

Withdrawal/Redaction Sheet

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001. list	Appendix A, Nebraska Disallowance (partial) (1 page)	01/23/1996	P6/b(6)

COLLECTION:

Clinton Presidential Records
First Lady's Office
Domestic Policy Council (Nicole Rabner)
OA/Box Number: 15411

FOLDER TITLE:

[Child Welfare Final Rule] [Binder] [3]

2012-1035-S

kc1009

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

P1 National Security Classified Information [(a)(1) of the PRA]
P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
P3 Release would violate a Federal statute [(a)(3) of the PRA]
P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

b(1) National security classified information [(b)(1) of the FOIA]
b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

- (4) the determination of conformity by the ACF
Regional Office based on the criteria described in
paragraphs (a) - (c) of this section.

(b) Criteria related to outcomes.

- (1) A State's substantial conformity will be determined by its ability to substantially achieve the following child and family service outcomes:

(i) In the area of child safety:

- (A) Children are protected from abuse and neglect and ~~are~~ safely maintained in their homes ~~whenever possible~~; and
- (B) The risk of harm to children is minimized;

(ii) In the area of permanency for children:

- (A) Children have permanency and stability in their living situations; and
- (B) The continuity of family relationships and connections is preserved for children; and

(iii) In the area of child and family well-being:

- (A) Families have enhanced capacity to provide for their children's needs;
- (B) Children have educational achievements appropriate to their abilities; and
- (C) Children receive adequate services to meet their physical and mental health needs.

(2) A State's level of achievement with regard to each outcome reflects the extent to which a State has implemented the following CFSP requirements or assurances:

(i) The requirements in 45 CFR 1357.15(p) regarding services designed to assure the safety and protection of children and the preservation and support of families;

(ii) The requirements in 45 CFR 1357.15(q) regarding the permanency provisions for children and families in sections 422 and 471 of the Act;

- (iii) The requirements in section 422(b)(9) of the Act regarding recruitment of potential foster and adoptive families;
- (iv) The assurances by the State as required by section 422(b)(10)(C)(i) and (ii) of the Act regarding policies and procedures for abandoned children;
- (v) The requirements in section 422(b)(11) of the Act regarding the State's compliance with the Indian Child Welfare Act;
- (vi) The requirements in section 422(b)(12) of the Act regarding a State's plan for effective use of cross-jurisdictional resources to facilitate timely adoptive or permanent placements; and,
- (vii) The requirements in section 471(a)(15) of the Act regarding reasonable efforts to prevent removals of children from their homes, to make it possible for children in foster care to safely return to their homes, or, when the child is not able to return home, to place the child in accordance with the permanency

plan and complete the steps necessary to
finalize the permanent placement.

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- ← (3) A State will be determined to be in substantial conformity if each outcome listed in paragraph (b) (1) of this section is rated as "substantially achieved" in 95 percent of the cases examined during the on-site review (90 percent of the cases for a State's initial review). Information from various sources (case records, interviews) will be examined for each outcome and a determination made as to the degree to which each outcome has been achieved for each case reviewed.

- (c) Criteria related to State agency capacity to deliver services leading to improved outcomes for children and families.

In addition to the criteria related to outcomes contained in paragraph (b) of this section, the State agency must also satisfy criteria related to the delivery of services. Information from the self-assessment and the on-site review must indicate that the State has implemented the referenced State plan requirements related to the State agency's capacity to deliver services leading to improved outcomes, and

actually delivered those services, by meeting each of the criteria listed for the following core systemic factors:

 (1) Statewide information system: The State is operating a statewide information system that, at a minimum, can readily identify the status, demographic characteristics, location, and goals for the placement of every child who is (or within the immediately preceding 12 months, has been) in foster care (section 422(b)(10)(B)(i) of the Act);

(2) Case review system: The State has procedures in place that:

(i) provide, for each child, a written case plan to be developed jointly with the child's parent(s) that includes provisions: for placing the child in the least restrictive, most family-like placement appropriate to his/her needs, and in close proximity to the parents' home where such placement is in the child's best interests; for visits with a child placed out of State at least every 12 months by a social worker of the agency or of the agency in the State where the child is

placed; and for documentation of the steps
taken to make and finalize an adoptive or
other permanent placement when the child
cannot return home (section 422(b)(10)(B)(ii)
of the Act);

(ii) provide for periodic review of the status of
each child no less frequently than once every
six months by either a court or by
administrative review (section
422(b)(10)(B)(ii) of the Act);

(iii) assure that each child in foster care under
the supervision of the State has a permanency
hearing in a family or juvenile court or
another court of competent jurisdiction
(including a Tribal court), or by an
administrative body appointed or approved by
the court, which is not a part of or under
the supervision or direction of the State
agency, no later than 12 months from the date
the child entered foster care (and not less
frequently than every 12 months thereafter
during the continuation of foster care)
(section 422(b)(10)(B)(ii) of the Act);

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(iv) provide a process for termination of parental rights proceedings in accordance with section 475(5)(E) of the Act; and,

(v) provide foster parents, preadoptive parents, and relative caregivers of children in foster care with notice of and an opportunity to be heard in any review or hearing held with respect to the child.

(3) Quality assurance system: The State has developed and implemented standards to ensure that children in foster care placements are provided quality services that protect the safety and health of the children (section 471(a)(22) and is operating an identifiable quality assurance system (45 CFR 1357.15(u)) as described in the CFSP that:

(i) is in place in the jurisdictions within the State where services included in the CFSP are provided;

(ii) is able to evaluate the adequacy and quality of services provided under the CFSP;

- (iii) is able to identify the strengths and needs of the service delivery system it evaluates;
 - (iv) provides reports to agency administrators on the quality of services evaluated and needs for improvement; and
 - (v) evaluates measures implemented to address identified problems.
- (4) Staff training: The State is operating a staff development and training program (45 CFR 1357.15(t)) that:
- (i) supports the goals and objectives in the State's CFSP;
 - (ii) addresses services provided under both subparts of title IV-B and the training plan under title IV-E of the Act;
 - (iii) provides training for all staff who provide family preservation and support services, child protective services, foster care services, adoption services and independent living services soon after they are employed

and that includes the basic skills and knowledge required for their positions;

- (iv) provides ongoing training for staff that addresses the skills and knowledge base needed to carry out their duties with regard to the services included in the State's CFSP; and,
- (v) provides short-term training for current or prospective foster parents, adoptive parents, and the staff of State-licensed or State-approved child-care institutions providing care to foster and adopted children receiving assistance under title IV-E that addresses the skills and knowledge base needed to carry out their duties with regard to caring for foster and adopted children.

- (5) Service array: Information from the State self-assessment and on-site review determines that the State has in place an array of services (45 CFR 1357.15(n) and section 422(b)(10)(B)(iii) and (iv) of the Act) that include, at a minimum:

- (i) services that assess the strengths and needs of children and families assisted by the agency and are used to determine other service needs;
- (ii) services that address the needs of the family, as well as the individual child, in order to create a safe home environment;
- (iii) services designed to enable children at risk of foster care placement to remain with their families when their safety and well being can be reasonably assured;
- (iv) services designed to help children achieve permanency by returning to families from which they have been removed, where appropriate, be placed for adoption or with a legal guardian or in some other planned, permanent living arrangement, and through post-legal adoption services;
- (v) services that are accessible to families and children in all political jurisdictions covered in the State's CFSP; and,

(vi) services that can be individualized to meet the unique needs of children and families served by the agency.

(6) Agency responsiveness to the community:

- (i) the State, in implementing the provisions of the CFSP, engages in ongoing consultation with a broad array of individuals and organizations representing the State and county agencies responsible for implementing the CFSP and other major stakeholders in the services delivery system including, at a minimum, tribal representatives, consumers, service providers, foster care providers, the juvenile court, and other public and private child and family serving agencies (45 CFR 1357.15(1)(4));
- (ii) the agency develops, in consultation with these or similar representatives, annual reports of progress and services delivered pursuant to the CFSP (45 CFR 1357.15(1)(4));
- (iii) there is evidence that the agency's goals and objectives included in the CFSP reflect

consideration of the major concerns of stakeholders consulted in developing the plan and on an ongoing basis (45 CFR 1357.15(m)); and

(iv) there is evidence that the State's services under the plan are coordinated with services or benefits under other Federal or federally-assisted programs serving the same populations to achieve the goals and objectives in the plan (45 CFR 1357.15(m)).

(7) Foster and adoptive parent licensing, recruitment and retention:

(i) the State has established and maintains standards for foster family homes and child care institutions which are reasonably in accord with recommended standards of national organizations concerned with standards for such institutions or homes (section 471(a)(10) of the Act);

(ii) the standards so established are applied by the State to every licensed or approved foster family home or child care institution

receiving funds under title IV-E or IV-B of the Act (section 471(a)(10) of the Act);

(iii) the State complies with the safety requirements for foster care and adoptive placements in accordance with sections 471(a)(16) and 475(1) of the Act and 45 CFR 1356.30;

(iv) the State has in place an identifiable process for assuring the diligent recruitment of potential foster and adoptive families that reflect the ethnic and racial diversity of children in the State for whom foster and adoptive homes are needed (section 422(b)(9) of the Act); and,

(v) the State has developed and implemented plans for the effective use of cross-jurisdictional resources to facilitate timely adoptive or permanent placements for waiting children (section 422(b)(12) of the Act).

(d) Availability of review instruments.

NEVADA CHILD AND FAMILY SERVICES PILOT REVIEW

EXECUTIVE SUMMARY

The Administration on Children, Youth and Families (ACYF) is currently developing a new strategy for reviewing Federally assisted child and family services in the States. The new monitoring strategy will cover the range of Federally funded child welfare programs, including child protective services, foster care, adoption, independent living, and family preservation and support services. The reviews are being designed to encourage Federal/State partnerships in identifying and working toward improved outcomes for children and families, promote family-focused practice principles that are likely to lead to improved outcomes, provide opportunities for States to receive technical assistance where needed, and assist States to become self-evaluating over time.

The outcome areas identified for review are *safety*, *permanency* and *child and family well-being*. Within each of these broad domains, more specific outcomes have been developed as follows:

In the area of safety, two outcomes were identified: (1) *children are protected from abuse and neglect in their own homes whenever possible*, and (2) *the risk of harm to children is minimized*. These outcomes reflect the mission of child protective services programs to protect children from abuse and neglect and promote the value of helping children to live safely with their own families when possible.

Two additional outcomes were identified in the area of permanency: (1) *children will have permanency and stability in their living situations*, and (2) *the continuity of family relationships, culture and connections will be preserved for children*. These describe the primary goals of the foster care system to provide opportunities for children to grow up safely with permanent families while protecting the relationships and connections that are most important to their healthy development.

In the area of child and family well-being, three outcomes were identified that focus on using child welfare services to strengthen the ability of parents to protect their children, and on including the critical areas of education and physical and mental health in the State's efforts to protect and provide permanency for children in its care. They are: (1) *families will have enhanced capacity to provide for their children*, (2) *school-age children will have educational achievements appropriate to their abilities*, and (3) *children will receive adequate services to meet their physical and mental health needs*.

An important component in developing a new monitoring strategy was the series of pilot tests of the self-assessment and on-site review processes, and States were asked to volunteer to participate in these pilots. The Nevada Division of Child and Family Services (DCFS) agreed to participate in piloting the proposed review process, which allowed the Federal government the opportunity to join with the State in examining its programs using the new review strategy. The review was structured to provide an assessment of Nevada's child welfare programs, identify areas where the programs were or were not achieving the desired outcomes and provide technical assistance in the areas that would be most useful to the State.

As the first step in the review process, the Nevada DCFS completed an extensive self-assessment instrument that included data on key performance indicators related to the outcome areas. Information in the self-assessment pointed to the safety of children in their own homes and the permanency of children in foster care as the areas

most in need of closer examination. The on-site portion of the Nevada review took place during the week of September 25, 1995.

During the on-site review, 29 case records of children and families served by the Division throughout the State were reviewed and interviews were conducted by a team of 18 persons that included Federal ACYF staff, other national and peer State representatives, and staff from all levels of the Nevada DCFS. Three local sites, Las Vegas, Carson City, and Fallon were included in the on-site review. In these sites, interviews were conducted with the children, parents, foster parents, and service providers in each case reviewed.

In each of the local sites, as well as at the State level in Las Vegas, stakeholders from within DCFS and from collaborating organizations, such as the courts and mental health were also interviewed in an effort to evaluate the current capacity of the Nevada DCFS to deliver services in accordance with the agency's goals and in a manner leading to satisfactory outcomes for the children and families it serves. Information was gathered from a variety of sources to determine the extent to which the State's child welfare programs were achieving the outcomes noted above. The findings of the State self-assessment, the case record reviews, and all case-specific and stakeholder interviews were then assembled in this report which addresses each of the key outcome areas. A brief summary of the findings in each outcome area follows below.

Safety. The review found that the agency provides services to families to protect children in their own homes, and they are removed from their homes only when their safety is threatened. The agency uses a family-based approach in its work, and families are involved in identifying their strengths and needs and in developing plans to meet their needs. DCFS clearly focuses on the safety of children, and reports of child abuse and/or neglect are responded to in a timely manner and appropriately. In addition, staff conduct family-based assessments that are thorough and accurate and provide added assurances that the risk of harm to children is minimized. Multi-disciplinary teams are used effectively in the assessment process and in developing strategies to prevent out-of-home placements, whenever possible. Based on the assessments, appropriate services that are needed to improve family functioning are provided by the agency or arrangements for services are made with other community agencies. However, the need for additional family preservation and family support services at the local level serves as a barrier to keeping families together and reducing the incidence of repeat child maltreatment.

Permanency. The agency supports permanency and stability for children in foster care through its case planning and case review process. Case plans focus on the family's strengths and needs, involve the family in their development, are based on desired outcomes, and include action steps to accomplish outcomes. Progress toward goal attainment is tracked and reviewed regularly. DCFS makes efforts to identify children for whom adoption is needed and pursue termination of parental rights, when appropriate. The agency also tries to place children with adoption as a permanency goal with pre-adoptive parents to prevent multiple placements and provide stability for children. The review also found that the agency's Independent Living Initiative Program is providing an array of services to youth to prepare them for living independently. DCFS recognizes the importance of maintaining relationships between children in care and their families and provides needed support to families to promote regular contacts and visits. In addition, the agency makes efforts to place siblings together when out-of-home care is required, and staff carefully consider placement with relatives as an alternative to foster care placement. However, the lack of accessible foster family homes, therapeutic foster care and specialized facilities prevents some children from maintaining close relationships with their families and impedes attainment of permanency goals. While the agency's goal is to serve all populations in need of public child and family services, resources to meet the unique cultural needs of all families need further development.

Child and Family Well-Being. The review found that the agency staff are skilled in identifying family needs, and families are involved in case planning activities. Agency staff provide support to families and children through frequent visits and other contacts. DCFS staff work with the school district to ensure that the educational

needs of children are met. Staff make efforts to meet the physical and mental health needs of children, although services for children are limited and need to be increased, especially in the areas of mental health and dental care. Expanding the array of services for parents, foster parents, and children will increase the agency's capacity to meet their individual needs. Some services, such as substance abuse treatment, day treatment services for adolescents, respite care, and mental health services are limited, and local agencies do not have flexible funding to purchase individualized services to meet specific needs of children and families.

State Agency Issues. In addition to the three outcome areas, the review examined the capacity of the agency to carry out its role in the State in the delivery of child welfare services to Nevada families and children. The review revealed that the agency and staff are committed and dedicated to their work, although staff are overwhelmed with large coverage areas and caseloads. Agency staff in rural areas carry the additional responsibility for transporting children and families out of the area for needed services not available locally. The excessive caseloads and large coverage areas for all staff make it difficult to provide adequate services to children and parents. The roles of State and county agencies are clearly defined in the bifurcated system for handling child protective services in the State. However, difficulties with communication and coordination between county CPS and State child welfare staff exist at the practice level. In addition, while the agency's core child welfare training series addresses many important areas, the training program can be strengthened through expansions that include pre-service training for new staff and training for all staff on practical issues, such as working with the courts, assessment and evaluation, engaging families to a greater extent, and substance abuse services. As the agency works toward its goal of professionalizing foster parenting, expanding training opportunities for foster parents will address their need for increased knowledge and skills to meet the special needs of children in their care and to assume an increased role in assisting families to attain desirable outcomes. In addition, the agency's automated supports for casework activities are inadequate. DCFS is currently developing a Child Welfare Information System through enhanced funding available under the Statewide Automated Child Welfare Information System (SACWIS) that will produce needed data for management and decision-making purposes and will identify program needs and monitor progress. Automation will greatly assist staff in streamlining its adoption procedures and in addressing concerns around repeat child maltreatment, provided local offices are given adequate computer support.

