

## PROGRAM REQUIREMENTS

This policy **only** applies to youth who have signed the DHS-1297, Young Adult Voluntary Foster Care Agreement, and meet certain program requirements; see FOM 722-16, Program Requirements.

Both a youth's abuse/neglect and delinquency court case (if applicable) must be closed by the court prior to the youth entering into the YAVFC program and signing the DHS-1297, Young Adult Voluntary Foster Care Agreement, which grants DHS placement and care responsibility; see FOM 722-16, Judicial Determinations.

### Integration with Other Funding and Payments Policy

FOM 902-21, Young Adult Voluntary Foster Care (YAVFC) Funding and Payment, supersedes other funding, title IV-E eligibility and payment policy requirements when conflicts arise specific to this population.

### Title IV-E Eligibility

The department will allow a youth to receive title IV-E funded extended foster care services if a youth meets one of the following conditions for eligibility:

- Actively completing high school or a program leading to a general equivalency diploma (GED).
- Enrolled at least part-time in a college, university, vocational program, or trade school.

**Note:** A youth who is on semester, summer, or other break, but was enrolled the previous semester and will be enrolled after the break, is considered enrolled in school.

- Employed in either full- or part-time work, or participating in a program that promotes employment (such as Job Corps, Michigan Works! or another employment skill-building program). Participation must be at least 80 hours per month and may be at one or more places of employment and/or a combination of any of the above activities.
- Incapable of the above educational or employment activities due to a documented medical condition.

**Note:** If eligibility is based on incapacity, the caseworker must assist the youth in applying for Supplemental Security Income (SSI); see FOM 902-10, SSI Benefits Determination.

For verification requirements of the above eligibility conditions, see FOM 722-16, Young Adult Voluntary Foster Care.

## Court Involvement

Once the department determines that a youth is eligible for YAVFC and the youth signs the DHS-1297, Young Adult Voluntary Foster Care Agreement, the department must provide extended foster care services to the youth. Because the youth's involvement is voluntary, family/juvenile court jurisdiction must be dismissed to be eligible for YAVFC services; see FOM 722-16, Judicial Determination.

## Best Interest Finding

Federal guidelines require that there be a judicial determination that remaining in foster care is in the youth's best interests if title IV-E foster care maintenance payments are to continue beyond the first 180 days of the voluntary placement. See FOM 722-16, Judicial Determination, for YAVFC Request Packet filing guidelines.

If the order containing this finding is not signed by the judge or referee within 180 days of the date the youth signed the DHS-1297, YAVFC Agreement, the youth is no longer eligible for the YAVFC program, and the case must be closed.

**Note:** The DHS-1297, YAVFC Agreement, is the agreement that gives the Department of Human Services placement and care responsibility. This agreement is required to be completed for all youth entering and re-entering YAVFC.

## Case Reviews

Case reviews, in the form of a Family Team Meeting (FTM), must be held by the supervising agency not less than once every 180 days to address the following:

- Safety.
- Appropriateness and necessity of the placement.
- Compliance with the case plan.

- Permanency goals.
- Progress toward achieving independence, including whether appropriate and meaningful independent living skill services are being developed.
- Projected date by which the youth may no longer require extended foster care services.

If the FTM has not been completed within 180 days of the previous FTM, a youth cannot be title IV-E funded and a reimbursability determination must be completed. Once the FTM has been held, title IV-E funding can resume on the first day of the month that the FTM was held and a reimbursability determination must be completed; see FOM 722-16, Semi-Annual Case Review.

## FUNDING

### Initial Funding Determination

When a youth agrees to voluntarily participate in foster care outside court jurisdiction, a new placement episode begins and a new initial title IV-E determination must be completed. The new placement episode begins the date the youth signs the DHS-1297, Young Adult Voluntary Foster Care Agreement.

### Re-Entry

Youth requesting to re-enter YAVFC must have a new initial title IV-E determination.

### AFDC Income and Assets

The income available to a youth must be considered initially when determining eligibility for YAVFC. A youth is considered a group size of one unless s/he has his/her minor children living with him/her upon entering YAVFC.

The month the youth signs a DHS-1297, Young Adult Voluntary Foster Care Agreement, is considered the removal month for the new placement episode.

**Note:** If a youth's available net income exceeds the paid board and care rate, eligibility may still exist since the needs of a youth include costs other than basic maintenance.

### Earned Income

Earned income of a youth is not budgeted when s/he is a full-time student and expected to complete graduation requirements prior to age 19.

Earned income of a youth is budgeted if one or more of the following applies:

- A youth is not a full-time student.
- A youth is a full-time student and not expected to complete the graduation requirements prior to age 19.
- A youth is age 19 or 20.

### Other Income

Unearned income must be considered in the amount received for the removal month. Only available income must be budgeted; see FOM 903-08, Payments Requiring Special Processing, to determine net income and procedure to adjust the rate.

