

Ohio

**Department of
Job and Family Services**

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Office of Families
and Children
Bureau of Fiscal Accountability

Overview of the Title IV-E Juvenile Court Program

Presented by:
The Bureau of Fiscal
Accountability



Overview of the Title IV-E Juvenile Court Program

WHAT IS TITLE IV-E?

Title IV-E is a federal program that subsidizes the cost of care for eligible youth placed in foster care



PROGRAM HISTORY

- In 1980 in response to “foster care drift” Congress passed the Adoption Assistance and Child Welfare Act (Public Law 96-272)
- This law amended the Social Security Act of 1935 and established the Title IV-E program to provide federal funding for placement service to children



PROGRAM HISTORY

- Prior to Title IV-E, children received Aid to Dependent Children in Foster Care (ADC-FC) through Title IV-A
- Upon its creation, funding was transferred from Title IV-A to Title IV-E. However, Title IV-E eligibility remains dependent upon a child meeting Title IV-A requirements (ADC-relatedness, 1996)



PROGRAM OBJECTIVES

- Reduce reliance on out-of-home care
- Encourage the use of preventive and reunification services
- Require permanency planning



The Federal Government reimburses States for the following services provided while youth are in foster care:

- Maintenance Costs
- Administration Costs
- Training Costs

Maintenance Costs

The cost of providing:

- Food
- Shelter
- Clothing
- Personal Incidentals
 - Examples: Personal Hygiene
 - Special dietary foods
 - Over-the-counter medications
 - Special lessons etc.
- School Supplies
- Travel Costs – *reasonable cost of travel to a child's home for visitation*
- Daily Supervision
- Liability Insurance with respect to the child

Administration Costs

- Overhead costs associated with administering the Title IV-E program
- Case Management Activities
- Cost of travel to children's judicial or case review



Title IV-E Eligibility Requirements for Foster Care Maintenance Status

There are two distinct types of Title IV-E Foster Care Maintenance (FCM) statuses:

1. Program Eligible
2. Program Reimbursable

Both must be concurrently achieved before FCM payments may be issued

Program Eligibility

A child is eligible if at the time the child entered care the following have been met:

ADC-Relatedness (*Standards from July 7, 1996*)

- Age
- Living with a specific relative
- Deprivation
- Need
- Resources

Judicial Determination

- Best Interest (BE)
- Reasonable Efforts (RE)

Legal Responsibility

- Care and control of the child

Program Reimbursability

○ **Child's need for Reimbursement**

- Determined by comparing the child's income to the cost of care. If the child's income exceeds the cost of care the child will not be reimbursable

○ **Child's Placement** *-Reimbursable Placement Settings*

- Licensed, approved and certified
- Public facility with capacity of 25 or less
- Title IV-E rate established

Foster Care Maintenance (FCM) Reimbursement Rate

- The rate is set every year at the beginning of the new Federal Fiscal Year (FFY)
- The current federal reimbursement rate is 63.02 % for October 1, 2013, through September 30, 2014 (FFY2014)

