

## DEPARTMENT OF SOCIAL SERVICES

## CHILDREN'S DIVISION

P. O. BOX 88

JEFFERSON CITY, MISSOURI

June 29, 2010

## M E M O R A N D U M

**What's Inside:**

Legal Guardianship  
Subsidy Education and  
Medical Information Policy  
Updates

TO: REGIONAL EXECUTIVE STAFF, CIRCUIT MANAGERS, AND  
CHILDREN'S DIVISION STAFF

FROM: PAULA NEESE, DIRECTOR

SUBJECT: LEGAL GUARDIANSHIP SUBSIDY AND EDUCATION/MEDICAL  
INFORMATION POLICY UPDATES

**DISCUSSION:**

The purpose of this memorandum is to introduce new requirements in response to the Fostering Connections to Success and Increasing Adoptions Act of 2008/Public Law 110-351, and to provide direction to staff regarding the necessary FACES data entry to meet the new requirements. As a result of completion of the new requirements, the Children's Division will apply consistent eligibility criteria, be able to determine IV-E eligibility, and have the opportunity to claim Federal IV-E funding for guardianship subsidies in the same manner as adoption subsidies. This change is effective June 30, 2010.

**IV-E GUARDIANSHIP:**Provider Requirements:

The following conditions must be met to be determined a provider eligible for IV-E Guardianship subsidy:

1. The provider is considered an eligible relative provider:
  - Grandparent(s)
  - Aunt(s)
  - Uncle(s)
  - Adult Sibling, including half-siblings (must have a parent in common)
    - *Note: Step-siblings are not an approved resource, eligible for guardianship subsidy.*
  - Adult First Cousin
2. The Relative Provider/Legal Guardian is able to meet licensure requirements;
3. The Legal Guardianship Contract has been negotiated, approved, and entered into the system, ***on or prior to the date of guardianship.***

If there are conditions listed above that cannot be met by the relative provider, and that provider has cooperated with the completion of criminal background checks, training (STARS for the Caregiver Who Knows the Child), the home assessment process and it has been determined **by approval of the Regional Director or designee** that permanency will best be achieved for the child/ren, Missouri only funded guardianship subsidy may be approved.

#### Child Requirements:

The following conditions must be met for a child to be determined eligible for IV-E Guardianship subsidy:

If the answers to questions 1, 2 3 and 5 are “Yes”, then the child is ‘Eligible’ OR  
If the answers to questions 4 and 5 are ‘Yes’, then the child is ‘Eligible’

1. Was the child IV-E Eligible and reimbursable for 6 consecutive months immediately prior to the LG placement?
2. Was the child placed with the LG provider for 6 consecutive months prior to the LG placement?
3. The answers to all of the following questions are ‘Yes’:
  - a. Has reunification been ruled out as an appropriate permanency option?
  - b. Has adoption been ruled out as an appropriate permanency option?
  - c. Does the child have a strong attachment to the prospective relative guardian?
  - d. Does the guardian have a strong commitment to care permanently for the child?
  - e. Has the child been consulted regarding the kinship arrangement? (only applies to ages 14 and up)
4. Is the child a member of a sibling group; of which one of the children qualify for the above three conditions?
5. Is the child a full time elementary or secondary school student or incapable of attending school due to a documented disability condition?

**Note:** If a child has not been in a reimbursable placement for 6 months prior to the guardianship being awarded, guardianship should not be delayed until this condition is met.

#### SIBLING PLACEMENTS

If a sibling group is being placed with a prospective relative guardian, IV-E eligibility of one sibling results in the sibling group being IV-E eligible. This eligibility applies if the sibling group is being placed simultaneously or at any subsequent date following placement of the eligible child.

However, the questions on the IV-E Guardianship Determination (additional data entry) screen are still required for each individual child regardless of the IV-E eligibility status of the first child. Children in a sibling group should have their cases linked in FACES so that the IV-E eligibility specialist may determine the eligibility for each child. For the purpose of IV-E eligibility, full blooded siblings and half-siblings (children with one parent in common) would be deemed eligible for the sibling determination. Step-siblings are not eligible under IV-E guidelines for sibling group determination of IV-E eligibility and require a IV-E determination to be completed independently for each child.

