

## Module 12: Programmatic Eligibility

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## Introduction and Rationale

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Foster Care Placement and Mandated Preventive Services are provided in accordance with federal and state mandates, and are funded through a mix of federal, state, and local resources. When placement or Mandated Preventive Services are provided by a local DSS (either directly or through their contracts with private agencies), such services must be offered in accordance with the statutory and regulatory standards that define the circumstances and conditions under which a family may or must receive the services. When placement and/or Mandated Preventive Services are provided, the family's eligibility for such services must be documented on the Programmatic Eligibility window of the FASP.

This module assists FASP authors in effectively completing the Programmatic Eligibility window of the FASP.

## Completing the Programmatic Eligibility Window

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For cases with a Program Choice of Placement or Mandated Preventive Services, Programmatic Eligibility must be documented on the first FASP after services are first authorized and on each successive FASP.

In an FSS/CWS or an FSS/CCR stage, Programmatic Eligibility must be documented on a family basis if a Program Choice of Preventive Mandated has been selected for at least one child in the family.

In an FSS/CWS stage, Programmatic Eligibility must be documented for each child with a Program Choice of Placement. In an FSS/CCR stage, documentation of eligibility for placement is not required because the child has been legally surrendered, or parental rights have been terminated; therefore, Programmatic Eligibility for Placement is assumed by CONNECTIONS.

Programmatic Eligibility determination within the FASP is not required for Non-Mandated Preventive Services; in those districts where Non-Mandated Preventive Services are available, eligibility for such services is based on locally defined standards for eligibility. For definitions and further discussion of the distinction between Mandated vs. Non-Mandated Preventive Services, see *Module 3: Person List Tab and Tracked Children Detail Window*.

### *Accuracy Check*

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The accuracy of Program Choice and PPG within the Tracked Children Detail window critically affects the accuracy of the Programmatic Eligibility window. If the caseworker believes there is an error on the Tracked Children Detail window, the caseworker must go back and correct it, before attempting to complete this window.

## Who Completes the Programmatic Eligibility Window?

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The Programmatic Eligibility window of the FASP must be completed by the Case Planner prior to submitting a FASP for approval. The Case Manager is responsible for determining the accuracy of the selected Eligibility Standard to the specific family circumstances, and the appropriateness of the supporting narrative.

## Programmatic Eligibility Window

### Programmatic Eligibility Window: Placement Tab

Name	Sex	DOB	Age	In Proc	PPG	Program Choice 1	Program Choice 2	Program Choice 3	Associated Worker	Person ID	CIN
Collins, Patrick	M	04/22/2003	13		Return to Parent	Placement	Protective			17200148	K721968
Collins, Kimberly	F	08/16/2007	8		Return to Parent	Placement	Protective			17200149	K721223
Collins, Tyler	M	03/30/2014	2		Return to Parent	Placement	Protective			17200150	

Count = 3

(Continuing) Need for placement services

- Health and Safety of Child
- Parental Refusal or Surrender
- Parent Unavailability
- Parent Service Needs
- Child Service Needs
- Pregnancy
- Diagnostic Evaluation

Describe the relevant behaviors and/or circumstances.

Save & Close Save Reset

! = Sensitive \* = Required \$ = AFCARS ✓ = Data Exists (C) = Complete 📁 = Read-Only Mode 📄 = Unsaved Changes

#### Quick Tips for Completing the Placement Tab

Select one or more Eligibility Standard(s) applicable to each child.

In the narrative field, describe the specific family or child behaviors and conditions that meet the chosen standard.

#### Placement

When Placement is the Program Choice for a child or sibling group, each child's Programmatic Eligibility must be documented in the first FASP or Plan Amendment completed after the child initially enters foster care. Eligibility for placement must be documented on each subsequent FASP for as long as the child remains in foster care.

There are eight circumstances, as defined in NYS regulations (18 NYCRR 430.10) that support eligibility for the Program Choice of Placement.

- Health and Safety
- Parent Refusal

- Parent Unavailability
- Parent Service Need
- Child Service Need
- Pregnancy
- Diagnostic Evaluation
- Court Order for Services (as an alternative to Placement)

To support the need for placement, a child need only meet one standard. However, different children in a family may be placed for different reasons (e.g., the primary reason for placement of a group of siblings may be due to a Parent Service Need, while one or more of the children may require a higher level of placement due to a Child Service Need). In such a situation, the caseworker should identify and provide documentation to support each applicable eligibility standard.

#### *Note*

Programmatic Eligibility for placement is not the same as Federal IV-E eligibility determination. IV-E eligibility is primarily a legal and financial standard of eligibility for reimbursement of federal funds.

#### *Accuracy Check*

If a child has entered or reentered foster care since the last FASP was completed, it is critical that the Program Choice of Placement be added. If a child has been discharged from foster care, it is equally important that the Program Choice of Placement be end-dated. Failure to accurately update this information on the Tracked Children Detail window will result in serious errors in the caseworker's FASP.

Once an erroneous Program Choice has been approved on a FASP, it is impossible to correct it beyond the date of the last approved FASP.

