

Guide to Title IV-E Maintenance Claiming for Congregate Care Settings

Included below, you will find relevant regulatory updates for your child welfare agency:

- 1** Through the Family First Prevention Services Act (Family First), the federal Title IV-E program will not reimburse foster care maintenance payments made on behalf of a child placed in a child-caring institution (CCI) after the second week for which maintenance payments have been paid unless, according to the Administration for Children and Families (ACF):
 - The placement is a qualified residential treatment program (QRTP); or
 - The placement specializes in providing prenatal, post-partum, or parenting supports for the youth; or
 - The child is 18 years old and placed in a supervised independent living setting; or
 - The placement provides high-quality residential care and support services to children and youth who have been found to be, or are at risk of becoming, sex trafficking victims, in accordance with each state's policies and procedures.¹
- 2** Title IV-E agencies may claim foster care maintenance payments for a child placed in a non-foster family home setting prior to the effective date for as long as the eligible child continuously remains in that setting.²
- 3** These new mandates will require states to update current claiming processes. On page 2, you will find a decision tree that will guide you through the criteria for Title IV-E congregate care maintenance claiming. It includes the number of days that can be claimed to Title IV-E under each circumstance.
- 4** Additional Title IV-E claiming requirements must continue to be met for QRTP placements. The following lists highlight requirements for ongoing claiming of QRTP settings beyond the 90 days that are summarized in the decision tree on page 2.

QRTP Setting Requirements³

1. The setting must be accredited by an accrediting body approved by the U.S. Department of Health and Human Services' (HHS) secretary. (ACYF-CB-IM-18-02, Attachment C, pg. 1)
2. The setting must have registered or licensed nursing staff available 24 hours per day / seven days per week. (ACYF-CB-IM-18-02, Attachment C, pg. 2)
3. The setting must have other licensed clinical staff who provide care within the scope of their practice on site and available 24 hours per day / seven days per week. (ACYF-CB-IM-18-02, Attachment C, pg. 2)
4. The setting must have a trauma-informed treatment model. (ACYF-CB-IM-18-02, Attachment C, pg. 1)
5. The setting must facilitate outreach to the family members of the child, including siblings, and document how the outreach is made. (ACYF-CB-IM-18-02, Attachment C, pg. 1)
6. If in the best interests of the child, family members must be involved in the child's treatment. (ACYF-CB-IM-18-02, Attachment C, pg. 1)
7. The setting must provide discharge planning and family-based aftercare support for six months after discharge. (ACYF-CB-IM-18-02, Attachment C, pg. 1)

Title IV-E Agency Requirements for Ongoing QRTP Claiming⁴

1. **The case plan shall specify** why the QRTP setting is the most effective, least restrictive setting that is providing the appropriate level of care, and how the recommended placement is consistent with goals in the youth's permanency plan. (ACYF-CB-IM-18-02, Attachment C, pg. 3)
2. The agency must assemble and continually engage **a family and permanency team** for the child placed in the QRTP setting. (ACYF-CB-IM-18-02, Attachment C, pg. 3)
3. For a youth placed in a QRTP setting long-term, the youth's case plan must contain the **signed approval of the head of the Title IV-E agency** for the youth's continued placement in that setting. (ACYF-CB-PI-18-07, pg. 12)
4. To claim foster care maintenance payments under the Title IV-E program, the **youth must continue to fulfill all requirements for Title IV-E eligibility and reimbursability.**⁵

¹ "ACYF-CB-IM-18-02," Administration for Children and Families, April 12, 2018, <https://www.acf.hhs.gov/sites/default/files/documents/cb/im1802.pdf>

