

**Nebraska Department of Health and Human Services  
Division of Children and Family Services  
Primary Review  
Title IV-E Foster Care Eligibility**

**Report of Findings for  
October 1, 2011 – March 31, 2012**

## **Introduction**

During the week of August 27, 2012, the Children's Bureau (CB) of the Administration for Children and Families (ACF) conducted a primary review of the State's title IV-E foster care program. The review was conducted in collaboration with the Nebraska Department of Health and Human Services (DHHS) Children and Family Services Division and was completed by a review team comprised of representatives from Nebraska DHHS Children and Family Services Division, Nebraska DHHS Division of Public Health, Nebraska Court Improvement Project, Children's Bureau Central and Regional Offices, ACF Regional Grants Management Office and peer reviewers.

The purposes of the title IV-E foster care eligibility review were (1) to determine whether the Nebraska DHHS Children and Family Services Division was in compliance with the eligibility requirements as outlined in 45 CFR §1356.71 and §472 of the Social Security Act (the Act); and (2) to validate the basis of Nebraska DHHS Children and Family Services Division's financial claims to ensure that appropriate payments were made on behalf of eligible children.

## **Scope of the Review**

The primary review encompassed a sample of the State's foster care cases that received a title IV-E maintenance payment during the six-month period under review (PUR) of October 1, 2011 through March 31, 2012. A computerized statistical sample of 130 cases (80 cases plus 50 oversample cases) was drawn from State data submitted to the Adoption and Foster Care Analysis and Reporting System (AFCARS) for the above period. Eighty cases were reviewed, which consisted of 61 cases from the original sample plus 19 oversample cases. Nineteen cases were excluded from the original sample for one or more of the following reasons:

- No title IV-E service occurred in the PUR
- Decreasing adjustments were made for claims submitted for title IV-E maintenance payments for service dates during the PUR and prior to the State's receipt of the review sample.
- A youth in the sample or oversample turned 18 years of age prior to or during the PUR

Nebraska provided documentation to support excluding these cases from the review sample and replacing them with cases from the oversample.

In accordance with Federal provisions at 45 CFR 1356.71, Nebraska was reviewed against the requirements of title IV-E of the Act and Federal regulations regarding:

- Judicial determinations regarding reasonable efforts and contrary to the welfare as set forth in §472(a)(2)(A) of the Act and 45 CFR §§1356.21(b)(1) and (2), and (c), respectively;
- Voluntary placement agreements as set forth in §§472(a)(2)(A) and (d)-(g) of the Act and 45 CFR §1356.22;
- Responsibility for placement and care vested with State agency as stipulated in §472(a)(2)(B) of the Act and 45 CFR §1356.71(d)(1)(iii);
- Eligibility for Aid to Families with Dependent Children (AFDC) under the State plan in effect July 16, 1996 as required by §472(a)(3) of the Act and 45 CFR §1356.71(d)(1)(v).
- Placement in a licensed foster family home or child care institution as defined in §§472(b) and (c) of the Act and 45 CFR §1355.20(a); and
- Safety requirements for the child's foster care placement as required at 45 CFR §1356.30.

The case file of each child in the selected sample was reviewed to verify title IV-E eligibility. The foster care provider's file also was examined to ensure the foster family home or child care institution in which the child was placed during the PUR was licensed or approved and that safety considerations were appropriately addressed and documented. Payments made on behalf of each child also were reviewed to verify the expenditures were allowable under title IV-E and to identify underpayments that were eligible for claiming. A sample case was assigned an error rating when the child was not eligible on the date of activity in the PUR for which title IV-E maintenance was paid. A sample case was cited as non-error with ineligible payment when the child was not eligible on the activity date outside the PUR or the child was eligible in the PUR on the service date of an unallowable activity and title IV-E maintenance was paid for the unallowable activity. In addition, underpayments were identified for a sample case when an allowable title IV-E maintenance payment was not claimed by the State for an eligible child during the 2 year filing period specified in 45 CFR §95.7, unless the title IV-E agency elected not to claim the payment or the filing period had expired. The CB and the State agreed that, subsequent to the on-site review, the State would have two weeks to submit additional documentation for a case that during the onsite review was identified as in error, in undetermined status, or not in error but with an ineligible payment.

