



Office of Children and Family Services

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Administrative Directive

Transmittal:	21-OCFS-ADM-13
To:	Commissioners of Social Services Executive Directors of Voluntary Authorized Agencies
Issuing Division/Office:	Child Welfare and Community Services
Date:	June 11, 2021
Subject:	Adoption-Only Home Study Forms
Suggested Distribution:	Directors of Social Services Adoption Supervisors Child Welfare Supervisors Foster Care Supervisors Home Finder/Agency Workers Home Finder/Agency Worker Supervisors CONNECTIONS Implementation Coordinators
Contact Person(s):	Section VI
Attachments:	Self-Assessment (OCFS-5200A) Adoptive Parent Application (OCFS-5200B) Family Adoption Registry Information (OCFS-5200C) Adoptive Applicant Medical Report (OCFS-5200D) Safety Review Form (OCFS-5200E) Household Composition and Relationships (OCFS-5200F) Sample Genogram Template (OCFS-5200G) Personal Reference (OCFS-5200H) Resource Characteristics (OCFS-5200I) Final Assessment and Determination (OCFS-5200J) Adoption-Only Home Study Forms FAQ

Filing References

Previous ADMs/INFs	Releases Cancelled	NYS Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
17-OCFS-ADM-05 18-OCFS-ADM-07 19-OCFS-ADM-07	20-OCFS-ADM-15	18 NYCRR Part 421	SSL §§372-b, 374-a, 378-a and 424-a DRL §115-d		

I. Purpose

The purpose of this Administrative Directive (ADM) is to release a set of new standardized forms that must be used for the adoption home study process for the approval of prospective adoptive parent(s) who are not also seeking certification or approval as foster parent(s). These new templates provide a standardized, statewide approach to an adoption home study process. For the purposes of this ADM, when an applicant is seeking approval solely as an adoptive parent this is called “adoption only.” In New York State (NYS), any person seeking to adopt through an authorized agency who does not also wish to be approved or certified as a foster parent must be offered the opportunity to apply as an adoptive applicant only.¹ This ADM also reminds local departments of social services (LDSSs) and voluntary authorized agencies (VAs) of the regulatory requirements regarding approving adoptive applicants. This includes any agency authorized by the New York State Office of Children and Family Services (OCFS) to provide adoption services in New York State. This release replaces 20-OCFS-ADM-15.

II. Background

In NYS, all LDSSs have the statutory authority to provide both foster care and adoption services. VAs, on the other hand, must have specific corporate authority with OCFS approval to either (1) provide foster care services (“board-out” authority), (2) provide adoption services (“place-out” authority) OR (3) provide both foster care AND adoptive services (“board-out” and “place-out” authority).² VAs are responsible for knowing what authority they have, especially when contracting with an LDSS for foster care and/or adoptive services. If unknown, VAs should review their corporate authority filed with the NYS Department of State.

OCFS regulations outline the requirements for LDSSs and VAs that conduct adoption home studies as well as the process a person must follow to become an approved adoptive parent.³ To optimize this process, OCFS convened a workgroup of multiple stakeholders to obtain their perspectives on the critical components of an adoption home study and gather ideas for creating a thorough and standardized process. The workgroup developed templates that are now required when an LDSS or VA conducts an adoption-only home study. The adoption-only home study

¹ 18 NYCRR 421.11(f).

² VAs may also have the corporate authority “to care for,” which applies to the operation of residential programs for children who are not applicable to the subject of this release.

³ 18 NYCRR Part 421.

templates are intended to provide a clearer, more comprehensive assessment of the motivation and ability of an applicant to adopt.

In 2007, OCFS released the Comprehensive Adoption Report (CAR), a template that agencies could use to submit information to the court as part of the Adoption Packet.⁴ The new templates reflect an updated understanding of what an in-depth adoption study process should look like. Therefore, the new forms included with this policy must be used to complete the adoptive home approval process regardless of whether the CAR is also used.

III. Program Implications

There are several paths to approval as an approved adoptive parent, each requiring a different process. All LDSSs and VAs must do the following:

- For adoption-only applicants: Utilize the forms released with this ADM for all applicant(s) who express interest in adoption only after the issuance of this ADM.
- For applicants seeking concurrent certification/approval as foster/adoptive parents: follow the process outlined in 18-OCFS-ADM-07, Foster/Adoptive Home Certification or Approval Process, and utilize the forms in 19-OCFS-ADM-07, FFPSA Model Licensing Standards and Updated Forms for the Certification or Approval of Foster/Adoptive Homes.⁵
- For foster parents who are not concurrently approved as adoptive parents: See section IV. Required Actions.

