

<h1>ACF</h1>  <b>Administration for Children and Families</b>	U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES  Administration for Children, Youth and Families	
	<b>1. Log No:</b> ACYF-PI-82-1	<b>2. Issuance Date:</b> January 11, 1982
	<b>3. Originating Office:</b> Children's Bureau	
	<b>4. Key Words:</b> IV-E State Plan (Submission Date) P.L. 96-272	

**PROGRAM INSTRUCTION**

**TO:** State Administrators of State Public Welfare Agencies, Child Welfare State Grant Program

**SUBJECT:** Deadline for Submittal of Title IV-E State Plan

**LEGAL AND RELATED REFERENCES:** Sections 101(a)(2)(B) of P.L. 96-272; Sections 1108 and 408 and title IV-E of the Social Security Act

**INSTRUCTION:** The Adoption Assistance and Child Welfare Act of 1980 (P.L. 96-272, Section 101(a)(2)(B)) repeals section 408 of the Social Security Act, "Federal Payments for Foster Home Care of Dependent Children", effective at the time the State plan under title IV-E becomes effective, but no later than September 30, 1982. Accordingly, by October 1, 1982, every State must be operating under an approved title IV-E State plan which includes the foster care program, and meets the requirements for the adoption assistance program mandated by title IV-E. A State plan may be effective no earlier than the date on which the State is meeting all of the requirements in the operation of its programs (foster care and adoption assistance), as specified in title IV-E. A State may submit its title IV-E State plan using the preprinted format sent to State agencies on March 23, 1981 as an attachment to ACYF-PI-81-2, or it may use its own format, provided that the State plan meets all requirements of section 471(a) of the Social Security Act. If the State chooses to claim FFP for voluntary foster care placements, it must also meet the requirements of section 102(a)(1) and (2) of P.L. 96-272 as they amend section 472 of the Social Security Act.

The same requirements and deadline apply to any of the territories (Guam, the Northern Mariana Islands, Puerto Rico, the Virgin Islands) which choose to participate in the foster care program under title IV-A or title IV-E of the Social Security Act. After September 30, 1982, a territory may no longer participate under the title IV-A foster care program. It may choose to participate under title IV-E. In addition, territories operating a foster care program under title IV-E or IV-A

are not subject to the foster care allotment limitations specified in section 474(b) of the Social Security Act. Rather, they are subject to the limitations imposed under section 1108(a) of the Social Security Act on several programs including those conducted under titles IV-A and IV-E. This limitation includes both foster care and adoption assistance programs conducted under title IV-E. State Plans shall be submitted to the appropriate ACYF Regional Program Director for approval.

**EFFECTIVE DATE:** Upon issuance

**INQUIRIES TO:** Regional Program Directors, ACYF  
Clarence E. Hodges  
Commissioner