### **Compliance Finding**

The review team determined that 74 of the 80 cases met eligibility requirements (i.e., were deemed non-error cases) for the PUR. Six (6) cases were determined in error for either part or all of the PUR and three (3) non-error cases were ineligible for Federal funding for a period of claiming. Accordingly, Federal funds claimed for title IV-E foster care maintenance payments, including related administrative costs, associated with the error cases and non-error cases with ineligible payments are being disallowed. In addition, thirteen (13) non-error cases were identified to have periods of eligibility for which the State did not claim allowable title IV-E maintenance payments. Because the number of cases in error is more than four (4), the Nebraska DHHS Children and Family Services Division is not in substantial compliance for the PUR.

## Case Summary

The following charts record the error cases; non-error cases with ineligible payments; underpayments; reasons for the improper payments; improper payment amounts; and Federal provisions for which Nebraska did not meet the compliance mandates.

### Error Cases

<b>Sample Number</b>	<b>Improper Payment Reason &amp; Ineligibility Period</b>	<b>Improper Payments (FFP)</b>
16	The foster care provider was not fully licensed during the child's placement that falls within the PUR. [§472(b) and (c) of the Act; 45 CFR§1356.71(d)(1)(iv), 1355.20] Ineligible: 02/01/12 through 04-30-12	\$3,150 Maint. \$0.00 Admin.
20	Eligibility determination was not completed on the removal home, which is the home of the specific relative who is the basis of the CTW finding or of the specified relative who signed the VPA. [§472(a)(3)(A)(i) and (ii) of the Act; 45 CFR§1356.21(1)(1)] Ineligible: Entire FC episode 03/22/05 through 07/31/12	\$28,168 Maint. \$6,532 Admin.
32	Eligibility was not completed for the month in which the child was living with and removed from the parent or specified relative. [§ 472(a)(3)(A)(i) and (ii) of the Act; and 45 CFR §1356.21(1)] Ineligible: Entire FC episode; 12/1/09 through 07/31/12	\$35,066 Maint. \$10,483 Admin.
40	Eligibility was not completed for the month in which the child was living with and removed from the parent or specified relative. [§ 472(a)(3)(A)(i) and (ii) of the Act; and 45 CFR §1356.21(1)] Ineligible: Entire FC episode; 11/16/09 through 07/31/12	\$41,267 Maint. \$9,312 Admin
52	No judicial determination that continuation in the home would be contrary to the welfare of the child and no reasonable efforts to prevent removal determination were made. [§ 472(a)(2)(A)(ii) and 45 CFR§1356.21 (b)(1) and 1356.21 (c)] Ineligible: Entire FC episode 2/01/12 through 07/31/12	\$3,405 Maint. \$1,596 Admin
OS 12	Eligibility criteria were not met as there was not a financial need. [§472(a)(3)(A)] Ineligible: Entire FC episode 04/28/11 through 7/31/12	\$10,885 Maint. \$3,552 Admin

Total Maintenance FFP: \$121,941  
Total Admin FFP: \$31,475

**Non-error Cases with Ineligible Payments**

<b>Sample Number</b>	<b>Improper Payment Reason &amp; Ineligibility Period</b>	<b>Improper Payments (FFP)</b>
6	The foster care provider was not fully licensed during one of the child's placements. [§472(b) and (c) of the act; [45 CFR§§1356.71(d)(1)(iv), 1355.20] Ineligible: 05/01/11 through 5/31/11	\$1,085 Maint. \$0.00 Admin.
OS 14	The foster care provider was not fully licensed during part of the child's placement. [§472(b) and (c) of the act; [45 CFR§§1356.71(d)(1)(iv), 1355.20] Ineligible: 03/01/11 through 08/31/11	\$6,760 Maint. \$0.00 Admin.
OS 21	The foster care provider was not fully licensed during one of the child's placements. [§472(b) and (c) of the act; [45 CFR§§1356.71(d)(1)(iv), 1355.20] Ineligible: 05/01/11 through 5/31/11	\$1,240 Maint. \$0.00 Admin.

