

**NORTH DAKOTA DEPARTMENT OF HUMAN SERVICES**

**BISMARCK, NORTH DAKOTA**

February 22, 2021

**PI 21-04**

**TO:** Human Service Zones  
Division of Juvenile Services  
Tribal Social Services  
Field Service Specialists  
Nexus PATH  
Youthworks

**FROM:** Kelsey Bless, CFS Permanency Administrator  
Deb Lachenmeier, CFS Eligibility Unit Supervisor

**SUBJECT:** Irregular Payments 623-05-25  
Category 10 - Activities & Incidentals 623-05-30-05  
Category 20 Clothing for Foster Children 623-05-30-10  
Category 30 - Emergency Placements 623-05-30-15  
Category 40 Child Care for Foster Children 623-05-30-20  
Category 50 - Transportation Costs 623-05-30-25  
Category 60 - Excess Maintenance Payments (EMP) 623-05-30-30  
Category 70 - Minor Parent/Infant Foster Care 623-05-30-35  
Category 80 - Extra Q RTP Supervision 623-05-30-40  
Charts 623-05-65

**PROGRAMS:** Foster Care Maintenance – Irregular Payments

**RETENTION:** Until Manualized

**EFFECTIVE:** January 1, 2021

Children and Family Services updated the 623-05 maintenance chapter to accommodate revisions specific to the irregular payment and the previously required approval process. In the past, formal approval was noted in policy to be completed on the irregular payment approval form, to be noted in the case plan or child and family team meeting notes. After further review, Children and Family Services Foster Care & Subsidized Adoption Eligibility Unit (CFS Eligibility Unit) will authorize payments based on receipts and information received by the foster care case manager, when required. Foster care eligibility **will no longer require the pre-approval** by use of the irregular payment form unless the foster care case manager has special instructions for irregular payment expenditures based on child circumstances. The irregular payment tool provided by CFS and offered through the Reports/Forms section of FRAME is no longer available, instead a new form, **SFN 1042**, Irregular Foster Care Payment form was created and is located on the Eforms website at <https://www.nd.gov/eforms>.

Policy updates are in red/underline. If you have questions or need technical assistance, Deb Lachenmeier at [dlachenmeier@nd.gov](mailto:dlachenmeier@nd.gov) or Kelsey Bless, [kmbless@nd.gov](mailto:kmbless@nd.gov).

## **Irregular Payments 623-05-25**

Irregular payments are specific to available for a foster child ~~and can only be authorized to aif placed with a~~ licensed or approved (Tribal Affidavit) foster care provider. Reimbursement ~~is only allowed can be authorized~~ for expenditures incurred during the dates the child is placed with the licensed ~~or approved (Tribal Affidavit)~~ provider. The CFS Eligibility Unit will reimburse eligible irregular payments, subject to category maximums, for every foster child in a licensed setting. Receipts for foster care expenditures that are not subject to special instructions or limitations identified on a SFN 1042, Irregular Foster Care Payments fForm, will be authorized without the requirement of prior approval.

~~It is the responsibility of the foster care case manager to determine which expenditures are necessary and appropriate, and to budget the expenditure limit so irregular payments can be available throughout the year to meet the child's needs.~~

~~With appropriate approval, the eligibility worker will authorize individual irregular payment expenditures. Irregular payments must be approved by the custodial agency, with some categories requiring the approval of the Regional Supervisor.~~

~~Irregular payments can be documented in the Child & Family Team meeting notes. Documentation of the approval for payments must be provided to the eligibility worker and maintained in the child's eligibility file.~~

Irregular payments are separated into categories, and assigned various codes to ensure proper authorization of payment. Age limits are consistent with foster care payment age categories; however, expenditure limits may vary by category. Some categories are without limit. Each child's eExpenditure limits will reset:

1. Every twelve months from the initial date of foster care entry or
2. When a child has been discharged from foster care for more than 12 months.

~~The administrative county must review the receipts, if applicable, and approval to ensure the expenditure is in full compliance with state policy. The administrative county will authorize by "pinning" the irregular payment information in the payment system. Receipts must be retained in the child's eligibility file for audit purposes.~~

It is the responsibility of the foster care case manager to:

1. Determine which irregular payment expenditures are necessary and appropriate,
2. Budget the age-appropriate expenditure limit to ensure irregular payments are available throughout the year to meet the child's needs.

