2019-20 NCDHHS/COUNTY MEMORANDUM OF AGREEMENT

ADULT SERVICES PERFORMANCE MEASURES FACT SHEET

WHAT ARE THE PERFORMANCE MEASURES?

In 2017, the North Carolina General Assembly passed the Family/Child Accountability and Protection Act/Rylan's Law – Session Law 2017-41. The law requires all counties to enter into an annual agreement with the NC Department of Health and Human Services (NCDHHS) for all social services programs excluding medical assistance (NC Medicaid). The goal of the annual agreements is to support the provision of consistent, quality child welfare and social services that ensure the safety, health and well-being of children, adults and families served across North Carolina.

The law requires the agreement to contain performance requirements and administrative responsibilities. This fact sheet is one of seven fact sheets describing the 26 performance measures in the 2019-20 Memorandum of Agreement. The seven fact sheets address: 1) Adult Services, 2) Child Care Assistance Services, 3) Child Support Services, 4) Child Welfare Services, 5) Energy Programs, 6) Food and Nutrition Services, and 7) Work First Services.

Why Were These Adult Services Measures Selected?

The NCDHHS-County Memorandum of Agreement includes four Adult Services performance measures: two Adult Protective Services (APS) measures and two State-County Special Assistance measures. Together, these four measures address the immediate safety, ongoing protection from abuse and neglect, and long-term security and well-being of older adults and individuals with disabilities. The goal is to provide services and protections to individuals and families experiencing serious health and safety needs who are not, at least temporarily, able to assist themselves with the goal of helping them return to independent, community living.

BASIS

NC G.S 108A-103 Article 6 requires that an APS evaluation shall be completed within 30 days for allegations of abuse or neglect and within 45 days for allegations of exploitation. NC Administrative Rule: 10A NCAC 71P .0604 requires that applications be processed and a notice approving or denying the application stating the effective date be mailed within 45 calendar days from the date the application form is signed for persons aged 65 and older.

NOTE: This measure is a growth measure. Performance over prior years will be compiled and shared with counties. For Fiscal Year 2019-2020 MOU, the Department will not initiate any corrective action for a county's performance related to this MOU performance measure.

A Closer Look: Adult Protective Services Performance Measures

1. County will complete 95% of APS evaluations involving allegations of abuse or neglect within 30 days of the report.

NOTE: This measure is a growth measure. Performance over prior years will be compiled and shared with counties. For Fiscal Year 2019-2020 MOU, the Department will not initiate any corrective action for a county's performance related to this MOU performance measure.

RATIONALE

Responding quickly to allegations of adult abuse, neglect or exploitation is essential in order to make a case decision that will allow the necessary services to be provided to protect the adult. While state statute does not specify a percentage, 95% was selected because counties encounter extenuating circumstances that preclude them from completing a timely evaluation. Timely completion of 95% of these reports indicates substantial compliance with the statute.

BASIS

State law requires that the director of social services receiving a report that an adult needs protective services make a prompt and thorough evaluation to determine whether the adult needs protective services and what services are needed. By statute, the evaluation shall be completed within 30 days for allegations of abuse or neglect.

- NC State Statute: NC G.S 108A-103

2. County will complete 85% of APS evaluations involving allegations of exploitation within 45 days of the report.

NOTE: This measure is a growth measure. Performance over prior years will be compiled and shared with counties. For Fiscal Year 2019-2020 MOU, the Department will not initiate any corrective action for a county's performance related to this MOU performance measure.

RATIONALE

Protecting a disabled adult from being improperly used for another's profit or advantage is critical to ensuring their safety and well-being. The most common form of exploitation is related to financial misuse. Therefore, evaluating reports of exploitation often requires that APS staff have access to records from care providers and financial institutions. This can lengthen the time needed to make a determination on the need for protection. Timely completion of 85% of these reports indicates substantial compliance with the statute.

BASIS

State law requires the director of social services to make a prompt and thorough evaluation of any report of potential adult abuse, neglect or exploitation and determine whether or not an adult needs protective services and what services are needed. The evaluation should be completed within 45 days for allegations of exploitation.

- NC State Statute: NC G.S 108A-103

A Closer Look: State-County Special Assistance Performance Measures

The NCDHHS-County Memorandum of Agreement includes two State-County Special Assistance Measures. These measures address the timeliness in which the County DSS processes applications for State-County Special Assistance (SA), which pays for room and board for low-income individuals needing care in an assisted living facility. NC Administrative Code (10NCAC 71P.0604) sets the timeliness requirement for processing SA applications.

1. County will process 85% of Special Assistance for the Aged (SAA) applications within 45 calendar days of the application date.

NOTE: This measure is a growth measure. Performance over prior years will be compiled and shared with counties. For Fiscal Year 2019-2020 MOU, the Department will not initiate any corrective action for a county's performance related to this MOU performance measure.

RATIONALE

Individuals in need of placement in an assisted living facility generally require prompt placement to avoid further decline in health or possible harm. State-County Special Assistance (SA) pays for room and board for eligible individuals in a licensed assisted living facility. Timely receipt of these benefits is essential to ensure proper care and treatment. While state rule does not specify a percentage rate, 85% was selected because counties may encounter extenuating circumstances that preclude them from completing a timely determination of eligibility. Timely determination for 85% of applications indicates substantial compliance with the state rule.

