## Oops, I missed it! Title IV-E Extended Foster Care Eligibility



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Department of Children and Families

## Title IV-E EFC Program

- The EFC program is currently funded with general revenue/state funds.
- Florida has elected to move to a federally-funded Title IV-E program to provide foster care services for young adults age 18-21.
- General revenue/state funds can still be used, however,
   Title IV-E funding is preferred.

## Program Policy Changes

Statute	Rule	Policy
Chapter 39.6251 F.S., Continuing care for young adults	65C-41 Extended Foster Care DRAFT	CFOP 170-17: Chapter 2, Transition Planning for Youth
		CFOP 170-17: Chapter 3, Extended Foster Care DRAFT
		CFOP 170-17: Chapter 7, Extended Federally Funded Foster Care (Temporary while 65C-41 is promulgated) DRAFT

## Eligibility Policy Changes

#### **Policy**

**CFOP 170-15:** 

**Chapter 2, Medicaid** 

**CFOP 170-15:** 

**Chapter 6, Extended Foster Care** 

**CFOP 170-15:** 

**Chapter 7, Extension of Maintenance Adoption Subsidy** 

### **Definitions**

#### Regarding s. 39.6251, F.S.:

- Child: An individual who has not attained 21 years of age.
- Youth: Children 13-17 years of age under the Department's protective supervision.
- Young Adult: An individual who has attained 18 years of age, but who has not attained 21 years of age.

## Implementation Dates

• FSFN functionality went live on January 4, 2019...



#### **Title IV-E Extended Foster Care**

	Youth		With Disability				
7/	13 to 17	18	19	20	21	22	

#### **Transition Planning**

#### Youth Transitioning to Young Adult: 90 Days prior to 18<sup>th</sup> Birthday

#### Opt-Out of EFC

- PESS
- Aftercare
- No Program

#### Enter EFC

- Obtain EFC Agreement
- Assess Living Arrangement
- Establish Shared Living Plan
- Evaluate Program Eligibility

#### **Youth Turns 18**

- Young Adult's Information Separates from Family
- Begin Supervised Living Arrangement
- Existing IV-E Eligibility Status Applies

#### **Continued Participation in EFC**

#### Monthly Home Visits

- Review Transition Planning
- Discuss Shared Living Plan

- Observe the Home Environment
- Review Qualifying Activity

#### Annual Program Eligibility Redetermination









#### Biannual Case Planning, Judicial Reviews, and IV-E Eligibility















#### **Termination of EFC**

- Requires Approval of the Department
- Some Termination Reasons are Appealable

#### **Reentry to Foster Care**

- Anytime Before 21 Years of Age
- Requires Complete Voluntary Placement Agreement

**CBC Manages CIC Medicaid** 

# Youth Transitioning to Young Adult: 90 Days Prior to 18th Birthday

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## Preparing Youth Who are Turning 18

- During the 90-day period before a youth turns 18, the transition activities occur and the youth decides to stay in foster care or opt out.
- Revenue Maximization/Eligibility Specialists review Title IV-E eligibility for accuracy.
- Communication should occur with the Independent Living (IL) Specialist about eligibility status for transition planning.

## EFC Program Eligibility Requirements

- Program requirements:
  - Youth who are in the legal custody of the Department on the date of their 18th birthday, have not achieved permanency under s. 39.621, F.S., and have not reached the age of 21
  - Participating in a qualifying activity and complying with the program's requirements
  - Residing in an approved, supervised living arrangement
  - Meeting face-to-face with the Child Welfare Professional in the home every month
  - Participating in ongoing transition and case planning

## Program Funding

 A Title IV-E eligibility determination must exist for all young adults in the program.



- Youth who exercise the option to remain in foster care, immediately upon turning 18, retain their Title IV-E eligibility status made at the time the youth entered foster care as a child.
  - A subsequent Title IV-E eligibility determination is not completed.
- If a young adult is determined not to meet Title IV-E requirements, the young adult's participation in EFC will be state-funded.

### Youth Opts Out of EFC

- If the youth chooses not to enter EFC at 18, the Child Welfare Professional provides the youth with the My Decision to Leave Extended Foster Care form (CF-FSP 5375).
- This ends the removal episode at 18 and the foster care placement and eligibility will be "discharge".

## Supervised Living Arrangement

- Living arrangements must meet all of the requirements and be assessed and approved by the Child Welfare Professional using the Supervised Living Arrangement Assessment (CF-FSP 5431).
- Involuntary placements settings such as correctional, treatment facilities, etc. cannot be considered for approval as a Supervised Living Arrangement type.



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### Creating a New Young Adult Case

- A Young Adult Case is created for ALL youth that turn 18 while in the legal status of Department Custody.
- CBCs must establish communication protocol for the young adult to contact to make changes.
- CBC's must establish primary assignment for these cases.

