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Local Commissioners Memorandum

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To:	Local District Commissioners
Issuing Division/Office:	Strategic Planning & Policy Development
Date:	March 19, 2012 <i>(Revised 7/6/12, correcting the DIR code on line 2 of p.4)</i>
Subject:	Use of Protective Funding for Family Assessment Response Related Goods and Services Costs
Contact Person(s):	Any questions concerning this release should be directed to the appropriate Regional Office, Division of Child Welfare and Community Services: BRO- Dana Whitcomb (716) 847-3145 Dana.Whitcomb@ocfs.state.ny.us RRO- Karen Buck (585) 238-8549 Karen.Buck@ocfs.state.ny.us SRO- Dan Comins (315) 423-1200 Dan.Comins@ocfs.state.ny.us ARO- Kerri Barber (518) 486-7078 Kerri.Barber@ocfs.state.ny.us SVRO- Raymond Toomer (845) 708-2498 Raymond.Toomer@ocfs.state.ny.us NYCRO- Patricia Beresford (212) 383-1788, ext. 4708 Patricia.Beresford@ocfs.state.ny.us Native American Services - Kim Thomas (716) 847-3123 Kim.Thomas@ocfs.state.ny.us
Attachments:	No
Attachment Available Online:	N/A

I. Purpose

The purpose of this Local Commissioners Memorandum (LCM) is to advise local social services districts (districts) about how to pay and claim goods and services costs related to the Family Assessment Response (FAR) program when their allocation at no local cost from the Quality Enhancement Funding (QEF) stream is exhausted, or for those districts that begin operating a FAR program after January 1, 2012.

II. Background

Chapter 452 of the Laws of 2007 added section 427-a of the Social Services Law (SSL), which temporarily authorized the establishment of differential response programs in those local districts in New York State that applied to implement such programs and were approved to participate by the Office of Children and Family Services (OCFS). In differential response programs, called FAR in New York State, the district employs a family assessment and services approach for a subset of families that are reported to the Statewide Central Register of Child Abuse and Maltreatment (SCR), rather than conducting a traditional child protective investigation of allegations.

The legislation enabling FAR went into effect on August 1, 2007, and contained an expiration date of June 1, 2011.

Recognizing the demonstrated usefulness of a differential response for child protective services reports, the legislature enacted Chapter 45 of the Laws of 2011, which became effective as of June 1, 2011. Chapter 45 made the provisions of Chapter 452 of the Laws of 2007 permanent by removing its date of repeal. It also introduced two significant changes to the law: it removed the provision excluding New York City from establishing a differential response program; and it required OCFS to report annually on the FAR program as part of the OCFS annual report to the governor and legislature on child protective services.

The legislature subsequently also enacted Chapter 377 of the Laws of 2011, effective August 3, 2011, in order to address concerns, mainly regarding access to and confidentiality of FAR records, that were not addressed in the original FAR legislation or in Chapter 45.

In 2008, OCFS issued two policies addressing the implementation of FAR. The Local Commissioners Memorandum 08-OCFS-LCM-02, *Family Assessment Response Application/Plan*, described the FAR legislation and provided an application/plan to be used by local districts wishing to implement FAR. An Informational Letter, 08-OCFS-INF-13, *Family Assessment Response Cases*, informed local districts how FAR cases were to be displayed and treated within CONNECTIONS.

More recently, 12-OCFS-LCM-02, *Recent Legislation Regarding Family Assessment Response (FAR) and Updated Procedures for FAR Applications* was issued to implement Chapter 45 and Chapter 377 of the Laws of 2011 and provide a revised FAR application for interested districts in order to make the application more straightforward and meaningful for both local districts and OCFS.

One of the key components of a FAR program is being able to supply families with short-term or one-time goods and services to meet their needs and help keep their children safe. Since the inception of this program, OCFS has been able to allocate funding at no local cost to the districts operating FAR programs, using private funding and later state funding from the QEF provision in the state budget. These funds have been referred to as “flexible funds” or “flex funds.” Districts were provided with an allocated amount and submitted special claims to the Office of Temporary and Disability Assistance (OTDA) for reimbursement of the money that was outlaid.

The QEF expires on June 30, 2012. There is no anticipated budget funding in future years. Some current FAR districts may have sufficient flex funds to carry them through this date, while other districts will have exhausted their allocation before this date. New FAR districts, those beginning a program after January 1, 2012, will not have been allocated any such flexible funding.

Because of the essential nature of the flex funds to the FAR program, OCFS communicated to current FAR districts and those districts that have recently submitted a letter of intent to operate a FAR program that a local/state share formula equivalent to the regular Child Protective Services formula, that is a 38 percent local share and a 62 percent state share, would take effect by July 1, 2012 or sooner, depending on when the district exhausts its allocation of flex funds. This LCM advises of new procedures to claim the cost associated with providing goods and services to FAR families after the flex funds are no longer available.

III. Program Implications

All districts reporting FAR expenditures will do so according to the following changes: All FAR expenditures will be classified as Child Protective Title XX (distinguishing between Title XX Regular and Title XX Under 200 percent is not necessary).

IV. Claiming Implications

A new line 26, Family Assessment Response, has been added to the Schedule G: Title XX Services For Recipients (LDSS 1372). FAR changes to the Automated Claiming System (ACS) for the Schedule G, Title XX Services For Recipients (LDSS 1372) is now available and claims can be made retroactive to January 2012. Claiming for line 26, Family Assessment Response, Column 6 – FAR Child Protective Title XX and

Column 2 - Refunds and Cancellations, is determined by having a POS type code 17 (Protective – Children) with DIR 17Q, along with an eligibility (EL) code for the individual of 14 and the suffix code is Q (FAR).

Questions pertaining to claiming should be directed to the Office of Temporary and Disability Assistance, Bureau of Financial Services:

Regions I-V: Ed Conway (518) 474-7549
Edward.Conway@otda.state.ny.us

Region VI: Michael Simon (212) 961-8250
Michael.Simon@otda.state.ny.us

V. System Instructions

General Processing

FAR program cases are to be opened directly in WMS. There is no CONNECTIONS services case component for FAR program cases.

WMS

New DIR (Direct Services) suffix code “Q” has been developed, and is to be used, with DIR code 17 (Protective-Children) for FAR program cases.

When DIR “17Q” is used, no other direct services code may be entered.

New POS (Purchase of Services) suffix code “Q” has been developed, and is to be used, with POS code 17 (Protective-Children) for FAR program cases.

POS type 17Q must have a DIR of 17Q. If POS type 17Q is entered without a DIR of 17Q, error 955-POS SERVICE TYPE DOES NOT MATCH DIR SERVICE TYPE will be received.

POS type 17Q may be written as recurring or single issue POS lines. Amount (AMT) may be a “C” or a dollar amount.

Individuals receiving FAR program services should be coded in WMS with an eligibility code (EL) of 14.

CCRS

There is no CCRS component for FAR program cases. CCRS tracks should not be opened for children receiving FAR services.

BICS

FAR program 17Q POS lines will update to BICS. Payment and claiming through BICS will be per usual processing. Changes have been made to the Schedule G, Title

XX Services For Recipients (LDSS 1372), and BICS Composite to accommodate claiming of payments for POS type 17 (Protective-Children) with a suffix code Q, Family Assessment Response (FAR), MNEUMONIC – QPROT-CH.

The Schedule G Composite has added the new Family Assessment Response line (Item: FAM-ASSES-RESP-PROT-TITLE-XX).

/s/ Nancy W. Martinez

Issued by:

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Title: Director

Division/Office: Strategic Planning and Policy Development