

5101:2-45-04

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

- (A) In order for the child to be considered a traditional 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 candidate for foster care is a child who is at imminent risk of removal from the home 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 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) The case record is to document eligibility for traditional candidacy by meeting the requirements listed under paragraph (D)(1) or (D)(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.
  - (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.
  - (b) In a court order that gives the agency protective supervision in an effort to prevent removal.
  - (c) In a transcript of the court proceedings in paragraph (D)(2)(b) of this rule.
- (E) 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) 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) 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) 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: 10/1/2021

Five Year Review (FYR) Dates: 10/01/2026

CERTIFIED ELECTRONICALLY

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Certification

05/03/2021

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Date

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Rule Amplifies: 2151.412, 5153.16, 2151.421, 2151.429, 5103.03,  
5101.11