BASIS

State administrative rules require that applications be processed and a notice approving or denying the application stating the effective date be mailed within 45 calendar days from the date the application form is signed for persons aged 65 and older.

- NC Administrative Rule: 10A NCAC 71P .0604

2. The County will process 85% of Special Assistance for the Disabled (SAD) applications within 60 calendar days of the application date.

NOTE: This measure is a growth measure. Performance over prior years will be compiled and shared with counties. For Fiscal Year 2019-2020 MOU, the Department will not initiate any corrective action for a county's performance related to this MOU performance measure.

RATIONALE

Individuals in need of placement in an assisted living facility generally require prompt placement to avoid further decline in health or possible harm. State-County Special Assistance (SA) pays for room and board for eligible individuals in a licensed assisted living facility. Eligibility for SA also qualifies an individual to receives Medicaid benefits. Timely receipt of these benefits is essential to ensure proper care and treatment. DSS staff are required to verify several factors to determine eligibility related to income and assets.

While the state rule does not speak to a percentage rate, 85% was selected because counties may encounter extenuating circumstances that preclude them from completing a timely determination of eligibility. Timely determination for 85% of applications indicates substantial compliance with the Rule.

BASIS

State regulations require that applications be processed and a notice approving or denying the application stating the effective date of the payment be mailed within 60 calendar days from the date the application form is signed for persons aged less than 65.

- NC Administrative Rule: 10A NCAC 71P .0604

2019-20 NCDHHS/COUNTY MEMORANDUM OF AGREEMENT

CHILD CARE ASSISTANCE SERVICES PERFORMANCE MEASURES FACT SHEET

WHAT ARE THE PERFORMANCE MEASURES?

In 2017, the North Carolina General Assembly passed the Family/Child Accountability and Protection Act/Rylan's Law – Session Law 2017-41. The law requires all counties to enter into an annual agreement with the NC Department of Health and Human Services (NCDHHS) for all social services programs excluding medical assistance (NC Medicaid). The goal of the annual agreements is to support the provision of consistent, quality child welfare and social services that ensure the safety, health and well-being of children, adults and families served across North Carolina.

The law requires the agreement to contain performance requirements and administrative responsibilities. This fact sheet is one of seven fact sheets describing the 26 performance measures in the 2019-20 Memorandum of Agreement. The seven fact sheets address: 1) Adult Services, 2) Child Care Assistance Services, 3) Child Support Services, 4) Child Welfare Services, 5) Energy Programs, 6) Food and Nutrition Services, and 7) Work First Services.

Why Were These Child Care Assistance Services Measures Selected?

The NCDHHS-County Memorandum of Agreement includes one Subsidized Child Care Assistance Program performance measure. This measure ensures that family eligibility determination and processing of applications for Subsidized Child Care Assistance (SCCA) are performed in a timely manner. This attention to timeliness allows families to begin work or educational activities while their children access quality child care programs. If applications are not processed in a timely manner, families can lose an employment opportunity or may not be able to keep their job or remain in school, if redetermination is delayed.

BASIS

The federal Child Care and Development Fund Block Grant Act of 2014 (Act) provides for assistance to low-income families who are working and/or engaged in educational activities to ensure equal access to high-quality child care services. The Code of Federal Regulations (CFR) at 45 CFR Part 98 describes the requirements for implementation of the Act. Plan provisions at § 98.16 describe requirements the Lead Agency (State) must include in its triennial CCDF Plan (Plan). The State is required to describe how it will ensure timely eligibility determination and processing of applications as a required part of the Plan as stated at § 98.16 (h)(7). The State's current, approved Plan specifies 30 days as the required timeline for the processing of both initial and redetermination applications in section 3.1.8.

FEDERAL COMPLIANCE INSTRUMENTS

States are assessed for compliance on a three-year cycle. The Act at Subpart K – Error Rate Reporting at § 98.101 describes the Case Review Methodology used to assess compliance with requirements for administration of the Act. This review process meets the following requirements:

- Improper Payments Information Act of 2002 (IPIA)
- Improper Payments Elimination and Recovery Act of 2010 (IPERA)
- Improper Payments Elimination and Recovery Improvement Act of 2012 (IPERIA)
- Executive Order 13520 – Reducing Improper Payments 2009

A Closer Look: Child Care Assistance Performance Measures

1. The County will process 95% of Child Care Subsidy initial and redetermination applications within 30 calendar days of the application date.

NOTE: Performance over prior years will be compiled and shared with counties. For Fiscal Year 2019-2020 MOU, the Department will not initiate any corrective action for a county's performance related to this MOU performance measure.

RATIONALE

The intent of this measure is to ensure that families can place their children in quality child care without an undue delay due to administrative processes so that they can begin or ensure continuity of work or approved educational activities.

BASIS

The current, approved State Plan specifies the 30-day eligibility determination requirement in section 3.1.8.

- North Carolina Child Care Development Fund Plan

2019-20 NCDHHS/COUNTY MEMORANDUM OF AGREEMENT

CHILD SUPPORT PERFORMANCE MEASURES FACT SHEET

WHAT ARE THE PERFORMANCE MEASURES?

In 2017, the North Carolina General Assembly passed the Family/Child Accountability and Protection Act/Rylan's Law – Session Law 2017-41. The law requires all counties to enter into an annual agreement with the NC Department of Health and Human Services (NCDHHS) for all social services programs excluding medical assistance (NC Medicaid). The goal of the annual agreements is to support the provision of consistent, quality child welfare and social services that ensure the safety, health and well-being of children, adults and families served across North Carolina.

