

**District of Columbia Title IV-E Foster Care
Secondary Eligibility Review
Final Report
October 1, 2005 – March 31, 2006**

INTRODUCTION

During the week of September 18, 2006, the Administration for Children and Families' (ACF) staff from the Central and Regional Offices and the District of Columbia's Child and Family Services (CFSA) staff conducted a secondary eligibility review of the District's title IV-E foster care program. The purpose of the title IV-E foster care eligibility review was to determine if the District was in compliance with the child and provide eligibility requirements as outlined in 45 CFR 1356.71 and Section 472 of the Social Security Act; and to validate the basis of the District's financial claims to ensure that appropriate payments were made on behalf of eligible children to eligible homes and institutions.

This secondary review was conducted as a result of the findings of the initial primary title IV-E review that was performed the week of August 11, 2003, in which the District of Columbia was determined not to be in substantial compliance with title IV-E eligibility requirements for the period under review. As required, the District submitted a title IV-E Program Improvement Plan (PIP) to address areas found to be deficient in its foster care eligibility program. The PIP was approved on July 29, 2004, and a final report was submitted on September 15, 2005. The PIP's goals and activities included, but were not limited to the following:

- Eliminate the backlog of eligibility determinations and re-determinations.
- Redesign the automated eligibility determination and re-determination system to increase the reliability in the title IV-E claiming process.
- Coordinate with the Family Court regarding the reasonable efforts to achieve permanency determinations and create protocols to notify staff when appropriate language has not been obtained.
- Ensure that all homes and facilities are licensed and re-licensed in a timely manner.
- Correct Adoption and Foster Care Analysis and Reporting System (AFCARS) reporting data to ensure accurate numbers of children receiving foster care maintenance payments are captured.

SCOPE OF THE REVIEW

The District of Columbia's secondary title IV-E foster care eligibility 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, 2005 through March 31, 2006. A computerized statistical sample of 200 cases (150 cases plus 50 over sample cases) was drawn from the Adoption and Foster Care Analysis and Reporting System (AFCARS) data submission which was transmitted by the State agency to ACF for the period under review. Of the 50 over sample cases, five cases were

selected for the review to replace cases in which the District had rescinded payments prior to the sample being received by CFSA.

During the on-site review each child's case file in the selected sample was reviewed to determine title IV-E eligibility. The provider's file was examined to ensure that the foster home or child care institution in which the child was placed during the period under review was licensed or approved and that safety considerations were appropriately addressed. Payments made on behalf of each child were also reviewed to verify that the expenses were allowable under title IV-E. Efforts were also made to identify any underpayments that may exist in the reviewed sample cases. In addition, ACF and CFSA agreed that, subsequent to the on-site review, the District would have two weeks in which to submit additional child and provider documentation for any case that was found to be in error, in undetermined status, or to have an ineligible payment. As a result of the provision of additional documentation, a number of case and payment determinations were modified.

For a secondary review, substantial compliance means that either the case error rate or the dollar error rate does not exceed ten percent. As a result of the secondary title IV-E foster care eligibility review conducted in the District of Columbia, 25 cases were found to be in error for either part or all of the period under review for reasons that are identified in the Case Record Summary section of this report. The dollar value of the sample was \$521,422 in Federal Financial Participation (FFP) for the total payments made during the period under review with the error cases totaling 8.83 percent. This data disclosed that the District's dollar error rate was less than ten percent even though the case error rate was more than ten percent. Therefore, the District of Columbia is considered to be in substantial compliance with title IV-E child and provider eligibility requirement as outlined in 45 CFR 1356.71 and Section 472 of the Social Security Act. This represents a major improvement from the case findings obtained in the initial primary title IV-E foster care eligibility review conducted in the District during August of 2003.

In addition to the 25 cases with errors, 23 cases were identified that contained ineligible payments. Although these cases are not considered error cases for determining substantial compliance, the ineligible maintenance payments and the associated administrative costs are subject to disallowance. A disallowance in the amount of \$434,000 FFP for maintenance payments and \$83,451 FFP for administrative costs are assessed for the error and non-error cases with ineligible payments. The total disallowance as a result of this review is \$517,451 FFP. Please refer to the letter transmitted with this report for further information on the disallowance.

