



ADMINISTRATION FOR  
**CHILDREN & FAMILIES**

Administration on Children, Youth & Families | 330 C Street, S.W., Washington, DC 20201  
[www.acf.hhs.gov/acyf](http://www.acf.hhs.gov/acyf)

March 28, 2024

Elizabeth Hertel  
Director  
Michigan Department of Health and Human Services  
233 S. Grand Ave. Lansing, MI 48933-1805

RE: Approval of title IV-E plan amendments assuring that a licensed or approved relative or kinship foster family home receives the same amount of foster care maintenance payments and adopting separate licensing standards for relative and kin foster homes.

Dear Director Hertel:

On September 28, 2023 the Children's Bureau (CB) issued a final rule amending the regulations at 45 CFR 1355.20 to allow title IV-E agencies to claim title IV-E federal financial participation (FFP) for the cost of foster care maintenance payments (FCMP) on behalf of an otherwise eligible child who is placed in a relative or kinship licensed or approved foster family home when the agency uses licensing or approval standards for relative or kinship foster family homes that differ from the standards used for non-relative foster family homes. The final rule also amended regulations at 45 CFR 1356.21(m) to require that during a periodic review mandated by section 471(a)(11) of the Act, title IV-E agencies assure that a licensed or approved relative or kinship foster family home receives the same amount of FCMP that would have been made if the child was placed in a non-related/non-kinship foster family home ([88 FR 66700](#)). The final rule became effective on November 27, 2023.

On October 11, 2023, CB issued Program Instruction (PI) [ACYF-CB-PI-23-10](#), providing guidance on submission of a title IV-E plan amendment to title IV-E agencies that choose to adopt standards for all relative or kinship foster family homes that are different from the licensing standards used for non-relative/non-kin foster family homes. The PI also provided guidance on submitting the required title IV-E Plan amendment addressing the regulatory requirement at 45 CFR 1356.21(m) to assure that a licensed or approved relative or kinship foster family home receives the same amount of FCMP as would have been made if the child was placed in a non-related/non-kinship foster family home

On January 4, 2024, Michigan submitted a title IV-E Plan amendment to the CB Regional Office to address this requirement.

On January 4, 2024, Michigan also submitted a title IV-E Plan amendment exercising the option to adopt separate licensing standards for relative or kinship foster family homes.

Plan Amendment Approval

We are pleased to notify you that we have reviewed, negotiated changes and approved Michigan's title IV-E plan amendment addressing the requirement that the agency assure licensed or approved relative or kinship foster family homes receive the same amount of FCMP as would be provided if the child were placed in a non-related/non-kinship foster family home. The effective date of the amendment is January 1, 2024.

CB has also reviewed the Michigan title IV-E plan amendment adopting separate licensing standards for relative or kinship foster family homes. The effective date of this amendment is January 1, 2024.

We wish to thank you and your program staff for your commitment to supporting kinship foster families and your work to finalize Michigan's title IV-E Plan amendments for approval.

Should you have any questions, please contact Irene Carrillo, Child and Family Program Specialist in Region 5 at (312) 886-4934 or by e-mail at [irene.carrillo@acf.hhs.gov](mailto:irene.carrillo@acf.hhs.gov). You may also contact Cindy Lowder, Child Welfare Regional Program Manager in Region 5 at (312) 886 - 4918 or by e-mail at [cindy.lowder@acf.hhs.gov](mailto:cindy.lowder@acf.hhs.gov).

Sincerely,



Aysha E. Schomburg, Esq.  
Associate Commissioner  
Children's Bureau

Enclosure: Title IV-E Plan Certification

cc: Gail Collins, Director; CB, Division of Program Implementation; Washington, DC  
Tina Naugler, Director of Regional Programs; CB, Washington, DC  
Cindy Lowder, Child Welfare Regional Program Manager; CB, Region 5; Chicago, IL  
Irene Carrillo, Child and Family Program Specialist; CB, Region 5; Chicago, IL  
Demetrius Starling, Executive Director, Michigan DHHS; Lansing, MI  
Kelly Sesti, Bureau Director of CSA, Michigan DHHS; Lansing, MI

**AGENCY PLAN AMENDMENT FOR TITLE IV-E OF THE SOCIAL SECURITY  
ACT FOSTER CARE AND ADOPTION ASSISTANCE  
STATE/TRIBE OF MICHIGAN**

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES  
ADMINISTRATION FOR CHILDREN AND FAMILIES  
CHILDREN'S BUREAU  
OCTOBER 2023

**PLAN FOR TITLE IV-E OF THE SOCIAL SECURITY ACT  
FEDERAL PAYMENTS FOR FOSTER CARE AND ADOPTION ASSISTANCE  
STATE/TRIBE OF MICHIGAN**

As a condition of the receipt of Federal funds under title IV-E of the Social Security Act (hereinafter, the Act), the

MICHIGAN

(Name of State/Tribal Agency)

submits here a plan for the programs to provide, in appropriate cases, foster care and adoption assistance, and if the State/Tribal agency elects, guardianship assistance, under title IV-E of the Act and hereby agrees to administer the programs in accordance with the provisions of this plan, title IV-E of the Act, and all applicable Federal regulations and other official issuances of the Department.

The official text of laws, regulations and official issuances governs, and the State/Tribal agency acknowledges its responsibility to adhere to them regardless of the fact that, for purposes of simplicity, the specific provisions printed herein are sometimes paraphrases of, or excerpts and incomplete quotations from, the full text. Statutory citations refer to provisions in title IV-E of the Social Security Act. Regulatory citations refer to provisions in 45 CFR Parts 1355 and 1356.