The law requires the agreement to contain performance requirements and administrative responsibilities. This fact sheet is one of seven fact sheets describing the 26 performance measures in the 2019-20 Memorandum of Agreement. The seven fact sheets address: 1) Adult Services, 2) Child Care Assistance Services, 3) Child Support Services, 4) Child Welfare Services, 5) Energy Programs, 6) Food and Nutrition Services, and 7) Work First Services.

Why Were These Child Support Measures Selected?

The NCDHHS-County Memorandum of Agreement includes five child support performance measures. The aim of the performance measures is to ensure that child support is a reliable, accessible source of income so that custodial families can become self-sufficient. Studies have shown that policies to collect child support not only increase financial resources to families, but their impact on payments increase visitation and contact between the children and their parents.

BASIS

The Personal Responsibility and Work Opportunity Reconciliation Acts (PRWORA) of 1996, Section 454 of the Social Security Act (42 U.S.C. 654), 42 U.S.C. 658a(b)(6), Public Law 105-200, Section 201, and N.C.G.S. 110-129.1(a)(9) establish guidelines for performance and an incentive system to provide additional payments to any State based on its performance under the program. The Child Support Performance and Incentive Act of 1998 (CSPIA) (Public Law 105-200, Section 201) provides the legal basis for the incentive award system. The purpose of Title IV-D incentives is to reward child support programs for good performance results, while holding these programs accountable for poor performance.

Eligibility for and the amount of incentive funding depends on all of the following:

- The total amount of federal funds that are available for a fiscal year.
- The state performance levels in five program service areas (paternity establishment, support establishment, current support payments, payments toward arrearages, and cost effectiveness). The federal Office of Child Support Enforcement (OCSE) distributes a shared pool of federal incentive funds to the states each year. To receive these funds, states must reach a specific level of performance for each of these program service areas.
- The reliability of the state's data as determined by OCSE's annual Data Reliability Audit (DRA). States must prove that their child support collection data in their computer systems is ninety-five percent (95%) reliable and accurate, based on the DRA (pursuant to 45 CFR 305).
- The relative performance levels of other states.

Each federal fiscal year, 85% of the federal incentive funds is shared with the counties, based on their performance in the program service areas mentioned above. The North Carolina Child Support Services (NCCSS) Central Office retains the remaining 15% to enhance centralized child support services.

Federal Regulations 45 CFR 303.52 require state IV-D programs to develop a standard methodology for the disbursement of incentive funds to the county/local agencies that are designated as the administrators of their child support programs.

NOTE: For 2019-20, all Child Support performance measures will be growth measures. Counties have individual targets for the current fiscal year for these measures based on their performance for the preceding state fiscal year.

A Closer Look: Child Support Performance Measures

In accordance with Federal Regulations at 45 CFR 305.2, the federal Office of Child Support Enforcement (OCSE) determines incentive funding for states by measuring performance levels in these five program areas identified below. County performance measures are established not only to ensure that we meet the performance measures set by the federal government, but that our program is focused on improving the economic self-sufficiency of families with children. Counties falling below the minimum federal performance measure are subject to a corrective action plan.

1. County will achieve its given annual percentage of paternities established for children born out of wedlock.

NOTE: For 2019-20, all Child Support performance measures will be growth measures. Counties have individual targets for the current fiscal year for these measures based on their performance for the preceding state fiscal year.

RATIONALE

Paternity establishment is an essential component in obtaining and enforcing support orders for children. The Paternity Establishment Percentage (PEP) is the percentage of children born out of wedlock for whom paternity has been established or acknowledged.

BASIS

Federal regulations require states to have a 90% minimum PEP rate to earn full incentives and avoid penalties to TANF block grant funding. To ensure continuous improvement, individualized county performance measures are established based on state and federal laws as listed below.

- Federal Code: 42 U.S.C. 652(g)(1)(A)
- Federal Code: 42 U.S.C. 658a(b)(6)(A)
- North Carolina General Statute: 110-129.1(a)(9)

2. County will achieve its given annual percentage of child support cases that are under an order.

NOTE: For 2019-20, all Child Support performance measures will be growth measures. Counties have individual targets for the current fiscal year for these measures based on their performance for the preceding state fiscal year.

RATIONALE

A child support order obligates noncustodial parents to provide financial support for their children and stipulates the amount of the obligation and how it is to be paid. Child support payments enable parents who do not live with their children to fulfill their financial responsibility to them by contributing to the payment of childrearing costs.

BASIS

Monthly performance is calculated for county/local agencies by determining the number of IV-D cases with child support orders as a percentage of their overall caseload. The average of these monthly percentages is reported at the end of the federal fiscal year. To ensure continuous improvement, individualized county performance measures are established based on state and federal laws as listed below.

- Federal Code: 42 U.S.C. 652(g)(1)(A)
- Federal Code: 42 U.S.C. 658a(b)(6)(B)
- North Carolina General Statute: N.C.G.S. 110-129.1(a)(9)

3. County will achieve its given annual percentage of current child support paid.

NOTE: For 2019-20, all Child Support performance measures will be growth measures. Counties have individual targets for the current fiscal year for these measures based on their performance for the preceding state fiscal year.

RATIONALE

The current collection rate is an indicator for the regular and timely payment of child support. Higher rates mean better compliance with the support order and lower accumulation of arrears.

