

ADMIN LETTER # C.S.1-01

TO: COUNTY DIRECTORS OF SOCIAL SERVICES

SUBJECT: NEW REQUIREMENTS RELATING TO FEDERAL AFDC-EA SETTLEMENT AGREEMENT

DATE: August 1, 2001

EFFECTIVE DATE: August 1, 2001

ATTENTION: Children's Services Supervisors

Children's Services Social Workers

Recently, North Carolina and the United States Department of Health and Human Services reached a settlement agreement relating to Federal reimbursement disallowances under the former AFDC-EA program. The intent of the settlement is to assure that we fully comply with federal regulations when using TEA funds to provide child welfare services. Among other things, the settlement agreement requires that

a. Except in cases of alleged child abuse or neglect, the State will require that the child's parent or other responsible adult sign an application for services. In cases of alleged child abuse or neglect, the record of a report of suspected abuse or neglect may be considered the application for emergency services, if it is signed by a State agency or county official denoting that the agency is applying for EA on behalf of the child. If the suspected abuse or neglect is substantiated and emergency assistance services are provided by either NCDSS agency staff or through purchase-of-services arrangements, the record of report (application) must be supplemented with all of the information necessary to make an eligibility determination. When an abused or neglected child is determined eligible for TANF-funded services (including State agency staff provided services or contracted services), the State agency will notify the child's parent(s) or responsible adult(s) that services have been authorized using TANF or other public funds...

f. TANF funded emergency services will be limited to a period of 12 consecutive months, including a 30-day authorization period. Authorizations must identify the specific benefit(s) or service(s) needed to address the emergency situation...

The settlement agreement has implications for situations in which there is a substantiation of child maltreatment and TANF funded services will be provided to the family to assure safety for the children. The settlement requires: (1) a

determination of eligibility and notification to parents/caretakers prior to the provision of the TEA (TANF) funded services; and (2) the authorization of all TEA funded services within 30 days of the case decision.

To document compliance with the settlement agreement, we have revised Part A, page 2 of the Family Services Case Plan to provide the necessary notification to parents/caretakers. The revised form is located on the Children's Services website at <http://childrensservices.dhhs.state.nc.us/> under "Child Welfare Policies and Initiatives". **County DSS staff must begin using the version of the Family Services Case Plan located on the website, including the revised page 2 of Part A, immediately. As required by policy, the Family Services Case Plan must be completed within 30 days following the case decision. The Case Plan must document all of the services that will be funded with TEA to resolve the emergency situation for the family. Prior to the provision of any TEA funded services resulting from a substantiation of maltreatment, county DSS staff must also complete the "Verification of TANF Eligibility" form that was distributed with the Dear County Director Letter dated September 28, 1999.** A copy of the letter and form are also located on the website. To avoid duplication, county DSS staff may enter "see Family Services Case Plan" where the Verification Form asks for the identification of needed services.

If TEA funds are not being used to pay for services to resolve the emergency situation connected with the substantiation, completion of the Verification of TANF Eligibility form is unnecessary.

If you have questions regarding this letter, please contact Hope Hunt, Child Welfare Policy and Initiatives Team, at (919) 733-4622.



Sincerely,

Charles C. Harris, Chief
Children's Services Section

cc: Pheon Beal

Gary Fuquay

Children's Services Team Leaders

Children's Programs Representatives

Local Support Managers

Local Business Liaisons