

## TO BE RESCINDED

5101:9-6-28

**Title IV-E funding.**

- (A) ODJFS administers federal payments for foster care maintenance (FCM) and adoption assistance (AA) pursuant to Title IV-E of the Social Security Act of 1935. These Title IV-E funds are distributed by ODJFS to county agencies responsible for the administration of child welfare programs and to adoptive parents.

The social services random moment sample time study (SSRMS) is used to identify percentages for county employee effort directed to Title IV-E activities. The time study percentages are then correlated to the available funding sources for reimbursement.

- (B) Any administrative or training cost charged to the Title IV-E program may not be charged concurrently to another federal program. The following variables are used to calculate administration and training costs:

- (1) Applicable activity code information from the SSRMS and/or IMRMS;
- (2) Cost data from the JFS 02820 "Children Services Monthly Financial Statement" or the JFS 02827 "Monthly Financial Statement" as appropriate; and
- (3) Population data from FACSIS.

The results of the SSRMS and the statewide percent of Title IV-E eligible children are statistically applied to the statewide social services cost pool to derive the cost of reimbursable Title IV-E activities for the statewide Title IV-E administration and training claim to the federal government. Costs are claimed separately for FCM and AA based on FACSIS population data.

- (C) Title IV-E federal funds received for administrative and training activities are distributed quarterly to counties based on a formula which considers the following factors:

- (1) The size of each county's social services cost pool;
- (2) A percent of Title IV-E eligible activities; and
- (3) The number of Title IV-E children (FCM and AA) served in each county relative to the number of children in substitute care and paid adoptive placement in the county.

- (D) AA payments are provided on behalf of special needs children who are in adoptive placement or who are living with parents who have legally adopted them. The AA payment rate is determined on an individual basis for each child. The maximum amount of AA payment eligible for FFP can not exceed the cost of the FCM payment that would be made if the child had remained in foster care.

ODJFS provides the nonfederal share of AA payments up to the maximum level payments of two hundred and fifty dollars per month for a Title IV-E only child, and five hundred dollars per month for a child determined to be dual eligible (Title IV-E and state adoption assistance subsidy) on or before January 12, 1992. The county agency is responsible for the nonfederal share of any amount in excess of these amounts up to the maximum amount eligible for FFP.

ODJFS issues the federal and state shares of AA payments in a warrant payable to the adoptive parents or the county agency which has/had custody of the child. The determination of payee is made at the local level and specified on the FACSIS benefits issuance system.

- (E) FCM payments are provided to cover the costs of a child's daily needs, uniform statewide standards for per diem FCM payment rates exist for the following three types of care;

- (1) Family foster homes (FFH), relative homes (RH), and prefinalized adoptive homes (PAH);
- (2) Group homes (GH), maternity homes (MH), and children's residential centers (CRC); and
- (3) Purchased family foster care (PFFC).

FCM payments may be made only if the eligible child is placed in a licensed/certified/approved foster care facility as required by rule 5101:2-47-16 of the Administrative Code. Payments must cease when license/certification/approval of a facility lapses, but may be reestablished retroactively if renewal application is made and the license approved.

FCM payments may be made to county juvenile courts on behalf of adjudicated children if an agreement exists between the juvenile court, the board of county commissioners, and ODJFS.

FCM payments exclude all other financial resources available to the child, e.g., Social Security Administration (SSA) benefits, veterans administration (VA) benefits, trust fund, etc

(F) In order to initiate state FCM payments, there are three possible mechanisms:

- (1) FACSIS - the computerized benefits issuance system which issues normal FCM payments for FFHs, RHs, PAHs.
- (2) JFS 01659 "Title IV-E Auxiliary Payment Authorization Form" - applies to FFHs, RHs, PAHs, and PFFCs without an established ODJFS Title IV-E rate; and
- (3) JFS 01925 "Monthly Title IV-E FCM Invoice" - applies to GHs, MHs, CRCs, and PFFC placements.

Counties participating in "protectOhio" must issue FCM payments directly from the county.

FCM procedures for children residing outside of Ohio are contained in rule 5101:2-47-27 of the Administrative Code.

ODJFS issues an aggregate FCM payment in the form of a consolidated warrant payable to the agency which holds custody of the children. The warrant amount is calculated from the completed JFS 01925 and is mailed during the first week of the month. A disbursement journal, itemizing the payments by child, is sent to the county agency.

(G) The FCM per diem rate for children birth to eighteen years of age in a family foster home, relative home, or prefinalized adoptive home is issued via family and children and adult services manual transmittal letter (FCASMTL) on an annual basis. Rates in excess of the maximum per diem, excluding difficulty of care payments for child with special, exceptional, or intensive needs as defined in rule 5101:2-47-18 of the Administrative Code, must be supported by funds available at the local level. Rates that are less than the minimum per diem rate can not be claimed for FCM reimbursement.

Payments for special clothing, graduation expenses, and emergency family foster home costs are authorized through the JFS 01659 "Title IV-E Auxiliary Payment Authorization Form." JFS 01659 is also used to authorize underpayments and initial benefits after the FACSIS cut-off date.

(H) FCM payments for group homes, maternity homes, and children's residential centers within the state of Ohio occurs on a reimbursement basis. The facilities must participate in the ODJFS residential rate approval system. Procedures to insure reimbursement include the monthly completion of the JFS 01925 "Title IV-E Monthly Invoice."

ODJFS sends the county agency the JFS 01925 five days prior to the end of the month in which a child receives care and FCM cost was incurred. The JFS 01925 lists all active cases registered on the FACSIS benefits issuance system. The county agency provides placement and payment information for each child listed, adds or deletes cases as appropriate, and returns the form to ODJFS no later than ten working days after the reimbursable month. If an JFS 01925 is received after the cut-off date for the month, it is processed during the next payment cycle.

- (I) FCM payments for PFFC within the state of Ohio occur on a reimbursable basis, the PFFC must participate in the ODJFS residential rate approval system. Eligible PFFCs include:
- (1) A PFFC agency that is a public agency not eligible for direct receipt of Title IV-E funds; or
  - (2) A PFFC agency that is a private nonprofit incorporated agency operating two or more family foster homes.
- (J) The definitions of "county family services agency," "family services duty," and "financial assistance" are the same as in rule 5101:9-6-50 of the Administrative Code.
- (K) Each county family services agency shall be responsible for using financial assistance, as defined in rule 5101:9-6-50 of the Administrative Code, provided by ODJFS solely for performance of family services duties in accordance with state, federal, and local laws, rules, and regulations including the requirements and conditions of the corresponding federal grant award listed in rule 5101:9-6-50 of the Administrative Code.
- (L) Each county family services agency shall monitor each private and government entity that receives financial assistance from the county agency to ensure that family services duties, including expenditures, cash management, and reporting, are in compliance with state, federal, and local requirements. If a private or government entity is not performing family services duties in accordance with state, federal, and local requirements, the county family services agency shall require the entity to promptly comply with a corrective action plan approved by the county agency. Except when ODJFS certifies a claim to the attorney general in accordance with section 5101.1410 of the Revised Code, the county family services agency shall take prompt action to recover any financial assistance that is not expended in accordance with state, federal, and local requirements.
- (M) Financial assistance provided by ODJFS to a county family services agency is

subject to the availability of state and federal funds and appropriations by the general assembly. If at any time the ODJFS director determines that state or federal funds are insufficient to sustain the financial assistance for county family services agencies, the ODJFS director may reduce, suspend, or terminate the financial assistance.

Effective: 02/09/2009

CERTIFIED ELECTRONICALLY

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Certification

01/27/2009

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Date

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