

Lois Day, Administrator, Office of Safety and
Permanency

Authorized Signature

Number: CW-PT-10-005

Issue Date: 06-15-2010

Topic: Foster Care

Transmitting (check the box that best applies):

- New Policy
 Policy Change
 Policy Clarification
 Executive Letter
 Administrative Rule
 Manual Update
 Other: _____

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): |

Policy/Rule Title:	Title IV-E Foster Care and General Assistance		
Policy/Rule Number(s):	I-E.6.1, OAR 413-100-0000 thru 413-100-0345	Release No:	
Effective Date:	June 15, 2010	Expiration:	when super- seded
References:			
Web Address:	http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-e61.pdf		

Discussion/Interpretation: The Title IV-E Foster Care and General Assistance rule has been changed to comply with the changes required due to the enactment of the Fostering Connections to Success and Increasing Adoptions Act of 2008 (Fostering Connections). The Administration for Children and Families (ACF) completed the changes to the Title IV-E State Plan. DHS is required to ensure all Oregon Statutes, Oregon Administrative Rules and procedures meet all the requirements in the Title IV-E State Plan. Several clarifications and conference calls occurred since the Fostering Connections Act was passed and the following changes were made to this rule to meet the federal requirements:

413-100-0020: New definition for “Young adult” added; wording changed to provide additional clarifications and/or updated format; deleted definitions of the following terms that are no longer used in the rule:

- Amnesty Alien
- Citizen or Alien Status
- Court Order Date
- Entitlement
- Initiation of Court Action
- Minor Child
- Non-Indian Child
- Personal Property
- Real Property
- Relieved of Temporary Commitment
- Shelter In-Kind
- Standards of Assistance
- Temporarily Unreimbursable

413-100-0110: Wording changed to provide additional clarifications and/or updated format; new information added to (6) regarding transfers to Developmental Disability Services (DDS).

413-100-0120: Wording changed to provide additional clarifications and/or updated format; Verification list (3) has been modified.

413-100-0210: Under (2), a change has been made to correct the reference to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) and to clarify the information about a qualified alien’s access to federal public benefits.

413-100-0230: The age requirements have been updated to reflect the changes made by the Fostering Connections Act and for clarification.

413-100-0240: Wording has been changed to provide additional clarifications and/or updated format. Under (7), new language was added to support a Social Security Act requirement in the Title IV-E State Plan.

413-100-0270: The Fostering Connections Act removed the AFDC requirements for Title IV-E Eligibility Redeterminations only. This OAR has been revised to reflect only the current requirements for Title IV-E Redeterminations.

413-100-0320: Wording has been changed to provide additional clarifications and/or updated format. Please note that in (2), the required actions by the Title IV-E Eligibility Specialist have been clarified for a child being placed out of state.

413-100-0335: The Title IV-E Adoption Assistance eligibility rule has been moved into the Title IV-E Foster Care and General Assistance rules. Wording has been changed to provide additional clarifications and/or updated format.

413-100-0345: The Title IV-E Guardianship Assistance eligibility rule has been moved

into the Title IV-E Foster Care and General Assistance rules (please refer to policy transmittal CW-IM-09-008). Please note that major changes have been made to the definition of “Relative” as it relates to the Title IV-E guardianship Assistance eligibility rule. This definition may make it possible for many more prospective guardians to be considered a relative for purposes of Guardianship Assistance.

In several additional rules, the wording has been changed to provide additional clarification and/or update the format.

Implementation/Transition Instructions:

Supervisors should discuss these rule changes with Caseworkers. Due to the removal of AFDC requirements at the time of redetermination, Caseworkers will only be asked to provide additional information to their Title IV-E Specialist when there is a problem with the judicial requirements (Best Interest or Reasonable Efforts findings), or with the timing of the Permanency Hearing.

Office Managers and Supervisors should discuss these rule changes with their Title IV-E Eligibility Specialists. Major changes have been made to the Title IV-E rules which need to be implemented immediately.

The CAF Federal Compliance Unit (FCU) staff held a conference call on May 5, 2010, to introduce Title IV-E Specialists to the new rules. Title IV-E Specialists should continue to follow instructions received from Jan Touran regarding the de-linking of AFDC rules for redeterminations, and contact their Lead Worker or the Federal Compliance Unit with questions.

Training/Communication Plan:

1. No specific training will be provided to branch staff with the exception of the Title IV-E Specialists and their Supervisors.
2. Title IV-E Eligibility Specialists may be asked to do a presentation regarding the rule changes in an all staff meeting.
3. The Title IV-E Procedure Manual will be updated and information will be posted on wiki.
4. The Federal Compliance Unit (FCU) is available as needed to provide clarifications or technical assistance.

Local/Branch Action Required: Title IV-E Specialists and Supervisors should review the revised rules and training materials received, as well as any instructions received from the CAF Federal Compliance Unit. Please refer to the implementation/transition instructions listed above.

Central Office Action Required: The Federal Compliance Unit (FCU) will communicate with Title IV-E Specialists and their Supervisors as needed to provide clarifications or technical assistance. The FCU will be updating the Title IV-E Procedure Manual and posting materials to the wiki.

A change request has been submitted to the OR-Kids Project to revise the design of Title IV-E eligibility pages and related forms. The FCU will continue to work with OR-Kids staff as needed.

Field/Stakeholder review: Yes No

If yes, reviewed by:

Filing Instructions:

If you have any questions about this policy, contact:

Contact(s):	Debbie Milligan		
Phone:	503-945-6654	Fax:	503-581-6198
E-mail:	Debbie.milligan@state.or.us		