

MANAGEMENT DIRECTIVE

IDENTIFICATION OF UNCOLLECTIBLE TITLE IV-E OVERPAYMENTS AND WRITE-OFF POLICY ON TITLE IV-E OVERPAYMENTS

Management Directive #11-03

Date Issued: 11/10/11

New Policy Release

Revision of existing Management Directive dated

Revision Made: **NOTE:** Current Revisions are Highlighted

Cancels: None

APPLICABLE TO

This Management Directive is applicable to all new and existing cases involving discovery of overpayment of Title IV-E funds on or after July 1, 2009, pursuant to changes implemented by Senate Bill 84 and California State Department of Social Services Regulations, Manual of Policy and Procedures 45-304 through 45-305.

OPERATIONAL IMPACT

To provide a standard method of identifying uncollectible overpayments of Title IV-E funding based on the type of foster care provider and criteria set forth in State Regulation Manual of Policy and Procedures (hereinafter MMP) 45-304.123,124 and 126. Further to provide guidance on what actions and documentation is required to verify the overpayment as uncollectible. Last, how to report and identify uncollectible overpayments to the Department of Social Services (hereinafter CDSS) on a monthly basis, relieving the county of the requirement to remit the federal share of the overpayment pursuant to state regulations, state statute and/or court orders.

This policy also sets forth the Director's policy on write-off and provides a standard method to make a request for a Director's Write-Off of Title IV-E overpayments, **not deemed uncollectible under other criteria**. This policy will set forth the criteria allowing for consideration of a Director's Write-Off and actions, which must exist to provide the Director the ability to write-off Title IV-E overpayments. The Director's Write-Off is also to be included in the monthly report to CDSS. If a Director's Write-Off is granted, the policy will advise to report the write-off overpayment to CDSS. Once reported to CDSS, the amount will be considered uncollectible provided the county maintains adequate documentation. The county will be relieved of the requirement to

remit the federal share of the overpayment pursuant to state statues, state regulations and any court order.

Procedures

A. WHEN: DETERMINE THE TYPE OF FOSTER CARE FACILITY ASSESSED WITH A TITLE IV-E OVERPAYMENT TO DETERMINE UNCOLLECTIBLE CRITERIA WHICH APPLIES TO THAT TYPE OF FOSTER CARE FACILITY

Fiscal Monitoring & Special Payments Staff Responsibilities

1. California Department of Social Services Regulation, Manual of Policy and Procedures (CDSS MPP) 45-304.123 uncollectible overpayment criteria set forth in the regulation only applies to Family Homes, approved homes of relative or non relative extended family member, or an approved home of relative or non relative extended family member, or an approved home of a non related legal guardian. Once you have determined the foster facility qualified under CDSS MPP 45-304.123, an overpayment will be considered uncollectible if it meets one of the criteria set forth below:
 - a. The overpayment was exclusively the result of a county administrative error.
 - b. Neither the county nor the provider was aware of the information that would establish that the child was not eligible for foster care benefits in that provider's home.
 - c. The provider did not have knowledge of, and did not contribute to, the cause of the overpayments.
 - d. Cost of the collection of the overpayment will exceed the amount the county is to recover. (See WIC 11466 24 (a) (1) go to Section B, Director's Write-Off below.)
 - e. The child was temporarily removed from the home and payment was owed to the provider to maintain the child's placement or the child was on runaway status and subsequently returned and payment was made to the provider to meet the child's needs. (See WIC 11466.24(a)(2).)
 - f. The amount is under \$100.00. (See Section B, Director's Write-Off below.)
2. If it is discovered that one of the five (5) identified areas (a. thru e.) apply, staff shall:
 - a) Complete the DCFS 806 (Attachment A) and provide a written statement explaining how the overpayment occurred and why the specified regulation

results in the overpayment being deemed uncollectible. The overpayment staff shall also attach all supporting documentation deeming the overpayment uncollectible.

