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DEPARTMENT OF HUMAN SERVICES  
JESSIE K. RASMUSSEN, DIRECTOR

February 27, 2001

## GENERAL LETTER NO. 13-B-10

ISSUED BY: Bureau of Permanency Services  
Division of Adult, Children and Family Services

SUBJECT: Employees' Manual, Title 13, Chapter B, ***DETERMINING ELIGIBILITY, FOR TITLE IV-E***, Title page, new; Contents (pages 1 through 8), new; and pages 1 through 182, new.

### Summary

This new manual chapter provides clarification and an update for policies and procedure used by both service workers and income maintenance workers in determining eligibility of foster care, pre-adoptive placements, and subsidized adoptive placements for Title IV-E funding. The material in this chapter:

- ◆ Replaces sections in chapters 8-H and 13-J(1) regarding IV-E eligibility;
- ◆ Incorporates the final federal rule changes for the Adoption and Safe Families Act issued by the Department of Health and Human Services effective March 27, 2000; and
- ◆ Clarifies the program eligibility requirements to be followed in Iowa to permit federal participation in Title IV-E funding in keeping with the AFDC program requirements of July 16, 1996.

Service workers and income maintenance workers play an important role together in accurately determining IV-E eligibility for Iowa's children. This manual chapter has been developed to address policy and procedure issues for both service and income maintenance staff, in recognition of the important and interdependent role each plays in accurately determining eligibility.

Accurately determining IV-E eligibility is important to Iowa because it:

- ◆ Establishes federal funding for a child's Medicaid;
- ◆ Permits a federal match of foster care maintenance costs; and
- ◆ Is used by the federal government to determine training and administrative funding for child welfare staff.

Presented below is a summary of the policy and procedure changes and clarification regarding eligibility, as well as implementation instructions for this new manual chapter. These lists are summary statements of the changes to eligibility factors only. Complete information on all eligibility factors for IV-E is explained in the attached manual chapter.

**Changes and Clarifications in IV-E Eligibility Policy for Service:**

- ◆ Children who are removed from their parent’s home (or the home of a specified relative) pursuant to a court order dated after March 27, 2000 , must have language in the very first court order that indicates that:
  - Remaining in the home would be “contrary to the welfare of the child,” or
  - Placement is in the “best interest of the child.”
- ◆ Children who are removed from their parent’s home (or the home of a specified relative) pursuant to a court order dated after March 27, 2000, must have language in a court order within 60 days which establishes that reasonable efforts were made to prevent removal from the home.
- ◆ Court orders dated after March 27, 2000, that do not contain required judicial determinations may not be amended by *nunc pro tunc* orders.
- ◆ Children in foster care must now have a judicial determination made at least once in every 12-month period concerning “reasonable efforts to achieve the permanency goal.”
- ◆ Children in a provisionally licensed foster care facility can no longer draw IV-E funding for maintenance. (They may be eligible for IV-E administrative and training only, if otherwise eligible.)

**Changes and Clarifications in IV-E Eligibility Policy for IM:**

- ◆ AFDC policies in effect July 16, 1996, will be used to determine financial eligibility for IV-E, with the following exceptions:
  - The resource limit is \$10,000 (not \$1,000) for reviews after December 1999. Use \$1,000 limit for IV-E reviews for December 1999 and all earlier months.
  - Apply two income tests, not three. Apply the 185% eligibility test and the standard of need test (not the payment standard test).
- ◆ For initial IV-E eligibility, eligibility will be based on the household’s situation in the month the court order was initiated removing the child from the home.
- ◆ Siblings placed in the same setting will be considered separately for IV-E eligibility determinations.
- ◆ Deprivation will be based on absence, death, or incapacity of one or both parents.
- ◆ Deprivation must continue to exist in the removal household for IV-E eligibility to continue. Once deprivation is determined to exist, assume that it continues at each review unless there is information to the contrary.

- ◆ The IM worker can use the IWD Wage A report as confirmation and verification of earned income and the DOT VRHQ screen as documentation of the household's vehicles for AFDC eligibility purposes.
- ◆ The IM worker will record IV-E eligibility in the IM file on form 470-3837, *Foster Care IV-E IM Worksheet*.

### **Implementation Instructions**

The implementation instructions address:

- ◆ Implementing the new policy and procedure for determining eligibility for all new children in foster care that have not yet had a IV-E eligibility determination;
- ◆ Requirements for ongoing foster care medical reviews; and
- ◆ Preparing for and conducting a DHS IV-E audit in preparation for a federal review scheduled for September 2001.

Specific responsibilities and actions have been identified for both service and income maintenance workers to follow during the audit process:

- ◆ When eligibility criteria are found to be met or not met; and
- ◆ In cases involving a review of court orders where criteria could be met with further worker action;
- ◆ When further clarification of policy or procedures is required.

Because the FACS system is not yet programmed to support the new policy requirements, it has been necessary to develop manual systems for communication between IM and Service. IM and Service staff must manually prepare form 470-3839, *Foster Care/Adoption Exchange Addendum*, at various points in the eligibility process. This form supplements form 470-2708, the exchange of information that is generated from FACS and sent to the IM staff.

The *Addendum* will be used only until programming changes can be made to FACS. When using e-mail to transmit the *Addendum*, remember to type "Confidential" in the subject line of the note and to follow e-mail confidentiality procedures in the Department of Human Services *Employee Handbook*.

### **New Placements**

Upon receipt of this manual material, all children in new foster care placements that have not yet had a IV-E determination completed based on the new policies and procedures, are subject to the new IV-E criteria outlined in this chapter.

Form 470-3334, *JCS Referral for Payment*, has been revised to properly gather information from Juvenile Court staff about cases that they are managing. In these "payment only" cases, the DHS service worker will use information obtained from this form to complete the *Foster Care/Adoption Exchange Addendum*.

