

RE-DETERMINATION OF TITLE IV-E ELIGIBILITY CHECKLIST (FOSTER CARE)

Instructions: Complete this form for each foster child determined eligible for Title IV-E and requiring a 12-month re-determination or for cases for which Title IV-E eligibility has been suspended because of a lapse in legal authority or failure to secure a reasonable efforts determination or when child turns age 18 and annually thereafter.

SECTION I. CASE INFORMATION

Case Name		Child's Name (Last, First, Middle Initial)	Unit/Worker Number
DOB ___/___/___	Child's CIN	Date of Placement ___/___/___	Case Number S

SECTION II. RE-DETERMINATION OF TITLE IV-E ELIGIBILITY

FOSTER CHILD MUST MEET ALL REQUIREMENTS BELOW FOR CONTINUED TITLE IV-E ELIGIBILITY:

If any of the responses to Questions 1-3 are NO, the child is NOT Title IV-E Eligible

1. AGE. a) Is the child under the age of 18? **OR**

b) Is the child age 18 or older but under age 21, consents to remain in foster care and meets one of the eligibility redetermination criteria listed below?

- Completing secondary education or a program leading to an equivalent credential;
- Enrolled in an institution which provides post-secondary or vocational education;
- Participating in a program or activity designed to promote or remove barriers to employment;
- Employed for at least 80 hours per month; or
- Incapable of doing any of the activities described above due to a medical condition, which incapability is supported by regularly updated written or recorded information in the case plan of the child.

YES – Identify source of documentation: _____. Documentation in child's case file: _____. Continue to #2.

NO - Child not Title IV-E eligible. ☞ If no...go to Section III, Eligibility Summary.

2. LEGAL AUTHORITY/JUDICIAL REVIEW. Is there a current court order that continues to award care and custody or custody and guardianship to the Commissioner of the LDSS/ACS?

OR

Is there a signed Voluntary Placement Agreement that has been reviewed and approved by the court? In the case of the voluntary placement pursuant to SSL 384-a, has the court reviewed the child's placement pursuant to SSL 358-a and made a determination within 180 days of placement that continued placement would be in the best interests of the child? (If the court has NOT made such a determination within 180 days of placement, the case must NOT be authorized as Title IV-E foster care. Title IV-E claiming must cease. The case is not Title IV-E eligible for the duration of the foster care episode.)

Check type (FCA or SSL Articles/Section)

- FCA Article 3 FCA Article 7 FCA Article 10 FCA Article 10-A FCA Article 10-C Voluntary Placement Order (SSL358-a, approving the Voluntary Placement Agreement, as applicable)

YES – Identify source of documentation: _____. Documentation in child's case file: _____. Documentation of Legal Authority

Date of Court Order ___/___/___ Docket # _____

Period: From ___/___/___ To ___/___/___ **OR** Period: From ___/___/___ Next Date Certain ___/___/___

Continue to #3

NO - Child not Title IV-E eligible. ☞ If no...go to Section III, Eligibility Summary.

Note: Under Article 10-A of the FCA, as of December 21, 2005, legal authority with the Commissioner continues for children placed into foster care pursuant to Article 10 or 10-C of the FCA or section 384-a of the SSL and all children freed for adoption until the court removes legal authority from the Commissioner or the child is otherwise discharged from foster care.

3. REASONABLE EFFORTS TO FINALIZE PERMANENCY. For court ordered placements, within 12 months of the date the child is considered to have entered foster care and every 12 months thereafter, is there a court determination made on a case specific basis and stipulated in the court order that reasonable efforts were made to finalize the child's permanency plan or to enable the child to safely return home?

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

Date of court order: ___/___/___ Docket #: _____ Next Permanency Hearing Date: ___/___/___.

NO - Child not Title IV-E eligible ☞ If no...go to Section III, Eligibility Summary.

4. CHILD'S ELIGIBILITY (All above criteria must be met)

YES – Child eligible for Title IV-E.

NO – Child not eligible for Title IV-E.

SECTION III. TITLE IV-E ELIGIBILITY SUMMARY & SIGNATURES/SUPERVISOR'S REVIEW

THE CHILD IS:

ELIGIBLE FOR TITLE IV-E: Enter eligibility code **02** and direct service code **08** on WMS.

INELIGIBLE FOR TITLE IV-E: Discontinue eligibility code **02** on WMS. If previously determined eligible for TANF-EAF, change eligibility code to **04** on WMS. Otherwise, enter eligibility code **06, 07, 08** or **14**, as applicable on WMS. Maintain the direct service code **08** on WMS.

Worker's Signature _____ Date ___/___/___

Supervisor's Signature _____ Date ___/___/___