Title IV-E Extended Foster Care (EFC) Funding Eligibility



Participant Guide

Office of Child Welfare

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Introduction

Why This, Why Now? Title IV-E Waiver

•	In 2007, Florida entered into a Title IV-E Demonstration Waiver which allowed the state to:
	 Waive certain provisions of the Title IV-E Social Security Act. Use the funds for a wide variety of child welfare purposes rather than being restricted to eligible children in licensed foster care homes or institutions.
Vhy	This, Why Now? Title IV-E Waiver Expiration
•	The Title IV-E Waiver expired in September 2018. Florida requested and was granted an extension until September 2019.
•	With the sunsetting of the waiver, the Department expects to lose \$90 million dollars in revenue that goes to the CBCs to fund services to families and positions.

Why This, Why Now? Path Forward

- Path Forward is the statewide initiative to prepare for the post-waiver environment.
- The Department has identified initiatives that can be used to draw down additional federal funds to support the state's Child Welfare System:
 - Title IV-E Extended Foster Care (EFC) and Extended Maintenance Adoption Subsidy (EMAS)
 - Guardianship Assistance Program (GAP)
 - Candidacy
 - Title IV-E eligibility clean-up

Title IV-E EFC Program

- The EFC program is currently funded with general revenue/state funds.
- Florida has elected to move to a federally-funded Title IV-E program to provide foster care services for young adults age 18-21.

General revenue/state funds can still be used however a Title IV-E funding is

preferred.

Program Policy Changes

Statute	Rule	Policy
Chapter 39.6251 F.S., Continuing care for young adults	65C-41 Extended Foster Care DRAFT	CFOP 170-17: Chapter 2, Transition Planning for Youth
		CFOP 170-17: Chapter 3, Extended Foster Care DRAFT
		CFOP 170-17: Chapter 7, Extended Federally Funded Foster Care (Temporary while 65C-41 is promulgated) DRAFT

Eligibility Policy Changes

Policy
CFOP 170-15: Chapter 2, Medicaid
CFOP 170-15: Chapter 6, Extended Foster Care
CFOP 170-15: Chapter 7, Extension of Maintenance Adoption Subsidy

Definitions

- **Child:** An individual who has not attained 21 years of age.
- Youth: Children 13-17 years of age under the Department's protective supervision.
- Young Adult: An individual who has attained 18 years of age, but who has not attained 21 years of age. 39.6251, F.S.



Implementation Dates

•	FSFN functionality goes	live on January 4, 2019.
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-	Can begin	using t	functionality	immediately.

Youth		Your	g Adult		With Disability
13 to 17	18	19	20	21	22
Transition Planning	Youth Turns	18			
Youth Transitioning to Young Adult: 90 Days prior to 18 th Birthday Opt-Out of EFC PESS Aftercare	 Young Adult's Informal Separates from Fall Begin Supervised Larrangement Existing IV-E Eligibit Applies 	mily iving			
No Program		Con	tinued Participation	on in EFC	
Enter EFC Obtain EFC Agreement Assess Living Arrangement Establish Shared Living Plan		ransition Planning Shared Living Plan	Monthly Home V	Observe the HomReview Qualifyin	
Evaluate Program Eligibility			ogram Eligibility Re	edetermination	\Diamond
	\bigcirc	\	nning, Judicial Revi	ews, and IV-E Eligibility	⋄ ♦
			Termination of E Approval of the De mination Reasons	epartment	
		Reentry to Anytime Before 2 Requires Comple		ment Agreement	

Workshop Topics

- Youth Transitioning to Young Adult: 90 Days Prior to 18th Birthday
- Youth Turns 18
- Continued Participation in EFC
- Termination of EFC
- Re-Entry into EFC
- Current EFC Population

Youth Transitioning to Young Adult: 90-Day Prior to 18th Birthday

Youth Transitioning to Young Adult: 90 Days prior to 18th Birthday Opt-Out of EFC PESS Aftercare No Program Enter EFC Obtain EFC Agreement Assess Living Arrangement Establish Shared Living Plan Evaluate Program Eligibility

Preparing Youth Who Are Turning 18

- During the 90-day period before a youth turns 18, the transition activities occur and the youth decides to stay in foster care or opt out.
- Revenue Maximization/Eligibility Specialists review Title IV-E eligibility for accuracy.
- Communication should occur with the Independent Living (IL) Specialist about eligibility status for transition planning.