## Ongoing Foster Care Medical Reviews

As foster care medical reviews come due in the next few months, it is recommended that IM staff look to see if the child is currently receiving IV-E and is on the list for the audit. If so, you will know that the service staff will soon be completing a *Title IV-E Foster Care Eligibility Review Checklist*. There will need to be communication between service and IM staff to coordinate these reviews during the pre-audit reading phase.

Following the completion of the pre-audit case reading activities described below, foster care medical reviews will be conducted on all cases in the manner described in the attached manual. IM staff will initiate sending form 470-2914, *Foster Care and Subsidized Adoption Medicaid Review*, to the service reviewer, along with a *Foster Care/Adoption Exchange Addendum*.

### IV-E Pre-Audit Overview

In September 2001, a federal review of Iowa's IV-E foster care program will be conducted. Iowa IV-E foster care cases and "presubsidy" cases where the adoption is not yet finalized will be included in the review. Any such case which was in care for any time in the review period (between October 1, 2000, and March 31, 2001) may be selected for review.

In preparation for the audit, the Department and Juvenile Court Services are conducting a pre-audit review of all cases potentially subject to the federal audit. A case list has been created which lists all IV-E cases active within the audit period. This list (with monthly updates for new cases) can be found at: [hoovr3s2/acfs.772/asfafr/4E/casereview sample.xls](http://hoovr3s2/acfs.772/asfafr/4E/casereview sample.xls).

It is expected that you will review and correct 100% of the cases on the list according to the new IM and service policy. Each region is responsible for:

- ◆ Monitoring and tracking completion of the case reviews.
- ◆ Reporting weekly to ACFS until April 17, 2001, on:
  - Progress towards completion of the reviews.
  - Counts of the ineligible and total cases reviewed.

**The pre-audit reviews must be completed no later than April 20, 2000.**

New form 470-3838, *Title IV-E Foster Care Eligibility Review Checklist*, must be completed for each child on the case list. The form reviews each case from the most recent removal for the current period of continuous out-of-home placement and through the review date. The form and directions for its use may be found at [hoovr3s2/acfs.772/asfafr/4E/IVE Review Checklist.xls](http://hoovr3s2/acfs.772/asfafr/4E/IVE Review Checklist.xls). File a completed *Checklist* in the service case record for each child reviewed.

For any cases or periods of ineligibility, the service reviewer must complete form 470-3840, *Ineligibility Chart*, and immediately transmit it and a copy of the completed *Title IV-E Foster Care Eligibility Review Checklist* to the Division of Adult, Children, and Families. The *Ineligibility Chart* reports periods of time that the child was ineligible for IV-E maintenance or was otherwise eligible but was in an ineligible setting (eligible for IV-E training and administration).

When completing the form, service staff use information from the *Title IV-E Foster Care Eligibility Review Checklist* and review the attached *Foster Care IV-E IM Worksheets* completed by the IM staff to find any periods of ineligibility for IV-E training and administration. This information can be found on the final section of the worksheet. If there are any questions about effective dates, seek further clarification from the IM audit reviewer.

Any *Ineligibility Chart* information not provided by April 17 but provided by April 20 will be accepted, with the additional requirement that the regional service specialist also have the information and be available and prepared to address any questions about the information. This extra step is necessary to ensure prompt response for any last-minute questions that need to be resolved for inclusion of corrections.

Any information not provided to Jeff Regula by April 20 will not be corrected for the federal AFCARS submission used for the audit.

If a child's placement responsibility is with Juvenile Court Services, it will be the responsibility of the Juvenile Court Services to complete the pre-audit case reading. JCS staff are expected to complete the *Title IV-E Foster Care Eligibility Review Checklist* and conduct the same process described below, except that they should use letters (rather than e-mails) to correspond with IM staff about changes that need to be made in the child's eligibility.

## **Review Procedures**

The following procedures have been developed for the review of potential audit cases. The review process will begin with the service reviewer looking at service portions of form 470-3838, *Title IV-E Foster Care Eligibility Review Checklist*, according to the instructions. The reviewer will complete the demographic information at the beginning of the *Title IV-E Foster Care Eligibility Review* form and sections A - E and G - I.

### **When IV-E Service Criteria Are Not Met**

#### **Service Responsibilities**

If the case **does not** meet Service IV-E criteria and cannot be corrected with a *nunc pro tunc* order, send an e-mail to the IM worker with a copy to the IM supervisor telling the IM worker to remove the child from IV-E eligibility. The memo should also identify the reason the child did not meet service IV-E criteria.

If the case fails only to meet licensing requirements of the placement setting (Section H), check the applicable box under "Results of Service Review" at the end of form 470-3838. Forward the completed form to the IM worker to determine eligibility for IV-E administration and training.

## **IM Responsibilities**

The IM worker will print the e-mail and file it in the IM case record to serve as documentation as to why a child not eligible based on the service review was removed from IV-E.

The IM worker must do an automatic redetermination for other coverage groups. If the case fails only to meet licensing requirements of the placement setting (Section H), follow the applicable instructions under **IV-E Service Criteria Are Met**, to determine eligibility for IV-E administration and training.

The ABC coding to remove a child from IV-E is as follows:

- ◆ TD01: Change the AID or MED AID from 30-8 to the applicable aid type for the redetermined Medicaid coverage group, using the first of the next system month as the date in the AID CHG DT or MED CHG DT field.
- ◆ TD04: Change ELIGIBILITY FOR IV-E ADMINISTRATION FUNDING coding in the ongoing field to “N” if there is no eligibility for IV-E administration and training.
- ◆ TD03: Use “H” entry reason and change the FUND code from “2” to the fund code appropriate for the redetermined Medicaid coverage group.

