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|  | <b>INDIANA DEPARTMENT OF CHILD SERVICES<br/>CHILD WELFARE POLICY</b>          |                                       |
|   | <b>Chapter 15:</b> Eligibility  | <b>Effective Date:</b> August 1, 2021 |
|   | <b>Section 01:</b> Title IV-E Eligibility<br>Overview for Field & Legal Staff | <b>Version:</b> 5                     |

## POLICY OVERVIEW

The Administration for Children and Families (ACF) provides federal funding to assist with foster care maintenance and administrative costs. The Indiana Department of Child Services (DCS) utilizes Title IV-E Foster Care (Title IV-E) funding to provide safe and stable eligible out-of-home care for children until the children are safely returned home, placed permanently with adoptive families, or placed in other planned arrangements for permanency.

## PROCEDURE

There are two (2) categories of Title IV-E eligibility criteria that impact a child's status (for more information on Title IV-E initial or continued eligibility, reference the Central Eligibility Unit (CEU) Eligibility Binder):

1. Initial eligibility; and
2. Continued eligibility. See policy 15.10 Continued Title IV-E Eligibility Requirements for additional information.

### Initial Eligibility Criteria

A Title IV-E eligibility determination must be completed for every child who enters out-of-home care. The child must be placed in out-of-home care for at least one (1) night for the placement to be considered a removal. The child's eligibility determination is based on the month of the child's removal.

Once a child is determined to be eligible for Title IV-E, the child remains eligible throughout the duration of the out-of-home care episode unless one (1) of the following events occurs:

1. DCS Placement and Care responsibility is terminated by a court order; or
2. A Trial Home Visit (THV) lasts over six (6) months without a court ordered extension. For further guidance, see policy 8.39 Trial Home Visits.

If the out-of-home care episode ends, and the child later re-enters out-of-home care, this is considered a new episode, and a new Title IV-E initial eligibility determination must be completed again.

### Continued Title IV-E Eligibility Criteria

Continued Title IV-E eligibility refers to DCS' ability to continue claiming Title IV-E reimbursement for a child in out-of-home care. See policy 15.10 Continued Title IV-E Eligibility Requirements for additional information.

Youth who meet at least one (1) of the following criteria may remain eligible for Title IV-E until age 21 (see policy 11.18 Eligibility for Collaborative Care for more information regarding Collaborative Care [CC] eligibility for a foster care youth over age 18):

1. Enrolled in school;

2. Employed at least 80 hours per month;
3. Participating in a program or activity designed to promote or remove barriers to employment; or
4. Unable to participate in employment or education due to a mental or physical condition.

The Family Case Manager (FCM) will:

1. Collect information and documentation found on the CEU Title IV-E Initial Eligibility Checklist, or the CEU Collaborative Care Title IV-E Application Checklist for youth in CC, to support Title IV-E eligibility criteria;

**Note:** A child placed with a parent who is residing in a licensed residential family-based treatment facility for substance use disorder may be eligible for Title IV-E. Required income and resource information for all individuals living in the household (the parent's household, not the treatment facility), should still be collected.

2. Upload documentation that supports the eligibility criteria to the case management system within 30 days of the removal for a Child in Need of Services (CHINS) placed in out-of-home care;

**Note:** DCS must be able to verify and document all eligibility criteria in the case file and in the case management system. If DCS is unable to verify and document these factors, the child will be ineligible for Title IV-E funding for the entire out-of-home care episode.

3. Enter all subsequent court hearings and associated court orders in the case management system;
4. Request that the court establish a child support order and/or redirect existing child support orders for all youth who are wards of DCS under a CHINS or CC case. See policy 2.20 Establishment of Child Support Orders for more information; and
5. Upload documentation referenced on the checklist to the case management system when the documentation is collected on a later date or new information is discovered, and send an email to notify DCS CEU ([centralized.eligibility@dcf.in.gov](mailto:centralized.eligibility@dcf.in.gov)).

The FCM Supervisor will:

1. Assist the FCM with the collection of necessary information; and
2. Ensure required information is documented in the case management system within the required timeframes.

