



Office of Children and Family Services

KATHY HOCHUL
Governor

SHEILA J. POOLE
Commissioner

CERTIFICATION FOR AN EMERGENCY ADOPTED RULE OFFICE OF CHILDREN AND FAMILY SERVICES

I, Sheila J. Poole, Commissioner of the New York State Office of Children and Family Services (OCFS), hereby certify that the attached addition of Part 338 to Title 18 of the New York State Codes, Rules & Regulations are duly adopted by me. This addition is adopted pursuant to the provisions of sections 20(3)(d) and 34(3)(f) of the New York State Social Services Law, under which the Commissioner of OCFS may promulgate regulations necessary to carry out the purposes of the agency. I determined that it is necessary for the preservation of the general welfare that this amendment be adopted on an emergency basis as authorized by section 202(6) of the State Administrative Procedure Act, effective immediately upon filing with the Department of State.

These amendments are adopted as an emergency measure because time is of the essence. They are required on an expedited basis to maintain the general health, safety, and welfare of children. With the emergence of the Delta variant accounting for 95% of recent sequenced positives in New York State, these regulations are necessary, on an emergency basis, to protect the health and safety of youth in congregate settings overseen by OCFS.

Dated: September 15, 2021

A handwritten signature in black ink, appearing to read "S. Poole", written over a horizontal line.

Sheila J. Poole
Commissioner