CASE RECORD SUMMARY

Error Cases

The following chart provides details for the 25 cases containing errors, the reasons for ineligibility, the appropriate Federal citations, the dates of ineligibility, and the disallowance amounts.

Case Number	Reason For Ineligibility Ineligibility Period	Federal Citation	Maintenance Payment FFP*	Administrative Cost FFP*
9	AFDC Eligibility (11/01/04 – 5/31/06) Reasonable Efforts to Make and Finalize a Permanency Plan (4/01/01 – 9/30/01)	477(a)(1) 472(a)(4) 1356.71(d)(1)(v) 472(a)(1) 472(a)(15(B)(ii) 471(a)(15)(c) 1356.21(b)(2)	\$6,617	\$1,015
31	Placement and Care Responsibility Vested with the State Agency (8/23/05 – 10/31/05) AFDC Eligibility (8/23/05 – 10/31/05) Safety Requirements for Foster Care Provider (4/17/05 – 10/31/05)	472(a)(2)(B) 1356.71(d)(1)(iii) 472(a)(1) 472(a)(3) 1356.71(d)(1)(v) 471(a)(20) 1356.30	\$9,107	\$829
40	Valid Removal (1/07/05 – 6/30/06) Reasonable Efforts to Prevent Removal (1/0705 – 6/30/06) AFDC Eligibility (1/07/05 – 6/30/06)	472(a)(1) 1356.21(k)(2) 472(a)(2)(A) 471(a)(15(B)(i) 1356.21(b)(1) 472(a)(1) 472(a)(3) 1356.71(d)(1)(v)	\$7,029	\$2,389
41	Placement In a Licensed Foster Family Home (3/01/06 – 4/30/06)	472(a)(2)(C) 472(c) 1356.71(d)(1)(iv) 1355.20	\$1,408	\$287
44	Placement In a Licensed Foster Family Home (10/07/05 – 3/31/06) Safety Requirements for Foster Care Provider (10/07/05 – 3/31/06)	472(a)(2)(C) 472(c) 1356.71(d)(1)(iv) 1355.20 471(a)(20) 1356.30	\$4,290	\$718
45	Placement and Care Responsibility Vested with the State Agency (6/16/05 – 10/31/05)	472(a)(2)(B) 1356.71(d)(1)(iii)	\$2,190	\$555

Case Number	Reason For Ineligibility Ineligibility Period	Federal Citation	Maintenance Payment FFP*	Administrative Cost FFP*
47	Valid Removal (5/17/99 – 2/28/06) Safety Requirements for Foster Care Provider (4/01/05 – 3/22/06)	472(a)(1) 1356.21(k)(2) 471(a)(20) 1356.30	\$33,464	\$7,103
60	Placement in a Licensed Foster Family Home (1/27/06 – 5/31/06) Safety Requirements for Foster Care Provider (1/27/06 – 5/31/06)	472(a)(2)(C) 472(c) 1356.71(d)(1)(iv) 1355.20 471(a)(20) 475(1) 1356.30	\$2,124	\$431
63	AFDC Eligibility (8/18/99 – 3/31/06)	472(a)(1) 472(a)(3) 1356.71(d)(1)(v)	\$33,850	\$7,067
71	Valid Removal (12/08/03 – 5/31/06) Contrary to the Welfare (12/08/03 – 5/31/06) Reasonable Efforts to Prevent Removal (12/08/03 – 5/31/06)	472(a)(1) 1356.21(k)(2) 472(a)(2)(A) 1356.21(c) 472(a)(2)(A) 471(a)(15)(B)(i) 1356.21(b)(1)	\$17,004	\$3,284
72	Placement In a Licensed Foster Family Home (3/01/06 – 5/31/06)	472(a)(2)(C) 472(c) 1356.71(d)(1)(iv) 1355.20	\$2,124	\$431
74	Placement In a Licensed Foster Family Home (2/03/06 – 2/16/06) Safety Requirements for Foster Care Provider(2/03/06 – 2/16/06) Reasonable Efforts to Make and Finalize a Permanency Plan (4/01/01 – 2/28/02)	472(a)(2)(C) 472(c) 1356.71(d)(1)(iv) 1355.20 471(a)(20) 1356.30 472(a)(1) 471(a)(15)(B)(ii) 471(a)(15)(C) 1356.21(b)(2)	\$6,837	\$1,089
75	Placement and Care Responsibility Vested with the State Agency (1/01/06 – 1/31/06)	472(a)(2)(B) 1356.71(d)(1)(iii)	\$435	\$144
79	Placement and Care Responsibility Vested with the State Agency 1/01/06 – 1/31/06)	472(a)(2)(B) 1356.71(d)(1)(iii)	\$435	\$144