The templates created to support adoption-only approval have been incorporated into the existing adoptive home approval process and are required within the time frames set forth in regulation. The templates are appended to this policy. The templates optimize the current adoption study process, and there are no changes to requirements set forth in regulation.

The adoption-only templates are required in **all** instances where a person expresses interest in adoption only. These include the following scenarios:

- **Public/Adoption Agencies:** NYS LDSSs and NYS authorized adoption VAs conducting adoption-only home studies for the purposes of the adoption of children must use the adoption-only templates.
- **Interstate Compact on the Placement of Children (ICPC):** The adoption-only templates are required when an LDSS or VA receives an ICPC request form for an adoption home study.⁶ Child-specific recommendations are required in ICPC adoption cases. Child-specific information must be added as additional documentation to the home study on LDSS or VA letterhead. Upgrade requests from foster care to adoption regularly occur in ICPC cases. The process for conducting a home study for a foster parent seeking to adopt is provided in section IV. Required Actions.

⁴ [07-OCFS-INF-02, Comprehensive Adoption Report \(CAR\)](#).

⁵ 18 NYCRR 443.9.

⁶ Similarly, when an ICPC request is received for a foster care placement, the standardized concurrent foster care/adoption templates must be used (see 19-OCFS-ADM-07, *FFPSA Model Licensing Standards and Updated Forms for the Certification or Approval of Foster/Adoptive Homes*).

- **International Adoptions:** The adoption-only templates must be used when a home study is conducted for an international adoption for the purpose of approving a person as an adoptive parent. OCFS recognizes that some country-specific information may be required by the sending country as a part of the international adoption. Any such information must be verified and included as part of the adoption home study to address the country-specific standards. Additionally, separate documentation may be used to include such information. An applicant may be ineligible to receive a child from a particular country because of such country's specific placement standards.
- **Court Certification for Private Adoption:** The process by which a person seeks to be certified by a court to adopt pursuant to §DRL §115-d is not the same as the process by which an individual may become an approved adoptive parent in accordance with 18 NYCRR Part 421. As such, being certified by the court to adopt pursuant to DRL §115-d is not the equivalent of being an approved adoptive parent under the regulation. Therefore, should the court-certified adoptive parent apply to the LDSS or VA for adoption approval, the LDSS or VA is still required to follow the adoption approval process outlined above, in accordance with 18 NYCRR Part 421, and use the adoption-only templates.

IV. Required Actions

All LDSSs and VAs must utilize the templates released with this ADM for all applicant(s) who express interest in applying to become an approved adoption-only parent(s). These forms cannot be altered under any circumstances. LDSSs and VAs may provide a cover letter written on LDSS or VA letterhead, attached to the home study as a cover page. LDSSs and VAs may include additional documentation as needed.

Adoption-only home studies currently in progress and utilizing previous forms must be completed no later than four months after the issuance of this ADM. At that time, the new templates must be used for all adoption-only home studies where the prospective adoptive parent has applied to an LDSS or VA for approval as an adoptive parent.

Child Specific Recommendations

Information regarding the child specific recommendation must also be included as follows:

- If the child is identified at the time the adoption-only home study is conducted, a child-specific recommendation must be included as part of the recommendation to approve or disapprove the adoption-only applicant in the OCFS-5200J, *Final Assessment and Determination*.
- If the child is identified after the adoption-only applicant is approved as an adoptive parent, then child-specific information must be included as additional documentation to the home study on LDSS or VA letterhead.

Additional documentation for child-specific recommendations may be necessary regardless of whether the adoption-only applicant(s) is also a foster parent or not.

Adoption-Only Applicants Who Are Not Certified or Approved Foster Parents

An LDSS or VA must conduct an adoption home study for adoption-only applicants who are not certified or approved foster parents using all OCFS-5200 templates. The final determination must be completed as quickly as possible within four months of initiation.

Adoptive Applicants Who Are Certified or Approved Foster Parents

The process for conducting an adoption home study for a certified or approved foster parent(s) who is not also duly approved as an adoptive parent(s) varies from the adoption-only applicant process.

