



DEPARTMENT OF HEALTH & HUMAN SERVICES

ADMINISTRATION FOR CHILDREN AND FAMILIES
Administration on Children, Youth and Families
1250 Maryland Avenue, S.W.
Washington, D.C. 20024

MAR 18 2011

Martin D. Brown
Commissioner
Virginia Department of Social Services
801 East Main Street
Richmond, Virginia 23219

Dear Mr. Brown:

In correspondence dated October 22, 2010, the Children's Bureau (CB) shared the results of the review of Virginia's title IV-E foster care eligibility program. This review was conducted by CB staff from the Central and Regional Offices with representatives of the Virginia Department of Social Services (DSS) during the week of August 2, 2010.

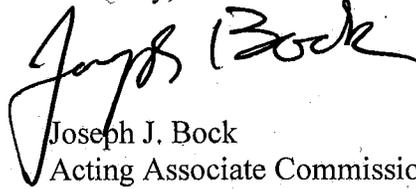
A review of a sample of 80 cases was drawn from the universe of cases that received title IV-E payments for the period of October 1, 2009 through March 31, 2010. The review team determined that eleven error cases and eight non-error cases were ineligible for Federal funding. Since the number of error cases exceeded four, Virginia's title IV-E foster care maintenance program was found not to be in substantial compliance with Federal child and provider eligibility requirements for the period under review. Pursuant to 45 CFR 1356.71(i), Virginia was required to develop a Program Improvement Plan (PIP) to address those areas identified in the review as requiring corrective action.

CB's Regional Office (RO) received a timely PIP from Virginia on January 20, 2011. The PIP was reviewed and additional information was requested from DSS. A revised PIP was received by the RO on March 8, 2011. CB has completed its review of the PIP and now finds it to be complete.

This correspondence provides notice that CB has approved Virginia's title IV-E PIP as of March 15, 2011. Enclosed is a copy of the approved PIP. The RO will continue to work closely with DSS in the implementation of this PIP. Quarterly reports are due to the RO with a description of the State's progress on the PIP and the results of the required evaluations. The first quarterly report is due to the RO on July 15, 2011, thirty days after the end of the first quarter.

We look forward to our continued work with you and your staff to improve services to children and families in Virginia. If you have questions, you may contact Lisa Pearson, Child Welfare Regional Program Manager in Region III, at (215) 861-4030 or by e-mail at lisa.pearson@acf.hhs.gov. You may also contact Christine Craig, Children and Families Program Specialist, at (215) 861-4065 or by e-mail at christine.craig@acf.hhs.gov.

Sincerely,



Joseph J. Bock
Acting Associate Commissioner
Children's Bureau

Enclosures

cc: Paul McWhinney, Deputy Commissioner; Department of Social Services; Richmond, VA
Gail Collins, Director; CB, Division of Program Implementation; Washington, DC
Jennifer Butler-Hembree; CB, Division of Program Implementation; Washington, DC
Lisa J. Pearson, Child Welfare Regional program Manager; CB, Region III; Philadelphia, PA
Christine Craig, Children and Families Program Specialist; CB, Region III; Philadelphia, PA

Virginia's Title IV-E Corrective Action Plan

Overview and Plan Matrix

March 8, 2011

The attached table is a matrix layout of the issues, Federal recommendations and suggestions from Virginia's Department of Social Services to improve the deficiencies identified during the August 2-6, 2010 Title IV-E Review.

This plan was developed by the Title IV-E Corrective Action Plan Advisory Team members, that include Therese Wolf-VDSS Permanency Program Manager, Pat Lewis-VDSS Title IV-E Supervisor, Dorothy Hollahan-VDSS Quality Manager, Janet Gaskins-VDSS Title IV-E Regional Consultant, John Leybold- VDSS Senior Financial Compliance Analyst, Nadine Blackwell-LDSS Newport News -IV-E EW, Wanda Ambrose-LDSS Essex-Administrative Office Manager, Carolyn Smith-LDSS Prince William-Human Services Worker III, Vickie Haralson-LDSS Chesapeake-Chief Social Work Supervisor, Meade Adams-LDSS Richmond-Social Work Supervisor, Shelia Wilkerson-Spears-LDSS Richmond-Benefits Program Specialist, Bob Lingo-LDSS Orange-Director, Hugh Fields-LDSS Henrico County Controller, Rachel White-LDSS New Kent- Administrative Office Manager.