3. Track irregular payment totals to ensure limits are not exceeded. The custodial agency will be responsible for any reimbursement exceeding the child's annual maximums allowed per policy.
4. Submit receipts or required documentation for all irregular payments to [cfsfcsaunit@nd.gov](mailto:cfsfcsaunit@nd.gov).
5. Submit the SFN 1042, Irregular Foster Care Payments, only when the irregular payment requires special instructions, (ex: mileage vs gas receipt), payment limitations or the irregular payment category does not require a receipt

It is the responsibility of the CFS Eligibility Unit eligibility worker to:

1. Review received documentation and authorize eligible payments,
2. Track irregular payment totals,
3. Maintain receipts and documentation in the child's eligibility file, and
4. Notify the foster care case manager if there are any reimbursements submitted to the unit which cannot be authorized due to category limits, etc.

#### 18+ Continued Care Irregular Payments

~~Irregular payments are available for a child in 18+ Continued Care. Reimbursement must follow the irregular payment policy, be pre-approved and authorized directly to the licensed provider.~~

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~~Although excess maintenance payments (EMP's) are allowed in certain placement settings. EMP's require prior approval and completed SFN 904, Agreement to Furnish Specialized Family Foster Care Services form on file.~~

#### **Eight categories of irregular payments include:**

##### **Irregular Payment Categories**

<b><u>Category</u></b>	<b><u>Description</u></b>	<b><u>Documentation Needed for Payment Authorization</u></b>
<u>Category 10</u>	<u>Activities &amp; Incidentals</u>	<u>Receipts</u>
<u>Category 20</u>	<u>Clothing</u>	<u>Receipts</u>
<u>Category 30</u>	<u>Emergency Placement</u>	<u>SFN 1042</u>
<u>Category 40</u>	<u>Child Care for Foster Child</u>	<u>SFN 920</u>
<u>Category 50</u>	<u>Travel for Foster Child</u>	<u>Receipts and documented travel calculations.</u> <u>SFN 1042 if needed.</u>
<u>Category 60</u>	<u>Excess Maintenance Payment (EMP)</u>	<u>SFN 904</u>
<u>Category 70</u>	<u>Parent/Infant Payment</u>	<u>SFN 1042</u>

<u>Category 80</u>	<u>Extra Q RTP</u> <u>Supervision</u>	<u>SFN 1042</u>
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<del>Category 10</del>	<del>Activities &amp; Incidentals</del>
<del>Category 20</del>	<del>Clothing</del>
<del>Category 30</del>	<del>Emergency Placement</del>
<del>Category 40</del>	<del>Child Care for Foster Child</del>
<del>Category 50</del>	<del>Travel for Foster Child (Limited)</del>
<del>Category 60</del>	<del>Difficulty of Care/Excess Maintenance Payment (EMP)</del>
<del>Category 70</del>	<del>Parent/Infant Payment</del>
<del>Category 80</del>	<del>Extra Supervision</del>

~~Within each category are various codes related to specific items.~~

#### 18+ Continued Care Irregular Payments

Irregular payments are available for a child in 18+ Continued Care. Reimbursement must follow the irregular payment policy with payments being authorized directly to the licensed provider.

### **Category 10 - Activities & Incidentals 623-05-30-05**

Foster children placed in a licensed or approved (Tribal Affidavit) family foster home, ~~group home~~ or residential settings are eligible for irregular payments related to limited school supplies, extra-curricular activities, and personal incidentals. The foster care case manager is responsible to identify the needs of the child and ~~provide prior approval~~ discuss appropriate expenditure limits with ~~for~~ the foster care provider ~~to purchase the item/s.~~ Foster care case managers will submit receipts for the CFS Eligibility Unit to process irregular payments and authorize reimbursement to the licensed provider.

General school supplies (tablets, folders, binders, markers, crayons, pens, pencils, etc.) are included in the standard maintenance payment offered monthly to the provider. However, at times there are school fees above and beyond the routine school supply requirement. See the codes for Category 10 "Activities & Incidentals".

#### **Codes under Category 10:**

##### Code 11

- Field Trips,
- Specialized School Supplies; shop/art/lab fees, scientific calculator,
- School Pictures,
- Senior Pictures, Announcements, Cap/Gown, Class Ring

##### Code 12

- Non clothing related athletic equipment including sport shoes
- Gym class required attire (shirt and shorts)
- Sports related personal incidentals

Code 13

- Prom Dress
- Tux Rental

Code 14

- Camp Registration and Fees
- Extra-Curricular Activity Fees (swimming lessons, karate, bowling club, gymnastics, dance, girl scouts, boys scouts, 4H, etc.)
- Summer school or after school programming provided by the school district; when the program is not licensed as a ND child care provider.
- Driver's Education

Code 15

- Music Lessons
- Lease or Purchase of Instrument

Code 16

- Personal Incidentals
- School Backpack,
- Personal Hygiene Items,
- Cosmetics,
- Over the counter medications,
- Special dietary foods, and
- Infant and toddler supplies, including high chairs, formula, diapers and miscellaneous items.

