

**NORTH DAKOTA DEPARTMENT OF HUMAN SERVICES  
BISMARCK, NORTH DAKOTA  
November 8, 2018**

**PI 18-27**

**TO:** County Social Services  
Regional Supervisors  
Division of Juvenile Services  
Foster Care Eligibility Workers  
Tribal Social Services  
PATH-North Dakota  
Lutheran Social Services

**FROM:** Deb Lachenmeier, Title IV-E Eligibility Specialist

**SUBJECT:** SFN 920 Foster Care - Child Care Invoice

**PROGRAMS:** Foster Care Maintenance Payments - Category 40 Child Care for Foster Children 623-05-30-20 and Forms 623-05-60  
Foster Care Permanency Planning - Child Care for Foster Children 624-05-15-50-50

**EFFECTIVE:** November 1, 2018

**RETENTION:** Until February 1, 2019

Children and Family Services has revised and made the child care invoice template provided in the Foster Care Maintenance Payments policy into an E-Form. The SFN 920 Foster Care – Child Care Invoice is now available online at the ND.GOV website under Forms. The SFN 920 will be a pilot form for three months to allow for revisions if needed. Case managers should provide foster parents and child care providers with a supply of the form for immediate use for all foster care children in their care that are currently placed in a licensed foster care placement. This form is savable, but not fillable due to the required signatures of the child care provider and foster parent.

Policy has been updated and a link to the new E-Form has been added under Forms 623-05-60-15.

Updates to policy appear in red and are underlined.

**Category 40 Child Care for Foster Children 623-05-30-20**

This irregular payment category is specific to and may only be applied when a foster child is:

1. Placed in a licensed or approved family foster home, and
2. In need of child care.

The foster care case manager is responsible to identify the needs for child care and is to assist the family in securing reimbursable child care options. In order to claim reimbursement for any child care expenditure, the need must be approved by the case manager, discussed ongoing by the Child and Family Team and documented in the foster child's case plan.

A new written approval is required from the case manager when a foster child's:

1. Placement changes to a new licensed provider home or
2. Child care provider changes.

Foster care case managers must verify if the child care provider meets the state Early Child Care licensing regulations. The county child care licenser may be able to assist in verification prior to approval. A copy of the irregular payment approval form must be provided to the eligibility worker and placed in the child's eligibility file.

#### **Code under Category 40**

**41 – Child Care for Foster Children (Working Parents)**

**43 - Child Care for Foster Children (Non-working Parents)**

**Code 41** can be applied when:

1. A foster parent is working and child care supervision is required during scheduled working hours when a foster child is not in school, or
2. A foster parent is enrolled in and attending post-secondary education to obtain a degree or meet educational requirements for their current employment, or
3. A foster parent is actively seeking employment; reimbursement for child care can be approved for a reasonable amount of time (Ex: Up to eight weeks) to allow for a proper employment search.

**Code 43** can be applied when

1. The foster parent is not working, but is required to attend activities which are beyond the scope of "ordinary parental duties" such as
  - a. Child & Family Team meetings without the child, or
  - b. Court hearings without the foster child, etc.

#### **Reimbursable Child Care Options**

Irregular payments can only be authorized if the child care provider is licensed, certified, self-declared, or has some other formal status

approved under the state Early Child Care regulations. The child care provider must meet eligibility for reimbursement standards of the state Child Care Assistance Program, even though criteria for foster care reimbursement is different than the Child Care Assistance Program.

Informal, episodic child care (an evening out, volunteering, babysitting, etc.) is not reimbursable with an irregular payment as these costs are included in the basic foster care maintenance rate.

### **Claiming Child Care Expenses**

The reimbursement rate for child care expenses is based on community standards. Foster care will reimburse the full amount billed by a child care provider who meets the Early Child Care licensing regulations. Child Care Assistance Program percentage reductions **do not apply** to foster children. ~~and the~~ **The SFN 616 Child Care Assistance program Request For Payment billing form is specific to the Child Care Assistance Program and is not acceptable should not be used** for foster care reimbursement. The child care provider should complete the SFN 920 Foster Care - Child Care Invoice for reimbursement of child care expenses for a foster care child under the care of a licensed foster care provider.