Total Maintenance FFP: \$9,085

**Underpayment Cases**

<b>Sample Number</b>	<b>Improper Payment Reason &amp; Eligibility Period</b>	<b>Improper Payments (FFP)</b>
6	Eligible for foster care maintenance payment the entire time child meets title IV-E eligibility criteria and is placed in a fully licensed foster home. [§472(a)] Eligible: 03/01/12 through 07/31/12	\$2,220 Maint.
8	Rate change mistake; did not pay for first two weeks of October 2011.	\$1,065 Maint.
23	Eligible for foster care maintenance payment the entire time child meets title IV-E eligibility criteria and is placed in a fully licensed foster home. [§472(a)] Eligible: 03/01/12 through 03/31/12, 05/01/12 through 05/31/12, and 07/01/12 through 07/31/12.	\$2,506 Maint.
24	Eligible for foster care maintenance payment the entire time child meets title IV-E eligibility criteria and is placed in a fully licensed foster home. [§472(a)] Eligible 12/01/2011 through 12/31/2011. Maintenance for clothing for 08/27/11.	\$1,143 Maint
31	Eligible for foster care maintenance payment the entire time child meets title IV-E eligibility criteria and is placed in a fully licensed foster home. [§472(a)] Eligible: 02/01/11 through 06/30/11 and 09/01/11 through 09/30/11.	\$6,208 Maint

<b>Sample Number</b>	<b>Improper Payment Reason &amp; Eligibility Period</b>	<b>Improper Payments (FFP)</b>
34	Eligible for foster care maintenance payment the entire time child meets title IV-E eligibility criteria and is placed in a fully licensed foster home. [§472(a)] Eligible: 04/26/11 through 04/30/11 and maintenance for clothing 05/11/11	\$785 Maint
56	Eligible for foster care maintenance payment the entire time child meets title IV-E eligibility criteria and is placed in a fully licensed foster home. [§472(a)] Eligible: 10/01/10 through 02/28/11	\$6,274 Maint
71	Eligible for foster care maintenance payment the entire time child meets title IV-E eligibility criteria and is placed in a fully licensed foster home. [§472(a)] Eligible: 08/17/09 through 07/31/12.	\$27,557 Maint
73	Eligible for foster care maintenance payment the entire time child meets title IV-E eligibility criteria and is placed in a fully licensed foster home. [§472(a)] Eligible: 03/01/12 through 03/31/12	\$1,426 Maint
OS4	Eligible for foster care maintenance payment the entire time child meets title IV-E eligibility criteria and is placed in a fully licensed foster home. [§472(a)] Eligible: 10/06/10 through 07/31/12	\$31,478 Maint
OS 14	Eligible for foster care maintenance payment the entire time child meets title IV-E eligibility criteria and is placed in a fully licensed foster home. [§472(a)] Eligible: 07/01/12 through 07/31/12	\$1,096 Maint.
OS 19	Eligible for foster care maintenance payment the entire time child meets title IV-E eligibility criteria and is placed in a fully licensed foster home. [§ 42(a)] Eligible: 01/04/10 through 07/31/12	\$30,496 Maint
OS 21	Eligible for foster care maintenance payment the entire time child meets title IV-E eligibility criteria and is placed in a fully licensed foster home. [§472(a)] Eligible: 07/01/12 through 07/31/12	\$104 Maint.

Total: \$112,358

### **Areas in Need of Improvement**

The findings of this review indicate Nebraska needs to further develop and implement procedures to improve program performance in the following areas. For each issue, there is a discussion of the nature of the area needing improvement, the specific title IV-E requirement to which it relates and the corrective action the State should undertake.

Issue #1: Judicial Determination of Contrary to the Welfare and Reasonable Efforts One (1) case was in error because the Federal requirement for the judicial determination of contrary to

the welfare and reasonable efforts was not met. Of the cases reviewed there was one trial home visit that exceeded the six month threshold where there was no judicial order authorizing the extension and then at removal the judicial determinations regarding contrary to the welfare and reasonable efforts to prevent removal were not made.

Title IV-E Requirement: Federal provisions at 45 CFR §1356.21(e) require the judicial determinations regarding contrary to the welfare and reasonable efforts to prevent removal following a disrupted trial home visit of more than six months duration or beyond an extension authorized by the court. If a trial home visit extends beyond six months and this extension has not been authorized by the court and the child is subsequently removed out-of-home into a foster care placement then that placement must be considered a new foster care episode and title IV-E eligibility must be newly established. If these requirements are not met the child is ineligible for title IV-E for the entire foster care episode.

Recommended Corrective Action: Nebraska DHHS's Division of Children and Family Services and the Court Improvement Project should collaborate to develop and implement procedures to ensure that if a child returns to foster care placement under the above described circumstances that the required judicial determinations are made. It is recommended that continuing education of the Judiciary and other court officials include the judicial determination requirements for trial home visits. It is also recommended that agency staff be trained on these requirements so they will know not to claim title IV-E under the circumstances described in Issue # 1.