IM will respond to the service reviewer by e-mail upon completion of removing the child from IV-E, notifying the service reviewer:

- ◆ That the child has been removed from IV-E eligibility or coded for administration only,
- ◆ What the new Medicaid coverage group is, and
- ◆ The effective date of the new coverage.

The service reviewer needs this information to track completion of the audit review.

## **Service Responsibilities**

Service reviewers will then complete form 470-3840, *Ineligibility Chart*, for each child. Place the original *Ineligibility Chart* and *Title IV-E Foster Care Eligibility Review Checklist* in the service file. Keep one copy of each for reference and possible tracking within your region. Forward a copy of the *Ineligibility Chart* and the *Checklist* to:

Iowa Department of Human Services  
Attn: Jeff Regula  
Division of Adult Children and Family Services, 5th Floor  
1305 E. Walnut  
Des Moines IA 50319-0114

This information will be reviewed at the central office level and will be used to make any retroactive adjustments to claims for maintenance and administrative expenditures.

## **IV-E Service Criteria Are Not Met but Could Be Met With a Nunc Pro Tunc Order**

When service reviewers are completing form 470-3838, *Title IV-E Foster Care Eligibility Review Checklist*, they will see that some eligibility criteria that are not currently met, but can be corrected with a *nunc pro tunc* court order.

### **Service Responsibilities**

If a *nunc pro tunc* order could correct IV-E service eligibility criteria, check the applicable box under “Results of Service Review” at the end of form 470-3838. Complete sections A-E and G-I, and send the form to the IM worker to make an AFDC eligibility determination.

It is recommended that staff not seek *nunc pro tunc* orders until it is established that the child also meets the IM IV-E eligibility criteria. By doing this, we will not take the time of the court on a case that is ultimately not going to be eligible for IV-E. Each region must address this issue and coordinate with the courts and income maintenance staff as they prepare for the audit.

### **IM Responsibilities**

The IM worker will then follow the appropriate instructions under **IV-E Service Criteria Are Met, IM Responsibilities**. Exception: As there are additional programming changes needed with the FACS-ABC interface, IM workers may be asked to complete AFDC determinations on cases for the pre-audit review that are not currently coded as IV-E-eligible.

For example, a case may be coded as CMAP on ABC, but the FACS system is reading the case as IV-E so the case is chosen as part of the review sample. If you determine that IM IV-E criteria are met, do not change the case coding to IV-E until you are notified that a *nunc pro tunc* order has been obtained.

### **Service Responsibilities**

- ◆ If the *Title IV-E Foster Care Eligibility Review Checklist* is returned indicating IM IV-E criteria are met, then the service reviewer must seek a *nunc pro tunc* order.

If it is obtained, place it in the service record, and complete the *Title IV-E Foster Care Eligibility Review Checklist* to indicate compliance with the judicial requirement corrected by the *nunc pro tunc* order. Inform the IM worker via E-mail that the *nunc pro tunc* order has been obtained so IM can make system coding entries to put the case on IV-E if it is not already coded as such.

If the *nunc pro tunc* order is not obtained, notify the IM worker by e-mail that the child is not eligible for IV-E, stating that IV-E service criteria are not met as a *nunc pro tunc* order could not be obtained. Instruct the IM to remove the child from IV-E. Proceed to notify ACFS as though IM had determined the child ineligible (see below).

- ◆ If the *Title IV-E Foster Care Eligibility Review Checklist* is returned indicating IM IV-E criteria **are not** met, then the service reviewer must complete form 470-3840, *Ineligibility Chart*, for each child. Place the original *Ineligibility Chart* and *Title IV-E Foster Care Eligibility Review Checklist* in the service file. Keep one copy of each for reference and possible tracking within your region. Forward a copy of the *Ineligibility Chart* and the *Checklist* to:

Iowa Department of Human Services  
Attn: Jeff Regula  
Division of Adult Children and Family Services, 5th Floor  
1305 E. Walnut  
Des Moines IA 50319-0114

This information will be reviewed at the central office level and will be used to make any retroactive adjustments to claims for maintenance and administrative expenditures.

### **IM Responsibilities**

If a *nunc pro tunc* order is not obtained, the IM worker will print the e-mail and file in the IM case record to serve as documentation as to why a child was removed from IV-E. The IM worker must do an automatic redetermination for other coverage groups. The ABC coding to remove a child from IV-E is as follows:

- ◆ TD01: Change the AID or MED AID from 30-8 to the applicable aid type for the redetermined Medicaid coverage group, using the first of the next system month as the date in the AID CHG DT or MED CHG DT field.
- ◆ TD04: Change ELIGIBILITY FOR IV-E ADMINISTRATION FUNDING coding in the ongoing field to “N” if there is no eligibility for IV-E administration and training.
- ◆ TD03: Use “H” entry reason and change the FUND code from “2” to the fund code appropriate for the redetermined Medicaid coverage group.

IM will respond to the service reviewer by e-mail upon completion of removing the child from IV-E, notifying the service reviewer:

- ◆ That the child has been removed from IV-E eligibility,
- ◆ What the new Medicaid coverage group is, and
- ◆ The effective date of the new coverage.

The service reviewer needs this information to track the completion of the audit review.

### **IV-E Service Criteria Are Met**

#### **Service Responsibilities**

If the service reviewer determines that the case **does** meet service IV-E criteria, send a copy form 470-3838, *Title IV-E Foster Care Eligibility Review Checklist*, with sections A-E and G-I completed to the IM worker to make an AFDC eligibility determination.



## IM Responsibilities

IM will review the case record to determine if the child remains eligible for IV-E based on deprivation and financial eligibility as outlined in the manual. Complete one form 470-3837, *Foster Care IV-E IM Worksheet*, for the initial placement and for each subsequent six-month review period through the pre-audit review date to document the conclusion of the AFDC eligibility determination.

