

ASSESSMENT OF PUBLIC COMMENT

Following publication of the Notice of Emergency and Notice Revised Rulemaking in the State Register on February 26, 2020, OCFS received and assessed public comments. The assessment of these comments were published in the State Register on April 22, 2020 with the extension of the emergency regulations. OCFS subsequently received additional comments regarding the regulatory packages for licensed, registered and legally-exempt child care providers. These comments are addressed below.

Comment: Two respondents expressed their support of the emergency rulemaking regarding provisional employment. They requested the regulations become permanent in order to allow the hiring and onboarding of qualified staff in a timely manner while continuing to promote the safety of children.

Office Response: OCFS appreciates these comments and will proceed with adopting the rulemaking without revisions.

Comment: These same respondents requested the New York City Department of Health and Mental Hygiene improve response times for conducting the Comprehensive Background Check (CBC).

Office Response: These comments are outside the scope of the rulemaking and no changes will be made to the rulemaking as a result. OCFS has worked diligently to expedite the CBC process and comply with the federal requirement. Timely completion is dependent on the required documentation packet being completed with accurate information. If persons believe that the process is taking longer than anticipated they are encouraged to contact their regulator.

Comment: These same respondents requested guidance regarding the ability of Summer Youth Employment Program (SYEP) participants to work in summer camps given the time necessary to complete the CBC.

Office Response: These comments are outside the scope of the rulemaking and no changes will be made to the rulemaking as a result. OCFS has worked diligently to expedite the CBC process and comply with the federal requirement. Timely completion is dependent on the required documentation packet being completed with accurate information. If persons believe that the process is taking longer than anticipated they are encouraged to contact their regulator.