



PAT LEARY
ACTING DIRECTOR

STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES
744 P Street • Sacramento, CA 95814 • www.cdss.ca.gov



GAVIN NEWSOM
GOVERNOR

April 30, 2019

ALL COUNTY LETTER NO. 19-34

TO: ALL COUNTY WELFARE DIRECTORS
ALL COUNTY PROBATION OFFICERS
ALL TITLE IV-E AGREEMENT TRIBES
ALL FOSTER CARE MANAGERS
ALL INDEPENDENT LIVING PROGRAM COORDINATORS
ALL CHILD WELFARE SERVICES PROGRAM MANAGERS
ALL ADMINISTRATIVE LAW JUDGES
ALL COUNTY CONSORTIUM PROJECT MANAGERS

SUBJECT: 2018 TITLE IV-E FOSTER CARE ELIGIBILITY REVIEW RESULTS
AND FINDINGS AND CHANGES TO BEGINNING DATE OF AID
FOR KIN-GAP

In July and August of 2018, Region IX of the Administration for Children, Youth and Families (ACYF) conducted California's sixth Title IV-E Foster Care Eligibility Review. The Period under Review (PUR) was October 1, 2017 through March 31, 2018. More than four cases in error would be considered not in substantial compliance with federal requirements. With only four error cases, the California Department of Social Services (CDSS) was determined to be in substantial compliance with Title IV-E of the Social Security Act program requirements. Accordingly, no secondary review or Program Improvement Plan will be required, and the next primary review will be held in 2021.

General Requirements

Reviewers determined whether appropriate documentation existed in each of the 80 cases to substantiate compliance with the following requirements: authority for placement; child welfare agency or probation responsibility for placement and care; Aid to Families with Dependent Children-Foster Care (AFDC-FC) eligibility of the home of removal (based on July 16, 1996 requirements); placement in an approved foster family home or child care institution; criminal records check and other safety requirements for foster care providers. Counties are reminded to continue to ensure compliance with CDSS' Eligibility and Assistance Standards (EAS) Manual sections 45-100 through 45-300 for determination of foster care eligibility.

The four cases (case sample numbers 5, 10, 53 and 72) that were determined to be in error during the PUR are discussed below. The ACYF determined that the cases listed below were not eligible for AFDC-FC payments during the PUR and, therefore, were cited as errors.

Identified Error Cases

Case #5

In this case, the child was placed into an adoptive home, dependency was dismissed, but Foster Care payments continued to be made.

Cases #10 and 53

The children in these cases were moved from Foster Care to Kinship-Guardianship Assistance Payment (Kin-GAP) program during the month, but Foster Care payment continued until the end of the month. This is consistent with State policy but ACYF determined this policy does not meet federal requirements (more information below).

Case #72

In this case, the child also moved from Foster Care to Kin-GAP but the payment continued several months after the dependency was terminated.

Improper Payments

Out of the 80 cases reviewed, there were a total of two cases with ineligible payments. Individual letters will be issued to counties regarding the recoupment of ineligible maintenance payments and related administrative costs associated with these cases during the review. The below Chart A below identifies the improper payments:

Chart A Improper Payments

Number	Improper Payment Reason and Ineligibility Period	Improper Payments (FFP)
8	Duplicate foster care payments were issued for the same period of time.	\$6472.00 Maintenance
78	Child was placed in an out-of-state facility. Host state/facility failed to perform all required background checks.	\$12,020.00 Maintenance \$4953.00 Admin

Kin-GAP

Welfare and Institutions Code, section 11390, subdivision (c) and Eligibility and Assistance Standards Manual (EAS) 45-607.1 require counties to continue AFDC-FC payments to the end of the month when dependency is dismissed mid-month due to the transfer of the case to Kin-GAP. However, ACYF has determined that this regulation does not meet the requirement that federal AFDC-FC payments only be made to children under the placement and care of the county. Accordingly, from the date of this ACL, AFDC-FC payments must cease as of the date the dependency is dismissed. Statute and regulations will be amended accordingly.

Resource Family Approvals (RFA)

Questions arose during the preparation for the Title IV-E audit about documentation requirements for RFA. The eligibility file should contain the RFA-05A approval certificate. For audits, the fingerprint clearances will also be required. It is important to note that RF approvals do not expire and that even when an update is not done timely, the approval is still valid. The only way an RF family ceases to be approved is if the family forfeits their approval or the county rescinds it.

If you have any questions about this ACL or the audit in general, please contact your county Foster Care Funding and Eligibility Consultant at (916) 651-2752.

Sincerely,

Original Document Signed By:

GREGORY E. ROSE
Deputy Director
Children and Family Services Division