



State of Florida
Department of Children and Families

Charlie Crist
Governor

Robert A. Butterworth
Secretary

DATE: August 12, 2008

TO: Regional Directors

THROUGH: Don Winstead, Deputy Secretary *for*
George Sheldon, Assistant Secretary for Operations *for B. Sheldon*
Melissa Jaacks, Assistant Secretary for Administration
David Fairbanks, Assistant Secretary for Programs *for*

FROM: *for* Patricia Badland, Director of Office of Family Safety *DF*

SUBJECT: Supplemental Security Income & Eligibility Under IV-E Foster Care Waiver

PURPOSE: This memorandum provides clarification about children who receive or are potentially eligible to receive Supplemental Security Income (SSI) with respect to the IV-E Foster Care Waiver.

BACKGROUND: Florida implemented its federally approved IV-E Foster Care Waiver in October 2006. The primary purpose of the waiver is to give the state the flexibility to use Title IV-E foster care payments for a broad array of child welfare services including prevention, intervention, and reunification services to children who are not in out of home care. Use of IV-E foster care funds for such services would not have been permissible prior to the waiver but are permissible under the waiver.

Headquarters contacted the SSI Program Team from the Atlanta Regional Social Security Administration (SSA) Office and resolved the Social Security Administration's questions on Florida's waiver and SSI eligibility. However, some of the local Social Security Administration offices continue to raise questions on how we fund an SSI eligible child's foster care maintenance payment under the waiver. This memorandum provides a summary of the Department's position on the relationship of SSI and waiver funds as resolved with the SSA regional office.

ACTION REQUIRED: Please share this memorandum with circuit administrators, community-based care lead agency chief executive officers, and all appropriate staff, including revenue maximization specialists.

Question: Under the IV-E Foster Care Waiver, how does the Department/Agency fund a child's foster care maintenance payment when the child receives SSI or is potentially eligible for SSI?

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Mission: Protect the Vulnerable, Promote Strong and Economically Self-Sufficient Families, and Advance Personal and Family Recovery and Resiliency

Answer: First, for children who are dually eligible, the process remains the same as in pre-waiver. The children are coded as IV-E eligible/non-reimbursable. This means, they are not receiving IV-E funds. Their maintenance or cost of care is funded with the child's SSI payment and other costs are funded with state funds. Second, it is important to differentiate between IV-E eligibility and payments made from Title IV-E funds.

It has been the Department's long standing policy for foster care maintenance payments made on behalf of children receiving SSI to not be made from Title IV-E foster care funds, even though the child may be IV-E eligible. These payments have been coded "IV-E eligible/ non IV-E reimbursable." This has not changed under the waiver. It remains our intent to make foster care maintenance payments from state (general revenue) funds when such payments are made on behalf of children receiving SSI.

Because the state continues to put the same amount of funding, or greater, into child welfare services (including state general revenue and other federal funds), we can say with confidence that funds that were formerly allocated to pay foster care maintenance payments on behalf of children who were not IV-E eligible under the waiver continue to be allocated. Therefore, it is highly unlikely that any federal IV-E foster care funds are being used to pay foster care maintenance funds for children who were not IV-E eligible prior to the waiver.

In summary:

- Our policy, both prior to the waiver and after, is to pay foster care maintenance payments on behalf of SSI eligible children who are IV-E eligible from state (general revenue) funds rather than IV-E funds.
- For children who are not IV-E eligible, we pay foster care maintenance payments from either state (general revenue) funds or from Title XX funds.
- For children who are IV-E eligible and not SSI recipients, we pay foster care maintenance from a fund source that is a mix of federal title IV-E funds, other federal funds, and state funds.

In an effort to help, we developed a child specific notification (attached) for use by lead agencies when seeking SSI for children in foster care.

CONTACT INFORMATION: If you have any question regarding this, please contact Sallie Bond at, (850) 922-0149 or Sallie_Bond@dcf.state.fl.us.

Attachment