Regulations⁷ require that, for existing certified or approved foster parents, LDSSs and authorized VA adoption agencies must assess and prepare foster parent adoption applicants as rapidly as possible as follows:

- Review the information about the family
 - obtained in the original home study,
 - obtained in annual reauthorization, and
 - available to agency caseworkers supervising the home and the child at issue.
- Identify those items of information needed in an adoption study that are lacking or are insufficiently current.
- Identify those areas of family functioning that may need further exploration or strengthening.
- Conduct an adoption study process that
 - does not repeat information gathering activities with regard to information already available;
 - focuses on areas identified as needing further exploration or strengthening;
 - clarifies for the applicant the difference between foster care and adoption and the psychological changes that must take place when transitioning from being a foster to an adoptive family;
 - clarifies the issues involved in obtaining an adoption subsidy;
 - obtains additional or updated information as rapidly as possible, including obtaining the results of any criminal history record check completed on the foster parents and all persons age 18 or over currently residing in the home and conducting a state criminal history record check through the Division of Criminal Justice Services on any person over the age of 18 in the home who has not previously had such a state criminal history check and conducting a national criminal history record check through the Federal Bureau of Investigation on the foster parent and each person over the age of 18 currently residing in the home of the foster parent;
 - inquires of OCFS whether the applicant, or any person over the age of 18 who lives in the house of the applicant, is a subject of an indicated report of child abuse or maltreatment on file with the Statewide Central Register of Child Abuse and Maltreatment;
 - includes, if the applicant or other person age 18 or over residing in the home lived in another state in the five years preceding the application, an inquiry made to the

⁷ 18 NYCRR 421.19.

- applicable child welfare agency in each state for child abuse and maltreatment information maintained by that state's child abuse registry; and
 - includes inquiring of the Justice Center for the Protection of People With Special Needs (Justice Center) whether the applicant or person age 18 or over residing in the home is listed on the register of substantiated category one cases of abuse or neglect.
- The adoption home study process must be completed within two months of receipt of the completed application if the foster parent seeks to adopt a child who is legally free. The home study must be completed within four months of receiving the completed application when the child is not legally freed, but in no event later than two months after the date the child becomes legally free.

Completing an Adoption-Only Home Study for Foster Parents

The intent of the regulations is to reduce unnecessary duplication while still documenting complete and updated information on foster parents seeking to become approved adoptive parents. Therefore, the LDSS or VA completing the adoption-only home study is not required to complete all adoption-only home study templates. The LDSS or VA must provide the OCFS-5200B, *Adoptive Parent Application*, and use the appropriate adoption-only forms necessary to record current and required information. For example:

- Is the foster parent interested in adopting a photo listed child? If so, the prospective adoptive parent will need to complete the OCFS-5200C, *Family Adoption Registry Information*.
- Are updated medical forms needed for the foster parent or other household members? If so, OCFS 5200D, *Adoptive Applicant Medical Report*, will need to be completed.
- Has the foster parent moved to a new address since their last reauthorization? If so, completion of the OCFS-5200E, *Safety Review Form*, is required.
- Has anything changed in household composition? If so, use the OCFS-5200F, *Household Composition and Relationships*, as applicable.

The LDSS or VA completing the adoption-only home study must document the decision to approve or disapprove the adoption-only applicant in the OCFS-5200J, *Final Assessment and Determination*.

Completing Updates/Addendums to an Approved Adoption Home Study

A New York State-approved home study does not have a statutory or regulatory expiration date. Addendums or updates to an approved adoption home study should be completed by an agency to reflect any changes that occur in the home. Additionally, courts will require that a home study include a recent update/addendum prior to submission of the approved study to the court. The agency should consult with the court responsible for the finalization to confirm that the update/addendum will meet the court's requirement in this regard.

To complete an update or addendum, 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 include 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 forms 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.

The new adoption-only templates are as follows:

OCFS-5200A, Self-Assessment

The OCFS-5200A, *Self-Assessment*, includes a series of questions designed to have applicants and their families, if applicable, consider why they want to become adoptive parents, stimulate conversation about the various aspects of the process, and provide an opportunity for the family to assess the potential impact that becoming adoptive parents would have on their lives. The applicants and any children in the home (dependent on the child's age and developmental appropriateness) should complete the OCFS-5200A, *Self-Assessment*, together as a family. *Note: It is unlikely that every person in the family will answer each question the same way, so multiple answers can be listed for each question. If the question is not applicable to the applicant(s) and their family, "N/A" should be written in the space provided.*

The OCFS-5200A, *Self-Assessment*, should be completed at least once in the process after the applicant(s) have attended the initial interview or orientation. However, it is recommended that it be completed as needed throughout the process as the applicant's family circumstances and understanding of adoption evolve. Each time the OCFS-5200A, *Self-Assessment*, is reviewed, and the level of family readiness is assessed, the applicant(s), the home finder/agency worker and the home finder/agency worker's supervisor must sign the completed form. The hard copy must be maintained in the adoptive family's file.

After the applicant(s) complete the OCFS-5200A, *Self-Assessment*, the home finder/agency worker and the family should discuss and identify together which level of readiness at which the family is and what needs to be done to help support the family.

