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**Series:** 1000: Funding & Fiscal Management

**Policy Name:** Client Trust Funds

**Policy Number:** 1009

**Origination Date:** November 1, 2013

**Revision Date:** May 25, 2022

**Regulation:** CF – APM 7.6

**Attachments:**

- Exhibit A Client Trust Withdrawal Form
- Exhibit B Certification of Receipt of Funds or Purchases
- Exhibit C Notification of Fee Assessment
- Exhibit D Fee Waiver Checklist
- Exhibit E SSA Status Notification Sample Letter

**Policy**

It is the policy of Communities Connected for Kids to ensure fiduciary responsibility as representative payee for clients' money and property for the benefit of clients who receive benefits from the Social Security Administration.

**Scope**

Effective November 1, 2013 Communities Connected for Kids, Inc. will be the “representative payee” for all Communities Connected for Kids clients that are eligible to receive Social Security benefits, either Supplemental Security Income (SSI) or Social Security death benefits (SSA). Prior to this date, the Department of Children & Families was the “representative payee” for these clients.

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## Establishing Client Accounts

Applications are submitted by Communities Connected for Kids Master Trust Specialist on behalf of clients in our care who are identified as potentially eligible for Social Security benefits. Once the application has been processed and an approval determination has been made by the Social Security Administration, a client account is established in the Communities Connected for Kids excel tracking system. The client trust funds are maintained in a local bank that qualifies as a state depository and is authorized in the State of Florida to conduct business. This local bank is fully insured by a federal depository or share insurance program and proof is available on demand. The checking accounts' titles shall read "Communities Connected for Kids, Inc. – Current Needs Account", and "Communities Connected for Kids, Inc. – Dedicated Needs Account".

## Interest Earned and Fees Charged

CCKids use a designated "Interest Earned" tracker to record the monthly interest earned on each interest-bearing account. When the interest earned can be allocated to each client trust account in the minimal amount of one cent, CCKids will allocate funds to each client's balance. This information will be confirmed by completing the annual DCF K-1 Interest reporting process. Net interest earned each year is reported to the client and to the Internal Revenue Service (IRS) on Form 1041, Schedule K-1 or Form 1099, if applicable. Furthermore, the Interest Earned tracker will be submitted to the DCF Contract Manager either every six months or at the end of fiscal year at minimum to allow the interest to accrue.

## General Accounting

Client Trust Funds records will be maintained by Excel Workbook, with a spreadsheet specific to each client. The individual client spreadsheet will record information such as full name, date of birth, social security number, client account type and unique person identifier code. Transaction information recorded on the spreadsheet will include transaction date, deposits, withdrawals, interest earned, service charges and a running balance of the account. The client spreadsheets will be filed with the Judicial Review.

## Accounting for Client Funds

Direct deposits are received monthly from Social Security Administration for clients eligible for SSI or SSA benefits, with Communities Connected for Kids designated as their Representative Payee. The Communities Connected for Kids Finance Department is responsible for the accounting of each client's trust fund. In the event that a paper check is received by Communities Connected for Kids, the check is logged into a receipt book then deposited into the banking account for Client Trust Funds. Any cash received by Communities Connected for Kids is properly receipted and promptly deposited into the banking account for Client Trust Funds.

Monthly bank charges are charged directly to the Client Trust Funds banking account. Communities Connected for Kids refunds the bank fees at least quarterly so clients are not directly responsible for these charges.

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If Communities Connected for Kids were to utilize investment accounts, the account earnings and administrative fee would be distributed to individual client accounts monthly but no less than quarterly.

## Disbursements of Client Funds

Client Trust Withdrawal Forms (Exhibit A) are used to document withdrawals from clients' accounts. The forms contain the following information: client's name and unique identification number, amount of withdrawal, reason for withdrawal, signature of authorized personnel requesting withdrawal, date of request, and signature of client, check payee and payee address, if other than the Case Manager. The withdrawal request will be signed by a minimum of two employees, even if the request is signed by the client.

The completed form and all supporting documentation (receipts, quotes) are forwarded to the Master Trust Specialist for submission. The request is checked for completeness and accuracy. The Master Trust Specialist ensures it is an appropriate request, includes the client's current balance and forwards to the Communities Connected for Kids Finance Department for approval. The Director of Finance reviews the request and authorizes payment. Any requests that are rejected will be returned directly to the Case Manager with an explanation for the rejection.

