Determining Eligibility for Federal and State Funding Programs

Title IV-E Foster Care

Office of Child Welfare
Sallie Bond
March 2015
Training Objectives

- Identify what is changing
- Understand the importance of engaging partners to work together in determining eligibility
- Identify the role and responsibilities
- Understand Title IV-E Foster Care eligibility requirements
Phase I – FLORIDA system enhancements – completed July 14, 2014

Fully Automate Medicaid Eligibility Process

Phase II – FSFN system enhancements – April 2015

Automates Foster Care and Adoption Eligibility in FSFN

Phase III – FSFN and FLORIDA interface enhancements – April 2015

Fully Automated FSFN Submission to FLORIDA

Project Complete!
Phase II – FSFN system enhancements – April 2015
Automates Foster Care Eligibility in FSFN

What is Changing?
- Eligibility determination moves to FSFN
- Waiver determination process eliminated
- Presumptive eligibility is eliminated
- Automated return of changes processed in FLORIDA

How are staff impacted?
- Revenue Maximization staff
  - Enhancements to current process
  - Data/information validation responsibility
FSFN Systems Enhancement Overview

What is Changing?

Eligibility determination moves to FSFN

Presumptive eligibility determination is eliminated - continue to process eligibility screening

Dynamic display of questions

Reports

Title IV-E Foster Care

Who is impacted?

Revenue Maximization staff

ESS CIC staff
FSFN System Enhancement Overview

What is Changing?

- New information added
- Links to eligibility screens

FSFN Person Management Page

Who is impacted?

Revenue Maximization staff
Culture Shift

Culture Shift – moving from a partially paper-driven process to full automation, but Policy has not changed.

- All IV-E determinations must be processed in FSFN.
- Are there procedures in place to accommodate the new culture?
- Who is doing what in the new culture?
Purpose of IV-E Foster Care

Historically, IV-E Foster Care (FC) funds are used for maintenance cost for children in licensed out-of-home care. IV-E FC also supports training and administrative costs.
Purpose of IV-E Foster Care

Title IV-E Foster Care Demonstration Waiver

Florida received approval of the first statewide waiver for flexible use of foster care funds under Title IV-E of the Social Security Act on March 31, 2006. The waiver was first implemented in October 2006. The goal of the waiver was to support changes in the state’s child welfare system to maintain child safety and improve outcomes for children and families served by DCF and its community-based partners.

The waiver was recently renewed through September 30, 2018.

The flexible use of IV-E funds will afford Florida the ability to expand services, supports and programs for children and families known to child welfare in order to improve child and family outcomes.

The overall goals of Florida’s waiver demonstration are to:

• Improve child and family outcomes through the flexible use of title IV-E funds;
• Provide a broader array of community-based services, and increase the number of children eligible for services; and
• Reduce administrative costs associated with the provision of child welfare services by removing current restrictions on title IV-E eligibility and on the types of services that may be paid for using title IV-E funds.
IV-E Foster Care

Partners
• Child Protective Investigators (CPI)
• Child Protective Investigators Supervisors (CPIS)
• Case Managers
• Case Manager Supervisors
• Revenue Maximization
• Child in Care
• Attorneys
• Others
CPI & CBC Responsibilities

• Ensure that procedures are in place to support funding policies
• Facilitate the coordination of Revenue Maximization activities within and outside the agency
• Ensure that applications are completed on all children in licensed out-of-home care
• Ensure FSFN has accurate and up-to-date eligibility information
Children’s Legal Services Responsibilities

- Capture and document legal actions taken to ensure the child’s safety, well-being and permanency.

- Capture and document legal actions taken to ensure due process.
What is Your Role?

Eligibility is everyone’s job

- Our ability to earn dollars from the federal government and other sources depends upon:
  1. Department’s ability to secure and maintain matching state funding
  2. Quality case management and documentation
  3. Effective program oversight by Department /CBC administrators and managers
  4. Timely processing of cases by the courts and legal services (CLS)
  5. Timely entering information in FSFN
What is Your Role?

Eligibility is everyone’s job (continued)

Watch for and inform Rev Max of these changes:

• Child turns 18, is emancipated or returns home
• Child’s placement changes
• Child’s income changes
• Entering information, such as employment, court orders and order date(s), in FSFN promptly
• Other
Title IV-E Foster Care Eligibility

Components of Eligibility:

1) Technical
2) Financial
3) Judicial
4) Reimbursable
IV-E Foster Care Eligibility

Technical

• Child under age 18 and not emancipated
• Citizenship/Qualified Non-Citizen
• Florida Resident
• Specified Relative
• Deprived of the care and support of one or both parents
IV-E Foster Care Eligibility

Financial

• Child and family assets do not exceed $10,000

• Child and family income does not exceed the income limits
IV-E Foster Care Eligibility

Judicial

• Removal from the home via a court order (or a signed Voluntary Placement Agreement)
• Initial court order authorizing the removal contains “contrary to the welfare” and “reasonable efforts to prevent the removal” findings
• Department has placement and care responsibility
Reimbursable

- Licensed placement
- SSI income
IV-E Foster Care Eligibility

Who is the child?

Child Characteristics

• Age
  o Under age 18
  o Never emancipated

Verification of Age

The parent or caretaker relative’s statement of the child's birth date is sufficient to verify age. If information is questionable, documentation must be obtained. Examples:
  Birth Certificate
  Hospital Certificate
  Birth Verification System
  Census Records
  Physician’s Statement
IV-E Foster Care Eligibility

Who is the child?

