



Office of Children and Family Services

Andrew M. Cuomo
Governor

52 WASHINGTON STREET
RENSSELAER, NY 12144

Sheila J. Poole
Commissioner

Administrative Directive

Transmittal:	19-OCFS-ADM-12
To:	Commissioners of Social Services Executive Directors of Voluntary Authorized Agencies
Issuing Division/Office:	Child Welfare and Community Services
Date:	August 28, 2019
Subject:	Foster Boarding Home Annual Reauthorization Process and Template
Suggested Distribution:	Directors of Social Services Child Welfare Supervisors Foster Care Supervisors Foster Care Home Finders CONNECTIONS Implementation Coordinators
Contact Person(s):	Section VI
Attachments:	<i>Annual Reauthorization Assessment and Determination (OCFS-5183L)</i>

Filing References

Previous ADMs/INFs	Releases Cancelled	NYS Regs.	Soc. Serv. Law and Other Legal Ref.	Manual Ref.	Misc. Ref.
19-OCFS-ADM-07 18-OCFS-ADM-07 17-OCFS-ADM-05 10-OCFS-ADM-09		18 NYCRR Part443	Section 378-a of the SSL	CONNECTIONS Step-by-Step Guide: Training for FAD Caseworkers The Modernization of the CONNECTIONS Foster and Adoptive Home Development (FAD) Stage Job Aid	

I. Purpose

The purpose of this Administrative Directive (ADM) is to release the *Annual Reauthorization Assessment and Determination* (OCFS-5183L) form that must be used to complete the annual renewal process, referred to as the “annual reauthorization” of a foster boarding home (FBH).¹ This ADM also reminds local departments of social services (LDSSs) and voluntary authorized agencies (VAs)² of the regulatory requirements regarding the annual reauthorization.³

II. Background

On April 16, 2018, standardized forms for completing the initial FBH certification/approval process were released per 18-OCFS-ADM-07, *Foster/Adoptive Home Certification or Approval Process*. On August 6, 2019 via 19-OCFS ADM-07, the standardized forms for completing the initial FBH certification/approval process were updated to reflect the Federal Family First Prevention Services Act (FFPSA) model licensing standards. To continue the standardization of the tools used for FBH certification/approval the New York State Office of Children and Family Services (OCFS) convened a workgroup to revise the existing reauthorization template located in CONNECTIONS to align it with the *Final Assessment and Determination* (OCFS-5183K). The result of this workgroup is the new reauthorization tool attached to this ADM titled *Annual Reauthorization Assessment and Determination* (OCFS-5183L).

New York State (NYS) regulations 18 NYCRR 443.10 outline what LDSSs and VAs practice and procedure must include when completing the annual reauthorization of a FBH and are also discussed in this ADM.

III. Program Implications

All FBHs must undergo an annual renewal process, referred to as an “annual reauthorization.” The OCFS-5183L was created to capture the information collected during the annual reauthorization and to assist the home finder in assessing whether to renew the FBH’s certification or approval. The information gathered to complete the OCFS-5183L builds upon the information obtained at the prior reauthorization(s) and/or initial home study. The completion of the OCFS-5183L standardizes the written evaluation of the FBH, but does not change the existing regulatory based annual reauthorization process currently being completed by LDSSs and VAs.

This section provides general information about each step in the FBH reauthorization process and will also discuss the *Annual Reauthorization Assessment and Determination* (OCFS-5183L). Section IV provides specific dates, times, and documentation requirements for the annual reauthorization of a FBH. **All LDSSs and VAs must follow the process and utilize the *Annual Reauthorization Assessment and Determination* (OCFS-5183L) released with this ADM for all certified/approved FBHs due for reauthorization**

¹The term “reauthorization” is used in CONNECTIONS and throughout this ADM to indicate both the “recertification” and “reapproval” of foster homes.

² Throughout this ADM, the terms LDSS and/or VA refer to the agency that is certifying or approving the foster home.

³ 18 NYCRR 443.10.

on or after the issuance of this ADM. All FBHs currently in the process of reauthorization, as of the date of issuance of this ADM, may complete the reauthorization using the current template process. However, if the reauthorization template is not launched by the time the CONNECTIONS changes occur, the LDSS or VA must use the new template. All LDSSs and VAs must be using the OCFS-5183L within 90 days from date of issuance of this ADM.