When disbursement requests are officially approved, a Communities Connected for Kids check will be issued from the specified Current Needs or Dedicated Needs checking account and are returned directly to the Master Trust Specialist for copy, file, and distribution. All checks will be sent directly to the Case Manager unless specified otherwise on the Client Trust Withdrawal Form. The Case Manager will be responsible for delivering the check to the named vendor where the item(s) is being purchased, as well as ensuring that the receipts are submitted to the fiscal department within 10 days of receipt of disbursement. If the check is mailed directly to the client or caregiver, receipts will be required within 10 days of receipt of disbursement. The client, caregiver, Case Manager and Case Manager Supervisor will sign a Certification of Receipt of Funds or Purchases Form (Exhibit B) confirming funds were received as intended.

Once the withdrawal has been approved and the check received by the client, the case manager must complete the Certification of Receipt of Funds or Purchases form (Exhibit B) and obtain all necessary signatures to confirm that the funds were received by the client. The form may be submitted to the Master Trust Specialist either electronically or by mail for inclusion in the client's file. In addition to the Certification of Receipt of Funds or Purchases form, receipts totaling the disbursed dollar amount will also be maintained in the Master Trust file.

Original receipts for purchases of equipment contain the manufacturer's serial number for accountability. Equipment purchases include such items as TV's, VCR's, PC's, stereos, etc.

Money advanced for purchases on behalf of a client, but not expended, is returned to the client's account. The deposit of such funds is properly documented on the client spreadsheet and is recorded in the bank account ledger.

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No instances of purchases for other than the client is made from money advanced.

Money must be returned to the Client Trust Fund if the goods or services acquired do not match the requisition. An appropriate review of the invoice is made, including a comparison of the goods or services invoiced with the withdrawal requisition form if invoiced for an approved purchase on behalf of the client.

A periodic review of property purchased from the client trust funds with an individual value of \$500.00 or more is performed by designated personnel. The personnel are independent of the client. The verification is documented and maintained in the client's records.

Purchases of individual items greater than \$500 are reviewed and formally approved by the Director of Finance or designee prior to payment. The designee will not be a caseworker or unit supervisor.

Checks to purchase goods or services for the client are made payable to the vendor where possible. It is the requestor's responsibility to insure that the amount of the request will equal the amount of the invoice.

Checks to withdraw client's trust funds are generally not made to employees, providers or foster or group home operators. However, in those situations where greater flexibility is needed and the exact cost is not known, a check may be issued to an employee, group home operator, or foster parent. The request for expenditure must have an estimated cost for each item attached. Invoices, receipts and unused funds must be returned to the fiscal office within ten (10) working days from issuance of the check. Checks can be made payable to an employee, group home operator, or foster parent if the funds are to serve as a reimbursement for items or services already purchased on behalf of the client.

Disbursements are recorded in the Client Trust Fund spreadsheet within five (5) working days of the issuance of the check.

Communities Connected for Kids has written procedures for disciplinary action against responsible parties where repeated attempts to obtain original receipts from the responsible party have failed. No future checks should be issued until receipts are received for foster parents who are at fault for not returning receipts.

## Sub-Accounts

Current Needs Trust Sub-accounts are available for personal use expenditures. The total kept in the current needs trust fund account does not exceed the resource eligibility limits of the specific program in which the client participates and as outlined in the Account Limitations section of this policy.

SSI Lump Sum Dedicated Client Trust Sub-accounts are funded by those specific lump sum payments received from the Social Security Administration. These funds do not count towards the client's resource limit and will be made available to the client upon leaving the care of Communities Connected for Kids or upon meeting other

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criteria defined by the trust document unless written instructions from the Social Security Administration states otherwise. Payments received for “dedicated accounts” are deposited into a checking account specifically established for the receipt of the funds. A collective account can be established to hold “dedicated” moneys belonging to more than one beneficiary. The word “dedicated” appears in the title of the Communities Connected for Kids bank account.