Administration & Training

**The method of claiming these costs is JFS
Form 01797 Quarterly Billing**

**There are three dynamics that make up the
billing**

- 1. Allowable Costs**
- 2. Allowable Activities**
- 3. Allowable Youth**



1. Allowable Costs

- **Development of the Cost Pool**



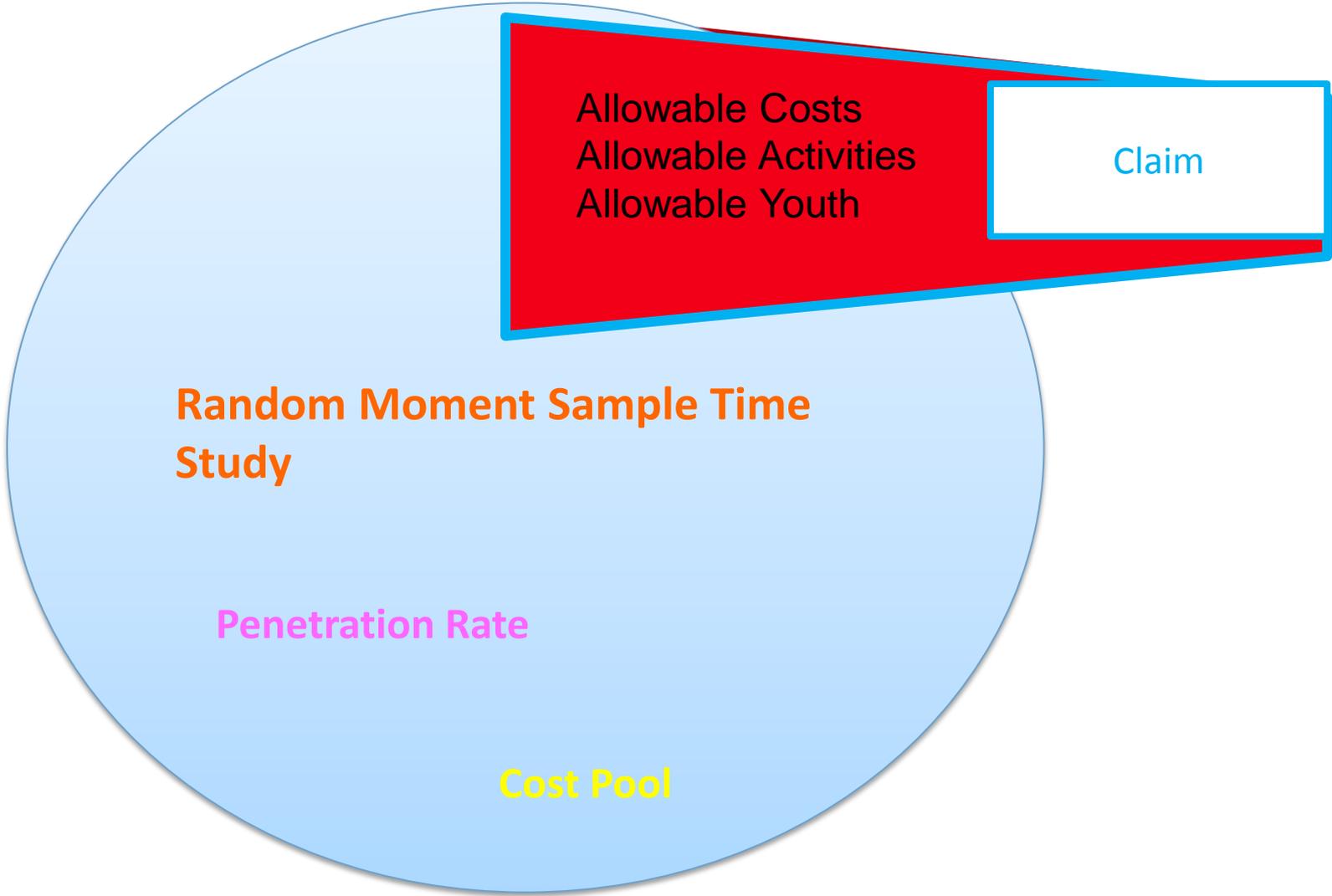
2. Allowable Activities

- **Conduct quarterly Random Moment Sample (RMS) Time Studies**



3. Allowable Youth

- **Determine the IV-E Ratio**



Allowable Costs
Allowable Activities
Allowable Youth

Claim

Random Moment Sample Time
Study

Penetration Rate

Cost Pool



Administration & Training Reimbursement Rate

- The federal reimbursement rate for Administration Costs is set at 50%.
- The federal reimbursement rate for Training Costs is set at 75%.



How do I become a Title IV-E Court ?

Title IV-E Procedures for Interested Juvenile Courts

Action steps/Timeline

Title IV-E Procedures for Interested Juvenile Courts, cont'd

- ✓ Send a letter of interest to:

**Ohio Department of Job and Family
Attn: Ricardo Murph
Bureau of Administration and Fiscal Accountability
P.O. Box 183204
Columbus, Ohio 43218-3204**

**or e-mail it as an e-mail attachment to
Ricardo.Murph.@jfs.ohio.gov**

- ✓ ODJFS e-mails information package to interested court within 5 days of request of interest
- ✓ Court reviews the material (model of the Subgrant Agreement and other Title IV-E related information) with Public Children's Services Agency (PCSA) and County Commissioners
- ✓ After internal discussions, court contacts ODJFS to clarify any issues regarding the Title IV-E Subgrant Agreement Process, if needed