All Category 10 expenditures require receipts and are subject to expenditure limits based on the child's age. **No exceptions** to the maximum limit.

~~The above irregular items must be explained, documented, approved and subject to the maximum limit per age category. There will be **no exceptions** to the maximum limit.~~All Category 10 expenditures require receipts.

~~The age limit coincides with the standard foster care maintenance rate age limits as follows age~~Age specific expenditure limits include:

Age Limits	Expenditure Limit / Year
0 – 4	\$300
5 – 12	\$500
13+	\$700

The year is computed from the first date of entry into a paid foster care setting. If a child enters and leaves care during the same year, the yearly limit remains the same. The "expenditure limit/year" is a maximum amount per child regardless of multiple entries to foster care during that year~~twelve month period of time~~.

Expenditures cannot exceed the age-appropriate limit during a one-year time period. Foster care case managers may choose to require or budget a~~A~~ quarterly maximum ~~can be determined~~ for each child to ensure that spending does not exceed the annual limit. For example: The 3 year old child is allocated ~~\$50-\$75~~ per quarter, not to exceed ~~\$200~~ \$300 per year.

The following is a case example of the "Expenditure Limit Date" and the "expenditure time period" for a child who enters foster care, leaves, and re-enters care:

### **Enters foster care**

Child Age 11, Limit \$500

Enters paid foster care setting 6/1/15\*

Expenditure Limit Date Begins = 6/1/15

Expenditure time period = 6/1/15 — 5/31/16

Child returns home 12/1/15 with total expenditures in Category 10 = \$450

Expenditures in Category 10 = \$450.

The remaining balance in Category 10 = \$50.

A. Same child returns to foster care BEFORE the "expenditure time period" ends:

Child returns to foster care setting = 3/1/16.

Expenditure time period = 6/1/15 — 5/31/16.

Balance available under Category 10 until 5/31/16 = \$50.

B. Same child returns to a paid foster care placement AFTER the prior "expenditure time period" ends:

Child returns to foster care setting = 6/14/16.

Expenditure time period renews = 6/1/16 — 5/31/17.

Amount available under Category 10 = \$500.

C. Same child was discharged from foster care and returns to a paid foster care setting after a lapse of one year.

Child returns to a paid foster care setting = 12/5/17

Expenditure time period = 12/5/17 — 12/4/18.

Amount available under Category 10 = \$500.

## **Category 20 Clothing for Foster Children 623-05-30-10**

Foster children placed in a licensed or approved (Tribal Affidavit) family foster home, ~~group home~~, or residential settings are eligible for a clothing allowance. The foster care case manager is responsible to identify the clothing needs of the child. Clothing purchased specifically for the child ~~does~~ becomes the property of the foster child and must accompany the child upon leaving the placement. An inventory must be conducted of a child's clothing and belongings prior to any placement or change in foster care placement. Foster care case managers will submit the receipts for the CFS Eligibility Unit to process irregular payment and authorize reimbursement to the licensed provider.

Payment for ongoing clothing needs for a child is built into the daily standard maintenance rate reimbursed to foster parents monthly.

<u>Age Limits</u>	<u>Built into Standard</u>
<u>0 – 4</u>	<u>\$55 /month</u>
<u>5 – 12</u>	<u>\$65 /month</u>
<u>13+</u>	<u>\$75/ month</u>

Ongoing Clothing Needs	Ongoing Clothing Needs An ongoing clothing allowance is built into daily* rate reimbursed to foster parents monthly.	
	Age 0—4	\$55/month
	Age 5—12	\$65/month
	Age 13+	\$75/month
NOTE: In state Group Home/RCCF rate has some clothing costs built into the daily rate established by NDDHS through provider audit rate setting process.		
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For out of state RCCF's, foster care case managers must verify if the daily rate has clothing built in.		

Children placed in a North Dakota QRTP facility have some clothing costs built into the daily rate established by the Department's rate setting process. Out of state foster care facility placements may not have clothing embedded into their rate. Foster care case managers must verify if the facility daily rate includes clothing.

