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Administrative Directive

Transmittal:	09-OCFS-ADM-16
To:	Commissioners of Social Services Executive Directors of Voluntary Authorized Agencies
Issuing Division/Office:	Strategic Planning and Policy Development
Date:	August 26, 2009 <i>Cancelled on September 25, 2015; replaced by 15-OCFS-ADM-20</i>
Subject:	Transition Plan Requirements for Youth 18 and Older Aging Out of Foster Care
Suggested Distribution:	Directors of Services Child Welfare Supervisors Staff Development Coordinators CONNECTIONS Implementation Coordinators
Contact Person(s):	See page 7
Attachments:	Yes
Attachment Available Online:	<p>Transition Plan Form-Part One-OCFS-4922 http://www.ocfs.state.ny.us/main/Forms/Foster_Care/OCFS-4922%20Transition%20Plan%20FormPart%20One.doc</p> <p>Transition Plan Form-Part Two-OCFS-4923 http://www.ocfs.state.ny.us/main/Forms/Foster_Care/OCFS-4923%20Transition%20Plan%20Form%20Part%20Two.doc</p>

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
		18 NYCRR 430.12 (j)	Public Law 110-351, section 202		

I. Purpose

The purpose of the Administrative Directive is to advise local departments of social services (LDSS) and voluntary authorized agencies of the new requirements for a Transition Plan for youth 18 and older aging out of foster care, and to transmit the required Transition Plan form.

II. Background

The federal Fostering Connections to Success and Increasing Adoptions Act of 2008, Public Law (P.L.) 110-351, which went into effect on October 7, 2008, provides important supports for children and youth in foster care. Section 202 of P.L. 110-351 includes requirements for a transition plan for youth age 18 or older exiting foster care. The purpose of the transition plan is to help older foster youth make a successful transition from foster care to self-sufficiency. The Office of Children and Family Services (OCFS) filed emergency regulations to implement the standards required by the federal Fostering Connections to Success and Increasing Adoptions Act of 2008. Section 430.12 (j) of OCFS regulations implements Section 202 of P.L. 110-351 pertaining to the transition plan requirements. OCFS regulations require that whenever a child will remain in foster care on or after the child's eighteenth birthday, the agency with case management, case planning or casework responsibility for the foster child must begin developing a transition plan with the child 180 days prior to the child's eighteenth birthday or, where the child is consenting to remain in foster care after his/her 18th birthday, 180 days prior to the child's scheduled discharge date. The transition plan must be completed 90 days prior to the scheduled discharge, and must be personalized at the direction of the child. The transition plan must include specific options on housing, health insurance, education, local opportunities for mentors, continuing support services, and work force supports and employment services. The transition plan must be as detailed as the foster child may elect.

III. Program Implications

Transition planning should begin on day one of a child's placement into foster care and occur over the life of the case. Transition plans will help older adolescents in care make a successful transition to self-sufficiency. To assist districts and agencies with the new transition planning requirements for older adolescents, OCFS developed the Transition Plan form. Districts and agencies are now required to document transition plans on the form for youth exiting foster care who are 18, 19 and 20 years of age. This new Transition Plan form is intended to assist districts and agencies in developing transition plans with youth that are youth driven and cover the areas that are required by law and regulations to be addressed prior to an older youth leaving care.

The Transition Plan form consists of two parts: Part One: Transition Plan Discussion (OCFS-4922) and Part Two: Transition Plan Update and Summary (OCFS-4923). A

Transition Plan is not considered complete until both parts of the form have been completed. When a trial discharge occurs, the Transition Plan form will need to be updated at final discharge.

The transition plan forms can be found under “forms” on the OCFS Internet site.

Transition Plan Form- Part One- OCFS-4922 can be found at:

http://www.ocfs.state.ny.us/main/Forms/Foster_Care/OCFS-4922%20Transition%20Plan%20FormPart%20One.doc

Transition Plan Form- Part Two- OCFS-4923 can be found at:

http://www.ocfs.state.ny.us/main/Forms/Foster_Care/OCFS-4923%20Transition%20Plan%20Form%20Part%20Two.doc

These transition plan forms can also be accessed on the OCFS intranet site.

