



## Office of Children and Family Services

**ANDREW M. CUOMO**

Governor

**SHEILA J. POOLE**

Commissioner

**To:** New York State Department of State - Division of Administrative Rules

**From:** Frank J. Nuara, Associate Attorney

**Date:** January 14, 2020

**Re:** OCFS 2020 Regulatory Agenda

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Pursuant to section 202-d of the State Administrative Procedure Act (SAPA,) the Office of Children and Family Services (OCFS) is required to publish a regulatory agenda for those regulations it is considering for publication in the State Register. Set forth below is an agenda for 2020. OCFS reserves the right to add, delete or modify, without further notice, except as required by SAPA, any item or information presented herein as relating to its 2020 Regulatory Agenda. Section 202-d of SAPA does not preclude OCFS from proposing for adoption a regulation that is not described in this agenda, nor does it require OCFS to propose for adoption a regulation that is described in this agenda.

Amendment of Subpart 180-1 of Title 9 of the New York Codes, Rules, and Regulations (NYCRR) to implement uniform standards and procedures for the establishment and operation of non-secure detention facilities. A regulatory flexibility analysis and rural area flexibility analysis may be required.

Addition of Subpart 180-2 of Title 9 of the NYCRR to implement uniform standards and procedures for the establishment and operation of secure detention facilities. A regulatory flexibility analysis and rural area flexibility analysis may be required.

Addition of Subpart 180-4 of Title 9 of the NYCRR to implement uniform standards and procedures for the administration of non-secure, secure, and specialized secure detention facilities. A regulatory flexibility analysis and rural area flexibility analysis may be required.

Repeal and replace Part 182 of Title 9 of the NYCRR to update the Runaway and Homeless Youth Regulations. A regulatory flexibility analysis and rural area flexibility analysis may be required.

Repeal and replace Part 449 of Title 18 of the NYCRR to update the Supervised Independent Living Programs Regulations. A regulatory flexibility analysis and rural area flexibility analysis may be required.

Repeal Part 726 of Title 18 of the NYCRR which requires a minimum 75% direct blind labor for blind-made goods made for the preferred source program. The purpose of this repeal is to align NYSCB standards with those of the New York State Procurement Council, which has since issued standards which allow for the approval of service projects where there is a minimum 51% (direct) blind labor. This repeal would conform to Procurement Council standards while allowing for a lower ratio of blind to non-blind labor to secure a preferred source contract.

Amendment of Part 466 of Title 18 of the NYCRR to address the confidentiality of information relating to adoption subsidy and adoption services. A regulatory flexibility analysis and rural area flexibility analysis may be required.

Amendment of Part 443 of Title 18 of the NYCRR relating to the definitions and procedures for emergency foster homes. A regulatory flexibility analysis and rural area flexibility analysis may be required.

Any questions, comments, or requests for information concerning the items listed in this agenda may be referred to Frank Nuara, Associate Attorney, Office of Children and Family Services, 52 Washington Street, Rensselaer, NY 12144, (518) 474 - 9778. Email: [REGCOMMENTS@ocfs.ny.gov](mailto:REGCOMMENTS@ocfs.ny.gov) This regulatory agenda may also be accessed on OCFS's website at: <https://ocfs.ny.gov/main/legal/Regulatory/>