

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, California 95814



DATE: 3-18-94

COUNTY FISCAL LETTER (CFL) NO. 93/94-38

TO: COUNTY WELFARE DIRECTORS
COUNTY FISCAL OFFICERS
COUNTY AUDITOR CONTROLLERS
COUNTY PROBATION OFFICERS

SUBJECT: QUESTIONS AND ANSWERS ON TITLE IV-A EMERGENCY ASSISTANCE CLAIMING

REFERENCE: COUNTY FISCAL LETTER 93/94-21

The purpose of this letter is to transmit a series of questions received and their answers pertaining to the recent statewide implementation of the Title IV-A Emergency Assistance (EA) Program for county probation departments and county welfare departments (CWD). This document is a companion to the information provided in CFL 93/94-21, dated October 28, 1993.

The EA program for county welfare departments allows for the cost of emergency shelter care provided to eligible children from the date of intake at a county-operated emergency shelter care facility, contracted emergency shelter care facility, or with a relative. Title IV-A eligible administrative costs and the first 30 days of EA emergency shelter care are funded with a combination of federal Title IV-A, State General Fund, and county funds. While the Manual of Policy and Procedures Section 31-415.2 currently prohibits any state or federal funds to be used beyond 30 calendar days for emergency shelter care, the California State Department of Social Services (CDSS) plans to address this issue through a future regulatory change. The CDSS will seek to change regulations in order to allow the State to pass the federal share of Title IV-A EA funds to the counties for emergency shelter care beyond a 30 day period. This would allow for funding beyond 30 days at a ratio of fifty percent federal and fifty percent county share of cost. Counties will be notified when the regulatory change is adopted and the effective date.

This CFL is designed to answer those fiscal questions for which we have answers readily available. Because this program is new to California, there are a number of fiscal questions that we must raise to the federal government for a response. As answers become available, you will be notified in future county fiscal letters.

County Fiscal Letter
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If you have questions regarding your CWS allocation, please call the County Cost Analysis Bureau, at (916) 657-3806. Questions regarding Assistance claiming should be directed to Ms. Stephanie Davis, Fiscal Policy and Procedure Bureau, Assistance Policy Unit, at (916) 654-0942. Questions regarding Administrative expense claiming should be directed to Ms. JoAnn Cooper, Administrative Policy Unit, at (916) 657-3293.



Loren D. Suter, Chief
Fiscal Policy Bureau

Attachment

c: CWDA

ATTACHMENT

**EMERGENCY ASSISTANCE
Title IV-A Eligible Activities**

Commonly Asked Questions

1. Q. How are the billings for EA placement costs claimed?
A: All EA costs reported on the Administrative Expense Claim (AEC) are claimed to CDSS quarterly; all costs reported on the Assistance Claim are reported to CDSS monthly.

2. Q. Will the county fiscal officer be required to submit the number of EA cases during the reporting period plus the actual costs involved? Eligibility staff can provide emergency shelter and nonfederal placement costs. How would the other covered services (i.e. counseling, case planning etc.) be billed?
A: EA-CWS funds the costs of emergency shelter care, and EA-Non federal foster care funds the costs of non federal foster care. Costs associated with the provision of services. e.g., counseling, case planning, etc., are not allowable charges in these programs.

3. Q. If an EA eligible child is later determined to be eligible for funding under Title IV-E, should the CWD shift the claiming to Title IV-E as soon as that eligibility exists? If the child is not Title IV-E eligible, does the county have the option to either switch to Aid to Families with Dependent Children (AFDC-FC) or continue payment through Title IV-A?
A: Yes, if the child is Title IV-E eligible and is going into foster care. If the child is not Title IV-E eligible, you would claim the child as Title IV-A EA until the time limit is exhausted or the child is removed from placement, whichever is less.

4. Q. May counties pay AFDC-FC to hold a group home bed for a child who is being held in Juvenile Hall and pay EA for those same days?