## Codes under Category 20

### 21 Initial Clothing Allowance:

- The initial clothing allowance is available to a child when he/she enters their first paid foster care placement.
- ~~Prior approval from the~~The foster care case manager must ~~be obtained before the~~work with the foster parent to determine need and budget what clothing and how much clothing can be purchased. ~~purchase of clothing.~~
- During the first five months ~~after the~~ of a child's ~~initial entry into a~~first paid foster care placement, the child's clothing needs can be met with an initial clothing allowance, if needed.
- Clothing must be purchased within the first five months of initial placement.
- Receipts must be submitted ~~to the county timely to the~~ CFS Eligibility Unit before reimbursement to the licensed provider can be authorized.
- ~~The CFS Eligibility Unit will Payments should be authorized authorize eligible clothing reimbursementst~~timely; the payment system will only allow reimbursement for the initial clothing allowance (Code 21) through the sixth month. Reimbursement requests received after the sixth month will ~~be carefully reviewed for compliance and will~~ require ~~CFS Eligibility Unit s~~Supervisor authority ~~Help Desk assistance~~ to authorize.
- In order for a child to receive the initial clothing allowance again, the child must have been discharged from foster care for a 12 month period (this is a date specific period).

<b>Age Limits</b>	<b>Expenditure Initial w/ in first 5 months</b>
0 - 4	\$400
5 - 12	\$400
13 $\pm$	\$400

## **22 Special Clothing Allowance:**

- A special clothing allowance may be authorized to replace clothing lost in a fire, flood, theft, other type of disaster, or for sudden growth spurts.
- The special clothing allowance rate is for emergency and extraordinary extenuating circumstances and should never be used to meet the ongoing clothing needs of the foster child.
- The special clothing allowance cannot be used to supplement the initial clothing purchases.
- The special allowance is not an entitlement.

<b>Age Limits</b>	<b>Expenditure Limit/Year</b>
0 - 4	\$300
5 - 12	\$350
13 $\pm$	\$400

## **Out of State Providers:**

The clothing allowance for children placed out-of-state will be determined based on the rate of the receiving state. The rates are set by the receiving state and clothing may or may not be included in the out of state maintenance rate. If clothing is not included in the out of state rate, the ND irregular payment may be utilized.

## **Category 30 - Emergency Placements 623-05-30-15**

~~Foster children placed in a licensed or approved (Tribal Affidavit) family foster home may be eligible for emergency expenditures as a result of a crisis.~~ A family foster care provider that incurs additional expenses at the time of placement or provides initial placement specialized care of a foster child with medical, mental health, or special needs, may be eligible for additional compensation for the first 15 days of the child's placement in foster care. The additional expenses cannot be covered under any other irregular payment category or under the daily standard maintenance payment. The emergency rate is not an entitlement or a required supplement for initial placement into a family home.



The foster care case manager is responsible to identify the needs of the child and foster parents. Foster care case managers will submit the SFN 1042 for the CFS Eligibility Unit to process the irregular payment and authorize reimbursement to the licensed provider. Approval of the emergency rate must be made by the foster care case manager or agency designee and provided to the eligibility worker for the file. The emergency rate is not an entitlement or a required supplement for initial placement into a family home.

## **Code under Category 30**

### **31 – Emergency Foster Care Placement:**

- This code is specific to and may only be applied when a child is initially placed in a licensed or approved (Tribal Affidavit) family foster home.
- The emergency payment will increase the daily foster care maintenance rate for a maximum of \$38 per day to meet the additional extenuating expenditures as a result of the child's emergency placement.

This irregular payment is ~~automatically~~ calculated by subtracting the age-appropriate standard maintenance rate from \$38.00. The difference will be paid as an irregular payment, code 31, for no more than 15 days. If foster care placement ~~care~~ extends ~~for more than~~beyond 15 days, the age appropriate standard maintenance rate will apply beginning with the 16th day of placement.

~~This irregular payment must be approved by the custodian in order to authorize the payment.~~ If a child within the first 15 days of placement is moved from one family foster home to another, the irregular payment must be reviewed ~~approved~~ and can be paid if the emergency need has not been resolved and 15 days of foster care placement ~~has have~~ not lapsed. If a child is on a trial home visit and is in need of emergency placement during that time, code 31 may be considered later in the life of the foster care episode if upon return to placement is required back into a foster home ~~in a family foster home~~.

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

Foster children placed in a licensed or approved (Tribal Affidavit) family foster home are eligible for child care reimbursement if determined needed. The foster care case manager is responsible to identify the child care needs of the child and assist the foster family in securing reimbursable child care. Foster care case managers will submit the SFN 920 child care invoice for the CFS Eligibility Unit to process the irregular payment and authorize reimbursement to the licensed foster care provider.