The regulatory requirements for the annual reauthorization of a FBH's certification or approval include the following:

- A written evaluation of the home and family that
 - uses the criteria for certification or approval as specified in 18 NYCRR Part 443; and
 - evaluates the care provided to children in the home and the working relationship of the foster parents with the LDSS and/or VA.
- An oral review of the written evaluation with the foster parent(s) before the certification or approval is renewed
- A written statement from a physician about the foster family's health, if it has been two years since the date of the last medical exam
- The completion of a New York State Division of Criminal Justice Services (DCJS) and Federal Bureau of Investigation (FBI) criminal history record check(s) for adults specified in 18 NYCRR 443.10(a)(5), if not previously completed

Medical Reports (OCFS-5183D)

A completed and satisfactory OCFS-5183D, *Foster-Adoptive Applicant Medical Report (Part One)* and *Household Member Medical Report (Part Two)*, if applicable, must be completed every two years for each foster parent and household member. The FBH's certification/approval cannot be renewed if this requirement is not met.

Safety Review Form (OCFS-5183E)

As part of the annual reauthorization, home finders must complete a new *Safety Review Form* (OCFS-5183E) on the FBH and update it to reflect any changes to the FBH and/or any required actions or recommendations.

Foster Parent Agreement With Authorized Agency (OCFS-5183J)⁴

Home finders must review the components in the *Foster Parent Agreement With Authorized Agency* (OCFS-5183J) with the foster parent(s) before determining whether to recommend or not recommend the FBH for reauthorization. Only when the applicant(s) have agreed to the components, and signed OCFS-5183J, can their certification or letter of approval be renewed.

Annual Reauthorization Assessment and Determination (OCFS-5183L)

As noted above, 18 NYCRR 443.10 requires an annual written evaluation of certified or approved FBHs to evaluate the FBH while considering the FBH's functioning and compliance with regulatory requirements within the last year. Prior to the release of this ADM, LDSSs and VAs annually completed the reauthorization template found in

⁴ 18 NYCRR §443.3(b).

CONNECTIONS on each FBH they certified or approved to satisfy this requirement. With the issuance of this ADM, that template is replaced with the *Annual Reauthorization Assessment and Determination* (OCFS-5183L). The OCFS-5183L will be accessible in CONNECTIONS 90 days prior to the end of the FBH's authorization period and must be completed by the last day of the authorization period. The OCFS-5183L was developed to record the ability and functioning of the foster parent(s) and to summarize and assess various areas that may have impacted the FBH within the previous 12 months. However, the home finder should consider a holistic approach when completing the OCFS-5183L to include not only information covering the past year, but progress made from previously identified issues or recurring strengths or opportunities for improvement from all previous reauthorization periods and/or initial home study. Best practice suggests that a full and complete assessment includes contact with all household members. Home finders have 90 days to complete the annual reauthorization and should try and schedule their visits to the home at a time when foster parents, household members and children in care are available. Reauthorization assessment and determinations should not be delayed, however, due to scheduling conflicts.

The OCFS-5183L consists of a total of ten sections:

- I. DEMOGRAPHICS
- II. PLACEMENT HISTORY SINCE LAST CERTIFICATION/APPROVAL
- III. ASSESSMENT OF HOME STUDY COMPONENTS
- IV. REGULATORY REQUIREMENTS
- V. CRITICAL EVENTS AND/OR INDICATED CPS INVESTIGATIONS
- VI. ISSUES/CONCERNS OF FOSTER PARENT
- VII. GOALS/BARRIERS/ACTION PLANS
- VIII. SUMMARY AND CONCLUSION
- IX. AGENCY DETERMINATION
- X. FOSTER PARENT'S COMMENTS

DEMOGRAPHICS

Section I asks for the foster parents' names and address. It also asks for household members' names and dates of birth (DOB). Do not list children in foster care in this section.