- Citizenship/Qualified Non-Citizen
  - Child is a U.S. citizen  
  - Or
  - Child is a qualified non-citizen as defined in the Personal Responsibility and Work Opportunity Reconciliation Act of 1996

Verification of Citizenship.

- Child’s birth certificate (with date and place of birth; parents’ names)
- U. S. Passport
- Certificate of naturalization (N-560 or N-561)
- Screen Print from official Vital Statistics Records
- Hospital, school, baptismal, or U. S. Embassy/Consular records reflecting the child’s place and date of birth or citizenship/immigration status.

Refer to Tip Sheet and Program Manuals
http://fsfn.dcf.state.fl.us/eligibility.shtml
http://eww.dcf.state.fl.us/ asg/Publications.shtml#fs
IV-E Foster Care Eligibility

**Qualified non-citizen.** Any individual admitted to United States under the following provisions of the Immigration and Nationality Act of 1952, as amended.

1. The non-citizen child must meet one of the following criteria:
   - Active duty US military or veteran (including spouses and unmarried dependent children)
   - Amerasian Immigrants
   - American Indians born outside the U.S./Territory, with 50% blood
   - Asylee (admitted under section 208)
   - Battered non-citizen (domestic violence victim), as determined by INS
   - Conditional entrants (under section 203(a)(7)
   - Cuban/Haitian entrants
   - Deportation Withheld (under section 243(H) or 241(b)(3)
   - Lawful Permanent Resident Aliens (LPR) (LPRs who entered after 8/22/1996 are subject to the five-year ban.
   - Parolee admitted for at least one year (under section 212(d/5)
   - Refugee (admitted under section 207)
2. The Immigration and Naturalization Service (INS) date of entry to the U.S. must be before August 22, 1996; individuals who enter the U.S. on or after August 22, 1996 must wait 5 years to receive the benefits, unless they were admitted as

- Active duty US military or veteran (including spouses and unmarried dependent children)
- Amerasian Immigrants
- Asylee (admitted under section 208)
- Cuban/Haitian entrants
- Deportation Withheld (under section 243(H) or 241(b)(3)
- Refugee (admitted under section 207)

**Verification:** Proof of noncitizen status is required. CIC will verify the immigration status of all non-U.S. citizens through the U.S. Citizenship and Immigration Service (USCIS).

Refer to CFOP 165-22, section 1450.0114 Verification Requirements for Noncitizens.
Child Characteristics (continued)

• Child is a Florida resident or intends to stay in Florida. Residency exists when the child
  ➢ Resides in the State of Florida
  ➢ U.S. born children may meet the Florida residency requirement if the parents verify their residency and state an intent to remain.

Verification of Residency is established by intent to remain in the state.
Who is living in the child’s home?

Who has been caring for the child within the last 6 months?

The child must have been living with and removed from a specified relative within six months of removal.
## Family Relationship Chart

**Specified Relatives to the Fifth Degree of Relationship**

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<thead>
<tr>
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<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>A specified relative is a relative up to the fifth degree of relationship to the child, or SELF in this chart. Relatives that are marked in red do not count as specified relatives. Also note that specified relatives include legal spouses of ANY of the relatives shown on this chart, even if separated or divorced, plus any adopted or adoptive relatives of those shown. <strong>However, the parent of a stepparent is not a specified relative.</strong></td>
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</tr>
</tbody>
</table>

|-----------------------------------|-------------------------------|--------------------------------------|----------------------------|------------------|------|------------------|----------------------------|------------------------|------------------|------------------|------------------------|-------------|------------------|----------------------------|------------------------|------------------------|------------------|----------------------------|----------------------|------------------|----------------------------|----------------------|------------------|
Deprivation

The child must be deprived of the support or care of one of both parents. This means:

• Parental absence from home,
• Parental unemployment or underemployment, or
• Parental incapacity.
Deprivation (continued)

- **Parental Absence from home** may be due to any of the following:
  - □ Death
  - □ Separation or divorce
  - □ Desertion
  - □ Incarceration

If child is living with a relative at the time of removal, and one or both parents are absent from that home, then deprivation exists.

If the Department has permanent custody as a result of termination of parental rights of the child, deprivation exists.
Deprivation (continued)

Parental unemployment or underemployment.

- One parent must meet principal wage earner (PWE) criteria, i.e. the parent who earned the greater amount of income in the 24-month period prior to the child’s removal from the home.
- The principal wage earner must also have sufficient work history – has worked six or more quarters within the last 13 calendar quarters.

- Unemployment = not working
- Underemployment = working less than 100 hours per month

Documentation of Unemployment/Underemployment
- Enter work history information in FSFN
IV-E Foster Care Eligibility

Deprivation (continued)

Parental incapacity (of one or both parents). A child may be deprived due to parental incapacity. Parent may

• Receive Social Security Disability (SSDA) or Supplemental Security Income (SSI) benefits.
• Have an emotional or psychological condition that prevents them from working.
• Have an illness or injury that lasts for at least 30 days.

Verification of Incapacity. Examples
• Doctor’s statement
• Social Security Award Letter
IV-E Foster Care Eligibility

Financial
At Removal:
• The family’s assets are below $10,000
• Household gross income is below the Consolidated Needs Standard (CNS)
  • Child’s assets are below $10,000
  • Income below 185% of the board rate
IV-E Foster Care Eligibility

Assets
• Assets are resources owned by an individual who has access to the cash value upon disposition. Assets may be liquid or non-liquid and/or jointly owned with another person.

• Examples of assets: Bank account, cash, vehicle, stocks, etc

Verification of Assets. The person’s statement is accepted as verification unless questionable.