~~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 Foster care case managers~~ s must reassess the need for child care when a foster child's:

1. Placement changes to a new licensed ~~provider~~ foster 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~~ NDDHS child care licensur website at <http://www.nd.gov/dhs/services/childcare/info/> 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.~~

### **Codes 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 standard 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. **The SFN 616 Child Care Request For Payment billing form is specific to the Child Care Assistance Program and is not acceptable** for foster care reimbursement. The child care provider caring for a foster child must 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 the CFS Eligibility Unit eligibility workers identify discrepancy of any kind, the foster care case manager is responsible to ~~assist in remedying~~ remedy 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 part of the 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~~ The SFN 920 Foster Care - Child Care Invoice ~~is the invoice is required for reimbursement. The form~~ must be signed by both the foster care provider and child care provider and submitted to the CFS Eligibility unit by the foster care case manager.

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.~~

### **Required Training:**

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

<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.

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.~~

### **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~~ ~~irregular payment on behalf of~~ 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 for child care assistance, an irregular payment ~~of~~ Category ~~70-40~~ could be applied for the dependent child's cost of child care.

### **Category 50 - Transportation Costs 623-05-30-25**

Transportation for a foster child is necessary to maintain family connections and assist with reunification efforts. Arranging for and paying costs of necessary transportation for a child ~~or parent to be placed in a the~~ foster home or a ~~RCCF/group home~~ Q RTP facility is the responsibility of the ~~County Social Service Board~~ custodial agency (Human Service Zone, Division of Juvenile Services or Tribe). ~~Parents unable to pay for transportation, may be eligible to receive assistance through the County for their travel costs.~~

#### ~~Parent Responsibility - Visitation/ Travel Costs~~

~~Parents, if able, have a responsibility to be involved in their child's case plan and pay their own travel expenses related to visitation of their child placed in foster care. This is separate from any amount they pay to child support.~~

~~A parent requesting financial assistance must complete the SFN 1023, "Foster Care Transportation Reimbursement Budget Sheet." The form is designed to determine eligibility for transportation reimbursement and is only required to be completed once; no redetermination is required. Based on the information on the completed form, the parent(s) are either "eligible" or "not eligible" for transportation reimbursement. Parents may reapply if their financial status changes or they are experiencing a financial hardship.~~

### **Category 50, Transportation**

Transportation reimbursement is specific to a foster child ~~ren~~ placed with a licensed/approved (Tribal Affidavit) foster care provider. The foster care case manager is responsible to identify transportation needs that support the case plan. Transportation costs must be evaluated based on family need, family contribution, and travel schedule. The foster care case manager must submit receipts (tickets and lodging) and other supporting documentation (mileage calculations and per diem) to the CFS Eligibility Unit for payment authorization to the foster parent.

When a child is placed in a ~~group/residential child care~~ Q RTP facility, the team must consider what a facility will provide to a parent or guardian upon arrival for visitation

at the facility (Ex: lodging and meals). In order to claim reimbursement for travel, transportation costs must be calculated, documented, ~~approved by the Child & Family Team~~ and provided to the CFS Eligibility Unit eligibility worker for ~~payment prior to~~ reimbursement. Reimbursement cannot exceed the current state rate for mileage and per diem. ~~If changes occur between Child & Family Team meetings, written approval must be obtained from the Regional Supervisor.~~

~~A copy of the approval to authorize an irregular payment must be provided to the eligibility worker and placed in the child's eligibility file.~~

**NOTE:** The basic foster care maintenance rate issued to the foster care provider includes the costs of transporting a foster child locally to and from sporting events, extra-curricular activities, school functions, etc. An irregular payment cannot be authorized to accommodate day-to-day transportation needs.

### **Codes under Category 50**

- **51 – Travel for foster child:** Home visits/reunification or other visitation to maintain family connections.
- **52 – Travel for parent/guardian to RCCF residential facility/QRTP:** Visits to the foster child placed in a Group/Residential Facility (RCCF) Qualified Residential Treatment Program or approved out of state foster care facility -only.
- **53 – Travel for foster parents:** To transport a foster child to school in which the child is enrolled at the time of placement.

**Code 51** (Travel for foster child only) can be applied when:

1. The foster child travels to a home visit, or
2. The foster child travels to another location to visit their parents, siblings, relatives, or other caretakers for reasons of reunification or maintaining family connections.