### Medicaid

- All youth who turn 18 in the department's custody are eligible for Child-in-Care (CIC) Medicaid until they turn 21 or are no longer eligible for CIC Medicaid.
  - Example: Young adult moves outside of Florida
  - Young adult may have MCFE or MCFN CIC coverage.
- The CBC is responsible for maintaining the FSFN Medicaid page.
  - When young adults need to update their Medicaid information, they will inform the CBC so updates can be made in FSFN.
    - Payee Name
    - Payee Address
    - Residence County

### Affordable Care Act

- Once a young adult turns 21, they are eligible for the Affordable Care Act (ACA) if all criteria is met
  - Criteria
    - Under 26 years of age
    - Not eligible for Medicaid under another coverage group
    - Was in out of home care under the placement and care responsibility of the state on the date of attaining 18 years of age
    - Enrolled in Medicaid when discharged from foster care
- CIC Medicaid closure is sent via FSFN.
- Young adults must apply for coverage through Economic Self Sufficiency (ESS).

## Supplemental Security Income and Medicaid

 If young adults receive Supplemental Security Income (SSI), they are not eligible to receive CIC Medicaid.

- receiving SSI at any point between the ages of 18 and 21, the CBC should apply for CIC Medicaid for them.
- If young adults stop receiving SSI at any point between the ages of 21 and 26, they can apply for the ACA.

#### Moving from Family Case to Young Adult Case

#### Youth Opts-out of EFC

Family

#### Youth Opts-out of EFC:

- No Young Adult Program Eligibility
- Upload Opt-out Form
- Initiate PESS Eligibility, if applicable
- <u>Do Not</u> Discharge Out of Home Placement

Family

#### Youth Entering EFC:

- Initiate Young Adult Program Eligibility
- Upload EFC Forms
- Document Qualifying Activities

#### **Create Young Adult Case Moves the Following:**

- Medicaid Eligibility page
- Alerts
- Current Removal Episode
  - Placements
  - Associated Payments
  - Non-Placement Services and associated Payments
  - IV-E Foster Care Eligibility
  - TANF Eligibility
  - IV-E Adoption Eligibility
  - Adoption Subsidy Agreement
  - Foster Care Rate Setting
- File Cabinet Records related only to the Young Adult's Person ID
- A copy of the Medical Mental Health record for the Young Adult.
- Independent Living
- Meetings specific to the Young Adult's Person ID

\_Young Adult

#### Young Adult Opted-out of EFC:

Discharge Out of Home Placement at 18

#### Young Adult Enters PESS or Aftercare:

- Finalize PESS program eligibility or Aftercare documentation
- Create Living Arrangement page
- Create Service to generate payments

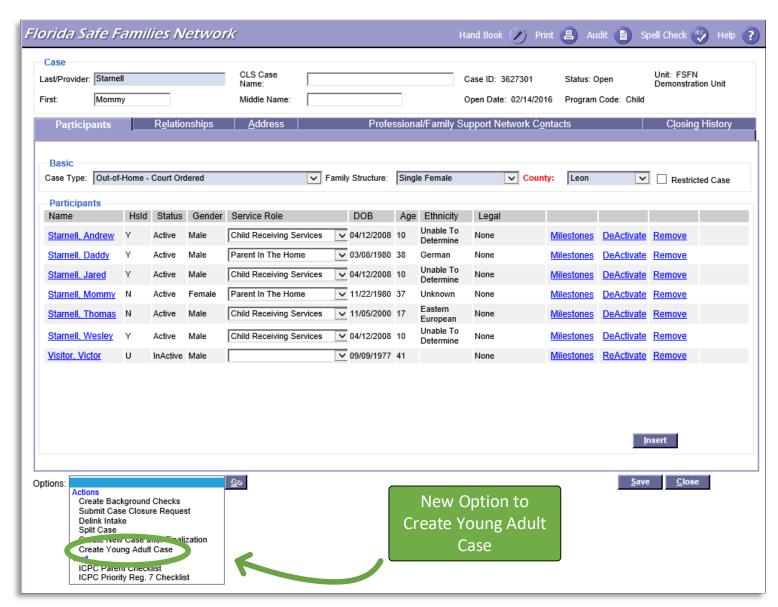
Young Adult

#### Young Adult Enters EFC:

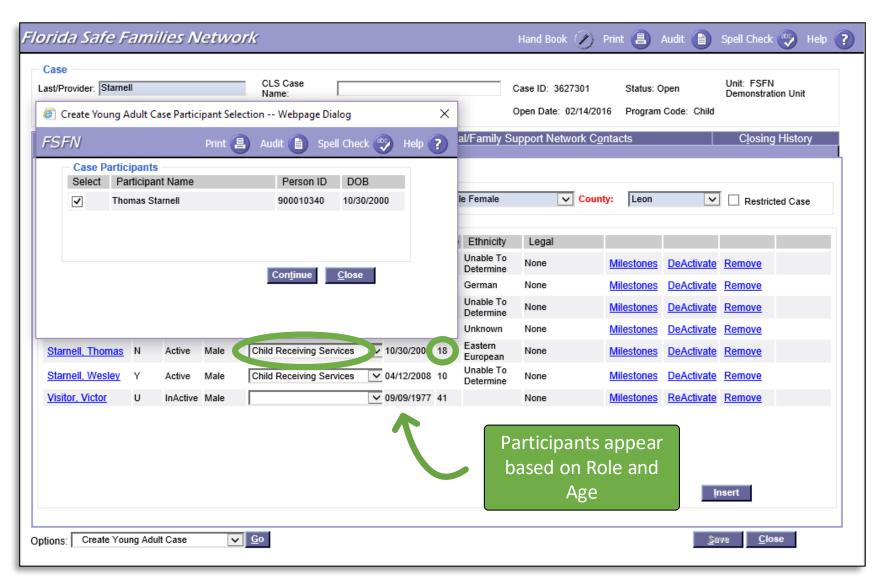
- Finalize Young Adult Program Eligibility
- End Date Out of Home Placement at 18
- Start new Out of Home Placement for Supervised Independent Living Arrangement
- If Provider is a Person Provider, add Young Adult to provider record as Household member.



