

CALIFORNIA 2009 REVISED FINDING
AND DISALLOWANCE LETTER

Gregory E. Rose
Deputy Director
Children and Family Services Division
California Department of Social Services
744 P Street
Sacramento, California 95814

Dear Mr. Rose:

During the week of September 14 through September 18, 2009, the Children's Bureau (CB), Administration for Children and Families (ACF), in collaboration with the California Department of Social Services (CDSS), conducted California's Title IV-E Foster Care Eligibility Review. We notified CDSS, in our letter dated December 10, 2009, that CB had identified six error cases. Thus, the State had not met the four-case error threshold and was found not to be in substantial compliance with Federal child and provider eligibility requirements for the period October 1, 2008 through March 31, 2009. As a result, the State was required and did submit a Program Improvement Plan (PIP) to address the areas needing improvement. Concurrently, CDSS appealed to the Department of Appeals Board (the Board) the decision on three of the six error cases.

In our August 5, 2010 letter, CB notified the State that upon review of additional information that the State provided to CB, CB revised the error finding for sample case #80 and deleted that case from the list of error cases.

This letter notifies you of CB's decision to rescind the error finding for sample case #5 and drop it from the list of error cases. Consequently, this reduces the list of error cases from five to four. Because the four error cases are within the limit for substantial compliance, CB is revising the determination of the State's Title IV- E Foster Care Review and finds that California is in substantial compliance for the period October 1, 2008 through March 31, 2009. The State, therefore, is no longer required to complete the PIP that was developed as a result of the original determination. However, CB regional office staff is available to provide technical assistance to the State in its on-going efforts to improve its title IV-E foster care eligibility program. Additionally, a secondary review is not required and the next primary review will be held in Federal fiscal year 2012.

Our August 5, 2010 letter notified CDSS that the revised disallowance was \$311,718. The current revised total disallowance, as a result of the rescinded improper payments for sample case 5, is \$172,186. Since CB has revised the error finding for sample case 5, the State may recoup the previously assessed disallowance in the amount total amount of \$139,532 (that is

\$36,719 in maintenance costs and \$102,763 in administrative costs) for this case. Instructions about how to recoup these funds will shortly follow under separate cover.

This is the final decision of the Children’s Bureau. Under regulations at 45 CFR Part 16, you may have an opportunity to appeal this decision to the Board. This decision shall be the final decision of the Department of Health and Human Services unless, within 30 days of receiving this decision, you deliver or mail (using registered or certified mail to establish the date) a written notice of appeal to:

Department of Health and Human Services
Departmental Appeals Board, MS 6127
Appellate Division
330 Independence Ave., SW
Cohen Building, Room G-644
Washington, DC 20447

You must attach to the notice a copy of this decision, note that you intend to appeal, state the amount in dispute, and briefly state why you think this decision is wrong. A copy of your appeal should also be sent to the James Toscano, Child Welfare Regional Program Manager in Region IX. The Board will notify you of further procedures.

Please direct questions to James Toscano at (415) 437-8425 or by e-mail at james.toscano@acf.hhs.gov. You also may contact Debra Samples, Children and Families Program Specialist in Region IX, at (415) 437-8626 or by e-mail at debra.samples@acf.hhs.gov. Questions concerning the disallowed amounts should be directed to Debi O’Leary, Financial Operations Management Specialist, at (415) 437-8464 or by e-mail at debi.oleary@acf.hhs.gov.

Sincerely,

Joseph J. Bock
Acting Associate Commissioner
Children’s Bureau

cc: Barbara Eaton, Branch Chief; California Department of Social Services, Sacramento, CA
John San Filippo, Program Manager; California Department of Social Services;
Sacramento, CA
Gail Collins, Director; CB, Division of Program Implementation; Washington, DC
Joseph M. Lonergan, Director Division of Mandatory Grants; Office of Grants Management;
Washington, DC
James Toscano, Child Welfare Regional Program Manager; CB, Region IX;
San Francisco, CA
Debra Samples, Children and Families Program Specialist; CB, Region IX;
San Francisco, CA
Debi O’leary, Financial Operations Specialist; Office of Grants Management, Region IX;
San Francisco, CA