### Code 51 Documentation

Transportation costs must be calculated and determined by planning the trip for the child. Receipts (tickets and lodging) and other documentation (mileage calculations and per diem) must be provided to the CFS Eligibility Unit for payment authorization. ~~Documentation must be placed in the eligibility file for auditing purposes with consideration given to mileage, public/ commercial transportation, and lodging and meal expenditures.~~ Meal and mileage reimbursement must follow North Dakota guidelines and cannot exceed the established in-state per diem rates, even if the travel is to another state. The ~~child's~~ foster care case manager is expected to seek the lowest possible rate when public or commercial transportation (flight, bus, etc.) is



required. ~~Lastly, receipts for tickets and lodging must be presented for reimbursement and retained by the county in the eligibility file for auditing purposes.~~

**Code 52** can be applied when:

1. Visitation to a foster child in a Qualified Residential Treatment Program (QRTP) or approved out of state foster care facility Group/ Residential Facility (RCCF) by the child's parent/guardian/other designee to maintain family connections or achieve permanency. This may include participation in treatment activities (Ex: family week) provided by the facility requiring attendance from the family/designee to achieve the permanency goal.
2. The costs for additional family members to participate in the facility visit with the foster child are not reimbursable.

Parent Responsibility- Travel Costs limited to a QRTP placement

Parents, if able, have a responsibility to be involved in their child's case plan and pay their own travel expenses related to visitation of their child placed in a residential facility (QRTP). This is separate from any amount they pay to child support.

Foster care case managers must work with the parent to review the need for financial assistance by completing the SFN 1023, "Foster Care Transportation Reimbursement Budget Sheet." The form is designed to determine eligibility for transportation reimbursement. Based on the information on the completed form, the parent(s) are either "eligible" or "not eligible" for transportation reimbursement. Parents may reapply if their financial status changes or they are experiencing a financial hardship.

**Code 52 Documentation**

Transportation costs must be evaluated based on family need, travel schedule, and understanding of what the facility will provide upon arrival. If determined eligible for reimbursement, transportation costs must be calculated by planning the trip for the approved parent/s or guardian. ~~Documentation must be placed in the child's eligibility file for auditing purposes. Lodging and public/commercial transportation needs must be approved and receipts provided for reimbursement.~~ The facility and foster care case manager are expected to seek the lowest possible rate when commercial transportation is required. Reimbursement for meals and mileage must follow North Dakota guidelines and cannot exceed the established in-state per diem rates, even if the travel is to another state. The QRTP/facility must attach receipts (tickets and lodging) and other documentation (mileage calculations and per diem) to the monthly service bill/invoice to the CFS Eligibility Unit for payment authorization.

**Code 53** can be applied when:



1. The foster parent provides reasonable travel for the child to remain in their school of origin upon placement into the provider's home, located outside the established school boundaries\*.

### Code 53 Documentation

Documentation for approved transportation costs must be include mileage calculations or receipts for the cost of public transportation (ex: bus tickets) and must be submitted to the CFS Eligibility Unit for payment authorization. ~~calculated, documented, approved by the Child & Family Team and provided to the eligibility worker for payment purposes prior to reimbursement.~~ Reimbursement cannot exceed the current state rate for mileage or the established school/city bus transportation costs.

Foster care irregular payment reimbursement for excess school transportation is available for children placed into a licensed or approved (Tribal affidavit) foster home. If the child is placed in an unlicensed home, transportation reimbursement to the school of origin cannot be accommodated with foster care funds.

\*Reimbursement of expenses to transport a foster child to and from school located within the established school boundaries of the foster parent's home is part of the standard foster care maintenance rate.

The foster child's school of origin may change depending on their foster care placement. If a foster child's placement changes, the school of origin would be considered the school in which the child was enrolled at the time of the placement change.

### **Travel for Foster Child's Medical**

Transportation costs for medical services and appointments are not allowable expenditures with foster care funds. Medical travel ~~questions should be referred to the County Medical Services eligibility staff.~~ may be covered by ND Medical Services if the foster parent can enroll as a Non-Emergent Medical Transportation (NEMT) provider. Medical Services information and applications for enrollment can be located at <http://www.nd.gov/dhs/services/medicalserv/medicaid/> or by calling 701-328-2321.

### **Administrative Costs — SFN 119**

~~Reunification or placement costs not covered through irregular or standard maintenance payments may be allowable as administrative costs claimed for reimbursement on SFN 119, "Monthly Summary of CSSB Operating Expenditures." The purpose of SFN 119 is to create cost pools by program classifications. The data from the SFN 119 is used to prepare reports for the federal and state government, the legislature and the general public. Administrative expenditures reported by~~

~~classification are used to claim federal and state administrative reimbursement at various percentages.~~

~~-~~

~~The SFN 119 must be completed by the County and submitted to NDDHS Fiscal Administration each month by the 10th. Reasonable transportation costs are reimbursed to the County after submitting the SFN 119.~~