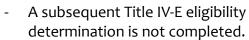
EFC Program Eligibility Requirements

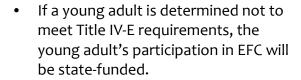
- Program requirements:
 - Youth who are in the legal custody of the Department on the date of their 18th birthday, have not achieved permanency under s. 39.621, F.S., and have not reached the age of 21
 - Participating in a qualifying activity and complying with the program's requirements
 - Residing in an approved, supervised living arrangement
 - Meeting face-to-face with the Child Welfare Professional in the home every month
- Participating in ongoing transition and case planning

Young Adult Program Eligibility Page

Program Funding

- A Title IV-E eligibility determination must exist for all young adults in the program.
- Youths who exercise the option to remain in foster care, immediately upon turning 18, retain their Title IV-E eligibility status made at the time the youth entered foster care as a child.







Youth Opts Out of EFC

• If the youth chooses not to enter EFC at 18, the Child Welfare Professional provides the youth with the My Decision to Leave Extended Foster Care form (CF-FSP 5375).

•	will be "discharge".

Supervised Living Arrangement



- Living arrangements must meet all of the requirements and be assessed and approved by the Child Welfare Professional using the Supervised Living Arrangement Assessment (CF-FSP 5431).
- All placements are considered a supervised living arrangement and are Title IV-E reimbursable.

Youth Turns 18

Youth Turns 18

- Young Adult's Information Separates from Family
- Begin Supervised Living Arrangement
- Existing IV-E Eligibility Status Applies

Creating a New Young Adult Case



•	A Young Adult Case is created for ALL youth that turn 18 while in the legal status of Department Custody.

Medicaid

•	All youth who turn 18 in the Department's custody are eligible for Child-in-Care
	(CIC) Medicaid through the IV-E (MCFE) or non-IV-E (MCFN) Medicaid coverage
	until they turn 21 or are no longer eligible for CIC Medicaid.

•	The CBC is res	ponsible for i	maintaining t	the FSFN	ا Medicaid	page.
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-	When young adults need to update their Medicaid information, such as a
	change of address, they will inform the CBC so updates can be made in FSFN.

Affordable Care Act

- Once a young adult turns 21, they are eligible for the Affordable Care Act (ACA) until the age of 26.
- There is no income limit.
- Young adults must apply for coverage through Economic Self Sufficiency (ESS).
- CIC Medicaid closure is sent via FSFN when the young adult turns 21.

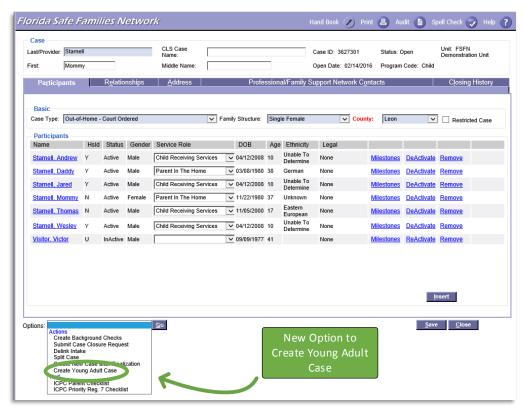
Supplemental Security Income and Medicaid

- If young adults receive
 Supplemental Security Income (SSI),
 they will not receive CIC Medicaid
 even if they turned 18 in the
 Department's custody.
- If young adults stop receiving SSI at any point between the ages of 18 and 21, the CBC can apply for CIC Medicaid for them.