Summary of Recommendations. Based on the findings of the review, the review team compiled a series of recommendations to address the areas in need of improvement. By reviewing its current caseload standards and considering factors such as geographical coverage areas and the availability of services locally, DCFS will be in a better position to determine whether current standards are adequate and what additional funding is needed for sufficient staff positions. The State's bifurcated system for protective services would benefit from improved teamwork, communication, and coordination between county CPS and State child welfare staff. Expanding the current staff training program to include pre-service training for new staff and ongoing training for all staff will improve service delivery to children and families by preparing staff better for the many complex tasks they must perform. Developing and implementing strategies for the active recruitment of additional foster parents who can meet the cultural and unique needs of children in care, for the retention of current foster parents, and for the expansion of specialized foster care resources will greatly assist the agency in meeting its goals for a more family-based foster care program in the State. These goals will be supported further through re-evaluating the current foster care rate structure and reimbursement policy in relation to agency goals and family-focused principles and issuing revised policies based on the evaluation results. Expanded training for foster parents will help increase their skills in providing support to children and families and prepare them to assume a more significant role in working with families toward permanency for their children. Identified needs in the State's service array can be addressed through collaboration among DCFS, local staff and community agencies in identifying gaps in family preservation, family support, physical and mental health services, and other services, and exploring creative and collaborative funding to expand services to meet the needs of each community. In addition, improving the overall management and delivery of services in the State will be dependent, in part, on the agency's continued forward movement toward development of a comprehensive and functional Child Welfare Information System.

INTRODUCTION

The Administration on Children, Youth and Families (ACYF) is currently developing a new strategy for reviewing Federally assisted child and family services in the States that takes a holistic and comprehensive view of Federally funded public child and family service programs. The new monitoring strategy will cover the range of Federally funded child welfare programs, including child protective services, foster care, adoption, independent living and family preservation and support services. The reviews are being designed to encourage Federal/State partnerships in identifying and working toward improved outcomes for children and families, promote family-focused practice principles that are likely to lead to improved outcomes, provide opportunities for States to receive technical assistance where needed, and assist States to become self-evaluating over time.

In contrast to previous Federal reviews of State child welfare programs which focused largely on procedural requirements, the new review process measures the outcomes, or results, of services delivered to children and families in the States. The areas identified for measurement are *safety*, *permanency*, and *child and family well-being*. Within each of these broad domains, more specific outcomes have been developed that reflect the mission of child welfare programs to provide protection for abused and neglected children, permanency for children who must enter foster care and support for families whose children are at risk of abuse or neglect. The specific outcomes being examined in the new review process are as follows:

SAFETY

- (1) *Children are protected from abuse and neglect in their own homes whenever possible*
- (2) *The risk of harm to children is minimized*

PERMANENCY

- (1) *Children will have permanency and stability in their living situations*
- (2) *The continuity of family relationships, culture and connections will be preserved for children*

CHILD AND FAMILY WELL-BEING

- (1) *Families will have enhanced capacity to provide for their children's needs*
- (2) *School-age children will have educational achievements appropriate to their abilities*
- (3) *Children will receive adequate services to meet their physical and mental health needs*

The Nevada Division of Child and Family Services agreed to participate in piloting the new child welfare review process in Nevada, which allowed ACYF the opportunity to join with the State in examining its programs using the proposed review strategy. The review was structured to provide an assessment of Nevada's child welfare program, identify areas where the programs were or were not achieving the desired outcomes and provide technical assistance in the areas that would be most useful to the State.

Key activities in the review process included the following:

- From May - August 1995, State staff completed a State self-assessment of its child welfare programs with consultation from the ACF Central and Regional Offices on the programs being assessed.

- Members of the State review team selected three local sites in Nevada for on-site review activities. Sites selected were representative of the diversity within the State. One urban site, Las Vegas, and two rural sites, Carson City and Fallon, participated in the review. The on-site portion of the Nevada review took place during the week of September 25, 1995.
- An 18-person on-site review team (see Appendix) was divided into three local teams. Review team activities included examining 29 case records (20 foster care and 9 child protective services/in-home services) and interviewing children, parents, foster parents, workers, and services providers involved in each case; interviewing local stakeholders in the local sites; and interviewing stakeholders at the State office in Las Vegas.
- The results of the State's self-assessment, the on-site record reviews and the interviews were compiled by the review team into this report, along with the team's recommendations for addressing the needs identified in the review.

The following section of this report contains a summary of findings reported in terms of the agency's strengths and areas needing improvement in each of the outcome areas. A summary of key recommendations of the review team is also included. The ACF Regional office will be working with the Division to determine which of the recommendations can be best addressed through immediate technical assistance and which will require more extensive planning and commitment of time and resources by the State.

SUMMARY OF KEY FINDINGS

This summary was prepared by integrating the results of the State self-assessment, 29 case record reviews, interviews with key parties of each case, interviews with State and local stakeholders, and the preliminary reports of the three local on-site review teams. Only the major findings are included in this summary; for example, those that reoccur in the various sources of information that were analyzed or those that pertain to the majority of sites included in the review.

The review examined a number of indicators related to each outcome in the areas of *safety*, *permanency*, and *child and family well-being*. The following discussion of each outcome includes information pertaining to each indicator used to determine the extent to which the agency is achieving the outcome. In addition, for each outcome there is a statement regarding its level of achievement, i.e., achieving, partially achieving or not achieving. The review findings for each indicator were used in determining the extent to which the agency is meeting each outcome. If the agency was meeting each indicator and no areas needing improvement were identified, the agency was found to be achieving the outcome. If the review found some areas of strength and some areas needing improvement for the indicators of the outcome, the agency was found to be partially achieving the outcome. If the review had found numerous areas needing improvement for the indicators of the outcome, the determination would have been that the agency was not achieving the outcome. However, the DCFS was found to be achieving or partially achieving each outcome reviewed.

The analysis of the case records included a tabulation of responses for 20 foster care and 9 CPS cases. Findings for specific indicators are presented in terms of the number of applicable cases; for example, children who do not have the goal of adoption or are not legally free for adoption are excluded from the total number of cases for a question that asks about children legally free for adoption. In addition, one On-Site Review Instrument contained information on siblings with different needs and goals, and these differences are shown as two separate cases.

Safety Outcome #1: Children Are Protected From Abuse And Neglect In Their Own Homes Whenever Possible

The review examined the following indicators related to this outcome: services to protect children in their own home, the current risk of harm to children being served in their own home, and the incidence of child deaths due to maltreatment which is also related to safety outcome #2 and is described in that section of the report. Based on the review of these indicators, the agency is partially achieving this outcome. The Division is providing services to protect children in their own home and specific interventions to reduce or remove the risk of harm to children served in their own home. However, an expansion of family preservation services is needed so that more families can be served.

Strengths

- **The agency provides services to families to protect children in their own homes whenever possible.**

The agency's overall philosophy is that children have the right to be with their parents when they can be protected in their parents' care. DCFS provides or arranges services to prevent a child's removal from the home, and the agency considers placement only in situations where services have been unsuccessful; parents have refused services; or the child is clearly in danger. The self-assessment shows that 3,339 cases of confirmed maltreatment were opened for services in Nevada in State fiscal year 1994, and only 607 children in these cases entered foster care. The case record review revealed that 23 of the 29 cases reviewed were cases of substantiated or indicated abuse or neglect. Of these 23 cases, the agency provided services to 20

families (87 percent) to protect the children in their homes, including family preservation, family support or other placement prevention services.

Stakeholder and case-specific interviews indicated that State child protective services (CPS) staff in the Carson City and Fallon offices make maximum use of the intensive family services (IFS) program, which provides home-based services to improve family functioning and ensure protection of children. IFS and CPS workers conduct joint intake with families, and workers maintain contact throughout the service period. IFS staff work with the entire family and have been successful in engaging families in needed interventions. In addition, State CPS staff work collaboratively with other community agencies to meet the needs of children and families, and staff are viewed by the community as committed, competent, and successful in protecting children in their own homes. Although CPS was not a focus of the review in Las Vegas, stakeholders indicated that county CPS staff use available family preservation services and provide in-home services to protect children in their own home.

- **The agency provides in-home services to families to reduce the risk of harm to children.**

The review included nine families who were receiving or had received in-home services to reduce the risk of harm to the children. In four families, the current risk of harm to the children was the basis for keeping the case open, and these families were receiving in-home services, such as IFS, homemaker services, and counseling. There was no current risk of harm to the children in the five remaining families, whose cases had been closed. However, these families had received IFS, homemaker services, and other in-home services to reduce the children's risk of harm.

Areas Needing Improvement

No areas needing improvement were found. The need to expand family preservation services is discussed under State Agency System.

Safety Outcome #2: The Risk Of Harm To Children Is Minimized

The review examined the following indicators related to this outcome: timeliness of responses to child abuse and/or neglect reports, assessment of risk, the incidence of repeat maltreatment, child deaths due to maltreatment and child maltreatment in out-of-home care. The analysis of findings for these indicators showed that the agency is partially achieving this outcome. DCFS provides timely responses to child abuse and/or neglect reports and conducts appropriate assessments of risk with the provision of needed services. However, additional support services to families are needed to avoid repeat maltreatment.

Strengths

- **The agency's response to reports of child abuse and/or neglect is timely and appropriate.**

Agency supervisors or a unit within the CPS agency screen all reports of child abuse and/or neglect to determine whether there is "reason to believe" that the child has been abused or neglected and assign cases for investigation. While State statute requires that all investigations be initiated within three working days of receipt of a report, DCFS uses guidelines from the American Humane Association to prioritize reports as immediate, same day, or three day responses, and investigations are conducted according to the assigned priority.

The on-site review revealed that in 29 (85 percent) of the 34 reports made during the past 12 months on the cases reviewed, the investigations were initiated within the State's time frame for a report of that priority.

The remaining five reports pertained to one active CPS case in which services were being provided to the family; three of these investigations were not initiated within the State's time frame. The response time of the investigation for two of the five reports could not be made because this information was not contained in the case record. Stakeholder interviews revealed that response times to reports are adequate, and the agency has no backlog of reports pending investigation. In addition, stakeholders felt that the safety of a child is the focus of services and that CPS monitors cases carefully and networks with other agencies to assure quality of services and safety of children. The self-assessment indicates that, in a 1994 review of response times by the agency, staff met the three-day response time in almost 98 percent of the cases reviewed.

- **Through the services it provides, the agency is managing the current risk of harm to children being served in their own homes and in out-of-home care.**

In 10 of 16 cases reviewed, the risk of harm to the child was the basis for the case being open, and services were being provided to reduce the risk. In-home services, such as IFS, counseling, and homemaker services were being provided to families whose children remained at home, and parents whose children were in foster care were receiving services, such as parenting training, substance abuse treatment services, mental health services, stress management classes, and homemaker services. In the remaining six families, the children were not at current risk of harm; five families had received in-home services and their cases were closed; and in one family, the child was in foster care and the mother was incarcerated.

DCFS conducts a family-based assessment which includes a description of the child and family's service needs, the family's strengths, and the types of community or agency resources needed to support the family. DCFS participates on local multi-disciplinary teams that meet monthly or more often in emergencies and have broad representation from the community. These teams are working effectively in assessing family situations and developing strategies to ensure the child's safety in the home and avoid out-of-home placement, when possible.

Stakeholders felt that State and county CPS staff correctly assess the child's level of risk and provide appropriate services to protect children within their limitations of time and caseloads. It was felt that the combination of qualified staff, supportive communities, and cooperation among agencies increases the safety of children.

Areas Needing Improvement

- **The incidence of repeat maltreatment of children by the same perpetrator or involving the same general circumstances was 27.5 percent of the cases reviewed on-site.**

The on-site review found that some children are subjects of multiple child abuse and/or neglect reports involving the same perpetrator and the same general complaint. Ten of the 29 cases (34 percent) reviewed involved children who had been subjects of multiple suspected abuse or neglect reports during the past 12 months with 6 cases involving 2 reports; 2 cases, 3 reports; 1 case, 5 reports; and 1 case, 6 reports. Eight (27.5 percent) of the 29 cases had substantiated or indicated reports that involved the same perpetrator and the same general complaint. Factors that contribute to repeat maltreatment, noted in the self-assessment, relate to both family and system issues. Families are experiencing increased substance use or abuse, increased domestic violence, and economic strains. In addition, excessive caseloads have sometimes resulted in a "band-aid" approach to providing services to families instead of sustained, intensive work with families that will have long-term positive effects.

State appropriations for family support services have decreased each year for the previous three years. Although DCFS is using Medicaid and Emergency Assistance funds to provide family support services, funding is not sufficient to provide adequate support services to families to avoid repeat maltreatment. Information from stakeholder and case-specific interviews supported the need for increased family support services. In addition, there was concern that not enough emphasis is placed on reviewing the circumstances of previous reports, both substantiated and unsubstantiated, to identify more clearly family patterns, underlying problems, and issues so that appropriate services are provided to prevent future crises.

- **There were four child deaths due to maltreatment in families known to the agency during the year under review.**

The State's central registry recorded 11 child fatalities in Nevada during State FY 1994, and 4 of these children or their families were known to the agency. While this number does not appear disproportionately high for a State the size of Nevada, the agency is concerned about any child deaths due to maltreatment and the self-assessment acknowledges that such deaths may be underreported to the central registry, since incidents may be handled by law enforcement agencies without notification to the agency. This is an area that the agency is taking steps to address; in fact child death review teams have been formed in Clark and Washoe counties to review child deaths. All deaths of children under the age of 6 are reviewed by the Clark County team, and Washoe County reviews all deaths of children under the age of 18 and deaths referred by rural counties to the Washoe County Coroner's office. According to the self-assessment, other efforts are underway to gather data on child deaths in rural Nevada. Full implementation of SACWIS will provide the agency with the capability to track child fatalities and could be valuable to the agency in identifying any service needs or practice issues that might assist in preventing child deaths due to maltreatment.

- **The incidence of substantiated reports of child maltreatment in out-of-home care during State FY 1994 was 2.6 percent of all children served in out-of-home care.**

According to incident-based data in the self-assessment, there were 64 substantiated reports of maltreatment of children in out-of-home care by out-of-home providers during the year under review (2440 total children in out-of-home care). Like child deaths, this number does not seem disproportionately high for a State the size of Nevada, but is, nevertheless, an area where the State will want to continue monitoring and making efforts to reduce the incidence wherever possible.

Permanency Outcome #1: Children Will Have Permanency And Stability In Their Living Situations

The review examined the following indicators related to this outcome: stability of foster care placement; permanency goals for children, which includes the length of time a child has an unachieved permanency goal and whether or not services being provided are consistent with the stated goal; foster care re-entries; the appropriate use of long-term foster care; and the effectiveness of independent living services and adoption services in serving children for whom those services are appropriate. The review revealed that the agency is partially achieving this outcome. The agency supports permanency and stability for children through its case planning and case review process, independent living services, and timely adoptions. However, the shortage of placement options and foster care funding limits the agency's ability to place all children according to their individualized needs.

Strengths

- **The agency's case review and goal-directed case planning process supports permanency and stability for children in foster care.**

DCFS staff use a family-based approach in working with families with children in foster care, and consistent with the expectation of Public Law 96-272, case plans are developed to provide needed services to strengthen family functioning and provide permanency and stability for the child. In addition, case reviews are conducted regularly to assess the family's progress toward meeting their goals. The on-site review revealed that services provided were consistent with the stated permanency goal in all 20 foster care cases, and 4 children had achieved their permanency goal. The goal had been in place and unachieved for 12 months or longer in 12 cases, including 5 cases with a permanency goal of adoption; 4 cases, reunification; and 3 cases, long-term foster care. In addition, the length of time that the 5 children with adoption goals had been in place and unachieved ranged from 12 to 35 months, while the 4 children with reunification goals ranged from 12 to 19 months. Alternatives had been considered and appropriately ruled out before the goal of long-term foster care was determined appropriate for the three cases with this permanency goal.

The self-assessment showed that the majority of children experience only one placement setting during a foster care episode; 40 (67 percent) out of 60 randomly selected cases had only 1 placement setting in the most recent continuous foster care episode, while 11 children had experienced 2 placement settings in the most recent continuous foster care episode. The on-site review revealed that 15 (79 percent) of 19 cases involved children who had not changed placement settings during the current foster care episode unless changes were needed to assist in achieving their permanency goals. In addition, the current placement setting was stable in 14 (74 percent) of the 19 cases with no observable threat of placement disruption, and information about the stability of the placement was unknown in only 1 case.

According to stakeholder interviews, there is an increased emphasis on permanency. Courts are making progress toward early permanency decisions, and a change in State statute, which makes the best interests of the child the determining factor in cases concerning termination of parental rights, is expected to lead to earlier decisions on termination, when appropriate. Court Appointed Special Advocates (CASA) work on behalf of children and in collaboration with DCFS staff on permanency planning.