Special Needs Trust CTF Sub-accounts are funded by the excess of total client funds over those required for current needs expenditures. It is not available for current needs and will not count towards the client’s resource limit and will be made available to the client upon leaving the care of Communities Connected for Kids or upon meeting other criteria defined by the trust document unless written instructions from the Social Security Administration states otherwise.

Long-Term ABLE Accounts are funded by the amount by which a client’s total trust fund balance exceeds the amount necessary for that client’s current needs expenditures. It is intended to be of long duration and the funds do not count towards the client’s resource limit so long as the rules governing such accounts are complied with and will be made available to the client upon leaving the care of Communities Connected for Kids or upon meeting other criteria defined by the trust document unless written instructions from the Social Security Administration states otherwise.

PASS CTF Sub-accounts are established as the result of a formal written plan developed jointly by the case worker and the client, and in certain instances, approved by the Social Security Administration. The funds do not count towards the client’s resource limit so long as the rules governing such accounts are complied with and will be made available to the client upon leaving the care of Communities Connected for Kids or upon meeting other criteria defined by the trust document unless written instructions from the Social Security Administration states otherwise.

Clients’ maintenance costs may not be recovered from dedicated account funds once these funds have been deposited unless Communities Connected for Kids enters into an interim assistance arrangement (IAR) with the Social Security Administration and notifies the SSA of money due to Communities Connected for Kids prior to receipt of funds, it will be reimbursed for the cost of services provided to clients. SSA will directly reimburse the state for cost of care, and will pay any remaining past due benefits to the client’s dedicated account.

## Internal Control

Communities Connected for Kids personnel will take every reasonable precaution to protect and safeguard clients’ funds. It is the responsibility of Communities Connected for Kids to ensure that proper and adequate internal control procedures are instituted and enforced. As is the case with all cash transactions, it is imperative

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that client's cash transactions be properly authorized and fully documented. Provision should be made for appropriate segregation of duties.

Under no circumstances should the duties of record keeping, payment authorization and check preparation or disbursement of cash be combined. Similarly, bank reconciliations should be made monthly by someone not responsible for the deposit or payment of moneys.

CCKids internal control procedures requires multiple signatures for Master Trust Withdrawals. The child, case manager, case manager supervisor, finance manager/designee and master trust specialist all must sign to expense funds from a child's account.

Client Trust Fund checks:

- Must be pre-numbered with MICR (Magnetic Ink Code Recognition) numbers.
- Should have the appropriate fund title in the heading.
- Must have printed on the check that it is void 90 days from date of issue. CCKids will note all checks are void after 90 days, however, due to the nature of delayed processing by the Social Security Administration office, any checks payable to the SSA will not be stamped as additional processing time is needed.
- Require two authorized signatures, unless all signature authority on the Master Trust Withdrawal form are intact only one signature on the check is required.

Deposits must be made within 24 hours of receipt, except when holidays and weekends intervene. Funds kept overnight must be secured.

## Monthly Reconciliations

Local bank accounts will be reconciled monthly or as frequently as the statements are received. If two or more bank accounts are maintained (for example, a checking account and a savings account), it will be necessary to add the balances in these accounts together to determine the balance for the client trust fund as a whole.

Further, sub-accounts of the same client will have to be added together, even though they have different fund identifiers, in order to complete the reconciliation process.

## Account Limitations

SSI accounts have a \$2,000 asset limit. This means an account balance exceeding \$2,000 at any time is subject to suspension of benefits by the Social Security Administration, including Medicaid.

SSA accounts do not have an asset limit but must remain below \$20,000 to ensure no offset for income level in determining Medicaid.

Clients who receive dual payments, both SSI and SSA, are also subject to the \$2,000 asset limit.

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A minimum of \$30 for allowance must be added to each account that receives a monthly Social Security payment. For example, if the client received \$500 from Social Security and their monthly cost of care is \$600, then they will have \$30 added to their trust fund balance and \$470 deducted to cover their cost of care.

The client's monthly cost of care (room & board payment) is deducted from the client's monthly SSA/SSI payments after allowance has been accounted for and is submitted to the Department of Children and Families on a quarterly basis. All clients have the right to request a waiver of these fees as outlined in the policy section of Fee Assessments and Waivers.

