

Adoption-Only Home Study Forms Frequently Asked Questions

General

1. Q: What training is available on the adoption-only home study forms?

A: A webinar introducing the forms is available on the Human Services Learning Center (HSLC) website at: <https://www.hslcnys.org/hslc/>.

2. Q: Are the adoption-only home study templates available in CONNECTIONS?

A: The adoption forms were not designed for CONNECTIONS as there is no existing adoption home study in CONNECTIONS. The forms were developed consistent with the templates for foster care and emergency approval, which were released in 2018 and 2020. Agencies that use CONNECTIONS must upload a copy of the home study in CONNECTIONS.

3. Q: May an adoption study be signed electronically?

A: No, electronic signatures are not acceptable currently.

Specific

4. Q: For a transgender foster/adoptive or foster applicant, what information may be shared in the OCFS-5200J, *Final Assessment and Determination*, specific to their gender identity? (i.e., if a trans person identifies as male, does the assessor need to indicate that they were born female?) Are there any specific requirements regarding what should and should not be documented?

A: The applicant has the right to decline to respond to any of the questions under the Demographics section on the OCFS-5200B, *Adoptive Parent Application*. An applicant's response to gender identification is optional and self-reported. The LDSS or VA worker may not insert their own conclusion on the applicant's gender. The applicant's answer is sufficient and would not require supporting documentation.

5. Q: What is the definition of a completed application for adoption-only home studies for the purpose of beginning the time clock for fair hearing rights? Is it just the application form or other forms as well?

A: The process is initiated when the agency to which the person applied is in receipt of a completed OCFS-5200B, *Adoptive Parent Application*.

6. Q: Is it permissible for an agency to utilize a preliminary application prior to the OCFS-5200B, *Adoptive Parent Application*, as a starting place to allow an agency to start their fees for services, begin assessing the family for appropriateness and, therefore, delay the receipt of the official application document?

A: The OCFS-5200B, *Adoptive Parent Application*, replaces any existing applications used by LDSSs and VAs for approval of adoptive homes. The OCFS-5200B must be provided at the initial orientation session.

7. Q: Two applicants applying together must each complete a separate OCFS 5200B-*Adoptive Parent Application*. How should they complete the financial information and monthly expenses? Should they fill it out as their total family income (and then repeat the same information in the other application) or should they complete it specific to what the individual who is completing the application earns? If the responses are to be separate, how do they complete the expenses section?

A: Financial Information

While some of the required information may be the same for both applicants, most of the information will be specific for each person. Separate forms allow for identifying the source of information and verification of the individual's employment and income information specific to that individual.

Monthly Expenses

Some of the required information may be the same for both applicants or may be specific to the applicant completing the form. Separate forms allow the applicant to identify which are shared joint expenses and which are individual expenses. Other insurance, such as life insurance, may be individual. Rent/mortgage may be a shared expense. The applicant can include the monthly amount and a brief note as to whether it is a joint/shared expense or if it is an individual expense.

8. Q: When an agency completes an update/interim study, what sections must be typed under the OCFS-5200J, *Final Assessment and Determination*?

A: The agency will select Update/Addendum at the top of the OCFS-5200J, *Final Assessment and Determination*, and enter Applicant Names, Address and Household Members. The agency will then move on to Section V and complete Sections V-VII.

To complete an update or addendum, the agency must review the approved adoption home study. It does not matter whether the approved home study was completed on the OCFS 5200 forms or not. What is important is that the completed home study includes the required information as found in the OCFS 5200 forms. If it does not, then the agency must record any missing information through completion of the appropriate form or inclusion in Section V of the OCFS-5200J, *Final Assessment and Determination*. There may be times where the agency determines it would be best to use some of the templates for recording information as part of an update. For example, if the family has moved to a new address since the last approved home study or update, the agency should use the OCFS-5200E, *Safety Review Form*, to access the physical residence.

9. Q: Under the Interim section in the OCFS 5200J, *Final Assessment and Determination*, the selections don't necessarily apply to an overall update. Is it recommended that the agency select Update and fill out the beginning/initial sections instead, although it would not fall under the Interim section for an update?

A: See response above.

