

INITIAL FOSTER CHILD ELIGIBILITY CHECKLIST

Instructions: Complete a separate form for each child in foster care

SECTION I. CASE INFORMATION

Case Name	Child's Name (Last, First, Middle Initial)	Unit/Worker Number	
DOB __/__/__	Child's CIN (Optional)	Date of Placement __/__/__	Case Number S
FA/SN Clearance Date __/__/__ FA/SN Recipient <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> WMS Screen Print <input type="checkbox"/> FA/SN ABEL Budget	SSI Clearance Date __/__/__ SSI Recipient <input type="checkbox"/> Yes <input type="checkbox"/> No		

SECTION II. TITLE IV-E ELIGIBILITY

Date Court Petition Filed: __/__/__ Date of Removal from the Home: __/__/__

FOSTER CHILD MUST MEET ALL REQUIREMENTS BELOW FOR TITLE IV-E ELIGIBILITY
If any of the responses to Questions 1-8 are NO, child is NOT Title IV-E Eligible

1. AGE. Was the child under the age of 18 on the date of the court order or the date the Voluntary Placement Agreement was signed?
 YES – Identify source of documentation: _____. Documentation in child's case file: _____.
 Continue to #2.
 NO – **Child not Title IV-E eligible.**

2. CITIZENSHIP. Is the child a citizen of the United States or a qualified immigrant as defined under the federal PRWORA documentation requirements for citizenship or legal immigration status?
 YES – Identify source of documentation: _____. Documentation in child's case file: _____.
 Continue to #3.
 NO - **Child not Title IV-E eligible.**

3. LEGAL AUTHORITY. a) Was the child removed from the home of a parent or other specified relative as a result of a court order under FCA Article 3 (JD), 7 (PINS), 10 (abuse/neglect), 10-C (destitute child), SSL 358-a (approval of a SSL 384 surrender), or SSL 384-b (deceased parents) and does the placement court order transfer care and custody or custody and guardianship to the Commissioner of the LDSS/ACS?

OR

b) Was a Voluntary Placement Agreement signed by a parent or legal guardian and the Local District (DSS/ACS) Representative pursuant to SSL 384-a that grants care and custody to the Commissioner of the LDSS/ACS?

- i. YES, Placement court order gives care and custody or custody and guardianship to the Commissioner.
- ii. YES, Voluntary Placement Agreement is signed by parent or legal guardian and the Local District Representative.

Date of court order/Voluntary Placement Agreement __/__/__ Docket #: _____.

Check Type (FCA or SSL Article or Section)

FCA Article 3 FCA Article 7 FCA Article 10 FCA Article 10-C SSL 358-a SSL 384-a SSL 384-b

YES – Identify source of documentation: _____. Documentation in child's case file: _____.
 Continue to #4.
 NO – **Child not Title IV-E eligible.**

4. CONTRARY TO THE WELFARE/BEST INTERESTS. Does the initial court order sanctioning/directing removal of the child from the home of the child’s parent or other specified relative explicitly stipulate in the court order that the court made a case specific finding that continuation in the home would be “contrary to the welfare” of the child or that removal was in the “best interests” of the child? For the purpose of this section, the initial order means either: a) an order of detention issued pursuant to Article 3 or 7 of the FCA that removed the child from his/her home where the child thereafter is placed into the care and custody of the Commissioner of the LDSS/ACS **OR**, b) the court order that removed the child from a parent/guardian or other specified relative that placed the child into the care and custody or custody and guardianship of the Commissioner of the LDSS/ACS.

Note: The “contrary to the welfare/best interests” requirement noted above does not apply to a child placed into foster care by a Voluntary Placement Agreement entered into pursuant to SSL 384-a.

YES – Initial court order contains a “contrary to the welfare or best interests” of the child determination. If YES, identify source of documentation: _____. Documentation in child’s case file: _____.

Continue to #5.

NO - **Child not Title IV-E eligible.**

Refer to Chapter One A (Title IV-E Foster Care Eligibility) of the “Eligibility Manual for Child Welfare Programs” for additional clarification on this standard.

5. REASONABLE EFFORTS TO PREVENT REMOVAL. For placements made by a court order, is there a case specific determination by the court expressly stipulated in the court order issued within 60 days from the date the child was removed from the home of the child’s parent or other specified relative, to the effect that “reasonable efforts” to prevent removal were made, including a finding, where appropriate, that no efforts were reasonable, or that reasonable efforts were not required due to statutorily specified circumstances?