BASIS

"Current support" is the money that is applied to current support obligations and does not include payments toward arrearages. Monthly performance is calculated by determining the amount of current support that is collected as a percentage of the total amount of current support obligations due. The average of these monthly percentages is reported at the end of the federal fiscal year. To ensure continuous improvement, individualized county performance measures are established based on state and federal regulations as listed below.

- Federal Code: 42 U.S.C. 652(g)(1)(A)
- Federal Code: 42 U.S.C. 658a(b)(6)(C)
- North Carolina General Statute: 110-129.1(a)(9)

4. County will achieve its given annual percentage of cases that received a payment towards arrears.

NOTE: For 2019-20, all Child Support performance measures will be growth measures. Counties have individual targets for the current fiscal year for these measures based on their performance for the preceding state fiscal year.

RATIONALE

Child support collections has been shown to reduce the child poverty rate and improve child well-being. Studies also show that receipt of child support has a positive effect on academic achievement and improves young children's cognitive development.

BASIS

To ensure continuous improvement, individualized county performance measures are established based on state and federal regulations as listed below.

- Federal Code: 42 U.S.C. 652(g)(1)(A)
- Federal Code: 42 U.S.C. 658a(b)(6)(D)
- NC General Statute: 110-129.1(a)(9)

5. County will meet its annual goal of total child support collections.

NOTE: For 2019-20, all Child Support performance measures will be growth measures. Counties have individual targets for the current fiscal year for these measures based on their performance for the preceding state fiscal year.

RATIONALE

Regular and consistent child support payments support family self-sufficiency. Research shows that the payment of child support leads to increased involvement and influence of noncustodial parents in their children's' lives.

BASIS

In North Carolina, this performance measure is tracked by looking at the total amount of child support payments that are collected by the county. To ensure continuous improvement, individualized county performance measures are established. Due to an inability to calculate the cost-effectiveness measure on a state fiscal year, that goal is translated into a total collections goal. Even though the goal does not measure actual cost-effectiveness, Counties should remain mindful of expenditures to ensure that they are staying at or above the $5.00/$1.00 ratio. The cost effectiveness standard, which is the basis for the total child support collections goal is based on state and federal regulations as listed below.

- Federal Code: 42 U.S.C. 652(g)(1)(A)
- Federal Code: 42 U.S.C. 658a(b)(6)(C)
- North Carolina Administrative Code: 110-129.1(a)(9)

2019-20 NCDHHS/COUNTY MEMORANDUM OF AGREEMENT

CHILD WELFARE PERFORMANCE MEASURES FACT SHEET

WHAT ARE THE PERFORMANCE MEASURES?

In 2017, the North Carolina General Assembly passed the Family/Child Accountability and Protection Act/Rylan's Law – Session Law 2017-41. The law requires all counties to enter into an annual agreement with the NC Department of Health and Human Services (NCDHHS) for all social services programs excluding medical assistance (NC Medicaid). The goal of the annual agreements is to support the provision of consistent, quality child welfare and social services that ensure the safety, health and well-being of children, adults and families served across North Carolina.

The law requires the agreement to contain performance requirements and administrative responsibilities. This fact sheet is one of seven fact sheets describing the 26 performance measures in the 2019-20 Memorandum of Agreement. The seven fact sheets address: 1) Adult Services, 2) Child Care Assistance Services, 3) Child Support Services, 4) Child Welfare Services, 5) Energy Programs, 6) Food and Nutrition Services, and 7) Work First Services.

Why Were These Child Welfare Measures Selected?

The NCDHHS-County Memorandum of Agreement includes six child welfare performance measures. Together, the six measures address the immediate safety, ongoing protection from abuse and neglect, and long-term security and well-being for children entering the state's child welfare system.

BASIS

The federal Child Abuse Prevention and Treatment Act (CAPTA) of 1974 and subsequent amendments provide the foundational guidance for government's role in child protection. CAPTA requires states to identify a minimum set of acts or behaviors that define child abuse and neglect and establish timeframes for responding to reports of abuse and neglect. Other federal law, funding and regulations also govern components of child welfare — for example, both Titles IV-B and IV-E of the Social Security Act (SSA). Title IV-B addresses the provision of child welfare services that can be used for prevention of and response to child abuse and neglect. Title IV-E of the Social Security Act (SSA) focuses on providing safe and stable care for children who are in out-of-home care due to child maltreatment until they can achieve placement permanency by being safely returned home, placed permanently with adoptive families, or placed in other planned arrangements. The Code of Federal Regulations (CFR) Part 45 1357.10 further define requirements for child welfare services.

NOTE: This measure is a growth measure. Performance over prior years will be compiled and shared with counties. For Fiscal Year 2019-2020 MOU, the Department will not initiate any corrective action for a county's performance related to this MOU performance measure.

