



## Ohio Administrative Code

### Rule 5101:2-47-23.1 Title IV-E agency contracting and contract monitoring.

Effective: June 1, 2024

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(A) Each Title IV-E agency, as defined in rule 5101:2-1-01 of the Administrative Code, is to use the statewide "agreement for Title IV-E agencies and providers for the provision of child placement," hereinafter referred to as the "agreement," and establish a system of contract monitoring for children being placed into substitute care with a private agency.

(B) Each Title IV-E agency is to complete the "agreement," including the "Title IV-E schedule A rate information (schedule A)" in the Ohio statewide automated child welfare information system (Ohio SACWIS) to be able to enter a foster care placement with a:

(1) Private child placing agency (PCPA).

(2) Private non-custodial agency (PNA).

(3) Qualified residential treatment program (QRTP).

(4) Licensed family-based residential treatment facility for substance use disorder (SUD) on behalf of a child placed with a parent.

(C) Each Title IV-E agency is to print the completed "agreement" and the "schedule A" from Ohio SACWIS in order to obtain signatures for the contract between the Title IV-E agency and the QRTP, PCPA, PNA or SUD residential facility.

(D) The negotiated and agreed upon per diem rates for placement maintenance and placement administration are to be specified for all levels of care in Ohio SACWIS on the "schedule A" and are to be attached to the "agreement." The Title IV-E agency and the QRTP, PCPA, PNA or the SUD residential facility may agree to contract for and specify the agreed upon per diems in some or all of the remaining categories listed on the "agreement." The per diem rates listed on the "schedule A" are to be for all children or may be child specific.



(E) Any additions to the language when creating the initial "agreement," including the "schedule A" are to be included as an attachment or an exhibit and entered into Ohio SACWIS. An addendum can only be added after the agreement is in effect. The addendum is to be signed by all parties and attached to the "agreement."

(F) The negotiated and agreed upon per diem rate for maintenance is to be the amount paid directly to the foster caregiver. The agreed upon maintenance payment is to cover all foster care maintenance allowable costs as defined in rule 5101:2-47-01 of the Administrative Code.

(G) Invoicing procedures are to correspond to the agreed upon per diem rates as specified on the "schedule A" in Ohio SACWIS and on the "agreement," including all attachments, exhibits and addenda. All invoices are to include but are not limited to the following:

(1) Provider's name, address, telephone number, fax number, federal tax identification number, Title IV-E provider number, and the medicaid provider number, if applicable.

(2) Billing date and the billing period.

(3) Name of child, child's date of birth, and the child's Ohio SACWIS person identification number.

(4) Admission date and discharge date, if applicable.

(5) Agreed upon per diem rate amount for maintenance and the agreed upon per diem rate amount for administration.

(6) Invoicing procedures may also include the per diem rate associated with the following, if applicable and agreeable to the custodial agency and the provider:

(a) Case management, allowable administration cost.

(b) Transportation to judicial or case reviews, allowable administration cost.



- (c) Transportation to a home visit, allowable maintenance cost.
- (d) Transportation to maintain the child in the school in which they were attending prior to placement, allowable maintenance cost.
- (e) ) Other direct services, allowable maintenance cost.
- (f) Behavioral health care, non-reimbursable cost.
- (g) Other costs the Title IV-E agency agreed to pay, which are non-allowable for reimbursement as maintenance or administration cost.
- (7) Agreed upon per diem amount for children placed in a SUD residential facility for the IV-E reimbursable maintenance costs for the child:
  - (a) Food, clothing, shelter, and personal incidentals.
  - (b) Transportation to maintain the child in the school in which they were attending prior to placement.
  - (c) Child care.
- (8) Agreed upon per diem amount for other non-IV-E reimbursable costs associated with the placement of the child performed by the provider:
  - (a) Other transportation not specified in paragraph (G)(7)(b) of this rule.
  - (b) Other costs the Title IV-E agency agreed to pay.
- (9) For a child placed in a SUD residential facility, the Title IV-E agency is not to include the costs of administration and operation of the facility.
- (H) Each Title IV-E agency is to prepare a monitoring procedure established in writing, with



reasonable assurance that the terms and conditions of the contract are being adhered to. Monitoring procedures may include, but are not limited to the following:

- (1) A comparison of invoices to the agreed upon per diem rate amount in Ohio SACWIS to ensure billing accuracy.
  
- (2) A review of the progress reports submitted by the provider to the agency to ensure the services being delivered are in accordance with the child's treatment plan.