

OFFICE OF CHILDREN AND FAMILY SERVICES

+-----+
| INFORMATIONAL LETTER | TRANSMITTAL: 00 OCFS INF-6
+-----+

DIVISION: Strategic Planning
and Policy Development

TO: Commissioners of Social Services
Executive Directors of Voluntary Agencies

DATE: September 21, 2000

SUBJECT: Foster Boarding Home Records and Policy on
Transferring Foster Boarding Homes

SUGGESTED

DISTRIBUTION: Directors of Social Services
Foster Care Supervisors
Home Finding Supervisors
Adoption Supervisors
Staff Development Coordinators

CONTACT PERSON: Any questions concerning this release should
be directed to the appropriate Regional Office of the Office
of Children and Family Services.

BRO - Linda Brown (716) 847-3145 USER ID: 89D421
RRO - Linda Kurtz (716) 238-8201 USER ID: 0FH010
SRO - Jack Klump (315) 423-1200 USER ID: 89W005
ARO - Bill McLaughlin (518) 486-7078 USER ID: 0FN010
NYC - Gail Hallerdin (212) 383-1788 USER ID: AA0120
YRO - Pat Sheehy (914) 377-2080 USER ID: AM4110

ATTACHMENTS: Attachment 1: NOTICE TO NYS OCFS OF
FOSTER HOME TRANSFER BETWEEN
AUTHORIZED AGENCIES - Available in Word Version

FILING REFERENCES

Previous | Releases | Dept. Regs. | Soc. Serv. | Manual Ref. | Misc. Ref.
ADMs/INFs | Cancelled | | Law & Other | |
| | | Legal Ref. | |
99 OCFS | | 18NYCRR | | | |
INF-7 | | Parts 443 | | | |
| | & 444 | | | |
| | | | | |

The purpose of this release is to set forth the existing requirements pertaining to retention of material in the foster boarding home record and the policy on transferring foster boarding homes between authorized agencies.

Prior to implementation of the Foster Adoptive Development (FAD) component of CONNECTIONS, all materials related to the certification or approval, recertification or reapproval of foster boarding homes were retained in paper (hard copy) format by the authorized agency. For the purposes of this release, that record will be referred to as the "provider record." While certain items relating to the foster boarding home certification, recertification, approval, reapproval process may be maintained solely on the CONNECTIONS system, it is still necessary to maintain a paper provider record.

The following is a listing of all necessary documentary components of the provider and CONNECTIONS record, and the requirements for maintaining such information. It is not a complete listing of all requirements for certifying, approving, recertifying or reapproving foster boarding homes. Complete requirements, both documentary and non-documentary, are set forth in 18 NYCRR Parts 443 and 444.

I. Signed Application which contains at a minimum:

- a. list of all family members and their dates of birth;
- b. the marital status, religious faith, employment history, income information, health status / physical functioning (including any limitations) of the applicants;
- c. physical description of the home and the proposed living accommodations of a foster child or children;
- d. the history of prior applications and their status, including any reasons for prior rejection.

II. Additional Submittals (at the time of Application):

- a. the names of the required number of personal references;
- b. sworn statement by applicants regarding themselves and those in the household over the age of 18, regarding criminal convictions;

{Note: If there is a disclosure of criminal convictions, and a decision to certify or approve, a statement of the reasons why the home is determined appropriate and acceptable is required.}

III. Verifications:

- a. employment history, work record and qualifications;
- b. personal reference letters attesting to applicant's character and personal qualifications.

IV. Medical:

- a. physician-completed report form on each applicant (exam must have been completed not more than one year prior to the date of application);
- b. physician-completed report form on each existing foster parent at least once every two years;
- c. physician attestation to general health of family with each medical report form.