~~-~~

#### ~~Allowable Administrative Expense (SFN 119)~~

~~Allowable administrative transportation costs for foster care include:~~

- ~~1. The foster child's travel costs~~
  - ~~a. To attend court hearings, Child & Family Team meetings, etc.~~
  - ~~b. To and from a foster care placement.~~
  - ~~c. To and from pre placement visits (secondary).~~
- ~~2. The foster child's Parent/Sibling travel:~~
  - ~~a. To visit the foster child in the family foster home.~~
  - ~~b. To visit the foster child in a Psychiatric Residential Treatment Facility (PRTF).~~
- ~~3. The foster child's Foster Parents travel:~~
  - ~~a. To attend court hearings, Child & Family Team meetings, mandatory case conferences, etc.~~
  - ~~b. To visit the foster child who is out of home, inclusive of placement in a Psychiatric Residential Treatment Facility (PRTF).~~

~~Total transportation costs are billable only once.~~

#### **Quick Reference Chart - Transportation**

~~A chart is included to assist staff in determining what transportation costs are reimbursable, and in what manner those costs will be reimbursed.~~

Transportation Reimbursement – [Quick Reference](#).

## **Category 60 - Excess Maintenance Payments (EMP) 623-05-30-30** **(Updates included from PI 20-32)**

Category 60 irregular payments are specific An-to Excess Maintenance Payments (EMP), also known as a specialized family foster care irregular payment. An EMP; may apply when undue demands are required to care for a child ~~are present~~. An EMP may be approved for a licensed or approved (Tribal Affidavit) family foster home due to the physical, emotional, and/or material resources in excess of the demands expected in normal foster parenting. An EMP can be approved at any time throughout the life of the case. The foster care case manager must submit the signed SFN 904 to the CFS Eligibility Unit for payment authorization to the foster parent.

~~The eligibility worker must receive a copy of:~~

The SFN 904 -Agreement to Furnish Specialized Foster Care Services, ~~Excess Maintenance Agreement~~ must be:

- ~~1. signed~~ Signed by the primary provider, foster care case manager and the CFS Field Service Specialist;
- ~~2. Specific to a six month maximum timeframe; The duration of the signed SFN 904 agreement cannot exceed six months from the effective date or cannot exceed the~~
- ~~3. Specific to the placement end-dates~~ of the primary provider in which the agreement is signed, not to exceed the last day of the primary placement.

If a placement change occurs for a child in care and the approval is granted for the receiving family foster home, the foster parents are entitled to payment reimbursement for each full day within the approved duration of time for which they provide care. Duplication of the EMP reimbursement is not allowed for the date the child is transferred from one provider home to the next.

#### **The EMP levels are:**

Level	Code	EMP Rate/Day
Level I	Code 61	\$1.67/day (estimated \$50/mo.)
Level II	Code 62	\$3.33/day (estimated \$100/mo.)
Level III	Code 63	\$5.00/day (estimated \$150/mo.)

The payment system will only calculate the EMP per day, the range from \$50 to \$150 is based off a 30 day calculation. ~~CCWIPS-The payment system~~ will automatically generate the value based on the EMP daily rate. ~~Approval for a level I, II, or III EMP can be approved at any time throughout the life of the case by the CFS Field Service Specialist. A copy of the approval must be maintained in the child file as well as the eligibility file for auditing purposes.~~

#### **Level IV Code 64**

Excess maintenance payment for level IV requires additional approval from the Children & Family Services Foster Care Administrator. The total amount of the EMP is determined based on the SFN 1865 and must exceed level I, II, and III maximum amounts. The EMP total for level IV must be manually entered into the payment

system once determined. A partial month of payment must be prorated. ~~A copy of the approval from Children and Family Services must be maintained in the child file as well as the eligibility file for auditing purposes.~~

### **Out of State Providers:**

Out-of-state placements are reimbursed at the rate of the receiving state. The receiving state may have a rating scale to determine if an excess maintenance payment is needed to accommodate the child in placement, if not the foster care case manager can use the ND SFN 1865 ~~can be used~~ to determine need. If a North Dakota child is placed in an out of state family foster home, which receives direct reimbursement from the Department, and the need of the child exceeds the out of state maintenance rate, an EMP may be approved. Out of state ~~therapeutic~~ foster care agencies that bill North Dakota for child placement costs including a difficulty of care rate along with their standard daily rate, are not required to have a SFN 904 excess maintenance payments approved through Category 60 on file, as: North Dakota will reimburse the therapeutic agency as billed.

