OHIO TITLE IV-E
FOSTER CARE ELIGIBILITY REVIEW
April 1, 2000 through September 30, 2000

I. INTRODUCTION

During March 26, 2001 to March 29, 2001, staff from the Regional and Central Offices of the Administration for Children and Families (ACF) and from the Ohio Department of Job and Family Services (ODJFS) conducted an eligibility review of the State of Ohio's Title IV-E foster care program.

The purpose of the title IV-E eligibility review was (1) to determine if Ohio was in compliance with the child and foster care provider eligibility requirements as outlined in 45 CFR 1356.71 and Section 472 of the Social Security Act; and (2) to validate the accuracy of Ohio's financial claims to assure that appropriate payments were made on behalf of eligible children and to eligible homes and institutions.

II. SCOPE OF THE REVIEW

The Ohio Title IV-E foster care review encompassed a sample of all title IV-E foster care cases that received a foster care maintenance payment during the period from April 1, 2000 to September 30, 2000. A computerized statistical sample of 80 cases and an additional 70 case oversample were drawn from the Adoption and Foster Care Analysis and Report System (AFCARS) data which was transmitted by ODJFS to ACF. This oversample was necessary to replace the Ohio waiver county cases which were excluded from the sample. Our March 8, 2001 letter to Jo Ann Davidson, Director, details that cases in the waiver demonstration project would not be reviewed, and in order to accommodate these exclusions, we would increase the oversample of cases. Our website, http://www.acf.hhs.gov/programs/cb/laws/qsett1.htm, addresses a question regarding the exclusion of waiver cases from the review. Consequently, fifty-four waiver county cases were excluded from the sample along with eight cases that were excluded because a payment was not received for the review period. For each case reviewed, the child's title IV-E case file was examined for the determination of title IV-E eligibility. The provider's licensing information was reviewed to ensure that the foster home in which the child was placed was licensed or approved for the period under review.

During the initial primary review, 80 cases were reviewed. Two cases were determined to be in error for either part or all of the review period for reasons that are identified in the Case Record Summary section of this report. Since the number of error cases was less than nine, Ohio is considered to be in substantial compliance.

III. CASE RECORD SUMMARY

The following summarizes the error cases, the reasons for the errors, the amount of the erroneous payments, and the appropriate citations:

Sample #23 - The case under review involved a sixteen-year-old delinquent who was placed in foster care under the care and custody of the Erie County Department of Job and Family Services on December 23, 1999. The child left the provider on January 23, 2000 and was on absence without leave (AWOL) through March 30, 2000. The youth was also AWOL on August 10, 2000. On the following dates, the child was in the Erie County Detention Home: April 29, 2000 - May 31, 2000 and August 11, 2000 - September 30, 2000. The total error on this case is $3,795.05, which is exclusive of administrative costs. The case record contained the child's placement history covering the above-referenced dates. The computer summary documented that title IV-E claims were not made for January 2000, were made for February 2000 and were made for one day in March 2000. The one day payment in March 2000 was eligible. The payment for February 2000 is ineligible. Error Reason: Placement and Care; Citations: 45 CFR 1356.71(d)(1)(iii); 45 CFR 1356.71(j)(1).

Sample #31 - On January 26, 2000, a child was placed in the custody of the Erie County Department of Job and Family Services. On the same date, the worker completed the Ohio Department of Human Services (ODHS) Form 1452, Title IV-E Foster Care Maintenance Determination/Redetermination Form. The ODHS Form 1452 lists the mother as having earned income and her employer's name and address. Income amounts are not listed nor is the income worksheet completed. The family was determined to be financially eligible without verification of income. In the case record there was a court order dated February 25, 2000 listing the mother's income as $21,600. The court order further stated that, based upon statutory guidelines, her support obligation was $191, but a deviation from statutory guidelines was warranted resulting in a payment of $50 per month to be made to Erie County. A redetermination in July 2000 did not list or address any income or reference information contained in the February 25, 2000 court order. Based upon the AFDC standard of need as of the look-back date of July 1996, the family's income exceeded the standard of need rendering this case ineligible. The foster care error dollars assigned to this case, exclusive of administrative costs, is $34,103.35. This includes claims for IV-E reimbursement prior to, during, and subsequent to the review period. Error Reason: AFDC Eligibility; Citations: 45 CFR 1356.71(d)(6)(1)(v); 45 CFR 1356.71 (j)(1).

IV. AREAS IN NEED OF IMPROVEMENT

- Ohio staff addressed the need to foster better communications between the State and the counties. Policies should be written in clear and concise language. Also, when new policy is implemented or policy revisions occur, staff training should be conducted promptly in order to insure consistency in Ohio as a State supervised, county-administered system.

While we recognize and applaud Ohio's efforts in developing the ODHS Form 1452 and recommend its replication, we suggest that Ohio develop clear policies and procedures and provide the necessary training and follow-up with workers to ensure that accurate and timely determinations/redeterminations are made. Ohio's State policy requires redeterminations at six-month intervals, and, in most instances, they are performed in a timely manner. However, the redetermination form does not appear to be completed according to instructions. ODHS Form 1452 currently requires the effective date of deprivation to be entered. This was not completed on numerous cases, primarily because we believe the worker did not know the effective date of the deprivation. We recommend that Ohio should consider revising the form to reflect a determination of whether deprivation existed as of the date the child entered foster care.

