



Office of Children and Family Services

Kathy Hochul
Governor

52 WASHINGTON STREET
RENSELAER, NY 12144

Sheila J. Poole
Commissioner

Administrative Directive

Transmittal:	21-OCFS-ADM-31
To:	Commissioners of Social Services Executive Directors of Voluntary Authorized Agencies
Issuing Division/Office:	Child Welfare and Community Services Strategic Planning and Policy Development
Date:	December 8, 2021
Subject:	Referral Process for Placement in a Prenatal, Postpartum, Parenting Program
Suggested Distribution:	Directors of Social Services Voluntary Agency Executive Directors Child Welfare Supervisors Foster Care Supervisors
Contact Person(s):	See section V.
Attachments:	OCFS-5575, Appropriateness of Placement (AOP) Assessment in a PPP/EMPOWER Setting OCFS-5576, Referral Addendum for PPP Programs

Filing References

Previous ADMs/INFs	Releases Cancelled	NYS Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
21-OCFS-ADM-04 21-OCFS-ADM-17 21-OCFS-ADM-18 21-OCFS-ADM-19			Family First Prevention Services Act (FFPSA) (P.L. 115-123); Chapter 56 of the Laws of 2021		

I. Purpose

The purpose of this Administrative Directive (ADM) is to notify local departments of social services (LDSSs) and voluntary authorized agencies (VAs) of the process to determine whether a referral may be made for a youth to be placed in a prenatal, postpartum, parenting (PPP) program and to detail the documentation that must accompany the referral.

II. Background

The Family First Prevention Services Act (FFPSA) (P.L. 115-123) was signed into law on February 9, 2018. This law reforms federal financing by creating a disincentive to placing children in certain congregate care settings. Underlying FFPSA is the principal that youth will do best when placed in family-based settings. Thus, the intention is to keep children safely at home and, if that is not possible, utilize the least restrictive placement based on the needs of the child.

For any child placed after September 29, 2021, Title IV-E care and maintenance payment reimbursements are limited to the first two weeks of the youth's placement in a congregate care setting that is deemed a "non-specified setting." However, Title IV-E eligibility may be maintained if a youth is placed in a congregate care setting that is certified as a "specified setting," which is limited to the following settings:

- A qualified residential treatment program (QRTP)¹ or
- A QRTP Exception, which in New York State includes
 - a setting specializing in providing prenatal, postpartum, parenting supports for youth;²
 - in the case of a youth who has attained 18 years of age, a supervised setting in which the youth is living independently; and
 - a setting providing high-quality residential care and supportive services to children and youth who have been found to be, or are at risk of becoming, victims of sex trafficking.³

Youth should only be placed in a QRTP or a QRTP exception (together known as "specified settings") if the setting is necessary to meet the youth's needs. The LDSS and VA must be able to identify the specialized services provided in the specified setting that address the youth's immediate needs, assist a youth to permanency, and simultaneously facilitate the youth's progress to a lower level of care.

This ADM provides the process to determine whether a referral may be made for a youth to be placed in a PPP program as described more fully in 21-OCFS-ADM-18, and details the documentation that must accompany the referral.

III. Program Implications

Youth who are prenatal, postpartum, or parenting with needs that surpass what could be provided for in a family-based setting with wrap-around services may qualify for placement in a PPP program. Youth do not qualify for placement in a PPP program due to a lack of available foster homes or solely due to the youth's classification as being pregnant and/or parenting.

Appropriateness of Placement (AOP) Assessment in a PPP/EMPOWER Setting (OCFS-5575)

Youth may be considered for placement in a PPP setting when they enter foster care, when they require a change in placement, and/or during evaluation by a Qualified Individual (QI) for

¹ 21-OCFS-ADM-04, *Qualified Residential Treatment Programs (QRTPs) and QRTP Exceptions in New York State*.

² 21-OCFS-ADM-18, *Prenatal, Postpartum, Parenting Programs: Qualified Residential Treatment Programs Exception in New York State*.

³ 21-OCFS-ADM-19, *Requirements to Operate an EMPOWER Qualified Residential Treatment Program (QRTP) Exception Program*.

approval of a QRTP placement. *Appropriateness of Placement (AOP) Assessment in a PPP/EMPOWER Setting* (OCFS-5575) is a tool developed to facilitate informed decision-making during a team review of a request for a referral to a PPP program. When a worker responsible for placement decisions is considering referring a youth to a PPP program, OCFS-5575 must be completed. However, QIs are not required to complete OCFS-5575 during their assessment.

