



October 19, 2009

**New York State
Office of
Children &
Family
Services**

Dear Commissioner:

This letter is to advise you about the Office of Children and Family Services' (OCFS) initiative related to caseworker visits (casework contacts) with foster children, as required by the federal Child and Family Services Improvement Act of 2006 (Public Law (P.L.) 109-288. Through this letter, we also want to bring you up to date on the status of New York State's work in relation to this legislation, and to acknowledge your tremendous efforts towards the related goals.

David A. Paterson
Governor

As you may recall, on April 18, 2008 I sent you a letter advising you of the requirements of the above-referenced legislation. At that time I described the specific mandates and associated data collection and reporting requirements, including the state's obligation to report on the percentage of children in foster care who were visited on a monthly basis by the caseworker handling the child's case, as well as the percentage of visits that occurred in the child's residence.

Gladys Carrión, Esq.
Commissioner

Capital View Office Park

52 Washington Street
Rensselaer, NY
12144-2796

Since my April letter there have been two changes in requirements about which OCFS was later apprised by the federal government. The first is that beginning in the second year of reporting, **foster children who are AWOL** must be included in the population about whom states must report.

The second change is that the federal government clarified its position regarding foster children placed out-of-state. They indicated that all such children are subject to the monthly reporting requirements, notwithstanding another federal law that requires less frequent contacts. OCFS is in the process of amending our regulations to reflect the **requirement for monthly contact with children placed out-of-state**.

Beginning in Federal Fiscal Year (FFY) 2007, OCFS was required to develop annual benchmarks toward meeting a compliance rate of 90% of foster children visited on a monthly basis. OCFS milestones are as follows:

2007-2008 15% √ Achieved

2008-2009 45% Based on 9 months of data, we are close to achieving this benchmark

2009-2010 75%

2010-2011 90%

Note: The national standard (90% of children visited on monthly basis) must be achieved by all states by October 1, 2011.

As you can see, through your extraordinary efforts as well as those of your caseworkers and of the voluntary agencies with which you contract for foster care services, New York State met its benchmark for the first year of reporting and is within reach based upon the first nine months of the second reporting year. We want to commend you, your staff and the others involved for these efforts and are gratified that these visits go a long way to provide for the safety, permanency and well-being of the foster children in your care.



An Equal Opportunity Employer

As a part of the federal government's initiative to partner with states in achieving the benchmarks, OCFS was awarded grant money for the past three federal fiscal years. These funds have been designated to three major categories:

- Equipment

A total of 889 Laptop computers have been deployed to fifty-five local districts intended to assist caseworkers in documenting their casework contacts.

- Training and technical assistance

A computer based training (CBT) course is being developed and scheduled to be released during December, 2009. The course will provide a basic orientation for caseworkers including contact standards, coding guidelines, how to avoid common errors, and guidelines for appropriate narratives.

Additionally, OCFS regional office staff are close to completing a review of selected case records in each social services district. As an outcome of these reviews, OCFS staff and your key staff have mutually developed a plan of action to assist in achieving successful casework contact outcomes, as measured by federal and state standards. We appreciate the cooperation and spirit of working together in improving outcomes that we have experienced while working with your staff.

- Reports

For your information, attached to this letter are two reports:

- Foster Care Contacts by District Fiscal Year 2008
- Foster Care Contacts by District 9 months of Fiscal Year 2009

The OCFS Data Warehouse contains Casework Contact summary and detail reports for use by Local Districts and Voluntary Agencies. These reports can assist in improving Casework Contact performance. A description of the available reports is also attached to this letter.

Use of these federal funds as described above, should bolster the ability of designated staff to continue to improve their performance, as the percentages that must be achieved increase more steeply in years three and four (see benchmarks). Failure to achieve the remaining benchmarks, and ultimately the 90% on-going compliance standard, will subject New York State to the penalty provisions of the law. The penalties will be calculated as follows:

- Percentage not met by less than 10%, Title IV B Part 1 funds are reduced by 1%;
- Percentage not met by between 10 and 20 %, Title IV B Part 1 funds are reduced by 3%;
- Percentage not met by 20% or more, Title IV B Part 1 funds are reduced by 5%.

Importantly, I want to let you know that for this reporting year, the date by which all data must be reported has recently been extended by the federal government (for the FFY ending September 30, 2009). All casework contacts must be entered into CONNECTIONS Progress Notes by **Monday November 30, 2009** in order for OCFS to submit this report. It is essential that if all casework contacts have not as yet been entered that this be done so as soon as possible.

Lastly, I want to remind you that as of October 1, 2009, we are already in the third reporting year, having a benchmark of 75%. As I am sure you remember failure to make and/or document a contact ***in any one month*** of the reporting year puts the case out of compliance for the entire year. Please remind your staff and staff of the voluntary agencies with which you contract for foster care services of the importance of making a casework contact with each foster child at least once every month and recording each contact contemporaneous with the event.

Questions should be directed to your Child Welfare and Community Services Regional Office Director, as follows:

Buffalo Regional Office – Mary Miller
(716) 847-3145

User ID: Mary.Miller@ocfs.state.ny.us

Rochester Regional Office – Linda Kurtz
(585) 238-8201

User ID: Linda.Kurtz@ocfs.state.ny.us

Syracuse Regional Office – Jack Klump
(315) 423- 1200

User ID: Jack.Klump@ocfs.state.ny.us

Albany Regional Office – Kerri Barber
(518) 486-7078

User ID: Kerri.Barber@ocfs.state.ny.us

Spring Valley Regional Office – Pat Sheehy
(845) 708-2498

User ID: Patricia.Sheehy@ocfs.state.ny.us

New York City Regional Office – Patricia Beresford
(212) 383-4873

User ID: Patricia.Beresford@ocfs.state.ny.us

Native American Services – Kim Thomas
(716) 847-3123

User ID: Kim.Thomas@ocfs.state.ny.us

Sincerely,

s/s

Nancy W. Martinez, Director
Strategic Planning and Policy Development

cc: Directors of Service