- b) Issue a SOC 841, Notification of Overpayment and Request for Voluntary Repayment of Overpayment. (See attached form and MPP 45-304.124 and attach it to the DCFS 806.)
 - c) The DCFS 806 and supporting documents are submitted to the FOD, Fiscal Monitoring & Special Payments Manager for review and approval and then given to the Departmental Finance Manager III.
 - d) The DCFS 806, once approved, shall be given to the FOD, Claiming & Revenue Section to include the uncollectible amount in the monthly report to CDSS.
 - e) Assure a copy of the DCFS 806 and documentation is retained for five (5) years in storage for future reference.
3. Uncollectible Overpayment Criteria for Group Homes and Foster Family Agencies is set forth in CDSS MPP 45-126. Once it is determined that you are dealing with overpayments to a Group Home or Foster Family Agency, there are only two criteria which can result in an uncollectible overpayment from a Group Home or Foster Family Agency:
- a) DCFS discovered the Group Home or FFA is no longer licensed by California Department of Social Services.
 - b) DCFS has discovered the Group Home or FFA is no longer in business.
4. If it is discovered that one of the two criteria apply, the staff shall:
- a) Fill out the DCFS 805 (Attachment B), supply documentation in support of the finding.
 - b) Assure that contact has been made in writing to CDSS by either the Auditor Controller's Office who performs audits for DCFS or the overpayment staff. DCFS is required to seek written approval from CDSS to take further action on collection of overpayments in these situations.
 - c) If CDSS approves collection, then DCFS shall move forward as proscribed by CDSS MPP 45-304 through 306. If CDSS declines the written approval or approval is not received within a specified period of time set by DCFS, DCFS must not take any further action to collect on the overpayment.
 - d) DCFS shall identify the amount as uncollectible on the DCFS 805 and attach necessary documentation.

- e) The DCFS 805 and supporting documents are submitted to the FOD, Fiscal Monitoring & Special Payments Manager for review and approval and then given to the Departmental Finance Manager III.
- f) The DCFS 805, once approved, shall be given to the FOD, Claiming & Revenue Section to include the uncollectible amount in the monthly report to CDSS.
- g) Assure a copy of the DCFS 805 and documentation is retained for five (5) years in storage for future reference.

B. WHEN: OBTAINING A DIRECTOR'S WRITE OFF OF TITLE IV-E OVERPAYMENT CONSISTENT WITH STATE REGULATORY CRITERIA CDSS 45-304.125

1. The county shall not pursue collection of collectible overpayments made to an overpaid foster care provider where the cost of the collection exceeds the amount of the overpayment. The cost which the county shall consider when determining the cost effectiveness to collect is total administrative costs, and any other costs which are applicable.
2. This option should be considered after the overpayment has been identified as collectible and the following activities have occurred.
 - a) A Notice of Action has been issued to the provider to allow for a formal and/or formal state fair hearing and the foster care provider either failed to make a request for the two available hearings, exhausting, due process or determinations in hearings were in favor of DCFS.
 - b) If under \$100.00 DCFS can request a Director's Write-Off pursuant to CDSS MPP 45-125(b)(4) attaching all necessary documentation.
 - c) If over \$100.00 the overpayment shall be sent to the Treasurer Tax Collector (TTC) for collection processing.
 - d) The process of collection shall be followed by DCFS with updates from TTC on progress or inability to collect.
3. Depending on the information received from TTC regarding attempts to collect, the handling overpayment staff shall review and determine if the inability to collect will meet the criteria for a Director's Write-Off.
 - a) The cost of further recovery actions exceeds the estimated recovery amount of the overpayment.
 - b) The debtor involved with this overpayment cannot be located.

