

The Utah Title IV-E Foster Care Eligibility Review Report
Department of Human Services
Division of Child and Family Services
September 15 - 18, 2008

I. Introduction

During the week of September 15 – 18, 2008, the Children’s Bureau (CB), Administration for Children and Families (ACF), conducted an eligibility review of Utah’s title IV-E foster care program. The review team was comprised of staff from CB’s Central and Regional offices and staff from the Utah Department of Human Services, Division of Child and Family Services (DCFS). The purposes of the title IV-E foster care eligibility review were: (1) to determine if Utah was in compliance with the eligibility requirements as outlined in at 45 CFR 1356.71 and Section 472 of the Social Security Act (the Act); and (2) to validate the basis of Utah’s financial claims to ensure that appropriate payments were made on behalf of eligible children residing in licensed or approved family homes and child care institutions.

II. Scope of the Review

The Utah title IV-E eligibility review encompassed a sample of title IV-E foster care cases that received a foster care maintenance payment during the period of October 1, 2007 through March 31, 2008. A computerized statistical sample of eighty (80) cases was drawn from data submitted to the Adoption and Foster Care Analysis and Reporting System by the State agency for the period under review (PUR). Each child’s case was reviewed for the determination of title IV-E eligibility, and the provider’s file was reviewed to ensure that the foster home or child care institution, in which the child was placed, was licensed or approved for the PUR. This review was classified as a primary review as defined by 45 CFR 1356.71.

III. Case Record Summary

During the primary review, eighty (80) cases were reviewed. Two cases were determined to be in error for either part or all of the review period. One case was determined to be in error due to an ineligible title IV-E foster care payment because of the criminal records check requirement of Section 471(a)(20) of the Act was not met and the other case was determined to be in error because the provider was not fully licensed. The specifics of the findings are as follows:

Case #76 - The title IV-E foster care maintenance payment was incorrectly claimed for January 1, 2008 through January 31, 2008 because it was prior to completion of the criminal records check requirements at 471 (a) (20) of the Act. The title IV-E eligibility disallowance is \$236 (FFP).

Case # 65 - The foster care provider had a probationary license from October 23, 2007 to October 31, 2007 and was not fully licensed from February 1, 2008 through February 18, 2008. A clothing payment allowance was also made for the child while not title IV-E eligible. The title IV-E eligibility disallowance is \$594 (FFP).

The review team also identified one (1) otherwise eligible case with ineligible payments which occurred outside of the PUR:

In case #48 - The judicial determinations of reasonable efforts to finalize the permanency plan due January 16, 2006 was not made until October 12, 2006. The child was not eligible for title IV-E payments for the months of February through September 2006. The title IV-E eligibility disallowance is \$8443 (FFP).

There was also an underpayment in Case #76 for the period starting July 1 through 31, 2008, when the child was eligible for a title IV-E payment which was not claimed. The State can claim \$288 (FFP).

Summary of Issues Utah Title IV-E Eligibility Review Report

Strengths and Model Practices:

The State Pre-Review and Review Activities: The Utah Division of Child and Family Services (DCFS) staff, both at the State and County level, did an excellent job preparing for this review. Both State program and fiscal staff were very responsive to Federal requests and supplied needed information in a timely manner. Once onsite, case records were well organized, and reviewers had little difficulty locating the required information.

- DCFS staff are well-trained and dedicated. They are able to answer complicated questions about scheduled work-processes; and
- Regular two-way communication between management and staff provided evidence of departmental leadership support for staff.

The Statewide Automated Child Welfare Information System (SACWIS), known as SAFE, is a valuable asset: DCFS maintains a SACWIS (SAFE) system that is fully operational and benefits the State with its daily intake, recordkeeping and automated reminder abilities; it also provides data to management about trends and other issues and/or concerns.

- The “Data Team” create reports to identify areas in the DCFS system that may need improvement. Management utilizes these reports to make necessary adjustments for organization improvement; in addition,
- Payment history documents are concise and detailed.

Permanency Hearings and Judicial Determinations are held frequently: The number and timeliness of court hearings exceeded Federal regulation. Court orders had appropriate language regarding the findings of reasonable efforts to prevent removal, reasonable efforts to achieve permanency, and contrary to the welfare for the child to remain in the home. In addition, DCFS staff provided child-specific details in their court reports and affidavits.

- Specialized juvenile courts conducted family and child hearings, and subsequently provided excellent child and family-specific detail; and
- Court documents were well laid-out with dates of hearings and judicial findings.

Positive Partnerships have been developed between DCFS and Other State Agencies: Stable and productive partnerships with other State agencies, i.e., the Office of Licensing within the Department of Human Services and the Courts (to include the Court Improvement Program within the Administrative Office of the Courts) were observed.

- Licensing background information regarding clearances was easily found;
- DCFS staff conduct regular (at least annual) meetings with local judges and legal teams resulting in clear and concise communication;
- The legal system leadership (including involvement of community leaders), along with DCFS, focuses on improving child and family outcomes.

Excellent documentation was recorded for Aid to Families with Dependent Children (AFDC) determination – Documents were detailed and clear regarding periods covered.

- Documentation in the records for AFDC determination was detailed and clear regarding periods covered; and
- AFDC redeterminations were timely and often completed before the due date.

Areas Needing Improvement:

Some checklist court orders are “boiler plate” and should be more “individualized”: A few counties within the State use pre-printed forms that do not allow for “child specific” information to be documented in a child’s file. In some instances, not all blocks are filled in and a complete assessment of the child’s case cannot be recorded. It then becomes difficult to assess the differences between one child’s court order and another’s.

- Salt Lake Valley struggles with judicial findings for finalizing permanency plans (particularly for older youth) and requires efforts to increase “individualized permanency plans.”

Some extensions were observed in the licensing, and particularly for child placing agencies: Although Federal funds were not claimed for the placement period, reviewers noted that child placement agencies were not always fully licensed when children were placed. Increased emphasis must be placed on safety concerns for children in child placement agencies.

Court documentation in Juvenile Justice Cases are not clear regarding Contrary to the Welfare and Reasonable Efforts language: In a few cases, the review team had difficulty establishing that Federal requirements were met in juvenile justice cases. Juvenile justice case files need more consistency in their judicial findings with language that is clear and concise.