The issues identified by the Federal review were unallowable program cost, placement and care responsibilities, invalid removals, AFDC eligibility, timeliness of judicial determinations, safety requirements and foster care rates. Deficiencies can be assigned to several general areas that need improvement including training, improved written guidance and communication, monitoring and documentation, improved documentation and verification of meeting safety requirements by licensing and accountability and financial accuracy. The attached table addresses each issue with specific goals and outcome, action steps, target date for implementation and completion of the steps, and evaluation measures. Virginia will provide status updates on a quarterly basis to apprise the ACF Regional Office of our progress.

Beginning in 2009 Virginia recognized that deficiencies existed while conducting onsite agency reviews. The title IV-E staff and Division of Family Services (DFS) program managers had initiated plans to make changes in training, monitoring, and written guidance prior to the review. The existing plans, in conjunction with the other actions identified in the matrix, should be completed within the year because much of the preliminary work is complete and waiting for initiation. More explanation of the work in progress follows.

TRAINING

The past training method, used since 2007, was an intensive 4-day, lecture-based format. It was conducted annually, once in each region of the State and targeted new title IV-E eligibility workers. There was no tracking for attendees or testing to determine the effectiveness of the

class or understanding of the curriculum. As we began onsite case reviews in March 2009, we found recurring errors and misunderstanding of the requirements. This was due in part to the outdated title IV-E guidance manual, but also reflected that existing training was not effective for long-term knowledge. We also found that many of the agencies had tight budgets and limited staff, which made it difficult to send staff for training. There was no training offered to service workers or finance staff on the intricacies of title IV-E compliance.

In early 2009, title IV-E staff developed an additional training curriculum targeted towards Service Workers. The training focused on the title IV-E requirement and Reasonable Candidates. The training sessions were conducted between April and December 2009 in each of the regions. The second training was for finance workers and focused on Payment Accuracy Guidelines including allowable title IV-E costs. These were mini-sessions, presented at each of the Regional Local Office Managers Meetings, between October 2009 and March 2010.

In coordination with larger State training plans to develop more online training, the rapid e-learning software (Articulate) was provided to the unit. The software and online access through the Knowledge Center, offered the opportunity to provide training in topical segments. The program also allows testing and tracking of participants. The original 4-day title IV-E training has been broken out into sections that include Entering Foster Care, Initial Title IV-E Eligibility, and Placement training. The remaining curriculum segments to be developed are Court Orders and Judicial Language and Ongoing Requirements. Title IV-E Policy Training for service workers and Payment Accuracy for finance workers will also be added to the Knowledge Center online course options. Although the training component of the plan is large, it is expected that the remaining curriculum can be developed and all classes will be accessible online within the year.

MONITORING

Virginia did not have an ongoing schedule to ensure that all title IV-E cases were reviewed for correctness between 2007 and January 2009. As the Federal Review approached, it became a priority to conduct reviews. Between March 2009 and May 2010, 115 of the 120 local agencies had a review. There were 5 localities that did not report any title IV-E cases. The review process, which included using the Federal title IV-E Review Instrument, verified the initial determination and reviewed court hearings, placement requirements, and correct payments. Each agency was provided a detailed report that identified successful and problematic procedures. These reviews established our baseline for future reviews to begin during the second quarter of the Program Improvement Plan (PIP). The monitoring requirements will continue through the implementation phase of the PIP. The longer term goal will be to develop a quality assurance plan as follow-up to the errors found. The resources needed to continue onsite reviews are discussed in more detail later in the plan.

GUIDANCE

The existing *Title IV-E Manual* has not had a comprehensive revision since 2006. This has been an ongoing challenge for several years, but is now almost complete. The revision process has been ongoing for all of 2010 but it was never quite completed. The new guidance has been developed through a cross-functional advisory team comprised of title IV-E workers and supervisors representing 10 local departments and the title IV-E consultants. The new revised draft has been reformatted to follow the title IV-E process from entry into foster care through close-out and incorporates the changes in the Fostering Connections Act, new State guidance for foster home approval, enhanced maintenance payments (VEMAT), elimination of annual redeterminations, and a new section on allowable title IV-E costs and payment accuracy. The prior year's work on the new guidance will enhance our ability to complete the actions for the PIP quickly.

