


**MARYLAND DEPARTMENT OF HUMAN RESOURCES
SOCIAL SERVICES ADMINISTRATION
311 WEST SARATOGA STREET
BALTIMORE, MARYLAND 21201**

DATE: April 15, 2016

POLICY #: SSA-CW # 16-24

TO: Directors, Local Departments of Social Services
Assistant Directors, Services

FROM: Rebecca Jones Gaston, MSW 
Acting Executive Director
Social Services Administration

RE: Cross Jurisdictional Title IV-E Case Transfer

PROGRAMS AFFECTED: Title IV-E Eligibility

ORIGINATING OFFICE: Title IV-E Determinations

ACTION REQUIRED OF: DHR/SSA Title IV-E Regions, Montgomery
County DHHS, Department of Juvenile Services,
Youth Assistance Unit

REQUIRED ACTION: Implement policy and procedure

ACTION DUE DATE: April 15, 2016

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PURPOSE:

The purpose of this policy directive is to provide guidelines for the exchange of Title IV-E eligibility case information across jurisdictions. For purposes of this policy, jurisdiction can refer to a Local Department of Social Services (LDSS), Montgomery County Department of Health and Human Services (MDHHS), or Department of Juvenile Services (DJS). This policy outlines the responsibility of the originating jurisdiction and the receiving jurisdiction for Title IV-E.

BACKGROUND:

Title IV-E is required to complete a determination of eligibility for every child who enters foster care under the supervision of a LDSS or DJS. If that child is determined to be Title IV-E eligible and remains in care then a redetermination on continued eligibility must be completed annually. There are instances where a child will enter out-of-home placement in one jurisdiction/administration and the case be transferred to another jurisdiction/administration. Under these circumstances, a follow-up for each determination must be completed in the transfer receiving jurisdiction.

Definitions

For the purpose of this policy directive, the terms listed below have the following meanings.

- **IV-E Case** means the Title IV-E determination and all associated documentation on which the eligibility decision is based; or any and all information or documentation necessary to make a Title IV-E eligibility determination decision.
- **Jurisdiction/Administration** means a State of Maryland local department of social services, the Montgomery County Department of Health and Human Services, or the Maryland Department of Juvenile Services.
- **Originating Jurisdiction** means that jurisdiction/administration that was initially responsible for the removal of the child from the home.
- **Receiving Jurisdiction** means that jurisdiction/administration to which the child has been transferred.

Title IV-E Case Transfer

There are two distinct Title IV-E units involved in a IV-E case transfer: (1) the originating jurisdiction and (2) the receiving jurisdiction. The Title IV-E determination is based upon the circumstances of the home and the actions of the removing agency at the time of removal not at the time of the case transfer.

There are three distinct time periods for the transfer of a case between jurisdictions/administrations. The first transfer occurs after the removal of the child and placement into out of home placement/foster care, but prior to an initial Title IV-E determination being completed in the originating jurisdiction. The second instance is after the placement of the child and the initial Title IV-E determination has been completed by the originating jurisdiction. The third instance is the child has been removed and has been in out of home placement/foster care for an amount of time as to not only have an initial determination but also a redetermination(s) completed on an annual basis.

Note the documentation request is NOT reliant on eligibility status. Regardless of whether a child is deemed eligible or ineligible it is required that the transfer of information be completed.

The key to cross jurisdiction/administration IV-E case transfer lies with the caseworker for cases transferred between LDSS/MCDHHS. It is imperative that the case be transferred from one LDSS to the other and ***not*** closed in the originating LDSS and treated as a new removal in the receiving LDSS. If a full closure in the original LDSS and a new removal in the receiving LDSS has been completed a MD CHESSIE data fix will be required. If transferred either to or from the Department of Juvenile Services, a case closure will generally be required. However, this may not be the case if the child was originally dually committed to LDSS/MDHHS and DJS.