- **A small percentage of children in Nevada have multiple entries into foster care.**

The review showed that only 3 (15 percent) of 20 children had experienced multiple entries into foster care for the same general reason. A random sample of 60 children in foster care, examined for the self-assessment, indicated a lower percentage of multiple entries at 6.6 percent (4 of the 60 children in the sample had prior entries). The self-assessment indicates that children re-enter foster care because of re-abuse or neglect and a lack of services for children and their families.

- **Independent living services are being provided consistent with the child's needs.**

The agency's Independent Living Initiative Program (ILIP) provides services to foster care youth between the ages of 16 and 21 so they can make the transition from foster care to living independently as an adult. ILIP grant funds may be used for a variety of services to increase independent living skills, such as education, vocational training, psychological services, subsidized apprenticeships, specialized outings, and other services as approved by the agency. The on-site review included 4 children who were age-appropriate for independent living services, and 3 of the children (75 percent) were receiving independent living services consistent with their needs. The one child who was not receiving independent living services was a child who required placement in a specialized facility out-of-state and who will need institutional placement after age 18. Stakeholder and case-specific interviews indicated that children are prepared for independent living when they become emancipated, and efforts are underway to coordinate independent living services with adult mental health services for children who have service needs beyond emancipation.

- **Efforts are made to increase the timeliness of adoptions, and the agency provides adoption subsidies to families, based on the needs of families.**

The self-assessment noted the early identification of children for whom adoption is the most appropriate goal; the early termination of parental rights in cases with a permanency goal of adoption; the early placement of children in pre-adoptive homes; and the active recruitment of legal risk adoptive families as successful strategies that DCFS has implemented to achieve timely and appropriate placements of children for adoption. In addition, the agency provides subsidies to adoptive families, based on the family's needs, which may include services, such as counseling or therapy for the child and the family; respite care to prevent disruption in high-risk placements; and other relevant and necessary services to the child and the family to facilitate adoptive placement. As highlighted in the self-assessment, the greatest accomplishment during the past year of the Las Vegas District Office was its "fast track" adoption procedures. These were implemented to facilitate early identification of those children for whom adoption is the most appropriate goal and expedite the termination of parental rights and adoption processes. However, barriers, such as large caseloads, insufficient efforts to locate relatives, issues with the courts, and lack of adoptive resources for special needs children continue to impact the termination of parental rights process.

The on-site review included 8 cases in which children were legally free for adoption, and an adoptive family had been identified in 7 (88 percent) of the cases. In the 5 cases in which there were current delays in placement, the delays in 4 cases (80 percent) were not within the agency's ability to correct. There were only two cases in which children were not legally free for adoption, and delays in freeing the child in one of these cases were within the agency's ability to correct. Case-specific and stakeholder interviews revealed that the agency is successful in supporting foster parents to become adoptive parents. However, some of the individuals interviewed suggested that the adoption process was too lengthy in some situations. There had been instances in which completion of the home study was delayed or the court extended the period for parents to improve their situation before termination of parental rights was considered.

Area Needing Improvement

- **Out-of-home placements for children are not always matched to children's needs and do not always support permanency goals.**

The agency's limited placement options for children result, at times, in placement decisions based on availability rather than the child's needs. There is a shortage of foster family homes, especially homes for minority children and teenagers, therapeutic foster homes, and specialized care facilities. Limited placement options result in children being placed in more restrictive settings than their needs require; out-of-county and out-of-State placements; and placements with foster parents who are not prepared to meet the special needs of the child. These situations may also present barriers to children achieving permanency goals of reunification by increasing the likelihood that a child will be moved from one placement setting to another and limiting the opportunities to maintain contacts between the child and his/her family.

The foster care rate structure and reimbursement policy have some components that serve as barriers to permanency. The reimbursement policy for therapeutic foster care prohibits payment for a child's care in a therapeutic foster home if the child is out of the foster home for more than 25 days per year. This policy is inconsistent with family-focused practices, such as providing support for a child's frequent visits with parents to sustain important relationships and promote reunification. Also, siblings cannot be placed together in therapeutic foster homes unless all of the children need specialized care, leading to separated siblings in foster care. In addition, a change in a child's condition may result in moving the child unnecessarily from one foster care setting to another.

Permanency Outcome #2: The Continuity Of Family Relationships, Culture And Connections Will Be Preserved For Children

The review examined the following indicators for this outcome: proximity of placements to parents, placement of children in care with siblings, visiting between children in care and their parents, preservation of cultural connections, use of relative resources, and the current relationship of children in care with their parents. The analysis of findings for these indicators showed that the agency is partially achieving this outcome. The continuity of family relationships and connections is preserved for children through efforts to place siblings together, agency support in maintaining relationships between children and their families, and the use of relatives as alternatives to foster care placement. However, the agency needs to assess and further develop child welfare resources to meet the unique cultural needs of children and families and increase the availability of foster family homes in close proximity to children's families and communities.

Strengths

- **Children are placed with siblings whenever possible.**

The review indicated that of 13 families with siblings in foster care, the siblings in 7 of the families were placed together. Of the 6 families where the siblings were not placed together, there was clear evidence that separation was necessary to meet the needs of the children in all of these families. Case-specific interviews substantiated that the agency makes efforts to place siblings together, but situations involving children with special needs present barriers to placing siblings together. The review found that three children who were separated from their siblings required placement in a specialized or therapeutic facility.

- **Relationships of children in care with their families are supported by the agency when possible.**

DCFS staff make every effort to help children in foster care maintain relationships with their families. Staff assist in arranging visits between family members and provide transportation as needed for visits. In addition, staff encourage regular telephone contacts between children in care and their families, particularly when children are placed out-of-county and out-of-State and frequent visits are not feasible. The review included 15 families with children in foster care in which the goal was reunification (cases in which the case goal was other than reunification were not included in this analysis, since visits were not always a part of the case plan). In 11 of the 15 families, children in foster care had at least monthly visits with their families. There were six families involving siblings in foster care who were not placed together, and visits between siblings occurred less frequently. Siblings in one family visited bi-weekly; siblings in three families had less than monthly visits; and the frequency of visits in two families was unknown.

Case-specific interviews and entries in case records indicated that 9 of the 15 families (60 percent) showed evidence of a strong, emotionally supportive relationship between the child in foster care and the child's parents. Agency efforts to maintain relationships between children in care and their families were confirmed in stakeholder and case-specific interviews with parents and children. In addition, visits between children and their families are encouraged by the courts.

- **Efforts are made to place children with relatives, whenever possible.**

DCFS determines whether relatives are available to care for children who are removed from their homes and conducts an evaluation of the relative's willingness and capability to provide the needed care. The review revealed that children were placed with relatives in 6 of the 21 foster care cases (one On-Site Review Instrument contained information on siblings with different needs and goals, and these differences are shown as 2 separate cases). However, relatives were considered for placement of 11 (73 percent) of the

15 children who were not in relative placements. Relative placements were not considered in four cases because of the child's special needs, the biological mother's request, and the lack of information on the extended family. Stakeholder interviews indicate that the agency makes placements with relatives when possible and appropriate.

Areas Needing Improvement

- **The unique cultural issues of children and families in need of public child welfare services need further development and assessment.**

The agency is making an effort to serve the various populations in the State, as evidenced by the findings of the review that the cultural connections of children in foster care were being preserved to a large extent in 16 (80 percent) of the 20 foster care cases. These children were placed with foster parents of the same race and ethnicity, and in one case, it was noted that the child's religious background was considered in his placement. Cultural connections of children were partially preserved where the child's race and ethnicity differed from the adoptive parents; however, these parents were providing the children with information on their culture. Yet, a shortage of African-American foster family homes led to routine placement of African-American children with white foster families. In addition, stakeholder interviews indicated that increased awareness and support for the cultural needs of all minority groups, including African-American, Native American, Hispanic, and Asian populations are needed.

- **The small pool of foster family homes inhibits preservation of important family relationships for children in foster care.**

There is a shortage of foster family homes, especially homes for minority children and adolescents, which results in some children being placed outside their communities and counties. The majority of the foster care cases included in the on-site review involved children who were placed in the same community or county as their parents. However, it is likely that many families with children placed out of the area were excluded from the sample of cases because case-specific interviews would not be feasible. Of the 60 children in care randomly selected for the self-assessment, 83 percent (50 children) were placed in the same county as the child's parent(s). Interviews with stakeholders confirmed that the placement of children in close proximity to their families is not always possible because of limited placement resources, and placements out of the area limit visitation between children and their families.

Child And Family Well-being Outcome #1: Families Will Have Enhanced Capacity To Provide For Their Children's Needs

In addition to describing the extent to which the agency is helping families increase their capacity to provide for their children's needs, this outcome also reviews family-based practices within the agency. The indicators for this outcome are drawn primarily from the family-based practice section of the On-Site Review Instrument and include the following: needs and services of children, parents, and foster parents, child and family involvement in case planning, and worker visits with children and parents. The findings showed that the agency is partially achieving this outcome. The agency provides services appropriate to the needs of children and families, involves families in case planning, and supports families and children through frequent contacts. However, the agency's capacity to meet the individual needs of children, parents, and foster parents can be assured better with an increased array of services.

Strengths

- **The identified needs of children and families are correctly identified, and efforts are made to provide services to meet these needs.**

The agency conducts a thorough assessment of the family's needs and develops case plans with the family that identify strengths, needs, desired outcomes and action steps to achieve outcomes. The on-site review indicated that the identified needs of the child were being addressed through appropriate services in 29 (97 percent) of 30 cases, (the children in one case had different needs and goals and were considered 2 cases). In the 23 families where the case plans included services to the child's parents (parental rights were terminated in 6 cases), the identified needs of the parents were being addressed through appropriate services in 17 families (74 percent). There were 14 cases where children were placed in foster family homes, and the identified needs of the foster parents were being addressed through appropriate services in 13 cases (93 percent). Stakeholder and case-specific interviews supported the view that the needs of children and families are being addressed.

Services to achieve the outcomes are provided by the agency or other agencies in the community, and case plans are reviewed regularly to assess progress toward desired outcomes. The review indicated that services provided to children in 29 cases included medical and mental health services and services to meet their educational needs. In one case the agency had not been able to provide medical and mental health services to the children because of limited community resources. The child's parents in 17 families were provided services, including IFS, counseling, and substance abuse treatment, but barriers to accessing services, such as the family's lack of transportation, the parent's resistance to substance abuse treatment, and the limited availability of family preservation services were evident. Stakeholder and case-specific interviews supported the need for additional services, such as medical services for families receiving Medicaid, mental health services, and substance abuse treatment services. (Gaps in services are discussed as an area needing improvement.)

- **Families are becoming active participants in case planning activities.**

DCFS develops individualized case plans to meet the specific needs of the family, and the family's involvement in the case planning process is actively encouraged. The on-site review included 17 families with children who were old enough to participate in case planning and 23 families in which the parent's involvement in case planning was appropriate. (Parental rights had been terminated for six children and the parent's involvement in case planning was not appropriate.) The children in 12 families (71 percent) were involved in case planning activities, and the parents in 20 families (87 percent) were involved. Case-specific interviews indicated various levels of family participation in case planning activities. Some of the parents interviewed indicated that the worker actively involved them in the planning process, and others indicated that the worker told them what to do. The agency also is beginning to involve foster parents in the case planning process, which is seen as a positive approach; however, this practice has not as yet been implemented throughout the State.

- **Staff of the agency support children in foster care and their families with frequent contacts and visits.**

Agency staff make an effort to visit children and their families at least monthly. An analysis of the 20 foster care case records showed that the majority of children were visited by their worker at least monthly. Seven of the 20 children in foster care were visited less frequently than monthly, but 3 of these 7 children were visited at least monthly by other agency staff, volunteers, or service providers. The majority of parents in the 23 cases in which parental rights had not been terminated were visited by the worker at least monthly; 5 parents were visited less than monthly.

- **In most situations, family-focused values and practices guide DCFS interventions.**

The self-assessment states that the agency's mission is "to promote the well-being and stability of families by coordinating a system of services to help vulnerable families meet their needs." DCFS uses a family-based philosophy in its work with families, based on the assumption that it is in the child's best interests to remain with or in contact with his/her family while the family receives services to improve the home environment, provided the child's safety is not threatened. The overall approach is to work with the family to identify its strengths, develop plans and provide services to meet the family's needs, and encourage, motivate, and empower the family.

Stakeholder and case-specific interviews confirmed that the agency is moving toward a family-focused approach. However, family-focused values, while prominent, are not uniform across community agencies and, to a lesser extent, within the agency. In times of crisis, there is still a tendency to focus on the child, rather than the entire family.

Area Needing Improvement

- **There is a need for a greater array of services at the local level to meet the needs of children, families, and foster families.**

Although the agency shows strengths in identifying needs and providing services for most families, important gaps in services remain. The review revealed that there is a shortage of services to meet the needs of children, families, and foster families, including substance abuse treatment services, day treatment services for adolescents, respite care, mental health services for parents and children, and medical and dental care. Available substance abuse treatment services are not adequate to meet the high volume of need. There is inadequate respite care for foster families, especially to support family-based placements of children with special needs. Mental health services for parents and children are limited, and day treatment services for troubled adolescents are needed. Families have difficulty in accessing needed medical and dental care due to limited availability of services and the reluctance of the medical community to accept Medicaid. In addition, local agencies do not have access to flexible funds that would enable them to develop services, where needed and otherwise unavailable to meet the unique, individualized needs of children and their families.

Child and Family Well-being Outcome #2: School-age Children Will Have Educational Achievements Appropriate To Their Abilities

The review examined whether the educational needs of children were being addressed, including normal grade placement, special education services, services for identified educational needs, early intervention for pre-school children, and changes in school enrollment resulting from foster care placement. The findings show that the agency is meeting the educational needs of children.

Strengths

- **Efforts are made to meet the educational needs of children.**

DCFS staff work with the school district toward developing and updating individual education plans (IEPs) for children with special educational needs. The on-site review included 22 families involving school-age children, and children were in normal grade placement in 15 of these families (68 percent). The remaining seven children were in special education classes. Children in 18 of the families (82 percent) had identified

educational needs, and children in 13 families (72 percent) were receiving services for their identified needs. Six families involved pre-school children, and in 4 of these (67 percent), the children were receiving early intervention services. The majority of case records contained educational information on the children, including IEPs, information on educational testing and evaluation, grades, and information on the child's improvement in school. The majority of school-age children included in the sample had not experienced multiple school placements as a result of being placed in foster care. Stakeholder interviews indicated that the agency does a good job in attending to educational needs, especially when a resource is there and they do not have to develop it. Indications are that if educational issues are a concern, the agency will follow up.

Areas Needing Improvement

No areas needing improvement were found.

Child and Family Well-being #3: Children Will Receive Adequate Services To Meet Their Physical And Mental Health Needs

The review examined physical and mental health prevention and treatment needs of children, including preventive health and dental care, immunizations, treatment for identified health and dental needs, mental health assessment or screening, and treatment for mental health needs. The findings showed that the agency is providing services to meet the physical and mental health needs of children. However, the lack of dental services and mental health prevention and treatment services are barriers to meeting these needs.

Strengths

- **Efforts are made to meet the physical and mental health needs of children.**

The physical and mental health needs of children are addressed in case planning and court orders. Information in the case records and from interviews indicated that the majority of children are receiving the physical and mental health prevention and treatment services they need. Immunizations were the primary health prevention service with children in 24 cases having immunizations. Mental health assessments or screenings had been conducted for children in 21 cases. Children in 21 cases were receiving general preventive health care services, but fewer children received preventive dental care. Preventive health services were provided more frequently to children in foster care. Children in 75 percent of the foster care cases had been immunized; 76 percent had received preventive health care; and 67 percent had been provided preventive dental care. In addition, the majority of children with identified health needs were receiving treatment.

While many children are receiving needed medical and mental health services, these resources are limited and a great deal of staff time is spent in accessing care. Services are often not available locally, particularly in rural areas, and staff transport children out of town to receive care. In addition, staff spend time in locating providers who will accept Medicaid because many providers do not accept Medicaid.

Area Needing Improvement

- **There is a lack of prevention and treatment services to meet children's mental health and dental needs.**

Although the agency is able to provide many services to meet child and family well-being, mental health treatment services, particularly specialized services for emotional and behavioral needs of children, are

limited. There is also a lack of dentists available to children. Many providers do not accept Medicaid, and providers who accept public funds have waiting lists of children needing care. In addition, mental health screenings are not routinely provided to children in foster care.