TECHNICAL SUPPORT AND SUPERVISION

This is one of the areas in which Virginia has consistently provided excellent support to the local workers. Title IV-E consultants are easily accessible and respond quickly to a request. Each of the title IV-E consultants is available each day through email and telephone and has an extensive knowledge of title IV-E policy. The title IV-E supervisor also assists with clarification on policy and is available for support. In addition to the daily availability for support, consultants send out FAQs and "Did You Know" updates to share new information. In addition, the title IV-E consultants, or supervisor, attend the Benefit Program Organization meetings and regularly offer training and information updates on title IV-E policies.

RECOMMENDATION FOR RESOURCES AND ACTIONS

The Advisory team and title IV-E Staff have determined that additional staff is needed in order to meet title IV-E needs. It is recommended that 3 new part time title IV-E consultants be hired to ensure completion of the PIP. Currently there are 2 part-time staff and one program supervisor to provide administration and program support to 120 Local Departments of Social Services. The priorities of needs are often conflicting with the demand to revise written guidance, perform agency case reviews, provide training, develop new online curriculum, respond with technical support for title IV-E workers, and provide remedial support to troubled agencies. The Team believes that having a regional consultant for each area will free the program supervisor to focus on the policy and compliance issues including updating and revising title IV-E guidance, developing training guidelines and curriculum, evaluating compliance reviews to identify problem agencies, and assisting in the development of quality assurance plans. The additional regional consultants will be utilized to conduct more frequent training, provide regular compliance reviews in a timely manner, and provide prompt technical assistance.

In addition to the additional staff request, the team recommends that barriers to shared information be removed. The child welfare reporting system currently does not generally allow

access by Eligibility Workers. By granting access to the official foster care reporting system, the eligibility worker can better monitor the classification of the cases, verify court and placements requirements are met and improve the accuracy of title IV-E payments. As a best practice, cross unit collaboration will be modeled by the State. The Licensing Division, the Regional Offices, and the Courts will engage in open communication to quickly resolve issues such as payment accuracy, safety needs, and timeliness of court orders. Each locality will be encouraged to find ways to work across the divisions of eligibility, service, and finance to ensure that cases are correctly evaluated, managed and paid correctly.

Finally, the State has begun to develop a rate structuring process for child residential facilities. The Team supports continued development of the process which will allow for standardized payments, improved payment accuracy, and equitable provision of services to all children in residential foster care.

The attached Matrix addresses a comprehensive approach to resolving the issues presented through our internal review and the recent Federal findings. The action steps are ambitious but achievable due to the ongoing work already started, including curriculum development, guidance revisions, and resumption of agency reviews.

This report is respectfully submitted by Therese Wolf, Permanency Program Manager, and Pat Lewis, Title IV-E Supervisor.

TRAINING

Actions topics	Action Steps to Achieve	Key Contact	Evidence of Completion	Estimated Date to Complete
Issue 1	Revise Allowable Cost Matrix and provide directive to all LDSS staff,	Title IV-E Supervisor	Send to ACF revised Matrix and copy of Broadcast	Q1
	Develop online independent training on Payment Accuracy in the Knowledge Center for local finance staff to identify allowable title IV-E costs	Title IV-E Supervisor	Send to ACF training curriculum. Because the Knowledge Center is an online, self-paced, independent study format, there is no set agenda to provide. We can obtain statistical, summary information for who has completed the course with a passing score of 80%.	Q2 Q4
	Provide annual refresher training on Allowable Costs at each of the 5 Regional Business Office Managers meetings in each region	Regional Title IV-E Consultants	Send to ACF copies of the curriculum and training documents; dated agendas for completed training.	Q3
Issue 2	Develop online independent training in the Knowledge Center for case	Title IV-E Supervisor	Send to ACF training curriculum.	Q2

	workers and fiscal staff to be able to identify date errors and how to correctly close cases when children are no longer receiving foster care maintenance		Because the Knowledge Center is an online, self-paced, independent study format there is no set agenda to provide. We can obtain statistical, summary information for who has completed the course with a passing score of 80%.	Q4
Issues 3 & 5	Develop online independent training in the Knowledge Center for case workers which include appropriate removal and compliance requirements and timeframes for court orders	Title IV-E Supervisor	Send to ACF training curriculum.	Q2
			Because the Knowledge Center is an online, self-paced independent study format there is no set agenda to provide. We can obtain statistical, summary information for who has completed the course with a passing score of 80%.	Q4
	Provide classroom training for LDSS service and eligibility workers which include appropriate removal and compliance requirements and timeframes for court orders	Regional Title IV-E Consultants	Send to ACF training curriculum; dated agenda for completed training.	Q4 - On-going with final report at end of CAP
	Provide refresher training to LDSS attorneys to update their knowledge base on title	Permanency Program Manager	Send to ACF dated agenda for completed training.	Q3