➤ Documentary evidence may include a bank statement, vehicle title, mortgage papers, or a letter from a financial institution, etc. A copy is scanned into FSFN.

➤ A collateral contact or third party contact.
Assets (continued)

Vehicle – determine equity value by taking the fair market value and subtracting any legal indebtedness.
  • fair market value (or trade in value)
  • deduct $8500 from the equity value of a licensed vehicle
  • do not deduct $8500 from the equity value if vehicle is unlicensed
Assets (continued)

Example

2005 Chevrolet Cobalt, 4-door, 93,000 miles
Mom owes $500 to Best Car Motors

Car value is $2,300 (Kelly Blue Book on-line)
$2,300 – 500 = $1,800 equity value
$1,800 equity value – 8,500 = $0
Income is money received from any source, including:

- wages from employment
- receipt of child support and
- contributions

Earned income receives disregards, unearned income does not.
Title IV-E Foster Care Eligibility

**Verification of Income**
Gross income amounts must be verified or documented.

Primary sources for verification of income include:
- Social Security award letter
- Pay stubs
- The CF-ES 2620 (Verification of Employment/Loss of Income) Form
- FLORIDA System Data Exchange hit (depending on source)
- Telephone call to the employer (must document in FSFN)

For verbal verifications of income, record in FSFN all information regarding any collateral contacts made to obtain income information. Include the date, name, telephone number and other relevant information for the collateral contact.
Title IV-E Foster Care Eligibility

**Earned Income**
- Is received as a direct result of work, whether for someone else or for oneself.
- Gross income must be obtained for eligibility determination (amount prior to any deductions, such as withholding tax or FICA).
- Consider income at the time of receipt, the pay date (not pay period end date).

**Unearned Income**
Receipt of unearned income requires no performance of work.

Eligibility is based on the income at the time of removal (month of removal).
Calculating Income
Income and expenses received more or less often than once a month must be converted to a monthly amount.

<table>
<thead>
<tr>
<th>Pay Frequency</th>
<th>Conversion Factor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Weekly</td>
<td>X 4.3</td>
</tr>
<tr>
<td>Biweekly</td>
<td>X 2.14</td>
</tr>
<tr>
<td>Semi/Twice Monthly</td>
<td>X 2</td>
</tr>
<tr>
<td>Bi-Monthly (every two months)</td>
<td>Divide by 2</td>
</tr>
<tr>
<td>Quarterly</td>
<td>Divide by 3</td>
</tr>
<tr>
<td>Semi-Annually</td>
<td>Divide by 6</td>
</tr>
<tr>
<td>Annually</td>
<td>Divide by 12</td>
</tr>
</tbody>
</table>
Convert income to a monthly amount
1. Add earnings for the last 4 weeks
2. Divide the number of payments to determine the average payment
3. Multiply the average payment by the number of payments the person receives in a month.

During the month of removal, mom’s gross earnings from McDonald’s varies each week. Mom is paid once a week.
1. 320 + 200 + 160 + 320 = $1000
2. 1000 ÷ 4 = $250 average weekly payment
3. 250 x 4.3 = $1075 a month
What is Deeming?
Deeming refers to the consideration of income of, for example, the stepparent(s), grandparent(s), teen parent, noncitizen's sponsor(s) as available to the assistance group.

**Deemed Income** is the amount of income considered to be available from one individual to another, such as sponsor to noncitizen, spouse to spouse, parent to teen parent or pregnant child, or parent to child.

**Deeming Budget** is the calculation performed to determine the amount of income considered available to an individual from another individual.
Determine Family Size.
If the Family Size is Zero, the flowchart does not apply. Eligibility will then be determined by answering the

Solve for Total Gross Income

Net Unearned Income = ∑(Eligible Participants)

Adjusted Gross Earned for Eligible Participants

Employment Income

Deemed

CNS Guidelines Comparison

(CNS Amount * 1.85) – (Total Gross Income) = Total

Total > 0

INELIGIBLE

Total < CNS @ 100%

Child’s Gross Income < 185% Foster Care Board Rate

Deemed Amount is counted as “Unearned Income” for the child

Deeming Income

Adjusted Gross Income

See Deeming Background Processing Flowchart

Adjusted Gross Earned

Adjusted Gross Earned + Total Gross Income

Income = Mother Income + Father Income + Sibling (half-, step-, full) Income

Net Unearned Income = ∑(Eligible Participants)

Total Gross Income = Net Unearned + Adjusted Gross Earned

1 - Unearned Income Eligibility
Adheres to Income logic, “Select” option in Assets Pop Up Page = Unearned Income, “Type” option in Assets Pop Up Page = Use in Eligibility Calculations, End Date = null.

2 - Adjusted Gross Earned Eligibility
Adheres to Income logic, Effective To Date = null, Income must be calculated as a monthly amount; Based on whether the participant is the “deemed” individual or not determines “how” Adjusted Gross Earned (AGE) is calculated.