## Programmatic Eligibility Window: Preventive Tab (Mandated Preventive Services)

Programmatic Eligibility - Adams, Maggie - S:24600058/C:34600039 [Unsaved Changes] Print Screen

Help

**Preventive**

(Continuing) Need for Mandated Preventive Services to Clients at Risk of Placement

(Continuing) Need for Mandated Preventive Services to Hasten Discharge to Parent or Caretaker

Description of relevant behaviors and/or circumstances

- Health and safety of child
- Parental refusal or surrender
- Parent service needs
- Child service needs
- Pregnancy
- Parent unavailability
- Diagnostic evaluation
- Court-Ordered Placement

(Continuing) Need for Mandated Preventive Services to Prevent Replacement

(Continuing) Need for Housing Services for Clients with a Goal of Discharge to Independent Living

Save & Close Save Reset

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### *Quick Tips for Completing the Preventive Tab*

Be sure that the caseworker is familiar with the definitions of the Program Eligibility Standards for Mandated Preventive Services. The Standards also provide detailed descriptions of what the caseworker must document in the supporting narrative for each selected Eligibility Standard.

Eligibility for Mandated Preventive Services is authorized on a family basis, whereas Placement Eligibility is per child.

For families receiving Mandated Preventive Services:

- First select the subcategory of Mandated Preventive Services that reflects the purpose of services at this time:
  - Mandated Preventive Services to Clients at Risk of Placement
  - Mandated Preventive Services to Prevent Replacement
  - Mandated Preventive Services to Hasten Discharge to Parent or Caretaker
  - Housing Services for Youth with a PPG of Discharge to APPLA with a Permanency Resource (formerly Independent Living)
- Then select one or more Program Eligibility Standard(s) that support why this family is eligible for these services at this time.

- In the narrative field on the right side of the window, provide a brief, focused description of the specific circumstance(s) that supports why the family is eligible for Mandated Preventive Services at this time; this description must fit the definition of the selected Eligibility Standard.

## Finding Your Way around the Preventive Tab

The Mandated Preventive Services Programmatic Eligibility Standards on the Preventive tab are arranged within four broad subcategories. Within each category are applicable standards of eligibility, as defined in state regulations (18 NYCRR 423.3 and 430.9). Knowing this will help the caseworker navigate their way through the various choices.

## Programmatic Eligibility Standards for Mandated Preventive Services

<p>Mandated Preventive Services to Families at Risk of Placement due to:</p> <ul style="list-style-type: none"> <li>• Health and Safety</li> <li>• Parental Refusal or Surrender</li> <li>• Parent Service Need</li> <li>• Child Service Need             <ul style="list-style-type: none"> <li>▪ Physical/mental/emotional condition</li> <li>▪ Dangerous behavior</li> <li>▪ Disruptive behavior</li> <li>▪ PINS/JD</li> <li>▪ HIV</li> </ul> </li> <li>• Parental Unavailability</li> <li>• Pregnancy</li> <li>• Diagnostic Evaluation</li> <li>• Court Ordered Services</li> </ul>	<p>Mandated Preventive Services to Hasten Discharge of Child from FC to Parent or Caretaker:</p> <ul style="list-style-type: none"> <li>• Preventive Services other than Housing</li> <li>• Housing Services</li> <li>• Services For Children Placed in a Designated Emergency Foster Boarding Home</li> </ul>
<p>Mandated Preventive Services to Families to Prevent Replacement due to:</p> <ul style="list-style-type: none"> <li>• Health and Safety</li> <li>• Parental Refusal or Surrender</li> <li>• Parental Unavailability</li> <li>• Parent Service Need</li> <li>• Child Service Need             <ul style="list-style-type: none"> <li>▪ Physical/mental/emotional condition</li> <li>▪ Dangerous behavior</li> <li>▪ Disruptive behavior</li> <li>▪ PINS/JD</li> <li>▪ HIV</li> </ul> </li> <li>• Pregnancy</li> <li>• Family Court Contact</li> <li>• Previous Unplanned Discharge from FC</li> <li>• Recurrence of Reason for Previous Placement</li> </ul>	<p>Housing Services for Youth with a PPG of APPLA with a Permanency Resource:</p> <ul style="list-style-type: none"> <li>• Housing services are necessary and authorized</li> <li>• Youth has been in care at least 90 days</li> <li>• Youth is prepared for discharge with PPG of APPLA with a Permanency Resource, and housing is necessary to support discharge</li> <li>• Discharge from foster care is planned within two months</li> </ul>



*Navigation Tip for Documenting Programmatic Eligibility for Sibling Groups*

If there is more than one child in a family receiving Mandated Preventive Services for the same reason, the caseworker can select more than one child on the Preventive tab in order to apply the same Eligibility Standard for multiple children. Where one or more siblings have a unique reason for receiving Mandated Preventive Services, the caseworker can add another Program Eligibility Standard to reflect the child's specific circumstances.

## Recertification of Mandated Preventive Services

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If services are to be continued, recertification for Mandated Preventive Services must occur every six months.

In each FASP after the initial eligibility determination, documentation must show that the child continues to be at risk of foster care, or will likely continue in foster care, unless preventive services are continued. Case documentation must also show that it is reasonable to believe that by providing such services, the child will be able to remain with or be returned to his or her family.

Documentation in the FASP must show that:

- Not all client goals have been met; show that one or more client goal currently being pursued relative to initial mandates for preventive services has not yet been met.
- Removal of services would lead to a deterioration of the progress made; show that removal of services would be detrimental to progress already made with the child and/or family.

The local district is required to continue the preventive services for as long as progress in the case plan is being made and services continue to be needed. However, no family may receive Mandated Preventive Services for more than 24 months during a single foster care placement for the purpose of returning the same child home.

It is not necessary to once again document the reason for the initial mandate.