



CDSS

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EDMUND G. BROWN JR.
GOVERNOR

June 9, 2015

COUNTY FISCAL LETTER (CFL) NO. 14/15-62

TO: ALL COUNTY WELFARE DIRECTORS
ALL COUNTY FISCAL OFFICERS
ALL COUNTY CHIEF PROBATION OFFICERS

SUBJECT: TITLE IV-E CALIFORNIA WELL-BEING PROJECT OVERPAYMENTS
CLAIMING INSTRUCTIONS

REFERENCE: [CFL NO. 14/15-22](#), DATED OCTOBER 1, 2014; [CFL NO. 13/14-30](#),
DATED NOVEMBER 20, 2013; [CFL NO. 10/11-66](#), DATED
APRIL 22, 2011; [ACL NO. 09-64](#), DATED DECEMBER 17, 2009;
[SENATE BILL \(SB\) 1013 \(CHAPTER 35, STATUTES OF 2012\)](#);
WELFARE AND INSTITUTIONS CODE (W&IC) [SECTIONS 10101\(a\),](#)
[11466.23, 11466.24, 15200\(c\) AND 15200\(d\)\(2\)](#); MANUAL OF POLICIES
AND PROCEDURES (MPP) SECTIONS [45-304 AND 45-305](#)

This CFL provides current Title IV-E California Well-Being Project (Project) counties with the appropriate reporting and claiming instructions for all overpayments on the CA 800 and temporary Extended Foster Care (EFC) assistance claims. [CFL No. 13/14-30](#) implemented changes to the overpayment claims used by Project and non-Project counties. This CFL provides further instruction and clarification to Project counties on changes made to the overpayment tabs CA800 OVERPAYMENT BEGINNING 070112 and CA800 WAIVER OVERPAYMENT BEGIN 070112 as a result of the Project extension.

Overpayments Background

Effective July 1, 2012, SB 1013 revised the overpayment timeframes and responsibilities for the federal Aid to Families with Dependent Children-Foster Care (AFDC-FC) program, federal Adoption Assistance Program (AAP), federal Guardian Assistance Payment (Fed-GAP) program and the federal EFC program. The California Department of Social Services (CDSS) developed revised claims to capture these overpayments. Prior to July 1, 2012, the state and county shared responsibility to repay the federal share of costs for overpayments. Due to the implementation of realignment as outlined in SB 1013, effective July 1, 2012, the overpayment process changed due to the State General Fund shifting to the Local Revenue Fund. Counties are now required to repay the entire federal share for overpayments upon completion of due process for the federal AFDC-FC, AAP, Fed-GAP and EFC programs.

Title IV-E Project Background

Effective October 1, 2014, CDSS entered into an extension of the California Title IV-E Child Welfare Waiver Demonstration Capped Allocation Project (CAP) that is now referred to as the Project. Under the Project extension, new federal terms and conditions were issued that waive the same federal statutes and regulations as the CAP. This extension is the start of the new Project period effective October 1, 2014, through September 30, 2019. Los Angeles and Alameda county will continue to participate in the Project and be collectively identified as "Cohort 1." Seven new County Welfare Departments (CWDs) and their respective County Probation Departments (CPDs) (Butte, Lake, Sacramento, San Diego, San Francisco, Santa Clara and Sonoma) have opted to participate in the Project and will be collectively identified as "Cohort 2." The new federal terms and conditions apply to both Cohort 1 and Cohort 2.

As previously instructed in [ACL No. 09-64](#) and [CFL No. 10/11-66](#), counties will continue to report all uncollectible and uncollected federal AFDC-FC, AAP, Fed-Gap and EFC overpayments following the completion of due process. The definitions for "uncollectible" and "uncollected" may be found in W&IC sections 11466.23 through 11466.24, and MPP sections 45-304 and 45-305.