#### CHILD INFORMATION- CASE MANAGER RESPONSIBILITIES

In order to determine if a child is eligible for IV-E reimbursable guardianship subsidy, required information must be entered into FACES and the new GAP Guardianship screens. Staff will be required to answer the eligibility questions for all guardianship cases.



Case Management at the top of the A/C Monitoring and A/C Information screens that will allow the worker to return to the IV-E Guardianship Determination (additional data entry) screen and complete the data entry necessary for the state to track all guardianship subsidy cases.

Case Managers and IV-E eligibility specialists can also use the Worker Alerts (IV-E Gap) screen to monitor any guardianship cases that are waiting for the additional data entry and/or determinations to be completed. This screen is accessed via a link from the FACES Worker Alert screen. A separate window opens that displays a list of all DCN's in which some action needs to be taken to determine eligibility. The screen automatically defaults to the alerts for the worker who is signed on.

**Missouri Department of Social Services**  
**Children's Division**  
**Worker Alerts (IV-E GAP)**

---

References: [IV-E GAP Reference Sheet](#)

Links: [IV-E GAP Additional Data](#)      [IV-E GAP Determination](#)

---

User ID:       Worker Name: SACWIS EFIX

From Date:  /  /       To Date:  /  /      

---

Notify Date	Due Date	DCN	Call/Case #	Short Description
06/17/2010	06/17/2010	63725419	20101650013	<a href="#">Additional Data Entry is required for IV-E Guardianship Determination</a>

---

**DETERMINING ELIGIBILITY- IV-E ELIGIBILITY SPECIALIST RESPONSIBILITIES**

Once the case manager has completed the additional questions for IV-E Guardianship Determination, an alert is sent to the appropriate IV-E eligibility specialist via the Worker Alerts (IV-E GAP) screen. The IV-E eligibility specialist can access the IV-E Guardianship Determination (Determination) screen either by clicking the worker alert or accessing the screen directly. Links to this screen are available in Eligibility at the top of the Determination History screen.

The IV-E eligibility specialist will complete the Guardianship Determination by reviewing all the necessary data on the GAP Guardianship Determination screen. Once all the information is verified, click the "Perform Guardianship Determination" button. The system executes the IV-E Guardianship logic and displays the determination result. The IV-E eligibility specialist can review these results, make any necessary corrections and perform the guardianship determination again if the initial results are not as expected. Once the guardianship determination results are accurate, the IV-E eligibility specialist saves and submits the final determination.

**Missouri Department of Social Services  
Children's Division  
IV-E Guardianship Determination (Determination)**

References: [IV-E GAP Reference Sheet](#)  
 Links: [IV-E GAP Additional Data](#) [IV-E GAP Worker Alerts](#)

ES Worker:   
 Status:

List of DCNs						
DCN	Child's Name	ES Worker	Status	IV-E Guardianship Determination	IV-E Guardianship Funding	
					Begin Date	End Date
<input checked="" type="checkbox"/> 63725419	CHILD TEST		Pending Determination	N/A		

Status: Pending Determination  
 DCN: 63725419 Case #: 20101650013  
 Child's Name: CHILD TEST DOB: 01/01/2004  
 Case Manager Name/ID: SACWIS EFIX / SACE020 ES Worker Name/ID:  
 Is the child a full time elementary or secondary school student? No  
 Expected Graduation Date:  
 Is the child incapable of attending school due to a documented medical condition? No

Legal Status 9 Begin Date: 06/01/2010 Legal Status 9 End Date:  
 LGS Placement Begin Date: 06/01/2010 LGS Placement End Date:  
 LGS Placement Vendor Name:   
 LGS Placement DVN:   
 Individual 1: Polly Davies Individual 1's Relationship with Child: Grandparent  
 Guardianship Contract Begin Date: Guardianship Contract End Date:  
 RH License Last Status:

Has reunification been ruled out as an appropriate permanency option?  Yes  No  
 Has adoption been ruled out as an appropriate permanency option?  Yes  No  
 Does the child have a strong attachment to prospective relative guardian?  Yes  No  
 Does the guardian have a strong commitment to care permanently for the child?  Yes  No

