



Office of Children and Family Services

Andrew M. Cuomo
Governor

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Commissioner

Local Commissioners Memorandum

Transmittal:	19-OCFS-LCM-18 (Revised August 7, 2019)
To:	Local District Commissioners
Issuing Division/Office:	Division of Administration Bureau of Budget Management
Date:	July 23, 2019
Subject:	State Fiscal Year (SFY) 2019-20 Foster Care Block Grant Allocations
Contact Person(s):	See VI. Contact Information
Attachments:	A. State Fiscal Year (SFY) 2019-20 Foster Care Block Grant Allocations

I. Purpose

The purpose of this Local Commissioners Memorandum (LCM) is to provide local departments of social services (LDSSs) with their Foster Care Block Grant allocations for State Fiscal Year (SFY) 2019-20. There are no notable differences from prior year Foster Care Block Grant LCMs.

This LCM has been revised to appropriately apply the care day incentive to all counties.

II. Background

The Child Welfare Financing Law promotes a reduction in the use of foster care placements through two components:

1. A Foster Care Block Grant capping state reimbursement at amounts annually allocated to LDSSs for foster care services and administration
2. After the application of available federal funds, uncapped state reimbursement for child welfare services other than Community Optional Preventive Services (COPS), foster care services, and foster care administration

The SFY 2019-20 state appropriation for the Foster Care Block Grant is \$383,526,000, and continues the adjustments aligning state and local funding shares with the historical intent of the Foster Care Block Grant

III. Other Related SFY 2019-20 Budget Actions

The SFY 2019-20 Enacted Budget continues to appropriate \$964 million of funding for the Flexible Fund for Family Services (FFFS) that provides LDSSs with the flexibility to determine local funding priorities. For information on what LDSSs can use their FFFS allocation to fund, please refer to the annual FFFS Administrative Directive (ADM) from the Office of Temporary and Disability Assistance (OTDA).

LDSSs will receive separate guidance for indicating the portion of their FFFS allocations they use to reimburse expenditures associated with Emergency Assistance to Families (EAF) Juvenile Delinquents (JD), EAF Persons in Need of Supervision (PINS), EAF Tuition, EAF Foster Care Administration, and EAF Foster Care Maintenance.

An LDSS's claims may be eligible for federal funding even if they exceed the LDSS's Foster Care Block Grant allocation for the current fiscal year if those claims are

- eligible to receive federal funding under Title IV-E Foster Care, Chaffee Independent Living, or EAF; and
- up to the amount of the LDSS's FFFS allocation it chooses to use for EAF JD, EAF PINS, EAF Tuition, EAF Foster Care Administration, or EAF Foster Care Maintenance Actions.

IV. Program Implications

The Foster Care Block Grant includes state reimbursement for the following foster care services during SFY 2019-20:

- Care and maintenance, including clothing and special payments; supervision; administrative costs claimed on Schedule D-2 and Schedule K; and tuition costs for foster children placed in New York State Office of Mental Health (OMH)-licensed residential treatment facilities, as well as in New York State Office of Children and Family Services (OCFS)-licensed child care institutions, other than tuition costs for New York City foster children.
- New York City Administration for Children's Services (ACS) may use their FCBG allocation to support non-secure Close to Home (CTH) foster care expenditures, except for tuition costs for New York City foster children.
- Supervision of foster care children in federally funded job corps programs
- Care, maintenance, supervision, and tuition of adjudicated JD and PINS placed in residential programs operated by authorized agencies and in out-of-state residential programs, except for tuition costs for New York City foster children, including adjudicated JD and PINS.
- Provision and administration of the Kinship Guardianship Assistance Program (KinGAP), including: assistance payments to relative and successor guardians made until the child's eighteenth birthday or until the child's twenty-first birthday if certain requirements are met; and nonrecurring guardianship expenses. For more information on KinGAP, please refer to 11-OCFS-ADM-03 and 18-OCFS-ADM-03. For more information on KinGAP successor guardians, please refer to 16-OCFS-ADM-10.

Except for regular foster boarding home programs and pass-through payments to foster parents, Section 398-a of the Social Services Law prohibits LDSSs from paying less than

the maximum state aid rates established by OCFS for congregate care programs and for administrative and services rates for therapeutic, special needs, or emergency foster home programs operated by a voluntary agency.