Purpose for Project and Non-Project Overpayment Claims

Cohort 1 and Cohort 2 counties are required to identify and repay overpayments of federal funding that occurred prior to the CAP. Under the CAP, Cohort 1 counties were not affected by the American Recovery and Reinvestment Act (ARRA) funding reform for the Foster Care program. However, because AAP was outside of the CAP, it was affected by the ARRA funding reform for the Cohort 1 counties. **Cohort 1 counties** should continue to report overpayments for Foster Care and AAP on the CA 800 claim tabs labeled "CA800WAIVER OVERPMTS" and "CA800WAIVEROPBEGIN070112" during the Project extension period.

The Cohort 2 counties were affected by the ARRA funding reform for both Foster Care and AAP. Therefore, Cohort 2 counties and non-Project counties should use the updated overpayment claim form to capture the overpayments identified during the specific ARRA period. **The Cohort 2 counties** should not use the overpayment claims designed for the Cohort 1 counties (identified above).

EFC Project CAP Overpayment Claims

Effective the date of this CFL, Cohort 1 counties are not required to use the EFC 18+NMD TEMP Cohort 1 waiver overpayment tabs. All Project counties (Cohort 1 and 2) should use the overpayment tabs located on the "EFC 18+NMD TEMP" titled "CA800 OVERPAYMENTS" and "CA800OPBEGINNING070112" for EFC overpayments. The EFC overpayment tabs were originally included on the "EFC 18+NMD TEMP" claim because at the time of implementation of the EFC program it was not known if the EFC program would be included under the CAP. Since the "EFC 18+NMD TEMP" claim was designed to mirror the CA 800 claim, the overpayment tabs were included. The Cohort 1 waiver overpayment tabs located on the "EFC 18+NMD TEMP" claim are no longer necessary and will be removed (they are not attached in this CFL).

Cohort 2 Overpayment Claims and Instructions

The overpayment claims for non-Project counties (Attachment 1A and Attachment 2A) were revised on lines one and two under the "Aid Code" column to include reference to Cohort 2 counties (the related instructions remain the same and are not attached to this CFL). The titles of the claims were also appropriately revised. The revisions encompass Cohort 2 and non-Project counties.

Should counties need to report any adjustments for the period October 1, 2014, through March 31, 2015, they may send their request to the Child Protection and Family Support Branch at IVEwaiverpayment@dss.ca.gov.

Attachment 1A: SUMMARY REPORT OF OVERPAYMENT **PRIOR TO 07/01/12**
TITLE IV-E FOSTER CARE AND ADOPTION ASSISTANCE
FEDERAL SHARE ONLY
TITLE IV-E PROJECT (COHORT 2) AND NON-PROJECT COUNTIES
(CA 800 OVERPAYMENTS [03/15])

Attachment 2A: SUMMARY REPORT OF OVERPAYMENT **BEGINNING 07/01/12**
TITLE IV-E FOSTER CARE AND ADOPTION ASSISTANCE
FEDERAL SHARE ONLY
TITLE IV-E PROJECT (COHORT 2) AND NON-PROJECT COUNTIES
(CA800 OP BEGINNING 070112 [03/15])

If you have any questions regarding this letter, please direct them to CDSS at assistance.claims@dss.ca.gov.

Sincerely,

Original Document Signed By:

LILIA A. YOUNG, Chief
Fiscal Forecasting and Policy Branch

Attachments

**SUMMARY REPORT OF OVERPAYMENT PRIOR TO 07/01/12
TITLE IV-E FOSTER CARE AND ADOPTION ASSISTANCE
FEDERAL SHARE ONLY
TITLE IV-E PROJECT (COHORT 2) AND NON-PROJECT COUNTIES**

