

# Child Welfare Policy Manual

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## Questions & Answers

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### 8.3A.8 TITLE IV-E, Foster Care Maintenance Payments Program, Eligibility, Facilities requirements

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**1. Question: How is the 12 month limit calculated for a child placed with his/her parent in a licensed residential family-based substance abuse treatment facility?**

**Answer:** Section 472(j) of the Social Security Act provides that a title IV-E agency may claim title IV-E foster care maintenance payments on behalf of an otherwise eligible child who is placed with his/her parent in a licensed, residential family-based treatment facility for substance abuse (facility) under specified circumstances. The title IV-E agency may claim title IV-E for such a child for no more than 12 months. The "clock" for the 12 months begins to run on the first day that the child is placed with the parent in such a facility, which begins the 12-month period in that placement. As such, if a child is placed with his/her parent in such a facility, the "clock" would start anew: 1) each time that the parent and child move to a different facility, or 2) the child is placed elsewhere away from the parent, and then is placed again with the parent either in the same facility or a different one.

Note that for title IV-E eligibility and plan purposes, the "clock" ends on the last day of the 12th month, regardless of the day in the month that the child was placed with the parent in such a facility 12 months prior. For example, if a child is placed in a facility with his/her parent on January 10th, the 12 month period would end on January 31st of the next year.

- **Source/Date:** 11/23/20
- **Legal and Related References:** Section 472(j) of the Social Security Act