	IV-E removal and court order requirements as written in Foster Care Policy			
Issue 4	Update and provide current title IV-E training curriculum to expand the explanation and requirements to accurately determine the family assistance unit; calculate financial need and; deeming income	Title IV-E Supervisor	Send to ACF updated training curriculum.	Q2

GUIDANCE

Actions topics	Action Steps to Achieve	Key Contact	Evidence of Completion	Estimated Date to Complete
Issue 1	Provide revised title IV-E Manual to LDSS which include new payment accuracy section that defines and identifies what may be appropriately claimed under title IV-E.	Permanency Program Manager and Title IV-E Supervisor	Send to ACF the revised draft for approval; copy of Broadcast with directive to begin use of new guidance	Q1
	Add resource tool library (worksheets, flowcharts, matrix) to the	Title IV-E Supervisor	Send to ACF copies of the resource tools including the payment matrix, 60 and 180 days charts for Foster Care, Deeming Step-parent income, Relative of	Q1

	existing agency intranet to assist local workers with quick reference for title IV-E guidance.		5 th degree, AFDC 100% and 185% of Need Worksheets.	
Issue 3	Issue a Broadcast and ensure that Foster Care Policy clearly indicates that if a court orders a child's removal from the home, the child must be physically removed in order to be eligible for title IV-E foster care payment.	Permanency Program Manager	Send to ACF Broadcast with policy directive.	Q1
			Send to ACF revised version of guidance.	Q1
Issue 4	Revise title IV-E eligibility manual to ensure that correct information from the State's AFDC State Plan and Foster Care policy manual is included for Assistance Unit, Deeming and Financial determination	Title IV-E Supervisor	Send to ACF revised version of guidance.	Q1

MONITORING				
Actions topics	Action Steps to Achieve	Key Contact	Evidence of Completion	Estimated Date to Complete
Issues 2, 3, 4 & 5	Conduct agency case reviews based on proficiency of title IV-E compliance and number of errors found in prior visit with a minimum of 40 review per year	Title IV-E Supervisor	Send to ACF the dates reviews are completed and names of agency visited.	Q4 - Ongoing quarterly summary report-final report at end of CAP
	Develop quality assurance process to identify root causes of errors	Continuous Quality Improvement Unit	Send to ACF copy of the process to be used.	Q4

OASIS				
Actions topics	Action Steps to Achieve	Key Contact	Evidence of Completion	Estimated Date to Complete
Issue 2	Issue Broadcast to notify LDSS to grant eligibility workers access to OASIS for quality review of title IV-E eligibility case information	Permanency Program Manager	Send ACF copy of the Broadcast.	Q1

LICENSING

Actions topics	Action Steps to Achieve	Key Contact	Evidence of Completion	Estimated Date to Complete
Issue 6	Implement process to gather, store and make info available to VDSS that ineligible employee candidates are not hired by CRF. Plan is to notify provider that applicant did not meet requirements and require confirmation on no-hire status. Title IV-E will track and file responses; agency reviewer will verify personnel files on site and notify title IV-E unit of any errors.	Title IV-E Supervisor	File maintained at VDSS Title IV-E office for inspection by the ACF at Review	Q3 - data collection will be ongoing
	Send directive memo to State Children Residential Facilities monitors instructing them verify though onsite standards reviews to notify VDSS if	Title IV-E Supervisor	Send to ACF copy of the directive from the Division of Licensing.	Q3 - reviews will be ongoing

	any applicant who received a non employable report (104 and 106 form letters) are found to be employed			
RATE STRUCTURING				
Actions topics	Action Steps to Achieve	Key Contact	Evidence of Completion.	Estimated Date to Complete
Issue 7	Develop a rate structuring workgroup	Permanency Program Manager	Provide ACF with list of members.	Q1
	Develop a work plan for rate structure	Permanency Program Manager	Provide ACF with copy of the plan and target dates.	Q2