Case Number	Reason For Ineligibility Ineligibility Period	Federal Citation	Maintenance Payment FFP*	Administrative Cost FFP*
88	Placement In a Licensed Foster Family Home (12/01/05 – 12/31/05)	472(a)(2)(C) 472(c) 1356.71(d)(1)(iv) 1355.20	\$413	\$0
89	Valid Removal (9/17/98 – 3/31/06)	472(a)(1) 1356.21(k)(2)	\$37,101	\$4,392
95	AFDC Eligibility (3/01/04 – 3/31/06) Placement In a Licensed Foster Family Home (12/01/05 – 3/31/06)	472(a)(1) 472(a)(3) 1356.71(d)(1)(v) 472(a)(2)(C) 472(c) 1356.71(d)(1)(iv) 1355.20	\$8,228	\$1,463
99	AFDC Eligibility (1/11/96 – 5/31/06) Reasonable Efforts to Make and Finalize a Permanency Plan (4/01/01 – 3/31/02)	472(a)(1) 472(a)(3) 1356.71(d)(1)(v) 472(a)(1) 471(a)(15)(B)(ii) 471(a)(15)(C) 1356.21(b)(2)	\$53,453	\$13,333
101	Reasonable Efforts to Prevent Removal (8/25/01 – 6/30/06)	472(a)(2)(A) 471(a)(15)(B)(i) 1356.21(b)(1)	\$27,282	\$6,961
112	Valid Removal (6/28/02 – 5/31/06)	472(a)(1) 1356.21(k)(2)	\$15,442	\$4,213
118	Reasonable Efforts to Make and Finalize a Permanency Plan (10/1/05 – 10/31/05)	472(a)(1) 471(a)(15)(B)(ii) 471(a)(15)(C) 1356.21(b)(2)	\$449	\$144
123	AFDC Eligibility (2/12/04 – 3/31/06) Ineligible Duplicate Payment (11/01/05 – 11/01/05)	472(a)(1) 472(a)(3) 1356.71(d)(1)(v) 471(a)(10) 471(20) 472(b) & (c) 1356.30	\$3,494	\$561
124	Placement In a Licensed Foster Family Home (6/01/05 – 10/31/05) Reasonable Efforts to Make and Finalize a Permanency Plan (4/01/01 – 7/31/02)	472(a)(2)(C) 472(c) 1356.71(d)(1)(iv) 1355.20 472(a)(1) 471(a)(15)(B)(ii) 471(a)(15)(C) 1356.21(b)(2)	\$19,003	\$1,572

Case Number	Reason For Ineligibility Ineligibility Period	Federal Citation	Maintenance Payment FFP*	Administrative Cost FFP*
128	Placement In a Licensed Foster Family Home (3/21/03 – 6/01/06)	472(a)(2)(C) 472(c) 1356.71(d)(1)(iv) 1355.20	\$22,621	\$5,665
	Safety Requirements for Foster Care Provider (3/21/03 – 6/01/06)	471(a)(20) 475(1) 1356.30		
	Reasonable Efforts to Make and Finalize a Permanency Plan (4/01/1 – 9/30/02)	472(a)(1) 471(a)(15)(B)(ii) 471(a)(15)(C) 1356.21(b)(2)		
131	Placement In a Licensed Foster Family Home (3/01/06 – 3/31/06)	472(a)(2)(C) 472(c) 1356.71(d)(1)(iv) 1355.20	\$11,116	\$2,348
	Reasonable Efforts to Make and Finalize a Permanency Plan (4/01/01 – 2/28/03)	472(a)(1) 471(a)(15)(B)(ii) 471(a)(15)(C) 1356.21(b)(2)		
Total			\$325,514	\$66,138
Grand Total for Error Cases			\$391,652	

*Amounts rounded to nearest dollar.

