



November 29, 2023

**Family, Children and Adult Services Manual Transmittal Letter No. 530**

**TO:** Family, Children and Adult Services Manual Holders  
**FROM:** Matt Damschroder, Director  
**SUBJECT:** Amendment of Traditional Candidate for Title IV-E Foster Care Rule 5101:2-45-04 of the Administrative Code.

This letter transmits an amended Ohio Administrative Code (OAC) rule that is to meet federal requirements. The rule revision is necessary to ensure requirements for documentation of Title IV-E Candidates for Foster Care into the Ohio SACWIS system are met within rule. This rule will be effective December 11, 2023.

OAC rule 5101:2-45-04 entitled "**Traditional Candidate for Title IV-E Foster Care**" outlines the requirements for a child to be considered a Title IV-E candidate for foster care who has a defined case plan that identifies in-home services to prevent removal, where foster care is a planned arrangement for the child. The Title IV-E agency may claim Federal reimbursement for the allowable administrative costs associated with the case management. The title "Traditional Candidate for Title IV-E foster care" has been amended to reflect "Title IV-E candidate for foster care." A new paragraph (D) was added to provide clarification to documentation requirements for eligible Title IV-E candidates into the Ohio SACWIS system. Title IV-E language was added to provided clarification throughout the rule.

**INSTRUCTIONS:**

The following chart shows what materials should be inserted into the Family, Children and Adult Services Manual (FCASM).

LOCATION	REMOVE AND FILE AS OBSOLETE	INSERT/REPLACEMENT
MANAGEMENT AND ADMINISTRATION	5101:2-45-04	5101:2-45-04
TRANSMITTAL LETTERS		FCASMTL No. 530

5101:2-45-04

~~Traditional candidate for Title IV-E foster care~~ **Title IV-E candidate for foster care.**

- (A) In order for the child to be considered a ~~traditional~~ Title IV-E candidate for foster care, the Title IV-E agency's involvement with the child and family is to be for the specific purpose of either removing the child from the home or satisfying the reasonable efforts judicial requirement with regard to preventing removal.
- (B) A ~~traditional~~ Title IV-E candidate for foster care is a child who is at imminent risk of removal from the home into foster care as evidenced by the Title IV-E agency either pursuing the child's removal from the home or making reasonable efforts to prevent such removal.
- (C) The Title IV-E agency has decided that, absent these preventive services, the placement for the child would be foster care. A child is not a ~~traditional~~ Title IV-E candidate for foster care when the planned out-of-home placement for the child is an arrangement outside of foster care, such as a juvenile detention facility.

(D) Title IV-E agencies are to document each child's eligibility for Title IV-E candidacy in the Ohio statewide automated child welfare information system (SACWIS).

~~(D)~~(E) The case record is to document eligibility for ~~traditional~~ Title IV-E candidacy by meeting the requirements listed under paragraph ~~(D)(1)~~ (E)(1) or ~~(D)(2)~~ (E)(2) of this rule:

(1) A defined case plan that:

- (a) Is developed jointly with the parent(s) or ~~kinship~~ caregiver(s) of the child.
- (b) Lists the description of services offered and provided to prevent the removal of the child from the home into foster care.
- (c) States the goal of the child is foster care, if the services described in the plan are not effective.

(2) Court actions in relationship to the removal of the child from the home:

- (a) In a petition to the court for protective supervision in an effort to prevent removal: or
- (b) In a court order that gives the agency protective supervision in an effort to prevent removal: or
- (c) In a transcript of the court proceedings in paragraph ~~(D)(2)(b)~~ (E)(2)(b) of this rule.

~~(E)~~(F) A Title IV-E agency may claim administrative costs in the month that it determines and documents a child is a candidate for Title IV-E foster care, through the random moment sample (RMS) time study.

~~(F)~~(G) To report juvenile court staff and department of youth services (DYS) staff activities regarding the Title IV-E program, a Title IV-E juvenile court and DYS are to complete the JFS 01794 "Juvenile Courts Random Moment Sample (JCRMS) Time Studies Observation Form."

~~(G)~~(H) A child may be a candidate for six months or longer if the child is re-determined through a semi-annual administrative review (SAR) of the case plan or a court decision in relation to preventing the removal from the home. A Title IV-E agency is to continue to document its justification for retaining a child in a candidate status.

~~(H)~~(I) The Title IV-E agency is to cease claiming federal reimbursement when the following occur:

- (1) The agency receives legal responsibility for the care and placement/custody of the child.
- (2) The child no longer receives case management services that are considered reasonable efforts to prevent removal or to prevent re-entry into foster care.
- (3) The child's case plan has not been reviewed and updated, as needed, at the six-month SAR.

Effective: 12/11/2023

Five Year Review (FYR) Dates: 10/1/2026

CERTIFIED ELECTRONICALLY

---

Certification

11/28/2023

---

Date

Promulgated Under: 119.03  
Statutory Authority: 2151.412, 5153.166, 5101.11  
Rule Amplifies: 2151.412, 5153.16, 2151.421, 2151.429, 5103.03,  
5101.11  
Prior Effective Dates: 10/01/2021