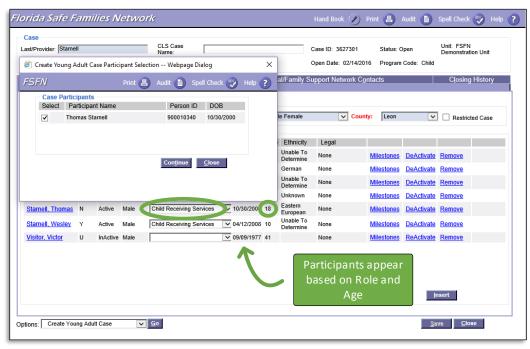


 If young adults stop receiving SSI at any point between the ages of 21 and 26, they can apply for the ACA.

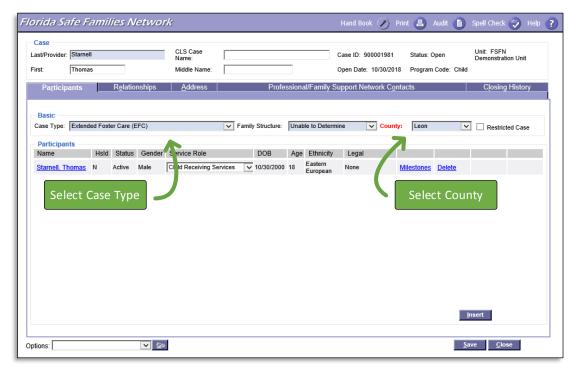
Moving from Family Case to Young Adult Case Youth Opts-out of EFC **Family** Young Adult Youth Opts-out of EFC: Young Adult Opted-out of EFC: • No Young Adult Program Eligibility Discharge Out of Home Placement at 18 • Upload Opt-out Form **Create Young Adult Case Moves the Following:** • Initiate PESS Eligibility, if applicable Young Adult Enters PESS or Aftercare: • Finalize PESS program eligibility or Medicaid Eligibility page • Do Not Discharge Out of Home Aftercare documentation Placement Create Living Arrangement page Current Removal Episode · Create Service to generate payments **Placements Associated Payments** Non-Placement Services and associated Payments IV-E Foster Care Eligibility TANF Eligibility IV-E Adoption Eligibility Adoption Subsidy Agreement Family Young Adult Foster Care Rate Setting • File Cabinet Records related only to the Young Adult's Person ID Youth Entering EFC: Young Adult Enters EFC: A copy of the Medical Mental Health record for the • Initiate Young Adult Program • Finalize Young Adult Program Eligibility Young Adult. Eligibility • End Date Out of Home Placement at 18 Independent Living • Upload EFC Forms • Start new Out of Home Placement for • Document Qualifying Activities Meetings specific to the Young Adult's Person ID Supervised Independent Living Arrangement • If Provider is a Person Provider, add Young Adult to provider record as Household member. Youth Entering EFC



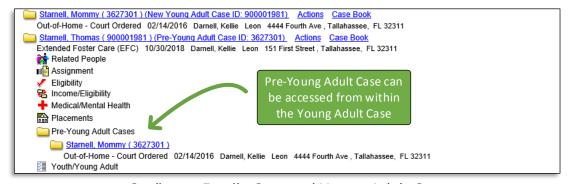
Maintain Case Page – Create Young Adult Case



Maintain Case Page - Create Young Adult Case



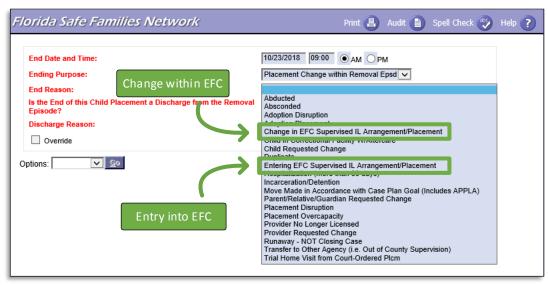
Maintain Case Page – Young Adult Case



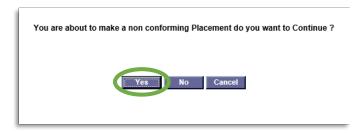
Outliner - Family Case and Young Adult Case

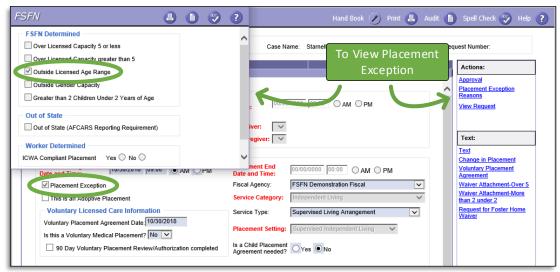
FSFN Placements for EFC

- Out of Home placement will be used to document program enrollment in EFC and generate payments.
- Living Arrangement page will be used to document program enrollment in PESS and Aftercare.
- Services page will be used to generate payments for PESS and Aftercare.

