



TITLE IV-E INITIAL ELIGIBILITY
 NORTH DAKOTA DEPARTMENT OF HUMAN SERVICES
 FOSTER CARE DIVISION
 SFN 869 (7-2019)

Name of Child	Client ID
Eligibility Month	Date of Birth

I. US CITIZEN

Is the child a U.S. citizen/qualified alien? (See Manual Chapter 447-10-50)

No - STOP! Child is not eligible for federal or state funds through the foster care program.

YES - go to II. Legal Removal

II. LEGAL REMOVAL

Did the child enter care pursuant to a court order?

YES - go to A

No - STOP! The child is not eligible for foster care funds, go to VII. Eligibility Determination Results

A. B.

(a) Is the date the child was legally removed and the date the child was physically removed the same date?

YES - go to III. Judicial Determination

NO - go to (i)

(i) Did the court order approve the delay of physical removal from the home?

YES - go to III. Judicial Determination

NO - STOP! The child is not eligible for foster care funds, go to VII. Eligibility Determination Results

III. JUDICIAL DETERMINATIONS

The initial removal order signed by a Judge, Tribal Judge, Juvenile Referee or Magistrate must contain the following case specific required judicial determinations.

A. A finding of contrary to the welfare for the child to remain in the home or in the best interest for the child to be removed.

YES - go to B

NO - STOP! the child is not eligible for foster care funds, go to VII. Eligibility Determination Results

B. A positive finding the agency made reasonable efforts to prevent removal OR aggravated circumstances exist as defined in NDCC 27-20-02 and reasonable efforts were not required to prevent removal.

YES - go to C

NO - go to (a)

(a) If the initial court order did not contain a positive reasonable efforts finding, was the judicial determination obtained within 60 days of the legal removal date?

YES , go to C

NO - STOP! The child is not eligible for foster care funds, go to VII. Eligibility Determination Results

C. Gives custody to a public agency.

YES

NO - STOP! The child is not eligible for foster care funds, go to VII. Eligibility Determination Results

IV. LIVED WITH AND REMOVED FROM

A. As per the initial removal order, who was the child legally removed from?

Parent(s)/Stepparent - go to B

Legal Guardian - go to (a)

(a) Is the legal guardian a relative to the 5th degree?

YES - **Identify Specified Relative and Relationship - go to B**

<input type="text" value="Specified Relative"/>	<input type="text" value="Relationship"/>
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NO - go to C

- B. At the time of physical removal, was the child living with the same parent/specified relative indicated in IV.A?
 Yes - This is a physical removal and the living with and removed requirement is met - **go to V. Deprivation**
 NO - go to C
- C. If the child was not living with the same parent/specified relative indicated in IV.A. at the time of physical removal, had the child lived with the same parent/specified relative indicated in IV.A within 6 months prior to the removal month?
 Yes - This is a constructive removal and the living with and removed requirement is met - **go to V. Deprivation**
 NO - The living with and removed from requirement is NOT met, go to D
- D. If the child did not live with the same parent/specified relative indicated in IV.A in the 6 months prior to the removal month, did the child live with any relative to the 5th degree in the 6 months prior to removal?
 Yes - **Stop, case is eligible for Emergency Assistance** - go to VII. Eligibility Determination Results
 NO - Stop, case is eligible for Regular Foster Care - go to VII. Eligibility Determination Results

V. DEPRIVATION

Was the child deprived of parental support or care due to a parent's absence, death, incapacity or unemployment/underemployment in the eligibility month?

NO - STOP! The case is not eligible for Title IV-E, go to VII. Eligibility Determination Results

<input type="checkbox"/> YES	Single Parent Household	Two Parent Household		Deprivation Applies To	
	<input type="checkbox"/> Death <input type="checkbox"/> Absence	<input type="checkbox"/> Incapacity	<input type="checkbox"/> Unemployed/Underemployment of PWE	<input type="checkbox"/> Mother	<input type="checkbox"/> Father

VI. NEED (Manual Chapter 447-10)

- If the removal home is the parent(s) (biological, adoptive, or stepparent), consider income and assets of all members of the AFDC budget unit in the eligibility month.
- If the removal home is other specified relative, consider the income and assets of the child and siblings, if applicable, in the eligibility month.

Does any member of the AFDC budget unit have assets?

