

CERTIFICATION OF AN EMERGENCY RULE
OFFICE OF CHILDREN AND FAMILY SERVICES

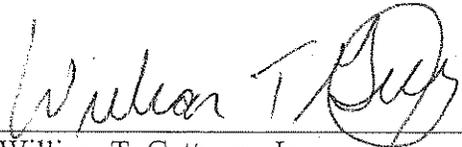
I, William T. Gettman, Jr., Executive Deputy Commissioner of the Office of Children and Family Services (OCFS), hereby certify that the attached amendments to sections 433.1, 433.3, 433.4, 434.1(a), 434.2(b), (d) and (e), 434.3(a) and 434.10(f), together with the repeal and creation of a new section 433.2 of Title 18 of the Official Compilation of Codes, Rules and Regulations of the State of New York; and amendments to sections 166-1.4, 180.3(h), (i), and (j), 180.5(b)(3), 182-1.2(i) and (j), 182-1.12(b), 182-2.2(h) and (i), and 182-2.11(b) together with the creation of a new subdivision (m) of section 180.3, a new subdivision (v) of section 182-1.2 and a new subdivision (r) of section 182-2.2 of Title 9 of the Official Compilation of Codes, Rules and Regulations of the State of New York were duly adopted by me and are effective January 17, 2009.

These amendments were adopted pursuant to the provisions of sections 20(3)(d) and 34(3)(f) of the Social Services Law; section 19 of Chapter 323 of the Laws of 2008, which authorized OCFS to file regulations on an emergency basis to implement standards relating to the protection of children in residential facilities from child abuse and neglect; and in accordance with Chapter 436 of the Laws of 1997 which transferred certain functions, powers, duties and obligations of the former Department of Social Services and all of the functions, powers, duties and obligations of the former Division for Youth to OCFS under which the Commissioner of OCFS may promulgate regulations on an emergency basis necessary to carry out the purposes of the agency.

The adoption of these regulations on an emergency basis is necessary to protect the health, safety and welfare of children in residential care by implementing the provisions of

Chapter 323 of the Laws of 2008, which relates to the protection of children in residential facilities from child abuse and neglect.

Dated: January 16, 2009



William T. Gettman, Jr.
Executive Deputy Commissioner