

**\*\*\*DRAFT - NOT FOR FILING\*\*\***

**5101:2-47-09 Case record requirements for Title IV-E foster care maintenance (FCM).**

- (A) Each Title IV-E agency shall ~~maintain a separate case record containing~~ make available upon request documentation which supports the Title IV-E agency's actions in the entire process of determining a child's eligibility for FCM.
- (B) Each child's FCM eligibility documentation must include, but is not limited to:
- (1) A completed JFS 01452 "Title IV-E Foster Care Maintenance Application for Initial Eligibility" (~~rev. 12/2005~~) prior to 2010 or a copy of the eligibility determination in the statewide automated child welfare information system (SACWIS).
  - (2) For court-ordered removals, a copy of all court orders including, but not limited to:
    - (a) The complaint, petition, probation violation or motion filed for the purpose of removing a child.
    - (b) The removal order, "Ex Parte," warrant or pick-up order which led to the child's removal from a specified relative and placed into detention or substitute care. The order must contain a judicial determination to the effect that continuation in the home of a specified relative would be contrary to the welfare of the child.
    - (c) The initial court order of custody or commitment giving the Title IV-E agency legal responsibility for the care and placement.
    - (d) The adjudication order.
    - (e) The court order containing the reasonable efforts to prevent the removal as required in rule 5101:2-47-22 of the Administrative Code.
    - (f) The dispositional order.
    - (g) The court orders containing the court's determination of reasonable efforts to finalize the permanency plan as required in rule 5101:2-47-22 of the Administrative Code.
  - (3) If the child entered custody as a result of a JFS 01645 "Agreement for Temporary Custody of a Child" (~~rev. 4/2006~~) a copy of the JFS 01645 and a copy of any court approved JFS 01645 thirty day extensions evidencing the court's determination that placement is in the best interest of the child, as applicable.
  - (4) If the child entered custody as a result of a JFS 01666 "Permanent Surrender of Child" (~~rev. 10/2013~~) a copy of the JFS 01666 and a copy of the court order received within one hundred eighty days from the date of placement evidencing the court's determination that placement is in the best interest of the child and that reasonable efforts were made, as applicable.
  - (5) Documentation of citizenship and immigration status for all children in foster care regardless of whether FCM payments are made on their behalf pursuant to rule 5101:2-33-29 of the Administrative Code.
  - (6) Documentation of the verification used to meet all of the FCM eligibility requirements described in Chapter 5101:2-47 of the Administrative Code.
  - (7) A copy of the Title IV-E agency's notification to the county department of job and family services

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(CDJFS) Title IV-A unit of a child entering custody, if not processed through SACWIS.

~~(8)~~ (8) A copy of the Title IV-E agency's JFS 01435 "Title IV-E Agency Application Update for Child Support Services" (rev. 4/2006) for a child entering custody.

~~(9)~~ (8) Copies of the ODM 06612 "Health Insurance Information Sheet" (rev. 9/2016), as applicable.

~~(10)~~ (9) Copies of the ODM 06613 "Accident/Injury Insurance Information" (rev. 12/2016), as applicable.

~~(11)~~ (10) A copy of the ODM 03528 "Healthcheck and Pregnancy Related Services Information Sheet" (rev. 1/2015).

(C) FCM program reimbursability documentation must include, but is not limited to:

(1) The receipt of supplemental security income (SSI) during the FCM claim period.

(2) Documentation of the child's income.

(3) A copy of each approval, license, certification, as applicable, for the child's placement during the time FCM reimbursements were made for the child.

(4) Documentation for difficulty of care payments:

(a) The degree of difficulty of care and supervision required by the special, exceptional or intensive needs child.

(b) The qualification of and degree of care and supervision provided by the substitute caregiver.

(c) Agency-specific emergency foster home criteria.

(5) A copy of documentation evidencing repayment of any identified FCM overpayment.

(6) A copy of documentation used to receive reimbursements for clothing, personal incidentals and graduation expenses.

(D) Case records may be maintained as hard copy files, electronic files or as a combination of both. If an electronic copy is kept, upon request a hard copy of the file must be made available for audit purposes.

(E) Each case record prepared and maintained must be kept permanently and may be integrated into the child's case record pursuant to rule 5101:2-33-23 of the Administrative Code once the child is no longer in the legal responsibility for the care and placement/custody of the Title IV-E agency.