

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION

OLIVIA Y., et al.

PLAINTIFFS

v.

CIVIL ACTION NO. 3:04CV251LN

PHIL BRYANT, as Governor of the State of Mississippi, et al.

DEFENDANTS

AGREEMENT REGARDING THE ENHANCEMENT OF FEDERAL FUNDING

The Mississippi Department of Human Services and its Division of Family and Children's Services ("DFCS") will work to achieve enhanced federal funding in accordance with recommendations by Hornby Zeller Associates ("HZA") and the Center for the Support of Families ("CSF").¹

DFCS shall implement the following recommendations by the end of Period 3:

1. **Career Preparation and Development Training Program.** Title IV-E funding shall be sought for eligible expenditures of the "career preparation and development training program" through the Masters of Social Work and Bachelors of Social Work cohort partnerships with the University of Mississippi, University of Southern Mississippi and Jackson State University. DFCS shall:
 - a. Update the Child and Family Service Plan ("CFSP") to describe the Masters of Social Work and Bachelors of Social Work partnerships with the universities. The method of funding shall be included in the CFSP update.
 - b. Utilize the Reimbursement Calculator created by HZA to facilitate retroactive claims for reimbursement of expenditures eligible for federal Title IV-E funding.
 - i. Utilize the Reimbursement Calculator created by HZA to analyze and maximize allowable IV-E reimbursement of MSW or BSW coursework reimbursed by DFCS to its current and prospective staff.
 - ii. Utilize the Reimbursement Calculator created by HZA to facilitate quarterly

¹Pursuant to Section II.6 of the Modified Settlement Agreement and Reform Plan, the Parties agreed to negotiate those recommendations of HZA and CSF that will be implemented by Defendants and to file that agreement with the Court by July 14, 2012.

filing for federal reimbursement on a retroactive basis for the Title IV-E eligible expenditures.

2. **Pre-service Training Program for New Caseworkers and Supervisors.** Title IV-E funding shall be sought for eligible expenses of the "pre-service training program for new caseworkers and supervisors" through the sub-grant with the Child Welfare Training Academy at the University of Mississippi. DFCS shall:
 - a. Update the CFSP to describe the state's training program and costs which are to be funded with Title IV-E monies.
 - b. Update the CFSP to specify that: new caseworkers will not carry a caseload until all pre-service training has been completed; the work experience component of the training is an integral component of the plan; staff will receive more intensive supervision during the on-the-job training period; and the trainees' performance is closely monitored and assessed.
 - c. Assign new caseworkers to the training cost pool for the first eight weeks so that the appropriate portion of the costs will be eligible for Title IV-E reimbursement.
3. **Supervisory Learning Labs and Administrative Technical Assistance.** All eligible expenses of the Supervisory Learning Labs and Administrative Technical Assistance established by sub-grant with the University of Southern Mississippi shall be allocated to the administrative cost pool, which will be eligible for Title IV-E reimbursement.
4. **In-House Training.** Title IV-E funding shall be sought for eligible in-house training costs. DFCS shall:
 - a. Develop and implement a process for ensuring that the PINS of full-time trainers are assigned to the proper cost pools.
 - b. Develop and implement a process for ensuring that all expenditures associated with training (including meeting rooms, staff travel, and related expenses) are charged to Title IV-E training when the subject of the training is relevant.
 - c. Ensure that all costs for trainers (excluding office space) are allocated to the training pool, which will be eligible for Title IV-E reimbursement.
5. **Supportive Services Expenditures.** Title IV-E funding shall be sought for eligible supportive services expenditures. DFCS shall :
 - a. Where allowable, use the Support Services Calculator created by HZA to discontinue the use of TANF and SSBG funding for support services for Title IV-E (or Title XIX) eligible children, and begin charging those services as a Title IV-E (or Title

XIX) maintenance or cost.

- b. Institute a process for the quarterly filing of retroactive Title IV-E eligible expenditure claims.

6. Random Moment Sampling Process. Restructure the random moment sampling (RMS) process to require workers and supervisors to define activity codes separately from case types. This shall be implemented by collaboration between HZA, MDHS, and Interactive Voice Associates, MDHS' implementation partner for its new RMS system. DFCS shall:

- a. Define a set of activities, case- and non-case specific, to be used for the new RMS.
- b. Using DFCS' current definitions and case practices, as well as those of agencies of other states, develop a set of activities and their definitions.
- c. Identify case types.
- d. Prepare a matrix that maps activities to case types.
- e. Amend the cost allocation plan to reference the new RMS system in sufficient detail to obtain federal approval.

SO ORDERED AND ADJUDGED, this the 12th of July, 2012.

/s/Tom S. Lee
DISTRICT JUDGE

AGREED:

FOR PLAINTIFFS:

/s/ Miriam Ingber

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