- A: No.
5. Q: Do county-operated emergency shelter care facilities have a capitated rate?
- A: No. The cost of the county-operated shelter is based on the actual costs of operating the shelter for the quarter. However, the actual costs associated with an EA eligible placement in a county-operated shelter is calculated on a monthly basis. (See CFL 93/94-34, dated March 11, 1994)
6. Q: Why are Personal Services costs not allowed when they are part of the cost of sheltering the child, especially for the over-30 days child?
- A: EA funds a portion of the operating costs of the county-operated emergency shelter, including staff costs associated with running the shelter. Personal service costs are associated with casework social services workers in the shelter. These Personal service costs are funded under Child Welfare Services (CWS). Currently, there is no federal or state participation in the funding of Title IV-A EA shelter care beyond 30 days. However, a decision has been made to issue emergency regulations to allow federal pass-through of Title IV-A EA funding of emergency shelter care beyond 30 days.
7. Q: What backup information is required to accompany the EA claims?
- A: The backup information which must accompany the assistance EA claim will be the same as the AFDC-FC claim. There is no requirement for backup information to be submitted with the AEC; all supporting documents are in the county.
8. Q: Will social worker costs be covered by After Care Services?
- A: No. There is no After Care component in the EA-CWS Program for county welfare departments. Social worker costs are funded under CWS.
9. Q: If an EA child in a county-owned shelter requires special needs such as specialized tutoring, counseling, clothing, will the costs be EA claimable or will these costs be spread as Operating Costs - especially if the child is in the shelter over 30 days.
- A: The cost of specialized tutoring is a County Office of Education cost; counseling, provided as a part of a child's case plan is not allowable for EA because these are services. Clothing for a child in a county-operated shelter is an allowable cost. There is no federal or state funding in emergency shelter care costs after 30 days.

10. Q. Will EA fund emergency shelter care provided by a relative?
- A: Yes. The AFDC - Family Group rate is paid to relatives for emergency shelter care. Claiming instructions for contracted shelter are included in CFL 93/94-20, dated October 18, 1993. There is no federal or state funding in emergency shelter care costs after 30 days.
11. Q. Will EA fund non-federal foster care for relative placements?
- A: No. The state plan amendment does not allow for reimbursement of relatives under EA for non-federal foster care.
12. Q. Will special provisions need to be made for abating children's SSI/SSP benefits to AFDC-FC while the AFDC-FC is being funded under Title IV-A?
- A: Counties should abate SSI/SSP benefits against the program which is paying for the placement costs. If the child is receiving EA, then the SSI/SSP benefits should be abated against EA.
13. Q. What are the funding ratios for EA emergency shelter care? How will costs be computed--by ratio of over and under based only on EA-eligible bed days?
- A: The first 30 days of EA emergency shelter care is funded 50/35/0/15 (federal welfare/state welfare/health/county). There is no federal or state participation in EA shelter care beyond 30 days. Counties should calculate monthly the total days spent in the shelter by all children to determine the number of days eligible for reimbursement through EA and the number of days unallowable for reimbursement. Please refer to CFL 93/94-20, and the subsequent clarification in CFL 93/94-34.
14. Q. Will there be a new time study line on the Administrative Expense Claim (AEC) to which Eligibility Workers (EW) will time study and a new line on the AEC that draws overhead?
- A: Program 223 was added to the time study instructions for EWs to identify EA-CWS eligibility costs (please refer to CFL 93/94-20). The costs of administrative/clerical support and other overhead are charged to the activity through the cost allocation plan.

15. Q. How should counties time study EA activities when the implementation date for EA is not the beginning of a quarter?
- A: For the September quarter, in those counties which normally time study during the middle month of the quarter, workers who performed EA activities time studied in the month of September. The hours recorded in the mid-month of the September quarter were used to represent the first month of the quarter. The average of the total hours for the three months were reported on the appropriate time study summary.
16. Q. Do the probation EA eligible cases and the CWS EA eligible cases need to be identified separately on the administrative expense claim?
- A: No. The cases are not identified separately on the AEC. However, the costs associated with these two programs are reported to separate Program Codes in the AEC.
17. Q. The Capitated rate for a contracted Emergency Shelter will consist of the Foster Care payment plus a prorated retainer fee. What is the methodology for the application of the retainer fee proration?
- A: There is no capitated rate for contracted emergency shelter care. Contracted emergency shelter care costs are based on the amount of provider payment established by the county for the particular type of home. If a retainer fee is paid to a home or homes for keeping a bed(s) available, a prorated amount of the retainer fee is reimbursable under EA. For example, if it costs \$125 per bed and 5 children receive 3 days each, and only one is an EA child, proration is as follows: $\$125/15 = \8.33 each day X 1 EA child X 3 days = \$ 24.99 charged to EA.
18. Q. What is the CWD's responsibility with regard to the fiscal copy of the EA1?
- A: The fiscal copy of the EA 1 was provided as another check and balance in tracking EA costs. There is no requirement that counties use it.
19. Q. Are some shelter costs currently claimed to CWS Non-Federal (the direct services line), eligible for Title IV-E funding?