Issue #2: AFDC Eligibility Determination. In four (4) error cases it was determined that title IV-E payments were made as a result of inaccurate determinations of AFDC eligibility.

Error case specifics:

- 1) In two of the error cases the eligibility determination was not completed for the month in which the child was living with and removed from the parent or specified relative.
- 2) In one error case the determination of need was not based on the home from which the child was removed pursuant to the judicial order.
- 3) In one error case the determination of financial need was not established.

Title IV-E Requirement: Consistent with the Federal provisions at 45 CFR §1356.21(l)(1) and (2) for purposes of living with a specified relative prior to removal from the home under section 472 (a)(1) of the Act and all of the conditions under section 472(a)(4) one of the two following situations must apply:

- 1) The child was living with the parents or specified relative and was AFDC eligible in that home in the month of the voluntary placements agreement or initiation of court proceedings; or
- 2) The child had been living with the parent or specified relative within six months of the month of the voluntary placement agreement or the initiation of court proceedings, and the child would have been AFDC eligible in that month if she or he had still been living in that home.

Recommended Corrective Action: It is acknowledged that Nebraska DHHS Division of Children and Family Services issued new policy on August 31, 2012 which was implemented immediately and was concerning the process of eligibility determination in the State with the intent of achieving compliance with the Federal provisions as outlined above. It is recommended that there be ongoing review of policy and practice, as well as ongoing access to training for staff conducting eligibility determinations and workers of foster care cases to ensure that Nebraska will make the required determination of AFDC based on the correct (1) AFDC eligibility month-- the month of the initiation of court proceedings or signing of voluntary placement agreement, but prior to the removal, (2) AFDC removal home-- home of the specified relative who's the basis of the CTW finding or who signs the VPA and (3) Financial need-- in the removal month, for the removal home, the income must not exceed the State's AFDC need standard and the combined resources available to the family unit must not exceed \$10,000 and that Nebraska policy is being correctly implemented and in practice meets the Federal title IV-E eligibility requirements.

In preparation for the title IV-E Review, Nebraska determined that the N-FOCUS system had inadequate controls to prevent erroneous payments. Corrective action in the form of an N-FOCUS edit/enhancement was to take place in November 2012. It is recommended that title IV-E eligibility determination be incorporated into Nebraska's recently redesigned continuous quality improvement system. It is also recommended that consideration be given to the benefit of an N-FOCUS automated quality assurance module in addition to the quality assurance review of case records that staff currently do to review and track payments for accuracy and compliance with Federal requirements and State standards and to decrease the likelihood of underpayments.

Issue#3: *Eligibility Issue regarding licensing status of foster family homes during placement.* In (3) non-error cases and one (1) error case it was determined that improper payments were made for maintenance costs in foster family homes that were not fully licensed during part of the child's placement. Nebraska determined that the N-FOCUS system had inadequate controls to prevent erroneous payments as they made preparations for the title IV-E review. Nebraska reported that their N-FOCUS system recognized a foster family home as fully licensed at the time of payment invoice while the home may not have been fully licensed throughout the entire placement.

Title IV-E Requirements: Federal regulations at 45 CFR §1356.60 provide that title IV-E foster care maintenance payments may be claimed for allowable costs that are covered by the Federal definition of foster care maintenance found at §475(4) of the Act. Under §472 of the Act, title IV-E maintenance payments may be claimed from the first day of the foster care placement in the month in which all title IV-E eligibility criteria are met. The payment may be claimed for the entire month when an eligible child has resided in the foster care placement for the entire month. However, if the eligible child is placed on a date in the month other than the first of the month, title IV-E funds may be claimed for the period beginning with the actual date of foster care placement.

Recommended Corrective Action: Corrective action in the form of an N-FOCUS edit/enhancement was to take place in November 2012. It is recommended that title IV-E eligibility determination be incorporated into Nebraska's recently redesigned continuous quality improvement system. It is also recommended that consideration be given to the benefit of an

=N-FOCUS automated quality assurance module in addition to the quality assurance review of case records that staff currently do to review and track payments for accuracy and compliance with Federal requirements and State standards.