IV-E Guardianship Determination Results			
Criteria and Description	Criteria Determination	Test	Test Determination
Criteria 1 - Sibling Criteria	Failed		
Criteria 2 - Contract Criteria	Failed		
Criteria 3 - School Criteria	Failed		
		Test 1 - School Enrollment/Attendance	Failed
		Test 2 - Documented Medical Condition	Failed
Criteria 4 - Individual Child's Eligibility	Failed		
		Test 1 - IV-E Eligibility and Reimbursability (past six months)	Failed
		Test 2 - Placement (past six months)	Failed
		Test 3 - Guardianship Preference	Passed
Criteria 5 - Relationship (to the vendor) Criteria	Passed		

**IV-E Guardianship Determination**

IV-E Guardianship Determination: Child is 'Ineligible' for IV-E Guardianship funding.  
 Override:  
 Child is eligible for IV-E Guardianship funding.  
 Child is Eligible (s) for IV-E Guardianship funding.  
 IV-E Guardianship Notes:

If the child does not meet the eligibility criteria for IV-E Guardianship Subsidy as outlined in the first section of this memo, but the IV-E Eligibility Specialist has documentation that supports IV-E eligibility, they do have the ability to override this determination. Below are some examples of situations in which a truly eligible child may not be determined correctly as “Eligible”:

- Child has a full/half sibling that meets the IV-E Guardianship eligibility, but the siblings are listed under separate case numbers in FACES. Therefore, the sibling relationship is not being picked up in the determination calculation, thus making the child ineligible for this reason only (all other conditions are met). If the IV-E Specialist can verify the qualifying sibling relationship, they can override the “Ineligible” determination.
- Child has been placed with the same LG providers for 6 consecutive months. The LG providers get a divorce and the provider with whom the child is remaining gets a new vendor number. The system determines that the child is “Ineligible” due to the provider having a different DVN, thus not recognizing that the child was with the same provider for 6 months prior. If the IV-E Specialist can document the consecutive 6 months of prior placement, they can override the “Ineligible” Determination.

For audit purposes, the IV-E Eligibility Specialist must be able to provide documentation verifying that the child meets any missing IV-E Guardianship requirements before they complete the determination override. The IV-E Eligibility Specialist will determine the begin and end dates of eligibility and must clearly document the reason for the override in the “IV-E Guardianship Notes” section.

IV-E Guardianship Determination	
<b>IV-E Guardianship Determination:</b>	Child is 'Ineligible' for IV-E Guardianship funding.
	<b>Override:</b>
	<input checked="" type="checkbox"/> Child is eligible for IV-E Guardianship funding.
	<input type="checkbox"/> Child is Eligible (s) for IV-E Guardianship funding.
	Guardianship Funding Can Begin On: <input type="text"/> / <input type="text"/> / <input type="text"/>
	Guardianship Funding End Date: <input type="text"/> / <input type="text"/> / <input type="text"/>
	Override Performed By: SACWIS EFIX / SACE020
<b>IV-E Guardianship Notes:</b>	<input type="text"/>
<input type="button" value="Save and Submit IV-E Guardianship Determination"/>	

**REQUIRED EDUCATION INFORMATION**

New Federal Legislation (P.L. 110-351) requires each child receiving a IV-E foster care, adoption, or guardianship payment to be enrolled full time as an elementary or secondary school student, or be deemed incapable of attending school due to a medical condition.

The Education Information screen in FACES has been updated to include mandatory fields that staff must complete regarding each child’s education for the current school year. These fields will be mandatory for **all** Alternative Care functions, not just limited to guardianship cases.

The mandatory fields are:

- Is the child enrolled full-time?

- Is Child incapable of attending school due to documented Medical Condition?
  - This field will display 'Yes' or 'No' based on information entered on the Medical Information screen. If the child is unable to attend school due to a documented medical condition, staff must document this on the Medical Information screen.
- Current School District: Based on the child's residence, regardless of whether the child is enrolled in school or not;
- Current School District code: Required for all ages.
- School District at the time of Removal and Address.
- Removal School District Code: Required for all ages.
- Current or most recent school of enrollment and address: This field is required for ages 7-18 and optional for all other ages.
- The begin date of attendance at the current or most recent school: This field is required for ages 7-18 and optional for all other ages.
- The number of times the child has changed schools during the last six months: This field is required for ages 7-18 and optional for all other ages.
- How many school changes have resulted due to changes in foster placements?
- Have school records been transferred?
  - Date requested
  - Date received
- If efforts were made to maintain youth in original school: This field is required for ages 7-18 and optional for all other ages.
- Current Grade Level: This field is required if the child is between the ages of 7-16; optional if the child is not yet 7 years or older than 16 years;
- Expected Graduation: Staff is required to provide an expected graduation date for children who are in the 9<sup>th</sup> grade or higher; this field will be optional for children who have not yet reached 9<sup>th</sup> grade, but are aged between 5 and 17 years.
- Is the Child Pursuing a GED, GED Date and GED Details: If the youth has obtained or is pursuing a GED in place of high school graduation, GED details must be captured, including from where the GED is obtained and the date of completion of the GED.
  - **Note:** For Youth 9<sup>th</sup> grade and above, either Expected Graduation Date OR GED information is required.
- Individualized Education Plan (IEP)
  - Is the IEP current?
  - Is the IEP being followed?
  - Date of the last IEP