Title IV-E Procedures for Interested Juvenile Courts, cont'd

- ✓ The Readiness Review process will be scheduled by contacting ODJFS, Ricardo Murph
- ✓ Once the Readiness Review is approved, ODJFS will start the Subgrant Agreement process:
 - ✓ ODJFS will forward the original draft of the agreement to the interested court
 - ✓ The court is responsible for obtaining signatures of the authorized court representative and the county commissioners and return the draft to ODJFS, Ricardo Murph, in a timely manner
 - ✓ After the ODJFS Director's signature is obtained and the agreement has been processed, an executed copy of the final agreement will be provided to the court
- ✓ The executed copy of the agreement is the legal document that authorizes the juvenile court to act as a Title IV-E agency



The ODJFS Subgrant Agreement with the County Juvenile Courts



Parties to the Subgrant Agreement

- The Ohio Department of Job and Family Services (ODJFS)
- The County Board of Commissioners
- The County Juvenile Courts

Responsibilities of the Subgrantee (Court)

(as defined in Article I, B.1.)

- *A court having responsibility for the placement and foster care of children:*
 - Will exercise authority granted under O.R.C. Chapter 2151 and the Ohio Rules of Juvenile Procedure
 - Will render adjudicatory and dispositions regarding children within the jurisdiction of their county
 - Will supervise the implementation of such determinations, as necessary to perform such other duties that may be required of it by the operation of Title IV-E

Responsibilities of the Subgrantee (Court)

(as defined in Article I, B.2.g.-j) cont'd

- Will develop and implement a case plan for the child as required by Ohio Administrative Code (OAC) Rule 5101:2-39-08.1 (or 5101:2-38-05 once implemented in the Statewide automated child welfare information systems (SACWIS))
- Will conduct the periodic review of a child's case that is required by Sections 2151.416 and 2151.417 of the O.R.C., 42 USCA 675 (5) (A), and will incorporate any findings of that review into the case plan
- Will refer the child's case to the County Child Support Enforcement Agency (CSEA) whenever appropriate
- Will conduct all dispositional hearings required by O.R.C. Sections 2151.354 and 2152.11

Responsibilities of the Subgrantee (Court)

(as defined in Article I, B.2.a-c.) cont'd

Courts seeking reimbursement for actual Foster Care Maintenance Costs are responsible for making sure all of the following elements are present:

The child has been:

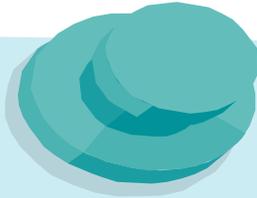
- adjudicated by the court to be unruly or delinquent;
- determined eligible for Federal Financial Participation (FFP) under Title IV-E;
- placed in a foster care facility that is certified, licensed, or approved by ODJFS or another state agency recognized by ODJFS as a placement qualified for Title IV-E maintenance FFP.

Responsibilities of the Subgrantee (Court)

(as defined in Article I, B. 7) cont'd

The court will not deliberately adjudicate a child unruly or delinquent for the sole purpose of receiving FFP under the Subgrant Agreement

- “No Cherry picking”



Foster Care Maintenance cost claims have to be made solely from local and state funds and further will not be claimed to any other federal reimbursement source



ODJFS Monitoring

The court agrees to allow ODJFS to assess and monitor their adherence to the requirements of Article I of the Subgrant Agreement



Collaboration with County Department of Job and Family Services

Some of the technical support you can receive are in regards to:

- Eligibility Determinations
- Entering cases into the statewide automated information system (SACWIS)
- Referring Title IV-E eligible children to the local Child Support Enforcement Agency
- Procedures for transfer of earned federal Title IV-E reimbursements from the PCSA to the court
- Written interagency procedures with the CDJFS to access HealthChek



Responsibilities of the County Commissioners

- Provide at least 75% of all payments received from ODJFS
- Not to retain unspent funds at the close of the fiscal year
- Not to reduce the court's overall appropriation on account of any funds received



Why become a Title IV-E Court? What are the Benefits?

- Improve children and youth services in the county
- Special emphasis on developing community and neighborhood-based foster care resources in the county
- Increase the Federal Funding to support local budgets