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Governor

**NEW YORK STATE**  
**OFFICE OF CHILDREN & FAMILY SERVICES**  
52 WASHINGTON STREET  
RENSSELAER, NY 12144

**Gladys Carrión, Esq.**  
Commissioner

### **Administrative Directive**

<b>Transmittal:</b>	07-OCFS-ADM-06
<b>To:</b>	Local District Commissioners New York City Department of Juvenile Justice
<b>Issuing Division/Office:</b>	Administration
<b>Date:</b>	April 20, 2007
<b>Subject:</b>	Chargeback Rates for OCFS-Operated Facilities and Programs – Final 2001 Rates for Retroactive Reconciliation of Bills for January 1, 2001, through December 31, 2001
<b>Suggested Distribution:</b>	Directors of Services Accounting Supervisors
<b>Contact Person(s):</b>	See Section VI. Other
<b>Attachments:</b>	A – Final CY2001 Per Diem Chargeback Rates B – Final CY2001 “ADJUSTMENT” Per Diem Chargeback Rates C – Final CY2001 Levels of Care and Facilities
<b>Attachments Available Online:</b>	Yes

#### **Filing References**

<b>Previous ADMs/INFs</b>	<b>Releases Cancelled</b>	<b>Dept. Regs.</b>	<b>Soc. Serv. Law &amp; Other Legal Ref.</b>	<b>Manual Ref.</b>	<b>Misc. Ref.</b>
			Section 529 of Executive Law		

#### **I. Purpose**

The purpose of this Administrative Directive (ADM) is to issue final Calendar Year (CY) 2001 Per Diem Chargeback Rates for care provided to youth placed in facilities operated by the Office of Children and Family Services (OCFS).

Final CY2001 rates will be used as the basis for making adjustments to interim billings for the cost of care for billable youth placed in OCFS-operated facilities and programs during CY2001.

## II. Background

Chargeback rates for OCFS facilities are used for billing the care provided to youth placed in residential facilities and programs directly operated by OCFS. Rates used for such billing purposes are initially calculated and billed as “interim rates” subject to a reconciliation of the actual expenditures for each base period.

Localities are required to make payments based on interim rates that are charged to them on a quarterly basis in the OCFS quarterly cost-of-care bills. When “final” rates are determined for each level of care for a prior period, such rates are calculated based on the actual cost of care for that period, in accordance with Section 529 of the Executive Law. Bills that reconcile the differences between interim and final rates approved for prior periods are issued to localities for care provided to youth for whom they are responsible.

## III. Program Implications

All localities that had youth placed in OCFS-operated facilities during CY2001 will receive a final bill with adjustments for the difference between interim and finalized rates.

The following schedule specifies the time frame for issuing the final bill for CY2001. As specified in previous communications, the payment due date for the CY2001 final bill is extended to March 31, 2008.

Billing Year	Billing Type	Billing Qtr	Anticipated Billing Month	<u>Extended Time Frame for Payment Due</u>
CY2001	Final	All 4 quarters	April 2007	Pay by 3/31/08

**Regarding outstanding reconciliation bills for prior periods through CY2005, OCFS anticipates payment of one bill a year for the next 5 years, which begins with the CY2001 final bill that will be due by March 31, 2008. By providing extended payment due dates for outstanding prior periods, the intent is to give localities greater flexibility in planning for these retroactive adjustments.**

### A. Final CY2001 Chargeback Rates

The Final CY2001 rates specified in this ADM have been approved by DOB in accordance with Section 529 of the Executive Law. These rates will be used by OCFS to bill for the difference between interim and final rates for youth placed in applicable OCFS facilities during the period of January 1, 2001, through December 31, 2001. For such CY2001 reconciliation bills, each fiscally responsible local district will receive a set of three reports that are separate and distinct from the regular quarterly cost-of-care bills. Those reports will be labeled as follows:

1. One report will re-present the quarterly bills for CY2001 based on interim rates and applicable care days (labeled "OLD"). This report will reflect previous billings at interim rates.
2. A second report will re-present the quarterly bills for CY2001 based on final rates and applicable care days (labeled "NEW"). This report will reflect previous billings at final rates (specified in Attachment A).
3. A third report will present the reconciled differences between the "OLD" and the "NEW" reports as it relates to the changes from interim to final rates (labeled "ADJ"). Attachment B specifies the differences between interim and final rates (referred to as "ADJUSTMENT" Rates), which are reflected in the bills labeled "ADJ."

#### B. TANF Credits in Final CY2001 Chargebacks

The adjustment billings based on final CY2001 chargeback rates, where applicable, will include credits for the cost of certain services that could not be claimed to the federal Title IV-E program, but could be claimed to the federal program for Temporary Assistance for Needy Families (TANF). OCFS received such funds from the TANF program to offset the costs of non-Title IV-E services, such as counseling and education, for TANF-eligible youth placed in Title IV-E facilities. Each county that had TANF-eligible youth in a Title IV-E facility for the applicable period will receive a TANF offset to the cost of care charged for that youth. A bottom-line adjustment to the CY2001 adjustment bill, where applicable, will be made to reflect such an offset that will be represented as an overpayment on the face sheet of the chargeback bill.