- YES - Complete VI.A
 NO - go to VI.B

VI.A. Assets - Count assets for all members of the AFDC budget unit (cannot exceed \$10,000 per household)

DO NOT INCLUDE ANY ASSETS OF AN SSI RECIPIENT.

LIQUID ASSETS

Checking		Savings		CD/MM	
Trusts		Stocks		IRA's/KEOGHS	
Other		Stocks			

NON-LIQUID ASSETS

Vehicles (equity minus \$1500)

Description	Value

Real Property

Description	Value

Life Insurance

Face Value	Cash Value

- ASSETS EXCEEDED \$10,000.00 - NOT IV-E ELIGIBLE
 ASSET ELIGIBLE

VI.B. Income

Does household have earned or unearned income?

- NO - SFN 873 Income Calculation Worksheet is not required
- YES - Complete the SFN 873 Income Calculation Worksheet

Is case within AFDC income maximums?

- YES
- NO - Case is not eligible for Title IV-E

VII. ELIGIBILITY DETERMINATION RESULTS

Case is ineligible and cannot be reimbursed with foster care funds due to:

- Removal or removal order does not meet eligibility criteria
- Child is under Tribal custody and case is not Title IV-E eligible.

Case is eligible and meets the funding source indicated below:

Please indicate the foster care funding source based on the answers in the prior sections of this form. The case must meet **all** requirements listed to be eligible for that funding source. A child under Tribal custody that does not meet the Title IV-E eligibility criteria is not eligible for reimbursement under Emergency Assistance or Regular Foster Care.

- Title IV-E - requires ALL of the following:
 - Removal order meets all court order requirements for eligibility
 - The living with and removed from requirement is met
 - Deprivation exists
 - Case is within the AFDC income and asset guidelines
- Emergency Assistance - requires:
 - Removal order meets all court order requirements for eligibility
 - Child lived with a relative to the 5th degree within the 6 months prior to removal
 - Case does not meet the deprivation requirement and/or exceeds the income and asset maximums to be Title IV-E eligible
- Regular Foster Care - requires:
 - Removal order meets all court order requirements for eligibility
 - Child did not live with a relative to the 5th degree (at anytime) in the 6 months prior to removal

VIII. MATCH SYMBOL AND REIMBURSABILITY

Using the following match symbol chart, indicate the case match symbol based on the Eligibility Determination Results.

Case Match Symbol (no SSI or SSI is offset)

Child in Receipt of SSI

For any case in which a child is in receipt of SSI disability benefits and is eligible for Title IV-E or Emergency Assistance funds, only one federally funded payment source can be used for reimbursement of foster care expenditures. See Manual Chapter 447-10-20-20-20. The state funded match symbol must be used when authorizing payments while the child is in receipt of SSI. If the child loses SSI eligibility or the SSI is offset due to claiming Title IV-E or Emergency Assistance funds, foster care expenditures may be reimbursed using the federally funded match symbol starting the first day of the month the child is no longer in receipt of SSI or SSI is offset, providing the child meets all other eligibility criteria.

Case Match Symbol While Child in Receipt of SSI

NOTE: Agency must notify Social Security Administration of agency custody of a child in receipt of Social Security.

Eligibility Determination	Custodian	Child's Unearned Income	Match Symbol
Title IV-E - federally funded	County or Division of Juvenile Services	None or SSI is offset	FM
Title IV-E - state funded	County or Division of Juvenile Services	SSI	FN
Title IV-E - federally funded	Tribe	None or SSI is offset	NA
Title IV-E	Tribe	SSI	*Case is not reimbursable but remains eligible
Emergency Assistance - federally funded	County or Division of Juvenile Services	None or SSI is offset	EA
Emergency Assistance - state funded	County or Division of Juvenile Services	SSI	RM - Once SSI is suspended, match symbol is EA
Regular Foster Care - state funded	County or Division of Juvenile Services	None or SSI is offset	RM

* A Title IV-E eligible child under Tribal custody and in receipt of SSI remains Title IV-E eligible for the entire foster care episode. The child is not reimbursable while in receipt of SSI and payment of foster care expenditures is the responsibility of the Tribe. If the child loses SSI eligibility or the SSI is suspended, foster care expenditures may be reimbursed starting the first day of the month the child is no longer in receipt of SSI providing the child meets all other eligibility criteria.

Reimbursability requires a child to be determined and maintain eligibility as per policy and to be placed in a fully licensed foster care placement.

Narrative

Name of Staff Determining Eligibility	Date
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