A: Title IV-E does not pay for services. Title IV-E is a funding source for the administration of the foster care program. Examples of administrative activities are court related activities and case management activities. Allowable administrative costs do not include the costs of social services provided to the child, the child's family or foster family for counseling or treatment to ameliorate or remedy personal problems, behaviors, or home conditions, nor does it include the provision of emergency shelter.

20. Q. Tracking EA costs by case number is not problematic except for public shelter costs, which currently have no such mechanism in place. Is such tracking required for public shelter costs?

A: Yes. Since EA costs must be case specific, counties must establish a system which identifies EA costs by case number, name, dates of service, and dollar amount expended. CFL 93/94-20 provided counties two examples of the allocation process.

21. Q. What are the eligibility time study codes for EA Probation, and EA emergency shelter care, and foster care? Our eligibility workers process shelter care payments, so do they need to track over 30 and under 30 days?

A: EWs time study EA Probation activities to Program 219; Program 223, and Foster Care to Program 205. There is no funding limitation on EA eligibility activities. The administrative costs associated with this program, e.g., processing shelter care payments, would be claimed in accordance with the AEC cost allocation plan.

22. Q. In addition to the basic rate for foster care, can counties claim the specialized care increment and clothing allowance to EA?

A: As set forth in CFL 93/94-21, counties can only claim the state-approved foster care rate. This includes rates for those counties which have a state approved specialized care rate and a state approved clothing allowance rate. The clothing allowance which is usually issued separately is allowable provided the county has a state approved rate. Counties cannot claim reimbursement for rates above the state approved rate.

23. Q. What are the eligibility standards which must be adhered to when aiding general assistance (GA) cases under EA?

A: The eligibility standards set forth in CFL 93/94-04, dated July 23, 1993, and All-County Letter (ACL) 93-64, dated September 1, 1993, must be adhered to before a GA case can be determined eligible for assistance under EA. Therefore, the same eligibility standards for all other cases would apply to GA cases. These standards include, but are not limited to, the child is under the age of 21 and is living with or within the past six months with a specified relative, the family has not received EA benefits during the previous 12 months, the child is placed in an eligible facility (i.e., juvenile assessment center, emergency shelter care, or licensed foster care facility).

24. Q. A case is aided on EA based on presumptive eligibility. It is subsequently determined that the case is not eligible for EA. Can counties claim reimbursement for the ineligible case to another program such as non-federal foster care?

A: As counties are aware, all eligibility conditions must be met before a presumptive case can be claimed for federal reimbursement. Depending upon where the child was placed when the county authorized the services on a presumptive basis will determine whether or not the placement cost can be claimed to another program. Provided below are three different examples which display how this cost would be treated:

1. Cost for a child placed in a juvenile assessment center or residential treatment facility would be 100 percent county.
2. Cost for a child placed in an emergency shelter would be claimed under the normal child welfare services (CWS) allocation.
3. Providing the county has taken an application for non-federal foster care, the cost for a child placed in a group home, foster family agency or family home would be claimed to the non-federal foster care program (aid code 40).

25. Q. A case is aided on EA based on presumptive eligibility. It is subsequently determined that the case is not eligible for EA because it is Title IV-E eligible. Can counties claim reimbursement of EA for the period prior to determining Title IV-E eligibility?

