



COMMONWEALTH of VIRGINIA

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OFFICE OF CHILDREN'S SERVICES
Administering the Children's Services Act

Administrative Memo #15-06

To: CPMT Chairs
CSA Coordinators

From: Scott Reiner, Interim Executive Director

Date: September 15, 2015

Subject: Clarification of Use of Title IV-E and Children's Services Act (CSA) Funds for Emergency Foster Home Placements.

This Administrative Memo is being issued in conjunction with Broadcast #9359 of the Virginia Department of Social Services and addresses questions which have resulted from the August 13, 2015 changes to the Title IV-E manual regarding emergency approvals of foster homes. When appropriate, emergency approvals provide a way for children to experience the least amount of disruption in their lives when being removed from their homes as well as enhance the likelihood that children are placed with relatives.

Consistent with Section 1.6.2.1 (*Emergency foster home placement*) of the Title IV-E manual, Section 1.12 (*Emergency Approval*) of the Local Resource Family Manual and Section 6.8 (*Procedures for emergency foster care placements*) of the Foster Care Manual, emergency approvals may be granted for a period not to exceed sixty (60) days if all requirements are met. These requirements include, **but are not limited to**, the following background checks:

- A written statement of affirmation disclosing a criminal abuse neglect history in Virginia or any other state of residence within the last five years
- A Central Registry Check
- A Virginia Criminal Name Check for all household members age 18 and older; and
- Submission of fingerprints and documentation for all household members age 18 and older within 72 hours to the Office of Background Investigations.

If these and other requirements are met (see Manual sections above), then the home is approved on an emergency basis for 60 days and CSA funds may be used to support the placement. Once the negative (no criminal record) fingerprint results are received by the

local agency, the home is approved as a regular foster home, and Title IV-E funding may be accessed beginning on the first of the month in which the fingerprint results are received. CSA funds are then reimbursed for that time frame.

EXAMPLE:

An emergency foster home is approved 08/21/15 and CSA funds are utilized beginning the date of approval. Results of national background checks are received 9/10/15 and the agency completes all processes to approve the home for Title IV-E beginning 10/02/15.

Fingerprint results were received 9/10/15; Title IV-E funds may begin in the month all Title IV-E requirements are met. Title IV-E funds would begin retroactively to 9/1/15 and CSA is reimbursed for funds expended after 9/1/15. As the regular foster home approval process is completed within 60 days (10/07/15), Title IV-E funds may be used from 9/1/15 on. CSA is responsible for costs from 8/21/15-8/31/15.

VDSS policy states that emergency approvals may not exceed 60 days and neither CSA funds nor Title IV-E funds may support an emergency placement exceeding that time frame. If the home is approved as a regular foster home (no longer an emergency approval) within 60 days, and the child is Title IV-E eligible, Title IV-E funds are used. If the home is fully approved as a regular foster home (no longer an emergency approval) within 60 days and the child is not determined to be IV-E eligible, CSA funds are used.

Nothing in this Administrative Memo or the associated VDSS Broadcast should be interpreted to mean that CSA funds may be used for an unapproved emergency foster home placement. The clarification is that CSA funds may be used pending the results of the timely submission of the fingerprint checks because VDSS policy permits the home to be considered approved on an emergency basis for 60 days. The fingerprint background checks must be submitted within 72 hours as required. There may not be a delay in determining Title IV-E eligibility because another funding source is being utilized.