FEDERAL COMPLIANCE INSTRUMENTS

The federal Children's Bureau assesses states for "substantial conformity" with federal requirements for child welfare services through a periodic Child and Family Services Review (CFSR). Federal guidelines define "substantial conformity" to mean the measure is achieved in 95% of cases reviewed. Two relevant tools are used to evaluate state compliance during the CFSR. They are:

- National Standards for State Performance on Statewide Data Indicators: The Data Indicators are aggregate measures, calculated using available administrative data. These measures look at outcomes for children; for example, whether or not a child is a victim of child abuse or neglect while in foster care, whether or not a child is a repeat victim of abuse or neglect, or whether or not a child is able to achieve a permanent home in 12 months.
- The Onsite Review Instrument (OSRI) includes only a limited sample of case reviews, interviews with children and families engaged in services, and interviews with community stakeholders – such as courts, community agencies, foster families, caseworkers, and service providers. The OSRI looks at ***outcomes for children and the type and quality of services children and in child welfare services receive***. The OSRI involves an intensive review of small sampling of family case records and looks not only at whether or not a particular service or action occurred, but whether or not it was performed in a quality manner. Therefore, the OSRI measures are NOT used as a basis for the NCDHHS County Performance Measures, because data for the Performance Measures must be available for all counties and all cases and recipients of services.

A Closer Look: Child Welfare Performance Measures

1. County will initiate 95% of all screened in reports within required timeframes.

NOTE: This measure is a growth measure. Performance over prior years will be compiled and shared with counties. For Fiscal Year 2019-2020 MOU, the Department will not initiate any corrective action for a county's performance related to this MOU performance measure.

RATIONALE

The intent of this measure to ensure allegations of child abuse, neglect and dependency are initiated within mandated timeframes. This measure addresses how quickly a "screened in" report of child maltreatment (physical, sexual or psychological abuse, neglect, dependency, or human trafficking) must be followed up on with a full investigation. A "screened in report" means that information gathered in the report of child maltreatment has been determined by a county child welfare intake caseworker and supervisors to meet the legal definition of child maltreatment. That same caseworker and their supervisor will determine the urgency of conducting the investigation depending on the nature and severity of the alleged abuse, neglect, exploitation, or dependency.

BASIS

In North Carolina, the timeframes for initiating an investigation of child maltreatment are defined in state law as, immediately, 24 or 72 hours, depending on the severity of the alleged abuse. NC Administrative Rule and the NCDHHS Family Services Manual further define the processes for adhering to the state law.

- NC State Statute: G.S. §7B-302
- NC Administrative Rule: 10A NCAC 70A.0105
- NCDHHS Family Services Manual: Vol 1, Chapter VIII, Section 1408 Investigative and Family Assessments

2. For children who were victims of maltreatment during a 12-month period, no more than 9.1% received a subsequent finding of maltreatment.

NOTE: This measure is a growth measure. Performance over prior years will be compiled and shared with counties. For Fiscal Year 2019-2020 MOU, the Department will not initiate any corrective action for a county's performance related to this MOU performance measure.

RATIONALE

The intent of this measure is to ensure that children who have been substantiated as abused, neglected or dependent are protected from further harm. This measure assesses whether the child welfare agency was successful in preventing subsequent maltreatment of a child if the child was the subject of a substantiated or indicated report of maltreatment.

BASIS

This performance measure is one of the National Standards for State Performance on Statewide Data Indicators that the Children's Bureau uses to determine state's conformity with Titles IV-B and IV-E of the Social Security Act through the Child and Family Services Reviews (CFSRs). The National Standard is that the recurrence of substantiated or indicated maltreatment 9.1% or less.

- National Standards for State Performance on Statewide Data Indicators: pages 3,4 and 6

3. The county will ensure that 95% of all foster youth have face to face visit by the social worker each month.

NOTE: This measure is a growth measure. Performance over prior years will be compiled and shared with counties. For Fiscal Year 2019-2020 MOU, the Department will not initiate any corrective action for a county's performance related to this MOU performance measure.

RATIONALE

The intent of this measure is to ensure the ongoing safety of children and the engagement and well-being of families. Caseworkers meet with children and families to monitor children's safety and well-being; assess the ongoing service needs of children, families and foster parents; engage biological and foster parents in developing case plans; assess permanency options for the child; monitor family progress toward established goals; and ensure that children and parents are receiving necessary services.

BASIS

The Child and Family Services Improvement Act of 2006 amended Part B of Title IV of the Social Security Act to require that, "at a minimum … children are visited on a monthly basis and that the caseworker visits are well-planned and focused on issues pertinent to case planning and service delivery to ensure the safety, permanency, and well-being of the children."

- Child and Family Services Improvement Act of 2006 Section 7 – Monthly Caseworker Standard; revises Section 422(b) of the Social Security Act (42 U.S.C. 622(b))

4. The county will provide leadership for ensuring that 40.5% of children who enter foster care in a 12-month period are discharged to permanency within 12 months of entering foster care.

NOTE: This measure is a growth measure. Performance over prior years will be compiled and shared with counties. For Fiscal Year 2019-2020 MOU, the Department will not initiate any corrective action for a county's performance related to this MOU performance measure.

RATIONALE

The intent of this measure is to ensure that children in out-of-home placements are able to obtain safe and permanent homes as soon as possible after removal from their homes. Permanency includes discharges from foster care to reunification with a child's parents or primary caregivers, living with a relative, guardianship, or adoption.

BASIS

This performance measure is one of the National Standards for State Performance on Statewide Data Indicators that the Children's Bureau uses to determine state's conformity with Titles IV-B and IV-E of the Social Security Act through the Child and Family Services Reviews (CFSRs). The National Standard is that at least 40.5% of all children who enter foster care in a 12-month period are discharged to permanency within 12 months of entering foster care.

- National Standards for State Performance on Statewide Data Indicators: pages 4 and 6

5. The county will provide leadership for ensuring that of children who enter foster care in a 12-month period who were discharged within 12 months to reunification, kinship care, guardianship, or adoption, no more than 8.3% re-enter foster care within 12 months of their discharge.