## Fee Assessments

Part of Communities Connected for Kids' responsibility is to complete the "Notice of Fee Assessment and Rights of Foster Child Regarding Government Benefits" form (Exhibit C) that is required at each Judicial Review. The Notice of Fee Assessment request is generated by the case manager and submitted automatically to the Communities Connected for Kids Master Trust Specialist and Director of Finance for completion via the Communities Connected for Kids Intranet. The Master Trust Specialist and/or the Director of Finance completes the forms and forwards the completed version to the case manager within 72 hours. Also, the Master Trust Specialist and Director of Finance are included on the "Court Documents" daily email to serve as a double check when a 'Notice of Fee Assessment' form is required for an upcoming Judicial Review. If Master Trust Specialist has not received the Notice of Fee Assessment request form from Dependency Case Manager seven business days before filing a Judicial Review with the court, the form will be completed automatically and sent to Dependency Case Manager for filing with their packet.

Communities Connected for Kids will enter the current amount of the stipend received from SSI as representative payee or will indicate "unknown" in circumstances where we have not yet been named at the time of the request for information. This only represents knowledge of Communities Connected for Kids at the time of the request.

Communities Connected for Kids will enter the current full monthly amount of the cost of foster care for the child in licensed foster care placement. If a child is in an unpaid placement such as relative care, or if a child is in a mental health facility paid by Medicaid, Communities Connected for Kids enters zero (\$0.00) as no cost of care is being paid by Communities Connected for Kids.

Communities Connected for Kids will enter the current allowance amount established if Communities Connected for Kids has been named representative payee on behalf of the child in care and a stipend was received for the respective month. Client allowances are initially set at \$30 per month, but could be different based on the implementation of a Fee Waiver.

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## Fee Waivers

A Fee Waiver may be requested by the client's case manager or advocate of the child to waive, reduce or defer the amount of the cost of care deducted from the client's cost of care payment each month. These requests may be used to enhance the child's daily life experiences by affording resources to support their disability. Additionally, it may be used for such items as to increase an allowance amount for a youth in their teens, to allow funds to be set aside for the youth's benefit such as tutoring or lessons, or to assist the teen with age out expenses.

All Fee Waiver requests and supporting documentation are submitted to the Fee Waiver Committee using the Fee Waiver Checklist form (Exhibit D). The Master Trust Specialist presents the request to the Director of Finance for preliminary review. After review, the Fee Waiver Committee conference call is hosted by the Director of Finance.

Circuit 19 Fee Waiver Committee is comprised of Central Region Contract Manager and Supervisors, DCF Master Trust, Budget Office personnel, and Director of Finance from Communities Connected for Kids.

The fee waiver committee is responsible for making a recommendation for approval or denial. The request is reviewed and a conference call is held with Communities Connected for Kids to make that determination. Any additional follow-up or backup required is specific to each request and is so noted in their approval notification email.

## Reporting

A monthly summary of all client balances is prepared on or around the 20th each month and is distributed to the appropriate agency Case Managers, Program Directors and Supervisors. Eligibility Specialists, GAL Supervisors, Communities Connected for Kids Legal Counsel, CLC, and the Communities Connected for Kids Director of Finance are also copied. This summary shows the balance for each client and highlights any that may be reaching the \$2,000 threshold, notifying the case managers and their supervisors that funds must be utilized to avoid suspension of benefits.

In addition, Case Managers will receive a Monthly Balance Report for each client on their case load with a trust fund account, which supplies them with the last 6 months of detailed activity.

It is the responsibility of the case manager to ensure that the client's monthly reports are shared with the parents, foster parents, group home operators, guardians or institution unit staff, as the case may be.

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The case manager should also ensure that each client is provided with a copy of his or her Monthly Balance Report, except in situations in which the client is unable to comprehend the report. In those cases, a copy of the report must be sent to the person responsible for the client.

The case manager must also ensure that a copy of each client's Monthly Balance Report is filed with courts along with the Judicial Review and a copy placed in the client's case file.