If the income or vehicle information is not available to make the AFDC determination, review information screens (such as WAGE A, VEHICLE, JIB), along with information obtained from the service reviewer to make a IV-E determination whenever possible. If needed information cannot be obtained through review of these screens, send a request for the needed information to the family, with a copy to the service reviewer.

The IM worker completes Section F of form 470-3838, *Title IV-E Foster Care Eligibility Review Checklist*, keeps a copy for the Medicaid file, and sends a copy to the service reviewer. Keep the *Foster Care IV-E IM Worksheets* used to make the IM IV-E determination in the IM case record. Send copies to the service reviewer.

- ◆ If the child **remains eligible** for IV-E funding, also review the ABC system coding and make any necessary corrections to ensure that the case is correctly set up to draw IV-E maintenance and IV-E administration and training. The following IABC coding reflects IV-E eligibility:
  - TD01: Case AID or MED AID of 30-8.
  - TD04: ELIGIBILITY FOR IV-E ADMINISTRATION FUNDING coding in the ONGOING field needs to be “Y”.
  - TD03: FUND code of “2”.
- ◆ If the IM IV-E criteria are **not** met, complete an automatic redetermination to another coverage group and remove the child from IV-E eligibility by making the following ABC entries:
  - TD01: Change case AID or MED AID from 30-8 to the applicable aid type for the redetermined Medicaid coverage group. Use the first of the next system month as the date in the AID CHG DT field.
  - TD04: Change ELIGIBILITY FOR IV-E ADMINISTRATION FUNDING coding in the ONGOING field to “N” if there is no eligibility for IV-E administration and training.
  - TD03: Use “H” entry reason and change the FUND code from “2” to the applicable fund code for the redetermined Medicaid coverage group.

## Service Responsibilities

If the IM IV-E criteria **are** met, the service reviewer files the *Title IV-E Foster Care Eligibility Review Checklist* and *Foster Care IV-E IM Worksheets* in the service record, under the heading of “Eligibility”.

If the IM IV-E criteria are **not** met for any period of time , upon receipt of the *Title IV-E Foster Care Eligibility Review Checklist*, the service reviewer will need to complete the *Ineligibility Chart*. Place a copy of this and the *Checklist* in the service record. Keep one copy of each for reference and possible tracking within your region. Forward a copy of the *Ineligibility Chart* and the *Review Checklist* to:

Iowa Department of Human Services  
Attn: Jeff Regula  
Division of Adult Children and Family Services, 5th Floor  
1305 E. Walnut  
Des Moines IA 50319-0114

This information will be reviewed at the central office level and will be used to make any retroactive adjustments to claims for maintenance expenditures.

**Effective Date**

Upon receipt.

**Material Superseded**

None

**Additional Information**

Refer questions about this general letter to your regional benefit payment or service administrator.



# STATE OF IOWA

THOMAS J. VILSACK, GOVERNOR  
SALLY J. PEDERSON, LT. GOVERNOR

DEPARTMENT OF HUMAN SERVICES  
JESSIE K. RASMUSSEN, DIRECTOR

May 28, 2002

## GENERAL LETTER NO. 13-B-11

ISSUED BY: Services Policy and Practice Team  
Division of Behavioral, Developmental, and Protective Services

SUBJECT: Employees' Manual, Title 13, Chapter B, ***DETERMINING ELIGIBILITY, FOR TITLE IV-E***, Contents (pages 1 through 4), revised; pages 3, 4, 5, 6, 7 through 16, 17 through 28, 29 through 33, 36, 38, 40, 89, 90, 151, and 171 revised; and pages 4a through 4e, 6a through 6h, 16a through 16d, and 28a through 28g, new.

### Summary

Employees' Manual 13-B is being revised to:

- ◆ **Introduce new procedures for completing IV-E eligibility determinations for children in foster care.** The following workers act together as a team in the Department's efforts to determine eligibility and claiming for IV-E funding accurately:
  - IV-E service workers
  - IV-E IM workers
  - Social work case manager (SWCM)

In summary, the new process works as follows. When a SWCM removes a child from the home, the SWCM:

- Provides the IV-E service worker with a copy of the court order or voluntary placement agreement.
- Completes form 470-3839, *IV-E Initial Placement Information*, to provide the information necessary to open the foster care service and later make a IV-E determination.
- Provides the family with a Medicaid application (if the family is not currently receiving Medicaid).
- Assists in the gathering of financial and resource information on the removal household, and provides this to the IV-E IM worker.

The IV-E service worker:

- Reviews the information provided by the SWCM.
- Makes a determination regarding whether the child meets IV-E service eligibility.
- Makes entries regarding the placement into FACS.
- Forwards the IV-E service determination to the IV-E IM worker.

The IV-E IM worker:

- Reviews the application, household situation, income, and resources.
- Makes a determination regarding eligibility for IV-E funding.

After the initial determination, the team communicates with each other any changes affecting eligibility, in order to maintain accuracy for ongoing IV-E eligibility.

- ◆ **Clarify when IV-E eligibility begins for a child placed in foster care.** Eligibility and claiming for IV-E foster care does not begin until all IV-E eligibility requirements have been met. This includes, but is not limited to:
  - A determination that reasonable efforts have been made to prevent removal, when the removal is court-ordered.
  - Placement in a IV-E eligible facility or foster home.

Several references and examples have been added to the manual to illustrate this.

- ◆ **Clarify polices regarding language needed in court orders that affects IV-E eligibility.** When considering the content of court orders to determine if they meet the requirements for IV-E eligibility, there is no requirement for exact language. The language in the court order must convey the intent of the required determination. Follow this guideline for all IV-E-related judicial determinations, including:
  - “Contrary to the welfare” and “best interest” determinations.
  - “Reasonable efforts to prevent removal” determinations.
  - “Continued placement in the best interest of the child” determinations.
  - “Reasonable efforts to achieve permanency” determinations.