- c) The debtor is unable to pay.
 - d) The amount does not exceed \$100.00 dollars. (No TTC involvement necessary.)
4. If it is determined after review with the TTC and obtaining documentation supporting the lack of collection that a Director's Write-Off would be appropriate, staff shall:
 - a) Complete the DCFS 807 (Attachment C), for those accounts identified in B. 3. (a) through (d) and attach all supporting documentation.
 - b) Complete and submit the DCFS 807 with attached documentation.
 5. The DCFS 807 and supporting documents are submitted to the FOD, Fiscal Monitoring & Special Payments Manager for review and approval and then given to the Departmental Finance Manager III.
 6. FOD, Departmental Finance Manager III will then seek approval through the chain of command, including the Director for final approval of the write-off of the Title IV-E overpayment.

NOTE: The Departmental Finance Manager III will review/approve and sign the documents. The documents will then be forwarded to the Administrative Deputy, Chief Deputy Director and then to the Director to do the same. The signed/approved documents will be returned to the FOD, Fiscal Monitoring & Special Payments manager for filing.

7. The DCFS 807, once approved, shall be given to the FOD, Claiming & Revenue Section to include the uncollectible amount in the monthly report to CDSS.
8. Assure a copy of the DCFS 807 and documentation is retained for five (5) years in storage for future reference.

OVERVIEW OF STATUTES/REGULATIONS

Welfare and Institutions Code Section 1466.23

- (a) It is the intent of the Legislature to comply with the federal requirements of the Improper Payments Act of 2002 with respect to the remittance of the federal share of foster care overpayments.
- (b) For the purposes of this section, "federal foster care or adoption assistance overpayment" means any amount of aid paid to which a foster care provider or adoption assistance recipient was not entitled, including any overpayment

identified by a foster care provider as described in Section 11400, or federal Adoption Assistance Program recipient as described in Chapter 2.1 (commencing with Section 16115) of Part 4, and on and after the date that the director executes a declaration pursuant to Section 11217, any federal Kin-GAP aid paid to which a related guardian was not entitled, including any overpayment identified by a federal Kin-GAP recipient as described in Article 4.7 (commencing with Section 11385).

- (c) Counties shall be required to remit the appropriate amount of federal funds upon identification of the overpayment, following the completion of due process.
 - (1) Counties shall not be required to repay the overpayment when any of the following occurs:
 - (A) The amount is legally uncollectible, including any amount legally uncollectible pursuant to Section 11466.24.
 - (B) The cost of collection exceeds the overpayment.
 - (C) The foster family agency or group home is no longer in business or licensed by the department.
 - (2) Remittance of overpayments of federal AFDC-FC, federal Kin-GAP, and federal AAP funds not excluded by paragraph (1) shall be shared by the state and the counties based on the following sharing ratios:
 - (A) For federal AFDC-FC funds, the sharing ratios described in subdivision (c) of Section 15200.
 - (B) For federal Kin-GAP funds, the sharing ratios described in Section 10101.2.
 - (C) For federal AAP funds, the sharing ratios described in subdivision (e) of Section 15200.
 - (3) Upon actual collection of any overpayments from providers or recipients, the county shall ensure that the total amount reimbursed to the state reflects the federal and state share of the overpayment costs, as specified. All overpayments of federal AFDC-FC, federal Kin-GAP, and federal AAP funds included in paragraph (1) shall be repaid completely with state funds.
 - (4) Nothing in this section shall inhibit existing county authority to collect overpayments.
 - (5) Nothing in this section shall inhibit existing county responsibility to remit voluntary overpayments upon collection.
- (d)(1) The department shall adopt regulations to implement this section by December 31, 2008. Notwithstanding Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code, the department, in consultation and coordination with the County Welfare Directors Association, may adopt emergency regulations to implement this section.

- (2) The adoption of emergency regulations pursuant to subdivision (a) shall be deemed to be an emergency and necessary for the immediate preservation of the public peace, health, safety, or general welfare. The emergency regulations authorized by this section shall be submitted to the Office of Administrative Law for filing with the Secretary of State and shall remain in effect for no more than 180 days, by which time final regulations shall be adopted.
- (e) The department may only require counties to remit payment of the federal share for overpayments upon identification that occur on or after the effective date of regulations adopted pursuant to this section.

