

OFFICE OF CHILDREN AND FAMILY SERVICES

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| LOCAL COMMISSIONERS MEMORANDUM |
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Transmittal No: 99 OCFS LCM-36

Date: December 31, 1999

Division: Administration

TO: Local District Commissioners

SUBJECT: SFY 1999-2000 Additional State funding for Cost-of-Living Adjustment for Foster Care and/or Preventive Services Agencies

ATTACHMENTS: 1 Maximum Allocation Amounts
2 Plan Submission Form
3 Format For Specifying Proposed Foster Care and/or Preventive Services Contract Increases for SFY 1999-2000 COLA Allocation

The purpose of this memorandum is to advise local social services districts that the 1999-2000 Enacted Budget appropriates \$6 million in additional State funding for foster care and/or preventive services agencies. The legislation allows a local district to use these funds in State Fiscal Year (SFY) 1999-2000 "...to provide increases in the amounts the district contracts to reimburse foster care agencies and/or preventive services agencies by up to 2.5 percent above the rates or amounts the district contracted to pay for such services provided from July 1, 1998 to June 30, 1999 or the most recent 12-month contract period...". The distribution of funds will be according to the policy specified below.

Distribution of Funds to Local Districts

Pursuant to Chapter 53 of the Laws of 1999, the State will distribute the \$6 million in cost-of-living funds for SFY 1999-2000 in response to plans submitted by local districts and approved by the Office of Children and Family Services (OCFS). The allocations are based on the formula used to distribute the SFY 1999-2000 Family and Children's Services Block Grant (F&CSBG). Attachment 1 specifies the maximum allocation amount for each district, which is the amount each district would receive if it requests and is approved for the maximum amount. The \$6 million of funds are in addition to the F&CSBG allocation transmitted on December 9, 1999 to the districts in OCFS LCM 99-33.

Local District Submission of Plans and Plan Tracking

By January 31, 2000, each local district must submit its plan to distribute its requested portion of the \$6 million in cost-of-living funds pursuant to Chapter 53 of the Laws of 1999. A local district may distribute these funds to foster care and/or preventive services agencies, and the plan must specify whether these funds will be used for foster care only, for preventive services only, or for both. The local district has the option of supplementing its distribution plan with local funds. For districts which propose to allow increases to foster care providers through adjustments to rates for the most recent twelve month contract period, local districts may request OCFS to adjust the Maximum State Aid Rates (MSAR) to reflect adjustments resulting from the approved plans. The MSAR adjustment to voluntary agencies providing foster care qualifies for Federal reimbursement. Local districts need to consider the effect of the TANF MOE/foster care swap when determining the overall fiscal impact in the development of their plan. Local social services districts should continue to meet the non-Federal share of matching funds with State and/or local funds.

Each local district that intends to make a SFY 1999-2000 distribution of its allocation of the \$6 million in cost-of-living funds must submit a plan using the form in Attachment 2. As part of plan submission, local social services districts must submit Attachment 3. Section A of Attachment 3 should be completed to reflect any proposed adjustments to foster care rates. For foster care and/or preventive services contracts, which will be adjusted to reflect increases, Section B of Attachment 3 should be completed. Release of funds is contingent upon plan approval. If the local districts need to secure local governing body approval to implement the proposed plan, the district should submit the plan by January 31, 2000 absent the necessary local governing body approval. Upon local governing body approval of the district plan, the local district must notify OCFS. However, if the local governing body changes the district plan, the local district must refile the plan with OCFS for review and approval. Plans should be submitted to: Deborah J. Hanor, Director, Office of Budget Management, NYS Office of Children and Family Services, 52 Washington St., Room 329, Rensselaer, NY 12144-2796.

Claiming Instructions

Contract Payment Method: If a local district chooses to pay the cost of living increase via a lump sum payment to voluntary agencies providing foster care and/or preventive services agencies, the district will need to complete the special claim form DSS-3922. A supplemental report must be attached indicating the amount paid to each provider. The amount reported on the DSS-3922 will be compared to the local district allocation. Where the amount reported is less than the amount allocated to the local district on Attachment 1 under an approved plan, the amount will be recouped.