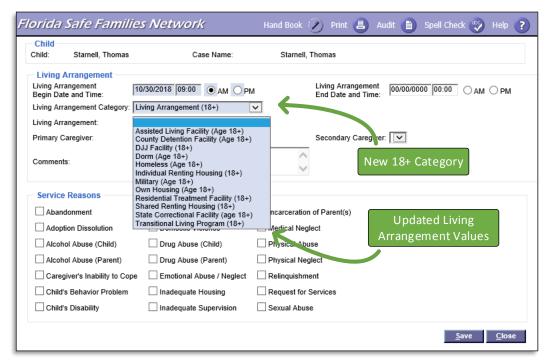


Placement End Reasons





Out of Home Placement - Nonconforming Placement



Living Arrangement Page

Continued Program Eligibility

		(Continued F	articipatio	on in EFC			
			Month	ly Home V	isits			
	Review Trans	ition Plann	ing		Observe the Home Environment			
	Discuss Share	d Living Pla	an		• Revi	ew Qualifyii	ng Activity	
		Annual	l Program E	ligibility Re	determina	ntion		
	\Diamond		\Diamond		\Diamond		\Diamond	
	Bian	ınual Case l	Planning, Ju	udicial Revi	ews, and I	V-E Eligibilit	У	
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Ongoing Title IV-E Eligibility Requirements

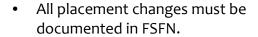
- Young adults who transition directly into EFC when they turn 18 retain their Title IV-E eligibility.
 - For young adults who were determined IV-E ineligible as a child at the first judicial hearing post 18, the removal episode will be ended and a VPA executed.
 - For young adults who were determined to be IV-E eligible as a child, the same ongoing IV-E eligibility requirements apply.

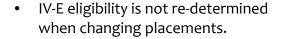


Page 2
Reasonable Efforts to Finalize Permanency Plan
To maintain Title IV-E eligibility, a judicial finding that reasonable efforts were made to finalize the Permanency Plan (REFPP) must be made every twelve months.
 Failure to obtain judicial findings will result in the foster care maintenance payment being non-reimbursable for federal financial participation.
This ongoing eligibility must be maintained in FSFN.
Placement and Care Responsibility
acement and care responsibility
 If the young adult remains in foster care continuously through a court order, this order must provide the Department with placement and care responsibility.
 The young adult is Title IV-E non-reimbursable for any month where the Department does not have placement and care responsibility.

Supervised Living Arrangement

The young adult must continue to reside in a supervised living arrangement that is approved by the CBC lead agency and acceptable to the young adult.







Remaining in EFC until 22

- The EFC Program ends when young adults turn 21 unless they have a documented disability. If so, they must be actively participating in the program on their 21st birthday.
- Title IV-E eligibility ends at age 21.
- The out-of-home placement will be discharged at 21 as the young adult no longer meets our definition of child. For those eligible at 22, create a living arrangement and make payments via a service using a specific Reporting Category.

Extended Foster Care – Age 22

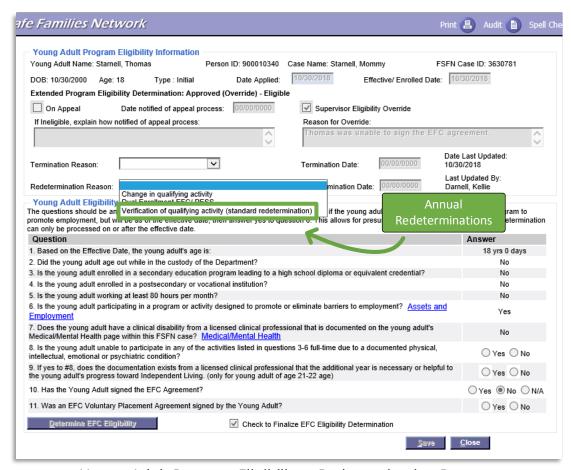
Children of Young Adults in Extended Foster Care



- If a young adult in EFC has a child, the foster care maintenance payments cover the young adult's child if that child is placed with the young adult in the same supervised independent living setting.
- If the young adult in foster care has costs covered by the Title IV-E foster care maintenance payment, his/her child is categorically eligible for the Title XIX Medicaid.

