



**Office of Children
and Family Services**

Enacted 2017 Runaway and Homeless Youth Legislation

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Agenda

- I. Changes in legislation
- II. Regulatory change
- III. Change Process
- IV. Questions



Changes in legislation



Changes in legislation

- The NYS 2018 Enacted Budget included changes to the state's laws governing Runaway and Homeless Youth (RHY) services.
- The changes will impact RHY:
 1. Regulations
 2. Programs
 3. Plans



Changes in legislation

Allows local governments that receive Runaway and Homeless Youth Act (RHYA) funding the **option** to make the following changes to their local plan to deliver RHYA services:

- Raise the maximum permissible age for homeless youth that may be served in runaway and homeless youth programs to 24 years of age
- Permit a youth under 16 years of age to be served in a Transitional Independent Living Support Program (TILP) with **required** written notice to OCFS*
- Extend the permissible length of stay for homeless youth in TILP from 18 to 24 months. Only applies to youth who were under the age of 21 when they entered the program



Changes in Legislation (Continued)

- Extend the permissible length of stay for a runaway youth age 14 or older in a Crisis Services Program from 30 to 60 days when an Article 10 abuse and neglect petition is not contemplated
- Extend the permissible length of stay for a runaway youth of **any age** in a runaway and homeless youth crisis services program from 60 to 120 days without filing a petition upon the consent of the youth and the youth's legal custodian
- To further extend any of the above lengths of stay on a case by case basis upon required written notice to OCFS*



Changes in legislation (continued)

- RHYA programs have the option to, but are not mandated, to serve any of the categories of youth that fit any of the options listed on slide 5 chosen by a municipality
- Required Notice to OCFS:
 - Must be provided within 60 days
 - Must set forth the circumstances that made shelter necessary, efforts made to find suitable alternative living arrangements and outcome of such efforts
 - If OCFS determines shelter is inappropriate, it may instruct the program on how to seek a more suitable living arrangement



Changes in legislation (continued)

The enacted legislation **requires** RHYA programs to do the following starting January 1, 2018:

- Contact the applicable local department of social services (LDSS) if it is believed that a youth being served in the program may be a destitute child as defined in section 1092 of the Family Court Act
- Provide information to youth who may be eligible to re-enter foster care in accordance with article 10-B of the Family Court Act
- Refer any youth that would be eligible to and who may be interested in re-entering foster care to the applicable LDSS



Changes in legislation (continued)

The enacted legislation further:

- Renames “approved runaway programs” as “runaway and homeless youth crisis services programs” to better align the name of the programs with the services provided and the populations served
- Requires that all residential RHYA programs serving youth under the age of eighteen that are certified by OCFS on or after the bill's effective date be authorized agencies. This includes TILPs.
 - Current TILP providers are grandfathered
 - Any change to certificate or new certification triggers requirement above

Regulatory change



Regulatory change

- Legislation requires specific regulatory changes by January 1, 2018
- Regulations will be updated in two phases:
 - Required changes by January 1, 2018 (Phase I)
 - Updated regulations with input from key stakeholders to follow (Phase II)

Regulatory change

Phase I

- To maintain compliance with the enacted legislation regulations will be updated by January 1, 2018 to include the following:
 - Name change for runaway programs
 - Certification requirements for programs serving children under 18
 - Authorized agency requirements for new TILPs
 - Options will be provided to municipalities to authorize increased lengths of state and raise the ages of youth in programs
 - Notification of LDSSs of destitute youth; requirements regarding youth eligibility for re-entry into foster care
- All existing regulations will be updated with minimal changes to conform with enacted legislation

Regulatory change

Phase II

- Opportunity to reform RHY governing regulations
- OCFS will consult with key stakeholders through scheduled meetings to be held in the summer of 2017

Regulatory change

OCFS Process

- Meetings will be held in Albany and New York City during the summer of 2017 to gather input to inform regulatory change



Impact on regulations

OCFS Process

- Proposed regulations will go through the standard state rulemaking process for adoption, including public comment period(s)
- Once enacted, OCFS will issue associated technical assistance information in the form of formal policies, informational memos, fact sheets, etc.
- Technical assistance on RHY regulations and programs will remain available through Regional Offices and the Office of Youth and Young Adult Services



Questions?

Please submit questions using the chat function.

Following this presentation questions may be sent to:

RHY@ocfs.ny.gov