Welfare and Institutions Code Section 11466.24

- (a) In accordance with this section, a county shall collect an overpayment, discovered on or after January 1, 1999, made to a foster family home, an approved home of a relative, including, on and after the date that the director executes a declaration pursuant to Section 11217, the home of a Kin-GAP guardian, an approved home of a nonrelative extended family member, or an approved home of a nonrelative legal guardian, or, on and after January 1, 2012, the supervised independent living setting where a nonminor dependent resides, for any period of time in which the foster child was not cared for in that home, unless any of the following conditions exist, in which case a county shall not collect the overpayment:
 - (1) The cost of the collection exceeds that amount of the overpayment that is likely to be recovered by the county. The cost of collecting the overpayment and the likelihood of collection shall be documented by the county. Costs that the county shall consider when determining the cost-effectiveness to collect are total administrative, personnel, legal filing fee, and investigative costs, and any other applicable costs.
 - (2) The child was temporarily removed from the home and payment was owed to the provider to maintain the child's placement, or the child was temporarily absent from the provider's home, or on runaway status and subsequently returned, and payment was made to the provider to meet the child's needs.
 - (3) The overpayment was exclusively the result of a county administrative error or both the county welfare department and the provider or nonminor dependent were unaware of the information that would establish that the foster child or nonminor dependent was not eligible for foster care benefits.
 - (4) The provider or nonminor dependent did not have knowledge of, and did not contribute to, the cause of the overpayment.

- (b) (1) After notification by a county of an overpayment to a foster family home, an approved home of a relative, including the home of a Kin-GAP guardian, or a nonrelative extended family member, approved home of a nonrelative legal guardian, or the supervised independent living setting where the nonminor dependent resides, and a demand letter for repayment, the foster parent, approved relative, approved nonrelative legal guardian, or nonminor dependent may request the county welfare department to review the overpayment determination in an informal hearing, or may file with the department a request for a hearing to appeal the overpayment determination. Requesting an informal hearing shall not preclude a payee from seeking a formal hearing at a later date. The county welfare department shall dismiss the overpayment repayment request if it determines the action to be incorrect through an initial review prior to a state hearing, or through a review in an informal hearing held at the request of the foster parent, relative, nonrelative legal guardian, or nonminor dependent.
- (2) If an informal hearing does not result in the dismissal of the overpayment, or a formal appeal hearing is not requested, or on the 30th day following a formal appeal hearing decision, whichever is later, the foster family provider overpayment shall be sustained for collection purposes.
- (3) The department shall adopt regulations that ensure that the best interests of the child or nonminor dependent shall be the primary concern of the county welfare director in any repayment agreement.
- (c)(1) The department shall develop regulations for recovery of overpayments made to any foster family home, approved home of a relative, including the home of a Kin-GAP guardian, approved home of a nonrelative legal guardian, or supervised independent living setting where a nonminor dependent resides. The regulations shall prioritize collection methods, that shall include voluntary repayment agreement procedures and involuntary overpayment collection procedures. These procedures shall take into account the amount of the overpayment and a minimum required payment amount.
- (2) A county shall not collect an overpayment through the use of an involuntary payment agreement unless a foster family home, an approved home of a relative, including the home of a Kin-GAP guardian, approved home of a nonrelative legal guardian, or supervised independent living setting where a nonminor dependent resides has rejected the offer of a voluntary overpayment agreement, or has failed to comply with the terms of the voluntary overpayment agreement.
- (3) A county shall not be permitted to collect an overpayment through the offset of payments due to a foster family home, an approved home of a relative, including the home of a Kin-GAP guardian, approved home of a nonrelative legal guardian or supervised independent living setting where a nonminor

dependent resides, unless this method of repayment is requested by the provider or nonminor dependent in a voluntary repayment agreement, or other circumstances defined by the department by regulation.