Young Adults Receiving SSI

- A young adult may receive a SSI benefit and be determined Title IV-E Non-Reimbursable for EFC.
- SSI benefits are not counted as income and cost-sharing between the Social Security Administration and Title IV-E is not an option.
- Florida will claim the federal benefit through the Social Security Administration, so the cost of care is not reimbursable under Title IV-E.



Young Adult Program Eligibility - Redetermination Reasons

Termination of EFC

Termination of EFC

- Requires Approval of the Department
- Some Termination Reasons are Appealable

Program Termination Reasons

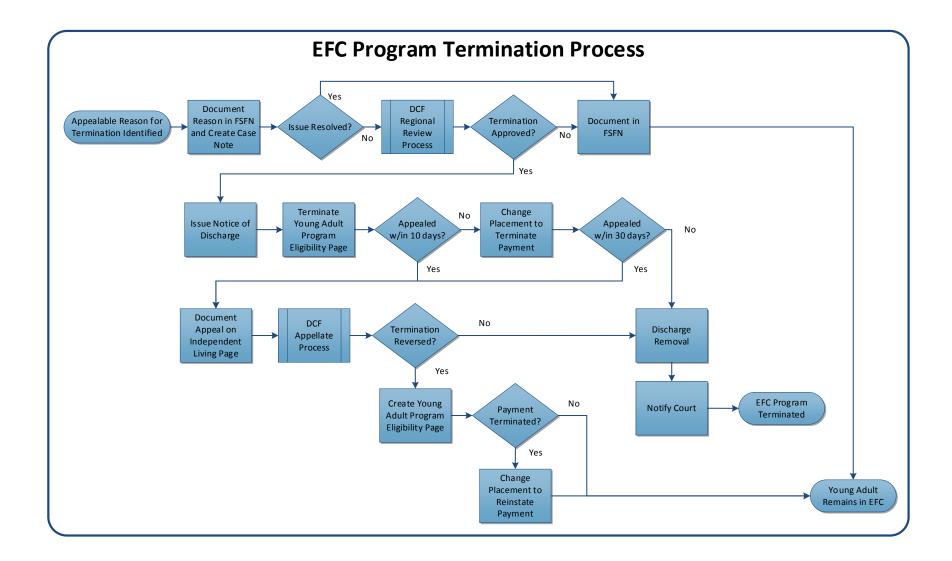
- Termination with Appeal Process:
 - Achieved permanency
 - Aged out
 - Not participating in a qualifying activity
 - Not residing in an approved, supervised living arrangement
- **Termination without Appeal** Process:
 - Voluntary opt-out
 - Deceased



Termination

- If it is determined that the young adult should be discharged from the program for an appealable termination reason, the young adult is sent a Notice of Discharge from Extended Foster Care (CF-FSP 5376). The young adult has 30 days from the date of receipt of this document to request a fair hearing.
- If they request a hearing within ten days, payment will continue pending the result of the hearing.

•	If they do not request a hearing within ten days, the payment will end, but the removal episode is not discharged pending the result of the hearing.



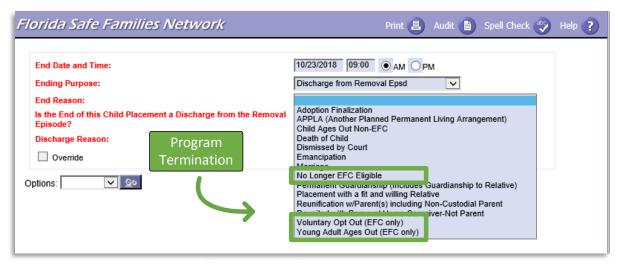
Choosing to Leave EFC

- If the young adult decides to leave EFC, the Child Welfare Professional should complete the My Decision to Leave Extended Foster Care form (CF-FSP 5375) with the young adult.
- The removal episode is discharged as of the date the young adult signs the form.