Transition Plan Form-Part One- OCFS-4922 can be found at:

http://ocfs.state.nyenet/admin/Forms/Foster_Care/forms/OCFS-4922%20Transition%20Plan%20FormPart%20One.doc

Transition Plan Form-Part Two- OCFS-4923 can be found at:

http://ocfs.state.nyenet/admin/Forms/Foster_Care/forms/OCFS-4923%20Transition%20Plan%20Form%20Part%20Two.doc

Transition Plan Form

Part One: Transition Plan Discussion (OCFS-4922)

Identifying Information

Part One of the Transition Plan form entitled Transition Plan Discussion begins with identifying information such as the name of the youth, the date the youth initially entered foster care, the date the youth was placed in his or her current foster care setting, and whether the youth is currently placed in a foster home or congregate setting. There is a place for the worker to document the youth’s scheduled discharge date, the date the worker began to discuss with the youth the youth’s transition plans, and the date of the 90-day notice as required by OCFS regulations for youth being discharged to another planned living arrangement with a permanency resource. There is also a place for the worker to identify all representatives by name who participated in the development of the youth’s transition plan.

Topic Areas

Part One: Transition Plan Discussion is divided into Sections I-X (each including a series of questions) under the following topic areas: Trial Discharge; Housing; Health/health Insurance; Education/Vocational; Opportunities for Adult Permanency Resource(s) or Mentor(s); Continuing Support Services; Important Documents / Access

to Case Record; Workforce Supports and Employment Services; Pregnant/Parenting Youth; and Other (Safety).

Regulatory Requirements / Good Casework Practice

The “gray areas” at the beginning of each section of the Transition Plan Discussion form provides relevant regulatory requirements pertaining to each of the topic areas. For example, Section I Trial Discharge cites OCFS regulations pertaining to trial discharge, and Section II Housing cites OCFS regulations pertaining to local district responsibility for discharging youth to safe and appropriate housing. It should be noted that the standardized letter for youth on Medicaid coverage referenced in Section III Health/Health Insurance, question #3, will be transmitted by OCFS to districts and agencies under a separate ADM.

Questions

There are a series of questions under each section of the Transition Plan Discussion form that relate to the topic areas. The questions vary depending upon the topic area. The questions are intended to capture the options being explored with the youth related to the specific topic area, the youth’s input, the steps being taken to address any issues, the decision, the actions that need to be addressed, and the youth’s comments/feedback.

The questions on the Transition Plan Discussion form are intended to be used by a worker, over a period of time, beginning 180 days before the youth’s scheduled discharge from care, to engage and guide a youth in discussions about the youth’s plans after leaving care on either a trial discharge status or final discharge status. The questions are intended to direct the worker’s discussion with the youth and guide the worker in developing and documenting the youth’s discharge plans in areas that are important to address to help a youth make a successful transition from foster care to self-sufficiency. The questions will enable the worker to develop and document a discharge plan that is youth driven and is as detailed as the youth elects. Each of the questions provides a space for the worker to document the youth’s comments/feedback on the discharge plans and the role the youth played in developing his/her transition plan. All areas of the Transition Plan Discussion form must be completed 90 days prior to the youth’s scheduled discharge date.

Signatures

The Transition Plan Discussion form provides for the signature of the case manager / case planner / caseworker, the supervisor and the youth. When a youth does not sign his/her transition plan, a note must be entered in place of the youth’s signature indicating the reason that the youth did not sign the form. For example, it might be noted that the youth refuses to sign. The youth must be given a copy of the completed Transition Plan Discussion form and a copy must be placed in the youth’s case record.

Part Two: Transition Plan Update and Summary Form (OCFS-4923)

Part Two: Transition Plan Update and Summary form provides a comprehensive snapshot of a youth's transition plans at 90 days prior to the youth's scheduled discharge date with regard to: trial discharge (if applicable); housing; health insurance; education/vocational; opportunities for adult permanency resource(s) or mentor(s); supportive services; important documents / access to case record; workforce supports and employment; pregnancy/parenting (if applicable); and other (safety) concerns. The Transition Plan Update and Summary provides a place for the worker to document the youth's discharge plans/decision at 90 days prior to the youth's scheduled discharge (trial or final) in each of the areas and any actions needed to implement the discharge plan. For example, during the 180-day period prior to a youth's scheduled discharge (trial or final), the worker may have explored several housing options with the youth when the youth exits foster care, including the possibility of the youth living with his/her uncle or an older sister and the possibility of the youth securing their own apartment. On the Transition Plan Update and Summary form, under the heading Decision, at least 90 days prior to the youth's scheduled discharge, a worker would document the actual plan/decision. In this situation, the Decision was for the youth to move in with his uncle. Under the heading "Actions Needed Prior to Discharge," the worker might indicate that the uncle needs to purchase a bed for the youth. The Transition Plan Update and Summary also enables a worker to document the outcome with regard to each of the areas within 30 days of the youth exiting foster care on a trial discharge or final discharge status. For example, under the heading "Outcome at Trial Discharge," the worker might document the youth went to live with an older sibling. The form also provides a place for the worker's and the youth's initials. The youth should be given a copy of the Transition Plan Update and Summary form and a copy must be placed in the youth's case record.

