



State of Florida
Department of Children and Families

Rick Scott
Governor

Mike Carroll
Interim Secretary

DATE: August 19, 2014

TO: Regional Managing Directors
Community-Based Care Lead Agencies

THROUGH: ^{Acting} Pete Digre, Deputy Secretary

FROM: Traci Leavine, Director of Child Welfare Practice
Kellie Sweat Darnell, Director of Child Welfare Operations

SUBJECT: Title IV-E Eligibility

PURPOSE: The purpose of this memorandum is to provide information regarding Title IV-E eligibility determinations. It also serves as a reminder of the continuing requirement under the Terms and Conditions reauthorizing the IV-E Foster Care Demonstration Waiver for determining IV-E eligibility for children in care.

BACKGROUND: Since the Florida Medicaid system changes in July, we have received calls and emails regarding the requirement for CBCs to conduct eligibility determinations when the Title IV-E waiver allows federal IV-E to be spent for all children served. Although the Terms and Conditions allow the state to use Title IV-E Foster Care funds flexibly for all children (IV-E eligible and non IV-E eligible), it does not eliminate the requirement for completing IV-E eligibility determinations for children in licensed out-home-care. The reasoning for this includes:

- IV-E eligibility must be completed to ensure that eligible children retain their eligibility after the demonstration ends;
- Title IV-E eligibility rate is used in the state's cost allocation plan and is necessary in order for the state to claim IV-E administration and training funds. Florida has one of (if not) the highest IV-E eligibility rates in the country; and
- IV-E FC eligibility is a pre-requisite for IV-E Maintenance Adoption Subsidy.

Earlier this year, the agency decided to transition to FSFN for conducting Title IV-E eligibility determinations to ensure full compliance with federal SACWIS and IV-E requirements. The process for conducting eligibility determinations has been bifurcated for years. Revenue maximization staff gathered the necessary information and supporting documentation, completed the application for Title IV-E, and submitted the documents to Economic Self Sufficiency (ESS), Child in Care (CIC). CIC staff

1317 Winewood Boulevard, Tallahassee, Florida 32399-0700

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determined eligibility for Title IV-E foster care and adoption assistance, and returned the results to revenue maximization.

The recent changes to FLORIDA Medicaid eligibility systems and upcoming changes to FSFN support the decision to streamline the IV-E eligibility determination process. Changes to the FLORIDA Medicaid system are complete and FSFN eligibility modifications are scheduled for completion by the end of the calendar year. In the interim, the IV-E foster Care eligibility and adoption assistance eligibility determinations will be completed within the current FSFN environment.

There are three phases for eligibility redesign:

- Phase I: Upgrade FLORIDA system to automate the Medicaid eligibility determination process. (Completed - July)
- Phase II: Upgrade FSFN to support the full Title IV-E Eligibility determination process. (Target completion – December)
- Phase III: Enhance the FSFN to FLORIDA interface to accept the FSFN Medicaid application without manual intervention (Target completion – spring 2015).

A joint project overview on was provided by the Office of Child Welfare and ESS Program on June 20, 2014 and a training was provided on the FLORIDA Family Track Screen Guide on July 9, 2014. The link to this training is:
http://centerforchildwelfare.fmhi.usf.edu/kb/RevMax/FLORIDA_FamilyScreenGuide2014.pdf

ACTION REQUIRED: Please remind all staff it is very important that management, case managers, supervisors, revenue maximization specialists and Children's Legal Services (CLS) are knowledgeable of Title IV-E requirements. This will help to guarantee that eligibility determinations are completed accurately, with the necessary documentation supporting judicial oversight, criminal background and safety checks, licensing and other eligibility requirements. Therefore, Community-Based Care (CBC) lead agencies must ensure that title IV-E eligibility determinations are conducted to preserve a child's eligibility.

In addition, CLS must ensure that court orders contain appropriate language at critical junctures. A judicial finding of "contrary to the welfare" must be made at the first court hearing that sanctions the removal of the child. The court must also make a judicial finding that the Department has made "reasonable efforts" to prevent the unnecessary removal of the child, or that reasonable efforts were not required at the time of removal. Additionally, there must be a judicial finding that reasonable efforts were made to finalize the permanency plan within 12 months of the removal and every 12 months thereafter. Refer to CFOP 175-71, Chapter 3.

We are providing the link to the Title IV-E Waiver Demonstration Terms and Conditions (Terms and Conditions) document for your reference.
<http://centerforchildwelfare.fmhi.usf.edu/kb/GenIVE/WaiverTErms2013-2018.pdf>

The Office of Child Welfare is developing additional training on IV-E Foster Care eligibility determinations. Please be on the look-out for announcements about this training in the near future.

CONTACT INFORMATION: Should you have any policy questions, please contact Sallie Bond at (850) 717-4657 or via email at Sallie_Bond@dcf.state.fl.us or Mukweso Mwenene at (850) 717-4672 or via email at mukweso_mwenene@dcf.state.fl.us. For questions related to the upcoming changes to FSFN, please contact Alicia Dyer via e-mail at Alicia_Dyer@dcf.state.fl.us or Maria Leon via e-mail at Maria_Leon@dcf.state.fl.us.

Please share this memorandum with all staff who contribute to and are responsible for eligibility determinations.

cc: Nevin Smith, Chief Financial Officer
Janice Thomas, Assistant Secretary for Child Welfare
Grainne O'Sullivan, Children's Legal Services Statewide Director
Mark Mahoney, Director of Revenue Management
Barney Ray, Lead Agency Fiscal Accountability
Regional Family and Community Services Directors
JoShonda Guerrier, Director of Child Welfare Strategic Projects
DCF CBC Contract Managers