Placement Discharge in FSFN

- Young Adult Ages Out
- Young Adult Opts Out
- No Longer EFC Eligible
- Marriage (when resulting in Permanency)
- Death of Child



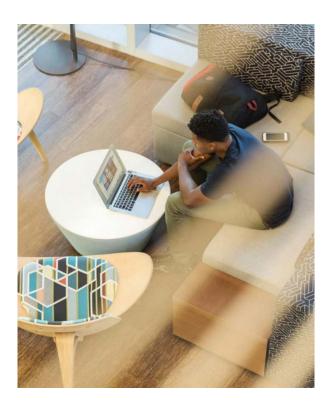
Placement Discharge Reasons

Reentry to Foster Care

- Anytime Before 21 Years of Age
- Requires Complete Voluntary Placement Agreement

Re-Entry Process

- Young adults may re-enter EFC any time before their 21st birthday.
- The young adult must complete the Extended Foster Care Voluntary Placement Agreement (VPA) form (CS-FSP 5377).
- The VPA initiates the young adult's new foster care episode based on the last signature date on the agreement.



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Approval of EFC

Before the CBC representative signs the VPA approving re-entry into foster care, the Child Welfare Professional must ensure the young adult meets all eligibility requirements by:



- Verifying qualifying activity
- Assessing and approving the supervised living arrangement (includes completion of the Shared Living Plan)

Title IV-E Eligibility for Re-Entry

- Once the young adult has entered EFC from a VPA, the young adult is considered in a removal episode.
- Title IV-E eligibility determination must be approved in FSFN within 30 calendar days from entry into EFC.

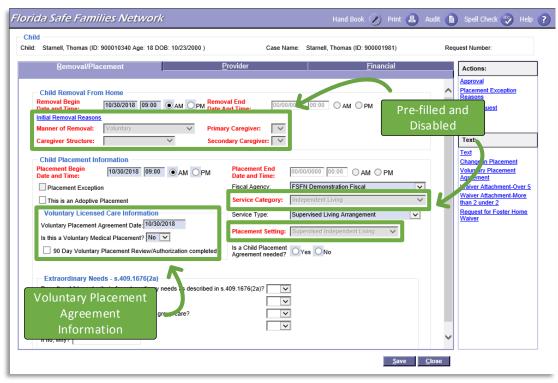
•	Prior Title IV-E eligibility in previous foster care episodes does not apply.

How to Determine Title IV-E Eligibility

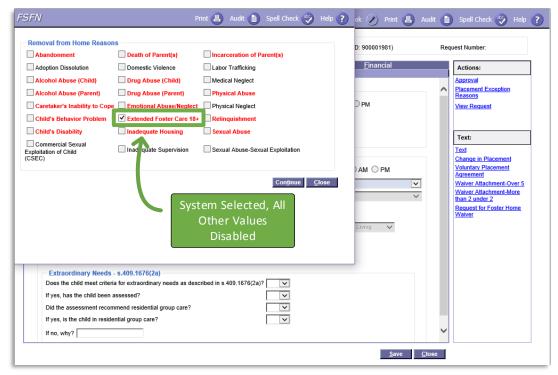
- Title IV-E eligibility is based only on the young adult's circumstances at the time of re-entry:
 - Age (must be under 21)
 - Placement in care responsibility
 - Best interest judicial finding (within 180 days)
 - AFDC: Technical and Financial
 - Reimbursable placement
- Placement in care responsibility
 - Obtained in VPA and then ongoing in judicial review orders
- Best interest judicial finding (within 180 days)
 - Eligible, Reimbursable for day 1 to day 180
 - If not made, as of day 181 young adult is IV-E INELIGIBLE for remainder of removal episode
- AFDC Technical
 - Young Adult is their own Specific Relative for Removal Home
 - Deprivation: same reasons apply
- AFDC Financial
 - SFU = 1 (young adult only)
 - If SSI recipient, excluded and SFU = o