Foster Care Room & Board Rates (Effective January 1, 2014)

<table>
<thead>
<tr>
<th>Age Group</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-5 years</td>
<td>429</td>
</tr>
<tr>
<td>6-12 years</td>
<td>440</td>
</tr>
<tr>
<td>13-21 years</td>
<td>515</td>
</tr>
</tbody>
</table>

Variable | Equation
--- | ---
CNS Family Size = | All selected participants from Assistance Group 1 + Assistance Group 2. NOTE: If the target child or any other participants receive Supplemental Security Income (SSI) as Unearned Income, they are NOT included in CNS Family Size or Income Family Size.
Income Family Size = | Subset of CNS Family Size that is derived from the Maintain Case Relationships tab that constitute Mother, Father, or Sibling Relationships, excluding Father – Prospective AND includes the child for whom the Eligibility is being documented. NOTE: If the target child or any other participants receive Supplemental Security Income (SSI) as Unearned Income, they are NOT included in Income Family Size.
Assistance Group 2 includes = | > 1 Teen Parent, Teen Parent resides with Stepparent, Double Stepparent deeming group.
Income = | Mother Income + Father Income + Sibling (half-, step-, full) Income
Total Gross Income = | Net Unearned + Adjusted Gross Earned

1 - Unearned Income Eligibility
Adheres to Income logic, “Select” option in Assets Pop Up Page = Unearned Income, “Type” option in Assets Pop Up Page = Use in Eligibility Calculations, End Date = null.

2 - Adjusted Gross Earned Eligibility
Adheres to Income logic, Effective To Date = null, Income must be calculated as a monthly amount; Based on whether the participant is the “deemed” individual or not determines “how” Adjusted Gross Earned (AGE) is calculated.

<table>
<thead>
<tr>
<th>Family Size</th>
<th>CNS Amount @ 100%</th>
<th>CNS Amount @ 185%</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>645</td>
<td>1193.25</td>
</tr>
<tr>
<td>2</td>
<td>864</td>
<td>1598.4</td>
</tr>
<tr>
<td>3</td>
<td>1082</td>
<td>2001.73</td>
</tr>
<tr>
<td>4</td>
<td>1300</td>
<td>2405</td>
</tr>
<tr>
<td>5</td>
<td>1519</td>
<td>2810.15</td>
</tr>
<tr>
<td>6</td>
<td>1737</td>
<td>3213.45</td>
</tr>
<tr>
<td>7</td>
<td>1955</td>
<td>3616.75</td>
</tr>
<tr>
<td>8</td>
<td>2174</td>
<td>4021.90</td>
</tr>
<tr>
<td>9</td>
<td>2392</td>
<td>4425.20</td>
</tr>
<tr>
<td>10</td>
<td>2610</td>
<td>4828.50</td>
</tr>
<tr>
<td>Additional</td>
<td>218</td>
<td>403.30</td>
</tr>
</tbody>
</table>
**Parent to Child Deeming**

**Requirements**
- No Sponsor
- No Step Parent
- At Least One Parent

**Deeming Role**
- Parent: May only be selected if the Participant is identified on the Relationship Tab in the Maintain Case page as:
  - Mother, Mother-Adoptive, Mother-Birth;
  - Father, Father-Adoptive, Father-Birth, Father-Legal

**A Note About SSI Income**

**NOTE:** If the target child or any other participants receive Supplemental Security Income (SSI) as Unearned Income, they are NOT included in CNS Family Size or Income Family Size. Furthermore, if one or more participants has a current Assets & Employment Income of Supplemental Security Income (SSI), it is possible for the Deeming Group to change. For example, if the Deeming Group is initially More Than One Teen Parent, it is possible for the Deeming Group to become Teen Parent if one of the teen parents claims SSI as a part of their income. If all deeming roles claim SSI, then the Deeming Group will display as “Deeming Group is Not Applicable due to SSI Income.”

**Family Size | CNS Amount @ 100%**
---|---
1 | 645
2 | 864
3 | 1082
4 | 1300
5 | 1519
6 | 1737
7 | 1955
8 | 2174
9 | 2392
10 | 2610
Additional | 218
### IV-E Foster Care Eligibility

- Eligible for Aid to Families with Dependent Children (AFDC)

<table>
<thead>
<tr>
<th>Factor</th>
<th>IV-E FC</th>
<th>AFDC</th>
</tr>
</thead>
<tbody>
<tr>
<td>Age</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Residency</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Deprivation</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Income</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Assets</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Specified Degree of Relationship</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Court Orders</td>
<td>✓</td>
<td></td>
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<tr>
<td>Placement</td>
<td>✓</td>
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</tbody>
</table>
Removal

- Did a removal occur?
  - Physical
  - Constructive
    A constructive removal is considered a “paper removal.”

Reminder: A child placed away from one parent because of abuse and neglect and placed (released to) the other parent is not in out-of-home care. The Department may have court ordered supervision.
IV-E Foster Care Eligibility
Judicial

Removal (continued)

• Was the removal voluntary or judicial?
  
  **Voluntary**
  o Parent may voluntarily place their child into foster care
  o Voluntary Placement Agreement must be executed

  **Judicial**
  o The court orders the removal of a child because remaining in the child’s own home is contrary to the child’s welfare
Judicial Removals

- The first court order authorizing the removal of the child must include “Contrary to the Welfare” finding.

- The first court order authorizing the removal of the child should include “Reasonable Efforts” clause.
  - If not in first order, federal law allows 60 days from removal to obtain a court order with required “reasonable efforts” language.

- The court order states the child is under the placement and care of the Department.
"If the “contrary to the welfare” finding is not in the first court order, the child **will not** be IV-E FC eligible for the removal episode.

If the judicial finding of “reasonable efforts” is not made within 60 days of the removal, the child **will not** be Title IV-E eligible for the current removal episode.

Note: If the “reasonable efforts” clause is not in the first court order, Title IV-E claiming cannot begin until this judicial finding is made.
Permanency

All subsequent court orders must also contain reasonable efforts clauses:

• “Reasonable efforts to reunify” findings must be in subsequent judicial review court orders when reunification is case goal.

• “Reasonable efforts to finalize permanency plan” findings must be in subsequent judicial review court orders.

