



Office of Children and Family Services

Bureau of Financial Operations-Title IV-E Unit Title IV-E Eligibility Documentation File

TITLE IV-E FILE TEMPLATE

To best document your Title IV-E determination, the local district should create a file on EACH child for whom Title IV-E is being claimed.

This template provides the outline for each eligibility folder. Enter the child's name and Client Identification Number (CIN) in the footer then print the template. Use the template in the manner prescribed in the sample folder.

Each section addresses certain eligibility criteria and contains specific eligibility requirements that must be met. A list of the acceptable documentation to support these requirements is included for each section.

Section A is the basic background information on the family. This is the section that tells the story about the child and how that child came into care.

Section B contains the legal documents that demonstrate the two ways a child can come into foster care under Title IV-E guidelines. You must complete either the first part of section B for a court-ordered placement, or the second part which reflects where the child entered foster care through a Voluntary Placement Agreement.

Section C addresses the financial criteria that must be met for Title IV-E Eligibility.

Section D includes the ongoing legal authority and reasonable efforts to finalize the child's permanency plan.

Section E contains the ongoing Title IV-E Redetermination criteria and required documentation that support ongoing eligibility over the life of the foster care episode.

Section F addresses Title IV-E Eligibility requirements where an otherwise Title IV-E Eligible Foster Child is placed in a fully certified or fully approved foster boarding home. All applicable foster home certifications or approvals and safety documentation regarding the home (SCR data base checks, criminal history record checks) is required for EACH foster boarding home before a Title IV-E claim can be made. Requirements for background checks and clearances will vary depending on when the foster home was initially fully certified or fully approved. This section also includes a chart to document all movements including temporary respite care placements.

Section G addresses Title IV-E requirements where an otherwise Title IV-E Eligible Foster Child is placed in a Qualified Residential Treatment Program (QRTP). The assessment, determination and supporting documentation conducted by a Qualified Individual (QI) is required within 30 days of the child being placed into the QRTP. The appropriateness of the placement must be reviewed and approved by the Family Court within 60 days of placement in the QRTP. All relevant documentation must be maintained in the file.

Section A

- Initial Family Assessment and Services Plan (FASP) or the FASP that reflects how this child came into care, Progress Notes or Probation Report**
- Initial Determination of Eligibility Checklist Form (LDSS-4809)***
- Age Documentation (must have at least one of the following)**
 - Non-services WMS screen reflecting the child's date of birth
 - Birth certificate
 - Baptismal certificate
 - Hospital records
 - U.S. passport
 - Naturalization certificate
 - Court records
 - School records
 - FASP/Progress notes that substantiate one of the above documents or certificates was seen by the caseworker – should include the child's name, date of birth, parent's names and type of document or certificate and certificate number, if available.
- Citizenship Documentation (must have at least one of the following)**
 - U.S. Citizenship**
 - Birth certificate
 - U.S. passport
 - Naturalization certificate
 - Qualified Immigrant***
 - WMS Case Composition screen showing child received Family Assistance (FA), Medical Assistance (MA), Home Energy Assistance (HEAP) or Food Stamps (FS) in the month the court petition was filed leading to the removal of the child or in the month the voluntary placement agreement was signed.
 - Document from the U.S. Citizen and Immigration Services (USCIS)

**Please reference the Eligibility Manual for Child Welfare Programs, Appendix B for more information regarding Qualified Alien and the Immigration Status List.*

Section B

COURT ORDERED PLACEMENT

(Applies where the child entered foster care in accordance with a court order)

A. Legal Authority

(Court order must indicate that the child is in the legal care and custody or custody and guardianship of the commissioner of social services (LDSS/ACS) or OCFS.)

- Copy of the petition that led to the removal of the child from his or her home (For FCA §1021, 1022 and 1024 removals, include the abuse or neglect petition).

AND

- Copy of court order that transferred legal care and custody or custody and guardianship to the commissioner of LDSS/ACS or OCFS.

AND

- Copy of **all** subsequent court orders (excluding ongoing permanency hearing orders which are to be included in Section D) that support continued or extended legal custody of the child with LDSS/ACS or OCFS.

