



TITLE IV-E STEP BY STEP PROGRAM OVERVIEW

TEXAS
JUVENILE
JUSTICE
DEPARTMENT

Title IV-E is a federal foster care reimbursement program which allows juvenile probation departments and the Texas Juvenile Justice Department (TJJD) to claim reimbursement for a percentage of the cost of placement for eligible children placed in approved Title IV-E facilities as well as administrative costs related to operating the program. Program elements include eligibility, case management requirements and financial components.

A. PRIMARY ELIGIBILITY CRITERIA/SCREENING

All children being considered for placement in a non-secure facility should be screened for Title IV-E eligibility using the *Title IV-E Application Pre-Screen* ([TJJD-IVE-305](#)) and *AFDC Income Determination Worksheet* ([TJJD-IVE-315](#)).

If it is determined that the child meets all eligibility criteria, including placement in a Title IV-E approved facility, a *Foster Care Assistance Application* should be completed and submitted within 30 days of placement. The three primary eligibility criteria are:

1. Required Judicial Findings – Court Orders

Orders removing the child from the home must include the judicial findings that:

- It is in the *best interest* of the child to be removed from the home (initial order of removal);
- *Reasonable efforts* were made to prevent the removal (within 60 days of initial order);
 - Both “*best interest*” and “*reasonable efforts*” findings must be child specific. This information can be provided using *Exhibit A* ([TJJD-IVE-325](#)) for the “*best interest*” finding and *Exhibit B* ([TJJD-IVE-335](#)) for the “*reasonable efforts*” finding; and
- The juvenile probation department has *responsibility for care and placement* of the child

The initial order of removal is any order that physically removes a child from his/her home. These orders can include, but are not limited to, detention orders, disposition orders or modification or agreed modification orders.

Note: The Texas Family Code requires the “*best interest*” and “*reasonable efforts*” findings anytime a child is placed outside the child’s home or committed to state custody, regardless of participation in Title IV-E:

The Texas Family Code (TFC) Section 54.04(i)(1)(A)(B) states “*If the court places the child on probation outside the child's home or commits the child to the Texas Youth Commission, the court:*

(1) shall include in its order its determination that:

(A) it is in the child's best interests to be placed outside the child's home;

(B) reasonable efforts were made to prevent or eliminate the need for the child's removal from the home and to make it possible for the child to return to the child's home...”

Sample court orders and related exhibits are available on the TJJD website:

Sample Detention Order - ([TJJD-IVE-320](#))

Exhibit A - ([TJJD-IVE-325](#))

Sample Disposition Order - ([TJJD-IVE-330](#))

Exhibit B - ([TJJD-IVE-335](#))



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2. Placement in a Title IV-E Approved Facility

The child must be placed in an approved Title IV-E facility as determined by the [Title IV-E Approved Facilities List](#) located on the Texas Juvenile Justice Department (TJJD) website. This list is provided by the Texas Department of Family and Protective Services (TDFPS) and is updated monthly.

3. Aid to Families with Dependent Children (AFDC) Criteria

The child must have been eligible for AFDC at the time of removal from the home. In general, AFDC eligibility requires that the child be living with a parent or relative whose income does not exceed AFDC income limits.

B. FOSTER CARE ASSISTANCE APPLICATION

Within the first 30 days of placement in a Title IV-E approved facility, the department should complete and submit the *Foster Care Assistance Application* through the Title IV-E Program System (TPS) database.

The following attachments must be submitted within two business days of submitting the application:

- Birth verification (birth certificate or other acceptable documentation)
- Social Security card or copy of application to the Social Security Department for a card
- Court orders (initial removal order and disposition order)
- Justification for out-of-state placement, if applicable
- *AFDC Income Determination Worksheet (TJJD-IVE-315)*

C. TITLE IV-E CHILD and FAMILY CASE PLAN

Within 30 calendar days of placement, the *Title IV-E Child and Family Case Plan (TJJD-IVE-345)* must be completed. The case plan identifies goals and objectives for the child and family to work on while the child is in placement. These goals should be designed to facilitate the child's return to his/her home and the community. The case plan also describes services to be offered to the family and defines the child's permanency plan and transitional goals upon discharge from placement.

D. MONTHLY CONTACT

Monthly contact with the child, parent, and caregiver is required while the child is in placement. The purpose of these contacts include ensuring the health, safety and well-being of the child, evaluating progress on goals identified in the *Title IV-E Child and Family Case Plan (TJJD-IVE-345)*, and addressing new needs that may arise. All contacts (and attempted contacts) must be documented and should clearly reflect with whom contact was made or attempted.

E. MONTHLY CASEWORKER VISITS

The Child and Family Services Improvement Act of 2006 requires monthly face-to-face visits with all children placed in foster care under the responsibility of the state. Each Title IV-E certified child must be seen once each calendar month, in person, by an individual who either has responsibility for the case OR a representative designated by the juvenile probation department. These visits shall be documented in the child's case file.



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F. TITLE IV-E SIX MONTH ADMINISTRATIVE REVIEW

Within six months from the date of placement and every six months thereafter, the child's case must be reviewed through either an administrative or a judicial proceeding. The purpose of the review is to assess the health, safety and well-being of the child, the continued need for and appropriateness of placement, the extent of compliance with the case plan objectives, the extent of progress on issues that led to the child's removal from the home and the projected date of permanency.

G. TITLE IV-E PERMANENCY HEARING

A permanency hearing must be held within 12 months of the child's initial date of placement and every 12 months thereafter to determine whether the permanency plan for the child is appropriate and whether reasonable efforts to finalize the permanency plan have been made.

H. CHANGES IN CHILD'S STATUS OR LOCATION

The *Placement Information/Discharge (PID)* form (*TJJD-IVE-355*) must be submitted to TJJD within five calendar days of any change in the child's placement, level of care/daily rate, or change in eligibility status (i.e., change to inactive, or discharge from the Title IV-E program).

I. TITLE IV-E REIMBURSEMENT

Foster Care (Maintenance): A percentage, based on the federal medical assistance percentage (FMAP) is reimbursable for each Title IV-E child based on their level of care (LOC).

Administrative Costs: A percentage of costs associated with the operation of the Title IV-E program are reimbursable (i.e. program related training, travel, salaries, etc.).

Supplemental Child Care Costs: Expenses (i.e. school supplies, clothing, personal hygiene products, gifts for birthdays, special occasions and holidays, cosmetics, etc.) incurred on behalf of children who are determined to be eligible for Title IV-E are reimbursable at the prevailing FMAP rate.