The required findings must be included in the judicial review court order within 12 months of the child’s removal, and every 12 months thereafter.
Reimbursability
Reimbursability is whether the state may claim Title IV-E FC for payments made for a child.

Consider:
• Licensed Placement
  o Foster home
  o Shelter or facility
  o Child caring facility
  o Public facility with 25 beds or less

• SSI Payment

• Permanency Hearing
  o Reasonable efforts to finalize permanency plan
A child may be IV-E FC eligible but not reimbursable when the child

- is placed in an unlicensed placement or
- receives SSI
- Order from permanency hearing does not contain reasonable efforts to finalize permanency plan language
Medicaid

MCFE - Title IV-E Medicaid

- Children who are Title IV-E Foster Care (or Title IV-E Adoption Assistance) eligible are automatically eligible for Medicaid.
Eligibility Reviews and Redeterminations

Partial eligibility reviews must be completed when certain changes occur in the child’s situation:
- Child turns age 18
- Assets exceed $10,000
- Child is reunified
- Child is placed in an unlicensed setting
- Reasonable efforts language not included in court order for permanency hearing

Eligibility redeterminations are no longer required every 12 months.
Standard filing unit (SFU)

**SFU** refers to the individuals living in the home at the time of the removal.

The makeup of the SFU determines (from among those living in the home) whose needs, income and assets are considered in the IV-E FC eligibility determination.
Removal Home

Standard filing unit (SFU)

• The SFU consists of the target child, parents and siblings living in the same home at removal.

• The following persons are not included in the SFU:

<table>
<thead>
<tr>
<th>Child</th>
<th>Recipient of SSI</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sibling</td>
<td>Recipient of SSI</td>
</tr>
<tr>
<td></td>
<td>In out-of-home care</td>
</tr>
<tr>
<td></td>
<td>Recipient of adoption subsidy payments</td>
</tr>
<tr>
<td>Parent</td>
<td>Recipient of SSI</td>
</tr>
<tr>
<td></td>
<td>Not a U.S. Citizen or Qualified Non-Citizen</td>
</tr>
<tr>
<td>Stepparent</td>
<td>No child in common</td>
</tr>
<tr>
<td>Specified relatives</td>
<td></td>
</tr>
</tbody>
</table>
SFU (continued)

SFU size is used in determining the income determination process.

When there is a stepparent with no children in common in the removal home, a deeming budget is completed.
Household Demographics

Tommy Tomato  age 1 ½  born 10/1/2013 in Ocala; Marion county  123111111
Red Tomato    age 33     born 01/20/1982 in Ocala; Marion County  222222222
Pearl Tomato  age 30     born 12/01/1984 in Thomasville, GA; Thomas county;  111111111
Juicie Tomato age 4 ½    born 05/15/2010 in Ocala; Marion County  212121212
Practice Scenario

On 2/28/2015 a call to hotline alleging that Tommy and Juicie were home alone. The caller stated that this happens daily from 11:00 a.m. until dinner time. The children are often seen playing outside by the road unattended. The caller states the mother is disabled and is not sure if the father works.

Investigation revealed that the children were home alone. The neighbors did not know of family or friends as the Tomato family did not interact with anyone. The children were determined to be unsafe and were sheltered that afternoon.

The parents showed up at the office the next morning inquiring about the children. The mother did not grasp the severity of the children being left alone. The father works each day from noon until 5:00 p.m. at a construction site. It is unknown what the mother does during the time the father is working. The father thought the mother was home caring for the children while he works. The mother gets SSI for a degenerative illness. The father earns $8 an hour and is paid weekly.
### Part 1 Removal Home

1. Was the child living with a parent at removal? □ No ☑ Yes
   - If yes, the parent(s) is the removal home.
   - If no, proceed to 2. below.

<table>
<thead>
<tr>
<th>Name of Parent</th>
<th>Relationship</th>
</tr>
</thead>
<tbody>
<tr>
<td>Red Tomato</td>
<td>Father</td>
</tr>
<tr>
<td>Pearl Tomato</td>
<td>Mother</td>
</tr>
</tbody>
</table>

2. Was the child living with a specified relative other than a parent at removal? □ No ☑ Yes
   - If yes, either the parent or specified relative is the removal home. Fill in the Name and Relationship below.

3. Was the child physically removed from the specified relative? □ No ☑ Yes

If yes to both 2 and 3 above, the specified relative is the removal home.

4. If no to 1, 2 and 3 above, did the child live with a parent or any other specified relative within the last 6 months prior to removal? □ Yes □ No
   - If yes, either the parent or specified relative is the removal home. Fill in the Name and Relationship below.

<table>
<thead>
<tr>
<th>Name</th>
<th>Relationship to Child</th>
</tr>
</thead>
<tbody>
<tr>
<td>Red Tomato</td>
<td>Father</td>
</tr>
<tr>
<td>Pearl Tomato</td>
<td>Mother</td>
</tr>
</tbody>
</table>

### Non-Voluntary Removal

#### 1. Does the removal order contain language to support that the home environment is “contrary to the welfare” or that removal is “in the best interests?”
   - Yes ☑ No

#### 2. Does this same order contain “reasonable efforts” language?
   - Yes ☑ No

#### 3a. If no, was an order issued within 60 days of removal that contains “reasonable efforts” language?
   - Yes ☑ N/A

   | Date issued: __________________________ |
   | If NO, continue to 3.b.               |