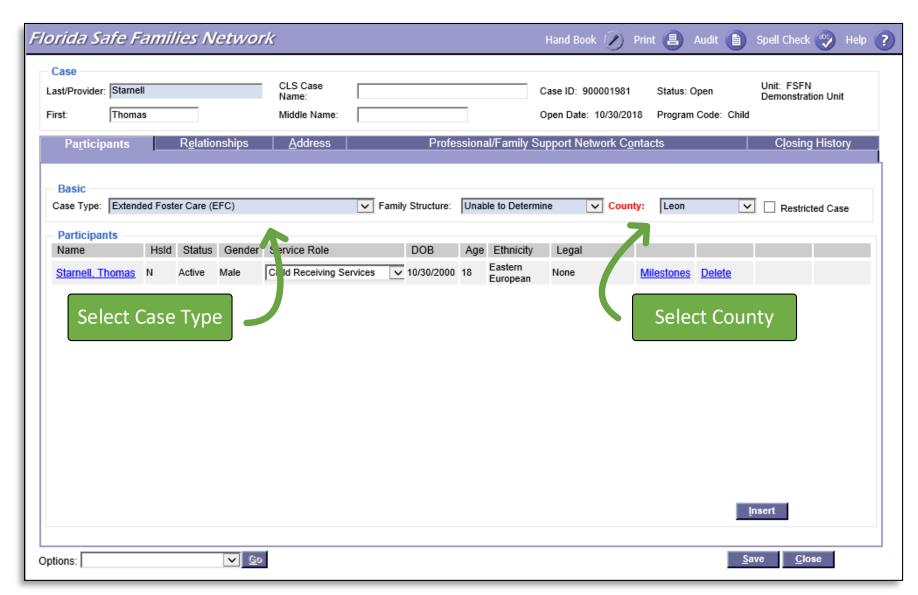
Youth Entering EFC



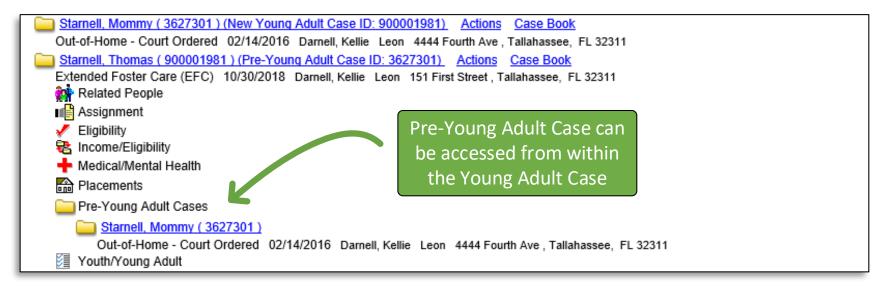
<u>Maintain Case Page – Create Young Adult Case</u>



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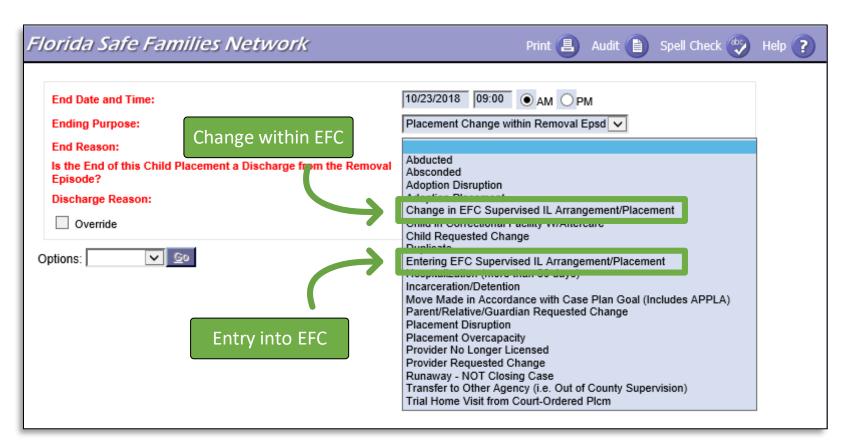
<u>Maintain Case Page – Young Adult Case</u>