Child care expenses for a foster child cannot differ from the cost of any other child enrolled in the child care setting. (Ex: Every fulltime 4 year old regardless of if they are in foster care must be charged the same rate). A bill for a foster child cannot exceed the standard community rate identified in the child care agreement or annual child care contract. If eligibility workers identify discrepancy of any kind, the foster care case manager is responsible to assist in remedying the solution.

### **Fees (Deposits, Transportation, etc):**

Child care fees such as a deposit, supplies, transportation cost to pick up or drop off from school, as well as the standard daily, weekly, or monthly rates are allowed to be itemized for reimbursement on the child care bill for foster care reimbursement. Fees charged on behalf of care for the foster child can be covered as an irregular payment.

Child care costs are reimbursable, meaning the service has to have been provided (completed). Foster care **cannot**:

1. Pre-pay for child care service; and
2. Pay for charges incurred outside of the licensed foster care placement dates; child care dates in need of reimbursement must match dates the child was placed in a licensed foster home.

**Bill/Invoice:** A child care bill or the SFN 920 Foster Care - Child Care Invoice is required and must be signed by both the foster care provider and child care provider.

When a child changes foster care placements, but remains with the same child care provider, an invoice must be completed for the timeframe the child was in care with each provider. Child care billed at a monthly or weekly rate must be prorated for each foster care provider, not to exceed the child care provider's total monthly or weekly rate.

For child care providers that bill a weekly rate, the weekly rate is payable only one time for any week of child care that spans two months.

When a child is no longer in need of child care supervision or is moved to a different child care provider due to a change in foster care placement and received child care for any portion of a month, reimbursement must be made based on the child care provider's discharge policy.

A copy of the bill/invoice must be retained in the child's eligibility file for audit purposes. ~~The bill/invoice must contain:~~

- ~~• Child care provider's name and address,~~
- ~~• Rate (daily, weekly, or monthly),~~
- ~~• Service or billing dates for the child's care: not to exceed days the child was in licensed foster care placement,~~
- ~~• Any additional costs (fees, transportation, etc.),~~
- ~~• Total amount due, and~~
- ~~• Signatures of the providers~~

~~Reimbursement is child specific and will be authorized as an irregular payment on behalf of the foster child paid directly to the foster home. The foster care provider is responsible to pay the child care provider.~~

~~Child Care Bill/Invoice Example:~~

- ~~• Child Care Provider Name: Sally Smith~~
- ~~• Child Care Name: Smith House of Smiles~~
- ~~• Child Care Address: 1111 Wildflower Lane, Bismarck ND 58504~~
- ~~• Child Care Rate (daily, weekly, monthly): \$30/day~~
- ~~• Foster Child's Name: Johnny Smith (Age 3)~~
- ~~• Billing Dates: July 1— July 14~~
- ~~• Service Dates Charged: 10 child care days~~
- ~~• Supply Fee/Other: \$0~~
- ~~• Total Due: 10 days x \$30 = \$300~~
- ~~• Signature of Child Care Provider~~
- ~~• Signature of Foster Care Provider~~

<b>Mon</b>	<b>Tue</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Total</b>
3rd / 9	4th / 9	5th / 9	6th / 9	7th / 9	45
<b>Mon</b>	<b>Tue</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Total</b>
10th / 9	11th / 9	12th / 9	13th / 9	14th / 9	45
<b>Total</b>	90 hours (10 days x \$30/day)				

### Child Care Invoice Billing Template

#### **Required Training:**

The cost of child care for the foster parent's attendance at mandatory foster parent training is an allowable foster care expenditure. Children and Family Services Training Center (CFSTC) at the University of North Dakota facilitates child care reimbursement for approved foster parent training. Reimbursement is capped at an hourly rate per child/ per day.

#### **Child Care Expense Not Allowed under Foster Care Maintenance**

The federal regulations (P.L. 96-272) state "payments for the costs of providing care to foster children are not intended to include reimbursement in the nature of a salary for the exercise by the foster family parent of ordinary parental duties." Accordingly, child care provided to a foster child to facilitate a foster parent's participation in activities that are within the realm of "ordinary parental duties" or child care activities which are deemed a social service are not reimbursable under foster care maintenance.

Not reimbursable requests through the irregular maintenance payment.