Ineligible Payment Cases

The following chart provides details for the 23 cases containing ineligible payments, the reasons for ineligibility, the appropriate citations, the dates of ineligibility, and the disallowance amount.

Case Number	Reason For Ineligibility Ineligibility Period	Federal Citation	Maintenance Payment FFP*	Administrative Cost FFP*
2	Reasonable Efforts to Make and Finalize a Permanency Plan (4/01/01 – 1/31/03)	472(a)(1) 471(a)(15)(B)(ii) 471(a)(15)(C) 1356.21(b)(2)	\$21,839	\$2,689
3	Reasonable Efforts to Make and Finalize a Permanency Plan (4/01/01 – 9/30/01)	472(a)(1) 471(a)(15)(B)(ii) 471(a)(15)(C) 1356.21(b)(2)	\$4,561	\$717
	Ineligible Duplicate Payment (10/21/05 – 10/31/05)	471(a)(10) 471(20) 472(b) & (c) 1356.30		

Case Number	Reason For Ineligibility Ineligibility Period	Federal Citation	Maintenance Payment FFP*	Administrative Cost FFP*
5	Ineligible Overpayment (5/09/05) Ineligible Duplicate Payment (8/05/05 – 8/10/05) Ineligible Duplicate Payment (3/30/06 – 3/31/06)	472Ia)(1)-(4),(e)(f)&(g) 471(a)(10) 471(20) 472(b) & (c) 1356.30	\$260	\$0
7	Reasonable Efforts to Make and Finalize a Permanency Plan (4/01/01 – 8/31/01)	472(a)(1) 471(a)(15)(B)(ii) 471(a)(15)(C) 1356.21(b)(2)	\$5,640	\$597
11	Placement In a Licensed Foster Family Home (7/01/04 – 1/31/05)	472(a)(2)(C) 472(c) 1356.71(d)(1)(iv) 1355.20	\$5,026	\$0
14	Placement In a Licensed Foster Family Home (8/11/04 – 6/30/05)	472(a)(2)(C) 472(c) 1356.71(d)(1)(iv) 1355.20	\$4,722	\$0
18	Reasonable Efforts to Make and Finalize a Permanency Plan (6/01/02 – 8/31/02)	472(a)(1) 471(a)(15)(B)(ii) 471(a)(15)(C) 1356.21(b)(2)	\$633	\$122
37	Reasonable Efforts to Make and Finalize a Permanency Plan (4/01/01 – 3/31/03)	472(a)(1) 471(a)(15)(B)(ii) 471(a)(15)(C) 1356.21(b)(2)	\$9,150	\$1,084
50	Reasonable Efforts to Make and Finalize a Permanency Plan (4/01/01 – 6/30/02)	472(a)(1) 471(a)(15)(B)(ii) 471(a)(15)(C) 1356.21(b)(2)	\$6,211	\$1,817
52	Reasonable Efforts to Make and Finalize a Permanency Plan (4/01/01 – 6/30/02)	472(a)(1) 471(a)(15)(B)(ii) 471(a)(15)(C) 1356.21(b)(2)	\$6,627	\$1,817
68	Placement In a Licensed Foster Family Home (9/14/04 – 2/28/05)	472(a)(2)(C) 472(c) 1356.71(d)(1)(iv) 1355.20	\$2,394	\$0
73	Ineligible Duplicate Payment (9/01/05)	471(a)(10) 471(20) 472(b) & (c) 1356.30	\$26	\$0
104	Reasonable Efforts to Make and Finalize a Permanency Plan (4/01/01 – 4/30/02)	472(a)(1) 471(a)(15)(B)(ii) 471(a)(15)(C) 1356.21(b)(2)	\$9,911	\$1,572

