

Office of Children's Services – Formula Programs Overview

Component	Foster Care Base Rate
Program Services	Reimburse licensed foster parents for the basic needs of foster children in their care
Statute and/or Policy	<ul style="list-style-type: none"> • AS 47.05.065(3) – Legislative Findings Related to Children • AS 47.14.020(1) – Duties of Department • AS 47.14.100(a) and (b) – Powers and Duties of Department over Care of Child <p>7 AAC 53, Article 1 - Child Foster Care Payments: Standard Payment Rates and Augmentation</p> <p>Title IV-E of the Social Security Act (42 U.S.C. 670 – 679)</p>
Policy Brief	<p>➤ State statutes (AS 47.05.065(3), 47.14.020(1), and 47.14.100(a)) require OCS to arrange for the care of every child committed to its custody by placing the child in a foster home or institution providing care for children. AS 47.14.100(b) prohibits placement of children in a home that does not meet adequate standards of care. AS 47.14.100(b) allows OCS to pay the costs of maintenance that are necessary to assure adequate care of the child. The method for establishing standard foster care payment rates are set out in regulation (7 AAC 53.030) and rate changes require approval by the legislature.</p> <p>➤ 42 U.S.C. 672(a)(1) requires OCS to make foster care payments on behalf of each child who has been removed from home and meets the Title IV-E Foster Care eligibility reState statutes (AS 47.05.065(3), 47.14.020(1), and 47.14.100(a)) require OCS to arrange for the care of every child committed to its custody by placing the child in a foster home or institution providing care for children. AS 47.14.100(b) prohibits placement of children in a home that does not meet adequate standards of care. AS 47.14.100(b) allows OCS to pay the costs of maintenance that are necessary to assure adequate care of the child. The method for establishing standard foster care payment rates are set out in regulation (7 AAC 53.030) and rate changes require approval by the legislature.</p>

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	<ul style="list-style-type: none"> ➤ 42 U.S.C. 672(a)(1) requires OCS to make foster care payments on behalf of each child who has been removed from home and meets the Title IV-E Foster Care eligibility requirements. ➤ AS 47.14.100(c) allows OCS to accept funds from the federal government that are granted to meet the requirement to pay for the cost of care. ➤ Federal reimbursement for foster care costs is provided under Title IV-E of the Social Security Act based on each child's Title IV-E eligibility (entitlement). ➤ AS 47.14.100(c) allows OCS to accept funds from the federal government that are granted to meet the requirement to pay for the cost of care. ➤ Federal reimbursement for foster care costs is provided under Title IV-E of the Social Security Act based on each child's Title IV-E eligibility (entitlement).
What Would it Take to Potentially Change?	<ul style="list-style-type: none"> ✓ OCS is mandated by state and federal statute to provide the services to children in custody.
Component	Foster Care Augmented Rate
Program Services	Provide for the cost to care for foster children with physical, developmental and mental disabilities, in addition to the already provided foster care base rate.
Statute and/or Policy	<ul style="list-style-type: none"> • AS 47.14.100(d) – Powers and Duties of Department over Care of Child • 7 AAC 53, Article 1 - Child Foster Care Payments: Standard Payment Rates and Augmentation • 7 AAC 53, Article 3 - Children in Custody or Under Supervision: Needs and Income • Title IV-E of the Social Security Act (42 U.S.C. 670 – 679)

