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Governor

NEW YORK STATE
OFFICE OF CHILDREN & FAMILY SERVICES
52 WASHINGTON STREET
RENSSELAER, NY 12144

John A. Johnson
Commissioner

Informational Letter

Transmittal:	06-OCFS-INF-02	
To:	Commissioners of Social Services	
Issuing Division/Office:	Division of Administration	
Date:	March 22, 2006	
Subject:	Restoring Fully Documented Title IV-E Claims Previously Adjusted From Title IV-E Pursuant to 06 OCFS INF-01	
Suggested Distribution:	Accounting Supervisors Directors of Social Services Local Department of Social Services Attorney	
Contact Person(s):	John Murray at John.Murray@ocfs.state.ny.us John Conboy at John.Conboy@ocfs.state.ny.us	
Attachments:	NO	
Attachment Available On – Line:	N/A	

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
04-OCFS-INF-3 03-OCFS-LCM-5 06-OCFS-INF-01		18 NYCRR 628.1(b)(7)		Eligibility Manual for Child Welfare Programs	

I. Purpose

The purpose of this informational letter is to advise social services districts of their responsibilities regarding the restoration of cases (each foster care child equals one case) and claims to Title IV-E status when such cases had been previously removed and associated claims adjusted from Title IV-E in preparation for the Title IV-E Foster Care Eligibility Secondary Review.

II. Background

Throughout the preparation activities for the upcoming Title IV-E Secondary Review, OCFS has reminded social services districts of the need to remove cases and to adjust related claims from Title IV-E if the cases were determined to be ineligible or if complete documentation of eligibility was not available. Districts were most recently reminded in 06-OCFS INF-01, "Adjusting Title IV-E Claims Found Not To Be Eligible," that in order for costs to be claimed as Title IV-E foster care, the case must remain eligible for that funding on an ongoing basis as evidenced by the necessary documentation. Districts remain responsible for determining and documenting eligibility for Title IV-E and certifying the validity of all claims. The following instructions provide districts with guidelines for restoring Title IV-E eligibility and claiming for those cases previously removed from Title IV-E for which the districts subsequently are able to establish full documentation of Title IV-E eligibility.

III. Program Implications

In re-reviewing Title IV-E foster care cases, either as part of preparing for a review or audit or in the normal course of performing eligibility re-determinations, once a district determines that a foster care case is ineligible, the Title IV-E status for that case must be removed from Title IV-E claiming back to the point of ineligibility. This involves adjusting the eligibility determination to one of the non-Title IV-E categories: (Emergency Assistance to Families, Federally Non-Participating or Non-Reimbursable) as well as adjusting any and all Title IV-E foster care claims backward to the point of ineligibility. Once all documentation is secured, if a child is determined initially ineligible for Title IV-E, the case remains ineligible for Title IV-E for that episode of foster care. The instructions in this INF do not apply to such cases. Please refer to the OCFS Child Welfare Eligibility Manual for a complete description of the Title IV-E eligibility requirements.

Districts also were reminded in 06-OCFS INF 01 that for those cases that were determined to be Title IV-E ineligible or did not have sufficient documentation to support Title IV-E eligibility, all Title IV-E foster care claims that were filed in the prior 15 months, i.e. retroactive to October 1, 2004, had to be reversed immediately. As also noted in 06-OCFS INF 01, if a district is unable to fully establish Title IV-E foster care eligibility for the child by May 1, 2006, the remaining Title IV-E foster care claims for that case that were made prior to October 1, 2004, must be adjusted to a non-Title IV-E status for all periods back to the onset of ineligibility.

Districts were further advised that, if a district subsequently receives missing documentation on any case that makes the child fully eligible for Title IV-E, the district may resubmit the claim for Title IV-E funding for the most recent 22 months based on time of payment. However, as OCFS is the responsible State Title IV-E agency, and as such has the responsibility for responding to inquiries from the federal Administration for Children and Families (ACF) regarding unusual shifts in claiming practices, OCFS is establishing a special quality control process for those cases the districts seek to resubmit for Title IV-E funding. The process must be completed before districts may resubmit the claims. Under the process, districts must submit to OCFS a list of all cases and payment periods that they plan to restore to Title IV-E status. The list must identify the Case Number, Case Name, Child's Client Identification Number (CIN), and periods of eligibility. Submit the list to:

The Office of Children and Family Services
Office of Audit and Quality Control
52 Washington St.
Room 309 South
Rensselaer, NY 12144-2796

Atten: Mr. David Dorpfeld

Each district must maintain separate files for these cases that include complete documentation of compliance with all of the Title IV-E criteria. The files must be readily available for OCFS to conduct a quality control review. OCFS will advise districts of the results of the quality control review.

IV. Effective Date

This INF is effective April 1, 2006

s/s Susan A. Costello

Issued By:

Name: Susan A. Costello

Title: Deputy Commissioner for Administration

Division/Office: Administration