V. Signed and Dated Relationship Statement (Relative Homes Only)

VI. Foster Parent Agreement

VII. Expedited Home Study (Emergency Relative Homes Only)*

VIII. Home Study*

- a. Summary of Interviews
- b. Home Assessment

IX. SCR Clearance - Date of Submission and Results

{Note: if the applicant is the subject of an indicated report of abuse or maltreatment, and there is a decision to certify or approve, a statement of the reasons why the home is determined appropriate and acceptable is required.}

X. Criminal Record Background Check (CRBC) - Date of Submission and Results

{Note: If there is a criminal record found, a safety assessment is required; if a decision is made to deny or revoke a certification or approval based on the CRBC, a copy of the Denial / Revocation Letter is required.}

XI. Summary of Agency Conference and Decision Regarding Applicant(s)*

XII. Certificate to Board or Letter of Approval for Relative Homes**

{Note: Although the certificate is printed through the CONNECTIONS system, the system itself currently does not retain a copy. It is important at the time of certification or approval and at each subsequent recertification or reapproval to copy this document or the approval letter prior to mailing and retain it in the provider record.}

XIII. Placement Roster (names and placement and removal dates for all children placed in the home)

XIV. Summary or History of Training Received*

XV. Summary of Annual (Re)Evaluation*

XVI. Correspondence

XVII. Complaints

* CONNECTIONS is considered the system of record for these items.

** CONNECTIONS will become the system of record for this item when access to the certificate to board and the letter of approval become available in the system.

CONNECTIONS requirements for authorization include completion of Home Demographics; Person related information, including information on the submission of fingerprint cards and receipt of the criminal history background check results; Resource Detail; Licensing information; and the Home Study document. CONNECTIONS requirements for reauthorization include completion of the Reauthorization window and Reauthorization document.

Regarding the retention period for the provider record, a voluntary authorized agency must consult the terms of its purchase of services agreement with the social services district. Generally, such records must be retained for at least seven years to satisfy potential claiming and reimbursement issues. For all authorized agencies, it is recommended that all documents be retained for the entire period that the foster home is certified or approved. Authorized agencies may also want to consult with their counsel concerning extending the period of record retention for other reasons such as pending or potential litigation.

Policy on Transferring Foster Boarding Homes

Subdivision 3 of Section 376 of the Social Services Law provides that no person can be certified by more than one authorized agency. However, it is legally permissible to transfer a foster boarding home between authorized agencies. [Note: the term authorized agency refers to both a voluntary authorized agency and a social services district.] This may be necessary when a voluntary authorized agency closes of its own volition or is required to involuntarily cease operation. It may also occur for administrative reasons, such as the newly instituted plan by the New York City Administration for Children's Services (ACS) to implement transfers between the voluntary authorized agencies with which ACS contracts, in order to support neighborhood-based placements. Social services districts may also need to transfer homes, if, for example, foster parents move out of the area.

It is essential for voluntary authorized agencies considering transferring foster boarding homes to coordinate with the social services district(s) with which they have a contract. The requirements for the sending and receiving authorized agency with regard to the provider record and related requirements, especially with regard to the criminal record background check (CRBC), are outlined below.

Sending Agency:

If there are no foster children in the home:

- o Ascertain acceptance of foster boarding home by the receiving agency. This may include coordination with the social services district with which the sending agency has a contract, if transfer is between two voluntary authorized agencies. Ascertain the effective date of the transfer and the name of the staff person at the receiving agency to whose workload the foster boarding home is being transferred.
- o Review and, if necessary, update the record, so that all documentation listed above is included in the paper record and/or on CONNECTIONS. All conditionally required documentation, as noted under II. b, IX, and X above, must be included.

Social services districts may transfer foster boarding homes prior to final certification or approval, including relative and non-relative foster boarding homes certified or approved on an emergency basis. Voluntary authorized agencies may also make these transfers to other voluntary authorized agencies unless the social services district(s) with which they have a contract prohibit such transfer. However, under no circumstances may a foster boarding home be transferred if there is a CRBC results letter from the Office of Children and Family Services (OCFS) that indicates a mandatory disqualifying crime for a foster parent, or indicates a situation requiring "Hold in Abeyance" for a charge or conviction related to a foster parent. (See 99 OCFs INF -7)

If a foster boarding home is transferred prior to final certification or approval, the sending agency must apprise the receiving agency as to the exact status of the home, specifying met and unmet requirements.

- o Request and obtain written consent from the foster parents to transfer the home.
- o Provide written confirmation of the transfer to the foster parent, including the effective date.
- o Physically transfer the entire paper provider record to the receiving agency.
- o Follow the established steps in CONNECTIONS for foster boarding homes in inquiry or applicant status to transfer (reassign) the foster boarding home to the receiving agency and verify acceptance by the receiving agency.