The DCS Staff Attorney will:

1. Request a new court order sanctioning the removal of the child upon notification of a child changing placement from in-home care to out-of-home care;

**Note:** Without a new court order, the child will not be Title IV-E eligible for that out-of-home care episode.

2. Submit required court reports and request language for Placement and Care (PC), Reasonable Efforts to Prevent Removal (RE), and Contrary to the Welfare/Best Interests (CTW/BI) be included in the court order that authorizes the child's removal, if deemed necessary; and
3. Request that the court establish a child support order and/or redirect existing child support orders for all youth who are wards of DCS under CHINS status or CC. See policy 2.20

Establishment of Child Support Orders for more information.

The DCS Central Eligibility Unit (CEU) will:

1. Review the eligibility information in the case management system;

**Note:** Information that is evaluated when determining eligibility includes:

- a. Child's age (see policy 15.09 Age and Citizenship Requirements for Title IV-E Initial Eligibility),
  - b. Child's citizenship (see policy 15.09 Age and Citizenship Requirements for Title IV-E Initial Eligibility),
  - c. Court order that authorizes the child's removal (see policy 15.02 Removal and Specified Relative Criteria for Title IV-E Initial Eligibility),
  - d. Judicial determinations of (see policy 15.03 Court Order Requirements for Title IV-E Initial Eligibility):
    - i. PC;
    - ii. RE; and
    - iii. CTW/BI.
  - e. Assistance Group (see policy 15.05 Determining a Child's Assistance Group for Title IV-E Initial Eligibility for additional information),
  - f. Specified Relative (see policy 15.02 Removal from a Specific Relative Criteria for Title IV-E Initial Eligibility for additional information),
  - g. Deprivation (see policy 15.06 Deprivation Criteria for Title IV-E Initial Eligibility for additional information),
  - h. Income (see policy 15.07 Income Requirements for Title IV-E Initial Eligibility for additional information), and
  - i. Resources (see policy 15.08 Financial Resource Requirements for Title IV-E Initial Eligibility for additional information).
2. Review Public Assistance database screens; and
  3. Make an initial or continued eligibility determination.

## LEGAL REFERENCES

- [42 USC 671: State plan for foster care and adoption assistance](#)
- [42 USC 672: Foster care maintenance payments program](#)
- [465 IAC 2-7-5: Title IV-E; foster care eligibility](#)

## RELEVANT INFORMATION

### Definitions

#### Removal Household

The removal household is the home of the specified relative (i.e., the person from whom the child is considered legally removed).

#### Specified Relative

Specified relatives include the following:

1. Mother (biological, adoptive, or step);
2. Father (biological, adoptive, or step);
3. Grandmother (including great, great-great, great-great-great);
4. Grandfather (including great, great-great, great-great-great);

5. Sister (including step and in-law);
6. Brother (including step and in-law);
7. Aunt (including great, great-great, and in-law);
8. Uncle (including great, great-great, and in-law);
9. Niece (including great and great-great);
10. Nephew (including great and great-great);
11. First cousin; and
12. First cousin once removed (e.g., great aunt or uncle's child or the focus child's cousin's child).

**Note:** If parental rights of either the biological or adoptive parent have been terminated, this person cannot be considered the child's specified relative as a parent. Non-related legal guardians do not meet the definition of a specified relative.

### **Forms and Tools**

- [CEU Eligibility Binder](#)
- [Title IV-E/EA Fact Sheet](#)
- [CEU Title IV-E Initial Eligibility Checklist](#)
- [CEU Collaborative Care Title IV-E Application Checklist](#)
- Preliminary Inquiry – available in [CHINS Benchbook Forms](#)
- [Title IV-E and Title IV-A/EA Information \(SF 55435\)](#)

### **Related Policies**

- [2.20 Establishment of Child Support Orders](#)
- [8.39 Trial Home Visits](#)
- [11.18 Eligibility for Collaborative Care](#)
- [15.02 Removal and Specified Relative Criteria for Title IV-E Initial Eligibility](#)
- [15.03 Court Order Requirements for Title IV-E Initial Eligibility](#)
- [15.05 Determining a Child's Assistance Group for Title IV-E Initial Eligibility](#)
- [15.06 Deprivation Criteria for Title IV-E Initial Eligibility](#)
- [15.07 Income Requirements for Title IV-E Initial Eligibility](#)
- [15.08 Financial Resource Requirements for Title IV-E Initial Eligibility](#)
- [15.09 Age and Citizenship Requirements for Title IV-E Initial Eligibility](#)
- [15.10 Continued Title IV-E Eligibility Requirements](#)