County	Date (Month/Year)
Claim Contact	Telephone

Aid Code	FOSTER CARE (FC)					ADOPTION (AAP)				
	42					03				
OVERPAYMENTS W&IC 11466.23	Identified Overpayments that completed due process prior to 07/01/09	Identified Overpayments that completed due process paid at FMAP Rate 50%	Identified Overpayments that completed due process paid at FMAP Rate 56.2%	Identified Overpayments that completed due process paid at FMAP Rate 53.2%	Identified Overpayments that completed due process paid at FMAP Rate 51.2%	Identified Overpayments that completed due process prior to 07/01/09	Identified Overpayments that completed due process paid at FMAP Rate 50%	Identified Overpayments that completed due process paid at FMAP Rate 56.2%	Identified Overpayments that completed due process paid at FMAP Rate 53.2%	Identified Overpayments that completed due process paid at FMAP Rate 51.2%
1 Federal Share of Overpayments COLLECTED & Reported on CA 800 FC FED or CA 800A FED and Completed Due Process Prior to 07/01/12 (Already Paid to Federal Government) Or Title IV-E Waiver COHORT II Counties: Federal Share of <u>Non-Title IV-E Waiver Dollar Overpayments</u> COLLECTED & reported on CA 800 FC FED or CA 800A FED and Completed Due Process Prior to 07/01/12 (Already Paid to Federal Government)										
2 Federal Share of Uncollected Newly Identified Overpayments Prior to 07/01/12 (Due to Federal Government) Or Title IV-E Waiver COHORT II Counties: Federal Share of Uncollected Newly Identified <u>Non-Title IV-E Waiver Dollar Overpayments</u> Prior to 07/01/12 (Due to Federal Government)										
3 Federal Share of Uncollectible Overpayments Identified Prior 07/01/12 W&IC 11466.23 (c) (1) (Due to Federal Government)										

Summary by Funding	FC				AAP			
	Federal	State Responsibility	County Responsibility	Total	Federal	State Responsibility	County Responsibility	Total
4 Overpayments Collected (Completion of Due Process prior to 07/01/09) FC/AAP (100/0)	-	-			-	-		
5 Overpayments Collected (Completion of Due Process)	-	-	-		-	-	-	
6 Overpayments Identified (Completion of Due Process)	-	-	-		-	-	-	
7 Uncollectible Overpayments	-	-			-	-		
8 Total Overpayments	-	-	-		-	-	-	

SUMMARY REPORT OF OVERPAYMENT BEGINNING 07/01/12
TITLE IV-E FOSTER CARE AND ADOPTION ASSISTANCE
FEDERAL SHARE ONLY
TITLE IV-E PROJECT (COHORT 2) AND NON-PROJECT COUNTIES

County	Date (Month/Year)
Claim Contact	Telephone

Aid Code	FOSTER CARE (FC)				ADOPTION (AAP)			
	42				03			
OVERPAYMENTS W&IC 11466.23	Identified Overpayments that completed due process paid at FMAP Rate 50%	Identified Overpayments that completed due process paid at FMAP Rate 56.2%	Identified Overpayments that completed due process paid at FMAP Rate 53.2%	Identified Overpayments that completed due process paid at FMAP Rate 51.2%	Identified Overpayments that completed due process paid at FMAP Rate 50%	Identified Overpayments that completed due process paid at FMAP Rate 56.2%	Identified Overpayments that completed due process paid at FMAP Rate 53.2%	Identified Overpayments that completed due process paid at FMAP Rate 51.2%
1 Federal Share of Overpayments COLLECTED & Reported on CA 800 FC FED or CA 800A FED and Completed Due Process Beginning 07/01/12 (Already Paid to Federal Government) Or Title IV-E Waiver COHORT II Counties: Federal Share of <u>Non-Title IV-E Waiver Dollar Overpayments</u> COLLECTED & reported on CA 800 FC FED or CA 800A FED and Completed Due Process Beginning 07/01/12 (Already Paid to Federal Government)								
2 Federal Share of Uncollected Newly Identified Overpayments Beginning 07/01/12 (Due to Federal Government) Or Title IV-E Waiver COHORT II Counties: Federal Share of Uncollected Newly Identified <u>Non-Title IV-E Waiver Dollar Overpayments</u> Beginning 07/01/12 (Due to Federal Government)								

Summary by Funding	FC				AAP			
	Federal	County 2011 Responsibility	County Responsibility	Total	Federal	County 2011 Responsibility	County Responsibility	Total
3 Overpayments Collected (Completion of Due Process)	-		-		-		-	
4 Overpayments Identified (Completion of Due Process)	-		-		-		-	
5 Total Overpayments	-		-		-		-	

Last Modified: 05/15/14