Issue #4: *Safety Requirements of the Childcare Institutions and foster family home.* Although there were no error cases identified concerning the issue of licensing documentation for the childcare institutions, there were a number of areas of risk noted in reference to safety of children in residential facilities in the files that were reviewed. Specific issues of risk related to the safety of children were as follows:

- The State does not verify that safety checks are completed on facility care-giving staff at the time of initial licensure; instead they rely on the facility to follow their own policies and procedures regarding the conduct of safety checks.
- Of the files reviewed, the large facilities in Nebraska did not consistently have documentation in the files that safety checks had been completed by the childcare institution at the employee's initial hiring as Nebraska required. Documentation was provided that safety checks had been completed prior to the payment for foster care maintenance under title IV-E on behalf of a child in the childcare institution during the PUR, thus there were no error cases identified.
- There is no State regulatory oversight to ensure that persons are not employed by facilities if they are determined to have committed a prohibited offense. Instead, the State allows the facilities to develop and follow their own policies and procedures concerning this issue and without taking any enforcement action to reduce the risks to children in care.
- Nebraska requires, under their contracts with residential facilities, that safety checks be conducted on all employees at initial hiring and every two years thereafter. However, there is no uniform statewide contract monitoring to ensure completion of the safety checks as required.
- There is no review of State licensing or approval standards for childcare institutions and foster family homes at reasonable, specific, time limited periods that have been established by the State.

Title IV-E Requirement: Federal provisions at 45 CFR §1356.30(f) applies to safety check requirements in childcare institutions and requires that the licensing file for the institution must contain documentation which verifies that safety considerations with respect to the caretaker(s) have been addressed. Federal provisions at 45 CFR §1356.21(m)(2), "Review of Payments and Licensing Standards," require the State to review at reasonable, specific, time limited periods established by the State; the licensing or approval standards for childcare institutions and foster family homes. The State title IV-E agency must provide evidence that safety considerations with respect to the caregiver staff of the childcare institution have been addressed in accordance with the requirements of the State where the childcare institution is located.

Recommended Corrective Action: It is recommended that Nebraska design a process to review the State licensing or approval standards for childcare institutions and foster family homes and implement these reviews at reasonable, specific, time limited periods of frequency. It is suggested that this process include review of the following standards:

- The frequency and documentation of the required safety checks of childcare institution employees
- The enforcement response of the State when an applicant or staff in a residential childcare facility is found to have committed prohibiting offenses.
- Verification of safety checks of staff as part of the initial and renewal licensing process
- Contract monitoring of DHHS's Division of Children and Family Services to include a process to ensure that the required safety checks of employees are conducted at the required intervals.

Issue #4: *Payment Process as related to underpayments and other improper payments.* In thirteen (13) non-error cases it was determined that underpayments were made. In twelve of the cases the underpayments were related to maintenance costs for placements in foster family homes that were fully licensed during the child's placement and in one of the cases there was a rate payment change and no payment was made for maintenance expenses for a two-week period. At this time the State has not provided an analysis of the reasons behind the underpayments. Other payment issues of concern observed as part of the review process include the following:

- There is not adequate documentation to demonstrate that the associated costs of title IV-E allowable activities are eligible for IV-E funding. For example, transportation invoices do not provide the purpose of the transportation service (such as transportation of a child to a visit with a parent or transportation of a child to the school of origin) being billed in order to determine whether the costs associated would be allowable for payment with title IV-E funding.
- The payment system does not provide clear and readily reviewable documentation for monitoring payments made, payments backed out, duplicate payments, etc.

Title IV-E Requirement: Federal regulations at 45 CFR §1356.60 provide that title IV-E foster care maintenance payments may be claimed for allowable costs that are covered by the Federal definition of foster care maintenance found at §475(4) of the Act. Under §472 of the Act, title IV-E maintenance payments may be claimed from the first day of the foster care placement in the month in which all title IV-E eligibility criteria are met. The payment may be claimed for the entire month when an eligible child has resided in the foster care placement for the entire month. However, if the eligible child is placed on a date in the month other than the first of the month, title IV-E funds may be claimed for the period beginning with the actual date of foster care placement.

Recommended Corrective Action: Nebraska should identify the systemic issues which result in the occurrence of ineligible payments as well as underpayments and develop an action plan to correct those issues. The action plan may include policy revision and training of staff completing eligibility determinations as well as incorporating this area into the continuous quality improvement process in order to help reduce or eliminate future underpayments and increase the State's ability to maximize reimbursements for allowable costs. This process would also help determine whether adequate financial controls and edits are in place and properly functioning for ineligible children or unallowable program costs.

## **Strengths and Promising Practices**

The following positive practices and processes of the title IV-E foster care eligibility program were observed during the review. These approaches seem to have led to improved program performance and successful program operations.

