

Determining Title IV-E Reasonable Candidacy: A Review



Presenters

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Why is IV-E Candidacy being Examined?

- ▶ Feds did site visits to two counties in September 2013
- ▶ Systemic problems were identified
- ▶ Consequence:
 - ❖ CDSS ordered to cease claiming on IV-E Candidacy for county probation
 - ❖ If had been a formal audit, back-pay could have been ordered

What is the Federal Government Requiring?

- ▶ Probation and CDSS required to address systemic problems immediately
 - ❖ Cannot claim for youth in detention
 - ❖ Case plans must be signed
 - ❖ Youth must be visited every month
 - ❖ Case plans updated every six month
- ▶ CDSS required to update its Cost Allocation Plan
- ▶ CDSS required to increase its oversight of Probation's Candidacy Program

January 2014

- ▶ Feds notified CDSS that cease claim was reversed with conditions
- ▶ Conditions:
 - ❖ County probation must provide CDSS supporting documentation for all IV-E candidacy claims dating back to October 1, 2013
 - ❖ CDSS must review supporting documentation to ensure only allowable activities are claimed for candidates
 - ❖ Probation departments must develop method to identify and track IV-E candidates
- ▶ Cease claim in effect until lifted by the feds

Role of California Department of Social Services and California Probation Departments



▶ CDSS

- ▶ monitors Title IV-E compliance with Federal regulations
- ▶ develops & implements regulations for Title IV-E

▶ County Probation submits claims for PO services via a required Memorandum of Understanding (MOU) with your local DSS

Title IV-E Funding Overview

- ▶ Title IV-E provides for federal reimbursement for portions of “Maintenance” and “Administrative” costs incurred by public agencies for working with children in foster care or at imminent risk of foster care.
 1. AFDC-FC payments paid to care providers for foster home or group home placement (Maintenance Costs).
 2. Services and activities which reunify a child with their family or create a permanent plan for the child (Administrative Costs - Placement)
 3. Services and activities which reduce or eliminate the need to remove a child from his/her home (**Administrative Costs - Pre Placement/Reasonable Candidate**)

What is a Title IV-E Reasonable Candidate?

- ▶ Youth at Imminent or Serious Risk of removal from the home
- ▶ Home situation is unstable leading probation officer to believe that preventative services not immediately be provided to youth AND family (parent/guardian), youth will need to be placed in foster care
- ▶ Two step process when probation officer believes youth may be a candidate:
 - ❖ STEP ONE: Complete Evaluation of Imminent Risk and Reasonable Candidacy Tool. If youth determined to be eligible move to step 2
 - ❖ STEP TWO: Document candidacy - Case plan to be developed with youth and parent(s)/legal guardians

Step One Defined: Evaluation of Imminent Risk & Reasonable Candidacy

- ▶ Under age 18*
- ▶ Subject of a §602 petition*
- ▶ Recent child welfare involvement
- ▶ Parent/Guardian in need of support services
- ▶ Other child welfare/ safety risk factors

**Required*

Youth's behavior and family conditions that result in imminent risk:



- ▶ Patterns of anger & uncontrollable behaviors
- ▶ Deteriorating family relations
- ▶ Risk of harm to others or self

Youth's behavior and family conditions that result in imminent risk (continued):

- ▶ Runaway or beyond control behavior
- ▶ Substance Abuse
- ▶ Other



Step Two Defined: Documenting IV-E Reasonable Candidacy



- ▶ Case Plan (*CDSS and CPOC recommended method*)
- ▶ Eligibility determination
- ▶ Court removal

Case Plan



- ▶ CDSS and CPOC agreed upon method for determining candidacy
- ▶ Goal: maintain youth in family home
- ▶ Directions: objectives
- ▶ Supports: services

Case Plan



- ▶ Developed jointly with youth, parents/legal guardian, and DPO
- ▶ Document that plan for youth is foster care unless preventive services are provided and effective
- ▶ Descriptions of circumstances
- ▶ Types of services

Case Plan Close-up

- ▶ Enter data:
 - ▶ Youth's name
 - ▶ Youth's date of birth
 - ▶ Date Case Plan Completed
 - ▶ Check box for reason for plan



