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I. BACKGROUND

Prior to All County Letter 11-10 dated January 28, 2011 counties were required to review each case on an annual basis for continued deprivation of parental support or care based upon the original home of removal. ACL 11-10 clearly states "Although federal redeterminations of AFDC eligibility of the home of removal, i.e., deprivation, is no longer required after the initial linkage determination has been made, counties are reminded that all Title IV-E eligibility criteria of the child and provider must be met on an ongoing basis as prescribed in federal law and in accordance with CDSS regulations; EAS Manual Sections 45-100 and 45-300". Effective, January 1, 2011 we will eliminate the process of reviewing continued deprivation and the good faith efforts at Reinvestigation (RV). However, a RV will continue to be conducted on an annual basis.

II. GENERAL

- A. AFDC-FC regulations require a reevaluation of Foster Care eligibility every twelve months.
- B. A reinvestigation must be completed for aid codes 42 and 40.
- C. RV's are not required on 9X (All County Funds) or Pass-On, but should be completed for review purposes only.
- D. There is no RV requirement for the EA program, aid code 5K. Refer to EA to FC procedure.

III. REFERENCE

ACL 11-10, New Federal Policy Guidelines Relating to the AFDC-FC Program Redeterminations
 Dept. Memo 158, AFDC-FC Reinvestigation (RV) Process
 ACIN I-06-93, Redetermination of Deprivation – Federal AFDC and the Elimination of the 100 Hour Rule
 ACL 90-04, Redetermination of Deprivation
 EAS 41-440, Deprivation of Parental Support or Care
 EAS 44-207.31, Lump Sum Informing Notice
 EAS 44-317.62, Intra-program Status Change
 EAS 45-201.7, General AFDC-FC Requirements - Redetermination
 EAS 45-202.1, Federal AFDC-FC Program - Deprivation

IV. INTRODUCTION TO REINVESTIGATIONS

- A. At the time of the redetermination, the following steps are necessary:
 - 1. Check the date of the initial FC3 to determine if the linkage determination was completed.

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2. If the non-federal status on the insufficient information case has changed as a result of the reevaluation, change the claiming retroactively by changing the aid-type effective the month of the original petition or for 18 months maximum, then proceed with the reevaluation process.
3. Verify that the finding of reasonable efforts to finalize the permanency plan has been made timely.
 - a. Obtain a copy of the Court Order with the finding and document such on the FC 158 RV, Foster Care Reinvestigation (RV) documentation.
 - b. If the finding is not made timely, the child ceases to be eligible for federal FC at the end of the 12th month after he/she entered care and remains ineligible until the finding is made.

V. POLICY REVIEW

A. Insufficient Information Cases

1. Review of Deprivation for Insufficient Information Cases

- a. If the deprivation determination could not be made in the month of petition due to insufficient information we must explore any new information available that may lead to a deprivation determination.

Note: If Parental Rights have been terminated there should be no further contact with the parents.

i. DEATH .

- ✓ A death certificate or court documents reflecting the death of the parent(s),

ii. ABSENCE – For deprivation of absence:

- ✓ A statement on the FC-2 (or separate document) signed by the Social Worker or the Probation Officer that the parents are not residing together.

iii. INCAPACITY – Incapacity must be verified by:

- ✓ Using MEDS to verify receipt of SSI or OASDI, or
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- ✓ Proving receipt of SDI or Workman's Compensation, or
- ✓ Receipt of a statement of incapacity signed by a physician.

- iv. UNEMPLOYMENT – Unemployment must be verified by the determination of the Primay Wage Earner:

Note: Claiming of FFP is subject to PWE's employment.

- ✓ The primary wage earner must have been receiving or be eligible to receive UIB within the last 12 months, or
- ✓ The primary wage earner must have sufficient work quarters (six) of earnings in their work history following the rules of the former AFDC-FG/U Program.

Note: The 100 hour rule was eliminated on 12/1/92.

- b. If the case was originally granted non-federal with insufficient information and new information has been proven in the month of petition, the case may be changed to federally eligible.