- ◆ **Clarify how to identify the household the child is removed from.** For all children who have been removed from their home after March 27, 2000, the following guidelines should be applied to determine from which household the child was removed.

The removal home is the one that the court has identified as the subject of the “contrary to the welfare” determination. For children placed under voluntary agreement, the removal home is the home of the person who has signed the child into voluntary foster care.

The Medicaid application should be sent to the removal home and information gathered about that home for the month in which the removal occurred. To be found eligible, the child must have lived with that person within six months of the date of removal. The person must also meet the requirements for being a specified relative.

Follow old policies for children removed from the home before March 27, 2000.

- ◆ **Clarify how to identify the month of removal.** The “month of removal” is the month the child is physically removed from the home (parent, legal guardian, relative or suitable person) and custody is transferred to DHS, JCS, or a non-IV-E agency (e.g. police department, physician, State Training School, child placing agency). This begins a new episode of care.

For voluntary placement agreements, the effective date of the voluntary placement agreement is used to establish the month of removal.

- ◆ **Clarify policies regarding the timing of judicial determinations that reasonable efforts have been made to prevent removal.** When the “reasonable efforts” determination is not made in the same court ruling as the “contrary to the welfare” determination, eligibility for IV-E does not begin until the reasonable efforts determination is obtained in the later court hearing.

IV-E policy requires that judicial determinations addressing reasonable efforts to prevent removal must occur within 60 days of removal. Although Iowa law requires a judicial determination within 10 days, failure to obtain the determination within 10 days does not make the child ineligible for IV-E funding.

- ◆ **Introduce a change in how to treat reasonable efforts determinations for children who entered care before March 27, 2000.** For children removed from the home before March 27, 2000, a determination that either reasonable efforts were made to prevent removal or that reasonable efforts were made to reunify would satisfy IV-E eligibility requirements. There is no time limit which must be met for these case to be IV-E eligible. However, IV-E eligibility can not begin until the determination is obtained.

- ◆ **Clarify policies regarding which court hearings or orders can have a judicial determination that reasonable efforts have been made to achieve permanency (RE2).** An RE2 determination can be made at any hearing or through a court order. As long as there is a judicial determination indicating that the state has made “reasonable efforts” in accordance with the permanency plan goals specific to the child, this IV-E eligibility requirement can be considered met. A permanency hearing is not the only hearing where an RE2 determination can be made.

- ◆ **Clarify policies regarding how to obtain a judicial determination that reasonable efforts have been made to achieve permanency when the goal is another planned permanent living arrangement.** If goal is “alternative planned permanent living arrangement” (APPLA) and child is in a permanent placement where the Department maintains custody, then court would find that the state is making “reasonable efforts” to maintain that permanent placement. An example has been added to the manual to help clarify this situation.

- ◆ **Clarify policies regarding what is needed for a child to meet deprivation requirements for IV-E eligibility.** Deprivation policies are revised to reflect the new policies on identifying the removal household.

The child must have lived with a specified relative who is the subject of the “contrary to welfare” or “best interest” determination in the month of removal or within six months before the month of removal.

- ◆ **Clarify policies on how to treat cases when a child is determined not to be IV-E eligible.** References are added on where to look for policies for completing Medicaid determinations when the child does not meet IV-E eligibility criteria. When a child does not meet all IV-E eligibility requirements, the child's eligibility for Medicaid is determined according to 8-H, *FOSTER CARE AND SUBSIDIZED ADOPTION*.
- ◆ **Clarify policies regarding citizenship and IV-E eligibility.** To qualify for IV-E eligibility, a child must be a U.S. citizen or meet the definition of a "qualified alien" as identified by the Personal Responsibility and Work Opportunities Reconciliation Act of 1996. The manual is updated to reflect the applicable criteria.
- ◆ **Clarify policies identifying when a Medicaid application is needed to complete a IV-E eligibility determination.** A Medicaid application is required for new foster care entries only when the child is not currently receiving Medicaid.
- ◆ **Clarify policies outlining when a review of IV-E eligibility is to be conducted.** A review of IV-E eligibility is required any time there is a change in circumstances that could affect IV-E eligibility. A review must occur no less frequently than once every 12 months. Information is added to identify more clearly changes in circumstances that require a review.
- ◆ **Change policy for periodic reviews of IV-E eligibility.** Periodic reviews are now required once every 12 months when there has been no change in circumstances.
- ◆ **Introduce new policies for the claiming of IV-E administration and training dollars.** Effective July 3, 2001, administration and training funding can no longer be claimed for children in ineligible placements. Except for children receiving SSI, the only time IV-E administration and training funds are claimed is when IV-E-eligible maintenance is paid.
- ◆ **Clarify the definition of a facility that is ineligible for IV-E.** Manual is clarified to show:
  - That a PMIC (psychiatric medical institution for children) is considered an ineligible placement for IV-E eligibility determinations.
  - How to determine the IV-E status of foster homes and facilities when a license has been renewed. Title IV-E requires that the facility be fully licensed for foster care to be considered an eligible placement. To be considered as continuously eligible for IV-E, the application for re-licensing must be obtained 30-90 days before expiration of license.
- ◆ **Clarify determinations of IV-E eligibility when a child is on a trial home visit.** Policy supports two "types" of trial home visit:
  - Short-term visits
  - Transitional or episode-ending visits

The updated manual provides instructions on how to determine IV-E eligibility for children who are on a trial home visit or who return to a foster care placement following a trial home visit. Instructions for court involvement and recommended duration for transitional trial home visits are included.

