85%	\$6,052.64
FFY 2002	\$11,639.70	\$1,490.80	\$21,628.39	60.20%	\$13,130.50
Total	\$16,990.42	\$2,192.72	\$31,585.34		\$19,183.14

Total FFP Disallowed Amount:	<u>\$37,078.97</u>
*Round all figures to nearest dollar	

Strengths and Model Practices

The following strengths were identified during the State of Kansas title IV-E secondary review:

- Evidence that elements in the title IV-E PIP have been incorporated into practice.
- Improved court orders. Evidence that judges have received guidance and training.
- Completion of comprehensive title IV-E eligibility reviews in preparation for the review.
- Well-organized files that contained separate eligibility files.

- Although not a factor in this review, there was evidence of effective child welfare practice. Adoptions are being completed timely.
- Evidence that permanency plans are being reviewed and that judicial determinations are being made to finalize permanency plans. Title IV-E claims were stopped in those instances in which judicial determinations to finalize permanency plans were not made within the required time frames.
- Title IV-E eligibility protocols have been established, especially in terms of use of the 4030 form.
- Comprehensive preparation for the review. There was evidence that the pre-review process was beneficial.
- Evidence that staff is following training outlined in the PIP.
- Availability of resource staff on-site during the review allowed for expeditious resolutions of issues.
- Well-organized files facilitated the assignment of cases to review team members.
- Evidence that the State review team had been trained.
- Outcome of the review reflects the efforts of the EESQ staff.
- Availability of current and correct payment history in the case files.
- Leadership and partnership between the Central Office staff and field staff. Resources and points of contact were established to assist in preparation for the review.
- State manual and cross walk of the review instrument were helpful tools for the review.
- Availability of placement printouts in the case files.

Model Practices

The following were identified as model practices during the Kansas title IV-E secondary review:

- Development and implementation of the Full Court database - a case management system that includes an ASFA module. This database provides permanency review alerts for children in the JJA system.
- One hundred per cent title IV-E eligibility reviews that have occurred.

- Case file organization.
- Enhancements to the FACT System to track eligibility.

Areas in Need of Improvement

The following were identified as areas in need of improvement during the Kansas title IV-E secondary review.

- Permanency judicial orders were over-due in some cases. Although those viewed were outside the period under review this is an area that will need emphasis to ensure that hearings are held timely.
- Instances in which language in some initial court orders referenced affidavits. This is not allowed per CFR 45 1356.21.
- Court orders should contain clear and explicit language in reference to "contrary to the welfare" and "reasonable efforts" findings. Findings should be specific and be made in reference to the State agency and not solely a contract agency or any other entity.
- Additional training is needed in terms of title IV-E determinations as it pertains to a removal from the home of a specified relative per CFR 45 1356.21. Additional guidance can be found in the Question and Answers pertinent to this issue on the Children's Bureau web-site.
- Additional training is needed related to title IV-E determinations. Several cases were reviewed in which a determination of ineligibility was made for the entire month based on the child's eligibility for a portion of the month. The child was actually eligible for the entire month.

Disallowances

The review included a sample of 150 cases with a total dollar value of \$1,972,105. 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 October 1, 2001 to March 31, 2002. Based on the results of the review, the State of Kansas has been found to be in substantial compliance; however 2 cases were determined to be in error and are not eligible for funding under title IV-E foster care. Therefore, a disallowance in the amount of \$37,078.97 in Federal Financial Participation (FFP) is assessed for the entire period of time that these cases were determined to be in error.

Since the amount of disallowed funds was previously included in Federal payments made to the State, you must repay these funds by including a prior period decreasing

adjustment on the Quarterly report of Expenditures (Form ACF-IV-E-1), Part 1, Line 1, Columns © and (d). Please also include the Part 2, Prior Quarter Adjustments. Please submit your review finding adjustments, along with your regular report and adjustments no later than the quarter ending 12/31/2002. Clearly identify that the adjustments are due to the findings of the title IV-E secondary review in the comment section of Part 2 of the form.