

## Chapter 10

## TITLE IV-E CANDIDACY FOR IN-HOME SUPERVISION CASES

10-1. Overview. Effective October 1, 2019, the department will claim Title IV-E federal funding for the administrative costs associated with a child who is at imminent risk of removal and efforts are being made to prevent removal by arranging services or to petition the courts to seek removal. This chapter provides specific guidance and instructions to meet candidacy requirements as set forth in section 472(i)(2) of the Social Security Act. The procedure aligns with Florida's practice model which focuses on the execution of a safety plan when a child is determined to be in present or impending danger and the subsequent safety management services and case management services to control and manage those threats.

10-2. Scope. This chapter describes the policies and procedures for the Title IV-E Candidacy Program to allow for claiming Title IV-E reimbursement for eligible case management services to eligible foster (out-of-home) care candidates.

10-3. Authority.

- a. Sections [39.301\(9\)\(a\) and \(b\)](#), Florida Statutes (F.S.), Initiation of Protective Investigations.
- b. Sections [39.521\(1\)\(f\) and \(g\)](#), F.S., Disposition Hearings; Powers of Disposition.
- c. Sections [39.522\(2\) and \(3\)](#), F.S., Post-disposition Change of Custody.
- d. Rule [65C-29.003\(3\)](#), Florida Administrative Code (F.A.C.) Safety Planning Requirements.
- e. Rules [65C-30.002\(1\), \(2\), \(3\) and \(4\)](#), F.A.C., Safety Planning and Case Transfer.
- f. Rules [65C-30.007\(7\), \(8\), \(9\) and \(10\)](#), F.A.C., Case Management Responsibilities After Case Transfer.
- g. Rule [65C-30.009\(3\)\(b\)](#), F.A.C., Least Intrusive Interventions.
- h. Rules [65C-30.013\(2\)\(a\) and \(b\)](#), F.A.C., Judicial Reviews and Court Reports.
- i. Rule [65C-30.014\(3\)\(b\)](#), F.A.C., Post-Placement Supervision and Services.

10-4. Establishing Candidacy. The Title IV-E Candidacy Program is for children who are at serious or imminent risk of removal from their home and the state is attempting to prevent the removal through the implementation of services or is petitioning the courts to seek removal.

- a. The department may claim and receive federal funding for the administrative costs associated with children who are residing in an in-home setting and qualify as candidates for foster care.

NOTE: For the purposes of this chapter, "foster care" is defined as 24-hour substitute care for children placed away from their parents or guardians and for whom the department has placement and care responsibility. This includes, but is not limited to, placements in foster family homes, placements with relatives or non-relatives, group homes, emergency shelters, residential facilities, childcare institutions, and pre-adoptive homes. A child is in foster care in accordance with this definition regardless of whether the foster care facility is licensed, and payments are made by the state, Tribal, or local agency for the care of the child; whether adoption subsidy payments are being made prior to the finalization of an adoption; or, whether there is federal matching of any payments that are made.

b. Eligible children may be in families involved in an open child protective investigation or receiving in-home supervision services. Child welfare professionals must provide sufficient documentation to support the determination that any child within a family involved in an open investigation or receiving in-home supervision/case management services is at imminent risk of removal without a safety plan being developed, implemented, and monitored.

(1) A child is a reasonable candidate for foster care if:

(a) Child resides in a home where a safety plan is implemented;

(b) Child is at serious or imminent risk of removal (as defined in 2) below);

(c) Reasonable efforts to prevent the removal are being made by providing safety management services as part of a safety plan that include services necessary to prevent removal; *and*,

(d) If it becomes necessary to remove the child from the home, the child is expected to be placed in foster care.

(2) A child is at serious or imminent risk of removal if:

(a) The Family Functioning Assessment (FFA) determines that a child is unsafe due to impending danger and a safety plan is developed to control the danger threats. The safety plan must specifically document the safety action(s) and services being provided and monitored to control the danger threat(s). Refer to CFOP [170-7](#), Develop and Manage Safety Plans, for developing and managing safety plans for unsafe children.

(b) The child was reunified with a parent or legal guardian and the department/Community-Based Care Lead Agency (CBC) continues to provide safety management services as a part of a safety plan that includes services necessary to prevent removal and re-entry into foster care.

(3) Concurrently, the child welfare worker will develop or amend the case plan to support the parent's longer-term efforts to develop sufficient protective capacities, reducing the level of control and intrusiveness of the safety plan until it is no longer required to ensure a child's safety. The case plan must identify services, strategies, and supports to assist the parent or guardian and family to achieve the desired behaviors identified in the case plan in order to prevent removal of the child and to reunify the family. The services must meet the specific needs of the family to prevent removal of the child. If these services are not effective, emergency removal of the child will be necessary.

c. A child is not a candidate for foster care if:

(1) He/she is not in an open investigation or case management case;

(2) Family is referred for family support services and has no active involvement with the department or CBC; or,

(3) Child is already in foster care.

#### 10-5. Documenting Candidacy.

a. The following activities must be conducted and documented accordingly:

(1) The safety plan must be specific, sufficient, feasible, and sustainable to manage and control all sources of the danger threat(s) in the home. The safety plan must be reviewed and updated to address changing family dynamics at least once every six months. The child welfare professional will ensure each safety plan clearly describes:

(a) How the danger threat is manifested in the home;

(b) What actions or activities will control and manage the identified danger threat(s);

(c) Absent the safety services, foster care is the planned arrangement for the child; and,

(d) The effective date of the safety plan.

(2) A safety plan that clearly indicates a plan for entry or re-entry into care if the in-home services provided by the department become ineffective. The safety plan must be signed by the parent or legal guardian acknowledging that they approve of the safety management services and that they are aware that in the absence of the services, the child may come into foster care.

(3) If the department is not able to develop a safety plan that is specific, sufficient, feasible, and sustainable to control the source of the danger threat in the home, the department must file a shelter petition. The petition must describe which specific condition an in-home safety plan cannot meet.

(4) All post placement supervision cases (i.e., reunification) must have an in-home safety plan in place prior to reunification to ensure that the child's well-being, physical, mental, and emotional health will not be endangered. The safety plan must remain in effect until the child is no longer unsafe.

b. Redeterminations of candidacy eligibility must be completed every 180 days. Candidacy can only be continued if there is a current safety plan that has been completed within the last 180 days and there is a determination that the child continues to be at imminent risk of entry into foster care.

#### 10-6. FSFN Documentation.

a. The child welfare professional and his/her supervisor are responsible for ensuring that the safety plan created in FSFN is the current and active safety plan.

b. The child welfare professional will upload the signed version of the safety plan, as well as any new or updated Impending Danger Safety Plans to the FSFN Safety Plan Page within two business days of its creation or modification.

c. In addition, the child welfare professional or designee will ensure the living arrangement is created and documented in FSFN under the placement module.