- ◆ **Clarify policies regarding the child of a minor parent in foster care.** Information is added in the section titled “Child of a Minor Parent in Foster Care” to provide guidance on when to consider the child of a minor parent as a child in foster care and how and when to do a determination of IV-E eligibility for the child.
- ◆ **Clarify policies regarding IV-E eligibility determinations for short-term placements.** If a child is to be placed out of the home for less than 10 days, a IV-E eligibility determination is not required, but may be done. If the child is not currently receiving Medicaid, a Medicaid application must still be completed for the child.
- ◆ **Clarifying policies regarding SSI and IV-E eligibility for children in or entering foster care.** Information on IV-E and SSI eligibility is added to the section titled “Claiming IV-E or SSI for Children in Foster Care.” References are added throughout the manual to help clarify the relationship between SSI and IV-E for children in foster care.
- ◆ **Clarify policies regarding Iowa foster children placed in another state.** Clarification was added regarding how to report IV-E eligibility when placing children who are eligible for SSI and IV-E in out-of-state placements. The child’s IV-E status should be reported to the receiving state.
- ◆ **Clarify when and how to do IV-E eligibility determinations for children in the day treatment program.** Day treatment is not considered “out of home care.” IV-E cannot be claimed for children who are in the day treatment program.

When the day treatment program is not affective and the child enters a long-term foster care placement, this is considered a new removal from home. There has to be a “contrary to welfare” or “best interest” determination, an RE1 determination, and DHS custody placing the child into the placement in order for IV-E to be claimed. The date of entry into the foster care placement is considered the month of removal.

### **Effective Date**

March 13, 2002

### **Material Superseded**

| <u>Page</u>                        | <u>Date</u>       |
|------------------------------------|-------------------|
| Contents (pages 1 through 4)       | February 27, 2001 |
| 3-33, 36, 38, 40, 89, 90, 151, 171 | February 27, 2001 |

### **Additional Information**

Refer questions about this general letter to your supervisor or to the IM SPIRS and Service Help Desks.



# STATE OF IOWA

THOMAS J. VILSACK, GOVERNOR  
SALLY J. PEDERSON, LT. GOVERNOR

DEPARTMENT OF HUMAN SERVICES  
JESSIE K. RASMUSSEN, DIRECTOR

November 5, 2002

## GENERAL LETTER NO. 13-B-12

ISSUED BY: Division of Behavioral, Developmental and Protective Services for Families, Adults and Children

SUBJECT: Employees' Manual, Title 13, Chapter B, *DETERMINING ELIGIBILITY, FOR TITLE IV-E*, pages 5, 6, 6a, 6b, 6d, 6e, 6f, 6h, 24, 25, 27, 28, 28a, 28b, and 28e, revised; and page 6i, new.

### Summary

This chapter is revised to:

- ◆ Provide technical corrections for several items in the processes for completing IV-E eligibility determinations.
- ◆ Add procedural steps for doing IV-E determinations when children are placed in PMICs.
- ◆ Make a technical correction to the policy regarding the timing of determinations that the Department has made reasonable efforts to achieve permanency, to align with statements in Chapter 18-A.
- ◆ Change the process for completing IV-E eligibility determinations, due to programming changes in FACS.

### Effective Date

Immediately.

### Material Superseded

Remove the following pages from Employees' Manual, Title 13, Chapter B, and destroy them:

| <u>Page</u>  | <u>Date</u>  |
|--|--------------|
| 5, 6, 6a, 6b, 6d-6f, 6h, 24, 25, 27, 28, 28a, 28b, 28e | May 28, 2002 |

### Additional Information

Refer questions about this general letter to your supervisor or the SPIRS IM and Service Help Desks.





December 2, 2003

**GENERAL LETTER NO. 13-B-13**

ISSUED BY: Division of Behavioral Developmental and Protective Services for Families, Adults and Children

SUBJECT: Employees' Manual, Title 13, Chapter B, ***DETERMINING ELIGIBILITY FOR TITLE IV-E***, page 124 revised.

**Summary**

The policy for determining IV-E eligibility for children who are receiving adoption subsidy payments is being revised.

When calculating initial AFDC eligibility for a household containing a subsidized adoption recipient:

- ◆ Do not include the subsidized adoption recipient in the household size.
- ◆ Do not count the subsidized adoption recipient's income or resources.

**Exception:** If there are no AFDC-eligible members in the removal household, consider the removal household as an eligible group of one, consisting of the subsidized adoption recipient only. This situation may occur when the removal household contains a subsidized adoption recipient and an SSI parent.

1. Marcus, Melanie, and Mike are removed from their mother's home, the removal household. Mike receives subsidized adoption.
  - ◆ Each child has a separate IV-E determination completed.
  - ◆ The household size for each child's IV-E determination is three (mother, Marcus and Melanie). Neither Mike nor his income and resources are included in the eligible group, as he is a subsidized adoption recipient.
2. Same as Example 1, except all three children receive subsidized adoption.
  - ◆ Each child has a separate IV-E determination completed.
  - ◆ The household size for each child's IV-E determination is one (mother). None of the children are included in the eligible group, as they are subsidized adoption recipients. None of the adoption subsidies are counted in determining IV-E eligibility.

3. Tim is a child in subsidized adoption who is removed from his mother's home. The mother is the subject of the "contrary to welfare" finding. She receives SSI. The IV-E eligible group is one (Tim), as his mother is an SSI recipient and not included, and there are no other AFDC-eligible members. Tim's adoption subsidy payment is not counted in determining his IV-E eligibility.

### **Effective Date**

Apply these changes effective October 1 2003, for all children who are considered as in an out-of-home placement and for all children who enter an out-of-home placement on or after October 1, 2003.

### **Material Superseded**

Remove from Employees' Manual, Title 13, Chapter B, page 124, dated February 27, 2001, and destroy it.

### **Additional Information**

Refer questions about this general letter to your service area manager.



July 20, 2004

GENERAL LETTER NO. 13-B-14

ISSUED BY: IV-E Eligibility Unit, Field Operations Support Unit

SUBJECT: Employees' Manual, Title 13, Chapter B, DETERMINING TITLE IV-E ELIGIBILITY, Title page, revised; Contents (pages 1 through 4), revised; and pages 1 through 143, revised.

