

## Local Match White Paper

### **What is local match?**

The Florida Legislature passed the Revenue Maximization Act (F.S. 409.071) in the mid-1990s which recognized that state funds are insufficient to match the health and human services needs provided by state agencies. The Legislature fully authorizes the use of certified local funding for federal matching programs possible to support local services. State agencies were charged with the expectation to provide proactive support to implement the legislative priority. The intent was that the initiative was to be cost neutral to state funds. While the reference of “certified local funding” implies the funding of a local agency, the fund sources available to claim additional federal reimbursement are entitlement grants which require certified public expenditures to be used as match. The primary federal funds available for reimbursement are the entitlement grants of Title IV-E, Medicaid, and Supplemental Nutrition Assistance Program (SNAP) and each of these grants require public dollars to be used to claim the reimbursement.

The federal guidance at 2 CFR 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Grants, in 200.1 the definition for “local agency” means any unit of government within a state, including county borough, municipality, city, town, township, parish, local public authority, special district, school district, intrastate district, council of governments, and any other agency or instrumentality of intra-State or local government. All these agencies have certified public expenditures.

The Department of Children and Families must amend the Title IV-E State Plan and the Public Assistance Cost Allocation Plan to ensure that the costs are allowable and reimbursable.

Fed authority / State authority (statute, etc.)

The Federal authority to claim certified public expenditures is provided in 2 CFR 200 and 45 CFR 75.03 Cost Sharing or Matching (b) 1-7, and (c) provisions are available to outline the allowable costs and reporting requirements.

Florida Statutes 409.071 and 409. 26731 provides authority for the state agencies to certify local funds as match for Title IV-E reimbursement. The match for this fund source must be certified public funding to claim any reimbursement. Again, local funding as stated in the legislation is much broader than generally considered local agency funding.

### **Who can receive services?**

Children known to the child welfare system may be claimed for reimbursement if there is an open case with ongoing case management and case oversight being provided. The child must have an assigned Child Protective Investigator, a Sheriff’s Office investigator or a Community-Based Care case manager providing either in-home, foster care or adoption services.

**What activities are claimable?**

The activities that are reimbursable from federal funds must be approved in the State’s Title IV-E State Plan, Administrative Case Management State Plan and the Supplemental Nutrition Assistance Program State Plan. Likewise, the activities claimable must be submitted and approved in the Public Assistance Cost Allocation Plan.

- Title IV-E has three components of allowable costs – maintenance, or room, board and supervision: administration and training costs.

Maintenance costs may be claimed only for children who are determined Title IV-E eligible and who are eligible when the cost is incurred. Examples include:

- Room and board costs for out of home care placement
- Supervision costs for children and youth in out of home placement
- Incidental expenses may include but not limited to:
  - Clothing, diapers
  - School related expenses – costs for school supplies (backpack), graduation, prom costs, class ring
  - Lessons such as – horseback riding, dance, music, art

Administrative costs may be for children remaining in the home, children in out of home placement or children in adoption assistance. Examples of administrative costs may include, but not limited to:

45 CFR 1356.60 (c)

- Referral to services
- Preparation and participation in judicial determinations
- Placement of the child
- Development of the case plan
- Case reviews
- Case management and supervision
- Recruitment and licensing of foster homes and institutions
- Rate setting
- A proportionate share of related agency overhead, and
- Cost related to data collection and reporting.

Additional Title IV-E foster care administrative costs specified in the CWPM, Section 8.1B Title IV-E, Administrative Functions/Costs, Allowable Costs – Foster Care Maintenance Payments Programs may include:

- Preplacement administrative costs (inclusive of those listed above) that are provided to children at imminent risk of removal from the parents and placed in the foster care system;

- Title IV-E eligibility determinations;
- Completing a case assessment in the context of case planning that addresses psychological, developmental, behavioral, and education factors to explore underlying issues such as family violence or substance abuse and examining the child and family's needs, strengths, resources, and existing support systems; and
- Independent legal representation by an attorney for a child who is a candidate for Title IV-E foster care or in foster care and his/her parent in the preparation and participation in all legal proceeding.