Requesting information and/or documentation

A request for IV-E case transfer must be made once the foster care case is transferred to another jurisdiction/administration. Unless otherwise directed, the request for information transfer for Title IV-E is completed by the receiving supervisor. (Note: the receiving supervisor retains the discretion to designate another IV-E staff to act in their stead). This is accomplished by communication with the originating supervisor. The request can be made via phone, email, or letter. For audit trail purposes it is suggested that a written methodology be employed for ease of documentation verification. **If the request is made via email, security protocols on the transfer of confidential information must be observed.**

- A. *The **request** from the receiving jurisdiction supervisor must include enough identifying information as to allow the originating jurisdiction to clearly identify the child in question. At minimum, the request should include:*

- 1) Child's name,
- 2) Date of birth,
- 3) Client ID (MD CHESSIE or Assist),
- 4) Original removal date, and
- 5) If known, the child's social security number.

This information should be available to the receiving jurisdiction if the caseworker has completed the entry into the data system as dictated by current policy.

- B. *A **response** from the originating jurisdiction supervisor is to be completed within **2 business days**, circumstances notwithstanding. The response should at minimum include:*

- 1) Confirmation regarding the information on the child;
- 2) Confirmation on whether a determination (and subsequent redeterminations) has been completed; and
- 3) A timeframe for transfer of information or documentation and the method by which the transfer will occur.

The response *may* also include the name and contact information of a particular specialist either associated with the case by determination completion or jurisdiction administration responsibility.

- C. *The **information or documentation transfer** should at minimum include the following:*

- 1) Court orders
 - a. All orders, including those prior to removal, if they are incorporated by reference into the removal.
 - b. Court order or other documents (including court petitions if applicable) necessary for the removal of the child.
 - c. Any orders available pertaining to the child following the removal.

Remember: Not all court orders and documentation looks the same from jurisdiction to jurisdiction.

2) Eligibility determination

- a. All Title IV-E determinations
 - i. Original determination and any subsequent determinations must be included in the information transfer.
 - ii. All documentation available that supports any completed Title IV-E decision.
 - iii. A copy of the Title IV-E decision with the signature of the specialist and the supervisor is to be included if it has been completed.
 - iv. If subsequent determinations for continued eligibility have been completed, they must also be forwarded.
- b. Note that initial determinations are due no more than 60 days from removal for Local Department of Social Services. The DJS initial eligibility determination process plans to complete initial determinations within 120 days of notification of the child's placement in foster care. If the determination has not been completed timely (in accordance with these deadlines) *at the time of the request*, it is the responsibility of the originating jurisdiction to complete a determination before transferring the information to the receiving jurisdiction. **This pertains only to cases where the Title IV-E determination has not been completed timely.**
- c. If the initial determination has not been completed and is **not yet due**, the original jurisdiction should forward all available information necessary and available for the receiving jurisdiction to complete a determination.

3) Required cooperation and consideration

There will be instances where there were particular difficulties in completing the determination of eligibility for a child. In these instances the originating jurisdiction that has found a case to be either extremely difficult or otherwise complicated should, as a courtesy to the receiving jurisdiction, complete a summary or narrative on the case. This is already a required supervisory practice for DJS staff for all originating IV-E case transfers.

4) Timeframes for determinations

Determinations for transferred cases are due the earlier of 30 days after document transfer or if due or overdue for determination or redetermination, to be completed within 5 business days of receipt of the required IV-E documentation.

Special notations

A. Viability of documentation:

If the receiving jurisdiction has concerns regarding the viability of any required documentation, including court language or requirements of other documentation, the receiving jurisdiction should contact the original jurisdiction. It is important to contact your colleagues at the originating jurisdiction for guidance and understanding.

B. MD CHESSIE note for transfers from DJS to LDSS

When a case is transferred from DJS to LDSS an episode is created in MD CHESSIE which may or may not correspond with the original removal date by DJS. The Specialist need to be aware of the true removal date. Also, the specialist will need to recreate the DJS IV-E Determinations in MD CHESSIE when a case is transferred to an LDSS

C. Exchange is Within Maryland Title IV-E

Remember this is an exchange of information between Title IV-E units. Whether the receiving unit is a different local department or a unit of the Department of Juvenile Services it is an exchange of information within the Title IV-E Program for the State of Maryland. All are part of State of Maryland Title IV-E program and privy to the confidential information necessary to complete the determination, regardless of requesting jurisdiction/administration. If an originating LDSS IV-E unit has to contact casework staff directly (or through the liaison as directed by local workplan), be mindful that you are making a request for Title IV-E. Please do not present it as information for another local department or agency.