



Amendments to 18-NYCRR 435 expand foster care respite provision to include therapeutic foster care placements and extend the amount of respite available to children in care. Respite is now tracked per child, instead of per family.

Preventive respites, provided to children who are NOT in foster care, are coded in Activities using Non-custodial codes, thus tracking the movement of children and use of foster homes for this type of placement.

With these changes, and a continued emphasis on accurately recording movements of children receiving services, it becomes even more important to be sure respites are accurately reflected in Activities coding. This tip sheet, for staff responsible for entering Activities Movement and Non-custodial codes, reviews proper coding of respites and outlines under what circumstances the placement module must be used.

The NYS Definition of Foster Care Respite

See the 2023 Administrative Directive titled “**Newly Adopted Extraordinary Level of Care and other Regulatory Changes**” for a complete description of changes.

New York State Social Services Regulation 18-NYCRR 435.3 states that, “A foster parent is eligible for respite care and services when one of the following conditions exists:

- 1) a foster child has special needs due to a high level of disturbed behavior, emotional disturbance or physical or health need, including, but not limited to, AIDS, HIV infection or HIV-related illness, which has placed excessive or unusual stress upon the foster parent(s) such that the placement of the child in the foster family home cannot be maintained unless temporary relief from the child-caring responsibilities of the foster parent(s) is provided and it is in the child's best interest to remain in the foster home; or
- 2) a foster parent demonstrates a need for additional support in order to continue caring for a foster child and a determination is made that:
 - i) without the provision of respite care and services the placement has little likelihood of being sustained; and
 - ii) it is in the child's best interest to remain in that foster family home; or
- 3) a foster parent is suddenly hospitalized due to accident, injury or illness; or
- 4) it is necessary for the foster parent(s) to be absent from the foster home when there has been a death in the immediate family of the foster parent(s).

Respite care and services are not appropriate for foster families where the immediate removal of a foster child from the foster home is necessary in order to preserve the child's health, safety or well-being.”

Regulation 18-NYCCR 435.5 further clarifies:

- Each respite episode must last for a minimum of 24 hours, and maximum of up to 30 consecutive days.
- A total of seven (7) weeks of respite per **child**, per year, is allowed.
- An extension is available when a parent is participating in a substance use disorder treatment program or there are extraordinary circumstances that warrant an additional respite stay as approved by the social services district.

Coding Foster Care Respites Correctly

Respites for both regular and therapeutic children must be coded as **absences** from placement, NOT as a change in placement location, by manual entry of the code M950 – CHILD BEGINS ABSENCE with the following modifiers:

- MOD A - The Vendor ID of the current placement will auto-fill
- MOD B - Reason for Absence modifier of **ST - Respite Care**
- MOD C - Number of Billable Days

Regular Service or Maintenance (POS 61) or Emergency Service and Maintenance (POS 62) payments will be made to the foster home up to the total number of billable days entered in the MOD C – Number of Billable Days field. ***If nothing is entered in this field, payment to the foster home will stop as of the date of the absence.***

Note: Reimbursement for the period of absence will be federally non-participating (FNP).

Coding a Return from Foster Care Respite

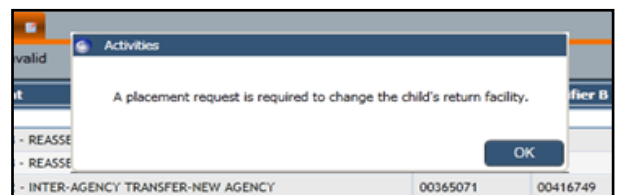
How a return from a respite is coded - and whether or not the placement module must be used - depends on whether or not a child returns to the same placement from which they left.