10. Q: Where should ICPC child-specific updates be documented in the OCFS-5200J, *Final Assessment and Determination*?

A: This should be included in the Summary section in the OCFS-5200J, *Final Assessment and Determination*.

International Adoption

11. Q: One of the chief concerns for agencies completing the adoption home study for an international adoption is the final report. Will agencies need to complete two separate home studies, one for New York State (NYS) and one for submission to United States Citizenship and Immigration Services (USCIS) to include country-specific requirements?

A: The OCFS-5200 standardized forms are consistent with NYS statute and regulations and are designed to meet the needs of all NYS authorized agencies whether the applicant is interested in adoption from foster care, domestic adoption, or international adoption. NYS adoption services requirements, which include the home study requirements, are independent of USCIS requirements. Agencies authorized to provide adoption services in NYS must first meet the statutory and regulatory requirements of the adoption process in NYS before country-specific adoption requirements. The OCFS-5200 templates were designed to increase the quality and standardize the process for adoption home studies in NYS.

12. Q: Some countries require that the application to the agency be submitted to the foreign country, which requires specific information not currently on the OCFS-5200B, *Adoptive Parent Application*. Where can this be added?

A: As noted in the ADM, additional required information may be attached to the home study.

13. Q: If an international home study requires reference information, and the reference has requested confidentiality, how should the LDSS or VA address this?

A: NYS regulations [18 NYCRR 421.15(e)(1)] require an agency, when an adoption study has been completed and the authorized agency intends to approve the applicant, to prepare a written summary of the study findings and activities for the workers in the agency and other agencies responsible for making placement decisions. Additionally, the agency must “arrange for the applicant(s) to review this written summary with the exception of any comments by references which have sought confidentiality;” [18 NYCRR 421.15(e)(2)]. Therefore, if a reference requests confidentiality, the agency must keep those comments confidential from the applicant when reviewing the summary while still maintaining the comments in the full home study prepared by the agency.

Scenarios for initiation of an adoption-only home study for foster parents seeking to adopt

Note: The scenarios below are for cases where the foster parent(s) are currently certified or approved foster parents. The foster parent may be seeking approval as an adoptive parent either for a child in the home, a child not yet placed into the home or merely to expand their approval for later consideration as an adoptive parent. The scenarios below **are not applicable** in cases where the foster care certification/approval has expired. Where the foster care certification/approval has expired, the LDSS or VA is to initiate the adoption study using the full set of adoption-only forms as required for a new adoptive applicant to the LDSS or VA.

14. Q: What are the responsibilities of LDSSs and VAs for completing an adoption-only home study under the different scenarios in which a foster parent wishes to become an approved adoptive parent?

A: The responsibilities are as follows for each scenario:

Scenario #1: An LDSS has certified or approved the foster parent, and the foster parent is NOT concurrently approved as an adoptive parent.

The foster parent will require an adoption home study.

The LDSS will:

- provide the foster parent with the OCFS-5200B, *Adoptive Parent Application*;
- acknowledge in writing receipt of the completed *Adoptive Parent Application* (OCFS-5200B) from the foster parent within 10 days of receipt;
- complete the adoption home study using the appropriate adoption-only templates necessary to document current and required information (examples described above);
- complete any required criminal history record checks, SCR clearances and Justice Center inquiries in accordance with regulations;
- approve the foster parent as a foster and adoptive parent if appropriate and document such decision in the OCFS-5200J, *Final Assessment and Determination*;
- update the Facility Type in CONNECTIONS to Foster/Adoptive Home; and
- keep the foster and adoptive home open.

The following process must be followed to initiate an adoption subsidy application, in the order listed:

1. The LDSS approves the adoption-only applicant.
2. The LDSS must open an adoption subsidy home in CONNECTIONS.
3. The LDSS must initiate an adoption subsidy application for submission to OCFS in the adoption subsidy database.

The "[CONNECTIONS Tip Sheet: Resolving Common Adoption Subsidy Database – CONNECTIONS issues](#)" is linked here and on the OCFS website.

Scenario #2: A VA has certified or approved the foster parent, and the foster parent is NOT concurrently approved as an adoptive parent. The VA has both board-out and place-out authority, as well as an OCFS approved adoption program.

