

	INDIANA DEPARTMENT OF CHILD SERVICES CHILD WELFARE POLICY	
	Chapter 15 : Eligibility	Effective Date: November 1, 2014
	Section 1: Title IV-E Foster Care (Overview)	Version: 1

STATEMENTS OF PURPOSE

The Department of Child Services (DCS) will utilize Title IV-E Foster Care funding (Title IV-E), a federal program that is authorized under and administered in accordance with Title IV-E of the Social Security Act. All IV-E eligible cases must be referred to the IV-D agency.

Title IV-E Program Eligibility

A Title IV-E eligibility determination must be completed for every child that enters out-of-home care. In addition, a Title IV-E eligibility determination must be completed each time an out-of-home care episode begins. There are two (2) categories of Title IV-E eligibility criteria that impact a child's status:

1. Initial eligibility; and
2. Ongoing eligibility.

Initial Eligibility Criteria

If a court order authorizes removal of a child from his or her home, the child's initial eligibility determination is based on the month of the child's removal. Once a child is determined to be initially 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.

Note: DCS best practice is to obtain placement and care responsibility language in a court order to extend the THV. See separate policy, [8.39 Trial Home Visits](#) for further information.

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.

Information that is evaluated when determining initial eligibility includes:

1. Age;
2. Citizenship;
3. Court Ordered Removal;
4. Judicial Determinations:
 - a. Contrary to the Welfare or Best Interest,
 - b. Reasonable Efforts to Prevent Removal, and
 - c. Placement and Care Responsibility.
5. Assistance Group;
6. Specified Relative;
7. Deprivation;

8. Income; and
9. Resources.

DCS must be able to verify and document all initial eligibility criteria in the case file, and in the Management Gateway for Indiana's Kids (MaGIK). If DCS cannot verify and document these factors, the child will be ineligible for Title IV-E funding for the entire out-of-home care episode.

Title IV-E Ongoing Eligibility Criteria

Title IV-E ongoing eligibility refers to DCS' ability to continue claiming Title IV-E reimbursement for a child in out-of-home care. A child's ongoing eligibility is based on whether:

1. A child is placed in a Title IV-E eligible placement;
2. DCS maintains Placement and Care responsibility; and
3. Reasonable Efforts to Finalize the Permanency Plan (REPP) language is obtained within 12 months from the date the child entered foster care and every 12 months thereafter. In order to meet this federal requirement, REPP language should be obtained every nine (9) months. See separate policy, [6.10 Permanency Plan](#) for further guidance.

Note: A child will be considered to have entered foster care on the earlier of:

1. The date of the first judicial finding that the child has been subjected to child abuse or neglect; or
2. The date that is 60 days after the date on which the child is removed from the home.

A child's ongoing eligibility may change if and when there is a change in any of the ongoing eligibility criteria. The child's Title IV-E ongoing eligibility status may vary throughout the duration of the out-of-home care episode depending on events such as placement changes (if the child moves from a IV-E eligible placement to a non-eligible placement) and court actions. DCS must verify and document all ongoing eligibility criteria in the case file and in MaGIK. If wardship is dismissed or the out-of-home care episode ends, the Central Eligibility Unit (CEU) will need to determine eligibility again if the child re-enters care.

Code References

1. [42 USC 671](#)
2. [42 USC 672](#)

PROCEDURE

The Family Case Manager (FCM) will:

1. Collect information and documentation to support Title IV-E initial eligibility criteria within 30 days of removal and upload the documentation that supports the initial eligibility criteria into MaGIK within 30 days of removal, including the following:
 - a. [Intake Officer's Report of Preliminary Inquiry and Assessment](#),
 - b. Birth certificate,
 - c. All court orders for the child,
 - d. Any other documentation that supports the IV-E initial or ongoing eligibility determination (e.g., [Title IV-E and Tile IV-A-EA Information \(SF55435\)](#), pay stubs, and signed parent statements);
2. Contact the Central Eligibility Unit (CEU) if information is discovered that would impact the initial or ongoing eligibility determination during the out-of-home care episode; and
3. Enter into MaGIK all subsequent court hearings and associated court orders.

The DCS CEU will:

1. Review the eligibility information in MaGIK;
2. Review Public Assistance database screens; and
3. Make an initial or ongoing eligibility determination.

PRACTICE GUIDANCE

N/A

FORMS AND TOOLS

1. [Title IV-E and Title IV-A/EA Information \(SF55435\)](#)
2. [Intake Officer's Report of Preliminary Inquiry and Assessment](#)

RELATED INFORMATION

Aid to Families with Dependent Children (AFDC):

AFDC was a federal assistance program in effect until 1996 that provided financial assistance to children whose families had low or no income. AFDC program requirements that were in effect for the State of Indiana on July 16, 1996, continue to apply to the Title IV-E program. Although the Temporary Assistance for Needy Families (TANF) program replaced AFDC in 1996, a child eligible for TANF is not automatically eligible for Title IV-E.

Impact of the Fostering Connections - Older Youth Foster Care Option

The Fostering Connections to Success and Increasing Adoptions Act of 2008 includes a number of provisions intended to provide new supports and services to promote permanency and improved well-being of older youth in foster care, including an option for the state to continue providing Title IV-E reimbursable foster care, adoption, or guardianship assistance payments to children after the age of 18. Indiana has opted to extend foster care to youth up to age 20. Beginning on July 1, 2012 youth who are considered to be enrolled in school, employed at least 80 hours per month, participating in an employment promoting activity, or removing barriers to employment, or who are unable to participate in employment, or education due to a mental, or physical condition may stay in foster care until age 20. See separate policy [11.18 Eligibility for Collaborative Care](#) for more information regarding Collaborative Care eligibility for a foster care youth over age 18.