NOTE: This measure is a growth measure. Performance over prior years will be compiled and shared with counties. For Fiscal Year 2019-2020 MOU, the Department will not initiate any corrective action for a county's performance related to this MOU performance measure.

RATIONALE

The intent of this measure is to ensure that children exiting foster care either through reunification guardianship, or adoption are in stable homes so that they do not re-enter foster care. The measure assesses whether the agency's programs and practice are effective in supporting reunification and other permanency goals so that children do not return to foster care.

BASIS

This performance measure is one of the National Standards for State Performance on Statewide Data Indicators that the Children's Bureau uses to determine state's conformity with titles IV-B and IV-E of the Social Security Act through the Child and Family Services Reviews (CFSRs). The National Standard is that no more than 8.3% of all children who enter into and are discharged from foster care within a 12-month period re-enter foster care within 12 months of their discharge.

- National Standards for State Performance on Statewide Data Indicators: pages 5 and 6

6. The county will provide leadership for ensuring that of all children who enter foster care in a 12-month period in the county, the rate of placement moves per 1,000 days of foster care will not exceed 4.1%.

NOTE: This measure is a growth measure. Performance over prior years will be compiled and shared with counties. For Fiscal Year 2019-2020 MOU, the Department will not initiate any corrective action for a county's performance related to this MOU performance measure.

RATIONALE

Research shows that children who experience fewer placement changes are more likely to experience fewer school changes, less trauma and distress, and less mental health and behavioral problems. Research also suggests that fewer placements therefore contribute to better academic achievement and lasting positive relationships with an adult. This measure assesses whether the agency ensures that children whom the agency removes from their homes experience stability while they are in foster care.

BASIS

This performance measure is one of the National Standards for State Performance on Statewide Data Indicators that the Children's Bureau uses to determine state's conformity with Titles IV-B and IV-E of the Social Security Act through the Child and Family Services Reviews (CFSRs). The National Standard is that of all children who enter foster care in a 12-month period, the average rate of placement moves per 1,000 days of foster care does not exceed 4.1%.

- National Standards for State Performance on Statewide Data Indicators: pages 5 and 6

2019-20 NCDHHS/COUNTY MEMORANDUM OF AGREEMENT

ENERGY PROGRAMS PERFORMANCE MEASURES FACT SHEET

WHAT ARE THE PERFORMANCE MEASURES?

In 2017, the North Carolina General Assembly passed the Family/Child Accountability and Protection Act/Rylan's Law – Session Law 2017-41. The law requires all counties to enter into an annual agreement with the NC Department of Health and Human Services (NCDHHS) for all social services programs excluding medical assistance (NC Medicaid). The goal of the annual agreements is to support the provision of consistent, quality child welfare and social services that ensure the safety, health and well-being of children, adults and families served across North Carolina.

The law requires the agreement to contain performance requirements and administrative responsibilities. This fact sheet is one of seven fact sheets describing the 26 performance measures in the 2019-20 Memorandum of Agreement. The seven fact sheets address: 1) Adult Services, 2) Child Care Assistance Services, 3) Child Support Services, 4) Child Welfare Services, 5) Energy Programs, 6) Food and Nutrition Services, and 7) Work First Services.

Why Were These Energy Programs Measures Selected?

The NCDHHS-County Memorandum of Agreement includes two Energy Performance measures. Energy programs help low-income families, seniors and adults with heating and cooling to protect their health and well-being. These energy programs provide financial assistance so that vulnerable populations in our communities do not have to make difficult choices between heating and cooling their homes or affording other basic necessities such as food, medicine or shelter. Together the two measures address the federal requirements to assist households with the lowest incomes that pay a high proportion of household energy bills.

BASIS

The Federal LIHEAP Statute and Regulations and subsequent amendments provide the foundational guidance for government's role in the administration of the Energy program. The LIHEAP statute was amended in 2005 by Subtitle B of the Energy Policy Act of 2005 (Public Law 109-58) which reauthorized LIHEAP through FY 2007. The LIHEAP statute is codified in the United States Code at: 42 U.S.C. § 8621-8630 (2008).

The US HHS regulations for the LIHEAP block grant are found in 45 C.F.R. § 96. Subparts A-F, H of the US HHS block grant regulations also pertain to LIHEAP. The Administration for Children and Families (ACF) conducts compliance reviews. States determined to be in noncompliance face penalties of repayment of misspent funds and/or withholding of federal funds.

A Closer Look: Energy Programs Performance Measures

1. The County will process 95% of Crisis Intervention Program (CIP) applications within one (1) business day for applicants with no heat or cooling source.

RATIONALE

The intent of this measure to ensure that eligible individuals in a household without a heating or cooling source receive relief as soon as possible.

BASIS

Federal Code requires that within one business day after a household applies for crisis benefits, the State will provide assistance that will resolve the energy crisis if a household is eligible to receive benefits and is in a life-threatening situation. North Carolina Administrative Code provides regulations on eligibility criteria.

- Federal Regulation: 42 U.S.C. § 8621-8630 (2008).
- NC Administrative Code: 10A NCAC 71V

2. The County will process 95% of Crisis Intervention Program (CIP) applications within two (2) business day for applicants with who have a heat or cooling source.

RATIONALE

The intent of this measure to ensure that eligible households who are in danger of losing a heating or cooling source receive financial assistance to avert the crisis.