Per Diem Method: If a local district chooses to pay foster care providers the cost of living increase via adjustments to contracted rates, the district will not be required to complete a DSS-3922. The district will be required to follow the published guidelines and formulas for claiming foster care.

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Information/Questions

Questions pertaining to the allocations may be directed to Eric Petersen, Assistant Director, Office of Budget Management, (518) 402-3324.

Questions pertaining to the claiming instructions may be directed to Mr. Roland Levie (Regions I-IV) at 1-800-343-8859, extension 4-7549 (User ID #FMS001) or in Region V, Mr. Marvin Gold at 212-383-1733 (User ID #0FM270).

Melvin I. Rosenblat
Deputy Commissioner
of Administration

Attachment 1 - MAXIMUM ALLOCATION AMOUNTS (SFY 1999-2000 COLA)

District	Allocation
Albany	\$181,146
Allegany	17,552
Broome	55,826
Cattaraugus	25,709
Cayuga	19,397
Chautauqua	10,720
Chemung	18,205
Chenango	7,033
Clinton	3,825
Columbia	15,817
Cortland	12,909
Delaware	3,982
Dutchess	49,075
Erie	262,378
Essex	3,050
Franklin	6,827
Fulton	14,102
Genesee	3,499
Greene	10,243
Hamilton	56
Herkimer	9,059
Jefferson	25,919
Lewis	1,355
Livingston	5,209
Madison	21,358
Monroe	207,992
Montgomery	5,580
Nassau	146,766
Niagara	67,717
Oneida	86,465
Onondaga	126,271
Ontario	9,013
Orange	80,520
Orleans	3,473
Oswego	48,704
Otsego	11,851
Putnam	4,332
Rensselaer	41,348
Rockland	43,102
St. Lawrence	13,087
Saratoga	31,375
Schenectady	89,082
Schoharie	5,912
Schuyler	1,103
Seneca	8,008
Steuben	13,484
Suffolk	78,881

Attachment 1 (cont'd) - MAXIMUM ALLOCATION AMOUNTS (SFY 1999-2000 COLA)

District	Allocation
Sullivan	14,890
Tioga	8,513
Tompkins	7,625
Ulster	34,294
Warren	10,467
Washington	5,506
Wayne	15,223
Westchester	172,758
Wyoming	10,925
Yates	2,818
Upstate	\$2,191,336
NYC	\$3,808,664
Statewide	\$6,000,000

Attachment 2 - PLAN SUBMISSION FORM (SFY 1999-2000 COLA)

FOSTER CARE CONTRACTS (if applicable)

The _____ (name of local district) plans to distribute cost-of-living funds from the \$6 million SFY 1999-2000 allocation to an estimated _____ foster care contracts.

The estimated foster care cost of this distribution is \$_____ which assumes Federal, State and local funds as follows:

\$_____ (Federal) \$_____ (State) \$_____ (local)

The _____ (name of local district) will use its allocation of the \$6 million cost-of-living funds to provide an increase of _____ % to its foster care contracts (put in one number if the same increase will be across the board; or put in the word "varies"). (NOTE: If the increase will vary, a brief description of the rationale for using different percentages must be submitted along with this form. Also, the percentage increase to any one agency must not exceed a 2.5 percent increase in accordance with the requirements of this legislation.)

PREVENTIVE SERVICES CONTRACTS (if applicable)

The _____ (name of local district) plans to distribute cost-of-living funds from the \$6 million SFY 1999-2000 allocation to an estimated _____ preventive services contracts.

The estimated preventive services cost of this distribution is \$_____ which assumes Federal, State and local funds as follows:

\$_____ (Federal) \$_____ (State) \$_____ (local)

The _____ (name of local district) will use its allocation of the \$6 million cost-of-living funds to provide an increase of _____ % to its preventive services contracts (put in one number if the same increase will be across the board; or put in the word "varies"). (NOTE: If the increase will vary, a brief description of the rationale for using different percentages must be submitted along with this form. Also, the percentage increase to any one agency must not exceed a 2.5 percent increase in accordance with the requirements of this legislation.)