The foster parent will require an adoption home study.

The VA will

- provide the foster parent with the OCFS-5200B, *Adoptive Parent Application*;
- acknowledge in writing receipt of the completed OCFS-5200B, *Adoptive Parent Application*, for the foster parent within 10 days of receipt;
- complete the adoption home study using the appropriate adoption-only templates necessary to document current and required information (examples described above);
- complete any required criminal history record checks, Statewide Central Register (SCR) clearances and Justice Center inquiries in accordance with regulations;
- approve the foster parent as a foster and adoptive parent if appropriate and document such decision in the OCFS-5200J, *Final Assessment and Determination*;
- update the Facility Type in CONNECTIONS to Foster/Adoptive Home; and
- keep the foster and adoptive home open.

The following process must be followed to initiate an adoption subsidy application, in the order listed:

1. The LDSS approves the adoption-only applicant.
2. The LDSS must open an adoption subsidy home in CONNECTIONS.
3. The LDSS must initiate an adoption subsidy application for submission to OCFS in the adoption subsidy database.

The "[CONNECTIONS Tip Sheet: Resolving Common Adoption Subsidy Database – CONNECTIONS issues](#)" is linked here and on the OCFS website.

Scenario #3: A VA has certified or approved the foster parent, and the foster parent is NOT concurrently approved as an adoptive parent. The VA does not have place-out authority and an OCFS approved adoption program.

The foster parent will require an adoption home study. The VA does not have the authority to complete the adoption home study; therefore, the foster parent cannot become an adoptive applicant of the VA. The foster parent should become an adoptive applicant to the LDSS with custody of the child for completion of an adoption-only home study.

The LDSS with custody of the child must

- provide the foster parent with the OCFS-5200B, *Adoptive Parent Application*;
- acknowledge in writing receipt of the completed OCFS-5200B, *Adoptive Parent Application*, for the foster parent within 10 days of receipt;
- open an adoption-only home in CONNECTIONS;
- complete the adoption home study using the appropriate adoption-only templates necessary to document current and required information (examples described above);
- complete any required criminal history record checks, SCR clearances and Justice Center inquiries in accordance with regulations; and
- approve the foster parent as an adoptive parent, if appropriate, and document such decision in the OCFS-5200J, *Final Assessment and Determination*.

The VA must

- provide the foster home study if requested by the LDSS with which the VA has a contract; and
- keep the foster home open if foster parent wishes to continue fostering through the VA.

The following process must be followed to initiate an adoption subsidy application, in the order listed:

1. The LDSS approves the adoption-only applicant.
2. The LDSS must open an adoption subsidy home in CONNECTIONS.
3. The LDSS must initiate an adoption subsidy application for submission to OCFS in the adoption subsidy database.

The [“CONNECTIONS Tip Sheet: Resolving Common Adoption Subsidy Database – CONNECTIONS issues”](#) is linked here and on the OCFS website.

15. Q: Will the LDSS completing the adoption-only home study be able to access the foster home study in CONNECTIONS when the home is still open as a foster home with the VA?

A: If a home is being opened by the LDSS as an adoptive home, the LDSS must complete the home study following guidance per the ADM. The existing VA foster home study would not show up in CONNECTIONS since the home is still opened with the VA as a foster home. The foster home study must be provided outside of CONNECTIONS. The LDSS may not update the foster home study but the information within the original foster home study can be used to complete the adoptive home study.

16. Q: May a VA without both place-out authority and an OCFS-approved adoption program share the family's foster care home study information (including existing clearances) with the LDSS that is completing the adoption home study?

A: Yes, if the LDSS that has care and custody of the child contracted with the VA.

17. Q: Must an LDSS redo the criminal history record checks, SCR clearances and Justice Center inquiries for an adoption-only applicant who was certified or approved as a foster parent by a VA that did not have both place-out authority and an approved adoption program? Can the LDSS just use the clearances done during the foster home study completed by the VA?

A: Yes, the LDSS must complete new clearances separate and apart from anything the VA completed. The VA does not have the authority to complete an adoption-home study and, therefore, cannot complete the clearances required for adoptive applicants.