Case Number	Reason For Ineligibility Ineligibility Period	Federal Citation	Maintenance Payment FFP*	Administrative Cost FFP*
106	Reasonable Efforts to Make and Finalize a Permanency Plan (5/01/01 – 8/31/02)	472(a)(1) 471(a)(15)(B)(ii) 471(a)(15)(C) 1356.21(b)(2)	\$5,617	\$1,697
108	Reasonable Efforts to Make and Finalize a Permanency Plan (10/01/02 – 10/31/02)	472(a)(1) 471(a)(15)(B)(ii) 471(a)(15)(C) 1356.21(b)(2)	\$371	\$126
114	Reasonable Efforts to Make and Finalize a Permanency Plan (4/01/01 – 11/30/01)	472(a)(1) 471(a)(15)(B)(ii) 471(a)(15)(C) 1356.21(b)(2)	\$3,916	\$961
120	Safety Requirements for Foster Care Provider (5/01/04 – 5/30/04)	471(a)(20) 475(1) 1356.30	\$257	\$131
127	Contrary to the Welfare (3/31/05) Reasonable Efforts to Prevent Removal (3/31/05)	472(a)(2)(A) 1356.21(c) 472(a)(2)(A) 471(a)(15)(B)(i) 1356.21(b)(1)	\$22	\$0
132	Placement In a Licensed Child Care Institution (4/01/05 – 5/31/05)	472(a)(2)(C) 472(c) 1356.71(d)(1)(iv) 1355.20	\$1,601	\$274
135	Safety Requirements for Foster Care Provider (6/16/04 – 11/02/05)	471(a)(20) 475(1) 1356.30	\$4,933	\$1,352
143	Reasonable Efforts to Make and Finalize a Permanency Plan (4/01/01 – 8/31/03)	472(a)(1) 471(a)(15)(B)(ii) 471(a)(15)(C) 1356.21(b)(2)	\$14,263	\$2,357
145	Ineligible Duplicate Payment (3/01/03 – 3/31/03)	471(a)(10) 471(20) 472(b) & (c) 1356.30	\$409	\$0
OS-2	Ineligible Duplicate Payment (11/23/05 – 11/30/05)	471(a)(10) 471(20) 472(b) & (c) 1356.30	\$100	\$0
Total			\$108,486	\$17,313
Grand Total for Ineligible Payment Cases			\$125,799	

*Amounts rounded to nearest dollar.

Underpayment Cases

The following chart provides details for the nine cases containing underpayments in which both the child and the provider were title IV-E eligible but title IV-E maintenance was not claimed by the Agency. The District may file a claim for these cases once they verify that all eligibility criteria were met. Reimbursement for these cases in which title IV-E eligible children may be requested only for claims that are within the two-year time limitation as described in 45 CFR 95.7.

Case Number	Maintenance Payment FFP
16	\$716
23	\$10,164
36	\$3,305
50	\$4,771
52	\$4,771
56	\$716
65	\$413
141	\$413
146	\$3,532
Total FFP	\$28,800

AREAS OF CONCERN

While the District has made significant progress in improving in its foster care maintenance program over the past several years, there are some areas the Agency should continue to focus attention to further the advancements in the program.

- Section §472(a)(2) of the Social Security Act (the Act) requires that the responsibility for placement and care of a child be with the State agency administering the title IV-E plan approved under Section §471 of the Act, or any other public agency with whom the State agency has a written agreement in effect. During the on-site review, the State agency must present documentation that it, or another public agency under a 472(a)(2)(B) agreement, has responsibility for placement and care of the child for the entire period under review. The court order or voluntary placement agreement must indicate that the agency has this responsibility. Placement and care responsibility may be granted in the removal court order or in a subsequent court ruling for a judicial removal. District court orders do not specify that the Child and Family Services Agency has placement and care responsibility when a child is first removed from the home and placed in foster care pursuant to the court order. Some older court orders referred to the “government” to provide services, while others did not specify any agency at all. Although the new standardized disposition court orders do indicated that the child is committed to the care of CFSA, the disposition review may not occur in some cases until several months after the child has entered foster care. No cases were determined to be in error based on this issue since ACF received a written opinion from

the District's Office of General Counsel that clarified the court rulings pertaining to this issue. However, the District should revise its standardized court orders to specify when CFSA has placement and care responsibility of a child. This should be delineated at the time of removal and throughout the foster care episode until the child exits foster care.