Case Plan Close-up

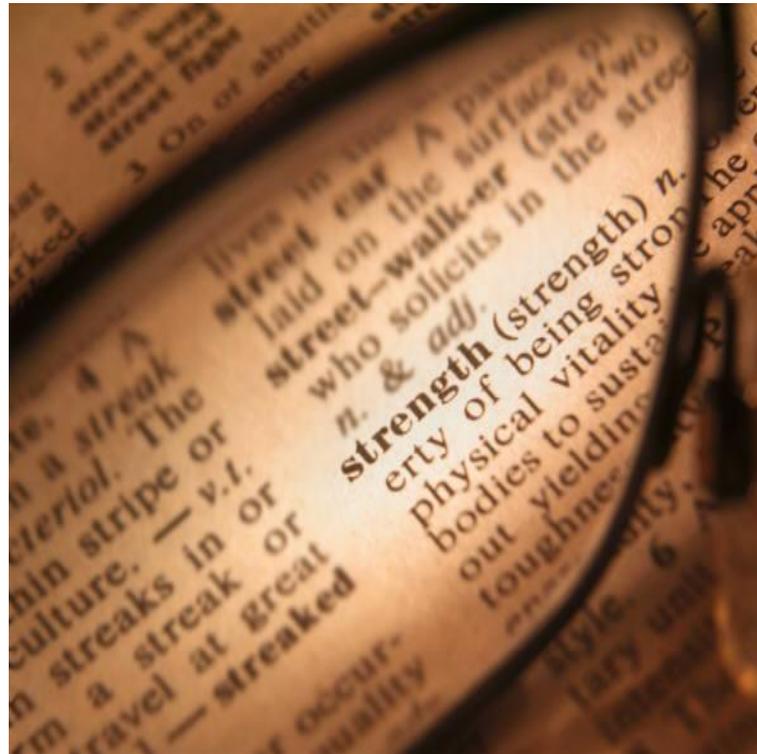
- ▶ Documentation of imminent risk
- ▶ Must use the expandable box to document issues and services needed in narrative form
- ▶ Provide an analysis of the issues
- ▶ Describe how services will be effective

Overall Goal

- ▶ Goal : Remain in the home

Youth and Family Strengths

- ▶ Case plans build on strengths
- ▶ Everyone has strengths
- ▶ Check all that apply
- ▶ Use “Other”



Planned Placement Option

- ▶ Must identify planned placement option should services fail
- ▶ Family members or non-related extended family members
- ▶ Group home or other foster placement - can either list a specific group home or describe the level of home and/or services to be provided to youth at the home

Planned Placement Option(s) if Preventative Services Fail

Family Members	Relationship	Address	Phone Number
Jane Doe	Aunt	1234 Sagewood Way	(999) 999-9999
Group Home Type or Other Foster Care Placement(s)	Notes on Foster Placement (May include service(s) to be provided, level of group home, location, etc.)		
Rosewood Group Home	5678 L Street, Sacramento, CA; Kelly Clarkson - Administrator		
Group Home or FFA	Level 12 home or higher; home shall specialize in AOD and mental health tx; anger mgmt		

Title IV-E Approved Facilities

- ▶ Licensed foster home
- ▶ Foster family agency certified home
- ▶ Group homes
- ▶ Family members or NREFM placements must be licensed or approved

Title IV-E Unapproved Facility

- ▶ Juvenile hall
- ▶ Camps
- ▶ Psychiatric hospitals
- ▶ Regional Facilities
- ▶ Any facility used primarily for detention
- ▶ Unlicensed or unapproved relative or non-relative home

Case Plan Objectives

- ▶ Case plan objectives are the behavioral changes that are required to be able to achieve the goal
- ▶ There should be objectives for both the youth and parent(s)/guardian(s)

For Whom



- ▶ Fill in the box with the name of the person to whom the objective belongs

Services, Referrals and/or Activities

- ▶ Lists frequently identified services
- ▶ Select any agreed upon service
- ▶ Use “other” option to develop objective and services unique to youth that may not be listed on template

Referral/Projected/Completed



- ▶ Use the next three columns to record
 - ▶ Date referred to service
 - ▶ Date that objective is anticipated to be completed
 - ▶ Date the objective is completed

Completion Date

- ▶ Case plan requires a completion date
- ▶ Projected date for completion of all case plan objectives



Deputy Probation Officer

- ▶ Meet with minor a minimum of once per month
- ▶ Meet with parent/guardian a minimum of once per month
- ▶ Monitor compliance
- ▶ Other - you may add other actions for follow-up as you deem necessary

Signatures



- ▶ Case plan is not complete until signed and dated
 - ▶ Youth
 - ▶ Parent
 - ❖ Document under “probation officer notes” if they refuse to sign
 - ▶ DPO
 - ▶ Supervisor

Case Plan Review

- ▶ Case plans must be reviewed and revised on or before six months from the effective date of the plan
- ▶ Complete new evaluation of imminent risk at this time as well
- ▶ Begin the review and revision in advance of the six month date
- ▶ If the plan is not revised on time, you must cease claiming until the new plan is in effect



Pre-Determination Time



- ▶ Time spent on claimable activities may be claimed in the same month that IV-E determination is documented
- ▶ Record time in the Pre-Determination Time chart at the end of the case plan

