

THE UTAH TITLE IV-E FOSTER CARE ELIGIBILITY REVIEW REPORT
DEPARTMENT OF HUMAN SERVICES
DIVISION OF CHILD AND FAMILY SERVICES
SEPTEMBER 16-18, 2002

I. INTRODUCTION

The Utah Department of Human Services, Division of Child and Family Services (DCFS) 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 Salt Lake City, September 16 through 18, 2002.

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 Utah Title IV-E Eligibility Review encompassed all Title IV-E foster care cases in the state during the period of October 1, 2001 through March 31, 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 Utah IV-E Eligibility Review Team included thirteen individuals. The Utah DCFS State eligibility reviewers included: Jeri Jensen, State Office, Title IV-E Trainer; Debbie Land, Northern Region, Eligibility Worker; Linda Moon, Western Region, Eligibility Worker; Marsha Sherman, Eastern Region, Eligibility Worker; Jeannie Warner, Western Region, Eligibility Worker; and Cosette Mills, Utah Federal Liaison and State Team Leader. Paul Kirisitz, ACF Director, Program Implementation, represented the ACF Central Office. ACF Regional staff participating in the eligibility review included: Marilyn Kennerson, National Review Team Leader; Region VIII State Program Specialists Oneida Little, Eric Busch and Gloria Montgomery; Susan Duncan, a cross-state participant from the state of Colorado; and Regional Office Utah Team Leader Kevin Gomez.

III. CASE RECORD SUMMARY

The eligibility review of eighty cases was Utah's Initial Primary Review and of the sampling frame, three 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 Utah Department of Human Services, Division of Child and Family Services has been determined to be in substantial compliance with Title IV-E requirements. Specific information on the three cases and their errors, are as follows:

Case One

Foster Care Provider is conditionally licensed. The federal regulation requires that the provider be determined by the state to designated full licensure per Title 45 CFR 1357.71(d)(1)(iv).*

The overpayment amount is \$3,591 during the period of December 24, 2001 until February 28, 2002.

Case Two

Foster Care Provider is conditionally licensed.*

The overpayment amount is \$403 for one month during the period October 1, 2001 until October 31, 2001.

Case Three

Foster Care Provider not licensed.*

The overpayment amount is \$79 for three days during the period of November 28, 2001 until November 30, 2001.

THE TOTAL DISALLOWED AMOUNT IS \$4,073.00.

The IV-E Eligibility Review Team also made comments that will provide further insights into the process and findings. These comments are located in THE APPENDIX section of the Summary of Issues.

**SUMMARY OF ISSUES
STATE OF UTAH
TITLE IV-E ELIGIBILITY REVIEW**

APPENDIX

STRENGTHS

DOCUMENTATION AND FILE ORGANIZATION

- . Eligibility files were well organized, allowing for information to be located easily
- . The Title IV-E eligibility process was thorough including:
 - document gathering
 - income and asset verification
 - interface with other information sources
 - rationale for eligibility decision
- . Forms used for application and determination emphasize:
 - Title IV-E criteria
- . Title IV-E determinations were well documented
- . Presence of Title-IV-E and Medicaid information in one file made review process very smooth
- . Eligibility determination process was routinely well documented.
- . Standard application and determination forms were used statewide and allowed for greater consistency
- . “Seamless” eligibility process seemed to be efficient and not disruptive for field staff
- . One eligibility file was kept by the eligibility workers throughout episodes of custody
- . Eligibility staff have access to SAFE system which provides access to supporting documentation

PRACTICE ISSUES

- . Preparation for the review allowed for a smooth and efficient review process
- . Quarterly training for eligibility staff allowed for clear understanding of state and federal policy
- . Annual peer reviews also provides for re-enforcement of training and consistency of practice
- . Well-documented processes exist that demonstrate a systematic method for backing out overpayments and adjustments for ineligible periods
- . Extensions of foster care provider licenses were well documented
- . Court orders documenting “reasonable efforts” to achieve permanency provided several examples of children moving to appropriate permanent living arrangements

AREAS IN NEED OF DOCUMENTATION

DOCUMENTATION AND FILE ORGANIZATION

- . Petitions are recommended for inclusion in all eligibility files
- . Recommendation for tracking process to ensure that permanency orders are included, as needed, in eligibility files
- . New methods need to be put in place to track the licensing history of providers
- . Recommendation that a workgroup needs to determine where items should be located in the eligibility files to promote increased consistency in the files

PRACTICE ISSUES

- . Recommendations for additional training for eligibility workers regarding program requirements
- . More clarification needs to be provided regarding licensing “extensions” and conditional licenses
- . Recommendations that work needs to occur to reduce the number and length of license extensions
- . Efforts need to be made to improve the timeliness of permanency hearings for children in out-of-home care
- . All court orders need to be dated
- . Pre-printed court orders need to respond to circumstances in individual cases
- . Attention needs to be placed on the child welfare/juvenile justice interface in SAFE in order to properly account for all Title IV-E payments made for eligible children in all service systems
- . Recommendation that the current income and asset levels be adjusted by Congress in order to reflect more realistic economic levels

ADDENDUM

PROGRAM SPECIFIC ISSUES

- . It appears that there is significant reliance upon court determinations of “reasonable efforts” to prevent removal are not made, or necessary, due to the emergency nature of the situations; questions raised as whether this suggests a lack of preventive or in-home services.
- . Observations were made that the current interface between the child welfare and licensing/approval programs appears somewhat unclear
- . Observations of some case situations that may not be in the best interest of some children in out-of-home placement; some examples include:
 - (1) a one-year old child who was in five different placement settings over a four-month period; and
 - (2) young siblings who were placed in different foster home placements

