

Select originating cluster

Nancy K. Keeling
Authorized Signature

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Topic: Foster Care Certification / Title IV-E Eligibility

Subject: Changes to Foster Home Certification and Title IV-E Eligibility

Applies to (check all that apply):

- | | | | |
|-------------------------------------|-------------------------------|--------------------------|--------------------------------------|
| <input type="checkbox"/> | All DHS employees | <input type="checkbox"/> | County Mental Health Directors |
| <input type="checkbox"/> | Area Agencies on Aging | <input type="checkbox"/> | Health Services |
| <input checked="" type="checkbox"/> | Children, Adults and Families | <input type="checkbox"/> | Seniors and People with Disabilities |
| <input type="checkbox"/> | County DD Program Managers | <input type="checkbox"/> | Other (please specify): |

Message: Effective March 20, 2007, there was a change in the certification rules which impact the agency's ability to claim Title IV-E funds in certain circumstances. The three major changes are:

- Two year certificates (biennial) instead of one year (annual) certificates,
- Child-Specific Certificates of Approval (relatives and other persons known to the child); and
- Expedited Certificate Process for the initial 90 days.

BACKGROUND

The Title IV-E Final Rules of January 25, 2000 are very clear regarding provisional and two-tiered certification systems and when it is appropriate to claim Title IV-E Foster Care funding. The final rules were further clarified in the Children's Bureau Child Welfare Policy Manual (8.3A.8c Questions 5 and 8) which specifically define a two-tiered certification system as "...one in which different licensing standards are applied to different groups of foster family homes. For example, different standards for related foster family homes and non-related foster family homes, as well as for 'provisional' foster family homes that have not yet met all required standards for full licensure, are two-tiered systems." States cannot claim Title IV-E funding until the foster home in which the eligible child is placed meets full licensure or certification standards.

Federal regulations promote placement of children with relatives at the time of removal from parents but do not allow states to claim Title IV-E funding until the placement is fully certified.

Oregon rules were revised to reflect this practice change and establish an expedited process for placement with a Child Specific Certification for up to 90 days. This initial certificate allows DHS to place a child in the foster home after the initial safety considerations (identified in Administrative Rule) have been met. However, there are additional requirements which must be completed before a two year certificate may be issued. Therefore, based on the Federal rules, the foster home is not considered fully certified until the two year certificate is approved and issued.

- Ninety (90) Day Certificates will be input into the system as a 90 day provisional certificate, which does not meet the full certification requirements. Therefore, the home is ineligible for Title IV-E funding and any child placed in the home during this 90 day certificate will not meet all Title IV-E eligibility criteria. **A relative caregiver with a 90-day certificate is not eligible for Title IV-E Foster Care payments.**
- Two Year Certificates will be input into the system as a biennial certificate, which meets the full certification requirements. Therefore, the home is eligible for Title IV-E funding and any Title IV-E eligible child placed in the home will meet the Title IV-E eligibility requirement of being placed in a fully certified foster home. **A relative caregiver with a two year certificate is eligible for Title IV-E Foster Care payments, if the child meets all other Title IV-E eligibility criteria.**

It is important to note the federal regulations allow the state to claim retroactively to the first day of the month in which all Title IV-E eligibility criteria are met.

Example 1: If a child is placed on May 10th, and the Department is able to complete all certification requirements and “fully certify” the provider by May 30th, the state may claim Title IV-E funding beginning May 10th.

Example 2: If this same child was placed on May 10th and the Department is unable to fully certify the family until June 20th, the state may only begin claiming Title IV-E funding June 1st.

Therefore, the timing of full certification is important for relative placements. The rules regarding the expedited and full certification may be found in policy II.B.1.1, OAR 413-200-0274.

OTHER CONSIDERATIONS:

Often we direct a relative caregiver who is not receiving a foster care payment to apply for a non-needy relative grant through Temporary Assistance for Needy Families (TANF). It may be beneficial to have discussions in your District as to how best to assist these relatives in obtaining this assistance.

Often we find relatives do not apply because they do not know how or where to apply, or they may make other choices.

The foster care program coordinators and the Title IV-E specialists are available for branch consultation if you have additional questions regarding these policy changes.

If you have any questions about this information, contact:

Contact(s):	Kevin George / Randy Blackburn		
Phone:	945-5987 / 945-5972	Fax:	945-6969 / 581-6198
E-mail:	kevin.george@state.or.us / randy.blackburn@state.or.us		