- A: Juvenile assessment centers, residential treatment facilities and county-operated shelters are not eligible for Title IV-E funding. Only a child placed in a group home, foster family agency or family home is potentially eligible for Title IV-E funding. Providing the county authorized EA services within 30 days of application for a child placed in a group home, foster family agency or family home, the period prior to determining Title IV-E eligibility would be allowable under EA.
26. Q. Is it the state's intent to cover the state's match under EA from the CWS Allocation or from the Foster Care Payments?
- A: The state's match for EA costs will come from various sources, which are identified on the attachment to this letter.
27. Q. If the state uses CWS Allocation to cover its match, will counties lose a percentage of their allocation? (Refer to CFL No. 93/94-20, page 2, under CWS allocation)
- A: Yes. As stated in the ACL 93-64 any state general fund savings incurred in shelter placements as a result of the implementation of EA will revert to the state general fund.
28. Q. How will the Title IV-A case counts affect the administrative claim for the Title IV-E programs? What about training and court services?
- A: The EA Title IV-A case counts will not affect the AEC for the Title IV-E programs. CWS costs will continue to be adjusted by the non-federally eligible Foster Care percentages as they are now. Training costs for EA staff are subject to the staff development claiming criteria. Court services associated with CWS are claimed to that program.
29. Q. Is there any new non-county funding contemplated through any source for non-EA-eligible bed days if Title IV-B Federal funding is removed? Will the state CWS allocation still be available to cover 70% of the non-federal portion (i.e. all) of these costs?
- A: There are no new non-county funding sources planned for allowable non-EA-eligible bed days. As stated in CFL 93/94-08, dated August 5, 1993, the CWS allocation for FY 1993/94 continues to utilize the same assumptions used in the 1992/93 CWS allocation for Titles IV-B (remains capped), as well as IV-E. Costs for shelter which exceed 30 days are currently 100% county funds.

30. Q. In processing EA applications for Foster Care, it is necessary to first determine eligibility for Title IV-E reimbursement (if case is eligible, EA is to be denied). Do counties get workload credit for processing both applications?
- A: No, EA eligibility determination could occur prior to foster care eligibility when a child is placed in shelter prior to Foster Care. Counties will get workload credit only for determining Title IV-E eligibility for Foster Care of a child under the current case reporting mechanism. However both costs are reimbursable.
31. Q. What is the workload standard for EA applications?
- A: The estimate for EA eligibility determination assumed 30 minutes of EW time to process an application for EA.
32. Q. Will counties receive a Cost Control allocation for EA eligibility workload?
- A: No. EA eligibility costs will be reimbursed from funds available in the AFDC administrative allocation, as augmented by funds for EA activities.

ATTACHMENT

EMERGENCY ASSISTANCE FUNDING FLOW - CWS/FC EA

<u>Process</u>	<u>Federal Source*</u>	<u>Sharing Ratio</u>	<u>State of GF Source</u>
<u>CWS:</u>			
Referral	IV-E	50-35-15	CWS Allocation
Response	IV-E	50-35-15	CWS Allocation
Assessment	IV-E	50-35-15	CWS Allocation
Services (Concurrent with placement cost)	**	0-70-30	CWS Allocation
<u>Shelter:</u>			
EA-Elig. Determination	IV-A	50-35-15	Co. Admin - EA
Shelter (1-30 days) - EA Elig.	IV-A	50-35-15	CWS Allocation
Shelter (1-30 days) - non-EA	N/A	0-70-30	CWS Allocation
Shelter (31-Removal)	N/A	0-100	N/A
<u>Foster Care:</u>			
IV-E Elig. Determination	IV-E	50-35-15	AFDC Allocation
FC-IV-E Elig.	IV-E	50-20-30	Entitlement
FC(< 6 mo.)-St. only Elig.	IV-A	50-20-30	Entitlement
FC(> 6 mo.)-State only Elig.	N/A	0-40-60	Entitlement
FC(State only)-Non EA	N/A	0-40-60	Entitlement
FC(GA) - EA Elig.	IV-A	50- 0-50	N/A
FC(GA) - Non EA	N/A	0- 0-100	N/A

* All IV-E fundable costs are subject to the non-federal foster care discount where applicable.

** Eligible services are funded with federal Title IV-B at 75% federal match up to grant.