PLACEMENT HISTORY SINCE LAST CERTIFICATION/APPROVAL

Section II asks for information about the children in foster care placed in the FBH since the last certification/approval. The home finder must list the following in the table provided on the OCFS-5183L:

- First name of the child
- Age of the child

- Dates of placement in the foster home (beginning and ending)
- Child interview date by home finder or foster care worker (if still in the foster home)
 - As part of the reauthorization process, every child in foster care placed in the foster home should be interviewed, if developmentally appropriate, by either the foster care worker or home finder, and/or observed in the foster home, regardless of age.
 - As part of the reauthorization process, every child in foster care 14 years of age or older must have the opportunity to complete the *Youth Voice Questions* questionnaire with his or her case manager or case planner.⁵
- Foster care worker's name and contact date
 - As part of the reauthorization process, the home finder must contact the foster care worker to discuss any strengths, considerations, and/or supports needed in the foster home.

ASSESSMENT OF CHILD PLACEMENT

The home finder must analyze the information gathered during the child interviews and observations by the home finder or foster care worker, the *Youth Voice Questions* questionnaire, and consultation with foster care worker(s) and describe how the child(ren)'s physical, emotional, developmental, and educational needs are being met in this home since last certification/approval.

ASSESSMENT OF HOME STUDY COMPONENTS

Section III asks the home finder to consider each component of the foster parents' previous certifications/approvals, current information and observations, and to assess how any changes within the past year have impacted the foster parents' ability to provide care for children in their home. The section is further divided into the same categories that were assessed in the foster parent's initial home study *Final Assessment and Determination* (OCFS-5183K), including parenting, partner relationships, family relationships, and psychosocial. Two additional categories titled **BIRTH FAMILY/GUARDIAN RELATIONSHIPS** and **OTHER RELATIONSHIPS** were added for reauthorization purposes for the home finder to summarize the family's overall ability to work with the birth family/guardians, school/service providers and partner with the LDSS/VA since the last reauthorization or initial certification/approval. For each category, home finders need to summarize the strengths, considerations, and supports needed within the last year for the foster parent(s)/FBH. The following tips may assist a home finder in determining appropriate information to include in each category:

Strengths Assessment Tip

- Summarize and highlight strengths under each item
- Support your assessment with "how you know what you know"
- Behaviorally specific information and examples can strengthen the assessment

⁵ 10-OCFS-ADM-09.

Considerations Assessment Tip

- A home finder should consider what information needs to be considered by the LDSS/VA (placement workers, caseworkers, home finders, etc.):
 - when working with the family;
 - when placing children with them;
 - while working in partnership with biological parents, the agency and other providers;
 - regarding the foster parents' prior life experiences and the impact on fostering/adopting;
 - about any identified or potential triggers and how this may impact foster/adoptive parenting;
 - regarding specific skill sets;
 - regarding areas of experience/inexperience; and
 - the amount/number of resources.

Supports Needed Tip

- When developing supports needed for the FBH, there should be a clear correlation with considerations identified that would enhance the foster parents' ability to provide for the child's care. Questions that may assist are:
 - What supports/education/resources does the family/individual need for/from themselves?
 - What supports/education/resources does the family/individual need from the agency?
 - What other supports/education/resources might the family need (i.e. community resources, etc.)?

REGULATORY REQUIREMENTS

Section IV asks the home finder to determine the foster family's ongoing compliance with regulations, 18 NYCRR Part 443, policies, and to address any corrective action plans.

CRITICAL EVENTS AND/OR INDICATED CPS INVESTIGATIONS

Section V asks the home finder whether one or more critical events and/or indicated child protective services (CPS) investigations have occurred in the FBH during the authorization period. A critical event includes any event that occurs involving the foster parent(s) or household member(s) that may have an impact on the foster parent's functioning and/or ability to appropriately care for the child(ren) placed in the home. Examples include, but are not limited to, a serious car accident, hospitalization, domestic issue, or arrest of a household member. If "yes" is selected, the home finder must describe the incident(s) and/or indicated CPS investigations(s) and the outcome and impact on the future foster parent roles and expectations. It is allowable to discuss any issues/concerns/incidents that arise during a collaboration with a CPS investigator, but the home finder cannot disclose whether the collaboration is the result of an open CPS investigation or a closed and unfounded CPS investigation. If the CPS investigation is indicated, the home finder can list in this section that there was an indicated CPS report and the events that led up to it. The home finder should provide an assessment of the appropriateness of the FBH remaining

open to placements and what additional supports are needed by the foster family, if applicable.