<u>Outliner – Family Case and Young Adult Case</u>

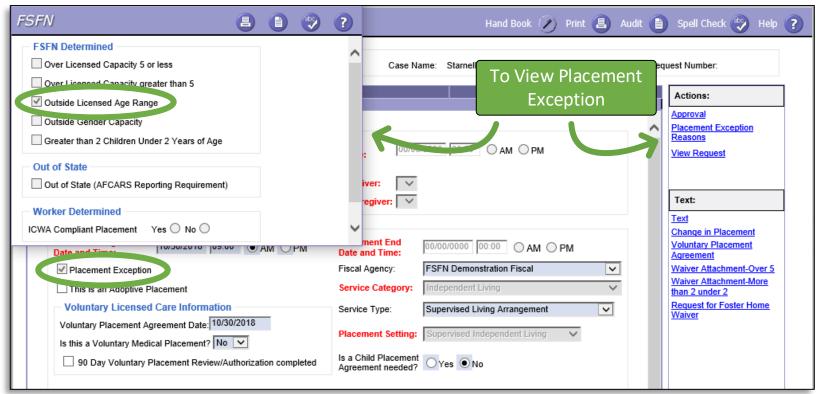
### **FSFN Placements for EFC**

- Out of Home placement will be used to document program enrollment in EFC and generate payments.
  - Guidance provided for Service Types and Reporting Categories by Memo on 12/11/18 (<a href="http://centerforchildwelfare.fmhi.usf.edu/DCFPolicyMemo.s.">http://centerforchildwelfare.fmhi.usf.edu/DCFPolicyMemo.s.</a> <a href="http://http://centerforchildwelfare.fmhi.usf.edu/DCFPolicyMemo.s.">httml</a>).
  - Reporting Category = Extended Foster Care
- Living Arrangement page will be used to document program enrollment in PESS and Aftercare.
- Services page will be used to generate payments for PESS and Aftercare.

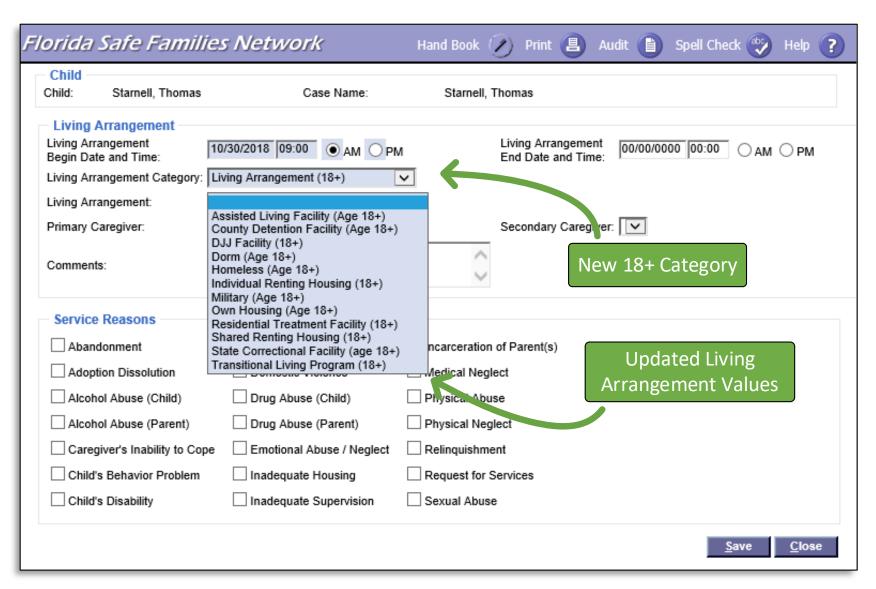


Placement End Reasons





Out of Home Placement – Nonconforming Placement



<u>Living Arrangement Page</u>



## **Continued Program Eligibility**

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#### Annual Program Eligibility Redetermination





#### Biannual Case Planning, Judicial Reviews, and IV-E Eligibility

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- Requires Approval of the Department
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- Anytime Before 21 Years of Age
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CBC Manages CIC Medicaid

## Ongoing IV-E Eligibility Requirements

- For young adults who were determined to be IV-E eligible as a child, the same ongoing Title IV-E eligibility requirements apply for court-ordered removals.
  - Reasonable Efforts to Finalize Permanency Plan
  - Placement and Care Responsibility
  - Reimbursable Placement
- FSFN questions change, once effective date entered, to reference young adult. FSFN compares effective date to DOB.

## Reasonable Efforts to Finalize Permanency Plan

- To maintain IV-E Reimbursable status, a judicial finding that Reasonable Efforts to Finalize the Permanency Plan (REFPP) were made every twelve months is required.
- Failure to obtain judicial findings will result in the foster care maintenance payment being non-reimbursable for federal financial participation.
- This ongoing eligibility must be maintained in FSFN.

## Placement and Care Responsibility

- If the young adult remains in foster care continuously through a court ordered removal, the new court order template indicates the Department with placement and care responsibility.
- There will never be an occurrence of the Department not having Placement and Care responsibility.
- Question does not exist on IV-E Redetermination tab.