<b>WHO</b>	<b>REIMBURSEMENT REQUEST</b>	<b>NOT IRREGULAR PAYMENT REIMBURSEMENT</b>
<b>Foster Child</b>	Informal episodic child care for foster child (Ex: an evening out, volunteering, etc.)	Not an irregular payment option, as it is included in the basic maintenance rate.
<b>Foster Child</b>	Child care for the sole purpose of social skills building, peer relationships/socialization, social services or child therapy.	Not an irregular payment option.
<b>Foster Child</b>	Care to facilitate a foster parent's participation in activities within the realm of "ordinary parental duties".	Not an irregular payment option, as it is included in the basic maintenance rate.
<b>Foster Child</b>	Child care – not employment related	Not an irregular payment option.

<b>Foster Child</b>	Child care during illness of foster parent	Not an irregular payment option.
<b>Foster Child</b>	Relief/Respite care for foster parents	Not an irregular payment option.
<b>Foster Child</b>	Child care to allow foster parents to attend school teacher conferences	Not an irregular payment option, as it is included in the basic maintenance rate as episodic child care.
<b>Foster Child</b>	Child care to allow foster parents visit to a foster child temporarily out of the foster home (hospital, camp, etc)	Not an irregular payment option, as it is included in the basic maintenance rate.

[Reference Chart](#)

“Child Care – Quick Reference Related to Foster Care.”

**Foster Care Provider is a Child Care Provider:**

Providers who are dual licensed for foster care and child care are not eligible to receive both a foster care maintenance payment and child care reimbursement for a foster child they are caring for in their own home. If the foster care provider identifies child care for the foster child outside of the foster home, an irregular payment Category 40: Code 41 may be utilized.

**Interstate Compact:**

A foster child placed out of the state of North Dakota through Interstate Compact would be eligible for Category 40 child care reimbursement if the foster child is:

1. In need of child care,
2. Placed in a licensed or approved family foster home, and
3. Enrolled or attending a child care setting licensed or approved as authorized by the state in which the licensed foster family resides.

**Foster Child’s Dependent Child:**

A foster child with a dependent child who is not in public custody, living with the foster child in the foster home, must apply for child care assistance to determine eligibility to cover the costs for the dependent child. If the child does not qualify, an irregular payment of Category 70 could be applied for the dependent child’s cost of child care.

**New link added to Forms 623-05-60**  
**New section added – 623-05-60-15**

**Foster Care – Child Care Invoice, SFN 920 623-05-60-15**

The Foster Care – Child Care Invoice, [SFN 920](#), is available for child care providers and foster care providers to use when claiming child care reimbursement for foster care children in paid foster care placements under their care.

The form is currently a pilot form to determine if changes to the form are needed, the forms use, and if the form will be required in the future.

**Child Care for Foster Children 624-05-15-50-50**

Foster children may require child care during the work hours of their foster parent. North Dakota does offer reimbursement for child care if the foster child is:

1. Placed in a licensed or approved (tribal affidavit) family foster home, and
2. In need of child care.

The foster care case manager is responsible to identify the needs for child care and assist the foster family in securing reimbursable child care options. In order for the foster parents to claim reimbursement for child care expenditure, the need for child care must be pre-approved by the case manager, discussed ongoing by the Child and Family Team and documented in the foster child's case plan. A new written approval is required from the case manager when a foster child's:

1. Placement changes to a new licensed provider home or
2. Child care provider changes.

To approve a child care setting for reimbursement, foster care case managers must verify if the child care provider meets the state Early Child Care licensing regulations. Foster care case managers can work with the county child care licenser to assist in verification if needed.

**NOTE:** After school programs and summer day camps often times are not licensed, meaning they do not meet the reimbursement guidelines for child care reimbursement.

Foster care case managers must provide specific information to the eligibility staff for eligibility file compliance. Items include, but are not limited to:

1. Signed approval prior to reimbursement;
2. Bill/Invoice from the child care required for reimbursement;
3. Obtain a copy of the child care provider's placement and billing agreement when available; and
4. Assistance in remedying error/questions related to child care expenses for the foster parent (different rates, need for bill/invoice, etc).

Irregular payment approval form can be found in FRAME under the forms tab.