State Agency System

The review team found that agency staff are committed and dedicated to their work, although large caseloads and coverage areas serve as barriers to providing adequate services to children and families. The agency's staff training program addresses many important areas, but training needs to be expanded to include pre-service training for new staff and additional training for all staff to increase their skills. Foster parents also need additional training so that they can better support the children in their care and their families. In addition, the agency's automated supports for casework activities need improvement.

Strengths

- **Agency staff are committed and dedicated to their work.**

The consensus among stakeholder and case-specific interviewees was that workers are conscientious and dedicated. They are committed to trying to ensure the safety of children and working with the family to access needed services and meet the family's desired outcomes. Staff have strong working relationships with community agencies, and they are respected by the community. Teamwork within the agency is evident.

- **The agency's training program addresses many important areas.**

The agency uses a competency-based, comprehensive in-service training curriculum and program that was developed by the Institute for Human Services in Columbus, Ohio. The initial core child welfare training series is required for all new caseworkers and consists of 4 modules delivered in 13 days. The four modules cover Family-Centered Child Protective Services (three days); Case Planning and Family-Centered Casework (four days); Effects of Abuse and Neglect on Child Development (three days); and Separation, Placement, and Reunification (three days). According to stakeholders, the agency's training program focuses on engaging the family and being sensitive to family needs.

Areas Needing Improvement

- **There is a need to define and implement a local array of family preservation services that meets the State's unique needs.**

The self-assessment states that many rural, isolated areas lack the resources to provide services needed to protect children in their homes, and there is a lack of funding available to provide services to families in need. Stakeholder and case-specific interviews revealed that the IFS program is limited by the number and types of families that staff are able to serve, and program participation is limited to 90 days. Families often are identified as needing IFS program intervention, but IFS is often unable to accept referrals because caseloads are at capacity. Family preservation services need to be expanded to serve more families and to be designed to serve families with a variety of problems, for example, to support reunifications and work with families on chronic neglect issues, as well as intervening in crises to prevent initial placements in foster care. Many stakeholders believed that the agency could keep more families together if an adequate array of family preservation services was available to them.

- **The agency's automated information system does not provide adequate support for casework activities.**

The State was unable to produce Statewide data for most of the performance indicators in the self-assessment from its automated information system. Data are not widely available on key program areas needed to inform management and local staff about needs, progress, and monitoring of the agency's clientele and services provided. For the purposes of this pilot review, the State was able to provide data, collected from its central registry, its 1994 agency and case review of 1993 CPS cases, a review of a random sample of cases, and inventories that gave some indication of basic program needs and the extent to which current populations were being served. The State is developing a Child Welfare Information System through enhanced funding available through the Statewide Automated Child Welfare Information System (SACWIS) that will produce needed data for management and decision-making purposes and will identify program needs and monitor progress. In addition, the system will greatly assist the agency in streamlining adoption procedures and addressing cumulative harm concerns around prior reports of child abuse and/or neglect.

- **The agency's training program needs to be expanded to include pre-service training for new staff and training on practical issues.**

The agency does not have a pre-service training program for new staff who would benefit from participating in the initial core child welfare training series before they assume responsibility for a caseload. While joint visits between new and experienced staff take place in some offices, this practice has not been implemented throughout the State. The review revealed that staff have needs for ongoing training on practical issues, such as working with the courts, writing court reports, presenting cases in court, case assessment and evaluation, engaging families to a greater extent, and working with families with substance abuse problems. In addition, a family-based philosophy is not practiced uniformly among staff within the agency. The State's high rate of staff turnover may contribute to the need for additional training.

- **Excessive caseloads and large coverage areas make it difficult to provide adequate services to parents and children.**

Workers carry excessive caseloads and cover large geographical areas. In addition, workers in rural areas spend an inordinate amount of time transporting children to other areas for services because needed services are not available locally. The agency has developed caseload standards, but current staffing levels do not reflect these standards. Excessive caseloads and large coverage areas are barriers to achieving permanency for children and meeting the needs of children and families.

- **The agency's training program for foster parents does not fully prepare them for their responsibilities.**

The agency's plan to professionalize the role of foster parents with increased training and clear job expectations will strengthen the foster care system. Foster parents need additional training to develop a clear understanding of the needs and problems of children in their care and increase their skills in supporting these children. In addition, they need guidance in areas, such as working with biological parents toward reunification with their children and modeling parenting skills with parents. Most foster parents have a positive view of their involvement as team members in developing and implementing case plans, but they could benefit from additional training in the process.

- **The bifurcated system for child protective services results in poor coordination and communication at the practice level.**

The roles of State and county agency staff in the bifurcated system for child protective services are well defined, and administrators in these agencies have formed viable partnerships. However, the review identified the separation of CPS and child welfare services in Clark County as contributing to ineffective coordination and communication at the practice level. Several issues were of particular concern: the lack of a common vision of services to children and families; the amount of resources consumed in the transfer of cases from the CPS county agency to the CWS State agency; and the excessive and redundant paperwork required in the transfer. In addition, State and county foster homes are not shared, so a child must be moved from one foster home to another when custody of the child is transferred from the county to the State. Although everyone recognizes that much improvement in the efficiency of transferring cases has been made, separate agencies continue to present barriers to full achievement of the outcomes examined in this review.

SUMMARY OF KEY RECOMMENDATIONS

Based on existing strengths and the findings of the review, the review team recommends that the Division address the identified needs in the following ways:

Administration/Management

- Taking steps such as considering geographic coverage areas and increasing the availability of services locally in order to bring staffing patterns in line with caseload standards will help the agency increase its capacity to respond to the safety and permanency needs of the families it serves, particularly in rural areas.
- Revising those aspects of the State's foster care rate structure and reimbursement policies that do not support frequent family contacts or placement stability for children in foster care will assist the State in implementing its goals related to family-based practice and permanency at the county level.
- Developing the State's automated management information capacity will assist management in key decision-making activities and monitoring processes and assist staff at the local level with managing their work and improving service delivery to families.
- Revising current procedures in the State's bifurcated system for protective services that impede teamwork and close coordination between county CPS and State child welfare staff at the practice level will help the agency improve services to children and families.

Training

- Providing expanded training to foster parents will help prepare them to assume a more significant role in case planning and work in partnership with the agency and families toward permanency for children in their care.
- Expanding the State's existing core child welfare training program to include pre-service training for new staff and additional training for all staff on practical issues, such as working with the courts, writing court reports, presenting cases, family assessment and evaluation, engaging families to a greater extent, and working with families with substance abuse problems will increase the basic skill level of workers and prepare them better to engage in family-based practice.

Program Development

- Developing a strategy for actively recruiting foster families in the communities from which children are entering foster care, retaining existing homes and increasing specialized foster home resources that consider the unique cultural and specialized needs of children will assist the State in expediting permanency for children in its care and supporting their most important connections and family relationships.
- Exploring resources for creative and collaborative funding to expand local services, such as family preservation, family support, physical and mental health services, and substance abuse treatment services, and providing some flexible funds for services to local areas will increase the opportunities for individualizing services to children and families and matching services provided to their identified needs.

- Strengthening agency policies and practices to promote increased family participation in all case planning activities, including case reviews and decisions about services, will help strengthen the capacity of local staff to work with families in all phases of the service delivery process. This recommendation also includes efforts to increase the capacity of supervisors to support workers and model family-based practices, and monitoring family participation and involvement as one component of the agency's internal quality assurance process.



DEPARTMENT OF HEALTH & HUMAN SERVICES

Administration for Children and Families
Region VII

Memorandum

Room 276, Federal Office Building
601 East 12th Street
Kansas City, Missouri 64106

Date: February 22, 1996

To: Carol Williams, DSW, Associate Commissioner
Administration for Children, Youth and Families

From: Final Report for the Nebraska Title IV-E Foster Care
Pilot Review

Subject: Max W. Smith, Director
Office of State and Tribal Operations

A copy of the report for the Nebraska Title IV-E Foster Care Eligibility Pilot Review is attached for your information.

The Nebraska Department of Social Services staff was involved in the conduct of the pilot review. The report reflects the collective findings and opinions of the entire eligibility review team.

This report will be released to the State of Nebraska upon your concurrence. A copy of the signed report will be forwarded to your office when it is released to the State.

If you have any questions concerning this review, please contact Richard A. Schrader, Child Welfare Specialist, Office of State and Tribal Operations. He may be reached by calling (816) 426-5211, extension 198.


Max W. Smith

Attachment

I have reviewed this report and concur with its contents.


Carol W. Williams, DSW
Associate Commissioner, CB.

2/27

NEBRASKA TITLE IV-E

PILOT REPORT

1995

A Partnership Review
Conducted by:

The Department of Health and Human Services
Administration for Children and Families
Region VII, Kansas City, Missouri

The Department of Health and Human Services
Administration for Children and Families
Administration for Children Youth and Families
Washington, D.C.

and

Nebraska Department of Social Services



DEPARTMENT OF HEALTH & HUMAN SERVICES

Administration for Children and Families
Region VII

Room 276, Federal Office Building
601 East 12th Street
Kansas City, Missouri 64106

February 22, 1996

Mr. Don Leuenberger
Director
Nebraska Department of Social Services
301 Centennial Mall South, 5th Floor
Lincoln, Nebraska 68509-5026

Dear Mr. Leuenberger:

This letter transmits the findings from the title IV-E foster care eligibility pilot review conducted in Lincoln, Nebraska on July 10-14, 1995. The Administration for Children and Families (ACF) appreciates your agency's participation in this pilot review.

The review represented an opportunity to improve and strengthen the title IV-E eligibility system by: Focusing on recent State child welfare practice; incorporating technical assistance and corrective action into the review process; including State staff as members of the on-site review team and in the development of the final report; and presenting the State with an optional review of non-title IV-E cases to assist it in maximizing its title IV-E claims.

Since the requirement for assessing fiscal sanctions was waived for this review, the responsibility for correcting and adjusting the ineligible payments identified during the review rests with your agency. The listing of ineligible payments is included as an appendix to this report.

If you have questions regarding the title IV-E foster care pilot review, please contact Richard A. Schrader, Child Welfare Specialist, Office of State and Tribal Operations. Mr. Schrader can be reached at (816) 426-5211, extension 198.

Sincerely,

Max W. Smith
Director, Office of State
and Tribal Operations

Enclosure

1995 NEBRASKA TITLE IV-E PILOT REPORT

INTRODUCTION

Nebraska volunteered and was selected as one of four states to participate in a title IV-E foster care eligibility pilot review. The review was conducted July 10-14, 1995 by staff from the Administration for Children and Families (Dan Lewis, Rita Lowry, Chuck Sigl, Margreta Silverstone, Carol Overbeck, and Richard Schrader) and representatives from the Nebraska Department of Social Services (Margaret Hall, Dorothy Renstrom, Margaret Bitz, Gregory Holland, Gwen Howard, Cynthia Filips, Deb Habrock, and Charles Ponec).

This pilot review represented an opportunity for the State and Federal staff to work together to improve and strengthen the title IV-E eligibility system. The review focused on the key aspects of title IV-E foster care eligibility, including: judicial determinations of contrary to the welfare and reasonable efforts; licensing requirements; and AFDC-related issues. It also afforded the State, through its participation as members of the review team, an opportunity to inform and influence the development of the title IV-E eligibility regulations.

REVIEW STRATEGIES

The strategies used in this pilot review differed from previous reviews in several significant ways. The pilot allowed federal and state staff to identify technical assistance needs and to collaboratively develop strategies for implementing corrective action. The review sample focused on current practices by selecting cases representative of children who were in placement April 1, 1994 through March 31, 1995. Further, the review was structured in such a way as to include state staff as members of the on-site review team and as partners in the development of the final report. This review also offered the State an opportunity to potentially maximize its title IV-E claims through an examination of non-title IV-E cases.

THE NEBRASKA SYSTEM FOR DETERMINING TITLE IV-E ELIGIBILITY

In Nebraska, the system for determining title IV-E eligibility is primarily the responsibility of the Aid to Families with Dependent Children (AFDC) staff in the income maintenance program, in conjunction with social services and licensing staff. Staff determine eligibility on an annual cycle.

SAMPLE SELECTION AND REVIEW PROCESS

The sampling methodology for the Nebraska pilot included a review of 100 title IV-E and 50 non-title IV-E cases. Two of the Nebraska Department of Social Services' (NDSS) payment systems, the Public Assistance Eligibility System (PAE) and the Financial Management Program (FMP), were used to develop the universe of title IV-E and non-title IV-E cases. The period under review--April 1, 1994 through March 31, 1995--included any case that was

eligible for payment during this one year time frame. The sample was not stratified so that information could be obtained, based on the date of entry, about the distribution of cases. This distribution data will be valuable in determining the future sampling strategy and a methodology to capture recent cases.

Of the 100 cases that were reviewed, the distribution was as follows: 4 cases entered care in 1995; 28 cases entered care in 1994; 24 cases entered care in 1993; 13 cases entered care in 1992; 11 cases entered care in 1991; seven cases entered care in 1990; 10 cases entered care in 1989; one case entered care in 1988; one case entered care in 1987; and one case entered care in 1985.

For a more detailed description of the sample selection, see "Sample Design for Pilot Title IV-E and non-Title IV-E Review" (Appendix D) prepared by the NDSS' Research and Finance Division.

The team reviewed income maintenance records only; social services and licensing case records were not available. Licensing records were reviewed via computer screens and a printout.

REVIEW FINDINGS

A. Summary of Results

Sample Size	150
Title IV-E cases	100
Non-Title IV-E cases	50
Cases Reviewed	150

B. Final Results

Title IV-E cases:

Eligible cases	43	(43%)
Ineligible cases	57	(57%)
---Entire time period	(37)	(65%)
---Partial time period	(20)	(35%)

Non-Title IV-E cases:

Potentially eligible*	20	(40%)
Eligible	1	(2%)
Ineligible	29	(58%)

Total	150
-------	-----

*See Appendix C.

C. Categories of Title IV-E ineligible cases:

	<u>Entire</u>	<u>Partial</u>	<u>Total</u>	
Licensing Issues	6	20	26	(26%)
Court and Licensing Issues	11	0	11	(11%)
Contrary to the Welfare Determination	8	0	8	(8%)
Reasonable Efforts Determination	2	0	2	(2%)
Both types of court determinations	2	0	2	(2%)
AFDC	2	0	2	(2%)
AFDC and Licensing	2	0	2	(2%)
Court Determination and Age 18	1	0	1	(1%)
Court determination of Best Interest and Licensing	1	0	1	(1%)
Court determination, licensing and AFDC	1	0	1	(1%)
Payment related only	0	1	1	(1%)
Total	36	21	57	(57%)

D. Total Ineligible Dollars for the cases: \$192,068.94

ANALYSIS OF INELIGIBLE CASES

A. Licensing Issues

Forty one children in the sample were determined ineligible for the period of time they were placed in homes which were not licensed or approved. Of these 41, 26 children were determined ineligible solely for this reason. Of the 26 children, 20 were determined ineligible for only part of the time under review.

Of the 41 cases, 23 cases had insufficient information in the case record to determine whether the home was licensed or approved during the period the child was in the home. In 11 cases, the license for the home where the child was placed had expired and the renewal of the license occurred at a later date. In three instances the child was placed in the home prior to the approval of the license. In four cases, there was evidence in the case record that the placement was with a relative but there was no evidence of a home study or approval.

FINDING: In discussions with State staff, it was not clear which unit had the responsibility for coordinating the licensing/approval records with the eligibility record.

RECOMMENDATION: Nebraska should assign the responsibility for licensing verification to a specific part of the agency. Licensing information should be verified on a routine basis. One method of accomplishing this would be to include the licensing data printout in the income maintenance record. Verification of licensing data could occur at the time of redetermination by income maintenance staff.

FINDING: Many licenses had lapsed. Several approvals were missing.

RECOMMENDATION: Nebraska should prioritize its licensing renewal process and approvals of relative homes in order to augment its claims for title IV-E eligible children.

FINDING: The team discovered that, in instances where homes were approved, the homes did not meet the test of "approved as meeting the requirements for licensing."

RECOMMENDATION: The team was informed that the state is in the process of major policy changes in its licensing program. The team recommends that NDSS request technical assistance from ACYF in restructuring its licensing and approval process.

FINDING: There were indications that age or other restrictions had been placed on some licenses and that these restrictions were not adhered to in the placement of children in the home.

RECOMMENDATION: Nebraska should clarify restrictions versus preferences in its licensing process. The State can address this issue as part of its request for technical assistance.

FINDING: The team determined that the listing of a child's placements was a helpful document in the review process. This list was generated by the Child Welfare Tracking System and maintained in the Income Maintenance records.

RECOMMENDATION: The document could be improved with the addition of two fields: a date/time stamp on the first page of the tracking document; and a field for approval or licensing information.