### **Category 70 - Minor Parent/Infant Foster Care 623-05-30-35**

Category 70 irregular payments are specific to and may only be applied when a foster child is placed in a licensed or approved (Tribal Affidavit) family foster home with their dependent child. The dependent child has not been adjudicated deprived and remains living with the foster child in his/her placement. The intent of the irregular payment is to provide financial reimbursement to the foster child and/or foster parents in an effort to support the costs of caring for the dependent child. The foster care case manager must submit SFN 1042 to the CFS Eligibility Unit for payment authorization to the foster parent.

~~The approval from the Regional Supervisor must be placed in the child file and eligibility file for auditing purposes.~~

### **Code ~~under Category 70~~ 71 – Minor Parent/Infant Foster Care:**

- This code will cover the maintenance costs for the dependent child living with the minor foster child at the age specific ND standard maintenance rate.
- If the minor parent and their dependent child are later separated, the needs of the dependent child can no longer be included in the minor parent's foster care maintenance payment as a category 70 irregular payment.

**Dependent Child TANF:** The state is prohibited from including the dependent child of a minor parent in a TANF assistance unit, ~~any if the~~ dependent child of a minor parent is receiving foster care maintenance payments under category 70. Meaning the

minor parent (foster child) is not eligible to apply for TANF until he/she is discharged from foster care.

**Dependent Child Medical Assistance:** The minor parent (foster child) must apply for Medical Assistance for their dependent child. However, a dependent child whose costs in a foster family home or child care institution are covered by the Title IV-E foster care maintenance payments being made with respect to his/her minor parent (foster child) is categorically eligible for medical assistance under Title XIX because of the IV-E eligibility determination. Refer to Manual Chapter 510-05 (Medicaid Eligibility Factors), or contact the CFS Eligibility Unit Medical Services if you have questions.

**Dependent Child - Child Care Assistance:** A minor parent (foster child) may be eligible and should apply for Child Care Assistance for their dependent child. If not eligible for child care assistance, foster care irregular payment code 41 may be utilized if appropriate. ~~A copy of the approval to reimburse child care for such circumstance must be maintained in the child file as well as the eligibility file for auditing purposes.~~

### **Category 80 - Extra QRTP Supervision 623-05-30-40**

A Category 80, Code 80, irregular payment may be considered if a child requires extra one-on-one supervision in a residential facility (QRTP). The irregular payment option is specific for a limited period of time to stabilize or transition the child to a setting that may better address the child's needs.

Prior to considering a request for extra supervision in a QRTP, the foster care case manager must thoroughly review the situation to ensure that the current setting is indeed an appropriate care situation for the child for the time being.

~~The Child & Family Team, Regional Office, and Children & Family Services Foster Care Administrator must approve the irregular payment prior to payment authorization. Approval for a Category 80 irregular payment requires additional approval from the Children & Family Services Foster Care Administrator. Approval This irregular payment~~ is for a specified one-on-one caregiver, for a set number of hours per day at a specified rate, and for a limited period of time. ~~This irregular payment option~~ Category 80 is rarely used, but available in special, limited circumstances. The approval must be placed in the eligibility file for auditing purposes. The foster care case manager must submit the SFN 1042 detailing the facility costs to the CFS Eligibility Unit for payment authorization to the foster parent.

### **Charts 623-05-65 - Combine all separate chart sections into this one section.**

Below are a variety of charts that will assist foster care case managers in quickly applying policy specific to court order requirements, irregular payments, provider rates and annual maximums.

- [1. Child Care Quick Reference \(link\)](#)
- [2. Transportation Quick Reference \(link\)](#)
- [3. Irregular Payment Categories & Codes Family \(link\)](#)
- [4. Irregular Payment Categories & Codes \(Residential\) \(link\)](#)
- [5. Court Order Hard Card- under age 18 \(link\)](#)
- [6. Court Order Hard Card – 18+ \(link\)](#)
- [7. Nexus-PATH Program Components \(link\)](#)
- [8. Nexus-PATH Payment Chart \(link\)](#)
- [9. ND Maintenance Rates \(Rates.pdf\)](#)

**DELETE EACH SECTION where the CHART is SEPERATED**

~~Child Care Quick Reference 623-05-65-05~~

~~Transportation Quick Reference 623-05-65-10~~

~~Irregular Payment Categories & Codes Family 623-05-65-28~~

~~Irregular Payment Categories & Codes (Residential Care) 623-05-65-35~~

~~Court Order Hard Cards 623-05-65-37~~

~~PATH Program Components 623-05-65-39~~

~~PATH Payment Chart 623-05-65-41~~

~~LSS Payment Chart 623-05-65-43~~