If an LDSS claims less than its full Foster Care Block Grant allocation, it may use the unexpended funds in the next SFY for the LDSS's expenditures on the following services:

- Preventive, including reunification
- Independent living
- Aftercare

The Foster Care Block Grant does not provide reimbursement for the following:

- Federal reimbursement for foster care costs¹
- Tuition costs for New York City foster children
- State expenditures made on behalf of youth placed in OCFS-operated facilities
- State reimbursement for claims that have separate appropriations available for expenditures, such as the following:
 - ❖ Committee on Special Education (CSE) payments
 - ❖ Dormitory Authority payments in excess of the Foster Care Block Grant (See *Fiscal Reference Manual* Volume 2 Chapter 4 – Institutional Rates)
 - ❖ Foster care and kinship services for Indian tribes
 - ❖ Medical assistance payments for children in foster care
 - ❖ Independent Living Services (except for those LDSSs that have funds left over from their SFY 2018-19 Foster Care Block Grant allocation – See V. Claiming)
 - ❖ Raise the Age payments

Allocation Methodology

The claims-based methodology used to allocate the Foster Care Block Grant funding continues the focus on safety, well-being, and permanency for children while a set-aside incentive encourages LDSSs to intensify their efforts to reduce foster care days.

The SFY 2019-20 appropriation for state reimbursement for foster care services is \$383,526,000 and is allocated as follows:

- \$347,076,000 of the appropriation is allocated to LDSSs according to their respective shares of statewide gross original and supplemental foster care claims net of cancellations and refunds for the 12-month period ending June 30, 2018 and submitted to the state on or before January 2, 2019.
- \$9,112,500 (25 percent of a set-aside incentive) per the reduction in the utilization of foster care days from Federal Fiscal Year (FFY) 2014 to FFY 2016.
- \$27,337,500 (75 percent of a set-aside incentive) per the reduction in the utilization of foster care days from FFY 2016 to FFY 2018.

¹ Federal reimbursement will not be affected by the Foster Care Block Grant and will be settled through claim settlements subject to the availability of federal funds.

LDSS allocations for each component of the SFY 2019-20 Foster Care Block Grant are provided in Attachment A.

V. Claiming

There is no Maintenance of Effort (MOE) requirement associated with the Foster Care Block Grant.

Foster Care Block Grant costs are paid during the SFY through a bottom-line adjustment instead of a claim settlement. Submitted claims for a particular SFY year that do not receive state reimbursement during that SFY may not be claimed against the next year and there is no additional state funding if an LDSS exceeds its allocation for a particular fiscal year.

Reimbursement Schedule for the SFY 2019-20 Foster Care Block Grant

Foster Care Maintenance Claims	January 1, 2019 through December 31, 2019
Foster Care Administration Claims	October 1, 2018 through September 30, 2019
Foster Care Tuition Claims for Eligible Counties and Municipalities	January 1, 2019 through December 31, 2019
RF17 Claim Package	October 1, 2019 through September 30, 2020

Please refer to the *Fiscal Reference Manual* available at <https://otda.ny.gov/resources/fiscal-reference/> for instructions on claiming the Foster Care Block Grant expenditures:

<u>Program Type</u>	<u>Schedule</u>	<u>Form Number</u>	<u>FRM Volume</u>	<u>FRM Chapter</u>
Foster Care	Schedule K	LDSS-3479	Volume 2	Chapter 3
Foster Care	Schedule H	LDSS-4283	Volume 2	Chapter 3
Foster Care	Schedule D-2	LDSS-2347-B	Volume 3	Chapter 9
Foster Care	Schedule RF-17 Statement	LDSS-4975	Volume 3	Chapter 18
KinGAP	Schedule K	LDSS-3479	Volume 2	Chapter 3
KinGAP	Schedule D-2	LDSS-2347-B	Volume 3	Chapter 9

Unclaimed Foster Care Block Grant

SFY 2019-20 Unclaimed Foster Care Block Grant funds that an eligible LDSS uses during SFY 2020-21 for eligible preventive, independent living, or aftercare services must be reported through the RF17 Claim Package:

- The costs must be identified as F17 functional costs and reported in the RF-2A claim package on the Schedule D, *DSS Administrative Expenses Allocation and Distribution by Function and Program* (LDSS-2347), in the F17 column.
- The individual project costs must also be reported under the project label FCBG Savings FY 2020 on the LDSS-4975A, *RF-17 Worksheet, Distribution of Allocated Costs to Other Reimbursable Programs*.
- For October 1, 2019 through September 30, 2020, all project non-salary costs should initially be reported in the RF-2A claim package and identified as F-17 function costs on the LDSS-923, *Cost Allocation Schedule of Payments Other*

- Than Salaries*, as Object of Expense 37 (Special Project Program Expense) and will be carried forward to the Schedule D, *DSS Administrative Expenses Allocation and Distribution by Function and Program*, from the LDSS-923.
- Project costs should subsequently be reported under the project label FCBG Savings FY 2020 on the LDSS-923B, *Schedule of Payments for Expenses Other Than Salaries for Other Reimbursable Programs*, in the RF-17 claim package. Project costs should be reported as Object of Expense 37 on the LDSS-923B Summary-Program (page 2)". Expenditures entered on the LDSS-923B will be carried forward to the LDSS-4975A, RF-17 Worksheet.
 - The reported expenditures are eligible for 100 percent state reimbursement up to the amount of the unclaimed Foster Care Block Grant funds from the SFY 2019-20 allocation. If the LDSS has insufficient unclaimed Foster Care Block Grant funds available from the SFY 2019-20 allocation, the claims are subject to 62 percent state reimbursement net of any available federal funds.

Further instructions for completing the Schedule D and RF-17 claim package can be found in Chapters 7 and 18, respectively, of the Fiscal Reference Manual (FRM) Volume 3. The FRM is available on-line at <http://otda.state.ny.net/bfdm/finance/>

VI. Contact Information

Please see the chart below to determine how to direct your Foster Care Block Grant questions:

Topic	LDSS Region	Contact Person	Contact Phone	Contact Email Address
Allocations	All	Shonna Clinton	(518) 474-1361	Shonna.Clinton@ocfs.ny.gov
Program	Buffalo	Amanda Darling	(716) 847-3145	Amanda.Darling@ocfs.ny.gov
	Rochester	Karen Lewter	(585) 238-8201	Karen.Lewter@ocfs.ny.gov
	Syracuse	Sara Simon	(315) 423-1200	Sara.Simon@ocfs.ny.gov
	Albany	John Lockwood	(518) 486-7078	John.Lockwood@ocfs.ny.gov
	Spring Valley	Thalia Wright	(845) 708-2498	Thalia.Wright@ocfs.ny.gov
	New York City	Ronni Fuchs	(212) 383-1676	Ronni.Fuchs@ocfs.ny.gov
FFFS	All	Susanne Haag	(518) 486-6291	Susanne.Haag@otda.ny.gov
Automated Claiming System	Regions 1-5	Lauren Horn	(518) 474-7549	Field_Ops.I-IV@otda.ny.gov
	Regions 6	Michael Simon	(212) 961-8250	Michael.Simon@otda.ny.gov

/S/ Derek J. Holtzclaw

Issued By:

Name: Derek J. Holtzclaw

Title: Deputy Commissioner for Administration

Division/Office: Administration

Attachment A**State Fiscal Year (SFY) 2019-20 Foster Care Block Grant Allocations**