B. Judicial Determinations

Twenty six cases did not have the appropriate court determinations of "contrary to the welfare" and "best interest" or "reasonable efforts". Twenty two cases lacked the "contrary to the welfare" determination. For eight of these 22 cases, "contrary to the welfare" was the only reason that the case was ineligible for title IV-E. In 12 cases, "reasonable efforts" was not established. For two cases this was the only reason for ineligibility. In one voluntary placement case, a determination of "best interest" was not made within 180 days of placement.

For this pilot review, the acceptable documentation for the judicial determination of "reasonable efforts" was expanded. Specifically, a case could be determined to have met "reasonable efforts" if there was evidence of "reasonable efforts" documented in the court record for the hearing. Five cases met the "reasonable efforts" requirement through the use

this expanded definition. In two of the five cases, this broader definition made the cases title IV-E eligible. (The remaining three cases were ineligible for other reasons).

FINDING: Court documentation of “contrary to the welfare” and “reasonable efforts” determinations was inconsistent.

While NDSS managers in the central office in Lincoln were aware that the “contrary to the welfare” or “best interest” determination must be in the initial court order and that the lack thereof could not be rectified by subsequent orders, this was not understood in the field. In fact, one supervisory memorandum was discovered which misinformed staff about the policy. State staff indicated that training was done in the area offices on the title IV-E statutory requirement of “reasonable efforts” but information about the “contrary to the welfare” determination was not transmitted to workers in field offices.

RECOMMENDATION: The State should provide training to staff in its field offices on the statutory requirement for judicial determinations of both “contrary to the welfare” and “reasonable efforts” for title IV-E eligibility.

FINDING: The team reviewed case records in some jurisdictions where it was apparent that the agency staff had presented to the court clear documentation of the need for removal of the child from the home and the services that were being provided to prevent the removal from the home or to reunify. In one jurisdiction, the judge incorporated this agency documentation into the judicial determination.

RECOMMENDATION: Agency staff are to be commended for providing clear documentation to the court on the circumstances that necessitate removal and the rationale for agency intervention, and are encouraged to duplicate this activity in other jurisdictions. The State further is encouraged to provide cross-training between and among jurisdictions to apprise all staff of model practices.

C. AFDC eligibility issues.

Five cases were determined not to be AFDC eligible. In one case the child did not meet the financial need criterion. In two cases the child was not removed from the home of a specified relative. In the fourth case there was no documentation of deprivation. In the remaining case, the child was not AFDC eligible.

FINDING: The team determined that the term “deprivation” was misunderstood at the time of redetermination of title IV-E eligibility, which could place title IV-E claims at risk.

RECOMMENDATION: Staff should be retrained on this aspect of AFDC eligibility. Some ways in which the definition of deprivation could be clarified include having the definition printed on the redetermination form or expanding the current field on the form so that the worker must respond to each component of the definition.

D. Financial Issues

FINDING: Payments were made for activities that should not be included in the title IV-E maintenance payments. These payments included transportation to locations other than the child's home for visitation, a clothing payment when the child was no longer in placement and foster care payments for a child over the age of 18. Other cases surfaced where title IV-E funds were used to pay for items that are not claimable under title IV-E maintenance payments. Duplicate payments also were discovered.

RECOMMENDATION: The State should establish a mechanism (edit check) to ensure that title IV-E funds cannot be used for ineligible expenditures. A mechanism should be in place to eliminate duplicate payments.

FINDING: The State was unable to identify the types of activities included in the foster care payment rates for institutions.

RECOMMENDATION: The foster care rate setting process should be examined to ensure that unallowable activities are not included in the title IV-E maintenance payments to institutions. One methodology for accomplishing this is a rate setting process for residential providers that directs providers to submit a budget based on functional activities with the budgeted amount reconciled to a certified audit. The State may choose to furnish a list of allowable activities to residential providers. Functional budgets of each provider could then be reviewed by State fiscal and program staff to determine the allowable functional costs, the average number of children to be served and an allowable daily, weekly, or monthly title IV-E payment rate.

ANALYSIS OF NON-TITLE IV-E CASES

At State request, the team reviewed 50 non-title IV-E cases. Of the 50 cases reviewed, 21 cases were identified as potentially title IV-E eligible. Of these 21 cases, 13 had missing or incomplete documentation about AFDC. In the other cases, the child was determined ineligible due to placement in an unlicensed home.

FINDING: NDSS employs eligibility workers dedicated to the task of determining title IV-E foster care status. These staff determine title IV-E status at the time of removal and on an annual basis thereafter. The determination is made on evidence available at the time. The State does not have a mechanism in place to identify cases where the reasons for ineligibility can be remedied. For example, several cases were determined to be ineligible

because a child was placed in an unlicensed home. When the home was licensed, however, no mechanism existed to alert the worker that the State could begin claiming title IV-E foster care.

RECOMMENDATION: The State should develop a mechanism to identify those cases where ineligibility can be remedied and allocate staff resources to perform these activities.

FINDING: On the listing of cases pulled for the non-title IV-E sample, the heading of the report was "Title IV-B Cases". State staff reviewing these cases also referred to them as "IV-B" cases.

RECOMMENDATION: The State should encourage more ownership of the title IV-E determination process by not referring to non-title IV-E cases as "IV-B foster care cases".

CLOSING COMMENTS

The excellent cooperation of the State staff and the State's willingness to volunteer for this new process made the title IV-E pilot review a very positive work experience. The State is to be commended for undertaking efforts to increase the number of cases accurately claimed under title IV-E. The large number of errors in eligibility determinations in both title IV-E cases and non-title IV-E cases seems to suggest a need for quality control. Ideally, the review will serve as a basis for system improvements and inform future technical assistance efforts.

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. list	Appendix A, Nebraska Disallowance (partial) (1 page)	01/23/1996	P6/b(6)

COLLECTION:

Clinton Presidential Records
First Lady's Office
Domestic Policy Council (Nicole Rabner)
OA/Box Number: 15411

FOLDER TITLE:

[Child Welfare Final Rule] [Binder] [3]

2012-1035-S
kc1009

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

P1 National Security Classified Information [(a)(1) of the PRA]
P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
P3 Release would violate a Federal statute [(a)(3) of the PRA]
P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

b(1) National security classified information [(b)(1) of the FOIA]
b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

[001]

APPENDIX A

1/23/96

Nebraska Disallowance

Page 1

Sample number	Case ID	Date of entry in FC	\$ amount
NE500301		11/18/91	9,600.00
NE500601		10/28/91	19,768.50
NE5007B1		7/07/88	7,432.81
NE500801		2/23/95	800.00
NE500901		9/29/94	148.68
NE501101		6/29/93	75.00
NE501201		6/19/94	532.76
NE501401		11/05/92	315.00
NE501501		7/22/94	4,715.16
NE501601		8/22/91	7,962.42
NE501801		1/18/93	8,204.84
NE501901		8/31/92	873.00
NE502001		11/28/90	2,740.62
NE502101		2/20/92	6,562.42
NE502201		11/16/90	5,208.00
NE502401		3/23/89	8,722.54
NE502801		3/20/93	7,989.00
NE503001		11/14/93	242.00
NE503101		4/22/91	555.00
NE503201		1/25/92	6,780.00
NE503401		5/22/92	7,932.00
NE503501		5/10/93	2,418.00
NE503701		9/27/93	2,200.71
NE503801		6/27/85	1,037.39
NE503901		5/04/89	5,792.14
NE504001		2/21/94	3,068.00
NE504101		8/29/89	3,492.00
NE504201		7/26/89	0.00
NE504601	P6/(b)(6)	8/31/92	915.80
NE504701		2/13/91	5,754.00
NE504901		7/07/94	1,987.56
NE505001		11/17/92	517.00
NE505101		7/30/91	0.00
NE505201		4/24/93	131.86
NE505401		12/19/91	5,480.00
NE505501		8/06/91	7,092.00
NE505601		1/28/93	444.00
NE505901		9/11/90	5,394.99
NE506101		7/29/94	10,871.52
NE506401		2/13/89	3,930.01
NE506501		1/12/95	149.68
NE506601		9/18/89	4,904.64
NE507001		1/03/93	4,501.75
NE507301		5/03/91	222.00
NE507801		6/14/94	30.00
NE507901		3/22/94	67.53
NE508101		12/27/90	1,768.00
NE508201		11/05/93	389.06
NE508501		1/04/95	497.58
NE508601		9/29/94	1,484.10
NE508701		1/01/94	609.90
NE508901		1/30/92	232.80
NE509301		2/03/93	2,435.00
NE509401		1/17/92	4,020.00
NE509501		6/10/94	658.13
NE509601		10/26/93	1,746.00
NE509701		6/30/93	666.04
Total Disallowance:		192,068.94	

APPENDIX B

1/25/96

Ineligibility Reasons

Page 1

Sample number: NE500301

Ineligible reasons: CTW Start Date: 4/01/94 End Date: 3/31/95
Description: NO CTW IN THE INITIAL ORDER.

Associated \$: 9,600.00

Sample number: NE500601

Ineligible reasons: CTW Start Date: 4/01/94 End Date: 3/31/95
Description: NO CTW IN THE CO DATED 9/17/91

Associated \$: 19,768.50

Sample number: NE5007B1

Ineligible reasons: CTW Start Date: 7/07/88 End Date: 12/14/94
Description: NO CTW IN THE ORDER ON 6/28/88 THAT REMOVED THE CHILD FROM
THE FAMILY.

Ineligible reasons: LIC Start Date: 7/23/90 End Date: 11/29/94
Description: LICENSE NOT LOCATED FOR BOYSTOWN FOR THIS PERIOD.

Associated \$: 7,432.81

Sample number: NE500801

Ineligible reasons: CTW Start Date: 2/23/95 End Date: 3/31/95
Description: NO CTW DECISION IN THE 2/23/95 ORDER.

Ineligible reasons: LIC Start Date: 2/23/95 End Date: 3/31/95
Description: NO LICENSE INFO IN THE CASE FILE. BOYS AND GIRLS FOR 2/3/95
TO 3/8/95. ST. LUKE'S FOR 3/8/95 TO 3/31/95.

Ineligible reasons: RE Start Date: 2/23/95 End Date: 3/31/95
Description: NO RE DECISION IN THE 2/23/95 ORDER.

Associated \$: 800.00

Sample number: NE500901

Ineligible reasons: AFDC Start Date: 9/29/94 End Date: 3/31/95
Description: CHILD IS NOT AFDC ELIGIBLE. FINANCIAL NEED NOT ESTABLISHED.

Associated \$: 148.68

Sample number: NE501101

Ineligible reasons: LIC Start Date: 7/07/94 End Date: 5/19/95
Description: License expired 7/7/94.

Associated \$: 75.00

Sample number: NE501201

Ineligible reasons: LIC Start Date: 7/06/94 End Date: 3/31/95
Description: NO LICENSE INFORMATION

Associated \$: 532.76

Sample number: NE501401

Ineligible reasons: CTW Start Date: 11/05/92 End Date: 2/16/95
Description: CASE APPEARED IN THE SAMPLE DUE TO RETRO PAYMENT FOR THE
 3/10-3/17/94 PLACEMENT IN BOYS TOWN. CASE DID NOT CONTAIN
 CTW IN THE CO 11/5/92.

Associated \$: 315.00

Sample number: NE501501

Ineligible reasons: AFDC Start Date: 4/01/94 End Date: 3/31/95
Description: CHILD NOT REMOVED FROM A SPECIFIED RELATIVE. NOT AFDC
 ELIGIBLE.

Associated \$: 4,715.16

Sample number: NE501601

Ineligible reasons: CTW Start Date: 4/01/94 End Date: 3/31/95
Description: THE 8/22/91 CO DOES NOT CONTAIN THE LANGUAGE FOR CTW.

Associated \$: 7,962.42

Sample number: NE501801

Ineligible reasons: CTW Start Date: 4/01/94 End Date: 3/31/95
Description: 1/18/93 CO IS NOT IN THE RECORD, CANNOT DETERMINE THAT CTW
 WAS MET OR RE WAS MET.

Ineligible reasons: LIC Start Date: 4/01/94 End Date: 9/14/94
Description: NO DOCUMENTATION ON LICENSE FOR MARK OF HONOR FROM 6/9/94
 (ONE DAY STAY), RIVENDELL FROM 6/10/94 TO 7/4/94, BOYSTOWN
 FROM 7/5/94 TO 9/14/94.

Ineligible reasons: RE Start Date: 4/01/94 End Date: 3/31/95
Description: 1/18/93 CO IS NOT IN THE RECORD, CANNOT DETERMINE THAT RE
 WAS MET. NO SUBSEQUENT DECISIONS IN RECORD REGARDING RE
 FOUND IN THE CASE RECORD.

Associated \$: 8,204.84

Sample number: NE501901

Ineligible reasons: CTW Start Date: 8/31/92 End Date: 5/29/94
Description: NO CTW OR RE. NO DOCUMENTATION OF CO IN THE CASE FILE.
 MENTION OF CASE DECISION AROUND 9/2/92.

Ineligible reasons: LIC Start Date: 8/31/92 End Date: 5/29/94
Description: NO APPROVAL INFORMATION IN THE CASE FILE. MENTION THAT THIS
 IS A RELATIVE PLACEMENT.

Ineligible reasons: RE Start Date: 8/31/92 End Date: 5/29/94
Description: NO CTW OR RE. NO DOCUMENTATION OF CO IN THE CASE FILE.
 MENTION OF CASE DECISION AROUND 9/2/92.

Associated \$: 873.00

Sample number: NE502001

Ineligible reasons: CTW Start Date: 11/28/90 End Date: 7/24/94
Description: No CTW in the CO for 11/28/94. Child converted to
 guardianship on 7/25/94.

Associated \$: 2,740.62

Sample number: NE502101

Ineligible reasons: CTW Start Date: 4/01/94 End Date: 3/31/95
Description: THE INITIAL CO FOR 2/21/92 DOES NOT CONTAIN A CTW DECISION.
 THERE IS A SUBSEQUENT DECISION ON RE ON 6/11/92.

Associated \$: 6,562.42

Sample number: NE502201

Ineligible reasons: CTW Start Date: 4/01/94 End Date: 3/31/95
Description: CTW NOT ADDRESSED IN THE INITIAL ORDER.

Ineligible reasons: LIC Start Date: 12/23/94 End Date: 3/31/95
Description: LICENSE WAS CLOSED ON 12/22/94. NO NEW LICENSE FOUND.

Ineligible reasons: RE Start Date: 4/01/94 End Date: 3/31/95
Description: RE NOT ADDRESSED IN THE INITIAL ORDER OR IN SUBSEQUENT
 ORDERS.

Associated \$: 5,208.00

Sample number: NE502401

Ineligible reasons: LIC Start Date: 4/01/94 End Date: 3/31/95
Description: MISSING LICENSE INFORMATION FOR NEELY FROM 4/1/94 TO
7/18/94, PUGH FROM 7/18/94 ONGOING

Associated \$: 8,722.54

Sample number: NE502801

Ineligible reasons: AFDC Start Date: 3/20/93 End Date: 3/31/95
Description: NOT ELIGIBLE FOR AFDC.

Ineligible reasons: LIC Start Date: 3/20/93 End Date: 3/31/95
Description: NO EVIDENCE OF LICENSE OR APPROVAL IN THE FILE.

Associated \$: 7,989.00

Sample number: NE503001

Ineligible reasons: CTW Start Date: 4/01/94 End Date: 4/01/94
Description: NEITHER PETITION NOR TEMPORARY CUSTODY ORDER AVAILABLE IN
FILE. 11/18/93 ORDER DOES NOT CONTAIN THE NECESSARY
LANGUAGE.

Ineligible reasons: RE Start Date: 4/01/94 End Date: 4/01/94
Description: NEITHER PETITION NOR TEMPORARY CUSTODY ORDER AVAILABLE IN
FILE. 11/18/93 ORDER DOES NOT CONTAIN THE NECESSARY
LANGUAGE.

Associated \$: 242.00

Sample number: NE503101

Ineligible reasons: LIC Start Date: 4/01/94 End Date: 3/31/95
Description: CANNOT LOCATE INFORMATION AS TO WHETHER PROVIDER IS LICENSED
OR APPROVED

Associated \$: 555.00

Sample number: NE503201

Ineligible reasons: LIC Start Date: 7/27/92 End Date: 3/31/95
Description: PENNED NOTE IN CASE RECORD "LICENSE THRU 3/95. ONLY DAY
CARE LICENSE IN SYSTEM.

Associated \$: 6,780.00

Sample number: NE503401

Ineligible reasons: LIC Start Date: 5/01/93 End Date: 3/31/95
Description: LICENSE EXPIRED AND NO INDICATION OF RENEWAL.

Associated \$: 7,932.00

Sample number: NE503501

Ineligible reasons: LIC Start Date: 9/24/94 End Date: 3/31/95
Description: LICENSE EXPIRED 9/24/94 AND HAS NOT BEEN RENEWED.