- Court orders do not specify from whom the child is being removed. This created a problem when a child was initially placed in foster care who was then conditionally released to a third party such as a relative and then came back into foster care under another court order. When a child moves back and forth between foster care and his or her parent's home, and/or a different relative's home, it is difficult to ascertain the removal home for each foster care episode if it is not clearly indicated in the court order. This also makes it challenging to determine if the child meets AFDC eligibility requirements since the child must be living with the specified relative, from whom the child is legally removed, in the month of legal removal or must have been living with the specified relative, from whom legally removed, at some time within the previous six months of removal and must have been AFDC eligible in that specified relative's home in the month of legal removal. Several cases were found to be errors during the review either because the removal was not valid due to the third party placement or because of the inability of the child to be AFDC eligible, or both.
- As stated previously, placement and care responsibility must be vested with the State agency administering the title IV-E plan. In some cases reviewed a child had been adopted and the child was still receiving title IV-E foster care maintenance payments rather than title IV-E adoption assistance payments. This is an issue that was a problem from the last review and resulted in several cases being determined as errors.
- AFDC eligibility may be granted to an otherwise eligible child who is under 18 years of age. When a child reaches his or her 18th birthday, AFDC eligibility ceases on the first day of the next month. However, a State agency may have elected to include in its AFDC State plan eligibility coverage youth age 18 who are full-time students in a secondary school, or in the equivalent level of vocational training or technical training, and who may reasonably be expected to complete the program before reaching the age 19. If the State agency exercises this State plan option, eligibility for title IV-E ceases at the end of the month in which the child leaves school or when the child turns 19, whichever is earlier. School records, records, independent living plans, or other documentation similar in purpose are examples of evidence that may be used to satisfy the eligibility requirement. The District had a few error cases in which children who were 18 continued to receive title IV-E foster care payments although they were not expected to complete their programs by their 19th birthdays. This was also an issue during the last review.
- In order to receive title IV-E foster care maintenance payments, a child must be placed in a title IV-E eligible foster care home or facility and that home or facility must meet the standards for full licensure or approval established by the State. Licenses or approvals, such as probationary or provisional, that are issued to a foster care facility because the facility fails to satisfy all of the State's standards for full licensure or approval render the children who are placed in the foster care facility or home ineligible for title IV-E funding. In addition, the State agency may not claim title IV-E funds for a foster care facility for which the State

issues an interim license pending satisfaction of a licensing standard. Many of the case errors found during the review were due to the child being in an unlicensed foster family home or childcare institution or the lack of documentation for the provider to determine the licensing status of the foster home or facility.

- In addition to errors involving licensing, some cases also had errors for the safety requirements for foster care homes or facilities. As required by the Social Security Act, the State agency is required to conduct a criminal records check for prospective foster parents and provide documentation that criminal records checks are conducted with respect to each prospective foster parent in a foster family home and that a prospective foster parent is not convicted of any of the felonies enumerated in §471(a)(20) of the Act. For childcare institutions, States are required to set procedures that address safety considerations with respect to the staff of the facility. The safety requirements must be written into State policy, procedures, or statutes, and incorporated into the licensing documentation. The State agency must provide documentation verifying that safety considerations with respect to the staff of the institutions are satisfied for the duration of the child's placement for the period under review. In addition, the documentation must demonstrate that the staff of the childcare institution meets the safety criteria that the State establishes. If the childcare institution does not meet the safety requirements of the State, title IV-E foster care payments cannot be made on behalf of a child who is placed in the foster care facility. In some of the cases reviewed, the facility was licensed even when the facility had not received the child protective services clearances and/or criminal records checks on some of the staff. This was found during the review to not meet the safety requirements since the District's licensing requirements state that "All prospective and existing staff shall undergo a criminal records check prior to commencing work at any facility...No facility shall allow any person to serve as a staff person who has a conviction for any of the following offenses or their equivalents: (a) child abuse; (b) Child neglect; (c) Spousal abuse; (d) A crime against children, including child pornography; or (e) a crime involving violence, including but not limited to, rape, sexual assault, homicide, and assault." However, with the additional documentation provided by the District, the errors involving the staff in the facilities were reversed.