## Supervised Living Arrangement

- The young adult must continue to reside in a supervised living arrangement that is approved by the CBC lead agency and acceptable to the young adult.
- All placements are considered a supervised living arrangement and are Title IV-E reimbursable.
- All placement changes must be documented in FSFN.
- IV-E eligibility is not re-determined when changing placements.

## Maximizing Title IV-E

- For young adults who were determined IV-E Ineligible as a to their removal as a child, the following actions should occur:
  - IL Specialist will consult young during Transition Planning and ongoing conversations with young adult regarding attendance at judicial review hearing
  - At the first judicial hearing post 18 years of age, CLS to request the court to discharge the removal episode
  - Young adult and department representative execute Voluntary
     Placement Agreement
  - Out of home placement discharged and new episode created (same date)
  - Eligibility staff complete Title IV-E eligibility based upon VPA entry

## Remaining in EFC until 22

- The EFC Program ends when young adults turn 21 unless they have a documented disability. If so, they must be actively participating in the program on their 21<sup>st</sup> birthday.
- Title IV-E eligibility ends at age 21.
- The out-of-home placement will be discharged at 21 as the young adult no longer meets our definition of child. For those eligible at 22, create a living arrangement and make payments via a service using a specific Reporting Category.
  - Extended Foster Care Age 22

## Children of Young Adults in Extended Foster Care



- If a young adult in EFC has a child, the foster care maintenance payments cover the young adult's child if that child is placed with the young adult in the same supervised independent living setting.
- If the young adult in foster care has costs covered by the Title IV-E foster care maintenance payment, his/her child is categorically eligible for the Title XIX Medicaid.

## Young Adults Receiving SSI

- A young adult may receive a SSI benefit and be determined
   Title IV-E Non-Reimbursable for EFC.
- SSI benefits are not counted as income and cost-sharing between the Social Security Administration and Title IV-E is not an option.
- Florida will claim the federal benefit through the Social Security Administration, so the cost of care is not reimbursable under Title IV-E.

<u>B</u> asic I <u>n</u> itial		Determination <u>R</u> edeterminations							
Eligibility Determination		Effective From	ffective From Entry Date Com		d? Date Completed		Status Change		
Pending		00/00/0000	00/00/0000		00/00/0000	)	<u>Edit</u>	^	
Eligible and Reimbursable		12/11/2018	12/12/2018	Yes	12/12/2018	}	View	~	
Question 1									
Is the Young	Adult under	the age of 2	1? If No, ineligible	<b>e</b> .					
Yes ○ I	No								
Question 3									
				ole efforts to finaliz				irst 12 months fro	m the you
Yes O	_			EFPP finding? If N Study/ Permane		Reimbursabi	e.		
Question 4	NO UNA								
-	onth of the r	edeterminat	ion period was th	ne Young Adult rec	eivina SSI2 If V	es Not Reim	hursable du	ring those month	s
		Cucioniniai		_					3.
○ Yes ⑨ I	No		SSI Begi	n Date: 00/00/000	U	SSI Termi	nation Date:	00/00/0000	
Question 7									
From	То	Placemer	it Name	Reimbursable		Licensed Effective	Licensed End	Service Type	
12/10/2018				✓				SIL - Placement	
			_						

Title IV-E Eligibility Redetermination



## **Termination of EFC**

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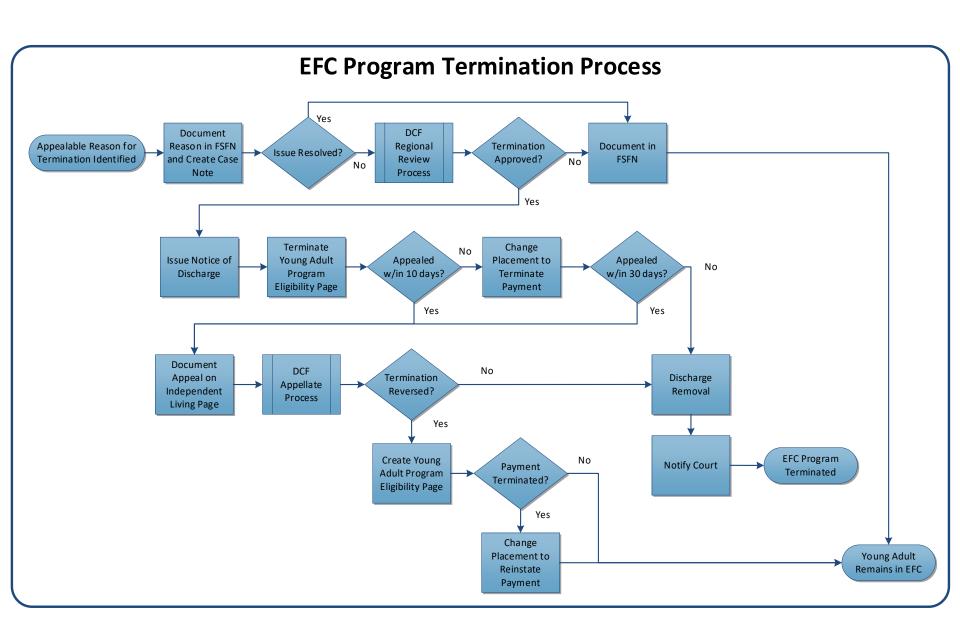
## **Program Termination Reasons**