BASIS

Federal Code requires that within 48 hours after a household applies for crisis benefits, the State will provide some form of assistance that will resolve the energy crisis if such household is eligible to receive such benefits and is in a life-threatening situation. North Carolina Administrative Code provides regulations on eligibility criteria.

- Federal Regulation: 42 U.S.C. § 8621-8630 (2008).
- NC Administrative Code: 10A NCAC 71V

2019-20 NCDHHS/COUNTY MEMORANDUM OF AGREEMENT

FOOD AND NUTRITION SERVICES PERFORMANCE MEASURES FACT SHEET

WHAT ARE THE PERFORMANCE MEASURES?

In 2017, the North Carolina General Assembly passed the Family/Child Accountability and Protection Act/Rylan's Law – Session Law 2017-41. The law requires all counties to enter into an annual agreement with the NC Department of Health and Human Services (NCDHHS) for all social services programs excluding medical assistance (NC Medicaid). The goal of the annual agreements is to support the provision of consistent, quality child welfare and social services that ensure the safety, health and well-being of children, adults and families served across North Carolina.

The law requires the agreement to contain performance requirements and administrative responsibilities. This fact sheet is one of seven fact sheets describing the 26 performance measures in the 2019-20 Memorandum of Agreement. The seven fact sheets address: 1) Adult Services, 2) Child Care Assistance Services, 3) Child Support Services, 4) Child Welfare Services, 5) Energy Programs, 6) Food and Nutrition Services, and 7) Work First Services.

Why Were These Food and Nutrition Services Measures Selected?

The NCDHHS-County Memorandum of Agreement includes three Food and Nutrition Services (FNS) performance measures. Research shows that FNS Supplemental Nutrition Assistance Program (SNAP) benefits reduce poverty and food insecurity, and that this leads to improved health and economic outcomes over the long-term, especially for those who receive SNAP as children.

BASIS

The Food and Nutrition Act of 2008 (As amended Through P.L.113-79, Effective Feb. 7, 2014) provides the foundational guidance for administration of the FNS program.

FEDERAL COMPLIANCE AND STATE INSTRUMENTS

The USDA is mandated by federal regulations to monitor program administration and operation of Food and Nutrition Services program. Monitoring of the state's compliance is completed through the Management Evaluation process. The Management Evaluation address and assess State agency achievement of program objectives and FNS' strategic performance objectives and priorities.

A Closer Look: Food and Nutrition Services Performance Measures

1. The County will process 95% of regular FNS applications within the required timeframes.

RATIONALE

The intent of this measure to ensure all regular FNS applications are processed within the required timeframe. A food-secure household means that all members of the household receiving FNS benefits have access to healthy and nutritious food to support the health and well-being of the family including children, the elderly and disabled.

BASIS

The State is required to ensure benefits are available to the household no later than thirty (30) calendar days following the date of application. To ensure households are provided with benefits in a timely manner, FNS applications and reapplications must be approved no later than the twenty-fifth (25th) calendar day from the date of the application for regular FNS application and no later than four (4) calendar days for households identified as expedited.

- Federal Regulation: 7 CFR 274.2
- Federal Regulation: FNS 315 Application Time Frames
- Federal Regulation: FNS 320 Expedited Service
- Federal Program Policy: FNS Administrative Letter 1-2015

2. The County will ensure that 95% of FNS recertifications are processed within the required timeframes each month.

RATIONALE

The intent of this measure is to ensure that families that were previously determined eligible have their recertification for benefits processed in a timely manner to ensure uninterrupted access to healthy and nutritious food to support the health and well-being of families that continue to be eligible for FNS benefits.

BASIS

In accordance with federal regulation, the State is required to ensure that households who received a notice of expiration and reapplied, receive either a notice of eligibility or a notice of denial no later than thirty (30) days from the last allotment received.

- Federal Regulation: 7 CFR 273.14 Recertification

3. The County will ensure that 90% of program integrity claims are established within the required timeframe.

RATIONALE

Program integrity ensures that allegations of fraud are addressed promptly.

BASIS

The State must establish a claim within 180 days from the date of discovery. The date of discovery is the date the overpayment amount was determined. The state is required to ensure 90 percent of all claims are established or processed within the 180 days.

- Federal Regulation: 7 CFR 273.18

2019-20 NCDHHS/COUNTY MEMORANDUM OF AGREEMENT

WORK FIRST PERFORMANCE MEASURES FACT SHEET

WHAT ARE THE PERFORMANCE MEASURES?

In 2017, the North Carolina General Assembly passed the Family/Child Accountability and Protection Act/Rylan's Law – Session Law 2017-41. The law requires all counties to enter into an annual agreement with the NC Department of Health and Human Services (NCDHHS) for all social services programs excluding medical assistance (NC Medicaid). The goal of the annual agreements is to support the provision of consistent, quality child welfare and social services that ensure the safety, health and well-being of children, adults and families served across North Carolina.

The law requires the agreement to contain performance requirements and administrative responsibilities. This fact sheet is one of seven fact sheets describing the 26 performance measures in the 2019-20 Memorandum of Agreement. The seven fact sheets address: 1) Adult Services, 2) Child Care Assistance Services, 3) Child Support Services, 4) Child Welfare Services, 5) Energy Programs, 6) Food and Nutrition Services, and 7) Work First Services.

Why Were These Work First Measures Selected?