If there are one or more foster children in the home:

- o All items listed above; and

- o Establish which voluntary authorized agency or social services district will have planning responsibility for each child in the foster boarding home and each child's family; if planning responsibility changes, in concert with the case manager at the social services district, and attendant contract provisions between the social services district and the voluntary authorized agency, follow your established procedures involving the child and family uniform case record.

Receiving Agency:

If home is being transferred prior to final certification or approval:

- o Review the paper provider record and all FAD-related information in CONNECTIONS and note the exact status of the home, and those requirements that have been met and unmet.
- o Communicate with the sending agency if there are any discrepancies as to the status of the home and resolve any such discrepancies.
- o Determine whether the foster boarding home is acceptable to your agency to go forward with the continuation of the certification or the approval process. If the foster boarding home is acceptable, proceed with the remainder of the steps below.
- o If any part of the CRCB process has taken place, even if the only step taken has been to submit the fingerprint cards to OCFS, complete and submit the form "NOTICE TO NYS OCFS OF FOSTER HOME TRANSFER BETWEEN AUTHORIZED AGENCIES" to OCFS. (See below for further information about this form.)
- o Follow the established steps in CONNECTIONS for foster boarding homes in inquiry or applicant status to accept the transfer of the foster boarding home.
- o Continue with the certification or approval process.
- o If there are foster children in the home, the social services district must adjust the WMS POS line and maintain CCRS to reflect any changes to Case/Child Planner.

If home is being transferred as a finally certified or approved foster home:

- o Review the paper provider record and determine that it is complete.
- o Review all FAD-related information in CONNECTIONS and determine that the home is appropriately certified or approved and the period is current.

If anything is missing, contact the sending agency. If the missing documentation cannot be provided, some degree of judgement must be used. If the information contained in the missing item or items is dated and would not be essential for the receiving agency to supervise the foster boarding

home, the transfer may still take place. For example, if there is a current medical report, but there is a missing one that would have been due prior to the current one, the home may still be transferred. Under no circumstances may the transfer take place without the following items: application, sworn criminal conviction statement, current medical report, SCR Clearance results, CRBC results, Home Study and current Reevaluation. The conditionally required documentation with regard to the criminal conviction statement, the SCR Clearance and the CRBC, as noted under II. b, IX, and X above, must also be present. If these requirements cannot be met, reject the transfer.

- o Determine whether the foster boarding home is acceptable for certification or approval by your agency. There may be circumstances (other than missing documentation) where your agency finds the foster boarding home unacceptable. For example, assessments based on disclosure of criminal convictions, or based on indicated reports of abuse or maltreatment, or safety assessments conducted on persons with specified criminal charges or convictions may cause your agency to reach a different decision than that reached by the sending agency. Attempt to resolve this with the sending agency or reject the transfer. If the foster boarding home is acceptable, proceed with the remainder of the steps below.
- o Follow the established steps in CONNECTIONS, including saving and submitting for approval and changing the authorization "from date" to the effective date of transfer.
- o Print a new Certificate to Board for the foster boarding home, or issue a new Approval Letter (for an approved relative home); retain a paper copy.
- o If there are foster children in the home, the local social services district must adjust the WMS POS line and maintain CCRS to reflect any changes to Case/Child Planner.
- o Complete and submit the form "NOTICE TO NYS OCFS OF FOSTER HOME TRANSFER BETWEEN AUTHORIZED AGENCIES" to OCFS.

This form can be found as Attachment 1 and is available electronically in the public folder (*Statewide; OCFS; ASFA - Policy/Practice). Receipt of this form by OCFS will allow OCFS to transfer agency responsibility for purposes of CRBC and any search and retain responses subsequently received. Forms must be submitted to:

Criminal History Review Unit
NYS Office of Children and Family Services
PO Box 839
Rensselaer New York 12144-9953
attention: Linda Fylak (Transfers)

Date September 21, 2000

Trans. No. 00 OCFS INF-6

Page No. 8

Upon receipt of the form, OCFS will change the agency associated with each household member over the age of 18. Should any arrests of such household members occur after the transfer, the receiving agency will get the information from OCFS.

William F. Baccaglino
Director
Strategic Planning
and Policy Development