- Termination with Appeal Process:
  - Achieved permanency
  - Aged out
  - Not participating in a qualifying activity
  - Not residing in an approved, supervised living arrangement
- Termination without Appeal Process:
  - Voluntary opt-out
  - Deceased



## **Termination**

- If it is determined that the young adult should be discharged from the program for an appealable termination reason, the young adult is sent a *Notice of Discharge from Extended Foster Care (CF-FSP 5376)*. The young adult has 30 calendar days from the date of receipt of this document to request a fair hearing.
- If they request a hearing within 10 business days, payment will continue pending the result of the hearing.
- If they do not request a hearing within 10 days, the payment will end, but the removal episode is not discharged pending the result of the hearing.

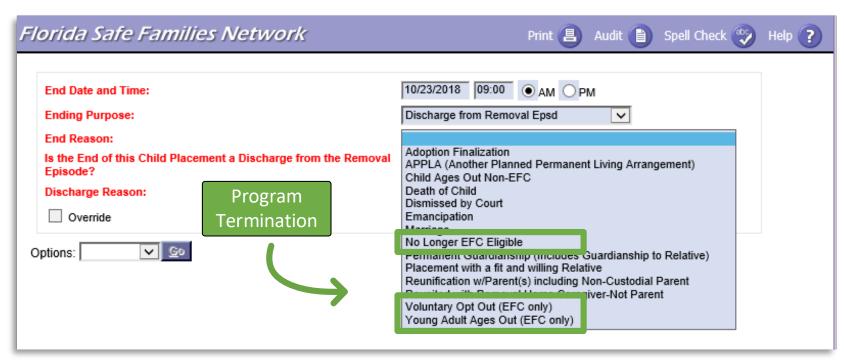


## Choosing to Leave EFC

- If young adults decide to leave EFC, the Child Welfare
   Professional should complete the My Decision to Leave
   Extended Foster Care form (CF-FSP 5375) with the young
   adult.
- The removal episode is discharged as of the date the young adult signs the form.

## Placement Discharge in FSFN

- Young Adult Ages Out
- Young Adult Opts Out
- No Longer EFC Eligible
- Marriage (when resulting in Permanency)
- Death of Child



Placement Discharge Reasons



## Re-Entry into Foster Care

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## Re-Entry Process

- Young adults may re-enter foster care any time before their 21<sup>st</sup> birthday.
- The young adult must complete the Extended Foster Care Voluntary Placement Agreement (VPA) form (CS-FSP 5377).
- The VPA initiates the young adult's new foster care episode based on the last signature date on the agreement.

## Approval of EFC

- Before the CBC representative signs the VPA approving re-entry into EFC, the Child Welfare Professional must ensure the young adult meets all eligibility requirements by:
  - Verifying the qualifying activity
  - Assessing and approving the supervised living arrangement (includes completion of the Shared Living Plan)

APPROVED

## Title IV-E Eligibility for Re-Entry

- Once the young adult has entered EFC from a VPA, the young adult is considered in a removal episode.
- Title IV-E eligibility determination must be approved in FSFN within 30 calendar days from entry into EFC.
- Prior Title IV-E eligibility in previous foster care episodes does not apply.

# How to Determine Title IV-E Eligibility

- Title IV-E eligibility is based only on the young adult's circumstances at the time of re-entry:
  - EFC Program Eligible

### **AND**

- Age (must be under 21)
- Placement and Care Responsibility
- Best Interest judicial finding (within 180 days)
- AFDC: Technical and Financial
- Reimbursable placement

# How to Determine Title IV-E Eligibility, cont.

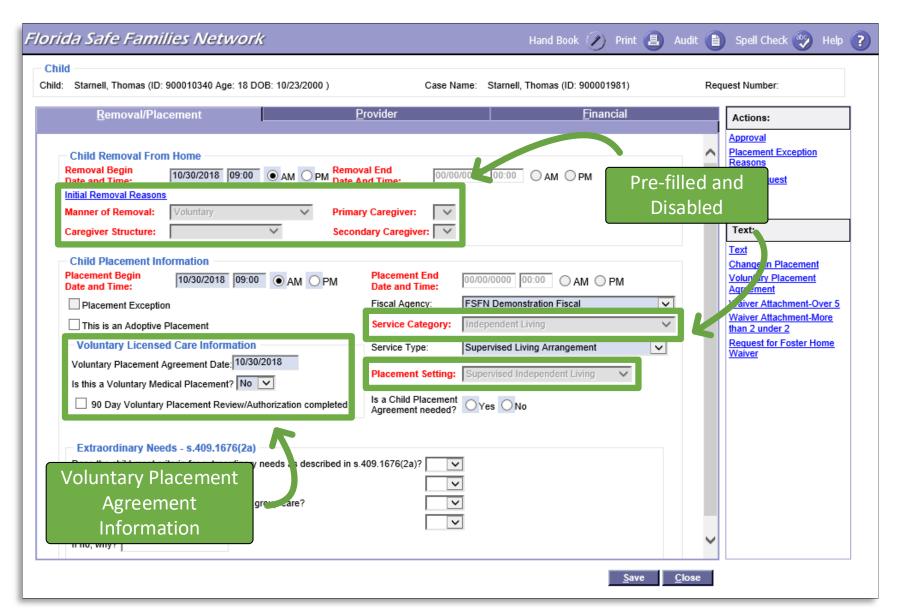
- Placement in care responsibility
  - Obtained in VPA Not captured as a separate criteria
  - There will never be an occurrence of the Department not having Placement and Care
- Best interest judicial finding (within 180 days)
  - Eligible, Reimbursable for day 1 to day 180
  - If not made, as of day 181 young adult is IV-E INELIGIBLE for remainder of removal episode