Additional Title IV-E adoption administrative costs specified in the CWPM, Section 8.1A, Title IV-E, Administrative Functions/Costs, Allowable Costs – Adopiton Assistance may include:

- Recruitment of adoptive homes
- Placement of the child in adoptive home
- Case review and case management conducted during a specific preadoptive placement for childre who are legally free for adoption
- Case management and supervision prior to final decree of adoption
- Completion of home studies
- Activities related to post-finalization, such as:
  - Fair hearings and appeals;
  - Management of the adoption subsidy;
  - Review and negotiation of the adoption assistance agreement;
  - Case management performed to implement an adopiton assistance agreement

Medicaid is claimable as Administrative Case Management which includes:

- Raising awareness about health coverage,
- Create opportunities for families to get their eligible children signed up for services
- Motivate parents to enroll their children and renew as needed,
- Share information about the application process,
- Discuss how to apply for Medicaid and
- Assist families in completing the application process.

SNAP is claimable when the following services are provided:

- Provide information on the SNAP application process,
- Assist families with applying for SNAP.

**What agreements exist currently, and what are they for?**

Existing Agreements	Claiming Medicaid	Claiming SNAP	Claiming Legal Representation	Claiming Adoption Services
Children’s Services Council of Martin County	✓	✓		
Children’s Services Council of Broward County			✓	✓
Children’s Services Council of Palm Beach County			✓	
Palm Beach County, Board of County Commissioners				✓

**What agreements are we working on?**

Working Agreements	Claiming Medicaid	Claiming SNAP	Claiming Legal Representation
Office of Criminal Conflict & Civil Regional Counsel -Regional Counsel 1			✓
Office of Criminal Conflict & Civil Regional Counsel – Regional Counsel 2			✓
Office of Criminal Conflict & Civil Regional Counsel – Regional Counsel 3			✓
Office of Criminal Conflict & Civil Regional Counsel – Regional Counsel 4			✓
Office of Criminal Conflict & Civil Regional Counsel – Regional Counsel 5			✓
Judicial Administrative Commission			✓
Children’s Trust of Alachua County	✓	✓	

**Shift to FFPSA – September 30, 2021**

Florida DCF is preparing for the implementation of Family First Prevention Services Act no later than October 1, 2021. The Department is producing a Prevention Plan that will be carried out by the community-based agencies providing child welfare services across the state. With the implementation of significant program as FFPSA, there are issues in the process of being determined by DCF and OCW leadership in collaboration and the necessary approval by the ACF. At this time, and in the months to come significant decisions will be made. T

### **Change in candidacy definition**

A candidate for foster care was established in federal regulation in 1985 with revisions made as part of the Deficit Reduction Act of 2005. The requirements restricted claiming for Title IV-E administrative costs for a child who is at imminent risk of removal from their home. A case plan must be completed with the parents to identify services to maintain the child within the home. In addition, an eligibility determination must be completed and redetermined every six months.

The language and the requirements for defining a candidate for foster care remained the same until the passage of Family First Prevention Services Act of 2017. The candidate for foster care is defined as a child identified in a prevention plan as being at imminent risk of entering foster care (without regard to whether the child would be eligible for title IV-E foster care, adoption, or guardianship payments) but who can remain safely in the child's home or in a kinship placement as long as services or programs that are necessary to prevent the entry of the child into foster care are provided. The term includes a child whose adoption or guardianship arrangement is at risk of a disruption or dissolution that would result in a foster care place. Each state has the option to define a candidate for foster care under the Prevention Plan for FFPSA.

Florida's proposed definition to ACF is as follows:

*Candidate for foster care" for the purpose of this chapter, means a child, youth, and young adult, formally assessed through community engagement or abuse hotline reporting to be at risk of entering foster care but who can remain safely in their home or in a kinship placement with the evidence-based prevention services delivered by the community, through the Community Based Care service network, or through the Department. A child and youth may be at risk of entering foster care based on alleged maltreatment and/or circumstances and characteristics of the family unit, individual parents, and/or children that may affect the parents' ability to safely care for and nurture their children in their own homes.*

### **Evidence-based practices**

A key component to the FFPSA is the ability for a state to claim Title IV-E reimbursement for evidence-based services that support and address the issues that brought the family to the attention of the Department. Prior to this legislation, federal regulations forbid any claiming of services. 45 CFR 1356.60 (c) (3) states "allowable administrative costs do not include the costs of social services provided to the child, the child's family or foster family which provide counseling or treatment to ameliorate or remedy personal problems, behaviors or home conditions." With FFPSA, services such as substance abuse treatment, parenting and mental health services may be claimed at 50% administration reimbursement. In addition, DCF has the latitude to identify specific evidence-based practices that will address the immediate issues of the family that will alleviate the necessity of a child's removal and placement in foster care. The Department continues to meet with stakeholders and partners across the State to explore evidence-base practices currently in place and those that agencies are considering implementing. As decisions are made the Children Services Council can be provided updated information.