(Include all temporary orders, orders to show cause, orders of adjudication, dispositional orders, extension orders, and permanency hearing orders, TPR orders and court approval of surrenders. Also include the surrender document, as applicable)

B. Initial Placement with Relative

If the child was removed from the home of the child's parent or other specified relative by court order and placed in the direct legal custody of a relative or other suitable person before the transfer of legal custody to the commissioner of LDSS/ACS or OCFS, include a copy of that removal order as well as the order granting care and custody or custody and guardianship to the commissioner of LDSS/ACS or OCFS.

C. Best interests/Contrary to Welfare

Initial court order sanctioning/directing removal of the child from the child's home must contain a case specific determination that removal was in the best interests of the child or that continuation in the home would be contrary to the welfare of the child.

- Copy of the initial removal court order with the determination of best interests or contrary to the welfare of a child. (Such orders include, but are not limited to, emergency removal orders in Article 10 detention orders in Article 3 (JD) or Article 7 (PINS) cases).

Child's CIN:

Child's Name:

Section B (Cont.)

D. Reasonable Efforts to Prevent Removal

Court must make a case specific determination within 60 days of removal of the child from his or her home that reasonable efforts were made to prevent removal – court determination that no efforts were reasonable or appropriate is acceptable.

- Copies of **all** court orders that address the issue of reasonable efforts to prevent removal. Such orders include, but are not limited to, removal orders under Article 10 (Abuse/Neglect), Article 10-B *Re-entry Into Foster Care*, (**LDSS-4415**)*, Article 10-C (Destitute Child) and detention orders under Article 3 (JD) and Article 7 (PINS).

*See the *Re-entry Into Foster Care for Youth Age 18 and Over Eligibility Checklist*, (**LDSS-4415**).

VOLUNTARY PLACEMENTS

(Applies when the child entered foster care through a voluntary placement agreement under section 384-a of the Social Services Law)

Legal Authority

A voluntary placement agreement must include language that the child is in the care and custody of the commissioner of LDSS/ACS and that the voluntary placement agreement was approved by LDSS/ACS.

- Copy of the voluntary placement agreement signed by the parent or guardian **and** the LDSS/ACS.

NOTE: A voluntary placement agreement signed by a legal custodian is **not** acceptable for Title IV-E eligibility purposes.

Best Interests

(There must be a judicial determination within 180 days of the foster care placement to the effect that continued voluntary placement is in the child's best interests).

- Copy of section 358-a petition requesting approval of the voluntary placement agreement.

AND

- Copy of the section 358-a court order approving the voluntary placement agreement with the determination that continuation of foster care is in the child's best interests.

THE SIGNATURE LINE OF EACH COURT ORDER MUST INCLUDE EITHER THE JUDGE'S SIGNATURE, INITIALS OR STAMP TO INDICATE EXECUTION OF THE COURT ORDER.

WHERE A COURT ORDER IS NECESSARY TO SUPPORT ANY OF THE STANDARDS NOTED ABOVE IS NOT AVAILABLE, A COURT TRANSCRIPT OF THE RELEVANT COURT PROCEEDING AT WHICH THE DETERMINATION WAS MADE MUST BE PROVIDED.

Child's CIN:

Child's Name:

Section C

Living with a Specified Relative

Was the child living in the home of a parent/specified relative 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?

- Non-services WMS Clearance printout showing case composition and that the child was an active member in that case at the time of removal.
- Court petition indicating that the child had been living with a specified relative in the month of removal or in any of the six months before the month that the court petition or order to show cause, seeking the child's removal from the home was filed, or the date the voluntary placement agreement was signed.
- FASP/Progress notes indicating the child had been living with a specified relative in the month of removal or in any of the six months before the month that the court petition or order to show cause, seeking the child's removal from the home was filed, or the date the voluntary placement agreement was signed.
- FASP/Progress notes indicating the child had been living with a specified relative who is the representative payee for the child's case in the month of removal or in any of the six months before the month that the court petition or order to show cause, seeking the child's removal from the home was filed, or the date the voluntary placement agreement was signed.

Parental Deprivation

Was there parental deprivation for one or more of the following reasons? Be sure to check all the reasons that apply. If you identify more than 1 reason, you will need documentation to support each.