# How to Determine Title IV-E Eligibility, cont.

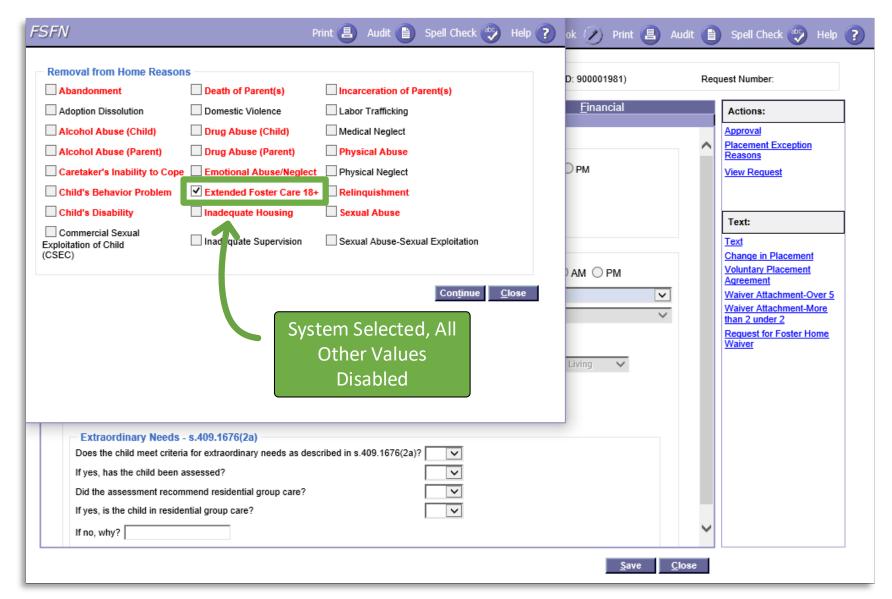
- AFDC Technical
  - Young Adult is their own Specific Relative for Removal Home
  - Deprivation: same reasons apply
- AFDC Financial
  - If SSI recipient, excluded and SFU = 0
  - SFU = 1 (young adult only)

## **FSFN** Documentation

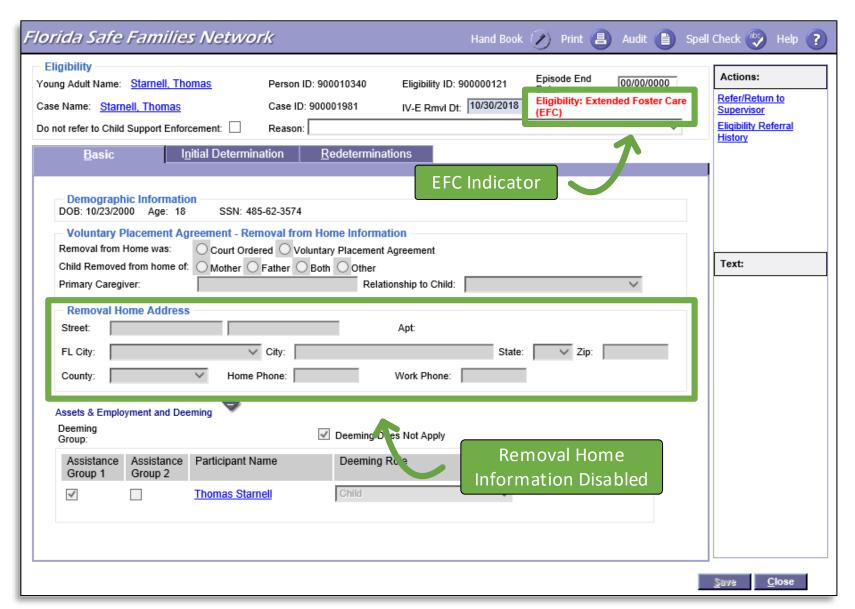
- The following data must be entered before working on the Title IV-E EFC eligibility determination:
  - Person Management must document citizenship status and date of birth.
  - Assets and Employment module must document all income and assets/resources for the month of entry.
  - Upload, as a legal document, the court order containing the best interest finding (if made).



