

MAXIMIZING FEDERAL FOSTER CARE DOLLARS

Did you know that Georgia receives over \$100 million a year in federal money for foster children?

Of course, that money, like many federal funds, comes with some very strict requirements attached. If the state follows the rules precisely, the funds are available under Title IV-E of the Social Security Act. And those of us in the child advocacy community need to help ensure that our state receives all the federal tax dollars to which our programs for these vulnerable children are entitled.

A recent report commissioned by the State Department of Human Resources indicates that, with some concerted efforts, we could be eligible for even more federal assistance for our child protective services system. The report, by Hornby Zeller Associates (HZA), looked at Georgia's efforts to comply with the federal "IV-E" program and its myriad rules and regulations that govern when we can ask the federal government to help pay for the costs associated with foster care and child protective services.

Under the "IV-E" program, states such as Georgia can obtain federal reimbursement for children in foster care and those at imminent risk of removal from their homes are eligible for federal reimbursement. As a general rule, ensuring a foster child is eligible for this federal reimbursement depends that both the Department of Family and Children Services (DFCS) and the juvenile courts follow very specific rules. DFCS, for example, must ensure that the foster home in which the child is placed is fully licensed, that the agency has proper, court-ordered custody of the child, and that timely judicial reviews of the child's custody are conducted by the courts. The juvenile courts, likewise, have a responsibility to ensure their orders are drafted properly and timely using very specific language required by the federal statutes.

Additionally, if the federal requirements are met, DFCS can receive federal reimbursement for such items as training and the costs of keeping children who are "at imminent risk of removal" in their own homes.

According to the HZA report, a thorough effort to make as many children as possible eligible for IV-E funding, could increase Georgia's federal reimbursement by many millions of dollars. On average, HZA reports, states should be eligible to receive reimbursement for about 42% of the costs of foster care from the federal IV-E program. Georgia's current reimbursement rate is about 30%.

According to HZA and other sources, Georgia should take actions that would likely help us receive many millions of additional dollars in federal reimbursement. Such initiatives could include:

- Taking measures to recoup the administrative costs of child protective services for children who remain in their homes but who are at "imminent risk" of removal.
- Encouraging relatives of foster children who give those children a temporary home to become licensed foster parents. These relatives can receive TANF while they are going through the licensing process; the state can receive partial IV-E reimbursement for those relative placements; and upon completing the foster care licensing process, the state can receive substantial IV-E reimbursement.
- Working with our juvenile courts and the Special Assistant Attorneys General who represent DFCS to ensure that our court orders meet the federal standards and that all children in foster care have timely judicial reviews and timely

hearings. According to HZA, “ensuring that all court orders meet IV-E requirements” could boost reimbursement rates by twelve percent.

The Courts and DFCS are responding to the need to boost IV-E eligibility. DFCS is actively responding to the issue by reviewing and revising its policies and will be working with its legal team and its social workers to ensure that children’s cases are handled properly in the juvenile courts. The Supreme Court’s Committee on Justice for Children (www.gajusticeforchildren.org) has been leading the effort to make sure that juvenile court attorneys and judges know the IV-E requirements and are drafting and filing timely, properly-worded orders.

The federal funding issue is a reminder just how complicated our child welfare system can be, and how much we depend on everyone doing his or her job to make that system successful. If you would like to learn more about Georgia’s IV-E funding, visit <http://www.acf.hhs.gov/programs/cb/cwmonitoring/final/index.htm>. The HZA report is available at <http://tinyurl.com/2qa6wd>. And if you’d like to know more about what your community’s courts and child welfare agencies can be doing to maximize those federal dollars, contact us at www.gachildadvocate.org.