Associated \$: 2,418.00

Sample number: NE503701

Ineligible reasons: LIC Start Date: 9/27/93 End Date: 8/24/94
Description: NO APPROVAL OR LICENSE IN THE CASE FILE.

Associated \$: 2,200.71

Sample number: NE503801

Ineligible reasons: LIC Start Date: 9/16/94 End Date: 12/11/94
Description: LICENSE EXPIRED ON 9/15/94, WAS NOT RENEWED UNTIL 12/12/94.

Associated \$: 1,037.39

Sample number: NE503901

Ineligible reasons: CTW Start Date: 3/10/94 End Date: 3/31/95
Description: CO ON 5/4/89 DOES NOT ADDRESS CTW.

Ineligible reasons: LIC Start Date: 3/10/94 End Date: 3/31/95
Description: NO DOCUMENTATION ON RELATIVE PLACEMENT APPROVAL OR LICENSE.

Associated \$: 5,792.14

Sample number: NE504001

Ineligible reasons: CTW Start Date: 2/21/92 End Date: 3/31/95
Description: THERE IS NO COURT ORDER AFTER THE PHYSICAL REMOVAL OF CHILD
FROM THE HOME. CO WAS 10/28/86 FOR LEGAL CUSTODY TO DSS AND
PHYSICAL TO MOM.

Ineligible reasons: LIC Start Date: 6/25/94 End Date: 3/31/95
Description: LICENSE EXPIRED AND NO DOCUMENTATION REGARDING RENEWAL OF
LICENSE.

Ineligible reasons: RE Start Date: 2/21/92 End Date: 3/31/95
Description: THERE IS NO COURT ORDER AFTER THE PHYSICAL REMOVAL OF CHILD
FROM THE HOME. CO WAS 10/28/86 FOR LEGAL CUSTODY TO DSS AND
PHYSICAL TO MOM.

Associated \$: 3,068.00

Sample number: NE505001

Ineligible reasons: CTW Start Date: 4/01/94 End Date: 3/31/95
Description: NO COURT ORDER IN THE CASE FILE. CANNOT DETERMINE THAT CTW
WAS MET. RE WAS MET AT A LATER DATE. THIS IS FOR THE
11/17/92 REMOVAL.

Ineligible reasons: LIC Start Date: 4/01/94 End Date: 3/31/95
Description: NEED APPROVAL DATE FOR VERONICA AND WAYNE WILEY FROM 2/15/94
THRU 4/1/94. LICENSE INFO FOR THE CRISIS CENTER FOR 8/4/94
TO 8/18/94.

Associated \$: 517.00

Sample number: NE505101

Ineligible reasons: LIC Start Date: 4/01/94 End Date: 3/31/95
Description: NO LICENSE FOR THE PERIOD IN THE CASE RECORD

Associated \$: 0.00

Sample number: NE505201

Ineligible reasons: OTH Start Date: 4/01/94 End Date: 3/31/95
Description: PAYMENT MADE FOR CLOTHING. CHILD NOT IN PLACEMENT.
CLOTHING PAYMENT SHOULD NOT BE ALLOWED.

Associated \$: 131.86

Sample number: NE505401

Ineligible reasons: RE Start Date: 4/01/94 End Date: 3/31/95
Description: RE HAVE NOT BEEN ADDRESSED IN ANY COURT ACTIVITIES
DOCUMENTED IN THE CASE RECORD.

Associated \$: 5,480.00

Sample number: NE505501

Ineligible reasons: LIC Start Date: 4/01/94 End Date: 3/31/95
Description: LICENSE WAS DROPPED ON 8/11/93. NO INDICATION IN THE IM
FILE THAT HOME WAS APPROVED FOR THEODORE. HOME IS ON THE
FOSTER HOME INSURANCE LIST AS APPROVED.

Associated \$: 7,092.00

Sample number: NE505601

Ineligible reasons: LIC Start Date: 4/01/94 End Date: 5/31/94
Description: APPROVED FROM 5/1/94 ONGOING, DO NOT HAVE INDICATION THAT
LICENSE WAS IN EFFECT PRIOR.

Associated \$: 444.00

Sample number: NE505901

Ineligible reasons: AGE Start Date: 11/09/94 End Date: 3/31/95
Description: CHILD TURNED AGE 18. AM NOT SURE THAT DETERMINATION WAS
MADE REGARDING LIKELIHOOD OF GRADUATING AT AGE 19.

Ineligible reasons: CTW Start Date: 4/01/94 End Date: 3/31/95
Description: DO NOT HAVE THE PHYSICAL CUSTODY ORDER AROUND 9/11/90 THAT
SHOULD ADDRESS CTW.

Associated \$: 5,394.99

Sample number: NE506101

Ineligible reasons: RE Start Date: 7/29/94 End Date: 3/31/95
Description: RE HAVE NOT BEEN ADDRESSED IN ANY COURT ACTIVITIES CONTAINED
IN THE CASE RECORD.

Associated \$: 10,871.52

Sample number: NE506401

Ineligible reasons: LIC Start Date: 4/01/94 End Date: 2/08/95
Description: PROVIDER LICENSES NOT LOCATED FOR RICHARDSON FOR THE PERIOD
4/1/94 TO 12/10/94 AND FOR ESTWICK FOR 12/11/94 TO 2/8/95.

Associated \$: 3,930.01

Sample number: NE506501

Ineligible reasons: LIC Start Date: 1/24/95 End Date: 3/31/95
Description: NO APPROVAL STUDY IN THE FILE. NO LICENSE. IS ON THE
APPROVAL LIST.

Associated \$: 149.68

Sample number: NE506601

Ineligible reasons: LIC Start Date: 4/01/94 End Date: 7/26/94
Description: DO NOT HAVE INDICATION OF WHEN THE APPROVAL OCCURRED FOR
THIS PROVIDER.

Ineligible reasons: VPBI Start Date: 4/01/94 End Date: 3/31/95
Description: COURT DID NOT ADDRESS BEST INTERESTS OF THE CHILD IN 180
DAYS AFTER THE VP. COURT GAVE A CUSTODY ORDER 11/1/89.

Associated \$: 4,904.64

Sample number: NE507001

Ineligible reasons: CTW Start Date: 4/01/94 End Date: 3/31/95
Description: NO CTW IN THE INITIAL CO REMOVING CHILD FROM THE HOME.

Associated \$: 4,501.75

Sample number: NE507301

Ineligible reasons: CTW Start Date: 4/01/94 End Date: 3/31/95
Description: NO CTW IN THE INITIAL CO REMOVING THE CHILD FROM THE HOME
(KIOTH CO. CASE #JV91-27)

Associated \$: 222.00

Sample number: NE507801

Ineligible reasons: LIC Start Date: 6/14/94 End Date: 6/17/94
Description: NO INDICATION IN THE CASE RECORD THAT THIS FACILITY IS
LICENSED FOR THE PERIOD COVERED.

Associated \$: 30.00

Sample number: NE507901

Ineligible reasons: AFDC Start Date: 4/01/94 End Date: 3/31/95
Description: CHILD NOT AFDC ELIGIBLE. ERRONEOUS PAYMENT FOR CLOTHING
MADE DURING THE TIME UNDER REVIEW.

Ineligible reasons: LIC Start Date: 4/01/94 End Date: 3/31/95
Description: NO LICENSE INFO FOR SEIFERT FOR 3/22/94 TO 5/23/94 AND FOR
CARLSON FOR 5/24/94 TO 6/5/95. CARLSON INDICATES THAT IS
APPROVED, BUT NO DATE PROVIDED. IVE PAYMENTS WERE NOT MADE

Associated \$: 67.53

Sample number: NE508101

Ineligible reasons: CTW Start Date: 4/01/94 End Date: 3/31/95
Description: INSUFFICIENT WORDING IN THE CO FOR THE CTW.

Ineligible reasons: LIC Start Date: 5/25/94 End Date: 6/13/94
Description: HOME NOT LICENSED AND NO EVIDENCE OF HOMESTUDY OR EFFORTS
TOWARDS A HOMESTUDY IN THE FILE.

Ineligible reasons: RE Start Date: 4/01/94 End Date: 3/31/95
Description: NO RE IN THE INITIAL CO AND NOT ADDRESSED IN SUBSEQUENT
ORDERS.

Associated \$: 1,768.00

Sample number: NE508201

Ineligible reasons: LIC Start Date: 4/01/94 End Date: 5/17/94
Description: NOT APPROVED UNTIL 5/17/94.

Associated \$: 389.06

Sample number: NE508501

Ineligible reasons: LIC Start Date: 1/21/95 End Date: 3/31/95
Description: NO LICENSE OR APPROVAL IN THE CASE FILE.

Associated \$: 497.58

Sample number: NE508601

Ineligible reasons: LIC Start Date: 9/29/94 End Date: 3/31/95
Description: NO RECORD OF ACTIVE LICENSE FOR THIS PERIOD OF TIME.

Associated \$: 1,484.10

Sample number: NE508701

Ineligible reasons: LIC Start Date: 4/12/94 End Date: 6/08/94
Description: LICENSE DID NOT COVER THIS PERIOD. COVERS 4/11/93 TO
4/11/94 AND 6/9/94 TO 6/9/95.

Associated \$: 609.90

Sample number: NE508901

Ineligible reasons: LIC Start Date: 4/01/94 End Date: 8/18/94
Description: NOT LICENSED OR APPROVED FOR THIS PERIOD. THERE IS LICENSE
FOR PRIOR. NOTE: POSSIBLE RETRO CLAIM FROM 1/30/92 TO
3/15/94 (SUBJECT TO 2 YR CLAIM LIMIT).

Associated \$: 232.80

Sample number: NE509301

Ineligible reasons: CTW Start Date: 2/03/93 End Date: 3/31/95
Description: NO CO FOR 2/3/93 IN THE CASE FILE.

Ineligible reasons: DEP Start Date: 2/03/93 End Date: 3/31/95
Description: NO DOCUMENTATION OF A DECISION REGARDING DEPRIVATION.

Ineligible reasons: LIC Start Date: 10/20/93 End Date: 5/13/94
Description: NO LICENSE FOR JERRY AND SANDI RUTH FOR 10/20/93 TO 5/13/94

Ineligible reasons: RE Start Date: 2/03/93 End Date: 3/31/95
Description: NO CO FOR 2/3/93 IN THE CASE FILE. LATER CO DISCUSSES "RE
HAVE BEEN MADE TO RETURN LEGAL CUSTODY TO PARENT" NOT
ACCEPTABLE, BUT COURT DOES DISCUSS SERVICES THAT WILL BE

Associated \$: 2,435.00

Sample number: NE509401

Ineligible reasons: LIC Start Date: 4/01/94 End Date: 3/31/95
Description: NO LICENSE IN THE CASE FILE. ONLY RECORD OF LICENSE WAS FOR
1/1/92 TO 12/31/92 AND NO FURTHER.

Associated \$: 4,020.00

Sample number: NE509501

Ineligible reasons: CTW Start Date: 6/10/94 End Date: 3/31/95
Description: MOTION FOR CUSTODY IN THE FILE BUT NO OTHER COURT
DOCUMENTATION PROVIDED FOR CTW OR RE.

Ineligible reasons: RE Start Date: 6/10/94 End Date: 3/31/95
Description: MOTION FOR CUSTODY IN THE FILE BUT NO OTHER COURT
DOCUMENTATION PROVIDED FOR CTW OR RE.

Associated \$: 658.13

Sample number: NE509601

Ineligible reasons: LIC Start Date: 4/01/94 End Date: 6/13/94
Description: HOME NOT LICENSED UNTIL 6/13/94.

Associated \$: 1,746.00

Sample number: NE509701

Ineligible reasons: LIC Start Date: 2/10/95 End Date: 3/31/95
Description: NO INFO ON LICENSE OR APPROVAL IN THE CASE FILE OR ON THE
COMPUTER SYSTEM.

Associated \$: 666.04

APPENDIX C

2/06/96

Non-title IV-E Eligible and Potentially Eligible Reasons

Page 1

Sample number: NE5B0201

Ineligible reasons: LIC Start Date: 3/24/95 End Date: 4/17/95
Description: INITIALLY PLACED IN UNLICENSED HOME. HOME APPROVED ON
4/17/95. PAYMENTS CAN BE CLAIMED PAST THIS DATE.

Sample number: NE5B0301

Ineligible reasons: AFDC Start Date: End Date:
Description: NOT AN ACTIVE AFDC CASE. BUT CHILD WAS REMOVED FROM MOTHER
WHO WAS IN JAIL.

Ineligible reasons: LIC Start Date: End Date:
Description: PLACED IN RELATIVE HOME THAT WAS NOT LICENSED.

Sample number: NE5B0901

Ineligible reasons: AFDC Start Date: 9/29/92 End Date:
Description: NO EVIDENCE OF AFDC WAS FOUND AT TIME OF REMOVAL. FAMILY
HAD NO RESOURCES AND NO INCOME. THERE WAS A CLOSED AFDC
CASE FILE FROM 11/91.

Sample number: NE5B1001

Ineligible reasons: AFDC Start Date: 11/06/92 End Date:
Description: NO INDICATION OF DETERMINATION REGARDING AFDC AT THE TIME OF
THE REMOVAL. IF MOTHER WAS NOT REMARRIED AT THE TIME OF
REMOVAL, AFDC DEPRIVATION CAN BE ESTABLISHED.

Sample number: NE5B1301

Ineligible reasons: AFDC Start Date: End Date:
Description: INDICATION IN RECORD THAT MOTHER REMARRIED IN 1/94. AFDC
POSSIBLE.

Sample number: NE5B1601

Ineligible reasons: AFDC Start Date: End Date:
Description: CHILD RECEIVING SSI. NO INFORMATION REGARDING THE REST OF
THE FAMILY AFDC ELIGIBILITY.

Sample number: NE5B1801

Ineligible reasons: AFDC Start Date: End Date:
Description: AT TIME OF REMOVAL, ACTIVE AFDC CASE. CHILD WAS HOME
TEMPORARILY, REMOVED FROM HOME LESS THAN 6 MONTHS AFTER,
DETERMINATION MADE AT THE SECOND REMOVAL THAT AFDC NOT

Sample number: NE5B1901

Ineligible reasons: DEP Start Date: End Date:
Description: WHILE BOTH PARENTS ARE AT HOME, CHILD IS RECEIVING SSA DUE
TO MOTHER'S MENTAL DISABILITY. DOES STATE CONSIDER THIS TO
BE DEPRIVATION?

Sample number: NE5B2501

Ineligible reasons: LIC Start Date: 8/15/94 End Date:
Description: IF HOME HAD BEEN APPROVED, PAYMENT COULD HAVE BEEN FOR CHILD.

Sample number: NE5B2601

Ineligible reasons: AFDC Start Date: End Date:
Description: STATE CHOSE SSI AS FATHER IS DECEASED. POSSIBILITY OF SSA
WHICH STATE SHOULD PURSUE.

Sample number: NE5B3001

Ineligible reasons: LIC Start Date: End Date:
Description: NO DOCUMENTATION OF LICENSE/APPROVAL FOR THE HOME.

Sample number: NE5B3201

Ineligible reasons: LIC Start Date: 1/06/95 End Date: 5/01/95
Description: NO APPROVAL LOCATED FOR HOME WHERE CHILD WAS INITIALLY
PLACED. OTHER FACTORS FOR IVE ALL EXIST.

Sample number: NE5B3401

Ineligible reasons: AFDC Start Date: End Date:
Description: FATHER BETWEEN JOBS. DOES THIS QUALIFY FOR UP IN STATE?
NOT CLEAR WHETHER NOT POTENTIALLY ELIGIBLE FOR AFDC.

Ineligible reasons: LIC Start Date: 9/14/94 End Date: 11/02/94
Description: HOME APPROVAL DID NOT OCCUR UNTIL 11/2/94, WOULD BE ELIGIBLE
AFTER THIS TIME.

Sample number: NE5B3501

Ineligible reasons: AFDC Start Date: End Date:
Description: POTENTIALLY AFDC ELIGIBLE. DEPENDENT ON HOW MALE IN THE
HOUSEHOLD IS IDENTIFIED, REFERRED TO AS EITHER BOYFRIEND OR
STEPFATHER.

Sample number: NE5B3601

Ineligible reasons: AFDC Start Date: End Date:
Description: STATE POLICY WOULD NOT ALLOW IVE FC IN SAME MONTH THAT AFDC
GRANT ISSUED. STATE FUNDS USED ONLY FOR FIRST MONTH,
THEREAFTER STATE DID CLAIM IVE.

