



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 amendments to Part 415 of Title 18 of the Official Compilation of Codes, Rules and Regulations of the State of New York are duly adopted by me. These amendments are 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 the children. They are necessary to expeditiously expand access to child care assistance and allow OCFS to obligate and liquidate funds allocated to the Block Grant for Child Care in accordance with timelines under the federal Coronavirus Aid, Relief, and Economic Security Act, the Coronavirus Response and Relief Supplemental Appropriations Act of 2021, the American Rescue Plan Act, and New York State budget appropriations. These amendments also revise the sliding fee scale for families receiving childcare services that are required to pay an income-based portion of a family share. Previously, social services districts had the option to choose an income factor of 10 to 35 percent; districts will now have to choose an income factor of at least 1 but no more than 10 percent. This revision is necessary to implement a statutory amendment to Social Services Law Section 410-x(6).

A Notice of Emergency Adoption and Proposed Rule Making was published in the State Register on July 7, 2021 under ID. No. CFS-27-21-00001-EP.

Dated: August 30, 2021

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

Sheila J. Poole
Commissioner