- The Client Registry Information System-Enhanced (CRIS-E) is available statewide for title IV-E workers to access in determining financial eligibility for TANF, Medicaid and Food Stamp programs. Since all workers do not use this system, we recommend that Ohio analyze why this occurs.

- One case revealed that title IV-E claiming was discontinued when a child moved to a licensed placement in another State. Although seemingly still eligible for a title IV-E payment, Ohio's current policy does not allow county claiming for children until a rate is established between the two States. Ohio should examine its policies and rate setting practices.

- Since county agencies are primarily dependent on local tax levies for funding child welfare services, the amount and quality of services that counties can provide is dependent on maximizing title IV-E, Medicaid and Supplemental Security Income (SSI) reimbursement. A discussion was held on the balance between the direct service provision and paperwork requirements. Strategies to convey to workers the benefits of accurately reporting information in the required format, as it relates to obtaining needed dollars for services, should be identified.

- Counties are primarily dependent upon the interviewing skills of the worker to determine if the family has had child welfare involvement in other Ohio counties. At present, counties typically only access the Ohio Family and Children Services Information System to verify if there are comparable name matches. The review revealed that case identification numbers for clients were issued by each county. This further complicates obtaining an accurate child welfare history as families can have many case identification numbers based upon the number of counties in which they have resided. Although all counties have access, only some counties utilize the CRIS-E system to determine if a case was previously opened in another county on a family. Since many processes are still not automated, prompt decisions to implement a Statewide Automated Child Welfare Information System should be considered.

- Seven cases that received no foster care payment for the review period appeared in the sample, one of which was selected twice. AFCARS element #59 inquires whether or not title IV-E foster care maintenance payments are being paid on behalf of a child in foster care. If title IV-E foster care maintenance payments are being paid on behalf of the child, the data element should be coded “1”. If title IV-E foster care maintenance payments are not being paid on behalf of the child, the data element should be coded “0”. It is critical that Ohio reports data element #59 accurately. We recommend that Ohio review its AFCARS data entry process to ensure that appropriate codes are being entered for the appropriate cases.

- Typically, the title IV-E foster care eligibility review examines the child’s entire case record, the family record and the provider licensing file. This allows for a thorough review of the child’s placement from entry into the system and extending throughout the review period. It also gives the review team a better insight on how the State implements the foster care program. Although the title IV-E files examined contained the documentation needed to address the checklist, it did not leave the reviewer with the confidence that a thorough review had been conducted on the case record. Often, supportive documentation regarding placement and care needed to be retrieved from the child’s case record which had to be obtained by State staff. We recommend that both the child's case record and the title IV-E record be made available for future title IV-E reviews.

V. STRENGTHS AND MODEL PRACTICES

- Automation of case placement activity is being used in Lucas County and is worthy of replication in other Ohio counties. Generally, it appears that the county agencies are now more automated.

- The ODHS Form 1452 is a thorough application/redetermination form, worthy of replication.

- Efforts have been undertaken to improve the quality of judicial court orders. Model language and examples are available to the counties. In particular, the court orders in Cuyahoga County contain language that addresses reasonable efforts requirements to finalize the child's permanency plan. The proposed revision of Cuyahoga County's court orders represents movement towards meeting the legislative requirements. The State has conducted statewide training on the Adoption and Safe Families Act of 1997 (ASFA) provisions with workers, administrative staff and judges. Also, the State judicial colleges have received training. Ohio State staff also indicated that sessions were held with each of the county court systems to heighten awareness of the ASFA requirements for court order timeframes and findings.

- To insure that cases are consistent with Federal policy, Ohio plans to monitor county operations utilizing a process similar to the title IV-E eligibility review beginning in April 2001.

- Although Ohio exercised its option to opt out of the criminal records check provision of ASFA, they already had in place sufficient safety requirements. The licensing requirements of the Ohio Administrative Code Rule 5101:2-5-091 state that criminal record checks of certain prospective employees and certified foster caregivers are to be conducted by the Bureau of Criminal Identification and Investigation. All records contained documentation that the criminal records check requirements were met.

- Ohio indicated that counties were involved in the review preparation via statewide video-conferencing. This effective use of technology is worthy of replication.

VI. DISALLOWANCE

The sample was drawn from a universe of cases that received at least one title IV-E foster care maintenance payment during the six-month AFCARS period of April 1, 2000 to September 30, 2000. Based upon the results of the review, the State of Ohio has been determined to be in substantial compliance. Fifty-four of the sixty-two cases excluded from the sample were from waiver counties and the remaining eight did not receive a title IV-E maintenance payment during the review period.

Thus, the review included a sample of 80 completed cases of which two cases were not eligible for title IV-E foster care funding for at least part of the review period. A disallowance is assessed for the total Federal Financial Participation amount for the period of time that these cases were determined to be in error. Therefore, the total disallowance for the two cases is $53,795.44.