B. Federal and Non-Federal Cases

1. Review the child's or non minor dependent's payment amount annually by reviewing the following circumstances subject to change and that could affect ongoing eligibility including but not limited to:

- ✓ Authority for placement
- ✓ Eligible facility
- ✓ Age

2. Non-Related Legal Guardian Cases

- a. Redeterminations on Non-Related Legal Guardian (NRLG) cases are completed by the NRLG.
- b. Although the SAWS2 is used at the time of original application for NRLG cases, the FC-2 is used for redetermination.
- c. The EW will establish an appointment time for the NRLG to come into the office for the redetermination interview.

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- d. The EW will generate the appropriate appointment, attach a blank FC-2, SAWS2A, and FC 1683 (Lump Sum Notice); then mail the redetermination package to the NRLG.
 - e. The EW will request an updated SOC158 from the Clerical Specialist.
 - f. If the NRLG does not cooperate in the completion of the redetermination, the EW will send a timely 10 day Notice of Action to discontinue the case at the end of the month in which the redetermination was due. NRLG cases **will** be discontinued for failure to cooperate with the completion the redetermination.
3. If the case is non-federal due to insufficient information and new information for the petition month is available that would change the case to either non-federal or federal a new FC 3 must be completed.
 4. If the case becomes federal, change the aid type claiming for 18 months and document the change.

VI. PROCEDURE

- A. The EW will receive a list of RV's with a due date one month in advance.
- B. The EW will request IEVS.
- C. Appointment Letters (IM 52 RV)

Note: If Parental Rights have been terminated there should be no further contact with the parents.

1. On Foster Care cases with an Insufficient Information finding, the EW will send an appointment letter to the parent from whom removed. This letter should be sent one month prior to the reinvestigation due date.
 2. On NRLG cases the EW will send an appointment letter to the legal guardian. This letter should be sent one month prior to the reinvestigation due date.
- D. If the parent/guardian keeps the appointment, the EW will notify the SW/DPO that only an updated SOC 158 is necessary.
 - E. The following forms are necessary:
 1. FC-2, Statement of Facts

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2. Updated SOC 158 including the following current service dates:
 - a. Date of most recent home visit
 - b. Date of Case Plan
 - c. Date of last PP hearing or last 6 month review hearing date as well as the most recent order with finding of reasonable efforts to finalize the permanency plan.

Note: For guardians the only requirement is the most recent home visit.

Important: Current service dates are defined as having occurred within six months of the date on which the SOC 158 is completed.

- F. For Dependents and Wards of the Juvenile Court, contests and/or continuances of hearings may cause the other dates to appear to be off schedule. As long as Dependency/Wardship has been maintained, the presumption shall be that hearings occurred on schedule because failure to do so would have resulted in loss of jurisdiction.
- G. The FC-2 will be completed by the Social Worker.
- H. If the completed FC-2 completed by the Social Worker indicates a new address for the parent(s), the EW will send a second appointment letter to the new address.
- I. The entire case must be reviewed at the time of reinvestigation to assure that all pertinent verifications are in CaseSTAR, such as birth verification, Social Security Number, school verifications and the original application.
- J. Lump sum information must be sent on all legal guardian cases.
- K. Continued Federal eligibility must be documented on the FC3 signed by the EW.

VII. RESPONSIBILITIES

- A. FC Intake Clerk
 1. Send a list of Reinvestigation due one month in advance to the EW's, EW Supervisor, Clerical Supervisor and Clerical Specialist.

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B. Clerical Specialist

1. Generate the SOC 158 while ensuring dates are correct and current on the "L" line.
2. Generate the FC-2 and ensuring the completeness and accuracy of the document.
3. Obtain a copy of the most recent Court Order with the finding of reasonable efforts to finalize the permanency plan.
 - a. If the reasonable efforts finding was not marked on the Court Order, locate the SW's court recommendations indicating the recommendation was made to the Court. The Court Order should have language similar to the following:
The Court adopts the findings and recommendations of the agency in the report prepared for this review date.
4. Send the SOC 158 and FC-2 to the Social Worker for review and update if necessary as well as obtaining the Social Worker's signature on both documents.
5. Follow-up with the SW on RVs that have not been returned within 10 working days.
6. Update CWS/CMS as appropriate i.e. address change, placement change.
7. Forward the completed SOC 158, FC-2, Court Order and if applicable the recommendations to the Eligibility Work Supervisor.
8. Distribute copies as usual.