The Transition Plan Update and Summary form may be separated from the more lengthy Transition Plan Discussion form to provide a quick picture, 90 days prior to discharge (trial or final), of the current plan and actions needed and of the outcome at trial and/or final discharge. The update and summary form may be used for various purposes, including: by a worker, a worker's supervisor or a youth to see what areas still need to be addressed for the youth to make a successful transition from foster care to self-sufficiency. Also, the form could become part of the Permanency Hearing Report.

IV. Required Action

Districts and agencies are required to develop transition plans with youth who will be exiting foster care at ages 18, 19 and 20, whether through trial discharge or final discharge. Districts and agencies must document a youth's transition plans on the attached Transition Plan Form, which consists of two parts (Part One: Transition Plan

Discussion and Part Two: Transition Plan Update and Summary), as prescribed below.

- A. One hundred and eighty (180) days prior to the youth's scheduled discharge date, the worker must begin discussing with the youth the questions contained on Part One of the Transition Plan Form (OCFS-4922) and developing and documenting the youth's plans for discharge pertaining to: Discharge (trial or final); Housing; Health/Health Insurance; Education/Vocational; Opportunities for Adult Permanency Resource(s) or Mentor(s); Supportive Services; Important Documents/Access to Case Record; Workforce Supports and Employment; Pregnancy/Parenting (if applicable); and Other (Safety) Concerns.

The worker must use the questions on Part One: Transition Plan Discussion to guide the worker's discussion with the youth in the areas listed above. In addition, the worker must ask the youth for input on the questions on the Transition Plan Discussion, follow the youth's direction, and allow the youth to determine the level of detail that will be included and documented in his/her Transition Plan.

- B. Ninety (90) days prior to the youth's scheduled discharge date, a worker must complete both parts of the Transition Plan Form (Part One: Transition Plan Discussion (OCFS-4922) and Part Two: Transition Plan Update and Summary (OCFS-4923)). The worker must include the youth's input and comments/feedback in the spaces provided on Part One: Transition Plan Discussion. In addition, the worker and the worker's supervisor must sign the Transition Plan Discussion. The worker must offer the youth the opportunity to sign his/her Transition Plan Discussion. If a youth refuses to sign, in the space provided for the youth's signature, the worker must document the reason the youth refused to sign his/her Transition Plan.

In addition, 90 days prior to the youth's scheduled discharge, the worker must complete the documentation required on Part Two of the Transition Plan Form (Transition Plan Update and Summary (OCFS-4923)) which includes documenting the Decisions and Actions Needed Prior to Discharge pertaining to the identified areas. The worker must initial the Transition Plan Update and Summary and encourage the youth to initial the completed form.

- C. A youth must be given a copy of his/her Transition Plan (Part One: Transition Plan Discussion (OCFS-4922) and Part Two: Transition Plan Update and Summary (OCFS-4923)) and a copy must be placed in the youth's case record.
- D. Within 30 days of a youth exiting foster care (trial or final), a worker must document outcomes as required on Part Two: Transition Plan Update and Summary (OCFS-4923). When a youth is discharged on a trial discharge status, the Transition Plan Update and Summary form must be completed, and then updated at final discharge.

- E. When a youth's discharge (trial or final) is planned and both parts of the Transition Plan Form have been completed, a Plan Amendment indicating the foster care status change will **NOT** be required.
- F. When a worker completes the Transition Plan Form as prescribed by Section 430.12(j) of OCFS regulations and consistent with this ADM, the Transition Plan Form, Part One: Transition Plan Discussion and Part Two: Transition Plan Update and Summary, will be considered an official part of the case record.
- G. A worker is **NOT** required to complete the Transition Plan Form when a youth's discharge from foster care is unplanned and unscheduled. In this case, the worker would be required to complete the discharge protocol currently available in CONNECTIONS.

V. Systems Implications

The Transition Plan Form is **not** currently available in CONNECTIONS.

VI. Contact Information

Any questions concerning this release should be directed to the appropriate Regional Office, Division of Child Welfare and Community Services:

Buffalo Regional Office- Mary Miller (716) 847-3145
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Native American Services- Kim Thomas (716) 847-3123
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VII. Effective Date

This release is effective immediately.

/s/ Nancy W. Martinez

Issued By:

Name: Nancy W. Martinez

Title: Director

Division/Office: Strategic Planning and Policy Development