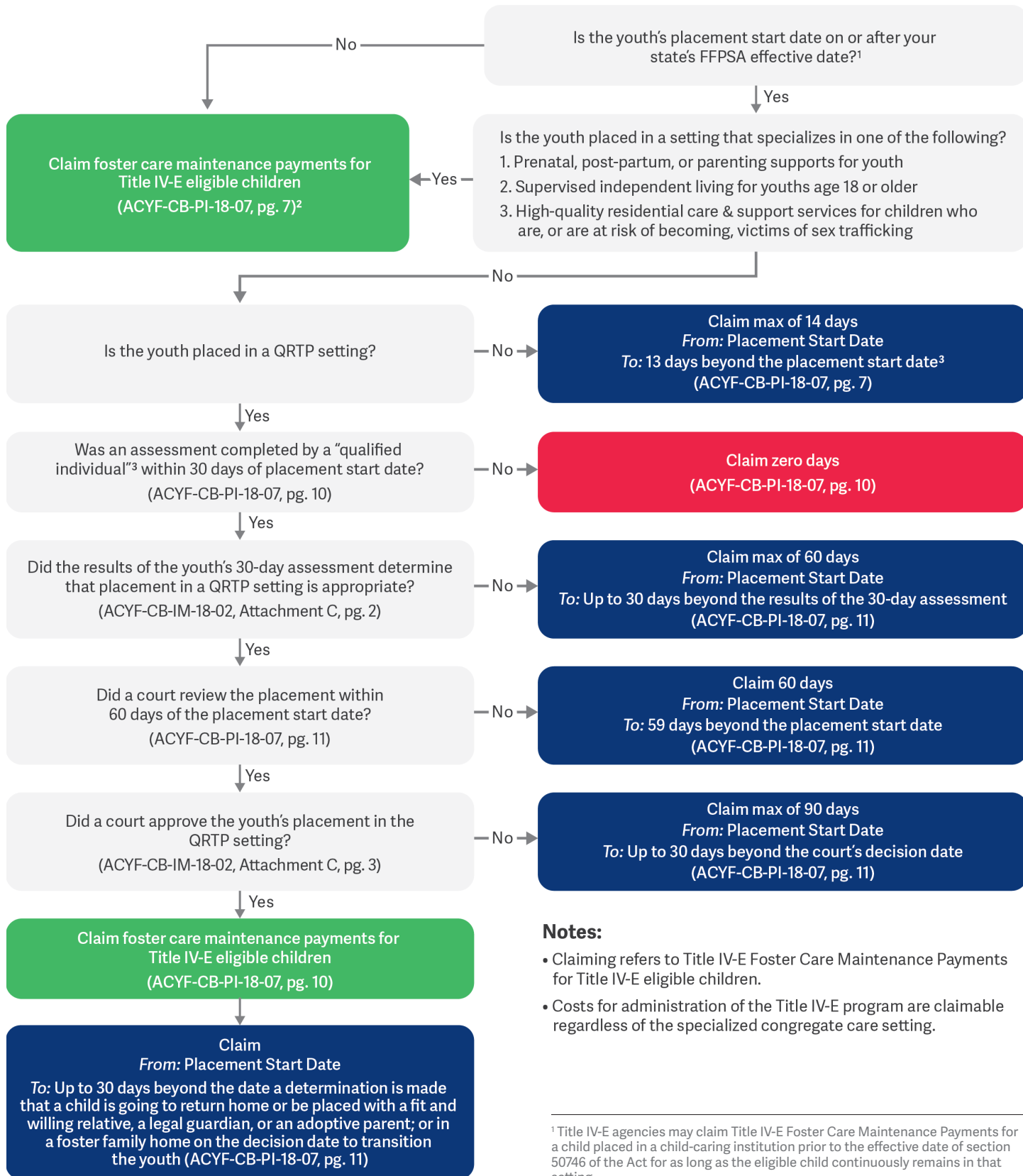
² "ACYF-CB-IM-18-02," Administration for Children and Families, April 12, 2018, <https://www.acf.hhs.gov/sites/default/files/documents/cb/im1802.pdf>

³ "ACYF-CB-IM-18-02," Administration for Children and Families, April 12, 2018, <https://www.acf.hhs.gov/sites/default/files/documents/cb/im1802.pdf>

⁴ "ACYF-CB-IM-18-02," Administration for Children and Families, April 12, 2018, <https://www.acf.hhs.gov/sites/default/files/documents/cb/im1802.pdf>

⁵ "ACYF-CB-IM-18-02," Administration for Children and Families, April 12, 2018, <https://www.acf.hhs.gov/sites/default/files/documents/cb/im1802.pdf>

Congregate Care Claiming Under FFPSA



Notes:

- Claiming refers to Title IV-E Foster Care Maintenance Payments for Title IV-E eligible children.
- Costs for administration of the Title IV-E program are claimable regardless of the specialized congregate care setting.

¹ Title IV-E agencies may claim Title IV-E Foster Care Maintenance Payments for a child placed in a child-caring institution prior to the effective date of section 50746 of the Act for as long as the eligible child continuously remains in that setting.

² ACF has not yet released guidance regarding Title IV-E reporting requirements or federal reviews. Current federal guidance does not specify whether or not a child must meet special population criteria.

³ If the CCI meets the QRTP requirements after a child is placed in that facility, the following applies:

- The 30-Day Assessment and 60-Day Court Order clock starts from the date the facility met QRTP requirements.
- Claiming for the child starts on the first day of the month that the facility met QRTP requirements.

Find out how PCG can help your agency navigate Title IV-E maintenance claiming for congregate care settings. Contact us today!

 (800) 210-6113  info@pcgs.com

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