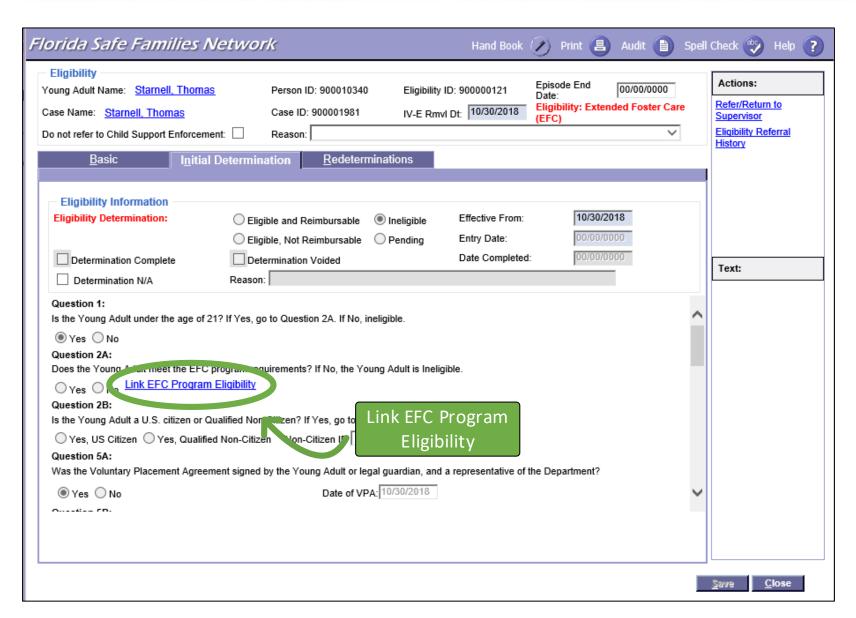
Out of Home Placement - Over 18



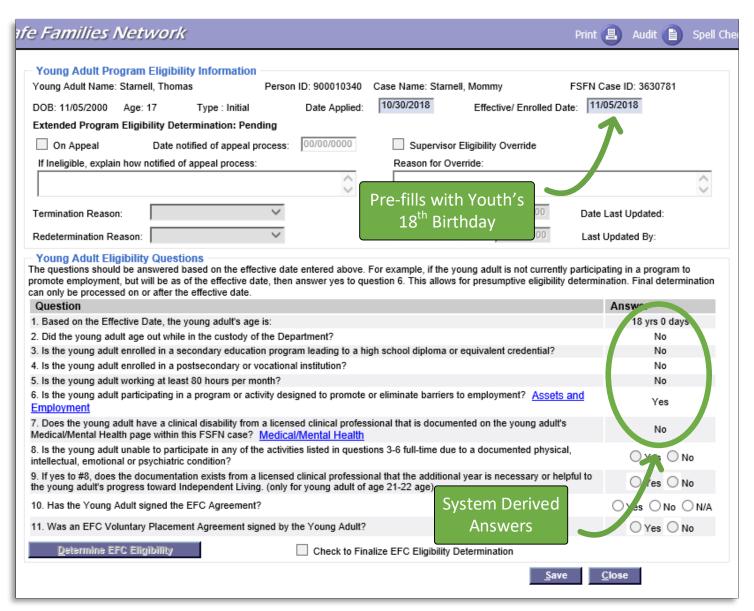
Removal from Home Reasons



IV-E Eligibility – Basic Tab



IV-E Eligibility – Initial Determination



Young Adult Program Eligibility Page



Outliner – IV-E Eligibility



# Implementation Considerations for Current EFC Population

## Young Adults in EFC Prior to January 4, 2019

- Will need to assess whether or not the young adult is eligible for Title IV-E funds.
- To be IV-E eligible, the young adult must meet these requirements:
  - Was determined to be IV-E eligible prior to their 18th birthday.
  - Immediately entered into EFC when he/she turned 18.
  - Since the 18<sup>th</sup> birthday, the young adult has never exited and re-entered EFC (no break in service).

## Assessed IV-E Eligible

- End Living Arrangement and Create an Out-of-Home Placement.
  - Effective Date = 1/4/19
  - For this transition population, effective dates should not be later than 1/4/19.
- Leave IV-E EFC Eligibility PENDING that generated upon approval of OOH placement until discharge of removal episode.
  - Manually track REFPP. If lapse, adjust placement to use NON IV-E Reporting Category/Service Type until the month REFPP is obtained.
- Use Service Type that is specific for the Reporting Category.
  - EFC IV-E Eligible (Transition) (EF-T)

## Assessed NON IV-E Eligible

- End Living Arrangement and Create an Out-of-Home Placement.
  - Effective Date = 1/4/19
  - For this transition population, effective dates should not be later than 1/4/19.
- Leave IV-E EFC Eligibility PENDING that generated upon approval of OOH placement until discharge of removal episode.
- Use Service Type that is specific for the Reporting Category.
  - EFC Non IV-E Eligible (Transition)(EF-NT)

### Resources

EFC/EMAS Project Site:

http://www.centerforchildwelfare.org/il\_efc.shtml

FSFN How Do I Guides and User Guides:

http://centerforchildwelfare.fmhi.usf.edu/FSFNAII.shtml# Howdol

Questions:

Jennifer.Perez1@myflfamilies.com