For the purposes of this section, removal includes either a) where the child was removed from his/her home pursuant to an order of detention issued in accordance with Article 3 or 7 of the FCA where the child is thereafter placed into the care and custody of the Commissioner of the LDSS/ACS **OR**, b) where the child was removed from the home of his/her parent/guardian or from another specified relative and the child was then placed into the care and custody or custody and guardianship of the Commissioner of the LDSS/ACS.

What documentation does the court specify was used to make its reasonable efforts determination? _____.

Date of order addressing reasonable efforts: __/__/____

YES – Identify source of documentation: _____. Documentation in child’s case file: _____.

N/A – Placement by Voluntary Placement Agreement.

Continue to #6.

NO – **Child not Title IV-E eligible.**

Refer to Chapter One A (Title IV-E Foster Care Eligibility) of the “Eligibility Manual for Child Welfare Programs” for additional clarification on this standard.

6. LIVING WITH A SPECIFIED RELATIVE. Was the child living in the home of a parent/specified relative in the month or in any of the six months before the month (the defined period), that the court petition was filed or the Voluntary Placement Agreement was signed?

YES – Name of relative (& relationship) with whom child was residing: _____.

If YES, identify source of documentation: _____. Documentation in child’s case file: _____.

Continue to #7.

Time condition met, but the specified relative and the relative foster parent are the same person. **Child ineligible for Title IV-E – Go to Section III, TANF-EAF Eligibility.**

NO - **Child not Title IV-E eligible.**

7. PARENTAL DEPRIVATION. Was there parental deprivation for one or more of the following reasons?

- Absence from the home
- Incapacity or parent (physical or mental)
- Unemployment/Underemployment
- Death of a parent

YES - Identify source of documentation: _____. Documentation in child's case file: _____.
Continue to #8.

NO - **Child not Title IV-E eligible.**

8. AFDC FINANCIAL ELIGIBILITY. Would the child have been financially eligible for AFDC in accordance with program rules in effect on 7/16/96, based on the family's income and resources in the month that the Voluntary Placement Agreement was signed or the court petition was filed leading to the removal of the child?

YES - Identify source of documentation: _____. Documentation in child's case file: _____.
Continue to #9.

NO - **Child not Title IV-E eligible.**

9. CHILD'S ELIGIBILITY

Yes – Child eligible for Title IV-E.

No – Child not eligible for Title IV-E

Go to Section III. TANF-EAF.

SECTION III. TANF-EAF ELIGIBILITY

A. EMERGENCY SITUATION. This emergency situation is due to the following circumstance(s):

- FCA Article 10 court ordered removal/placement.
- FCA Article 10-C destitute child.
- FCA Article 7 court ordered placement.
- FCA Article 3 court ordered placement.
- SSL 358-a court order
- SSL 384 placement made by Voluntary Surrender Agreement
- SSL 384-a placement made by Voluntary Placement Agreement
- SSL 384-b placement based on death of parent
- FCA 651(b) placement of unaccompanied refugee minor

B. TANF-EAF REQUIREMENTS. Foster child must meet all requirements below for TANF-EAF eligibility:

- 1. CITIZENSHIP.** Is the child a citizen of the U.S. or a qualified immigrant as defined under the federal PRWORA?
 YES NO (Child Ineligible for any funding) ☞ **If no...go to Section IV, Eligibility Summary.**
- 2. LIVING WITH A SPECIFIED RELATIVE.** Was the child living in the home of a parent/specified relative at any time within six months before foster care placement?
 YES
 NO (Child ineligible for TANF-EAF) ☞ **If no...go to Section IV, Eligibility Summary.**
- 3. NO PREVIOUS EAF AUTHORIZATION.** Was there no EAF authorization written in the past 12 months, except one written in the past 30 days, or one written for the same emergency where the authorization has not been closed?
 YES
 NO (Child ineligible for TANF-EAF) ☞ **If no...go to Section IV, Eligibility Summary.**
- 4. INSUFFICIENT RESOURCES.** Is the child without sufficient income/resources immediately accessible to meet his/her needs?
 YES
 NO (Child ineligible for TANF-EAF) ☞ **If no...go to Section IV, Eligibility Summary.**
- 5. NEED FOR SERVICES DUE TO REASONS OTHER THAN REFUSAL OF EMPLOYMENT/TRAINING.** Did the child's need for services arise for reasons other than the parent/specified relative's refusal without good cause to accept employment or training?
 YES
 NO (Child ineligible for TANF-EAF) ☞ **If no...go to Section IV, Eligibility Summary.**