The NCDHHS-County Memorandum of Agreement includes four Work First performance measures. Together, the four measures assist families in reaching their goals of self-sufficiency and reduce the need for public assistance programs through job preparation and work activities. The work participation requirements govern the federal block grant funding and the provisions to provide timely assistance to eligible county residents.

BASIS

Title IV-A of the Social Security Act (SSA) and The Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) provide the foundational guidance for the government's accountability in assisting needy families with children. Title IV-A addresses the required submission of a State Plan in which the State program defines timelines for the determination of assistance. PRWORA and the subsequent reauthorization, Deficit Reduction Act of 2005 requires states to ensure participants subject to work participation requirements meet specific work participation measures.

FEDERAL COMPLIANCE INSTRUMENT

The Administration for Children and Families (ACF) assesses states for compliance with the federal requirements through the TANF Work Participation Rates, All Family and Two-Parent. Federal regulation defines compliance to mean that 50% of all families and 90% of all two-parent families receiving cash assistance and subject to the work requirements meet the required number of work participation hours. States are required to monitor and document the required work participation hours and submit the data to ACF. Title IV-A of the SSA requires that eligibility determination must be provided in a reasonable and prompt manner (timely). The North Carolina TANF State Plan defines reasonable and prompt manner or timeliness for applications as 45 calendar days from the application date. The timeliness for the recertification for a cash assistance is no later than the last day of the current certification period.

The TANF Data Report (ACF-199) is the federal tool used to evaluate state compliance. ACF uses this report to calculate the work participation rates for North Carolina. The state is required to collect relevant data monthly and report it to ACF.

When ACF determines a state to not to have achieved substantial conformity in all the areas assessed, the state must develop and implement a Program Improvement Plan that addresses the areas of nonconformity. Penalties for failing to comply with requirements may include withholding of funds by the federal government that are allocated to counties by North Carolina to cover administrative costs for Work First Program services.

A Closer Look: Work First Services Performance Measures

1. The County will ensure that 50% of all work-eligible individuals complete the required number of hours of federally countable work activities.

NOTE: This measure is a growth measure. Performance over prior years will be compiled and shared with counties. For Fiscal Year 2019-2020 MOU, the Department will not initiate any corrective action for a county's performance related to this MOU performance measure.

RATIONALE

The intent of this measure is to ensure all work-eligible individuals are engaged in federally countable work activities. This measure promotes job preparation and work. Through this program families develop work experience which will enable them to find full-time sustainable employment, exit public assistance programs, and become self-sufficient.

BASIS

This performance measure is one of the Work Participation indicators designed to measure the state's conformity to TANF federal regulation. NC General Statute and NCDHHS TANF State Plan further define the expectations for this program.

- NC General Statute: NC GS 108A-27.2(10)
- NC General Statute: NC GS 108A-27.6(1)
- NC General Statute: NC GS 108A-27.13(a)
- NC General Statute: NC GS 108A-27.14(a)
- NC General Statute: NC GS 108A-27.14(b)
- State Plan: TANF State Plan FFY 2016 – 2019

2. The County will ensure that 90% of two-parent families with work-eligible individuals have completed the required number of hours of federally countable work activities.

NOTE: This measure is a growth measure. Performance over prior years will be compiled and shared with counties. For Fiscal Year 2019-2020 MOU, the Department will not initiate any corrective action for a county's performance related to this MOU performance measure.

RATIONALE

The intent of this measure is to ensure all work-eligible two-parent families are engaged in federally countable work activities for the required number of participation hours. This measure promotes job preparation and work. Through this program families develop work experience which will enable them to find full-time sustainable employment, exit public assistance programs, and become self-sufficient.

BASIS

This performance measure is one of the Work Participation indicators designed to measure the state's conformity to TANF federal regulation. NC General Statute and NCDHHS TANF State Plan further define the expectations for this program.

- NC General Statute: NC GS 108A-27.2(10)
- NC General Statute: NC GS 108A-27.6(1)
- NC General Statute: NC GS 108A-27.13(a)
- NC General Statute: NC GS 108A-27.14(a)
- NC General Statute: NC GS 108A-27.14(b)
- State Plan: TANF State Plan FFY 2016 – 2019

3. The County will process 90% of Work First applications within 45 days of receipt.

RATIONALE

The intent of this measure is to ensure that families receive the Work First benefits for which they are eligible in a timely manner. Families that participate in the Work First Program rely on this service for cash assistance, job placement, training and education. Timely processing of applications ensures that applicants can access these services quickly and begin to receive services that lead to self-sufficiency.

BASIS

This performance measure determines the state's conformity with Title IV-A of the Social Security Act to provide eligibility determination in a reasonable and prompt manner. NC General Statute and the NC State Plan provides the basis for program policy.

- North Carolina General Statute: NC GS 108A-31
- State Plan: TANF State Plan FFY 2016 – 2019

4. The County will process 90% of Work First recertifications no later than the last day of the current certification period.

RATIONALE

The intent of this measure is to ensure that families who were previously determined eligible for the Work First program continue to receive assistance and benefits without an unnecessary interruption in their benefits and case work services.

BASIS

This performance measure determines the state's conformity with Title IV-A of the Social Security Act to provide eligibility determination in a reasonable and prompt manner. NC General Statute and the NC State Plan provides the basis for program policy.

- North Carolina General Statute: NC GS 108A-31
- State Plan: TANF State Plan FFY 2016 – 2019