FSFN Documentation

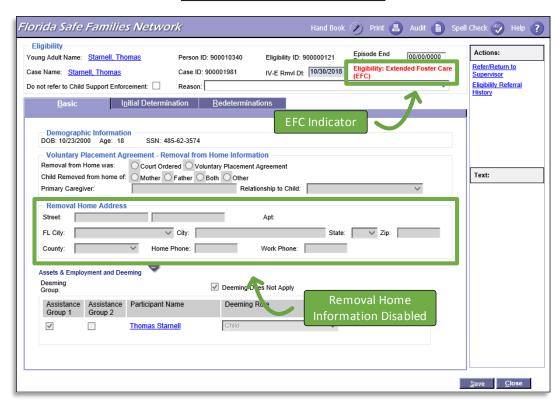
- The following data must be entered before working on the Title IV-E EFC eligibility determination:
 - Person Management must document citizenship status and date of birth.
 - Assets and Employment module must document all income and assets/resources for the month of entry.
 - Upload, as a legal document, the court order containing the best interest finding (if made).



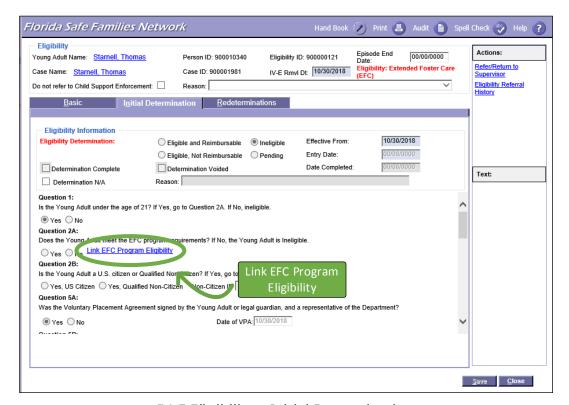
Out of Home Placement - Over 18



Removal from Home Reasons



IV-E Eligibility - Basic Tab



IV-E Eligibility – Initial Determination



Outliner - IV-E Eligibility

Eligibility Infor	mation	
Question 1	Is the Young Adult under the age of 21?	System derived from DOB
Question 2A	Does the Young Adult meet the EFC program requirements?	Link created to the Young Adult Eligibility Page
Question 2B	Is the Young Adult a U.S. Citizen or a Qualified Non-Citizen?	System derived from Person Management
Question 5A	Was the Voluntary Placement Agreement signed by the Young Adult or legal guardian, and a representative of the Department?	System derived from Out of Home Placement
	Date of VPA	Pre-fills with date from Out of Home Placement
Question 5B	Has the Young Adult been in out of home care for more than 180 days?	System derived using Removal Date
Question 5B	Was a judicial finding made to the effect that it is in the Young Adult's best interest to remain in out of home care?	Conditionally enabled and required if the previous question is Yes
Question 6A	At the time of the latest removal or within 6 months of removal, was the child living with and removed from the home of a parent/specified relative?	For EFC, the response is Yes and Relationship to Child selection shall be Young Adult.
Question 6B	At the time of removal, was the Young Adult deprived of parental support?	User selected radio button with the options of 'Yes' and 'No'; if Yes is selected, Deprivation Type is required.

Question 7	Is the Young Adult's income and any dependent's income (if applicable) less than the Consolidated Need Standard for the family size?	System derived from the selected participants on the Basic tab and the calculated total compared against the CNS guidelines. When flagged as EFC, the last step of the Income Test to compare the child's income to the Foster Care Board Rate is skipped. Therefore, as long as the household's income, minus the \$90 disregard, is less than the CNS
	Family Size	at 100%, the response is Yes. System derived based on the participants selected in Assistance Group 1 and Assistance Group 2.
	Earned Income	System derived from the Employment tab of the Assets & Employment page based on the participants selected from Assistance Group 1 on the Basic tab.
	Unearned Income	System derived from current Unearned Income documented on the Assets tab of the Assets & Employment page based on the participants selected from Assistance Group 1 on the Basic tab where the Type = Unearned Income.
Question 8	Are the Young Adult's and any dependent's (if applicable) total assets less than \$10,000?	System derived based on the selected participants in Assistance Group 1 and Assistance Group 2.
	Amount	System derived from the Assets and Employment page
Question 9	Placement Table	Lists all placements for the Young Adult in the current removal
	From	System derived from the placement begin date on the Out of Home Placement page
	То	System derived from the placement end date on the Out of Home Placement page
	Placement Name	System derived from the provider name on the Out of Home Placement page.
	Reimbursable	Always checked
	Licensed	Checked if the provider has an effective License page.