Summary

Chapter 13-B, DETERMINING TITLE IV-E ELIGIBILITY, has been revised and rewritten to:

- ◆ Incorporate policy changes that were issued in Manual Letter No. 13-B-1, dated September 23, 2003.
◆ Provide policy clarification and the logic behind the requirements for IV-E foster care, adoption pre-subsidy, and adoption assistance programs.

Effective Date

Upon receipt.

Material Superseded

Remove the following pages from Employees' Manual, Title 13, Chapter B, and destroy them:

Table with 2 columns: Page and Date. Lists various pages and their corresponding dates from 2001 to 2003.

|                  |                   |
|------------------|-------------------|
| 24, 25           | November 5, 2002  |
| 26               | May 28, 2002      |
| 27, 28, 28a, 28b | November 5, 2002  |
| 28c, 28d         | May 28, 2002      |
| 28e              | November 5, 2002  |
| 28f, 28g, 29-33  | May 28, 2002      |
| 34, 35           | February 27, 2001 |
| 36               | May 28, 2002      |
| 37               | February 27, 2001 |
| 38               | May 28, 2002      |
| 39               | February 27, 2001 |
| 40               | May 28, 2002      |
| 41-88            | February 27, 2001 |
| 89, 90           | May 28, 2002      |
| 91-123           | February 27, 2001 |
| 124              | December 2, 2003  |
| 125-150          | February 27, 2001 |
| 151              | May 28, 2002      |
| 152-170          | February 27, 2001 |
| 171              | May 28, 2002      |
| 172-182          | February 27, 2001 |

**Additional Information**

Refer questions about this general letter to the IV-E Eligibility Unit in Field Operations Support Unit.



February 17, 2006

**GENERAL LETTER NO. 13-B-15**

ISSUED BY: IV-E Eligibility Unit, Field Operations Support Unit

SUBJECT: Employees' Manual, Title 13, Chapter B, *DETERMINING TITLE IV-E ELIGIBILITY*, Contents (pages 1 through 4), revised; and pages 4 through 8, 10, 14, 16 through 20, 26, 41, 42, 43, 54 through 58, 66, 76 through 80, 81, 89, 90, 95 through 101, 110, 112, 113, 127, 131, 132, 142, and 143, revised; and page 80a, new.

**Summary**

This chapter is revised to:

- ◆ Clarify definitions of "aggravated circumstances," "placement and care responsibility," and "trial home visit."
- ◆ Change the name to reflect the new contract provider for the SSI Advocacy Project to "Maximus SSI Advocacy Project."
- ◆ Clarify that a commitment order starts the episode of out-of-home care for IV-E determination.
- ◆ Correct policy to reflect that reasonable efforts to prevent the need for removal (RE1) are required within 60 days of the order sanctioning removal, even if the child is unable to be located and removed at the time of the removal, as this is viewed as a constructive removal.
- ◆ Modify policy regarding children who are removed from a parent or guardian yet allowed to remain in the same home with that parent or guardian but in the custody of another person. Previous policy stated this would not be considered a removal event. The Department has received federal clarification that, because the parent or guardian is not responsible for the day-to-day care and supervision of the child, this is considered a removal event and the start of the IV-E episode of out-of-home care.
- ◆ Clarify that when reviewing for the reasonable efforts to finalize the permanency plan of the child (RE2) finding, the finding must match the permanency plan goal that was in effect at the time of the finding or within the last 12 months.
- ◆ Clarify that the exemption of the first \$50 of current monthly child support is applied individually for each child when calculating the child's income for both the initial and the ongoing eligibility determinations.

- ◆ Clarify how to compute a diversion when the household consists of multiple ineligible alien parents and children who must be excluded from the eligible group.
- ◆ Reflect a correction in Adoption Subsidy program policy in which a child diagnosed as “at risk” of developing a qualifying condition is added to the list of reasons a child may be considered “difficult to place”.
- ◆ Clarify how to determine 185% of a child’s maintenance cost when a child’s pre-subsidy maintenance payment has been reduced due to other income the child receives.
- ◆ Clarify the verification of disability that must be provided in order to continue claiming IV-E beyond age 18 for a child who has been previously determined eligible for adoption subsidy maintenance payments.
- ◆ Correct several cross-references and typographical errors.

**Effective Date**

Upon receipt.

**Material Superseded**

Remove the following pages from Employees’ Manual, Title 13, Chapter B, and destroy them:

| <u>Page</u>  | <u>Date</u>   |
|--|---------------|
| Contents (1-4)   | July 20, 2004 |
| 4-8, 10, 14, 16-20, 26, 41-43, 54-58, 66, 76-81, 89, 90,<br>95-101, 110, 112, 113, 127, 131, 132, 142, 143 | July 20, 2004 |

**Additional Information**

Refer questions about this general letter to the IV-E Eligibility Unit in the Field Operations Support Unit.



# Iowa Department of Human Services

Terry E. Branstad  
Governor

Kim Reynolds  
Lt. Governor

Charles M. Palmer  
Director

June 15, 2012

## GENERAL LETTER NO. 13-B-16

ISSUED BY: IV-E Eligibility Unit, Division of Field Operations

SUBJECT: Employees' Manual, Title 13, Chapter B, ***DETERMINING TITLE IV-E ELIGIBILITY***, Title page, revised; Contents (pages 1 through 4), revised; pages 1 through 143, revised; and pages 144 through 148, new.