- Does the child have a 504 plan?
  - Is the 504 Plan current?
  - Is the 504 Plan being followed?
  - Date of last 504 Plan
  
- Any other special services the child receives, options include:
  - Physical Therapy
  - Occupational Therapy
  - Speech Therapy
  - Other (this box should be utilized to describe any services other than First Steps or developmental services)
  
- Is the child in any special classes/Summer School/Enrichment Classes?

**MEDICAL INFORMATION SCREEN**

- In the Socialization or Emotional Care section, a new check box has been added with the following question. This answer will also display on the Education screen:
  - Unable to attend school?
    - Yes:
      - Name of Physician
      - Date Exemption Received
      - Comments
    - No

<p><b>Socialization or Emotional Care:</b></p> <hr/> <p>Because of this child's medical/developmental disability (not age) he/she requires:</p> <p><input type="checkbox"/> Emotional support, encouragement, and reassurance due to withdrawal, fearfulness, depression, dependency, feelings of inferiority, etc.</p> <p><input type="checkbox"/> Structured behavior management regimen</p> <p><input type="checkbox"/> Socialization stimulation (i.e. touch response)</p> <p><input type="checkbox"/> Foster parents to spend time with neighbors, community figures, school authorities in working out plans to address the child's disability</p> <p><input type="checkbox"/> Calming measures on a daily basis</p> <p><input type="checkbox"/> Restructuring of bonding with biological parents or attachment to a permanent replacement</p> <p><input checked="" type="checkbox"/> Unable to attend school</p> <p><b>Physician Exemption :</b></p> <p><input checked="" type="checkbox"/> Yes    <input type="checkbox"/> No</p> <p><b>Name of Physician:</b></p> <p><b>Date of Exemption Received :</b> <input type="text"/> / <input type="text"/> / <input type="text"/></p> <p><b>Comments:</b> <input style="width: 100%;" type="text"/></p>
--

<p><b>NECESSARY ACTION</b></p> <ol style="list-style-type: none"> <li>1. Review this memorandum with all Children's Division staff.</li> <li>2. All questions should be cleared through normal supervisory channels and directed to:</li> </ol>
---

<b>PDS CONTACT</b> Emily Montgomery, MSW (573) 522-8620 Emily.M.Montgomery@dss.mo.gov	<b>PROGRAM MANAGER</b> Amy Martin (573) 751-3171 <a href="mailto:Amy.L.Martin@dss.mo.gov">Amy.L.Martin@dss.mo.gov</a>
<b>CHILD WELFARE MANUAL REVISIONS</b> Section 4 Chapter 30 Subsection 4 – Child’s Eligibility Criteria for Adoption or Legal Guardianship Subsidy	
<b>FORMS AND INSTRUCTIONS</b> N/A	
<b>REFERENCE DOCUMENTS AND RESOURCES</b> HR 6893 Public Law 110-351	
<b>RELATED STATUTE</b> N/A	
<b>ADMINISTRATIVE RULE</b> N/A	
<b>COUNCIL ON ACCREDITATION (COA) STANDARDS</b> N/A	
<b>CHILD AND FAMILY SERVICES REVIEW (CFSR)</b> N/A	
<b>PROTECTIVE FACTORS</b> N/A Parental Resilience Social Connections Knowledge of Parenting and Child Development Concrete Support in Times of Need Social and Emotional Competence of Children	
<b>FACES REQUIREMENTS</b> As required by memo	