

+-----+
 | OCFs INFORMATIONAL LETTER |
 +-----+

TRANSMITTAL: 98 OCFs INF-1

TO: Commissioners of
 Social Services

DIVISION: Development
 and Prevention
 Services

DATE: October 1, 1998

SUBJECT: Family Type Homes for Adults: Revised Forms LDSS-2865
 Application for Approval, Family-Type Home for
 Adults and to OCFs-3122 Medical Evaluation (Resident)

SUGGESTED

DISTRIBUTION: Family Type Homes for Adults Coordinators
 Directors of Services
 Adult Services Staff
 Staff Development Coordinators

CONTACT PERSON: Any questions concerning this release should be
 directed to:
 Janet Morrissey at (518) 432-2987 or USER ID OPM100 or
 Carole Fox at(518) 432-2864 or USER ID AX5050

ATTACHMENTS: LDSS-2865 Application for Approval, Family-Type Home
 for Adults (not available on-line)
 OCFs-3122 Resident Evaluation (Resident)
 (not available on-line)

FILING REFERENCES

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
98 INF-9			460-e.1		
85 ADM-36		458	461-b		
89 ADM-29		489	Section 57		
95 INF-52			Workers'		
			Compensation		
			Law, Section		
			220.8 of DBL		

Date October 1, 1998

Trans. No. 98 OCFS INF-1

Page No. 2

The purpose of this release is to introduce the LDSS-2865 "APPLICATION FOR APPROVAL, FAMILY-TYPE HOME FOR ADULTS", (formerly DSS-2865), which has been updated to conform to requirements of the Workers' Compensation Law. This release also introduces OCFS-3122 "MEDICAL EVALUATION (RESIDENT) (formerly DSS-3122).

The New York State Workers' Compensation Law Section 57 and Section 220.8 of the Disability Benefits Law requires that prior to issuance of a certificate to operate a Family Type Home for Adults by the SOCFs, the applicant/operator must submit proof that the operator has obtained the required workers' compensation and disability benefits insurance coverage for any substitute caretakers in the operator's employ, or that the operator is not required to provide such coverage. This law was outlined for districts in our recent publication 98 INF-9 Family Type Home for Adults: Operators Required to Prove Workers' Compensation and Disability Benefits Insurance Coverage for Substitute Caretakers. This law applies to issuance of new certificates as well as renewal of such certificates. The revised DSS-2865, Application for Approval Family Type Homes for Adults, reflects the requirements of the New York State Workers' Compensation Law and Disability Benefits Law.

Section 7 of the LDSS-2865 has been revised by inserting the following into subsection b: "b. Proof of Coverage or No Need for Workers' Compensation and Disability Benefits," and realphabetizing the remaining items which were already part of Section 7 in the former DSS-2865.

Section IV of OCFS-3122 has been revised to allow the physician to check "yes" or "no" to the various questions regarding the resident.

The LDSS-2865 is to be utilized for all new and renewal applications submitted on or after November 1, 1998. The OCFS-3122 is to be utilized effective the date of publication of this Informational Letter.

Donald K. Smith
Acting Deputy Commissioner
Development and Prevention Services