- 6. NEED FOR SERVICES DUE TO REASONS OTHER THAN MISMANAGEMENT OF PA GRANT.** Did the child's need for services arise for reasons other than the parent/specified relative's mismanagement of a public assistance grant?
- YES
- NO (Child ineligible for TANF-EAF) ☞ **If no...go to Section IV, Eligibility Summary.**

In accordance 18 NYCRR 372.4(d), costs for services that are necessary to address needs arising from the cited emergency are authorized under the EAF program. This authorization will continue until the emergency ends.

Worker's Signature: _____ Date: __/__/__

Supervisor's Signature: _____ Date: __/__/__

SECTION IV. ELIGIBILITY SUMMARY & SIGNATURES/SUPERVISOR'S REVIEW

THE CHILD IS:

- ELIGIBLE FOR TITLE IV-E ONLY:** Enter eligibility code **02** and direct service code **08** on WMS.
- ELIGIBLE FOR TANF-EAF ONLY:** Enter eligibility code **04** and direct service code **08E** on WMS.
- ELIGIBLE FOR TITLE IV-E AND TANF-EAF (DUAL ELIGIBILITY):** Enter eligibility code **02** and direct service codes **08** and **08E** and add "E" suffix to POS lines as needed on WMS.
- INELIGIBLE FOR TITLE IV-E AND TANF-EAF:** Enter eligibility code **06, 07, 08** or **14**, as applicable and direct service code **08** on WMS.
- INELIGIBLE FOR ANY FUNDING (Costs for this case are not reimbursable by any federal or State funding as child is not a U.S. citizen or qualified immigrant):** Enter eligibility code **14**, direct service code **08** and add the "N" suffix to direct service and POS lines as needed on WMS.

Worker's Signature: _____ Date: __/__/__

Supervisor's Signature: _____ Date: __/__/__

☞ **Proceed to review the case for Title XX Below 200% of Poverty eligibility (except for cases that have been determined eligible for Title IV-E and TANF-EAF and cases that are INELIGIBLE FOR ANY FUNDING).**

SECTION V. DOCUMENTATION OF ELIGIBILITY

Indicate the documentation used for each item of eligibility. Indicate where that documentation is located in the case record or that it is attached to this form.

Item	Documentation	Location in Case Record	Attached
1. Citizenship (Title IV-E / TANF-EAF)			<input type="checkbox"/>
2. Legal Authority (Title IV-E) (a) Care and Custody/Guardianship and Custody (b) Voluntary Placement Agreement			a. <input type="checkbox"/> b. <input type="checkbox"/>
3. Contrary to the Welfare/Best Interests			<input type="checkbox"/>
4. Reasonable Efforts to Prevent Removal Finding Within 60 Days of Removal (Title IV-E)			<input type="checkbox"/>

<p>5. Age (Title IV-E / TANF-EAF)</p>			<input type="checkbox"/>
<p>6. Living With a Specified Relative (Title IV-E / TANF-EAF)</p>			<input type="checkbox"/>
<p>7. Parent Deprivation (Title IV-E)</p>			<input type="checkbox"/>
<p>8. AFDC Financial Eligibility (Title IV-E)</p> <p>a. FA or SN Budget/Other Income</p> <p>b. AFDC Scratchpad Budget (7/96)</p>			<p>a. <input type="checkbox"/></p> <p>b. <input type="checkbox"/></p>
<p>9. Emergency Situation (TANF-EAF)</p>			<input type="checkbox"/>
<p>10. No Previous EAF Funding (TANF-EAF)</p>			<input type="checkbox"/>
<p>11. Insufficient Resources (TANF-EAF)</p>			<input type="checkbox"/>
<p>12. Need for Services for Reasons <i>Other Than</i> Refusal of Employment/ Training (TANF-EAF)</p>			<input type="checkbox"/>
<p>13. Need for Services for Reasons <i>Other Than</i> Mismanagement of Public Assistance Grant (TANF-EAF)</p>			<input type="checkbox"/>