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Policy Brief	<ul style="list-style-type: none"> ➤ AS 47.14.100(d) requires OCS to, in addition to the standard foster care rate, pay for the costs for caring for foster children with physical and mental disabilities. ➤ 7 AAC 53.060 addresses the conditions for augmented rates.
What Would it Take to Potentially Change?	<ul style="list-style-type: none"> ✓ OCS is mandated by state statute to provide the services to children in custody.
Component	Foster Care Special Needs
Program Services	Provide funding to meet special and/or occasional needs of children in state custody, as mandated by statute. This financial support enhances the State's preventative service delivery system by fulfilling many fiduciary obligations for children and families that fall outside of monthly reimbursed rates.
Statute and/or Policy	<ul style="list-style-type: none"> • AS 47.05.065(3) – Legislative Findings Related to Children • AS 47.14.100(b) – Powers and Duties of Department over Care of Child • 7 AAC 53, Article 1 - Child Foster Care Payments: Standard Payment Rates and Augmentation • 7 AAC 53, Article 3 - Children in Custody or Under Supervision: Needs and Income • Title IV-E of the Social Security Act (42 U.S.C. 670 – 679)
Policy Brief	<ul style="list-style-type: none"> ➤ AS 47.14.100(b) allows OCS to pay the costs of maintenance that are necessary to assure adequate care of the child. ➤ 7 AAC 53.050 allows OCS to pay for ongoing direct costs for foster care, in addition to the standard foster care rate, and 7 AAC 53, Article 3 allows payment for one-time items, clothing, independent living, etc. for children in custody or under supervision, and payments for prevention of out-of-home placement and reuniting families.

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What Would it Take to Potentially Change?	✓ OCS is mandated by state statute to provide the services to children in custody.
Component	Subsidized Adoptions and Guardianship
Program Services	<p>Facilitates permanent placements through adoptive or guardianship homes for the increasing number of children in state custody for whom special needs make them hard to place. Adoption is viewed as the most permanent placement for a child and is therefore the preferable option.</p> <p>Guardianships are considered for children who cannot be considered for adoption, but for whom a reasonably permanent home can be provided through guardianship. This is often the best choice for children who cannot live with their parents, but continue to maintain an important emotional tie with their families that should not be severed.</p>
Statute and/or Policy	<ul style="list-style-type: none"> • AS 25.23.190-240 - Subsidy for hard-to-place child • AS 47.14.100(d)(3) – Powers and Duties of Department over Care of Child • 7 AAC 53 Article 2 - Subsidized Adoption and Subsidized Guardianship Payments • Title IV-E of the Social Security Act (42 U.S.C. 670 – 679)
Policy Brief	<ul style="list-style-type: none"> ➤ AS 25.23.190 requires OCS to pay a subsidy to hard-to-place children in OCS custody who have been placed out-of-home for at least one year when a subsidy is required in order for the child to obtain a permanent home. ➤ AS 47.14.100(d)(3) allows OCS to pay a subsidized guardianship payment for a child in custody when the court appoints a legal guardian for the child. ➤ 7 AAC 53, Article 2 specifies the payment conditions and amount allowed.

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- 42 U.S.C. 673(a)(1) requires OCS to make adoption assistance payments on behalf of each child who meets the eligibility requirements for Title IV-E Adoption Assistance.
- 42 U.S.C. 673(d) provides the option for states to make guardianship assistance payments on behalf of each child who meets the eligibility requirements for Title IV-E Guardianship Assistance.*
- 42 U.S.C. 673(a)(3) and 42 U.S.C. 673(d)(2) limit adoption and guardianship assistance payments to the amount that would have been paid on behalf of the child if the child had been placed in foster care.
- Federal reimbursement for adoption assistance and guardianship assistance costs is provided under Title IV-E of the Social Security Act based on each child's Title IV-E eligibility (entitlement).

What Would it Take to Potentially Change?

- ✓ OCS is mandated by state and federal statute to provide adoption subsidy payments to children who meet the requirements, and state statute also mandates payment of guardianship subsidy payments to children who meet the requirements.

*NOTE: OCS opted to implement a Title IV-E guardianship assistance program. This has resulted in OCS being reimbursed for guardianship subsidy costs for eligible children which would otherwise have been entirely state funded (implementation of the program has **not** resulted in an increase in the number of children receiving guardianship subsidy payments). Implementation of the program also benefits children and families in those children eligible for Title IV-E guardianship assistance are automatically eligible for Medicaid, whereas Medicaid coverage is not provided for children with state funded guardianship subsidies.