District	Prorated Foster Care Claims	Set Aside Based on Trended Change for 2014-2016	Set Aside Based on Trended Change for 2016-2018	Allocation
Albany	\$4,785,479	\$1,150	\$0	\$4,786,629
Allegany	\$1,105,560	\$70,104	\$331,188	\$1,506,852
Broome	\$5,468,597	\$238,663	\$0	\$5,707,260
Cattaraugus	\$1,519,783	\$46,034	\$481,592	\$2,047,409
Cayuga	\$1,489,883	\$16,225	\$333,232	\$1,839,340
Chautauqua	\$1,724,982	\$19,823	\$167,933	\$1,912,738
Chemung	\$1,582,798	\$0	\$0	\$1,582,798
Chenango	\$693,036	\$0	\$56,129	\$749,165
Clinton	\$1,403,542	\$1,778	\$369,698	\$1,775,018
Columbia	\$1,442,806	\$120,087	\$597,710	\$2,160,603
Cortland	\$820,996	\$112,688	\$59,353	\$993,037
Delaware	\$592,480	\$59,522	\$568,601	\$1,220,603
Dutchess	\$7,776,154	\$0	\$1,160,181	\$8,936,335
Erie	\$17,280,980	\$0	\$735,036	\$18,016,016
Essex	\$866,724	\$0	\$0	\$866,724
Franklin	\$1,102,145	\$0	\$0	\$1,102,145
Fulton	\$1,079,133	\$0	\$182,783	\$1,261,916
Genesee	\$1,058,206	\$0	\$490,674	\$1,548,880
Greene	\$1,638,903	\$84,966	\$312,433	\$2,036,302
Hamilton	\$83,786	\$0	\$0	\$83,786
Herkimer	\$1,829,262	\$102,021	\$0	\$1,931,283
Jefferson	\$1,789,140	\$32,524	\$0	\$1,821,664
Lewis	\$217,249	\$0	\$107,853	\$325,102
Livingston	\$1,051,874	\$0	\$294,314	\$1,346,188
Madison	\$892,216	\$43,308	\$183,645	\$1,119,169
Monroe	\$8,876,488	\$78,662	\$0	\$8,955,150
Montgomery	\$1,270,359	\$0	\$0	\$1,270,359
Nassau	\$6,745,760	\$75,278	\$785,352	\$7,606,390
Niagara	\$3,332,512	\$0	\$187,414	\$3,519,926
Oneida	\$5,585,349	\$0	\$868,682	\$6,454,031
Onondaga	\$8,264,233	\$0	\$249,129	\$8,513,362
Ontario	\$1,231,717	\$0	\$368,290	\$1,600,007
Orange	\$7,688,426	\$0	\$0	\$7,688,426
Orleans	\$570,602	\$0	\$49,363	\$619,965
Oswego	\$2,411,416	\$0	\$0	\$2,411,416
Otsego	\$725,347	\$16,672	\$0	\$742,019

District	Prorated Foster Care Claims	Set Aside Based on Trended Change for 2014-2016	Set Aside Based on Trended Change for 2016-2018	Allocation
Putnam	\$661,514	\$0	\$123,702	\$785,216
Rensselaer	\$2,456,212	\$81,666	\$617,010	\$3,154,888
Rockland	\$2,953,919	\$18,482	\$9,218	\$2,981,619
St. Lawrence	\$2,705,351	\$0	\$0	\$2,705,351
Saratoga	\$1,824,247	\$21,164	\$0	\$1,845,411
Schenectady	\$5,246,807	\$0	\$331,188	\$5,577,995
Schoharie	\$1,151,133	\$0	\$0	\$1,151,133
Schuyler	\$465,263	\$0	\$53,995	\$519,258
Seneca	\$1,158,317	\$0	\$124,882	\$1,283,199
Steuben	\$1,789,615	\$26,562	\$0	\$1,816,177
Suffolk	\$14,760,598	\$254,345	\$1,689,501	\$16,704,444
Sullivan	\$2,360,559	\$0	\$0	\$2,360,559
Tioga	\$609,270	\$0	\$0	\$609,270
Tompkins	\$1,352,490	\$91,322	\$411,567	\$1,855,379
Ulster	\$3,773,740	\$0	\$0	\$3,773,740
Warren	\$733,706	\$24,081	\$500,756	\$1,258,543
Washington	\$986,898	\$22,516	\$0	\$1,009,414
Wayne	\$848,215	\$37,293	\$298,492	\$1,184,000
Westchester	\$15,219,027	\$50,909	\$1,372,345	\$16,642,281
Wyoming	\$1,028,072	\$36,559	\$0	\$1,064,631
Yates	\$276,538	\$26,083	\$226,650	\$529,271
New York City	\$178,716,586	\$7,302,013	\$12,637,609	\$198,656,208
Statewide Totals	\$347,076,000	\$9,112,500	\$27,337,500	\$383,526,000