There are three levels of family readiness:

1. Early Stages
The family has some understanding about what adopting is but needs more information and discussion about the impact on their family.
2. Minimal Support Needed
The family needs some support and/or more information from the LDSS or VA on what the experience of adopting a child will be like and what impact it will have on their family. The family is willing and able to learn.
3. Acceptable
The family is prepared and knowledgeable about the experience of adopting a child and the impact on their family.

Home finders/agency workers must use the information to assess the appropriate next steps in the home study process, including what supports, if any, are needed before approving the applicant(s).

OCFS-5200B, *Adoptive Parent Application*⁸

The OCFS-5200B, *Adoptive Parent Application*, was created to provide a uniform application that is used by all LDSSs and VAs throughout NYS. The OCFS-5200B, *Adoptive Parent Application*, replaces any existing applications used by LDSSs and VAs for approval of adoptive homes. Each applicant is required to independently complete the OCFS-5200B, *Adoptive Parent Application*. The application must be provided at the initial orientation session.⁹ The OCFS 5200B, *Adoptive Parent Application*, is used to elicit information about the applicant(s), including the following:

- Basic demographic information
- Current and past employment information
- Household composition
- Foster/Adoptive parenting experience
- Transportation
- References
- Education history
- Financial information

The OCFS-5200B, *Adoptive Parent Application*, also includes a section requiring each applicant(s) to submit a sworn statement indicating whether, to the best of the applicant's knowledge, the applicant or any other person over the age of 18 currently residing in the home has ever been convicted of a crime in NYS or in any other jurisdiction.¹⁰

OCFS-5200C, *Family Adoption Registry Information*

The registry is a tool for families who are interested in adopting photo listed children who are photolisted. It contains a list of characteristics of children that a family is willing and able to adopt. The OCFS-5200C, *Family Adoption Registry Information*, replaces the LDSS-0857, *Application to Adopt*. It must be provided at the initial orientation session.¹¹

OCFS-5200D, *Adoptive Applicant Medical Report*

The LDSS and VA must also collect information on the health of the prospective adoptive parent and each household member residing with the prospective adoptive parent.¹² The OCFS-5200D, *Adoptive Applicant Medical Report*, is a general health review and attestation of the medical status of each applicant and household member.

The form is divided into two parts. Part One collects information on the medical status of the adoptive applicant(s) and is divided into three sections to be completed as follows:

- Section 1 is to be completed by the applicant.
- Section 2 is to be completed by the LDSS or VA.
- Section 3 is to be completed by a physician, physician's assistant, nurse practitioner or other licensed and qualified health care practitioner.

⁸ 18 NYCRR 421.12.

⁹ 18 NYCRR 421.11(f).

¹⁰ 18 NYCRR 421.15(c)(9).

¹¹ 18 NYCRR 421.11(f).

¹² 18 NYCRR 421.16(c).

Part Two collects medical information on household members and is divided into three sections to be completed as follows:

- Section 1 is to be completed by the applicant if the household member is under 18 years of age or by the household member if he/she is 18 years of age or older.
- Section 2 is to be completed by the LDSS or VA.
- Section 3 is to be completed by a physician, physician's assistant, nurse practitioner or other licensed and qualified health care practitioner.

One medical report must be completed for each applicant and for each household member.

OCFS-5200E, Safety Review Form

The OCFS-5200E, *Safety Review Form*, is to be completed by the LDSS or VA during an inspection of the applicant's physical residence. The OCFS-5200E, *Safety Review Form*, must also be completed if there is a significant structural or physical change to the home and/or the applicant moves. Information collected in the form must be considered as part of the final assessment and determination as to whether to approve the adoptive applicant(s).

OCFS-5200F, Household Composition and Relationships

The OCFS-5200F, *Household Composition and Relationships*, is divided into two parts and is to be completed by the LDSS or VA with the applicant(s) and household member, as applicable, as addressed below:

Part One

- Relationship: completed by home finder/agency worker individually with each adult applicant
- Family: completed by the home finder/agency worker with each household member
- Parenting: completed separately by the home finder/agency worker with each applicant individually
- Psychosocial Interview: to be completed by home finder/agency worker with each adult applicant.
 - The purpose of the psychosocial interview is to explore the applicant's history and current psychological/social factors and their impact on the capacity, willingness and readiness to adopt a child, and to develop support plans where applicable.
 - The psychosocial interview is divided into three sections: "Personal History," "Coping Skills and Stress Management" and "Behavioral Health for All Household Members." The form provides sample questions and guidance to lead the conversations; however, the home finder/agency worker needs to use their engagement and assessment skills to explore each section with the applicant(s) independently.
 - A genogram should also be completed during the psychosocial interview. A genogram is a multigenerational diagram of the applicant's family and social network. Symbols are linked with lines to depict relationships. An OCFS-5200G, *Sample Genogram Template*, is provided with this ADM for home finder/agency workers to use as a reference; however, any genogram template can be used for this process.