ISSUES/CONCERNS OF FOSTER PARENT(S)

Section VI asks the home finder to document any issues/concerns that the foster parent(s) may have since the last authorization and document how the home finder has addressed or will address those issues/concerns.

GOALS/BARRIERS/ACTION PLANS

Section VII asks the home finder to document any goals, barriers, action plans. In this section the home finder should discuss any goals that either the home finder or the foster parent(s) have identified for the next year, any barriers to the goals, and the action plan for addressing the goals.

SUMMARY AND CONCLUSION

Section VIII asks the home finder to summarize the foster parents' and other household members' functioning, strengths, considerations, and supports needed. The home finder must describe the foster parents' ability to meet all regulatory requirements. This section requires the home finder to summarize their assessment of the foster parents' ability to support and meet the needs of the children placed in their home as documented in sections I-VI. Home finders must give full consideration to any changes to the home, including household members, critical events or indicated CPS reports, and address such in their recommendation. If the home received certification/approval as a foster home and was concurrently approved as an adoptive home, the home finder must confirm that the marital status of the applicant(s) continues to meet approval as an adoptive home. The home finder must also list the program type, capacity, age range, gender, and any placement restrictions for the FBH. During each annual reauthorization, the home finder should review the *Resource Characteristics* (OCFS-5183I) that was completed as part of the initial certification/approval of the FBH. This provides an opportunity for the home finder and foster parent(s) to explore the possibility of any changes to characteristic of children they are willing or able to foster, and to update placement considerations accordingly.

AGENCY DETERMINATION

Section IX is the section where the LDSS or VA home finder and supervisor documents the decision that was made, based on all components of the reauthorization process, whether to recommend or not recommend renewal of the FBH's certification or letter of approval. The home finder should not submit the OCFS-5183L in CONNECTIONS until it has been reviewed with the supervisor, the determination is shared with foster parents, and the foster parents' comments are received and entered in CONNECTIONS.

FOSTER PARENT'S COMMENTS

Section X is where the foster family's' comments on the written evaluation are recorded. The LDSS or VA must review the written evaluation (OCFS-5183L) with the foster parent(s) prior to renewing the certification or letter of approval. The foster parent(s) must be given

the opportunity to comment on OCFS-5183L.⁶ The foster parent(s) writes comments on the form and then signs and dates it. The home finder must type in the foster parents' comments in the OCFS-5183L in CONNECTIONS and then submit the reauthorization for supervisor approval in CONNECTIONS.

Fingerprinting for the purposes of a criminal history records check^{7,8}

To proceed with reauthorization, home finders must receive satisfactory results of

- the DCJS criminal history record check(s) of the foster parent(s) and each person 18 years of age or older who is currently residing in the foster home, if they had not previously had a DCJS criminal history record check completed; and
- the FBI criminal history record check(s) of any person 18 years of age or older who entered the foster home after the previous certification or approval period, and any person who reached the age of 18 during the previous certification or approval period and who has not previously had a FBI criminal history record check completed pursuant to 18 NYCRR Part 443.

Per Criminal History Record Checks of Persons 18 Years of Age or Older Residing in Foster Boarding Homes (18-OCFS-ADM-05), LDSSs and VAs and are strongly encouraged to complete the criminal history record checks on all persons 18 years of age or older at the time they are notified that the new person is residing in the foster home, and complete an interim home study rather than wait until the annual reauthorization of the home.

Certificate or Letter of Approval⁹

At the successful completion of the annual reauthorization, the LDSS or VA prints out a certificate or letter of approval from CONNECTIONS.

IV. Required Actions

At least 90 days prior to the FBH home authorization end date, the home finder must begin the reauthorization process, which includes the following:

1. Medical Report (OCFS-5183D-Part One and Part Two)

- Each foster parent and other household member must have an OCFS-5183D completed within the last two years.