- **If the child returns to the SAME placement resource after the respite, the M960 – Return from Absence, should be manually entered in Activities.**

Date	Activity	Event	Modifier A	Modifier B	Modifier C
10/07/2019	Movement	M960 - CHILD ENDS ABSENCE	00416749		
10/01/2019	Movement	M950 - CHILD BEGINS ABSENCE	00416749	ST	07

- **If the child moves to a DIFFERENT placement resource following the respite period, the M960 is NOT entered manually. The placement module must be used.**

If direct entry of the M960 to a different resource is attempted, a pop-up message alerts that “A placement request is required to change the child’s return facility.”



- **These situations represent a change in placement resource (i.e., a transfer) and must be documented through the placement module.**

To enter a return to a different resource, a placement request must be initiated as either a multifacility or an exact search, depending on whether you are searching to identify possible resources or whether one is already known. Once the placement module steps are complete, the placement verified and the information saved to the Activities window, the M960 code will be automatically entered by the system.

Coding Preventive Respites Correctly

Preventive respites are respite stays provided to children who are not in foster care, but who are temporarily placed in a licensed foster home to mitigate a family or child need that puts the child at risk of foster care placement. **Use of the placement module and Movement codes are *not* appropriate for these children.** Instead, Non-custodial (N) codes are used to document a child's stay in a preventive respite placement.

N codes closely mirror M codes, but prevent the children from appearing on Foster Care rosters and other reports. Workers with the MAINTAIN ACTIVITY ENTRY Business Function must directly enter the N codes in Activities.

Coding an entry to preventive respite:

The N910 - NON-CUSTODIAL PLACEMENT code is used to begin a placement in preventive respite with the following modifiers:

- MOD A: Vendor ID of the FAD home where the child is to be placed
- MOD B: Out of Cnty/Bor Plc Rea, *if applicable*
- MOD C: Type of **20-PREVENTIVE RESPITE**

The screenshot shows a software form for entering a preventive respite. At the top right is a 'New' button. Below it are three dropdown menus: 'Date of Activity' (10/01/2023), 'Type of Activity' (Non-Custodial), and 'Event' (N910 - NON-CUSTODIAL PLACEMENT). A section titled 'Modifiers' contains three fields: 'Facility Id (Field A)' (empty), 'Out Cnty/bor Plc Rea (Field B)' (empty), and 'Type (Field C)' (20 - Preventive Resp). At the bottom right are three buttons: 'Save & Close', 'Save', and 'Reset'.

All absences or transfers occurring during a preventive respite stay should be documented in Activities using the appropriate N code.

Coding a discharge from preventive respite:

The N990 - DISCHARGE FROM NON-CUSTODIAL PLACEMENT code is used when a child leaves a preventive respite placement, with the following modifiers:

- MOD A - Vendor ID of the FAD home where the child was placed will auto-fill
- MOD B - Reason for Discharge

[New](#)

Date of Activity: 10/01/2023 * Type of Activity: Non-Custodial * Event: N990 - DISCH.FROM NON-CUSTODIAL PLACEM*

Modifiers

Facility Id : * Reason For Discharge : *

(Field A) (Field B)

- 550 - CLIENT'S REQUEST
- 553 - CASE NUMBR INCORRECT
- 570 - RETURN TO NAT.PARENT
- 571 - RELEASE TO RELATIVE
- 572 - RELEASE TO PRP
- 575 - RELEASE-OWN RESPONS.
- 576 - ENTER ADULT MENTAL H

In the event a child is placed in foster care during a preventive respite stay, the respite episode must be ended (N990) **before** the foster care placement may be navigated in the Placement Module.

Resources

- CONNECTIONS Job Aids and Tip Sheets:
<http://ocfs.state/connect/jobaides/jobaides.asp>
- CONNECTIONS Regional Implementation Staff:
<http://ocfs.state/connect/contact.asp>
- CONNECTIONS Application Help Mailbox:
ocfs.sm.conn_app@ocfs.state.ny.gov
(NOTE: address contains an underline)

ITS Enterprise Service Desk
1-844-891-1786

A helpdesk ticket is now required before submitting an issue to the App-Help mailbox.