- (d) If a provider or nonminor dependent is successful in its appeal of a collected overpayment, it shall be repaid the collected overpayment plus simple interest based on the Surplus Money Investment Fund.
- (e) A county may not collect interest on the repayment of an overpayment.
- (f) There shall be a one-year statute of limitations from the date upon which the county determined that there was an overpayment.

California Department of Social Services (CDSS) Manual of Policies and Procedures (MPP) Division Section 45-304 through 306

APPROVAL LEVELS

Section	Level	Approval
A.	Fiscal Operations Division, Fiscal Monitoring & Special Payments Manager Departmental Finance Manager III Administrative Deputy III Chief Deputy Director Director of Department of Children & Family Services	 DCFS 806 DCFS 805
B.	Fiscal Operations Division, Fiscal Monitoring & Special Payments Manager Departmental Finance Manager III Administrative Deputy III Chief Deputy Director Director of Department of Children & Family Services	DCFS 807

LINKS

California Code <http://www.leginfo.ca.gov/calaw.html>
Division 31 Regulations <http://www.cdss.ca.gov/ord/PG309.htm>
Title 22 Regulations <http://www.dss.cahwnet.gov/ord/PG295.htm>

RELATED POLICIES

None

FORM(S) REQUIRED/LOCATION

HARD COPY: None

LA Kids: **DCFS 805**, Uncollectible Debt Regarding Foster Family Agency or Group Home is no Longer Licensed or in Business
DCFS 806, Uncollectible Debt Regarding Single Foster Family Homes, Approved Home of Relatives, Nonrelative-Extended Family Member(NERFM) And Approved Home of a Non Related Legal Guardian
DCFS 807, Request for and Grant of Welfare Director Write off on Collectible Debt Pursuant to CDSS MPP 45-304.1.125(a) through (c)
SOC 841, Notice of Overpayment and Request and Voluntary Repayment
<http://www.dss.cahwnet.gov/cdssweb/entres/forms/English/SOC841.pdf>

CWS/CMS: None

SDM: None

ATTACHMENT A

UNCOLLECTIBLE DEBT REGARDING SINGLE FOSTER FAMILY HOMES, APPROVED HOME OF RELATIVES, NONRELATIVE-EXTENDED FAMILY MEMBER(NERFM) AND APPROVED HOME OF A NON RELATED LEGAL GUARDIAN (CDSS MPP 45-304.1.123(a) THROUGH (c); 45-304. 125(b) AND 45-304.125)

The overpayment is not collectible from the caretaking facility described below as indicated in State Regulation CDSS MPP 45-304.123. I have provided an explanation for each regulatory basis that supports a finding that the overpayment is uncollectible and attached all supporting documentation. (Fill out (1) the first paragraph, circle each regulation which does not allow collection and provide an explanation and documentation);

1. Uncollectible Debt/45-304.1.123(a) through (c);

Department of Children and Family Services (DCFS) finds that the overpayment issued to _____, identified as a _____ home received an overpayment on _____ for the period of time of _____ to _____. DCFS, pursuant to 45-304.1.124 shall not demand collection of an overpayment where the following existed (Circle **all** circumstances applicable);

(a) The overpayment was exclusively the result of a county administrative error (CDSS MPP 45-123(a). Explain briefly how this applies and attach any supporting documents:

(b) Neither the county nor the provider was aware of the information that would establish that the child was not eligible for foster care benefits in that provider's home (CDSS MPP 45-123(b). Explain briefly how this applies and attach any supporting documents:

(c) The provider did not have knowledge of, and did not contribute to, the cause of the overpayments (CDSS MPP 45-123(c)). Explain briefly how this applies and attach any supporting documents:

2. I have issued the, SOC 841, Notice of Overpayment and Request for Voluntary Repayment on _____ (See attached SOC 841). The provider has not voluntarily repaid the amount or made contact with DCFS as of _____

I am forwarding this uncollectible amount to the Finance Division responsible for monthly reports to the California Department of Social Services to be identified as a legally uncollectible overpayment (CDSS MPP Sections 45-304. 123- 124 and 45-304.55).