Sample number: NE5B3901

Ineligible reasons: AFDC Start Date: End Date:
Description: IT APPEARS THAT THE CHILD HAS POTENTIAL AFDC ELIGIBILITY AS
MOTHER AND CHILD WERE APPROVED FOR AFDC AFTER
REUNIFICATION. NO FINANCIAL NEED DETERMINATION WAS MADE

2/06/96

Non-title IV-E
Eligible and Potentially Eligible Reasons

Page 3

Sample number: NE5B3901

Ineligible reasons: LIC Start Date: End Date:
Description: FOSTER PARENT WAS NOT LICENSED OR APPROVED AT THE TIME.

Sample number: NE5B4101

Ineligible reasons: AFDC Start Date: End Date:
Description: NEED INCOME AND DEPRIVATION REVIEW OF INITIAL REMOVAL TIME.
IS A ONE PARENT HOME, MOTHER IS EMPLOYED, BUT DO NOT HAVE
INFO ON INCOME OR INCAPACITY/UNEMPLOYMENT AT THE TIME.

Sample number: NE5B4901

Ineligible reasons: LIC Start Date: End Date:
Description: NOT PLACED IN A LICENSED HOME. OTHER ITEMS APPEAR TO BE MET.

Nebraska Department of Social Services Sample Design for Pilot Title IV-E and non-Title IV-E Review

Two of the Department's payment systems, the Public Assistance Eligibility System (PAE), and the Financial Management Program (FMP) were used to develop the universe of Title IV-E and non-Title IV-E cases for the review. The Title IV-E universe consists of cases with Title IV-E maintenance payments made through the Department's PAE and FMP from April 1, 1994 through March 31, 1995. The non-Title IV-E universe consists of cases with non-Title IV-E maintenance payments made through the Department's PAE and FMP from April 1, 1994 through March 31, 1995.

The following payments and corresponding cases were selected from each payment system to develop the universe for each sample:

Title IV-E Sample

Cases with payments made through PAE during April 1, 1994 through March 31, 1995 for children with an eligibility code of:

- 6010 (Department Ward -Title IV-E)
- 6040 (Child not DSS-related-Title IV-E)
- 6041 (Correction Ward-Title IV-E).

Cases with payments made through FMP during April 1, 1994 through March 31, 1995 with service codes of 041 (Food/Meals), 042 (Lodging), 043 (Clothing) and billed to the accounting cost center of Subprogram 30 (Title IV-E Foster Care).

The two case data files created from each payment system were merged together, unduplicated and sorted by case number. The universe for Title IV-E cases totalled 1,799. A sequential random sample of 110 cases was selected to allow for the requested sample size of 100 cases plus a 10% oversample.

Additional printouts were created to identify all Title IV-E maintenance payments made through each payment system within the criteria described above and paid by DSS between April 1, 1995 and March 31, 1995 for each Title IV-E eligible case in the sample.

Non-Title IV-E Sample

Cases with payments made through PAE during April 1, 1994 through March 31, 1995 for children with an eligibility code of:

- 6030 (Department Ward -non-Title IV-E)
- 6031 (Correction Ward-non-Title IV-E)

Cases with payments made through FMP during April 1, 1994 through March 31, 1995 with service codes of 041 (Food/Meals), 042 (Lodging), and 043 (Clothing) and billed to the accounting cost center of Subprogram 48 (Child Welfare).

The two case data files created from each payment system were merged together, unduplicated and sorted by case number. The universe for non-Title IV-E cases totalled 4,163 cases. A sequential random sample of 56 cases was selected to allow for the requested sample size of 50 cases plus a 10% oversample.

Additional printouts were created to identify all non-Title IV-E maintenance payments made through each payment system within the criteria described above and paid by DSS between April 1, 1995 and March 31, 1995 for each non-Title IV-E eligible case in the sample.

Estimated Time to Prepare Samples and Documentation: 16 hours.



DEPARTMENT OF HEALTH & HUMAN SERVICES

Administration for Children and Families

Office of the
Regional Hub Director

May 18, 1998

Mr. George W. Hattaway
Commissioner
Department of Children's Services
436 Sixth Avenue North
7th Floor
Nashville, Tennessee 37243-1290

Dear Commissioner Hattaway:

Enclosed is a copy of the final report of the findings obtained from the review of Tennessee's title IV-E foster care program conducted jointly by staff from the Administration for Children and Families and the Department of Children's Services. We appreciate the extensive input from your staff to the draft report on the Tennessee title IV-E foster care review. The comments in your May 13, 1998 letter to this office have been incorporated into Section X of the final report.

The Tennessee title IV-E foster care review covered fiscal year 1997. The purpose of the review was to validate the eligibility of the State's claims as submitted on Quarterly Expenditure reports through a test of the quality of State systems to assure that payments are made in accordance with Federal requirements. The review focused on three fundamental concerns:

1. whether payments were made on behalf of children eligible for title IV-E foster care;
2. whether payments were made to foster homes and institutions which meet licensing standards in order to qualify as eligible providers; and
3. whether foster care payment levels were appropriate and reasonable.

The review included a random sample of 80 title IV-E foster care maintenance payments for fiscal year 1997. The review of the cases related to the sampled payments disclosed that three payments were not eligible for funding under title IV-E foster care. Title IV-E funds disbursed for these three ineligible cases totaled \$10,764 (\$7,066 FFP) over two fiscal years to 22 individual providers. For fiscal year 1996, the ineligible amount was \$1,593 (\$1,047 FFP) and for fiscal year 1997, the ineligible amount was \$9,169 (\$6,019 FFP). These adjustments were reported as negative prior quarter adjustments for the affected quarters on the State's IV-E-12 financial report for the quarter ending December 31, 1997.

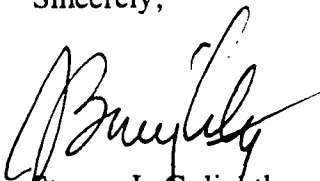
Page 2

The reasons for the ineligibility of the three cases found ineligible during the Tennessee title IV-E foster care review are detailed in the enclosed final report.

Please extend our appreciation to the State staff who jointly participated with the ACF staff in the review and extended considerable cooperation and hospitality to the entire Federal review team.

If you have any questions or comments concerning the final report, please feel free to contact me or Jon M. Margolis at 404/562-2904.

Sincerely,

A handwritten signature in black ink, appearing to read "S. Golightly", written over the printed name.

Steven J. Golightly
Regional Hub Director
Administration for Children and Families

Enclosure

cc: Ms. Carol Williams
Associate Commissioner
Children's Bureau
Administration for Children and Families

Ms. Marilyn Hayes
Assistant Commissioner
Program Operations
Tennessee Department of Children's Services

REVIEW OF TENNESSEE'S TITLE IV-E
FOSTER CARE PROGRAM
FINAL REPORT

I. INTRODUCTION

Regional and Central Office staff from the Administration for Children and Families and State staff from the Department of Children's Services conducted an eligibility review of the Tennessee title IV-E foster care program during the week of August 25, 1997.

The purposes of the review were to validate the State's foster care systems, and to detect, prevent and eliminate potential fraudulent and wasteful use of Federal, State and local funds.

The review focused on three fundamental areas in the title IV-E foster care program:

- a. whether children were determined eligible for title IV-E foster care payments appropriately;
- b. whether foster homes and institutions met licensing standards in order to qualify as eligible providers under title IV-E foster care; and
- c. whether foster care payment levels were allowable in accordance with the provisions of OMB Circular A-87, Attachment A, Part (C)(1), subparagraphs (a) and (b) and continue to be appropriate in accordance with the provisions of section 471(a)(11) of the Social Security Act.

II. SCOPE OF THE REVIEW

The title IV-E foster care review, which was conducted in Nashville, encompassed all title IV-E foster care cases in Tennessee during the period from October 1, 1996 to March 31, 1997. A computerized statistical sample of 80 cases was drawn. For each case, the client's case file was reviewed for the determination of title IV-E eligibility and to ensure that the foster home in which the child was placed was licensed for the period of the review.

During the review, 80 cases were reviewed: 3 cases were determined ineligible for either part or all of the review for reasons that are identified in Section IX of this report. These data indicate that the State's ineligible case error rate is 3.75 percent.

III. STRUCTURE OF THE STATE TITLE IV-E AGENCY

Tennessee operates a State-supervised, county-administered title IV-E foster care program. The Department of Children's consists of six divisions: Executive Staff, Administrative Services, Departmental Support Services, Departmental Treatment Facilities, Finance and Information Resources, and Program Operations.. All State level title IV-E functions are housed in the Division of Program Operations and the Division of Finance and Information Resources. The Division of Program Operations has responsibility for setting policies and guidelines for the foster care program. However, the Division of Program Operations and its regional offices are responsible for securing and maintaining adequate documentation that will support all Federal claims for title IV-E foster care.

IV. STRUCTURE OF THE STATE FOSTER CARE PROGRAM

Foster care means the temporary placement of a child in the custody of the Department of Children's Services or any agency, institution or home, whether public or private, for care outside the home of a parent or relative (by blood or marriage) of the child, whether such placement is by court order, voluntary placement agreement, surrender of parental rights or otherwise. The title IV-E program provides Federal financial participation (FFP) in foster care board payments, administrative costs and training costs.

Eligibility Determination

A child enters Tennessee's foster care system through the Juvenile Justice system, unless by a voluntary placement agreement between the parent and the Department of Children's Services. Placement in regular foster homes, emergency foster homes or emergency shelters is usually the first step in the process. After a child is placed in foster care, the case is assigned to a case manager who completes the assessment.

The eligibility determination process includes both the AFDC/TANF experienced Child Welfare Benefits staff who are supervised by the local regional program staff and the home county program manager who is part of program operations.

The program staff collects the information from the client, completes the Child Welfare Benefits form and sends it along with other client-specific data to the Child Welfare Benefits Unit counselor. The Child Welfare Benefits Unit Counselor then determines whether the child is eligible for title IV-E foster care.

Program Management

The Division of Program Operations is the organizational unit within the Department of Children's Services charged with the responsibility for developing, implementing, and administering child welfare services. Within the Division of Program Operations, the foster care unit is delegated the day-to-day responsibility for the management and delivery of foster care services.

At the State level, the Division of Family Assistance in the Department of Human Services, is responsible for the development of eligibility policies, policy interpretation and consultations regarding AFDC/TANF. The DCS Fiscal Eligibility Section is responsible for the development of eligibility policies, policy interpretation and consultations regarding eligibility for title IV-E foster care. The Fiscal Eligibility Section is also responsible for policy interpretation consultations concerning AFDC/TANF for staff in DCS. The Fiscal Eligibility Section may consult, if needed, with the DHS Division of Family Assistance on interpretations of AFDC/TANF policy. Each of the twelve regions in the State has a Regional Director who has responsibility for overseeing all title IV-E foster care eligibility determinations made in his/her area. When eligibility for foster care is established, the Home County and Residential case managers in the region are responsible for providing case management. Separate eligibility and service records are maintained on each child.

Financial Management

The Division of Finance and Information Resources is the organizational unit that has responsibility for all financial management activities. The Office of Fiscal Services, a unit of this Division, is responsible for the development of accounting policies and procedures, case management maintenance of the Department's accounting records, development and maintenance of the Cost Allocation Plan, external/internal financial reporting, timely payment of all departmental obligations, purchasing, and maintenance of the Department's payroll system.

Issuance of Checks

Title IV-E foster care maintenance payments are made by state warrant. The Division of Accounts in the Department of Finance and Administration issues warrants twice a month to foster parents for foster care maintenance payments from the State of Tennessee Accounting and Reporting System (STARS). Accounting information concerning maintenance payments for children is electronically transferred from the DCS Children's Plan Financial System (CHIPFINS) to STARS which facilitates the issue of these warrants. DCS staff responsible for the care of foster children in each local office executes contracts with the foster parents

to provide for the care of children in foster care. Upon execution of the contract, the Residential Case manager enters the contract information into CHIPFINS to initiate payment processing to foster parents. Payments will continue to be made by CHIPFINS until the Residential Case Manager terminates the contract and enters the placement information in CHIPFINS. Information concerning contracts, payments, child information and eligibility is available on line in CHIPFINS to employees whose security authorizes access. Read and/or edit access to STARS and CHIPFINS data bases are granted by departmental staff based on the access needs of the employee to perform his or her job.

V. LICENSING PROCEDURES

Sections 471(a)(10) and (11) and 472(c)(1) of the Social Security Act require that foster family homes and institutions be licensed in accordance with the rules and regulations of the State authorities responsible for establishing and maintaining standards for foster family homes, group homes and child care institutions.

In Tennessee, licensing of foster care providers and certification of relative homes is the responsibility of the Department of Children's Services.

Both foster family homes and group facilities are certified or re-certified on an annual basis. The results of the review indicated that 2 foster care placements in the sample period were not certified or re-certified within a year prior to the child's date of placement and were not certified for the period under review.

VI. RATE SETTING PROCEDURES

The Department of Children's Services is responsible for assuring that a fair and equitable rate is established for children placed in foster family homes, group homes, or child care institutions. Rates are set by the State legislature and DCS on a statewide basis. Recommendations for changes are prepared by DC. The maintenance payment is for board, replacement clothing and incidentals, which are allowable items of foster care maintenance payments.

Rates are paid for the use of approved foster homes for the board and care of children. This includes foster homes and group homes. For the period under review the rates were:

Regular Monthly Board Rates

0 through 2 years of age	\$336 per month
3 through 4 years of age	\$228 per month
5 through 12 years of age	\$262 per month
13 years of age and over	\$385 per month

Added to these rates is \$25 per month for the care of sibling groups of three or more in the same foster home. Sibling groups include half-siblings and adoptive siblings.

Special circumstances Monthly Board Rates are available and established for the child with unique needs due to medical, behavioral or emotional problems upon approval of the assigned case manager's team coordinator.

For the period under review the Special Circumstances Monthly Board Rates were:

Special Circumstances Monthly Board Rates

0 through 2 years of age	\$513 per month (including clothing allowance)
3 through 4 years of age	\$383 per month
5 through 12 years of age	\$391 per month
13 years of age and over	\$517 per month

VII. PAYMENT EDIT SYSTEM

Internal controls

The Department of Children's Services' internal control meets the requirements of 45 CFR 74.21. Duties are separated, there are budgetary and expenditure controls, procurement are made according to procurement standards, and inventories are maintained.

Edit check procedures

Eligibility is determined for foster children before payments are made in their behalf. Redetermination of eligibility are made every six months. Payments are compared to the established rate by fiscal services staff.

VIII. RECONCILIATION OF ACCOUNTING/GRANT AWARDS

Staff reviewed the list of payments associated with the cases in the sample. No irregularities were noted in this area. Typically, Tennessee reconciles its accounting records for the title IV-E foster care program each quarter. Adjusting entries are made during the first month of the following quarter. At the close of the State's fiscal year, adjusting and reconciling entries are made. This takes place during Tennessee's hypothetical fifth quarter. At this time, all final adjustments necessary for closing the books for the year take place.

IX. IV-E CASE RECORD REVIEW

A. Summary of Results

Sample Size: 80 IV-E cases

B. Final Results

Eligible Cases: 77

Ineligible Cases: 3

Entire review period: 2

Partial review period: 1

Total 3

C. Categories of IV-E Ineligible Cases:

	Entire	Partial	Total
Court Related	0		
Licensing Related	1	1	2
AFDC/TANF Issues	0		
Placement and Care	0		
Specified Relative	0		
Other	1		1

D. Ineligible Dollars Summary

Ineligible dollar amount: \$10,764 *

Percent ineligible: 3.75 percent

*Ineligible dollar amount may exceed the dollar value of the sample. Ineligible dollar amount is determined by totalling all the payments associated with an ineligible case from the point in time in which the case was no longer eligible for IV-E funds.

The review included a random sample of 80 title IV-E cases for the period from October 1, 1996 through March 31, 1997. The sample was drawn from a population of 3856 cases. The review of the cases disclosed that 3 cases were not eligible for funding under title IV-E foster care. Since the error rate in the initial review was only 3.75 percent of cases, a corrective action plan is not warranted.

X. ANALYSIS OF IV-E CASES

The reasons for the ineligibility of the three cases and the actions taken by the State following the review are detailed below.

a. Review Finding

Two cases were found to be ineligible because the foster care homes had not gone through the approval process.

State Action

The counties involved were immediately notified after the review by officials from the Tennessee Department of Children's Services. The two foster homes had gone through at least part of the training and evaluation, but were never written up and signed by the supervisor. DCS has implemented procedures with their residential case managers to ensure that a board payment is not entered into their data base for a payment until the foster home has been actually approved. In addition, the State has refunded the title IV-E funds for these cases to the Federal Government.

b. Review Finding

One case was found to be ineligible because both SSI and IV-E foster care payments were received and there was no IV-E reimbursement adjustment.