All removals are evaluated based on the home of the relative who had legal custody. In the month of removal, the child must be deprived of parental care and support due to **at least one** of the following reasons:

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

a) Absence of parent from the home

- Referral to the Child Support Enforcement unit indicating that at least one of the parents is absent from the removal home at the time of removal
- Court petition indicating at least one of the parents was absent from the removal home
- Official/court documentation verifying a legal separation of the parents
- Documentation of imprisonment of at least one parent
 - FASP/Progress notes/Application for Services indicating that at least one parent is absent from the removal home at the time of removal and information as to why the parent is absent. Include documentation of efforts to locate parent or possible location of parent.

Child's CIN:

Child's Name:

Section C (Cont.)

b) Incapacity of parent (physical or mental)

- State Data Exchange (SDX) screen prints indicating that at least one parent is in receipt of SSI
- Internal Aged/Disabled (A/D) unit information verifies that at least one parent is incapacitated
- Medical, mental health: treatment report containing diagnosis and relationship of diagnosis to limited parental functioning or ability to earn income for at least one parent
- Award letter verifying receipt of some form of disability income such as Supplemental Security Income (SSI), Social Security Disability (SSD), Workers' Compensation (WC), New York State Disability (NYSD) or Veterans' Benefits (VB) for one of the parents
- FASP/Progress notes indicating caseworker observed obvious physical handicap for at least one parent at time of removal

c) Unemployed/Underemployed parent

- Non-services WMS screen indicating that the family is in receipt of Temporary Assistance (TA) (Family Assistance [FA] or Safety Net [SN]) during the month of removal
- Resource File Integration (RFI)/CINTRAK report
- Award letter from the Department of Labor indicating receipt of Unemployment Insurance Benefits (UIB) or copy of the UIB check
- Wage stub or other proof of income indicating that the income of the parent is below the medically needy level
- Probation report or pre-sentencing report
- FASP/Progress notes documenting consistent information regarding the unemployment or underemployment of the parent(s)

d) Death of a parent

- Death certificate
- Award letter indicating receipt of Survivors' Benefits or copy of Survivors' Benefit check
- Other legal document indicating parent is deceased such as court petitions or a court order
- Legal documentation indicating there is a court appointed guardian or a legal custodian due to death of the parent(s)
- FASP/Progress notes that substantiate a death certificate was seen by the caseworker

Child's CIN:

Child's Name:

Section C (Cont.)

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 court petition was filed leading to the removal of the child or the voluntary placement agreement was signed?

The scratchpad WMS Automated Budget Eligibility Logic (ABEL) uses the July 1996 look back date to measure the household needs against the household income and calculates the deficit or surplus.

- The scratchpad budget must be printed and retained with a printed copy of the family's proof of income as part of the Title IV-E case record that is maintained for eligibility purposes.

The source of the parents, step-parents or adoptive parents' income at removal will determine the required documentation. To document income, please include one of the following:

Unearned Income

- Copy of the WMS clearance (and budget summary) indicating the family was in receipt of TA (TANF), FS or SSI in the month the court proceedings leading to the removal of the child were initiated or the voluntary placement agreement was signed or,
- State Data Exchange (SDX) screen print indicating receipt of SSI or,
- Current award letter from the Social Security Administration (SSA) indicating amount of SSI or SSD or copy of the SSI/SSD check.

Child Support/Alimony

- Document from the Office of Child Support Enforcement indicating payments/receipt of child support or,
- Statement from Family Court indicating amount of alimony/child support received or,
- Statement from person paying support/alimony or,
- Cancelled support/alimony check.

Unemployment Insurance Benefits (UIB)

- Resource File Integration (RFI/CINTRAK) report or,
- WMS report indicating receipt of UIB or,
- Department of Labor (DOL) screen with UIB information / work history or,
- Current award letter from the Department of Labor indicating amount and recipient of UIB or,
- Current UIB benefit check or,
- Official correspondence from the DOL.

Child's CIN:

Child's Name:

Section C (Cont.)

Veterans (VA) Benefits

- Current award letter from the Veterans Administration indicating amount and recipient of VA benefits or,
- Current Veterans Benefit check or,
- Official correspondence from the Veterans Administration

Interest Payments

- Bank statements

Earned Income-Wages/Salary/Tips from work

- RFI/CINTRAK report or,
- Current wage stub or,
- Pay envelopes or,
- Employer letter/contact with employer or,
- Letter from VA indicating receipt of Servicemen's Allotment, if parent is on active military duty.

Self-Employment

- Business record or,
- Tax records.