#### IV. Required Action

Adjustment bills will be processed for CY2001 using the approved rates specified in this ADM, and localities will be required to pay the "ADJ" bills in accordance with the payment due schedule specified above.

Payments or correspondence about bills should be directed as follows:

NYS Office of Children and Family Services  
Care and Maintenance Claims Unit  
Capital View Office Park  
52 Washington Street  
Rensselaer, New York 12144-2375

## V. Systems Implications

All existing procedures for issuing chargeback bills will continue.

## VI. Other

Contacts for questions about the issues related to this ADM are as follows:

For questions concerning rate-related issues, please contact Emily Stewart, OCFS Rate Setting, at 518-474-2812, or Ken Norris, OCFS Rate Setting, at 518-486-3437. These individuals can also be contacted by email as follows: [Emily.Stewart@ocfs.state.ny.us](mailto:Emily.Stewart@ocfs.state.ny.us) or [Ken.Norris@ocfs.state.ny.us](mailto:Ken.Norris@ocfs.state.ny.us)

For payment questions, please contact Dennis Lassi of the Bureau of Financial Operations at (518) 474-0131, or by e-mail as follows: [Dennis.Lassi@ocfs.state.ny.us](mailto:Dennis.Lassi@ocfs.state.ny.us)

For placement-related questions about specific youth, please contact Ralph Morano of the Bureau of Classification and Movement at (518) 486-4642; or by e-mail as follows: [Ralph.Morano@ocfs.state.ny.us](mailto:Ralph.Morano@ocfs.state.ny.us)

Copies of this ADM should be shared with accounting supervisors and other staff associated with these programs.

## VII. Effective Date

This directive is effective as of the date of its issuance.

*s/s Edna Mae Reilly*

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**Issued By:**

Name: Edna Mae Reilly

Title: Acting Deputy Commissioner

Division/Office: Administration

**Attachment A****Final Calendar Year 2001 - Section 529 Per Diem Rates**

<b>Level</b>	<b>Program</b>	<b>Per Diem Rates</b>
1	Secure Residential Services	315.63
2	Limited Secure Residential Services	249.90
3	Non-Community Based Residential Services	258.13
4	Community Residential Homes	227.42
5	Family Foster Care	53.58
6	Evening Reporting Centers	115.03

**Final Calendar Year 2001 - Title IV-E Per Diem Rates**

<b>Level</b>	<b>Program</b>	<b>Title IV-E Per Diem Rates</b>
3	Non-Community Based Residential Services	238.35
4	Community Residential Homes	224.43
5	Family Foster Care	57.55

## Attachment B

**“ADJUSTMENT” Rates  
Final Calendar Year 2001  
Section 529 Per Diem Chargeback Rates**

<b>Level</b>	<b>Program</b>	<b>Per Diem Rates</b>
1	Secure Residential Services	71.99
2	Limited Secure Residential Services	32.17
3	Non-Community Based Residential Services	36.82
4	Community Residential Homes	21.15
5	Family Foster Care	-11.01
6	Evening Reporting Centers	19.52

**“ADJUSTMENT” Rates  
Final Calendar Year 2001  
Title IV-E Per Diem Chargeback Rates**

<b>Level</b>	<b>Program</b>	<b>Title IV-E Per Diem Rates</b>
3	Non-Community Based Residential Services	35.45
4	Community Residential Homes	-4.57
5	Family Foster Care	-4.42

## Attachment C

**Final Calendar Year 2001 Levels of Care and Facilities**

Secure Residential Services			
Brookwood	Harlem Valley	MacCormick	Tryon Girls

Limited Secure Residential Services			
Columbia*	Goshen**	Gossett	Highland
Industry School	Lansing	McQueen	Oatka
Pyramid Reception	Pyramid Transition	Taberg	Tryon Boys
Tryon Reception	Youth Leadership Academy		

Non-Community Based Residential Services			
Adirondack Residential	Adirondack Wilderness	Allen	Annsville
Auburn	Brace	Brentwood	Bronx
Brooklyn	Cass	Cattaraugus	Great Valley
Harriet Tubman (Cayuga)	Middletown	Red Hook	Staten Island Residential (Willowbrook)
Tryon Girls			

Community Residential Homes			
Albany	Brooklyn	Buffalo-Courtland	Buffalo-Richmond
Gloversville	Long Island (Wyandanch)	Rochester	Schenectady
Staten Island	Syracuse-E. Genesee	Syracuse-Salina	Westchester-Mt. Vernon

Family Foster Care			
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Evening Reporting Centers			
Bronx-Given	Bronx-Wilder	Brooklyn	Rochester

\* Became a limited secure facility on 6/8/00

\*\* Became a limited secure facility on 5/1/99