

Background

The Massachusetts' Title IV-E Foster Care Eligibility Review of 80 records was conducted by ACF the week of November 3, 2003. The final report, issued January 26, 2004 identified a number of strengths in Massachusetts' Title IV-E eligibility policies and procedures, but ultimately found the Commonwealth not in substantial compliance with Title IV-E eligibility requirements, citing nine cases as in error – one case in excess of the allowable threshold. (ACF issued a revised Final Report on August 25, 2004 solely to correct the amount of the disallowance stated in the January report which had erroneously included certain foster care payments.)

The Department of Social Services (DSS) appealed ACF's determination to the Departmental Appeals Board, challenging, among other things, the finding that the Commonwealth's Title IV-E foster care maintenance program is not in substantial compliance.

As is obvious from our appeal, DSS does not accept ACF's cited error rate and concomitant finding regarding compliance. That said, DSS has a philosophy and culture of continuous learning and continuous improvement and appreciates the need to address requirements regarding annual reasonable efforts determinations and to improve the process of relicensing and reapproval of foster homes. To that end, DSS has initiated a number of activities to improve performance in areas that contributed to its error rate and that satisfy ACF's request for a program improvement plan pursuant to 45 C.F.R. 1356.71(i). DSS laid the foundation for some of the activities described below prior to ACF's review. Other activities have been completed since the audit and still more improvements will be completed in the remainder of the State's fiscal years 2005 and 2006.

Activities Supporting Program Improvements

DSS is undertaking a number of steps to enhance its SACWIS, which will bring about improvements in a number of areas, identified in the audit report, chief among them, the timeliness of annual reasonable efforts determinations and voluntary placement documentation and their impact on claiming.

DSS' SACWIS, FamilyNet was released to the approximately 3,000 DSS employees February 10, 1998. Title IV-E eligibility functionality was part of the initial release of FamilyNet. Eligibility functionality was constructed so that relevant case information used in the Title IV-E determination/redetermination process was automatically populated onto screens accessed by the eligibility specialists, helping inform their eligibility decisions. Additionally, eligibility specialists could access online the electronic case record to further inform their decision-making. Determination and redetermination decisions were recorded in FamilyNet and consequently each consumer's eligibility history was maintained. In addition, FamilyNet was a primary source of the expenditure information included in the quarterly Title IVE expenditure report.

When DSS had its SACWIS review, the eligibility functionality available in FamilyNet was found to be deficient. The recording and tracking of eligibility was determined to be not sufficiently automated to satisfy SACWIS requirements. The agency pursued funding to support the work required to further automate eligibility functionality and was successful

in State Fiscal Year 2004 in receiving a state appropriation targeted for a number of improvements in FamilyNet, including automation of the IV-E eligibility process.

Phase I of the automated FamilyNet Title IV-E process, released in June 2004, was specific to Foster Care determinations and redeterminations. The automated system triggers a determination, based on the creation of a Home Removal Episode in the child's case record. The determination is assigned to the appropriate eligibility specialist, placed on his/her workload for completion. Rules, consistent with the Title IV-E regulations, are built directly into the program. As required determination factors are met, i.e. found within the case record or added to the child's eligibility record, the system creates a determination recommendation. The eligibility specialist must accept or reject the recommendation, based on a comprehensive and careful review of all available information, including legal documents. Similar functionality exists for redeterminations.

Phase II, released October 2004, further improves the Foster Care eligibility process and put into production the Adoption determination process. Additional Phase II work, to be in future releases includes the development of management tools derived from the automated eligibility data. The creation and use of automated management tools/reports of the Title IV-E eligibility records will greatly enhance DSS' ability to monitor the timeliness of legal documentation required as part of the Title IV-E eligibility process at both a summary and detailed case record level. This improved functionality will improve the accuracy of our claims, as well as provide additional useful and instructive information to share with the Commonwealth's Courts on the impact of timely and complete legal documentation on our children's Title IV-E eligibility.

Another significant component of future development is the implementation of a number of interfaces with other Commonwealth state agencies. The other state agencies currently in discussions with DSS include the Department of Revenue (income and taxes), Department of Revenue (Child Support Enforcement), Office of Child Care Services (licensing of foster homes and residential facilities), Department of Transitional Assistance (financial deprivation) and Department of Medical Assistance (other reasons of financial deprivation). Of these proposed interfaces, the interface most closely related to a needed improvement included in the final report is one being developed with the Office of Child Care Services (OCCS) related to licensing of foster homes and residential facilities. The automatic uploading of licensing information from OCCS into the FamilyNet application will improve the capacity to maintain accurate and timely licensing information of its contracted providers. DSS successfully completed its first interface with OCCS October 31, 2004. More than 300 licensing records in FamilyNet were updated with OCCS licensing information. This electronic exchange will continue to occur with some scheduled frequency.

The Department will soon be rebidding a majority of its purchase of service dollars, including residential and contracted foster care. DSS will look to include in the newly negotiated contracts a requirement that each purchase of service vendor must file a copy of each individual provider license with DSS. This will further strengthen the Department's ability to monitor and hence appropriately claim expenses for properly licensed contracted foster care homes.

DSS also expects improvements in the licensing area with an increase in family resource staffing levels at DSS Central Office. The staff person who formerly held the position of Family Resource Manager took advantage of the Commonwealth's early retirement

program and has transitioned the work to a full-time replacement. In addition, the DSS has recently posted and hired a new position of compliance manager for the Family Resource functionality. This new position will serve as the Quality Assurance officer of our Family Resources statewide, working and coordinating with the Regional Family Resource Supervisors on the timely approval/licensing of our Family Resource homes and the timely documentation of that information into the FamilyNet application. This new central office team has already initiated a schedule of routine meetings to review the timeliness of licensing our family resource homes and the related timeliness of completing CORIs on household members.

While it did not directly relate to the substantial noncompliance determination, ACF highlighted an issue related to the number of cases determined to be inappropriate for review. In response, the Department has developed improved procedures on the timeliness of searching for and recording annual reasonable efforts documentation.

Conclusion

The Department of Social Services has reviewed and given serious consideration to the findings included in the ACF final report of Massachusetts' Title IV-E Review. The Department is confident that the activities it has taken and will continue to pursue to address these areas will result in program improvements that produce successful future audit outcomes.