SOUTH CAROLINA TITLE IV-E
FOSTER CARE ELIGIBILITY REVIEW
JANUARY 22-26, 2001

I. INTRODUCTION

During January 22-26, 2001, Administration for Children and Families' (ACF) staff from the Regional and Central Offices, and South Carolina Department of Social Services staff conducted an eligibility review of South Carolina's title IV-E foster care program.

The purpose of the title IV-E eligibility review was to validate the accuracy of South Carolina's claims to assure that appropriate payments were made on behalf of eligible children, to eligible homes and institutions, at allowable rates.

II. SCOPE OF THE REVIEW

The South Carolina title IV-E foster care review, which was conducted in Columbia, encompassed all title IV-E foster care cases during the period October 1, 1999 through March 30, 2000. A computerized statistical sample of 96 cases was drawn from the Adoption and Foster Care Analysis and Reporting System (AFCARS) data that were transmitted by the State agency to ACF. The sampling frame consisted of cases of individual children who received at least one title IV-E foster care maintenance payment during the six-month period noted above. For each case, the child'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 under review.

During this initial primary review, 80 cases were reviewed. One (1) case was determined ineligible for part of the review period for the reason that is identified in the Case Record Summary section of this report. One other case, otherwise ineligible, was excluded because a title IV-E payment was not made during the period under review. Thus, having been sampled in error, it was replaced with an over-sample case. Since the number of ineligible cases was fewer than nine, South Carolina is considered to be in substantial compliance.

III. CASE RECORD SUMMARY

The following information details the ineligible case, the reason for ineligibility, ineligible Federal dollars, and appropriate citations:

Sample Size: `	96
Number of Cases Reviewed	80
Number of Eligible Cases	79
Number of Ineligible Cases	1
Number of Cases Ineligible for the Entire Review Period	0
Number of Cases Ineligible for a Portion of the Review Period	1
Total Amount of Federal Dollars Associated with the Ineligible Case:	$930.

Analysis of the Ineligible Case

Sample Number	Record Number	Reason for Ineligibility	Statutory Citation	Ineligible Federal Dollars
16	193500	Payment after Age 18	Sec. 406(a)	$930.
Total Disallowance				**$930.**

IV. AREAS IN NEED OF IMPROVEMENT AND RECOMMENDATIONS

While the State is to be commended for an exceptionally low error rate (1.25%), it was noted during the review that 23 cases (28.7%) failed to conduct and/or document annual permanency hearings, as required by the Adoption and Safe Families Act of 1997 (ASFA). Because of the effective date of this requirement in the Final Rule, application of this new eligibility requirement was not considered in determining eligibility for this review.

Of the 23 cases failing to have annual permanency hearings, 10 were from two counties (Greenville and Richland). Of those that did conduct annual reviews, there was a wide variation in the quality of documentation, ranging from fully documented efforts to secure permanency and overcome obstacles, to perfunctory, check-off court orders with no explicit or case specific consideration, as required by ASFA. Not surprisingly, there was a high correlation between perfunctory permanency hearings and long-term episodes of foster care.

For future reviews, a judicial determination regarding reasonable efforts to finalize the permanency plan must be made within 12 months of the date the child is considered to have entered foster care; and, at least once every 12 months thereafter while the child is in foster care. If a judicial determination regarding reasonable efforts to finalize a

permanency plan is not made, the child is ineligible at the end of 12 months from entering foster care; or at the end of the month in which the most recent judicial determination of reasonable efforts was made, and remains ineligible until such a judicial determination is made.

It is recommended that the Department of Social Services, in conjunction with the Court Improvement Program (CIP), assess the various court jurisdictions in the State in terms of how well they comport with not only the letter but the spirit of the Adoption and Safe Families Act, and to work collaboratively with those courts that fall short.

In two cases it was initially questionable as to whether the foster care provider had been re-validated according to the State policy for foster home licensing. More complete reading of the licensing file found that all re-validation procedures had indeed been met with time frames, but the structure of the payment system at that time would not have prevented title IV-E payment if re-validation had been incomplete. In an effort to prevent inadvertent lapses of foster care licenses, consideration should be given to programming the payment system to either issue alerts when licensing renewal dates come due, or to suspend payments to those providers whose licenses have not been renewed. In the absence of a systems check, the redetermination process should include a check on the status of the provider's license.

V. STRENGTHS AND MODEL PRACTICES

While it was noted that many sample cases were long-term foster care, it was also noted that, for the most part, these cases enjoyed exceptional stability in terms of the number of foster homes used per child. Only 12 cases out of 80 involved the use of more than one foster care provider during the period under review. This is indicative of quality recruitment and training of foster parents, as well as numerous and supportive contacts by the staff of the Department.

The State had passed legislation prior to the Adoption and Safe Families Act, which requires judicial findings for reasonable efforts to prevent removal and that the child's removal from the home must be the result of a judicial determination to the effect that continuation in the home would be contrary to the child's welfare, or that placement in foster care would be in the best interest of the child. The effect of this legislation was clear in that most cases reviewed contained court orders with these findings.

It was noted that Aiken and Sumpter Counties had thorough court orders in the files. Sumpter County DSS also had thorough redeterminations and documentation of case activity.

IV. DISALLOWANCE

Considering the results of the review, one (1) case was not eligible for part of the period under review, with the result of $930 FFP being disallowed. Please refer to the accompanying disallowance letter.