The State/Tribal agency understands that if and when title IV-E is amended or regulations are revised, a new or amended plan for title IV-E that conforms to the revisions must be submitted.

<b>Federal Regulatory/ Statutory References<sup>1</sup></b>	<b>Requirement</b>	<b>State/Tribe Regulatory, Statutory, and Policy References and Citations for Each</b>
	<b>SECTION 4. GENERAL PROGRAM REQUIREMENTS</b>	
	A. STANDARDS FOR FOSTER FAMILY HOMES AND CHILD CARE INSTITUTIONS	
1355.20(a) 472(c)(1)	1. Foster family home means, for the purpose of title IV-E eligibility, the home of an individual or family:  a. that is licensed or approved by the State or Tribal service area in which it is situated as a foster family home (or with respect to foster family homes on or near Indian reservations, by the tribal licensing or approval	MCL 722.111(1)(v)(i)(ii)  MCL 722.115 MCL 722.118b FOM 722-03B FOM 902, pp. 30-32 FOM 901-9, pp. 1-3 F

<sup>1</sup> Statutory references refer to the Social Security Act. Regulatory references refer to Title 45 of the Code of Federal Regulations (CFR).

	<p>authority(ies)), that meets the standards established for the licensing or approval; and</p> <p>b. in which a child in foster care has been placed in the care of an individual, who resides with the child and who has been licensed or approved by the State/Tribal agency to be a foster parent that the agency deems capable of adhering to the reasonable and prudent parent standard; that provides 24-hour substitute care for children placed away from their parents or other caretakers; and that provides the care for not more than six children in foster care.</p> <p>c. in which the number of foster children that may be cared for in a foster family home may not exceed six, except at the option of the State/Tribal agency, for any of the following reasons:</p> <p>(i) To allow a parenting youth in foster care to remain with the child of the parenting youth.</p> <p>(ii) To allow siblings to remain together.</p> <p>(iii) To allow a child with an established meaningful relationship with the family to remain with the family.</p> <p>(iv) To allow a family with special training or skills to provide care to a child who has a severe disability.</p>	<p>MCL 722.111(1)(v)(i)(ii)(iii)</p> <p>FOM 721 (pg. 3)</p> <p>FOM 722-03, (pgs 10-11)</p> <p>FOM 722-03E (pg. 4) FOM 915A (pg. 4)</p>
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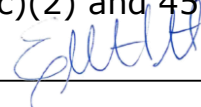
	<p>Foster family homes that are approved must be held to the same standards as foster family homes that are licensed. Agencies may establish one set of foster family home licensing or approval standards for all relative or kinship foster family homes that are different from the set of standards used to license or approve all non-relative foster family homes. Anything less than full licensure or approval is insufficient for meeting title IV-E eligibility requirements. (Tribes, see also section 7)</p>	<p>FOM 722-03B</p> <p>pages: 1,2,4,5,6,7,9-19, 23,24,25-30</p> <p>MDHHS 5770, Relative Approval &amp; Safety Screen 2-4</p>
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**PLAN SUBMISSION CERTIFICATION**

Instructions: This Certification must be signed and submitted by the official authorized to submit the title IV-E plan, each time the state/tribal submits an amendment to the title IV-E plan.

I Elizabeth Hertel (name) hereby certify that I am authorized to submit the title IV-E Plan on behalf of MICHIGAN (State/Tribal Agency). I also certify that the title IV-E plan was submitted to the governor or tribal leader for his or her review and approval in accordance with 45 CFR 1356.20(c)(2) and 45 CFR 204.1.

Date 12/28/2023



(Signature)

MDHHS Director

(Title)

APPROVAL DATE March 28, 2024

EFFECTIVE DATE January 1, 2024



(Signature, Associate Commissioner, Children’s Bureau)

(Title)

**AGENCY PLAN AMENDMENT FOR TITLE IV-E OF THE SOCIAL SECURITY  
ACT FOSTER CARE AND ADOPTION ASSISTANCE  
STATE/TRIBE OF MICHIGAN**

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES  
ADMINISTRATION FOR CHILDREN AND FAMILIES  
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	<b>SECTION 4. GENERAL PROGRAM REQUIREMENTS</b>	
1356.21(m)(1)&(2) 471(a)(11)	<p>B. REVIEW OF PAYMENTS AND LICENSING STANDARDS</p> <p>The agency reviews at reasonable, specific, time-limited periods established by the State/Tribe:</p> <p>1. the amount of the payment made for foster care maintenance to assure their continued appropriateness, and that the amount made to a licensed or approved relative or kinship foster family home is the same as the</p>	<p>MCL 400.115a MCL 722.111 et. seq</p> <p>SRM 105 (pg 6) SRM 105-1 FOM 903-3 (pg. 1) FOM 905-3</p>

<sup>1</sup> Statutory references refer to the Social Security Act. Regulatory references refer to Title 45 of the Code of Federal Regulations (CFR).

	<p>amount that would have been made if the child was placed in a licensed or approved non-relative foster family home;</p> <p>2. The amount of the payments made for adoption assistance to assure their continued appropriateness; and</p> <p>3. The licensing or approval standards for child care institutions and foster family homes.</p>	<p>AAM 210</p> <p>MCL 722.112</p>
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Date 12/28/2023

  
\_\_\_\_\_  
(Signature)

MDHHS Director  
\_\_\_\_\_  
(Title)

APPROVAL March 28, 2024  
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