If a youth receives continuing benefits (such as Retirement, Survivor and Disability Insurance [RSDI]), the caseworker must notify the Governmental Benefits Coordination and County Chargeback Section by faxing a memo to (517) 335-6147, to have DHS designated as the payee.

Any interim collection of funds received on behalf of the youth by the local office are to be returned to the originating entity. Payment to the provider will be for the full amount of the board and care rate.

**Note:** A youth cannot be funded from both title IV-E and Supplemental Security Income (SSI). The reimbursability determination evaluates the advantage of continuing the SSI or utilizing title IV-E funding. This decision is made by the Reconciliation and Recoupment Section in MiSACWIS.

### Assets

The property of a youth must be considered in the initial funding determination. The first \$10,000 in property is exempted.

A trust fund established for a youth must not be considered as available property for that youth unless it is designated and available to be used for his/her ordinary living expenses.

## Reimbursability Determinations

A reimbursability determination must be completed every six months, or sooner if a youth's situation changes in a manner that may impact funding. Examples of changes requiring a reimbursability determination include:

- A youth's placement changes to or from a non-reimbursable setting; see Reimbursable Placements in this policy item.
- A youth's cost of care changes and he/she is receiving SSI.
- A youth does not comply with the education, work, or incapacity requirements in the DHS YAVFC agreement and enters a 30-day grace period. Verification of these requirements will be completed by the caseworker quarterly; see FOM 722-16, Verification of Eligibility.
- The case review is not completed within 180 days of the previous case review; see Case Reviews in this policy item.

**Note:** The youth does not lose title IV-E eligibility, but title IV-E payments cannot continue while the youth is in a 30-day grace period; see FOM 722-16, Grace Period. Limited term/emergency/general fund (GF) must be used for all payments made during a grace period. If a youth reestablishes program eligibility and the grace period ends, a new reimbursability determination must be completed to determine if the youth is title IV-E reimbursable.

## Reimbursable Placements

Licensing requirements must be met for a placement to be paid from title IV-E funds for a foster family home, licensed relative, or a child caring institution (CCI).

Independent living placements can be paid from title IV-E funds for youth participating in YAVFC. Examples of allowable independent living placements are as follows:

- Rental home/apartment setting, with or without roommates.

- College dormitory.
- Unrelated caregiver.
- Licensed/unlicensed relative home.
- Friend/partner home.

**Note:** Placement with a legal and/or biological parent, whether or not parental rights have been terminated, is considered ineligible for title IV-E payments. A grace period will not be applied when a youth enters an ineligible living arrangement and payments must be stopped immediately.

**Any** time a youth moves to an approved placement from his/her parental home, a new DHS-1297, Young Adult Voluntary Foster Care Agreement, must be signed, and a new initial title IV-E determination **must** be completed.

### Youth Parent

A youth parent in an independent living placement will be paid directly for each of his/her minor children living with him/her. A youth parent being paid directly for his/her minor child(ren) living with him/her cannot simultaneously receive FIP benefits for him/her or the child(ren).

### Funding Source

If a youth is determined to **not** be title IV-E eligible or in a placement or in need of a service that is **not** title IV-E reimbursable, limited term/emergency/general funds (GF) must be used. This includes but is not limited to:

- Orthodontic care if approved prior to the youth entering YAVFC.
- Medical expenses not covered by Medicaid.
- Foster home or CCI on a provisional license.
- Adult foster care home.
- An unapproved independent living arrangement.
- Grace period.

**Exception:** No payments are to be made for a youth in jail or in a parental home.

### Payments

Payments from title IV-E cannot begin until the first day of placement in the month in which all title IV-E eligibility criteria are

met. No payments can be made prior to the youth's signature date on the DHS-1297, Young Adult Voluntary Foster Care Agreement.

The following payment policy changes **only** apply to youth participating in YAVFC:

- Youth receiving an independent living allowance will be paid after the service dates have occurred.
- Determination of care (DOC) rates can continue to be paid to a foster parent receiving the board and care payments for a youth in the YAVFC program; see FOM 903-03, Payment for Family Foster Care for DOC requirements.
- CCI placements may be paid until age 21.
- Administrative rates paid to placement agency foster care (PAFC) providers may continue until age 21. The administrative rate **can** be paid to a PAFC provider supervising a youth placed in a licensed foster home and in an independent/supervised living placement.
- Recoupment action is not taken if the youth was paid incorrectly. If the youth was paid from title IV-E funds, reconciliation from title IV-E to general funds is required.

**Example:** If a youth in an independent living placement who has already been paid and his/her fund source changes as a result of entering the YAVFC program, reconciliation action is required.

**Example:** The caseworker does not discover that the youth was in jail for three days and the youth received payment for those three days from title IV-E funds. Reconciliation action is required for the three days the youth was in a non-reimbursable placement.

**Note:** If a child becomes ineligible and/or non-reimbursable for title IV-E, payments must be reconciled back to the date of ineligibility and/or non-reimbursability, not the date the ineligibility and/or non-reimbursability was discovered by the worker.