

NEW YORK STATE

DEPARTMENT OF SOCIAL SERVICES

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Arthur Y. Webb
Acting Commissioner

[An Administrative Directive is a written communication to local Social Services Districts providing directions to be followed in the administration of public assistance and care programs.]

ADMINISTRATIVE DIRECTIVE

TRANSMITTAL NO.: 82 ADM-71
[Services]

TO: COMMISSIONERS OF SOCIAL SERVICES
SUBJECT: ESTABLISHING SUPERVISED INDEPENDENT LIVING PROGRAMS FOR FOSTER CARE

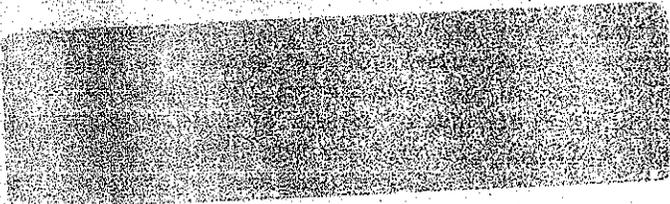
DATE: November 16, 1982

SUGGESTED DISTRIBUTION: ALL CHILD WELFARE STAFF
ALL VOLUNTARY CHILD CARE AGENCIES
ACCOUNTING SUPERVISORS

CONTACT PERSON: Any questions concerning the programmatic implications of this release should be directed to the appropriate Regional Office Director of the Department. Any questions concerning rate setting should be directed to Mr. Joseph A. Della Rocca, Bureau of Resource Management, 1-800-342-3715, extension 3-1496.

I. Purpose:

The purpose of this release is to outline the requirements necessary for the establishment of Supervised Independent Living Programs. New Department Regulations, Part 449, provide for establishing authority to operate Independent Living programs as an extension of existing group foster care program(s) and enables authorized agencies to develop appropriate placement plans for adolescents who will be discharged to their own responsibility.



FILING REFERENCES

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Social Services Law and Other Legal References	Bulletin/Chapter Reference	Miscellaneous References
		449	20(3)(d) 34(3)(f) 374-b 374-c 374-d	M.B. 200	

II. Background

In 1978, approximately 1870, in 1979, approximately 1853, and in 1980 approximately 1666 children in foster care were discharged to their own responsibility. In the absence of transitional programming for adolescents for whom "discharge to own responsibility" was the appropriate objective, children were often overwhelmed by the adult responsibilities which living alone involves. This program was developed to provide group foster care programs, especially institutions and group residences, with a treatment approach which is appropriate when attempting to assist children whose plan of care is discharge from care to their own responsibility to adjust to living independently. Through this program, children in the care of an authorized child care agency are allowed to live in the community with supervision by agency staff, as a transitional experience. This transitional experience is intended to provide children with experience in the more realistic environment of an apartment, coupled with on-going supportive counseling and treatment, medical services, training, including training in job seeking skills and use of community resources.

The programs are intended to be flexible and adapted to the needs of each child. Depending on the needs of the child, the program may range from close staff supervision with a staff member living in the unit with the child, to a less structured situation where the child(ren) lives independently and receives semi-weekly visits from staff members who provide consultation. Children placed in Supervised Independent Living Programs, of course, continue to receive all necessary and available services provided by the sponsoring agency.

III. Program Implications

The regulations of the State Department of Social Services were amended by the addition of a new Part 449, on 10/10/80. Part 449 defines Supervised Independent Living as a component of group foster care programs, in which component the foster children in the care of an authorized child care agency are allowed to live in the community with supervision by agency staff. It is also defined as a transitional experience, when the child's plan is discharge to own responsibility. In such programs, sponsoring agencies should select adolescents and young adults to participate in the program on the basis of age, maturity, and readiness for discharge. The local district having legal responsibility for the child must give written approval to the agency prior to the child being transferred to the independent living program.

Prior to giving written approval, the local district must ensure that:

1. The child is at least 16 years of age and has been in the care of the authorized agency operating the program for at least three months before entering the program.