#### 3b. Did the court find that “no reasonable efforts” were required?
   - Yes ☑ N/A

### Voluntary Placements

#### 4. Is there a Voluntary Placement Agreement in the file?
   - Yes ☑ No

#### 4a. Is it signed by the parents or legal guardian?
   - Yes ☑ No

#### 4b. What is the date of the signatures?

#### 5. Was a hearing held within 180 days of the signing of the Voluntary Placement Agreement?
   - Yes ☑ No

#### 6. Does the court order contain “contrary to the welfare” wording?
   - Yes ☑ No
### Non-Voluntary Removal

<table>
<thead>
<tr>
<th>Question</th>
<th>Circle Response or Write in</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Does the removal order contain language to support that the home environment is “contrary to the welfare” or that removal is “in the best interests?” If NO, child is ineligible.</td>
<td>Yes/No</td>
</tr>
<tr>
<td>2. Does this same order contain “reasonable efforts” language?</td>
<td>Yes/No</td>
</tr>
<tr>
<td>3a. If no, was an order issued within 60 days of removal that contains “reasonable efforts” language? Date issued:</td>
<td>Yes/No</td>
</tr>
<tr>
<td>If NO, continue to 3.b.</td>
<td></td>
</tr>
<tr>
<td>3b. Did the court find that “no reasonable efforts” were required?</td>
<td>Yes/No</td>
</tr>
</tbody>
</table>

**Practice Scenario**

59
## Part 2  Deprivation

1. **Determining if the child was deprived of parental support or care in the removal home?**

   Deprivation is always in regard to a parent. If a child is removed from a specified relative other than a parent, deprivation may exist in the relative’s home if the child’s parent is not living in that home.

<table>
<thead>
<tr>
<th>Reason for Deprivation</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Death</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Separation or divorce</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Desertion</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Incarceration</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Incapacity/disability</td>
<td><img src="https://example.com" alt="Yes" /> Mother</td>
<td>No</td>
</tr>
<tr>
<td>Unemployment/Underemployment (For 2 parent households)</td>
<td>Yes</td>
<td>No</td>
</tr>
</tbody>
</table>

**Note:** One parent must be determined to be the principal wage earner, i.e. the parent who earned the greater amount of income in the 24-month period prior to the child’s removal from the home. The principal wage earner must also have sufficient work history – has worked six or more quarters within the last 13 calendar quarters.

(Unemployment = not working    Underemployment = working less than 100 hours per month)

If any of the above are marked Yes, proceed. If none are marked Yes, the child is **not** IV-E eligible.
Part 3   Financial

If the removal home was determined to be that of a parent, complete the budget information section for each member of the removal home.

**Note:** Unearned income includes child support, social security benefits, retirement income, unemployment benefits, and anything else that is not considered wages. SSI is not countable as income, nor is any of the resources or income of a person who receives SSI.

<table>
<thead>
<tr>
<th>Child</th>
<th>How Verified?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name (Last, First, Ml)</td>
<td>Tomato, Tommy</td>
</tr>
<tr>
<td>DOB</td>
<td>10/1/2013</td>
</tr>
<tr>
<td>SSN</td>
<td>121111111</td>
</tr>
<tr>
<td>Full time student (Yes or No)</td>
<td>No</td>
</tr>
<tr>
<td>Place of employment</td>
<td></td>
</tr>
<tr>
<td>Gross earnings in removal month</td>
<td></td>
</tr>
<tr>
<td>Unearned income in removal month</td>
<td></td>
</tr>
<tr>
<td>SSI benefits (Yes or No)</td>
<td>No</td>
</tr>
<tr>
<td>Resources/Assets</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Sibling</th>
<th>How Verified?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name (Last, First, MI)</td>
<td>Juicie Tomato</td>
</tr>
<tr>
<td>Relationship to child</td>
<td>Sister</td>
</tr>
<tr>
<td>DOB</td>
<td>5/15/2010</td>
</tr>
<tr>
<td>SSN</td>
<td>212121212</td>
</tr>
<tr>
<td>Full time student (Yes or No)</td>
<td>no</td>
</tr>
<tr>
<td>Place of employment</td>
<td></td>
</tr>
<tr>
<td>Gross earnings in removal month</td>
<td></td>
</tr>
<tr>
<td>Unearned income in removal month</td>
<td></td>
</tr>
<tr>
<td>SSI benefits (Yes or No)</td>
<td></td>
</tr>
<tr>
<td>Resources/Assets</td>
<td></td>
</tr>
<tr>
<td>Parent</td>
<td>How Verified?</td>
</tr>
<tr>
<td>----------------</td>
<td>--------------</td>
</tr>
<tr>
<td>Name (Last, First, MI)</td>
<td>Tomato, Red</td>
</tr>
<tr>
<td>Relationship to child</td>
<td>Father</td>
</tr>
<tr>
<td>DOB</td>
<td>1/20/1982</td>
</tr>
<tr>
<td>SSN</td>
<td>2222222222</td>
</tr>
<tr>
<td>Full time student (Yes or No)</td>
<td>no</td>
</tr>
<tr>
<td>Place of employment</td>
<td>Reid Construction Company</td>
</tr>
<tr>
<td>Gross earnings in removal month</td>
<td>$200 wk x 4.3 = 860 a month</td>
</tr>
<tr>
<td>Unearned income in removal month</td>
<td>Wage stub</td>
</tr>
<tr>
<td>SSI benefits (Yes or No)</td>
<td>No</td>
</tr>
<tr>
<td>Child support payments made</td>
<td>No</td>
</tr>
<tr>
<td>Resources/Assets</td>
<td>Car 1993 Chevy Cobalt - own car; $50 cash</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Parent</th>
<th>How Verified?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name (Last, First, MI)</td>
<td>Tomato, Pearl</td>
</tr>
<tr>
<td>Relationship to child</td>
<td>mother</td>
</tr>
<tr>
<td>DOB</td>
<td>12/1/1984</td>
</tr>
<tr>
<td>SSN</td>
<td>1111111111</td>
</tr>
<tr>
<td>Full time student (Yes or No)</td>
<td>no</td>
</tr>
<tr>
<td>Place of employment</td>
<td>n/a</td>
</tr>
<tr>
<td>Gross earnings in removal month</td>
<td>n/a</td>
</tr>
<tr>
<td>Unearned income in removal month</td>
<td>$500</td>
</tr>
<tr>
<td>SSI benefits (Yes or No)</td>
<td>yes</td>
</tr>
<tr>
<td>Child support payments made</td>
<td>no</td>
</tr>
<tr>
<td>Resources/Assets</td>
<td>No</td>
</tr>
</tbody>
</table>
1. Determining the AFDC Standard Filing Unit
The SFU consists of child, biological or adoptive parents and the blood related or adoptive siblings living in the same household.