State Action

Officials from the Tennessee Department of Children's Services have stressed and enforced better communication between the Child Welfare Benefits staff and their Residential Case Managers. DCS has addressed this under the home county case manager's responsibilities in the Case Manager Manual. In addition, the State has refunded the title IV-E funds for this case to the Federal Government.

XI. STRENGTHS AND MODEL PRACTICES

- o The case records in the Child Welfare Benefits Unit were thorough and clearly documented regarding how eligibility and redetermination were done.
- o The documentation of the efforts of the State to provide permanency for the children in several of the cases reviewed.
- o The required "Affidavit of Reasonable Efforts" clearly documented the State's commitment to adhering to the requirements of Public Law 96-272.
- o Good casework practice was demonstrated in several of the cases reviewed.



DEPARTMENT OF HEALTH & HUMAN SERVICES

ADMINISTRATION FOR
CHILDREN AND FAMILIES

Memorandum

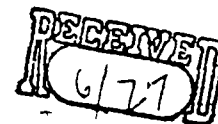
REFER TO: OFSS BG (2199)

DATE: June 14, 1995

FROM: Regional Administrator
Administration for Children and Families

SUBJECT: Final Report for the Florida Title IV-E Foster
Care Pilot Review

TO: Ms. Carol Williams, DSW
Associate Commissioner
Administration For Children, Youth
and Families



A copy of the report for the Florida Title IV-E Foster Care Pilot Review is attached for your information and guidance. A copy of the transmittal letter to the state is also attached. The review was conducted in accordance with the established procedures for the foster care eligibility review.

The Department of Health and Rehabilitative Services (Children and Family Services staff) was involved in the conduct of the pilot review and the preparation of this report. The report reflects the collective findings and opinions of the entire eligibility review team.

If you have questions concerning the title IV-E foster care review or the contents of this report, please contact Bobby Griffin, Financial Operations Specialist, Office of Family Supportive Services. He may be reached by calling (404) 331-2199.


Suanne Brooks

Attachments



DEPARTMENT OF HEALTH & HUMAN SERVICES

ADMINISTRATION FOR
CHILDREN AND FAMILIES

Region IV

June 19, 1995

REFER TO: OFSS BG (2199)

Mr. Edward A. Feaver, Acting Secretary
Department of Health and Rehabilitative Services
1317 Winewood Boulevard
Tallahassee, Florida 32399-0700

Dear Mr. Feaver:

This transmits the findings obtained from the conduct of a title IV-E foster care eligibility pilot review. We are appreciative to you and your staff for agreeing for Florida to be a test state for the IV-E pilot review.

As indicated in my letter to you dated April 4, 1995, this review differed from previous title IV-E reviews in three ways. The differences pertained to:

- technical assistance and corrective actions incorporated into the review process, providing a mechanism for State and Federal staff to plan and work together in developing and implementing corrective action.
- the use of a stratified sampling strategy which emphasized current practices, while assuring that the legal requirement to include older cases in the review was met.
- the use of State staff as partners in the development and implementation of the review processes thereby, helping to shape the monitoring process.

Since the requirement for assessing fiscal sanctions was waived for this review, the responsibility for restoring ineligible payments identified during the review rest with your agency. The instances of ineligible disbursements are cited on pages seven (7) and eight (8) of the enclosed report.

A total of 150 cases were examined during the review. We determined from our analysis that only seven (7) were ineligible for title IV-E reimbursement. The ineligible cases constituted only five percent (5%) of the total which is very good.

Mr. Edward A. Feaver, Acting Secretary

Page 2

Specific details related to the review are set forth in the enclosed report. The report reveals that HRS has made substantial improvements in its foster care program and eligibility system since the 1991 review.

If you have questions concerning the IV-E foster care review, please contact Bobby Griffin, Financial Operations Specialist, Office of Family Supportive Services. Mr. Griffin can be reached by calling (404) 331-2199.

Sincerely,



Suanne Brooks
Regional Administrator
Administration for Children
and Families

cc: Carol Williams, DSW
Associate Commissioner
Administration For Children, Youth
and Families

Olivia Golden, Commissioner
Administration for Children, Youth
and Families

Linda Radigan, Assistant Secretary
for Children and Family Services

Barbara M. Farrell, Supervisor
Human Services Unit

Florida Pilot Title IV-E

INTRODUCTION

Florida volunteered and was selected as one of four states to participate in a title IV-E foster care eligibility pilot review. The review was conducted April 24-28, 1995 by staff from the Administration for Children and Families (Central Office, Region IV and Region II staff) in conjunction with 4 representatives from the Department of Health and Rehabilitative Services (Children and Families Services staff).

The pilot review was used as a mechanism to develop new review procedures that will be of greater value to states as well as to the Federal government. The review covered many key issues for children in foster care, including:

- eligibility factors, which include the requirement that the court determine that the Department has made reasonable efforts to prevent removal, and that remaining in the home would be contrary to the child's welfare.
- requirements that children be placed in licensed and approved foster homes.

REVIEW STRATEGIES

The strategies used in this test differed from previous reviews in several significant ways. First, technical assistance was incorporated into the review process. The pilot assisted federal and state staff in the identification of technical assistance needs and how to collaboratively develop strategies for implementing corrective action. Secondly, the pilot review sample focused on current practices by utilizing a stratified sampling strategy that selected children who were in placement April 1, 1993 through March 31, 1995. Thirdly, the review was structured in such a way as to include state staff as part of the review process.

THE FLORIDA SYSTEM

In Florida, the foster care population is identified as only those children in the custody of the state agency. Custody is terminated at the point the child returns home. If later it becomes necessary for the child to again be placed in foster care, another court hearing is held and the removal situation is based on that event. When children are returned home or to some other appropriate placement, the case is supervised for at least 6 months and cannot be terminated without court approval.

THE FLORIDA SYSTEM CONT.

Kinship care, for purposes of eligibility for title IV-E funding, only includes children in state custody who live in a licensed relative foster home. In Florida, very few of these homes are eligible for title IV-E placements, as the kinship placement generally involves custody granted to the relative.

The system for determining title IV-E eligibility is primarily the responsibility of the AFDC eligibility staff in the Economic Services program. This is because title IV-E eligibility is based upon AFDC eligibility criteria. The process begins with the child welfare counselor initiating an application after a case has been prescreened to determine the likelihood that a child may be eligible. The application is processed by AFDC staff via the FLORIDA system. The factors for IV-E eligibility are recorded in that system, and it produces the determination of eligibility.

The AFDC staff manage the eligibility files (FLORIDA), and the Children and Families staff maintain each child's case record and separate licensing files on each foster home or facility licensed. In some districts staff have created an additional file which contains the eligibility aspects from all three files. In other areas all documents are kept in the child's case file.

SAMPLE SELECTION

The sample for the title IV-E review was taken from the Department of Health and Rehabilitative Services (HRS) Client Information System. This choice provided a significant cross-section of children who are supervised by the foster care staff. Many of the children in the sample were found to not actually be in foster care (i.e. in the care, custody and control of the Department) but rather children who had been entered into the system for other reasons. These cases were eliminated from the sample.

Of the 150 cases reviewed, some were removed from the sample due to varying circumstances. All cases removed had no Title IV-E payment involved but were identified on the Client Information System as open foster care cases during the review period which covered April 1, 1993 through March 31, 1995. Cases were removed from the sample for the following reasons:

- Children were on runaway status for the entire review period.
- Children were adopted prior to the review period.
- Children were from other states and were being supervised by foster care staff.

REVIEW FINDINGS

The review team determined from the analysis of case records that HRS has significantly improved its foster care system as it relates to Federal foster care requirements since the title IV-E review conducted in 1991. Significant state findings include:

- Florida has progressed from a 90 percent compliance rate (which is an acceptable threshold for Title IV-E funding) in 1990 to the current rate of 96 percent. This compliance rate is one of the best in the nation. In 1991 the Department of Health and Human Services conducted a Title IV-E Foster Care program review for Fiscal Year 1990. The results of the random statistical sample disclosed that of the 50 payment units reviewed, five (5) or 10 percent of the total were not eligible for reimbursement under Title IV-E foster care.
- Of the 150 cases reviewed only seven (7) or five percent of the total were found to be ineligible for title IV-E reimbursement. Considering the magnitude of difference in the number of payment units, this is a tremendous improvement for the State.
- Foster care cases progressed well through the judicial system. Court orders consistently support court involvement in these cases. This judicial/social partnership appears to provide the structure needed to prevent children from staying in foster care too long.
- There were no cases in the sample evidencing a lack of case planning or judicial oversight. The records consistently contained court orders evidencing judicial knowledge and approval of children continuing in foster care. The court orders consistently contained language stating that reasonable efforts to reunite families had been made.
- The HRS current policy promotes family preservation services which fulfill the state and Federal legal requirements that every reasonable effort be made to prevent a child's removal unless the nature of the abuse or neglect would jeopardize the child's safety even with intensive services. All case files contained information regarding reasonable efforts.
- Several children in the sample were initially placed with relatives at removal. This is significant as it shows the state's efforts to keep children with relatives whenever possible. However, many were later returned to the agency by the relatives for foster care placement.

REVIEW FINDINGS CONT.

Federal findings include:

- HRS should identify the deprivation factor in the case action notices of approval so that Children and Families staff will know the rationale for title IV-A eligibility.
- A child welfare data system is needed to facilitate the tracking of the important case management aspects of children in foster care i.e., when judicial reviews are due, when foster home licenses are due, and whether facilities are available for the types of placements needed.

ANALYSIS OF THE REVISED FOSTER CARE INSTRUMENT

The Pilot Title IV-E Foster Care Eligibility Review Checklist was found to be very user-friendly and an improvement over the previous form. The pilot checklist utilized a four-page format as opposed to the previous one-page version.

Page one of the pilot checklist contained the summary information pertaining to the case with case eligibility/ineligibility information available at a glance. The remaining pages contained the heart of the eligibility issues in a clear and concise manner.

The fourth page of the pilot checklist concerns the eligibility of the provider during the review period. The intent of the instrument is that each placement will be analyzed on a separate copy of this page. This proved to be extensive in many instances.

If the intent of the instrument is to determine the eligibility during the review period, a simple question such as, "Was the placement licensed and approved during the review period?" should suffice, perhaps with beginning and ending dates of the license. If, on the other hand, the intent of the instrument is to seek information about proper case management, there should be added questions regarding procedures for tracking license renewals.

During the pilot review, there was some discussion among state and federal staff of the feasibility of a separate review of licensing procedures, which might be useful. The two-year eligibility period had both pluses and minuses. Presuming the availability of documentation for each episode and all changes occurring in a case, the review team concluded that the two-year period is adequate.

ANALYSIS OF THE REVISED FOSTER CARE INSTRUMENT CONT.

On the other hand, the documentation required for determining eligibility for an entire two-year period can be extensive if the child had multiple removals and/or placements. Additionally, it can be extraordinarily burdensome to trace a child's placement history for a two-year period, filling out multiple pages for children who have been in multiple placements. Overall, it appears that for both fiscal and technical assistance purposes, a one-year period would be adequate and less time-consuming.

A cited problem in the instrument was that it was difficult to determine a "pass/fail" conclusion on those cases that may have one ineligible payment out of 24 payments contained in a two-year period. A determination would have to be made up front on what constitutes a pass/fail situation and whether or not the entire case fails if one payment period is ineligible.

If it is determined that a case can pass the review and fail one period, then the case summary of the front page of the instrument should note this. Similarly, summary question #7 on the first page reads, "Child's eligibility established for entire review period," which appears to mean that a "no" answer is required if the child was not in the custody of the Department for the entire period, or was in a situation where no payments were made while the child was not eligible. The question might better read, "Child's eligibility established for all periods for which claims were made." Review of the work sheets revealed that team members answered this question inconsistently.

For purposes of saving time and easing the process it may be helpful to have a space at the top of each page just under the Case ID Number section to complete the beginning and ending date of each placement episode. This will eliminate the continuous turning back of pages as one determines the eligibility of the placement episode. A line for the child's date of birth could also be useful, especially at the top of Page 4, where #36 asks the child's age at date of placement.

The wording of #15 on page 2 should reflect the date of the judicial hearing instead of the date of the court order. There could be two (2) different dates and the date the court hearing was held is the most crucial.

A correction needs to be made on #28 of the pilot instrument. The statement "if child was an actual recipient, go to #29" should be changed to "if child was an actual recipient, go to #32."

ANALYSIS OF THE REVISED FOSTER CARE INSTRUMENT CONT.

Additionally, #30 reads, "Was the child removed from the home of a specified relative?" The matrix indicates that if the answer to this question is "NO," the case is ineligible. This is incorrect. The child may be removed from the home of a non-relative but still be eligible if she/he has resided in the home of a specified relative within the past six months. Instructions for this question need to be expanded.

ANALYSIS OF INELIGIBLE CASES

Seven (7) children were determined ineligible and documented as having received title IV-E foster care payments during the review period. Five (5) were not removed from the home of a specified relative. One (1) was determined ineligible because of a coding error and one (1) was determined ineligible because she turned 18 and was not a full-time student.

Statutory citations and reasons for ineligibility are as follows:

<u>CASE SAMPLE</u>	<u>REASON FOR INELIGIBILITY</u>
2753	NOT REMOVED FROM HOME OF SPECIFIED RELATIVE (SEC 472 (a) (1) AND 406 (A))
2895	18 YEARS OR OLDER AND NOT A FULL-TIME STUDENT (SEC 406 (a) (2))
4425	NOT REMOVED FROM HOME OF SPECIFIED RELATIVE (SEC 472 (a) (1) AND 406 (A))
5684	NOT REMOVED FROM HOME OF SPECIFIED RELATIVE (SEC 472 (a) (1) AND 406 (A))
9743	NOT REMOVED FROM HOME OF SPECIFIED RELATIVE (SEC 472 (a) (1) AND 406 (A))
15901	FINANCIAL NEED NOT ESTABLISHED (SEC 402 (A) (7))
16301	NOT REMOVED FROM HOME OF SPECIFIED RELATIVE (SEC 472 (a) (1) AND 406 (A))

ANALYSIS OF INELIGIBLE CASES CONT.

SPECIFIC CASE DATA AND REASON FOR INELIGIBILITY

Sample No. 2753

This case had two actual placements during the review period. The first began prior to the beginning date of the review period. At that time, there did not appear to be any evidence of eligibility for AFDC. The mother and father were employed and provided support to the family. In the next placement episode, the child was removed from his biological mother whose parental rights had been severed earlier. Therefore, the biological mother was at that time an "unspecified relative," which situation does not meet AFDC criteria.

Sample No. 2895

The review of this case revealed that all IV-E requirements were met for the original placement of the child in substitute care. The ineligible IV-E payments occurred when they were inadvertently continued after the child became eighteen (18) years of age. A total of three (3) eligible payments and nine (9) ineligible payments were made during the audit period.

Sample No. 4425

The review of this case revealed that the child was never actually removed. Placement with a relative which eventually became a licensed foster home results in no physical removal actually occurring.

Sample No. 5684

In this case the mother placed the child and his siblings with a relative who cared for them approximately seven (7) months. The child was never removed from the relative who instead became a licensed foster parent. From this setting, the child was brought into the HRS custody. Physical removal did not occur.

Sample No 9743

The review of this case revealed that the child was not removed from a specified relative and was, therefore, ineligible.

ANALYSIS OF INELIGIBLE CASES CONT.

SPECIFIC CASE DATA AND REASON FOR INELIGIBILITY CONT.

Sample No. 15901

This case was never intended to be a Title IV-E case. The case was determined ineligible at placement due to the family income. However, a coding error occurred in March and April of 1995 showing IV-E expenditures of \$60.00 and \$70.00. The eligibility unit had identified the error which occurred during the previous quarter and was in the process of adjusting out the charge when the record was selected. The child was in care for 10 months; however, title IV-E foster care payments were not made.

Sample No. 16301

This child was removed from a non-relative and placed in the custody of the Department. He was not eligible for title IV-E since he had not lived in the home of a specified relative within the 6 months preceding removal. The removal was for the purposes of licensing the non-relative home as a foster home. Subsequently, the foster parent adopted this child.

SUMMARY

As indicated above, the Pilot title IV-E Foster Care Eligibility Review Checklist was generally found to be a good instrument, with a few difficulties of varying significance which may need to be addressed. Additionally, the new review procedure, involving state staff on the review team, was found to be an excellent technique.

The inclusion of state staff meant that they were readily available to answer questions and that the state standards for eligibility were consistent with the Federal standards. Additionally, the process built rapport and a team approach to identifying issues which may need to be addressed either at the state or federal level. Therefore:

- The instrument used for the review needs only slight modification.
- The team size may require at least 12 state and federal staff for a 150-case sample.
- The Florida experience indicates that a sample selection, based on payment units, may be preferable to one based on cases.
- A one-year review period may be more manageable and functional.