Team Review of OCFS-5575

QIs are not required to follow the team review process.

All other PPP program referral requests require a team to critically review the information collected on the OCFS-5575 form, including

- efforts made to place the youth in a family-based non-congregate care setting,
- the youth's needs, and
- the youth's involvement in the decision-making process.

LDSSs and VAs must develop a policy that details how team reviews will be facilitated. A review may be done concurrently with the Kin-First Firewall Practice review;⁴ however, all review teams must be comprised of one or more persons in a supervisory or management level role, and a review must be completed prior to referrals being made to PPP programs.

The team's approval of a referral to a PPP program must be based on a determination that all possible and appropriate efforts to place the youth in a family-based setting, including with kin, have occurred, and that, despite these efforts, no family-based placement is appropriate due to the youth's needs and the youth requires the PPP program's specialized services.

Referral Addendum for PPP Programs (OCFS-5576)

When a decision has been made to refer a youth to a PPP program, including when a QI recommends placement into a PPP program, the worker responsible for placement decisions must complete and submit as part of the youth's *Referral Addendum for PPP Programs* (OCFS-5576). This form consists of a Part A and a Part B and documents detailed information about the youth to provide to a PPP program. This information allows the program to determine whether the youth can be appropriately and safely served in the program and allows planning for the youth's safety, well-being and permanency to begin on day one of placement.

The completed Part A of OCFS-5576 must accompany the referral to the PPP program and includes information on the youth's current or history of needs. The completed Part B of OCFS-5576 must also be provided to the PPP program, either at time of referral or within two weeks of the youth's placement into a PPP program.

IV. Required Action

Appropriateness of Placement (AOP) Assessment in a PPP/EMPOWER Setting (OCFS-5575)

The OCFS-5575 form must be completed whenever a worker responsible for placement decisions is considering referring a youth to a PPP program.

QIs are not required to complete OCFS-5575 during their assessment.

⁴ 20-OCFS-ADM-18.

Team Review of OCFS-5575

If the request to refer a youth to a PPP program is denied, the team must advise the worker of the reason for denial and the required next steps to secure a placement for the youth.

The decision to approve or disapprove a referral to a PPP program must be indicated on OCFS-5575, and the completed form must be uploaded into the youth's case record in CONNECTIONS.

QIs are not required to follow the team review process discussed in this ADM.

Referral Addendum for PPP Programs (OCFS-5576)

All referrals to a PPP program, including those that stem from a QI evaluation, must include the completed Part A of OCFS-5576.

At time of referral, if information is known, the LDSS or VA must provide the completed Part B of OCFS-5576 to the PPP program or within two weeks of youth's placement.

The completed Parts A and B and any supporting documentation provided to the PPP program must also be uploaded into the youth's case record in CONNECTIONS.

V. 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

Amanda.Darling@ocfs.ny.gov

Rochester Regional Office - Christopher Bruno (585) 238-8201

Christopher.Bruno@ocfs.ny.gov

Syracuse Regional Office - Sara Simon (315) 423-1200

Sara.Simon@ocfs.ny.gov

Albany Regional Office - John Lockwood (518) 486-7078

John.Lockwood@ocfs.ny.gov

Westchester Regional Office - Sheletha Chang (845) 708-2498

Sheletha.Chang@ocfs.ny.gov

New York City Regional Office - Ronni Fuchs (212) 383-4873

Ronni.Fuchs@ocfs.ny.gov

Native American Services - Heather LaForme (716) 847-3123

Heather.LaForme@ocfs.ny.gov

Close to Home Oversight – Donte Blackwell (212) 383-7261

Donte.Blackwell@ocfs.ny.gov

VI. Effective Date

This ADM is effective immediately.

/s/ Lisa Gharthey Ogundimu

Issued By:

Name: Lisa Gharthey Ogundimu

Title: Deputy Commissioner

Division: Division of Child Welfare and Community Services

/s/ Thomas R. Brooks

Issued By:

Name: Thomas R. Brooks

Title: Deputy Commissioner

Division: Office of Strategic Planning and Policy Development