2. Foster Parent Agreement with Authorized Agency (OCFS-5183J)

- The home finder must review the OCFS-5183J with the foster parent(s).
- The foster parent(s) and home finder must sign the OCFS-5183J.
- A copy of the OCFS-5183J must be kept in the foster home record and a copy given to the foster parent(s).

⁶ 18 NYCRR 443.10(A)(4).

⁷ This includes a check of the New York State Division of Criminal Justice Services and Federal Bureau of Investigation. See 16-OCFS-ADM-20.

⁸ See Pub-5183ii, *Clearance Chart for Certified or Approved Foster Homes*.

⁹ 18 NYCRR §443.3(f).

3. **Resource Characteristics (OCFS-5183I)**

- The home finder should review the OCFS-5183I with the foster parent(s) and update the form accordingly.

4. **Safety Review Form (OCFS-5183E)**

- The home finder must complete a new OCFS-5183E on the FBH.

5. **Annual Reauthorization Assessment and Determination (OCFS-5183L)**

- Within 90 days of the authorization end date in CONNECTIONS, the home finder can access the *Annual Reauthorization Assessment and Determination* (OCFS-5183L) in CONNECTIONS. Please see section V, System Implications, for more information on this process.
- The home finder and supervisor must decide whether to recommend or not recommend the renewal of the FBH's certification or approval.
- The completed OCFS-5183L must be reviewed orally and in person with the foster parent(s). They foster parent(s) must be given the opportunity to provide written comments on the OCFS-5183L and to sign the completed document.
- The completed and signed OCFS-5183L must be submitted for approval in CONNECTIONS prior to the authorization end date. The FBH will automatically close in CONNECTIONS if this is not completed prior to the expiration date.

6. **Certificate or Letter of Approval**

- The home finder generates certificate or letter of approval from CONNECTIONS.
- The home finder provides a copy of the certificate or letter of approval to the foster parent(s) and maintains a copy in the foster parent(s) file.

V. **Systems Implications**

The Foster and Adoptive Home Development (FAD) section of CONNECTIONS will be updated to incorporate the changes to the reauthorization process. The "Other" option in the Annual Reauthorization window will no longer be available for LDSSs and VAs to use. When "Standard Annual Reauthorization" is selected, the narrative will populate with the *Annual Reauthorization Assessment and Determination* (OCFS-5183L).

VI. **Contacts**

Any questions concerning this release should be directed to the foster boarding home reauthorization mailbox at ocfs.sm.FBHReauth@ocfs.ny.gov or to the appropriate regional office in the OCFS Division of Child Welfare and Community Services:

Buffalo Regional Office – Amanda Darling (716) 847-3145

Amanda.Darling@ocfs.ny.gov

Rochester Regional Office – Karen Lewter (585) 238-8201

Karen.Lewter@ocfs.ny.gov

Syracuse Regional Office – Sara Simon (315) 423-1200

Sara.Simon@ocfs.ny.gov

Albany Regional Office – John Lockwood (518) 486-7078

John.Lockwood@ocfs.ny.gov

Westchester Regional Office – Thalia Wright (845) 708-2498

Thalia.Wright@ocfs.ny.gov

New York City Regional Office – Ronni Fuchs (212) 383-4873

Ronni.Fuchs@ocfs.ny.gov

Native American Services – Heather LaForme (716) 847-3123

Heather.LaForme@ocfs.ny.gov

Questions regarding the CONNECTIONS changes can be directed to the appropriate CONNECTIONS implementations specialists.

For upstate implementation in BRO, RRO, SRO, and ARO

Linda Gorthy (518) 486-7718

Linda.Gorthy@its.ny.gov

For downstate assistance in SVRO or NYCRO

Don Butler (212) 383-1854

Don.Butler@its.ny.gov

For a full listing of CONNECTIONS, please visit <https://ocfs.ny.gov/connect/contact.asp>.

VII. Effective Date

This policy directive is effective immediately.

/s/ Lisa Ghartey Ogundimu

Issued By:

Name: Lisa Ghartey Ogundimu

Title: Deputy Commissioner

Division/Office: Child Welfare and Community Services