Section D

Ongoing Legal Authority and Court's Determinations of Reasonable Efforts to Finalize Child's Permanency Plan

Legal Authority/Judicial Review

- Copy of all court orders that continue to award care and custody or custody and guardianship to the commissioner of LDSS/ACS/OCFS and all court orders that terminate such legal custody.

OR

- Copy of signed Voluntary Placement Agreement that has been reviewed and approved by court.

Reasonable Efforts to Finalize Permanency

Court-Ordered Placements Only

Court order must contain a case specific determination either that reasonable efforts were made to enable the child to return home safely or that reasonable efforts were made to finalize the child's permanency plan. Initial determination is due no later than 12 months from the date the child is considered to have entered foster care. Subsequent determinations are due no later than 12 months from the previous determination.

- Copy of the fact-finding court order.

AND

- Copy of **all** court orders. Including all permanency hearing orders, which address the issue of reasonable efforts to enable the child to return home safely or reasonable efforts to finalize the child's permanency plan.

AND

- Copy of all permanency hearing reports relative to the foster care episode.

THE SIGNATURE LINE OF EACH COURT ORDER MUST INCLUDE THE JUDGE'S SIGNATURE, INITIALS OR STAMP TO INDICATE EXECUTION OF THE COURT ORDER.

WHERE A COURT DETERMINATION OF REASONABLE EFFORTS IS NOT ADEQUATELY DOCUMENTED BY THE COURT ORDER, A COURT TRANSCRIPT OF THE RELEVANT COURT PROCEEDING AT WHICH THE DETERMINATION OF REASONABLE EFFORTS WAS MADE MUST BE PROVIDED.

Child's CIN:

Child's Name:

Section E

Title IV-E Foster Care Re-determination Checklists

- Re-determination of Title IV-E Eligibility Checklist (Foster Care), (LDSS-4810)* in chronological order with supporting documentation attached to each checklist.
- Age (another copy of the birth certificate is not required if the first copy remains in the folder. A new birth certificate is required if the child changes their name upon adoption)
 - The child is under 18
 - Non services WMS screen reflecting child's date of birth
 - Birth certificate or baptismal record
 - Hospital records
 - US passport or naturalization certificate
 - Court records
 - FASP or progress notes that substantiate one of the above certificates were seen by the caseworker. Note should include the child's name, DOB, parents name and certificate number (if one) *check the initial eligibility record as this documentation should already be in the file
 - The child is 18 or older but under the age of 21 and is
 - Completing secondary education or a program leading to an equivalent credential
 - Name, location and type of school or program
 - Grades
 - Progress report
 - Evaluation or other document from school or program that establishes the youth's attendance or enrollment
 - Enrolled in an institution which provides post-secondary or vocational education
 - Name, location and type of school or program
 - Grade
 - Progress report
 - Evaluation or other document from school or program that establishes the youth's attendance or enrollment
 - Participating in a program or activity to promote or remove barriers to employment
 - Name, location and program of activity description
 - Statement from program or activity that establishes youth participation
 - Employed for at least 80 hours per month
 - Name of employer, company agency or organization, location and nature of employment
 - Statement from employer that establishes hours worked per month
 - Incapable of doing any of the activities describe above due to medical condition, by which incapacity is supported by regularly updated information in the child's case plan
 - The child's medical condition must be documented by a physician, a physician's assistant or nurse practitioner under the supervision of a physician or a licensed psychologist.

Child's CIN:

Child's Name:

Section F

PLEASE NOTE: While the items below are not part of the initial eligibility determination, they **ARE** required for the Title IV-E Claim to be made where an otherwise Title IV-E Eligible Foster Child is cared for in a foster boarding home. Therefore, it is important that they be part of the Title IV-E Case Documentation file. Having this documentation fully supports Title IV-E Eligibility and the Title IV-E Claim.