	License Effective	System derived from the Provider License page.
	License End	System derived from the Provider License page.
	Service Type	System derived from the Out of Home Placement page.
Question 10	Is the Young Adult receiving SSI?	System derived from Unearned Income documentation on Assets & Employment with a Type of "Supplemental Security Income (SSI)"
	SSI Begin Date	System derived from Assets & Employment with the Effective Start Date for Unearned Income Type of "Supplemental Security Income (SSI)"
AFDC Criteria	Does the Young Adult meet the AFDC criteria that were in effect as of July 16, 1996 at the time of removal from the home?	System derived based as Yes if: Question 1 is Yes, Question 2B is Yes, Question 6A is Yes, Question 6B is Yes, Question 7 is Yes, and Question 8 is Yes.

Implementation Considerations for Current EFC Population

Young Adults in EFC Prior to January 1, 2019

- Will need to assess whether or not the young adult is eligible for Title IV-E funds.
- To be IV-E eligible the young adult must meet these requirements:
 - Was determined to be IV-E eligible prior to their 18th birthday.
 - Immediately entered into EFC when he/she turned 18.
 - Since the 18th birthday, the young adult has never exited and re-entered EFC (no break in service).

Assessed IV-E Eligible

- End Living Arrangement and Create an Out-of-Home Placement.
 - Effective Date = 1/4/19
 - For this transition population, effective dates should not be later than 1/4/19.
- Leave IV-E EFC Eligibility PENDING that generated upon approval of OOH placement until discharge of removal episode.
 - Manually track REFPP. If lapse, adjust placement to use NON IV-E Reporting Category/Service Type until the month REFPP is obtained.
- Use Service Type that is specific for the Reporting Category.

-	EFC IV-E Eligible (Transition)	

Assessed NON IV-E Eligible

- End Living Arrangement and Create an Out-of-Home Placement.
 - Effective Date = 1/4/19
 - For this transition population, effective dates should not be later than 1/4/19.
- Leave IV-E EFC Eligibility PENDING that generated upon approval of OOH placement until discharge of removal episode.

rvice Type that is s C Non IV-E Eligible	Reporting Cate	gory.	

Extension of Maintenance Adoption Subsidy (EMAS) Program

Extension of Maintenance Adoption Subsidy (EMAS) Program

- Available to adoptive parents who entered into an initial Adoption Assistance Agreement for a 16 or 17-year-old special needs child.
- Young adults are able to receive Maintenance Adoption Subsidy and Medicaid until the age of 21.
 - Subsidy Service changed to "Extended Adoption" Reporting Category.
 - FSFN case remains open to manage Medicaid.
- This new program will:
 - Reduce the risk of a child remaining in foster care.
 - Provide additional financial support to adoptive parents.
 - Allow CBC lead agencies the ability provide to additional support to adoptive families.

EMAS Title IV-E Eligibility

- Adoptive parents and young adults may participate in this program regardless of Title IV-E eligibility status prior to age 18.
- If the young adult's adoption eligibility before 18 was determined TANF eligible, a final Adoption TANF eligibility determination must be completed to document the young adult as TANF ineligible since they no longer meet age criteria.

Resources

•	EFC/EMAS Project Site: http://www.centerforchildwelfare.org/il_efc.shtml
•	FSFN How Do I Guides and User Guides: http://centerforchildwelfare.fmhi.usf.edu/FSFNAll.shtml#HowdoI
•	Questions: Jennifer.Perez1@myflfamilies.com