2. The child was selected for the program on the basis of age, maturity and readiness for discharge.
3. The discharge goal is to own responsibility and no other permanency goal is appropriate for the child.
4. The child will be discharged from care within twelve months after placement in the program and that a discharge service plan is established.
5. The program has received written approval from the Department, which indicates that it is in compliance with all appropriate laws and regulations.

IV. Required Action

For an authorized child care agency to operate a Supervised Independent Living program, the following conditions must be met:

1. It must hold a valid operating certificate for one or more group foster care program(s).
2. a. Each independent living unit must meet the physical requirements applicable to agency boarding homes under 18-NYCRR 447.2(b) and may consist of a house or apartment, rented or owned by the authorized agency.
b. The units shall not be immediately adjacent to or located on the same grounds as any other of the agency's facilities.
3. Each unit may only house a maximum of two (2) children. If two children are housed in a unit, they must be of the same sex.
4. The child(ren) housed in these units may not be less than sixteen (16) nor more than twenty-one (21) years of age.
5. Designated agency staff member or members shall provide ongoing supervision. Such staff member may live within the unit. If such staff does not live in the unit, they must visit and consult with the child at least semi-weekly.
6. The program shall consist of, but not be necessarily limited to, providing the child with counseling and training, including training in job seeking skills, housing and transportation resources, health maintenance programs, home making skills, e.g., shopping, budgeting, apartment maintenance, and such other education and training necessary for living in the community.

Prior to initiation of a program, the agency must send a letter of intent to operate a supervised independent living program to the appropriate Regional Office of the Department of Social Services, accompanied by a narrative application for approval. The narrative application shall include:

1. A program description stating the purpose of the program; the type, number and age of the children to be served; anticipated length of stay in the program; treatment approach and services available to the children that are not already available as part of regular programming.
2. An itemized budget indicating what new costs, direct and allocated are to be attributed to the supervised independent living program.

The agency must receive in writing, a letter of approval to operate a supervised independent living program, from the Deputy Commissioner, Division of Family and Childrens Services, prior to any child being transferred to the program. The Department will not reimburse any local district for the cost of care of a child who has been transferred to independent living prior to receiving this official approval.

V. Additional Information

1. Supervised independent living programs are extensions of other group foster care programs and as such shall be considered to be part of the certified facility for purposes of record keeping and child care services and for purposes of calculating the capacity of such facility. For example, Agency A receives approval to operate a supervised independent living program and elects to have two children reside in the unit. One child is transferred from Agency A's institution program (capacity 100) and one child from its group home (capacity 10). For the purposes mentioned above, Agency A can only fill 99 beds in its institution while that child remains in care and 9 beds in its group home program while that child remains in care. Further, in this example, half of the costs of the independent living unit would be charged to the institution program and half to the group home program. Only children residing in group foster care programs, ie., institutions, group residences, group homes, and agency boarding homes, are eligible for transfer to independent living programs.

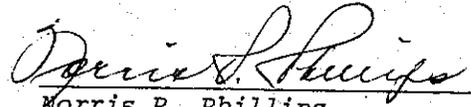
The maximum state aid rate for the children mentioned in the above example will be determined by the program from which the child was transferred, excluding specialized rates such as critical level or group emergency, etc. The district will pay the rate that was negotiated for the institution for one child and for the group home for the other child. Therefore, there will not be a need for a separate contract for these programs.

An authorized agency which operates an approved supervised independent living program shall report its costs as a separate cost center on the annual Standards of Payment fiscal reports. This is to ensure that the costs are readily identifiable in the future when the Department may opt to change the reimbursement methodology for these programs.

2. WMS/CCRS

Supervised Independent Living Programs are a component of group foster care programs, therefore, no additional processing is required to reflect the independent living situation when authorizing WMS/CCRS Services cases.

The effective date of this release is July 1, 1982.



Norris P. Phillips
Deputy Commissioner
Division of Services