Foster Home Certification/Approval

- CONNECTIONS/Child Care Review Service**
- Movement Activities for entire episode (Connections)
 - Placement chart to include all movements and respite care placements (Page 13 of this document)

(**NOTE:** You cannot claim Title V-E for respite care if you are claiming Title IV-E for maintenance)

AND

- For each foster boarding home placement (including respite care homes):**
- 1. Foster Home Certificate or Letter of Approval**
 - Copy of the CONNECTIONS Certificate to Board Children or Letter of Approval for each foster home in which the foster child was placed and for which Title IV-E was claimed; **and**
 - The BICS Vendor Data (LVO200) screen printout
 - 2. Criminal History Record Check/SCR Clearance**
 - Copy of the Criminal History Record Summary issued by OCFS for each of the applicants for certification or approval as foster parents and all household members age 18 and over who resided in the home of the applicant(s) at the time of the initial certification or approval of the foster parent(s) for foster homes initially fully certified or fully approved **prior** to October 1, 2008 and that remained continuously certified or approved. **and**
 - Copy of the Criminal History Record Summary issued by OCFS for each of the applicants for certification or approval as foster parents for foster homes initially fully certified or fully approved **on or after** October 1, 2008.
 - Copy of the New York SCR data base check results letter or, where the local district has authorized to perform the clearances, a copy of the locally produced letter for each of the applicants for certification or approval as foster parents and all household members age 18 and over who resided in the home of the applicant(s) at the time of the initial certification or approval of the foster parent(s) for foster homes initially fully certified or fully approved **before** October 1, 2008; **and**
 - Copy of the SCR data base check from any state where the applicant for certification or approval as a foster parent or other adult household member resided in the 5 years preceding the initial application for certification or approval for foster homes initially fully certified or fully approved **before** October 1, 2008.

Child's CIN:

Child's Name:

Section F (Cont.)

- If the results of the criminal history record check and/or the SCR data base check show that the applicant or a household member over the age of 18 has a criminal history or an indicated SCR report(s) the following **must be** included:
- Copy of the safety assessment conducted by the certifying/approving agency in response to the existence of an open criminal charge or a criminal conviction; **and**
- Documentation in the CONNECTIONS Foster and Adoptive Home Development (FAD) record is required. The appropriate field(s) in MED/CHRC and SCR Comments on the Household Member Detail tab **must be** completed that explains why the foster parent was appropriate for certification or approval despite the existence of one or both of these records for both a criminal history record and an indicated SCR report(s).

Child's CIN:

Child's Name:

NOTE-

- OCFS will be responsible for collecting Licensure and Safety Checks for Congregate Care Placements
- Refer to Section F Part 2 for the required documentation for CHC/SCR requirements

| Placement Type (FBH, Respite or Congregate Care, <i>check only one</i>) | Home Name | Vendor ID# | Date of Stay | SCR | CHC | Certificate to Board, License or Approval Letter |
|---|-----------|------------|------------------------------------|--------------------------|--------------------------|--|
| <input type="checkbox"/> FBH <input type="checkbox"/> Respite <input type="checkbox"/> Congregate Care | | | From ___/___/___ To ___/___/___ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> FBH <input type="checkbox"/> Respite <input type="checkbox"/> Congregate Care | | | From ___/___/___ To ___/___/___ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> FBH <input type="checkbox"/> Respite <input type="checkbox"/> Congregate Care | | | From ___/___/___ To ___/___/___ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> FBH <input type="checkbox"/> Respite <input type="checkbox"/> Congregate Care | | | From ___/___/___ To ___/___/___ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
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| <input type="checkbox"/> FBH <input type="checkbox"/> Respite <input type="checkbox"/> Congregate Care | | | From ___/___/___ To ___/___/___ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Please add additional pages if necessary

Section G

PLEASE NOTE: While the items below are not part of the initial eligibility determination, they ARE required for the Title IV-E Claim to be made where an otherwise Title IV-E Eligible Foster Child is cared for in a QRTP. Therefore, it is important that they be part of the Title IV-E Case Documentation file. Having this documentation fully supports Title IV-E Eligibility and the Title IV-E Claim.

In the chart below please provide, for all QRTP's the child was placed in during the foster care episode, the QRTP Name, Vendor ID# and Dates of Stay. Also, verify if the 30-day QI assessment, determination and supporting documentation as well as the 60-day Family Court review documentation are in the file.

| QRTP Name | Vendor ID# | Date of Stay | 30 Day QI Assessment and supporting documentation | 60 Day Court Review |
|-----------|------------|------------------------------------|---|--------------------------|
| | | From ___/___/___ To ___/___/___ | <input type="checkbox"/> | <input type="checkbox"/> |
| | | From ___/___/___ To ___/___/___ | <input type="checkbox"/> | <input type="checkbox"/> |
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Please add additional pages if necessary.