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Administrative Directive

Transmittal:	14-OCFS-ADM-03
To:	Commissioners of Social Services
Issuing Division/Office:	Child Welfare and Community Services
Date:	May 8, 2014
Subject:	Adoption Assistance and Federal Reporting Requirements as it Pertains to Delinking
Suggested Distribution:	Directors of Services Adoption Supervisors Adoption Eligibility Workers
Contact Person(s):	Questions concerning this release should be directed to the appropriate Regional Office, Division of Child Welfare and Community Services: Buffalo Regional Office- Dana Whitcomb (716) 847-3145 Dana.Whitcomb@ocfs.ny.gov Rochester Regional Office- Karen Buck (585) 238-8201 Karen.Buck@ocfs.ny.gov Syracuse Regional Office- Sara Simon (315) 423-1200 Sara.Simon@ocfs.ny.gov Albany Regional Office- Kerri Barber (518) 486-7078 Kerri.Barber@ocfs.ny.gov Spring Valley Regional Office- Yolanda Désarmé (845) 708-2499 Yolanda.Desarme@ocfs.ny.gov New York City Regional Office- Raymond Toomer (212) 383-1808 Raymond.Toomer@ocfs.ny.gov Native American Services- Heather LaForme (716) 847-3123 Heather.LaForme@ocfs.ny.gov
Attachments Available Online:	Eligibility Manual For Child Welfare Programs: http://ocfs.ny.gov/main/publications/eligibility Chapter One-B Appendix A: Adoption Assistance Eligibility Checklist (LDSS 3912) GIS #14-006 http://ocfs.state.nyenet/it/GeneralResources/GeneralResourcesDefault.asp Click on "GIS System Change Notices" (Requires access to the OCFS intranet)

Filing References

Previous ADMs/INFs/LCMs	Releases Cancelled	Dept. Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
09-OCFS-LCM-12	None	18 NYCRR §421.24; §427.6	SSL §§450-458		P.L. 110-351 P.L. 112-34 GIS 14-006

I. Purpose

The purpose of this Administrative Directive is to notify local departments of social services of the requirement to identify children who have been determined eligible and in receipt of Title IV-E adoption assistance based on the federal expansion of Title IV-E adoption assistance, often referred to as “delinking,” and the requirement for the Office of Children and Family Services (OCFS) to report to the federal government on reinvestment of savings based on delinking.

II. Background

The federal Fostering Connections to Success and Increasing Adoptions Act of 2008 (P.L. 110-351) enacted in October 2008 was designed, in part, to assist children in foster care by promoting permanent families for children through adoption. The Act amended section 473 of the Social Security Act by delinking outdated Assistance to Families with Dependent Children (AFDC) income requirements from Title IV-E Adoption Assistance eligibility thereby expanding eligibility for Title IV-E adoption assistance for certain foster children, referred to as applicable children.

These changes were addressed in the policy 09-OCFS-LCM-12 Highlights of Changes in Adoption Assistance Eligibility. At that time the NYS OCFS Eligibility Manual for Child Welfare Programs and the Adoption Assistance Eligibility Checklist (LDSS-3912) were revised to reflect these changes. Completion of the Eligibility Checklist by local district staff is a required step for every child being considered for Title IV-E adoption assistance and must be done prior to the time the Adoption Subsidy and Non-Recurring Adoption Expenses Agreement is submitted for adoption subsidy and the adoption petition is filed.

III. Program Implications

This modification to the federal Title IV-E adoption assistance eligibility standards is advantageous in that it expands the number of children who may be eligible for Title IV-E adoption assistance, which decreases the amount of state and local share paid for adoption subsidies. The other key provision of the Fostering Connections to Success and Increasing Adoptions Act was the inclusion of a requirement mandating that the state spend an amount equal to the amount of savings, if any, resulting from delinking in Title IV-B or Title IV-E child welfare services. In 2011, the federal Child and Family Services Improvement and Innovation Act (P.L. 112-34) was enacted, requiring states to document and report how savings, if any, from the delinking eligibility criteria are spent. To

effectively comply with these federal reporting requirements, local departments of social services must identify the children who were determined eligible for Title IV-E adoption assistance through delinking only.

These are children who:

- were non-Title IV-E eligible while in foster care; and
- are now in receipt of Title IV-E adoption assistance; and
- are eligible for Title IV-E adoption assistance based solely because of the child's eligibility as a delinked child per subparagraph (b) of paragraph 4, FINANCIAL NEED, of SECTION II TITLE IV-E ADOPTION ASSISTANCE ELIGIBILITY; of the *Adoption Assistance Eligibility Checklist* (LDSS-3912). Please consult the most recent version of the checklist found in the OCFS Eligibility Manual for Child Welfare Programs posted on the OCFS intranet and Internet websites. This subparagraph addresses such issues as the age of the child, length in care and sibling eligibility.

IV. Required Action

Local departments of social services are required to enter a Direct Service Type and Services Suffix Code of '01A' in the Welfare Management System (WMS) to appropriately identify children in receipt of Title IV-E adoption assistance based on delinking provisions.

V. System Changes

The creation of a new Services Suffix Code "A" has been added to WMS to accommodate this requirement. The General Information System (GIS) Change Notice #14-006 addresses the system change.

VI. Effective Date

This policy is effective immediately.

/s/ Laura M. Velez

Issued By:

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Title: Deputy Commissioner

Division: Child Welfare and Community Services