


DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Distribution: X and Z

Policy Guide 2007.16

Department Compliance with Federal Regulations

DATE: December 12, 2007
TO: Rules and Procedures Bookholders
FROM: Erwin McEwen 
EFFECTIVE: Immediately

I. PURPOSE

The purpose of this Policy Guide is to articulate the Department's responsibility to comply with all of the requirements of applicable regulations of the U.S. Department of Health and Human Services.

II. PRIMARY USERS

The primary users of this policy guide are all DCFS and POS staff responsible for compliance with Title IV-E requirements.

III. COMPLIANCE WITH FEDERAL REGULATIONS

The Department shall comply with all of the requirements of the following regulations as required by the Administration for Children and Families, U.S. Department of Health and Human Services:

- a. Department Grants Appeal Process (45 CFR Part 16): This regulation describes the process for appeals from final written decisions of the Department of Health and Human Services regarding grant awards.
- b. Federal Claims Collection (45 CFR Part 30): This Part describes the standards and procedures for the Department of Health and Human Services' use in the administrative collection, offset, compromise, and suspension or termination of collection activity for claims for funds or property.



- c. Hearings Under Part 80 (45 CFR Part 81): This Part supplements Sections 80.9 and 80.10 of Part 80 and governs the practice for hearings, decisions, and administrative review conducted by the Department of Health and Human Services, pursuant to Title VI of the Civil Rights Act of 1964 and Part 80.
- d. Consolidation of grants to the insular areas (45 CFR Part 97): These regulations apply to the consolidation of grants under the programs listed in Sections 97.12 and additional programs as determined by the Secretary, and describe the jurisdictions that may apply for a consolidated grant.
- e. Judicial Review (45 CFR Part 201.7): This Part describes the process for seeking Judicial Review of a final determination of the Secretary with regard to approval of State Plans and Certification of Grants when a State is dissatisfied with that determination.
- f. Deferral of Claims (45 CFR Part 201.15): This Section describes the process of suspending payment with respect to a claim pending the receipt and analysis of further information relating to the allowability of the claim. This Section applies to all claims for Federal financial participation submitted by States pursuant to Titles I, IV, X, XIV, XVI (AABD) of the Social Security Act.
- g. Repayment of Federal Funds by Installments (45 CFR Part 201.66): This Section describes the process for a State's repayment of Federal funds when the State has been reimbursed Federal funds for expenditures claimed under Titles I, IV, X, XIV, XVI (AABD) which are later determined to be unallowable for Federal financial participation.

IV. QUESTIONS

Questions regarding this Policy Guide may be directed to the Office of Child and Family Policy at 217-524-1983, by e-mail to OCFP – Mailbox or by fax to 217-557-0692. Persons or agencies not on Outlook can e-mail questions to cfpolicy@idcfs.state.il.us.

V. FILING INSTRUCTIONS

File this Policy Guide immediately following Rules 326 in the Rules and Procedures manual.