

WEST VIRGINIA 2008 REVISED FINDING
AND DISALLOWANCE LETTER

Martha Y. Walker
Secretary
Department of Health and Human Resources
State Capitol Complex
Building 3, Room 206
Charleston, West Virginia 25305

Dear Ms. Walker:

This letter informs you of the revised findings of the primary eligibility review conducted for West Virginia's title IV-E foster care program the week of April 7, 2008. On August 8, 2008 the Children's Bureau (CB), Administration for Children and Families (ACF), provided you with the final report of findings and informed you that the State's title IV-E foster care maintenance program was found not to be in substantial compliance with Federal eligibility requirements for the period April 1, 2007 through September 30, 2007. Five error cases and one non-error case with improper payments were determined ineligible for Federal funding. Further, the letter officially notified you of the disallowance of \$35,083 in maintenance payments and \$7,253 in related administrative costs in Federal Financial Participation (FFP) for title IV-E foster care claimed for the cases determined to be in error. An additional disallowance of \$58,017 in maintenance payments and \$4,791 in related administrative costs was assessed in FFP for title IV-E foster care payments claimed improperly for the case determined to be non-error.

Subsequent to the onsite review and the notification letter dated August 8, 2008, the West Virginia Department of Health and Human Resources (WV DHHR) provided the CB regional office with documentation of licensure for sample case WV OS-5. This case previously was cited as an error case because the foster family home was not substantiated as fully licensed during the period under review. Based on the additional documentation provided, CB finds that the foster family home was fully licensed for the period under review and the Federal requirements at 45 CFR §1356.71 were met. Therefore, this is not an error case and our previous finding for sample case WV OS-5 is reversed.

With the determination that WV OS-5 was not an error case, West Virginia is found to have four error cases for the period under review. Therefore, CB has determined that West Virginia's title IV-E foster care maintenance payment program is in substantial compliance with Federal child eligibility and provider requirements for the period April 1, 2007 through September 30, 2007. Since West Virginia has been found to be in substantial compliance, a secondary review will not be required. The next primary review will be held in three years. The financial penalty to be taken for this review will be for payments, including the administrative costs, associated with the four error cases and the one non-error case with ineligible payments as indicated in the enclosed revised report of review findings.

This letter constitutes our formal notice of disallowance of \$33,864 in maintenance payments and \$6,801 in related administrative costs in FFP for title IV-E foster care claimed for the cases determined to be in error. An additional disallowance of \$58,017 in maintenance payments and \$4,791 in related administrative costs is assessed in FFP for title IV-E foster care payments claimed improperly for the case determined to be non-error. These improper payments were not considered in the determination of the State's substantial compliance with the Federal requirements.

West Virginia submitted a one time supplemental decreasing claim in the amount of \$105,144, the original title IV-E eligibility review disallowance, through the Quarterly Report of Expenditures (Form ACF-IV-E-1), Part 1, Line 1, Columns (c) and (d). Based on the change in the status of case WV-OS-5, a revised ACF-IV-E-1 form can now be submitted to claim \$1671, the amount of the change in the disallowance. Please submit the ACF-IV-E-1 form within 30 days of the date of this letter containing only the adjustment described above. Any other claims or revisions must not be included and will not be accepted. The original report should be submitted to the following address with a copy to CB's Region III Office:

Director
Division of Mandatory Grants
U.S. Department of Health and Human Services
Administration for Children and Families
4th Floor East
370 L'Enfant Promenade, SW
Washington, DC 20447

CB again thanks you and your staff for the excellent efforts that were made to prepare for and participate with us in this review. We look forward to working with you and your staff to continue to improve State implementation of the Federal requirements and to improve services to

children and families. If you have any questions about this review, please contact Kimberly L. Huhn, CB's Child and Family Specialist in Region III, at (215) 861-4037. Questions concerning the disallowance should be directed to Anh Nghiem, Financial Management Specialist, at (215) 861-4002.

Sincerely,

Christine M. Calpin
Associate Commissioner
Children's Bureau

Enclosure

cc:

Jason Najmulski, Commissioner; WV DHHR; Bureau for Children and Families;
Charleston, WV
Gail Collins, Director; CB, Division of Program Implementation; Washington DC
Lisa J. Pearson; Child Welfare Regional Program Manager; CB, Region III;
Philadelphia, PA
Kimberly L. Huhn, Child and Family Specialist; CB, Region III; Philadelphia, PA
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