(Type in name and position) Date_____

Approved by;

Fiscal Operations Division, Fiscal Monitoring & Special Payments Manager Date_____

Departmental Finance Manager III Date_____

Administrative Deputy III Date_____

Chief Deputy Director Date_____

Director of Department of Children & Family Services Date_____

UNCOLLECTIBLE DEBT REGARDING FOSTER FAMILY AGENCY OR GROUP HOME IS NO LONGER LICENSED OR IN BUSINESS

1. An overpayment is uncollectible from a Group Home or Agency pursuant to CDSS MPP 45-304.126(a) or (b), despite initiating an audit or completion of an audit, has lost its licensing or gone out of business. The overpayment is not collectible without State authorization. This overpayment has been determined uncollectible due to (select all that apply);
 - a. DCFS discovered the Group Home _____ is no longer licensed by the Department of Social Services as of _____. (See attached documentation).
 - b. DCFS discovered the Group Home _____ is no longer in business and has closed as of _____. (See attached documentation).
 - c. DCFS has discovered the Foster Family Agency _____ is no longer licensed by the Department of Social Services as of _____. (See attached documentation).
 - d. DCFS has discovered the FFA _____ is no longer in business and has closed as of _____ (See attached documentation).
2. Contact was made with the State Department of Social Services (CDSS) on _____ to request written approval to initiate and or further an existing financial or fiscal audit, and or activities to discover if an overpayment was collectible. The State Department of Social Services did not provide written approval for Los Angeles County Department of Children and Family Services to take any further action regarding ___(name of GH or FFA)_____. (See attached documentation).
3. I have forwarded the names of the Board of Director Members, Executive Director, Licensee and Program Administrators to DCFS internal listings and/or the Auditor Controller "CARD" System, to allow for future determinations pursuant to CDSS MPP 11-425. These individuals, if attempting to re-establish a Foster Family Agency or Group Home in the future, will be flagged and contact with the States Foster Care Audits and Rates Branch and Community Care licensing will be made, pursuant to CDSS MPP 11-425.122. Information from the State and the information gathered by DCFS will be used to determine if the listed individual is capable of effectively and efficiently operating a program, if he or she requests recommendation of DCFS to act in similar capacity in a new or existing corporation licensed to operate a Group Home or Foster Family Agency.

REQUEST FOR AND GRANT OF WELFARE DIRECTOR WRITE OFF ON COLLECTIBLE DEBT PURSUANT TO CDSS MPP 45-304.1.125(a) through (c)

a) I have reviewed the DCFS written debt write off policy approved by the Welfare Director (See Management Directive 11-03, Identification of Uncollectible Title IV-E Overpayments and Write-off Policy on Title IV-E Overpayments). This overpayment was not determined uncollectible. However, after attempts to collect it has been determined to seek a Director Write off based on the following (circle each provision which applies to your request;

- i. CDSS MPP 45-304.125(b)(1); Debtor can not be located.
- ii CDSS MPP 45-304.125(b)(2); Debtor is unable to pay.
- iii CDSS MPP 45-304.125(b)(3); The cost of further recovery actions will exceed estimated recovery amounts.
- iv CDSS MPP 45-304.125(b)(4); The amount does not exceed \$100 dollars.

b) I have attached the following documentation in support of its decision for Welfare Director Write off;

i. Attached is a brief description of the actions taken and dates of actions taken to recover the overpayment, including the results of the actions taken to recover;

ii. Reasons the cost to engage in further collections out weighs the benefit to collect;

iii. I have based the determination that DCFS should not to pursue collection of the overpayment on the following information

iv. Based on the forgoing, I requested DCFS terminate its efforts to recover the overpayment on ___(insert date)_____.

v. I have attached the documents which support the above decision for Director Write Off, including the amount of the debt being \$100.00 dollars or less, if applicable, to this request_____