Time Limits

- ▶ No maximum time limit
- ▶ New case plan every six months to document

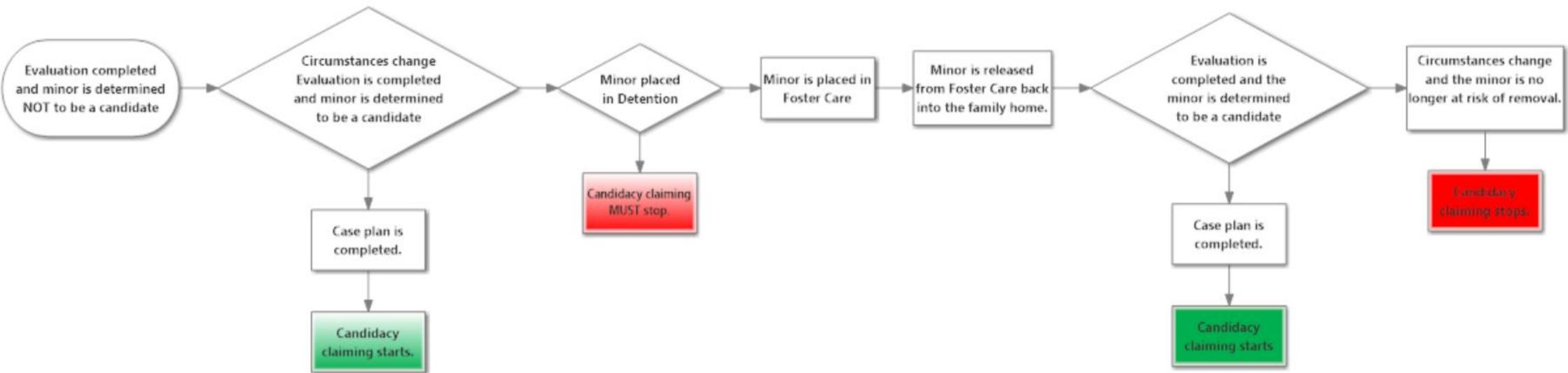


Change in Circumstances

- ▶ Changes may occur
- ▶ If youth currently not a candidate but circumstances change and now youth is at imminent risk
 - Complete Evaluation Tool and proceed
- ▶ If youth is currently a candidate but services have stabilized youth so that he/she is no longer at imminent risk
 - Cease claiming immediately

Claiming Lifecycle when Circumstances Change

CLAIMING LIFECYCLE



Returning Home from Foster Care



- ▶ Youth may be at imminent risk of foster care upon return home
- ▶ Same criteria
- ▶ Complete Evaluation tool and if determined that youth would be a candidate then complete case plan

Not All Youth

- ▶ Will be IV-E Reasonable Candidates
- ▶ Probation Departments need to track IV-E Reasonable Candidates



Face-to-Face Visits



- ▶ Every month
- ▶ With youth
- ▶ With parent/guardian

Documentation

- ▶ Document face-to-face visits
 - ▶ Include date
 - ▶ Who seen and where
 - ▶ Important to discuss and document the objectives that were discussed and the youth and family's progress in meeting their objectives
 - ▶ Address any changes that could impact Reasonable Candidate status

Title IV-E Reasonable Candidacy Claiming -

- ▶ Court-related case management functions
- ▶ Case Management Preventive Services
- ▶ Both types of case management fall under PC 128, Category G: Case management - prevention

Title IV-E Allowable Administrative Activities

- ▶ Reimbursement after Reasonable Candidacy determined
 - ❖ Referral to services
 - ❖ Preparation for and participation in judicial determinations (child welfare related)
 - ❖ Time spent identifying possible placement options

More IV-E Allowable Administrative Activities

- ▶ Updating case plan
- ▶ Case review
- ▶ Case management
- ▶ Data collection



IV-E Administrative Court Related Activities

- ▶ Should relate to case plan objectives and help inform youth's progress in meeting objectives
- ▶ Need to document in case file how court activity relates to case plan
- ▶ Court related case management activity should be claimed to Category G: Case management - Prevention under PC 128



Non-Reimbursable Activities

- ▶ Placement activity
- ▶ Activity when youth is in custody
- ▶ Direct service
- ▶ Physical or mental health examinations
- ▶ Counseling
- ▶ Arranging for services
- ▶ Probation specific activity such as conducting a search, arresting a youth
- ▶ Claiming for adult probationers

Determining What is an Allowable Activity

- ▶ Where is the minor located?
 - ▶ Home
 - ▶ Detention
 - ▶ Foster Care
- ▶ If they are in the home are they a candidate?
 - ▶ Do they have a complete case plan?
- ▶ What activity are you performing?
 - ▶ Case management related
 - ▶ Law enforcement related

Next Steps

- ▶ Counties to resume claiming once County Fiscal Letter is issued providing guidance
- ▶ CDSS to oversee Probation's Candidacy program
 - CDSS to review candidacy case files
 - Initial reviews will be more of a true "learning" effort on the part of CDSS
 - Feds coming again

Next Steps Continued

- ▶ CPOC to develop IV-E 101 training
- ▶ Weekly IV-E calls with IV-E lead staff in each county to continue as needed
- ▶ Fiscal training to be offered once feds approve the State's Cost Allocation Plan
- ▶ FAQ document under development