a. **Child.** List the child for whom eligibility is being determined. **(Do Not list if child receives SSI.)**

<table>
<thead>
<tr>
<th>Name (Last, First MI)</th>
<th>DOB</th>
<th>SSN</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tomato, Tommy</td>
<td>10/1/2013</td>
<td>123111111</td>
</tr>
</tbody>
</table>

**Note:** IF the child receives SSI, he or she may still be eligible for IV-E. While the child would not have been included in the SFU for AFDC budgeting purposes, this does not exclude the child from being IV-E eligible.

b. **Siblings.** List the siblings who are related by blood or adoption living in the removal home.

**DO NOT LIST THE FOLLOWING**
1. Siblings receiving SSI.
2. Siblings in or receiving foster care at time of removal.
3. Siblings receiving adoption assistance at the time of removal.
4. Siblings who are stepsister or stepbrother.
5. Siblings who are not U.S. citizens or qualified non-citizens.
6. Siblings who are not under the age of 18.

<table>
<thead>
<tr>
<th>Name (Last, First MI)</th>
<th>DOB</th>
<th>SSN</th>
<th>Full Time Student</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tomato, Juicie</td>
<td>05/15/2010</td>
<td>212121212</td>
<td>Yes</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Name (Last, First MI)</th>
<th>DOB</th>
<th>SSN</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tomato, Red</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Number of persons listed in a., b., and c. above.** 3 This is the size of the standard filing unit (SFU).

**NOTE:** For households where there is a parent or stepparent who is not a member of the SFU (such as a stepparent with no children in common), complete a deeming budget.
2. AFDC Income Determination
This is a two-step process. If the total countable income exceeds 185% of need test, the child is not IV-E eligible.

**Step 1.** Complete for each SFU (household) members who does not receive SSI. See d. above for the number of persons for whom this is completed.

<table>
<thead>
<tr>
<th>1. Name: Red Tomato</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gross monthly earned income (weekly gross x 4.3, or bi-weekly gross x 2.15, or twice monthly x 2.</td>
</tr>
<tr>
<td>Gross unearned income</td>
</tr>
<tr>
<td>Sub total (Earned plus Unearned)</td>
</tr>
<tr>
<td>Subtract first $50 for child support received</td>
</tr>
<tr>
<td>Subtract earned income disregard for students (if applicable)</td>
</tr>
<tr>
<td><strong>(A) Total Net Income</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>2. Name:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gross monthly earned income (weekly gross x 4.3, or bi-weekly gross x 2.15.</td>
</tr>
<tr>
<td>Gross unearned income</td>
</tr>
<tr>
<td>Sub total (Earned plus Unearned)</td>
</tr>
<tr>
<td>Subtract first $50 for child support received</td>
</tr>
<tr>
<td>Subtract earned income disregard for students (if applicable)</td>
</tr>
<tr>
<td><strong>(B) Total Net Income</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>3. Name:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gross monthly earned income (weekly gross x 4.3, or bi-weekly gross x 2.15, or twice monthly x 2.</td>
</tr>
<tr>
<td>Gross unearned income</td>
</tr>
<tr>
<td>Sub total (Earned plus Unearned)</td>
</tr>
<tr>
<td>Subtract first $50 for child support received</td>
</tr>
<tr>
<td>Subtract earned income disregard for students (if applicable)</td>
</tr>
<tr>
<td><strong>(C) Total Net Income</strong></td>
</tr>
</tbody>
</table>
(F) Total Net Income of the SFU from (A) through (E) above. $860.00

DECISION POINT: Compare the Total Net Income to 185% of the Consolidated Need Standard for the size of the Standard Filing Unit (SFU):

<table>
<thead>
<tr>
<th>Number in SFU</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
<th>7</th>
</tr>
</thead>
<tbody>
<tr>
<td>185% of Need*</td>
<td>1,193</td>
<td>1,598</td>
<td>2,001</td>
<td>2,405</td>
<td>2,810</td>
<td>3,213</td>
<td>3,616</td>
</tr>
</tbody>
</table>

If the total net income is at or below 185% of the CNS, proceed to step two below.

