

Summary of Substance

Section 404.1 (Redeterminations of financial eligibility)

The amendment changes the time period of the financial redetermination for a child in receipt of foster care maintenance payments from every six months to every 12 months.

Part 423 (Preventive Services Regulations)

The amendment clarifies who may perform casework contacts in preventive services cases.

Part 428 (Standards for Uniform Case Records)

The amendment simplifies and streamlines recording standards for children in foster care, families receiving preventive services and families in indicated reports of child abuse/maltreatment. The amendment establishes a new provision to provide standards regarding access to foster care records by adults who were former foster children. The amendment provides for the waiver of authority granted pursuant to Social Services Law section 153-k to allow a more flexible approach for documenting preventive service cases purchased from a public agency or a private voluntary agency, using an alternative evidence-based model of practice, so long as the substitution contains legally required data and OCFS grants approval. The amendment defines “community optional preventive services” and exempts such services from uniform case recording requirements if a waiver is requested and granted by OCFS.

Section 432.2 (Responsibilities of the Child Protective Service)

The amendment clarifies that identifying information regarding the reporter and/or source of a report of suspected child abuse or maltreatment must only be documented in progress notes maintained by the child protective service. The amendment clarifies who may perform casework contacts in child protective services cases.

Section 441.7 (Records and Reports)

The amendment conforms retention standards for foster care cases, inspection of records and reports, and access to foster care records by former foster children with standards currently established in Part 428. The amendment establishes procedures for the transference, notification and plan requirements concerning foster care case records when a voluntary agency ceases operation.

Section 441.21 (Casework Contacts)

The amendment clarifies who may perform casework contacts in foster care cases.

Section 465.1 (Child Care Review Service)

The amendment conforms standards for retention and expungement of records with standards currently established in Part 428.

Section 466.4 (Confidentiality)

The amendment amends confidentiality standards to include access to foster care records in accordance with Part 428.