### Summary

Chapter 13-B is revised to:

- ◆ Add a definition of "applicable child."
- ◆ Clarify when an "episode of out-of-home care" ends if a child who was removed with a voluntary placement agreement returns home before the agreement expires.
- ◆ Remove the section, "March 2000 Changes to Federal Regulations" and incorporate those policies in the "Requirements for Initial Out-of Home Eligibility" section.
- ◆ Add additional information in the "Removal by Voluntary Placement Agreement," section regarding how long a Voluntary Placement Agreement (VPA) is valid and clarifying that, for IV-E purposes, the VPA is valid only for foster care placements.
- ◆ Remove references indicating that the removal order or VPA may be obtained any time within six months of actual placement. The removal document must be dated on the same date or within a few days of the date the child is actually placed unless there is a reasonable explanation for the delay.
- ◆ Add additional examples of physical and constructive removals.
- ◆ Add clarification and examples on determining the eligible group for constructive removals.
- ◆ Clarify that amounts ordered for child support repayment and reimbursement accounts are not included when determining the amount of the monthly obligation.
- ◆ Clarify and add examples of calculating diversion amounts for excluded parents and common children who are not deprived.
- ◆ Update information on staff responsibilities in relation to reasonable efforts to achieve permanency determinations.

- ◆ Remove the following sections to reflect clarification in the child welfare policy manual that effective April 6, 2010, IV-E agencies are not required to redetermine a child's AFDC eligibility once the child is initially determined eligible for IV-E:
  - Ongoing AFDC Criteria
  - Annual IV-E Reviews
  - Child's Income and Resources
- ◆ Rearrange the order of the four maintenance subsidy requirement sections to match the layout of the criteria on form 470-4163, *IV-E Adoption Subsidy Determination*.
- ◆ Update information regarding when requirements must be met to qualify for adoption subsidy under the "SSI Eligibility" and "Child of a Minor Parent" sections. The Deficit Reduction Act of 2005 changed this timeframe from when the adoption petition is filed to before finalization.
- ◆ Incorporate legislation from the Fostering Connections to Success and Increasing Adoptions Act of 2008 regarding delinking AFDC financial requirements from adoption assistance eligibility.
- ◆ Remove section titled "AFDC Relatedness at the Time of the Adoption Proceedings." These requirements were eliminated in March 2007.
- ◆ Update form names referenced in the chapter.
- ◆ Make minor wording changes to reduce duplication and clarify existing policies.
- ◆ Update the format and correct typographical errors.

### **Effective Date**

Changes involving delinking of adoption subsidy policy from AFDC as a result of the Fostering Connections to Success and Increasing Adoptions Act of 2008 were effective October 1, 2009.

### **Material Superseded**

This material replaces the entire Chapter B from Employees' Manual, Title 13, which included the following pages:

| <u>Page</u>         | <u>Date</u>       |
|---------------------|-------------------|
| Title page          | July 20, 2004     |
| Contents (page 1-4) | February 17, 2006 |
| 1-3                 | July 20, 2004     |
| 4-8                 | February 17, 2006 |
| 9                   | July 20, 2004     |
| 10                  | February 17, 2006 |
| 11-13               | July 20, 2004     |
| 14                  | February 17, 2006 |
| 15                  | July 20, 2004     |
| 16-20               | February 17, 2006 |
| 21-25               | July 20, 2004     |



| <u>Page</u>    | <u>Date</u>       |
|----------------|-------------------|
| 26             | February 17, 2006 |
| 27-40          | July 20, 2004     |
| 41-43          | February 17, 2006 |
| 44-53          | July 20, 2004     |
| 54-58          | February 17, 2006 |
| 59-65          | July 20, 2004     |
| 66             | February 17, 2006 |
| 67-75          | July 20, 2004     |
| 76-80, 80a, 81 | February 17, 2006 |
| 82-88          | July 20, 2004     |
| 89, 90         | February 17, 2006 |
| 91-94          | July 20, 2004     |
| 95-101         | February 17, 2006 |
| 102-109        | July 20, 2004     |
| 110            | February 17, 2006 |
| 111            | July 20, 2004     |
| 112, 113       | February 17, 2006 |
| 114-126        | July 20, 2004     |
| 127            | February 17, 2006 |
| 128-130        | July 20, 2004     |
| 131, 132       | February 17, 2006 |
| 133-141        | July 20, 2004     |
| 142, 143       | February 17, 2006 |

**Additional Information**

Refer questions about this general letter to the IV-E Eligibility Unit in the Division of Field Operations.

December 9, 2022

**GENERAL LETTER NO. 13-B-17**

ISSUED BY: IV-E Eligibility Unit  
Field Office Support Unit

SUBJECT: Employees' Manual, Title 13, Chapter B, **Determining Title IV-E Eligibility**, Title Page, Contents Page I-4, and pages I-128, revised; I29-I48, removed.

**Summary**

This chapter is revised to

- Remove references to policy requirements for children who were removed from the home prior to 3/27/2000.
- Update examples to remove references to specific years and/or update the timeframes.
- Add information on the 185% Test and update examples to include this income test.
- Clarify income policy related to in kind income and gifts.
- Clarify how to count child support income and the amount of a current monthly support payment that may be exempted.
- Add requirements to claim IV-E for children placed Qualified Residential Treatment Programs (QRTP).
- Updated difficult to place criteria for subsidized adoption children
- Update phase in dates for applicable children due to The Family First Prevention Services Act of 2018.
- Add a new section on Subsidized Guardianship IV-E requirements.
- Update policy regarding Court Ordered Trial Home Visits

**Effective Date**

Immediately.

**Material Superseded**

Remove the following pages from Employees' Manual, Title 13, Chapter B, and destroy them:

| <u>Page</u>       | <u>Date</u>   |
|-------------------|---------------|
| Title Page        | June 15, 2012 |
| Contents Page I-4 | June 15, 2012 |
| I-148             | June 15, 2012 |

**Additional Information**

Refer questions about this general letter to the IV-E Eligibility Unit in the Field Operations Support Division.