*Add $218x1.85 for each additional household member
### Practice Scenario

**Step Two.** Complete the budget below for each SFU member who does not receive SSI.

<table>
<thead>
<tr>
<th>Name</th>
<th>Gross earned income from above</th>
<th>Total earned income from above</th>
<th>Less $90 work related deduction</th>
<th>Less $90 work related deduction</th>
<th>Less child care</th>
<th>Less child care</th>
<th>Plus unearned income from above</th>
<th>Plus unearned income from above</th>
<th>(A) Total Countable Income</th>
<th>(B) Total Countable Income</th>
</tr>
</thead>
<tbody>
<tr>
<td>Red</td>
<td>860.00</td>
<td>Total earned income from above</td>
<td>-90.00</td>
<td>Less $90 work related deduction</td>
<td>Less child care</td>
<td>Less child care</td>
<td>Plus unearned income from above</td>
<td>Plus unearned income from above</td>
<td>770.00</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Name</th>
<th>Gross earned income from above</th>
<th>Total earned income from above</th>
<th>Less $90 work related deduction</th>
<th>Less $90 work related deduction</th>
<th>Less child care</th>
<th>Less child care</th>
<th>Plus unearned income from above</th>
<th>Plus unearned income from above</th>
<th>(C) Total Countable Income</th>
<th>(D) Total Countable Income</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Name</th>
<th>Gross earned income from above</th>
<th>Total earned income from above</th>
<th>Less $90 work related deduction</th>
<th>Less $90 work related deduction</th>
<th>Less child care</th>
<th>Less child care</th>
<th>Plus unearned income from above</th>
<th>Plus unearned income from above</th>
<th>(E) Total Countable Income</th>
<th>(F) Total Countable Income</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**G** Total Countable Income for the SFU from (A) through (F) above: $770.00
### Stepparent/Sponsor Non-citizen parent budget:
Complete this budget for a removal home where the stepparent or non-qualified citizen parent is not a member of the SFU.

<table>
<thead>
<tr>
<th>Budget for Stepparent or Sponsor Non-Citizen Parent is not in the SFU</th>
</tr>
</thead>
<tbody>
<tr>
<td>Monthly Gross Earned Income</td>
</tr>
<tr>
<td>Subtract $90 Work related deduction</td>
</tr>
<tr>
<td>Plus Monthly Gross Unearned Income</td>
</tr>
<tr>
<td>Subtract CNS for Parent/Stepparent and his/her children not in the SFU who are in the Removal Home</td>
</tr>
<tr>
<td>Subtract amount paid for child support and court ordered alimony</td>
</tr>
<tr>
<td>Subtract Amount paid for care of a dependent living out of the removal home</td>
</tr>
<tr>
<td><strong>(H) Total Countable Income</strong> of Stepparent or Sponsor Non-Citizen Parent not in the SFU but living in the removal home</td>
</tr>
</tbody>
</table>

**(I) TOTAL COUNTABLE HOUSEHOLD INCOME:** Add (G) and (H) from above: 

770.00

Compare Total Countable Household Income, (I) above, to 100% of the CNS for the SFU size.

<table>
<thead>
<tr>
<th>Number in SFU</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
<th>7</th>
</tr>
</thead>
<tbody>
<tr>
<td>100% of Need*</td>
<td>645</td>
<td>864</td>
<td>1082</td>
<td>1300</td>
<td>1519</td>
<td>1737</td>
<td>1955</td>
</tr>
</tbody>
</table>

*Add $218 for each additional household member.

Is the **Total Countable Household Income** for the SFU at or below 100% of the CNS?  

- **√ Yes**  
- **□ No**

If **Yes**, proceed to next step. If **No**, child does not meet AFDC eligibility.

### 3. AFDC Resource/Asset Determination

<table>
<thead>
<tr>
<th>Name of SFU Member</th>
<th>Resource/Asset</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Red Tomato</td>
<td>Vehicle</td>
<td>0</td>
</tr>
</tbody>
</table>

Are the Total Resources/Assets of the SFU less than $10,000?  

- **√ Yes**  
- **□ No**

**DECISION POINT:**

The child and family meet AFDC financial (income and asset) criteria for the month of removal?  

- **√ Yes**  
- **□ No**
### Part 4: Citizenship

Is child a U.S. citizen or qualified non-citizen?  
- [ ] Yes  
- [ ] No

### Part 5: Summary of Initial IV-E Foster Care Eligibility Requirements

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Court Removals</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Placement and Care</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Contrary to the Welfare</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Reasonable Efforts</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td><strong>Voluntary Removal</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Voluntary Placement Agreement signed and dated by the parent or legal guardian?</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>AFDC</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Living with a specified relative</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Deprivation</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Income</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Resources/Assets</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Citizen or qualified non-citizen</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>SSN</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td><strong>Is child AFDC eligible?</strong></td>
<td>✓</td>
<td></td>
</tr>
</tbody>
</table>

Were all IV-E foster care eligibility requirements met?  
- [ ] Yes  
- [ ] No
Title IV-E Foster Care Eligibility

Child of a Minor Parent in Foster Care

• When a minor parent in foster care retains custody of her/his child, the board payment is increased to cover the needs of the minor parent’s child.

• A separate payment is not made for the child of a minor in foster care unless the child is legally removed from the minor parent.

• When a child is removed from a minor parent in foster care, the child’s eligibility for Title IV-E FC must be determined.
Resources

CFOP 175-71, Federal and State Funding Eligibility
http://eww.dcf.state.fl.us/~ess/policy/policy_manual_index.shtml

CFOP 165-22, ACCESS Program Policy Manual
http://eww.dcf.state.fl.us/~ess/policy/policy_manual_index.shtml

FLORIDA Guides

Tip Sheets
http://fsfn.dcf.state.fl.us/eligibility.shtml

Topic Papers, How Do I Guides and User Guides
http://fsfn.dcf.state.fl.us/
Questions

Follow-Up Q & A Webinar on April 6

Submit policy questions to mailbox at eligibility.redesign@myflfamilies.com