

Child Welfare Policy Manual

Questions & Answers

3.3B INDEPENDENT LIVING, Fiscal, Allocations

1. Question: Will the Department allow reallocation of State unspent funds to other States that could match the additional amount?

Answer: Section 477(d)(4) of the statute, enacted by the Promoting Safe and Stable Families Act, provides for the reallocation of CFCIP funds for which States have not applied. If a State does not apply for its entire CFCIP allocation in a given year, the funds will be reallocated to other States. The Department will give further guidance and instructions in its yearly program instruction regarding funding and State plan updates.

- **Source/Date:** 7/25/02
- **Legal and Related References:** Social Security Act 477; Public Law 107-133

2. Question: Which fiscal year and data source is being used for determining Chafee Foster Care Independence Program allocations for each State?

Answer: The Adoption and Foster Care Analysis and Reporting System (AFCARS) data will be used to determine allocations. The law requires that data available from the most recent fiscal year be used to determine annual allocation amounts. AFCARS reports are not available for immediate use at the end of the fiscal year; therefore, allocations will be based on AFCARS data that are two full fiscal years behind the fiscal year for which States will be receiving funds, i.e., funds allocated for FY 2001 will be based on FY 1999 data.

- **Source/Date:** Questions and Answers on the Chafee Foster Care Independence Program
- **Legal and Related References:** Social Security Act - section 477(c)

3. Question: How will the fact that the Chafee Foster Care Independence Program allotment will be based on the most recent AFCARS data on the number of children in State foster care as a proportion of the number of children in foster care nationwide affect States that have lowered their foster care caseloads over the last several years?

Answer: The Social Security Act (the Act) at section 474 (4) sets a formula, similar to that of other programs, that allows the Department to allocate the funds as equitably as possible among the States. Through the "hold harmless" clause in section 477(c)(2)(A) of the Act, a State is eligible to receive, at a minimum, its allocation for FY 1998 under the former ILP program or \$500,000, whichever is greater. With these provisions in the legislation, no State

will receive less funds than it received previously for the Independent Living Program. In FY 2000, only two entities received no increase in funding while others received increases in funding between two percent and 3,700+ percent.

- **Source/Date:** Questions and Answers on the Chafee Foster Care Independence Program
- **Legal and Related References:** Social Security Act - sections 474(a) and 477(c)