## Client Trust File Maintenance

Once established, all activity relating to the client trust is kept in a separate file maintained by the Master Trust Specialist until such time as the account is closed. File maintenance is critical in order to maintain good standing during Social Security, Department of Children and Families, and Independent CPA Firm audits. Proper backup for the application process and all client activity is necessary and is organized as follows:

### Section 1

- (1) Comment Form
- (2) Client Information
- (3) Court Orders
- (4) Birth Certificate
- (5) Medical Records

### Section 2

- (1) Award Letters from SSA
- (2) Dedicated Fund Information
- (3) Case Management Correspondence

### Section 3

- (1) Fee Waiver Application and Correspondence
- (2) Representative Payee Changes

### Section 4

- (1) Client Trust Fund Withdrawal Requests
- (2) Copies of Checks
- (3) Certification of Receipt of Funds or Purchases
- (4) Receipts for purchases

### Section 5

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- (1) Social Security Application
- (2) Medical Worksheet
- (3) Notarized Designation of Client Money and Property

#### Section 6

- (1) Miscellaneous

## Proper Use of Funds

Client trust fund money is for the direct use and needs of the client. Items can include, but are not limited to clothing, toys, summer camp, piano lessons, extracurricular activities, yearbooks, class rings/trips/pictures, school supplies, vacations, entertainment tickets, cell phone expenses, etc. In addition, youth may utilize these funds for expenses related to living independently upon reaching the age of 18.

Clients' funds should not be used to purchase an item which the state would be expected to provide as part of the responsibility to the beneficiary, or if the item would be covered by the Medicaid program.

All items purchased from client trust fund accounts are the property of the client and those items must follow the client during any future placements.

## Disposition of Client's Money/Property upon Discharge or Death

A client trust fund account should be closed immediately when the client is no longer in the legal custody of the Department of Children & Families. Some reasons for this occurring might be as follows:

- i. The client's adoption is finalized
- ii. The client has been reunified and the parents have legal custody
- iii. The client is in a relative caregiver placement and the relative has legal custody
- iv. The client has turned 18
- v. The child is deceased

Upon the discharge or death of a client, a proper accounting of the client's property will be made. All personal effects and money will be promptly turned over to the client or to the administrator of his estate. All interest earned on the investment of the client's money is included in the final accounting of the client's property. The final accounting will be made within one month of the client's discharge or death. In the event the final accounting falls prior to notification by the Treasury of the interest earned for the most recent month, the client would not be eligible for the interest distribution for that month.

To close an account, the Master Trust Specialist will prepare a Status of Notification letter (Exhibit E) to notify the Social Security Administration of a change in the child's status with the Department of Children and Families. An acknowledgement from Social Security will be received and benefit payments to Communities Connected for

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Kids as representative payee for the individual client will cease. Final distribution of the client's conserved funds will be determined and a withdrawal request prepared by the Master Trust Specialist. If funds are to be returned to SSA the withdrawal request will be made payable to "Social Security Administration", indicating on the requested items/services line "Conserved Funds returned to SSA, case closed as of {client's name}". For any client whose adoption has been finalized, a copy of the finalization order will be included. A receipt for all returned funds will be received from Social Security and is to be included in the client file.

If other payees have been approved for distribution of funds, the same process will be followed, including the authorization for such a payee and a Certification of Receipt of Funds will be received from the payee to receipt the disbursement.

Occasionally due to timing, there will be an additional payment made by Social Security after the account balance has been disbursed. If this occurs an additional withdrawal request to close the balance will be submitted and processed.

### Audits by Social Security

On a regular basis, not less than annually, Social Security will request and review information for each client trust fund via a Representative Payee Report. The report includes the amount of benefits that Social Security paid for that period of time and requests the Representative Payee to report the amount paid for cost of care (room & board), amount of any client expenditures, and final balance saved for the client.

In addition, every three years Social Security performs an audit of all active client's files during a given period of time. The clients' files are reviewed for appropriate expenditures, and backup and monthly balances are confirmed. If at any time a client's account exceeded \$2,000, Social Security will determine the amount of overpayment that occurred and request that a check be returned to Social Security for the overpayment amount. Until this overpayment is returned, Social Security can temporarily suspend the client's benefits, including their Medicaid eligibility. If the client does not have enough money in their client trust fund account to pay back the entire overpayment, Social Security will begin deducting 10% per month from their future monthly payments until the entire overpayment is recouped.

The Disability Rights of Florida suggests that CCKids performs quarterly audits on Client Trust Fund accounts to ensure proper credit is awarded to each child's accounting record.

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Approved: Carol DeLoach

Carol DeLoach, CEO

May 30, 2022

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