C. Social Worker

1. Upon receipt of the SOC 158 and FC-2 review for accuracy and update information if appropriate.
2. Sign and date both the SOC 158 and FC-2.
3. Return RV packet to the Clerical Specialist.

D. Eligibility Work Supervisor

1. Receive completed RV Packets from Clerical Specialist.

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2. Distribute to EW.
 3. Ensure reinvestigations are completed in a timely manner.
 4. Review the RV for accuracy and correctness.
- E. Eligibility Worker
1. Receives a list of reinvestigations due and requests IEVS.
 2. Sends Appointment Letters (IM 52 RV)
 - a. On Foster Care cases with an Insufficient Information finding, the EW will send an appointment letter to the parent from whom removed. This letter should be sent one month prior to the reinvestigation due date.
 - b. On NRLG cases the EW will send an appointment letter to the legal guardian. This letter should be sent one month prior to the reinvestigation due date.
 3. Upon receipt of the SOC 158 and FC-2 review both documents for completeness and signatures.
 - a. The FC-2 should be reviewed for the following:
 - Are all questions answered? “Unknown” or “Not Known” are acceptable, but leaving the field blank is not.
 - Is there new information regarding the child’s income or property?
 - Will the new information affect the child’s eligibility?
 - Is there other health coverage available to the child?
 - Is the form signed and dated? If no signature, the form is unacceptable and must be returned.
 - b. The SOC 158 is reviewed for the following:
 - Are the dates entered in Boxes 1 & 4 on Line L (“Date of Last Case Plan” and “Date of Last In-Person Visit with Child”) within six months of the date the SOC 158 is submitted. Both dates **must** be within six months or the form is unacceptable and must be returned.

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- Are the dates for Boxes 5 or 6 on Line L (“Date of Last 6-month Review Hearing” and Date of Last PP Hearing”) within six months of the date the SOC 158 is submitted. One of those dates **must** be within six months or the form is unacceptable and must be returned.
 - Is the form signed and dated? If no signature, the form is unacceptable and must be returned.
4. Review the completed forms including IEVS for eligibility changes and appropriate signatures and dates.
 5. Review CWS/CMS to assure the correct State ID (aid-type) code appears.
 6. Enter the RV date into CWS/CMS on the AFDC-FC eligibility page. The RV completion date is the date the EW completed the RV.
 7. Initiate the reinvestigation in Calwin.
 8. Document the reinvestigation using the Foster Care Reinvestigation Form, FC 158 RV.
 9. Enter Case Comments in Calwin documenting the reinvestigation.
- F. Additional Responsibilities of Eligibility Worker
1. 9X cases should be reviewed on an annual basis. RV's are not a requirement on these cases, but it is our business practice to review them. The EW should review the 9X cases following the protocol below:
 - ✓ Review the placement type and cost of care
 - ✓ Request and review IEVS
 - ✓ Review MEDS
 - ✓ Document the review by completing the FC 158 PT
 - ✓ Enter Case Comments in Calwin documenting the review
 - ✓ Submit the review packet to the EW Supervisor for approval

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G. Probation Department

1. The Probation Placement Clerk will prepare an FC-2 for each case, entering the child's name, date of birth, and social security number, worker's name, and worker's PCN. The Probation Placement Clerk will also prepare the SOC 158.
2. The Probation Officer, or his designee, will complete and sign the FC2 and SOC158 and return them to the worker/PCN indicated.

VIII. FORMS

- A. FC-2, Statement of Fact Supporting Eligibility for AFDC-FC
- B. FC 3, Determination of Federal AFDC-FC Eligibility
- C. SOC 158, Foster Child's Data Record and AFDC-FC Certification
- D. FC 158 RV, Foster Care Reinvestigation (RV) documentation
- E. FC 1683, Lump Sum Notice
- F. IM 52 RV, Notice of Redetermination Appointment
- G. JA 2, Statement of Fact for Cash Aid and Food Stamps
- H. SAWS 2, Statement of Facts for Cash Aid and Food Stamps
- I. SAWS 2A, Rights and Responsibilities