Commitment of the Nebraska DHHS Division of Children and Family Services to Continuous Quality Improvement: Nebraska's leadership in the Division of Children and Family Services has been very responsive in terms of their initiation of necessary corrective action to make improvements in their title IV-E program. One example was their identification of the necessary edits/enhancements to the N-FOCUS system to address the risk of erroneous payments

Automated Eligibility Determinations: Nebraska has an eligibility process for determining title IV-E eligibility through an automated data system which facilitates timely eligibility decisions and tracks eligibility throughout the foster care episode. The system is able to interface electronically with other State and Federal agencies such as the Department of Labor, Child Support, Vital Statistics, Social Security Administration and Internal Revenue to obtain information pertinent in determining financial need and deprivation for AFDC eligibility. The system is designed to capture case data used to calculate a child's eligibility so that it is available for review and audit. This provides a safeguard for increasing the likelihood of accurate eligibility determinations. Because of the improper payment issues identified in this review, the CB expects the State to include in its system modifications additional fiscal control to capture more detailed information about payment sources and to modify system edits to guard against improper payments claimed under title IV-E.

Designated staff to complete Eligibility Determinations: Nebraska continues to have designated staff in each of the geographic service areas to complete the automated eligibility determinations. Although this practice has been in place for a number of years, the practice continues to be an effective management tool. The designated staff have specialized training in completing the eligibility determinations based on information provided by the field staff and through the N-FOCUS system. Ongoing training regarding the eligibility requirements for title IV-E maintenance payments will be needed to assure that policies are being correctly implemented practice meets the title IV-E eligibility requirements and payments are authorized only for eligible children.

Collaboration with the Judicial System: Nebraska DHHS's Division of Child and Family Services (CFS) and the Court Improvement Project (CIP) have collaborated on ensuring protocols were in place to ensure that title IV-E requirements were met for judicial determinations. The CIP has previously developed model court orders to use as a documentation guide for the various types of hearings. In addition, they have provided training to the judges and county attorneys. The central office of CFS and CIP have also established a process for the ongoing review of orders submitted by the judges and the agency to determine if the orders contain explicit, child-specific determinations for "contrary to welfare" and "reasonable efforts". Through these efforts, the written orders issued by the court have improved since the last title IV-E Review during the week of August 17, 2009. It is also important to recognize that across the State a number of judicial districts are having permanency hearings at greater frequency than once every twelve months.

## **Disallowances**

A disallowance in the amount of \$121,941.00 in maintenance payments and \$31,475.00 in related administrative costs of Federal Financial Participation (FFP) is assessed for title IV-E foster care payments claimed for the error cases. Additional amounts of \$9,085.00 in maintenance payments are disallowed for title IV-E foster care payments claimed improperly for the non-error cases. The State also must identify and repay any ineligible payments that occurred for the error and non-error cases subsequent to the PUR. No future claims should be submitted on these cases until it is determined that all eligibility requirements are met.

## **Next Steps**

As part of the State's ongoing efforts to improve its title IV-E foster care eligibility determination process, the CB requires Nebraska to examine identified program deficiencies and develop measurable, sustainable strategies that target the root cause of problems hindering the State from operating an accurate foster care eligibility program. Appropriate corrective action should be taken through the development of a Program Improvement Plan designed to correct those areas of noncompliance with Federal laws and regulations as outlined in this report. The PIP is not to exceed 1 year. It will be developed by Nebraska, in consultation with ACF Regional Office staff, and must be submitted to the ACF Regional Office within 90 calendar days from the date of the notification letter.

The PIP must include the following components:

- Specific goals or outcomes for program improvement;
- Action steps required to correct each identified weakness or deficiency;
- Date for completing each action step;
- Description of how progress will be evaluated by the State agency and reported to the ACF Regional Office, including the frequency and format of the evaluation procedures; and
- Description of how the ACF Regional Office will know that an action step has been achieved.

Also, pursuant to 45 CFR §1356.71(j)(2), following the completion of the PIP, a secondary review must be held during the second Adoption and Foster Care Analysis and Reporting System [AFCARS] reporting period following the completion date of the PIP. The sample for the secondary review will be 150 cases (plus at least a 10 percent oversample of 15 cases) drawn from the State's most recent Adoption and Foster Care Analysis and Reporting System (AFCARS) data submission following the completion of the Nebraska PIP.