TOTAL REQUEST FOR FOSTER CARE AND/OR PREVENTIVE SERVICES CONTRACTS

Based on the above, the _____ (name of local district) requests a grand total of \$_____ (for foster care and/or preventive services contracts) in State funds for SFY 1999-2000 pursuant to Chapter 53 of the Laws of 1999. This total request assumes Federal, State and local funds as follows:

\$_____ (Federal) \$_____ (State) \$_____ (local)

Signature of Local District Official.... _____

Telephone Number..... _____

Attachment 3

FORMAT FOR SPECIFYING PROPOSED FOSTER CARE AND/OR PREVENTIVE SERVICES
 CONTRACT INCREASES FOR SFY 1999-2000 COLA ALLOCATION
 (use additional sheets as necessary)

A. FOSTER CARE PER DIEM RATE INCREASES (if applicable)

(1) Agency: _____

(2) Program Name	(3) 1998/99 Contract Agency Rate	(4) Estimated Per Diem Increase	(5) Estimated Gross Cost
_____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____

B. FOSTER CARE AND/OR PREVENTIVE SERVICES LUMP SUM PAYMENTS (if applicable)

(7) Contract Name	(8) Contract Amount For Prior Year Specify Period: ___/___ - ___/___ mo yr mo yr	(9) Contract Amount For New Year Specify Period: ___/___ - ___/___ mo yr mo yr
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____

Signature of Local District Official _____

Telephone
 Number..... _____

INSTRUCTIONS FOR COMPLETING ATTACHMENT 3

Using the format in Attachment 3, the Local District must specify the proposed SFY 1999-2000 COLA Allocation contract increases it will provide to its foster care and/or preventive services contracts. The Local District can either make copies of Attachment 3 to use as a form for specifying the necessary data, or it can create its own report using the format provided in Attachment 3.

A. Foster Care Per Diem Rates (if applicable)

The proposed increases to foster care per diem rates (if applicable) must be provided for each agency (and each program within an agency) that will receive a portion of the SFY1999-2000 COLA Allocation. The requested amounts for foster care contracts in Attachment 3 are defined as follows:

- (1) Agency - The name of the voluntary foster care agency.
- (2) Program Name - The name and type of program (e.g., Regular FBH; Diagnostic Institution; Mohawk Group Home; etc.)
- (3) 1998/99 Contract Agency Rate - The 1998/99 contracted foster care rate that was paid to the specified provider.
- (4) Estimated Per Diem Increase - The Local District's estimate of the per diem increase to be included in the 1999-2000 contracted foster care rate for the specified program (e.g., if the Local District will provide a 2.5% increase to a \$100 rate for an institution program, the Estimated Per Diem Increase would be \$2.50). NOTE: The percentage increase to any one contract must not exceed a 2.5 percent increase in accordance with the relevant legislation.
- (5) Estimated Gross Cost - The Local District's estimated gross dollar increase to be included in the 1999-2000 contracted foster care rate for the specified program (e.g., if the Estimated Per Diem Increase is \$2.50, and the Local District estimates using 3,650 care days in the specified program for the 1999-00 rate year, then the Estimated Gross Cost would be \$9,125 -- i.e., 3,650 times \$2.50).

B. Foster Care and/or Preventive Services Lum Sum Payments (if applicable)

The proposed increases to foster care and/or preventive services contracts (if applicable) must be provided for each agency (and each contract within an agency) that will receive a portion of the SFY1999-2000 COLA Allocation. The requested amounts for foster care preventive services contracts in Attachment 3 are defined as follows:

- (6) Agency - The name of the voluntary agency.

INSTRUCTIONS FOR COMPLETING ATTACHMENT 3 (continued)

(7) Contract Name - The name or type of contract (e.g., Foster Care, Homemakers; Aftercare; Counseling Services; etc.)

(8) Contract Amount for Prior Year - The contract amount that was paid to the specified provider for the prior period being designated as the base year for purposes of this increase. In accordance with the relevant legislation, the base year is defined as the period "...from July 1, 1998 to June 30, 1999 or the most recent 12 month contract period..."

(9) Contract Amount for New Year - The proposed lump sum payment contract amount that the Local District will pay to the specified provider for the period being designated as the new year for purposes of this increase.