

NUMBER

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DATE

May 19, 2017

OF INTEREST TO

County Directors
Social Services Supervisors and
Staff

Tribal Directors

Tribal Social Services
Supervisors and Staff

County Attorneys

Tribal Attorneys

Judges

Guardians ad Litem

ACTION/DUE DATE

Read information and
implement

EXPIRATION DATE

May 19, 2019

Title IV-E Foster Care Placement, Care and Supervision Agreement

TOPIC

Title IV-E Foster Care Placement, Care and Supervision Agreement with local social service and corrections agencies.

PURPOSE

Update and re-issue policy guidance for agencies working with children who may be Title IV-E eligible for establishing placement agreements.

CONTACT

Tarita Tyson, Title IV-E Foster Care Policy Specialist
Child Safety and Permanency Division 651-431-4386,
tarita.b.tyson@state.mn.us

SIGNED

JAMES G. KOPPEL
Assistant Commissioner
Children and Family Services Administration

TERMINOLOGY NOTICE

The terminology used to describe people we serve has changed over time. The Minnesota Department of Human Services (DHS) supports the use of "People First" language.

I. Introduction

The Title IV-E Foster Care Placement, Care and Supervision Agreement is a contract between local social service agencies and local juvenile corrections and/or tribal agencies. This agreement establishes how the local juvenile corrections agency or tribe will carry out responsibility for the placement, care and supervision of a child when the local social service agency (LSSA) is the agency administering the state Title IV-E plan under provision of Title IV-E, section 471, of the Social Security Act. Such agreements establish how requirements of Title IV-E will be met, and permit counties to claim federal financial participation for the cost of foster care.

II. Background

This bulletin includes information required to establish Placement, Care and Supervision Agreements with other agencies. Federal statute 42 U.S.C. § 672 (a) mandates that removal of a child meets federal removal and foster care placement requirements. Legal responsibility for placement, care, and supervision of a child must be established by either a Voluntary Placement Agreement or by court order. The court order should also specify which agency is legally responsible for a child, the local social service agency, juvenile corrections, or tribal social service agency.

III. Title IV-E Foster Care Placement, Care and Supervision Agreement

When a local social service agency enters into an agreement with correctional or tribal social service agencies, an agreement must:

1. Be for placements made by a correctional or tribal social service agency, and
2. Define how all requirements will be met for case planning, including periodic reviews of placements and permanency hearings. An agreement must also cover how the requirement for agency monthly visits will be fulfilled and documented.

Legal responsibility for these children may reside with either of the following entities:

1. Correctional agency: This agency must either (a) be a unit of a local social service agency (county has a human service board that includes the community corrections agency under a board authority), or (b) maintain a written agreement between a correctional agency and local social service agency stating how the entire case plan, including periodic review of placements and permanency hearing requirements, will be met. The cost of care for a child who is in placement pursuant to a status offense or a delinquency petition is reimbursable under Title IV-E, if all eligibility criteria are met, and if a placement is in an eligible facility (see Title IV-E foster care per diem rates and percentage report).
2. Tribal social service agency: There must be a written Title IV-E Agreement between a tribe and either a local social service agency or the Minnesota Department of Human Services. The Minnesota Department

of Human Services has agreements with Leech Lake, Mille Lacs and White Earth Bands of Ojibwe, and Red Lake Nation; therefore, local social service agency agreements with these tribes are not necessary. Local social service agencies may enter into agreements with federally recognized tribes within the state that are not covered by the state/tribal Title IV-E Agreements. An agreement must state how a placement plan, including periodic reviews of placement and permanency hearing requirements, will be met.

Attachment: [Elements for a Title IV-E Foster Care Placement, Care and Supervision Agreement](#).

IV. What to do when the LSSA and corrections did not previously have a Title IV-E Foster Care Placement, Care and Supervision Agreement and enter into such an agreement during a child's foster care placement

1. Placements, under the legal responsibility of corrections, that started prior to the effective date of an agreement are not Title IV-E eligible or covered by an agreement.
 - a. Do not enter Continuous Placement or Placement for these clients.
 - b. Continue to make payments for these placement using special cost code 94 Corrections supervised foster care (no Title IV-E agreement)
2. Placements, under the legal responsibility of corrections, that started on or after the effective date of an agreement can be Title IV-E eligible and are covered by the agreement.
 - a. Enter Continuous Placement and Placement.
 - b. Submit the Title IV-E worksheet in SSIS.
 - c. Do not use special cost code 94 on payments.

V. What to do when the LSSA ends its Title IV-E Foster Care Placement, Care and Supervision Agreement with a corrections agreement

Title IV-E eligibility ends and the LSSA must stop claiming Title IV-E maintenance payments on behalf of a child under corrections legal responsibility on the date an agreement ends.

1. Placements, under corrections legal responsibility, are not title IV-E eligible when there is not a Title IV-E Foster Care Placement, Care, and Supervision Agreement in place with the LSSA.
 - a. End continuous placement and placement for these clients.

- b. Continuous Placement tab – Cont. placement – Reason Discharge – Transfer to another agency.
- c. Enter the date the Title IV-E agreement ended in Discharge date field.
- d. End location, End Reason – Discharged from agency placement.
- e. Submit the Title IV-E worksheet.
- d. Service Arrangement – use special cost code 94 – Corrections supervised foster care (no Title IV-E agreement)

Americans with Disabilities Act (ADA) Advisory

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