

Child Welfare Reviews

Indiana Title IV-E Foster Care Eligibility Review March 17, 2003 through March 21, 2003

Introduction

Administration for Children and Families (ACF) staff from the Central and Regional Offices and State of Indiana staff conducted an eligibility review of Indiana's title IV-E foster care program in Indianapolis March 17-21, 2003. The purpose of the title IV-E foster care eligibility review was (1) to determine if Indiana 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 Indiana's financial claims to ensure that appropriate payments were made on behalf of eligible children to eligible homes and institutions.

Scope of the Review

The Indiana 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 under review, that is, April 1, 2002 to September 30, 2002. A computerized statistical sample of 153 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 for the period of the review.

Eighty cases were reviewed during the initial primary review. Eleven 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 the report. Since the number of error cases exceeded eight, the ACF has determined Indiana 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 the ACF Regional Office staff, and must be submitted to the Regional Office within 90 calendar days from the date the State receives written notification that it is not in substantial compliance. Once the State has satisfactorily completed the PIP, a secondary review of a sample of 150 title IV-E foster care cases will be conducted.

Case Record Summary

The selection of the title IV-E sample of children to be reviewed turned out to be a more cumbersome process than in many other states. In order to obtain 80 eligible cases and an oversample of 8 cases the ACF statistician had to pull 153 cases. There was confusion over AFCARS data element 59. The State thought that an affirmative response to element 59 meant that a child was eligible for an IV-E foster care payment. However, for ACF an affirmative response to element 59 indicates that an IV-E foster care maintenance payment has actually been made. Integration of a payment system with AFCARS data reporting seems to be what is required to attain conformity with Federal reporting requirements.

Sixty-nine of the 80 cases were eligible, and 11 were error cases. The total amount of Federal dollars associated with the error cases was \$205,892. The error cases clustered in two areas: licensing and judicial determinations. Five error cases, (22, 25, 79, S17 and S20), were licensing issues. Three providers were unlicensed, and two were on probationary status. Relevant statutory and regulatory citations that support the determination that these cares were in error are 472(a)(3),(b)and (c) of the Social Security Act and 45CFR1356.71(d)(1)(iv) and 1355.20.

Four case errors, (68,S20,T09, T10), appeared in the area of judicial determinations. Three removal court orders were missing, (Federal requirement 472(a)(1), 471 (15)(b)(I)) One judicial determination did not address the reasonable efforts to make and finalize a permanency plan (Federal requirement: 472 (a)(1); 471(a)(15)(B)(ii)(C) Three errors, (22,25,T09), occurred in AFDC eligibility. Neither financial need nor deprivation of parental support was determined, which is required by 472(a)(1) and (4). Finally, one case record, (61), was missing, and that is considered in error. (The number of errors exceeds the number of cases since some cases had more than one error.)

AREAS IN NEED OF IMPROVEMENT

The areas in need of improvement need to be addressed in the PIP. Reviewers noted the lack of coordination among probationary licenses and ICWIS and the payment system. No stop payment occurs when a provider goes on probation. A number of licenses were missing in the on-site review, but copies were subsequently provided to the Regional Office. The criminal records check was missing from a case record, and in another instance, a relative placement received payment though he had no license.

Reviewers identified the need for judges to express Federal eligibility requirements clearly in court orders. Moreover reviewers emphasized that “contrary to the welfare” and “placement and care of the State agency” must be in the first court order after

removal. Finally reviewers cited inconsistencies in court orders, organization of case files, and eligibility staff practices.

STRENGTHS

DFC staff are an excellent resource. Federal review staff noted the conscientious, professional casework by family case managers especially in the documentation of safety issues. State staff prepared for the review by tabbing case records and merging licensing information on the checklists, which was most helpful. By their resourcefulness and diligence eligibility staff obtained missing documents that saved the State a considerable number of errors and money. The collaboration and cooperation of the management of the central eligibility unit and the fiscal staff compilation of payment histories were truly outstanding. The success of the review was due in no small part to all of the above.

ICWIS information matched the information in the case records fairly well.

Indiana courts review cases every 6 months, which is twice as frequent as the Federal requirement.

Most of the cases were error-free, and some of the errors were missing documentation, which was remedied during the grace period.

DISALLOWANCES

The review included a sample of 80 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, 2002 to September 30, 2002. Based upon the results of the review, the State of Indiana has been determined to be not in substantial compliance. Eleven cases were determined not to be eligible for funding under title IV-E foster care. Therefore, a disallowance in the amount of \$205,892 in Federal Financial Participation (FFP) is assessed for the entire period of time that these cases were determined to be in error.

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