STRENGTHS AND MODEL PRACTICES

- The case record review found that judicial determinations of contrary to the welfare and reasonable efforts to prevent removal were made on a timely basis for the majority of cases (147 out of 150). In general, newer court orders were clear, child-specific, and documented specific reasons for the child's removal.
- A judicial determination regarding reasonable efforts to finalize the child's permanency plan must be made within twelve months of the date on which the child is considered to have entered foster care and at least once every twelve months thereafter while the child is in foster care. During the review, it was found that the judicial findings on the child's permanency plan, particularly for the period under review, were issued timely and more frequently than is required under title IV-E regulations. These court orders contained detailed, child-specific information, and clear judicial expectations for actions to achieve the

desired permanency outcomes. While the review identified ineligible payments for cases that did not have the required judicial determination prior to the period under review, overall compliance with this requirement is a vast improvement over the District's last review.

- It was clear from the review that the District has made extensive improvements in its licensing system. During the last review, it was noted that CFSA was in transition with respect to its licensing program. These efforts have allowed the Agency to ensure that children are placed in fully licensed foster homes and facilities. If for a particular reason a home or facility cannot be fully licensed, CFSA has implemented financial procedures that are designed to cease claiming title IV-E funds until such time as the home or facility comes into compliance. This is a major advancement since the last review.
- The case review found that the District of Columbia's Family Court Act of 2001, which created the DC Family Court, had a significant positive impact on the children and families in the cases reviewed. For children who came into care after the implementation of the Family Court in the District, it was found that their cases were generally being reviewed in court every three months. The emphasis on court reviews should translate into children having more appropriate permanency goals identified and their permanency plans finalized in a more timely manner.
- CFSA review team members were knowledgeable about the fiscal and programmatic aspects of title IV-E eligibility. Also, it appeared that the Agency's program, fiscal, legal, and information technology staff have an ongoing collaborative relationship which contributed to successful program improvement. This internal relationship and the partnership with the court, in turn, led to a successful review.

OTHER IDENTIFIED ISSUES

- It should be noted that for some of the cases the entire record was not provided for the review although the eligibility file was made available. This resulted in gaps in needed information and a less than full picture of the circumstances in these cases. In some instances, information that might have been of assistance in clarifying or confirming case circumstances was omitted from the file. Reviewers were required to make determinations on case compliance with incomplete information.
- CFSA uses its automated system to determine and re-determine AFDC eligibility. In reviewing the cases for initial eligibility and ongoing eligibility, it was difficult to identify many of the requirements on the instrument such as an indication of the month used to determine initial eligibility, deprivation factor, financial need evaluation, and the period of re-determination. Reviewers had to piece together the information in the electronic files and the information in the paper case record to determine whether eligibility was satisfied. It would be beneficial for the Agency to develop an electronic format that captures this information so that a complete documentation of eligibility is maintained in the automated system.

DISALLOWANCE

The District's secondary review included a sample of 150 cases with a dollar value of \$521,422 for the period under review. The sample was 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 October 1, 2005 through March 31, 2006. Based on the results of the review, the District has been found to be in substantial compliance. However, 25 cases were determined to be in error and an additional 23 cases were identified as having ineligible payments. Therefore, a disallowance in the amount of \$517,451 FFP has been assessed for the entire period of time that these cases were determined to be in error.

REVIEW TEAM MEMBERS

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Pongee Murphy
James Posey
John Simmons
Nannette White