Part Two

- **Child Interview:** one form completed for each household member under the age of 18, depending on the child's developmental stage. The family, home finder and supervisor will determine whether the child will participate and whether the applicant(s) should be present. If a decision is made for a child not to participate, the reason must be explained on the form.

OCFS-5200H, *Personal Reference*

References are required from at least three persons per applicant, only one of which may be related to the applicant(s) who can attest to the character, habits, reputation, personal qualifications and suitability for caring for a child.¹³ An OCFS-5200H, *Personal Reference*, form is sent to each of the applicant's three personal references to fill out. All of the OCFS-5200H, *Personal Reference*, forms must be returned directly to the home finder/agency worker. Applicants must be informed at the first meeting held as part of the adoption study process that such references are required for approval as an adoptive parent.

OCFS-5200I, *Resource Characteristics*

The adoptive applicant(s) must complete the OCFS-5200I, *Resource Characteristics*. The OCFS-5200I, *Resource Characteristics*, is a list of characteristics of children who may need an adoptive placement. Applicant(s) complete the form by checking "yes" or "no" by each child characteristic that they feel they are willing and able to parent.

OCFS-5200J, *Final Assessment and Determination*

At the completion of the applicant's home study, the LDSSs and VAs must complete the OCFS-5200J, *Final Assessment and Determination*. The LDSS or VA must provide a written analysis of the decision to approve or not approve the adoptive applicant. This decision is based on all the information gathered through trainings, completed forms, interviews/home visits and ongoing communication. The home finder/agency worker must summarize and describe the applicant(s) ability to meet all regulatory requirements and the needs of children placed in their home, and to partner with birth families and the LDSS or VA.

Section I contains a list of regulatory requirements that must be completed during the home study process for each applicant. The home finder/agency worker must select "yes" if the requirement is satisfied or "no" if it is not. There is also a space for the home finder/agency worker to explain the decision.

Section II is an assessment of the home study components. The home finder/agency worker must take the information gathered in the OCFS-5200J, *Household Composition and Relationships*, and summarize each area assessed as it impacts the applicant's ability to adopt. The home finder/agency worker must list strengths, considerations and supports needed for each section.

Section III is the space where the agency records the determination on whether to approve, not approve, withdraw or discontinue the application. The home finder/agency worker must consider all regulatory standards set forth in 18 NYCRR Part 421 necessary to approve an application when making a final decision on whether the home can be approved, which also includes all

¹³ 18 NYCRR 421.15(c)(2).

components of the application and home study process. This is a decision that must be made by the home finder/agency worker and supervisor.

If an LDSS or VA denies approval upon completion of the home study, it must advise the applicant(s) in writing of the reasons for the agency's decision and must offer an opportunity for an in-person discussion of the decision with the worker's supervisor. If the rejection is based in whole or part on the existence of an indicated report of child abuse or maltreatment, that fact and an explanation must be included in the notice. The notice must inform the applicant that he/she may apply for a hearing regarding the rejection of the application and must state the procedure to be used for this purpose.¹⁴

Section IV is where any comments the applicant(s) has about the home study and agency determination are entered.

Section V reflects any and all changes since the last approval. This is referred to as an "update/addendum."

Section VI is the space where the home finder/agency worker records the determination on whether to approve or not approve the update/addendum.

Section VII is the space where any comments the applicant(s) has about the update/addendum and agency determination are entered.

V. Systems Implications

LDSSs and VAs will be informed should changes be made to the FAD section of CONNECTIONS to incorporate the new templates associated with the approval process for adoptive parents. Currently, all adoption-only home study forms must be completed outside of CONNECTIONS and kept as hard copy. LDSSs and VAs must use the "My Uploads" feature to upload all adoption-only home study forms to CONNECTIONS.

VI. Contacts

Any questions concerning this release should be directed to the appropriate regional office, Division of Child Welfare and Community Services:

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

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¹⁴ 18 NYCRR 421.15(g).

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VII. Effective Date

This policy directive is effective immediately.

/s/ Lisa Gharthey Ogundimu

Issued By:

Name: Lisa Gharthey Ogundimu

Title: Deputy Commissioner

Division/Office: Division of Child Welfare and Community Services