(Type in name and position)

Date_____

Approved by;

Fiscal Operations Division, Fiscal
Monitoring & Special Payments Manager

Date_____

Departmental Finance Manager III

Date_____

Administrative Deputy III

Date_____

Chief Deputy Director

Date_____

DIRECTORS DECISION TO WRITE OFF;

As the Director of the Department of Children and Family Services, I have reviewed the request for Write Off of Overpayment and the collected documentation in support of Write Off of Overpayment. I will conclude that the debt identified shall be written off, as allowed by State Regulation CDSS MPP 45-304.125 (a) through (c) (circle each write off which applies and insert the date);

- i. The debtor involved with this overpayment can not be located. The write off for this circumstance is granted by the Welfare Director as of _____
- ii. The cost of further recovery actions exceeds the estimated recovery amount of the overpayment (MPP 45.125. The write off for this circumstance is granted by this Welfare Director as of; _____
- iii. The debtor is unable to pay. The write off for this circumstance is granted by the Welfare Director on _____
- iv. The amount does not exceed \$100.00 dollars. The write off for this circumstance is granted by the Welfare Director on _____

DCFS will not pursue further collection and will not be required to remit the federal share of the overpayment as indicated by CDSS MPP 45-304.55. This amount is to be included in the monthly report to the Social Services Department as an uncollectible debt pursuant to CDSS MPP 45-304.125. This Directors Write Off and all supporting documentation shall be retained to assure future access, indefinitely.

Director of Department of Children
& Family Services

Date _____

ATTACHMENT D

**NOTICE OF OVERPAYMENT
AND REQUEST FOR VOLUNTARY REPAYMENT
For Foster Parents/Relative Caregivers/Non-Relative Extended Family Members NOTICE**

ADDRESSEE NAME			DATE
STREET ADDRESS	CITY	STATE	ZIP CODE

Dear Foster Parent,

This is to inform you that you were overpaid Aid to Families with Dependent Children-Foster Care (AFDC-FC) benefits for the following child in your care:

Child's Name _____ Case Number _____

The AFDC Foster Care payment you received for (Child's Name) _____ in the month(s) of _____ is an overpayment.

State law (WIC 11466.24) and Regulations Division (45-304 and 45-305) require county welfare agencies to recoup overpayments with certain exceptions. You are receiving this voluntary notice for repayment because your overpayment meets one of the following exceptions: the foster care overpayment was a result of a county administrative error, both the county welfare department and provider were unaware of information to establish eligibility for AFDC-FC, or the provider did not have knowledge of and did not contribute to the cause of the overpayment.

Specifically, the county has determined that the overpayment was caused by:

- You did not care for the child in your home for the period in which you were paid.
- The child was ineligible for foster care in the month paid, or eligible for a smaller foster care payment.
- The child's parent(s) resided in your home during the period of time for which you were paid.

Other: _____

AFDC-FC is a federal and state program that helps foster children remain in a safe and supportive environment. Federal mandates have asked counties to repay the federal portion of any overpaid placement cost payments. Therefore, in order to help additional foster parents help vulnerable children, we are asking you to voluntarily repay funds that were given to you erroneously. Your repayment will assist in providing support to other foster families. Below is all the information on how the overpayment occurred as well as how to voluntarily repay the money. Failure to return the overpayment will not result in any adverse action against you or any children you may be caring for in your home.

The balance of your overpayment is \$ _____ We are requesting your voluntary repayment of \$ _____ If you are in agreement with this request, you may repay the overpayment by sending a check or money order to the address listed below. Please include the case number and the child's name on your check or money order. Payments should be mailed to:

County Contact Name:
County Department:
Address:
City, State & Zip Code:

If you cannot afford to make a one time payment, arrangements can be made regarding a repayment plan. If you have any questions regarding the overpayment computation or repayment arrangements, please call

_____ at _____
(NAME) (PHONE)