

NEW YORK STATE
 DEPARTMENT OF SOCIAL SERVICES
 40 NORTH PEARL STREET, ALBANY, NEW YORK 12243



CESAR A. PERALES
 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.: 85 ADM-52
 [Family & Children Services]

TO: Commissioners of Social Services
 Directors of Authorized Agencies

SUBJECT: Child Returning to Family Boarding Home
 Following Placement in a Foster Care Institution

DATE: December 23, 1985

SUGGESTED DISTRIBUTION: Child Welfare Staff



CONTACT PERSON: Any questions regarding this release should be directed to Mr. Jamie Greenberg, Office of Policy Planning, Division of Services, 1-800-342-3715, Extension 4-9591.

I. Purpose

The purpose of this release is to advise local districts and authorized agencies of the provisions of Chapter 127 of the Laws of 1985 which requires the placement of a child who is leaving a foster care institution to be made with the foster parents with whom the child was last placed, irrespective of whether the foster home is currently boarding its maximum licensed/certified capacity, when such placement is in the child's best interests.

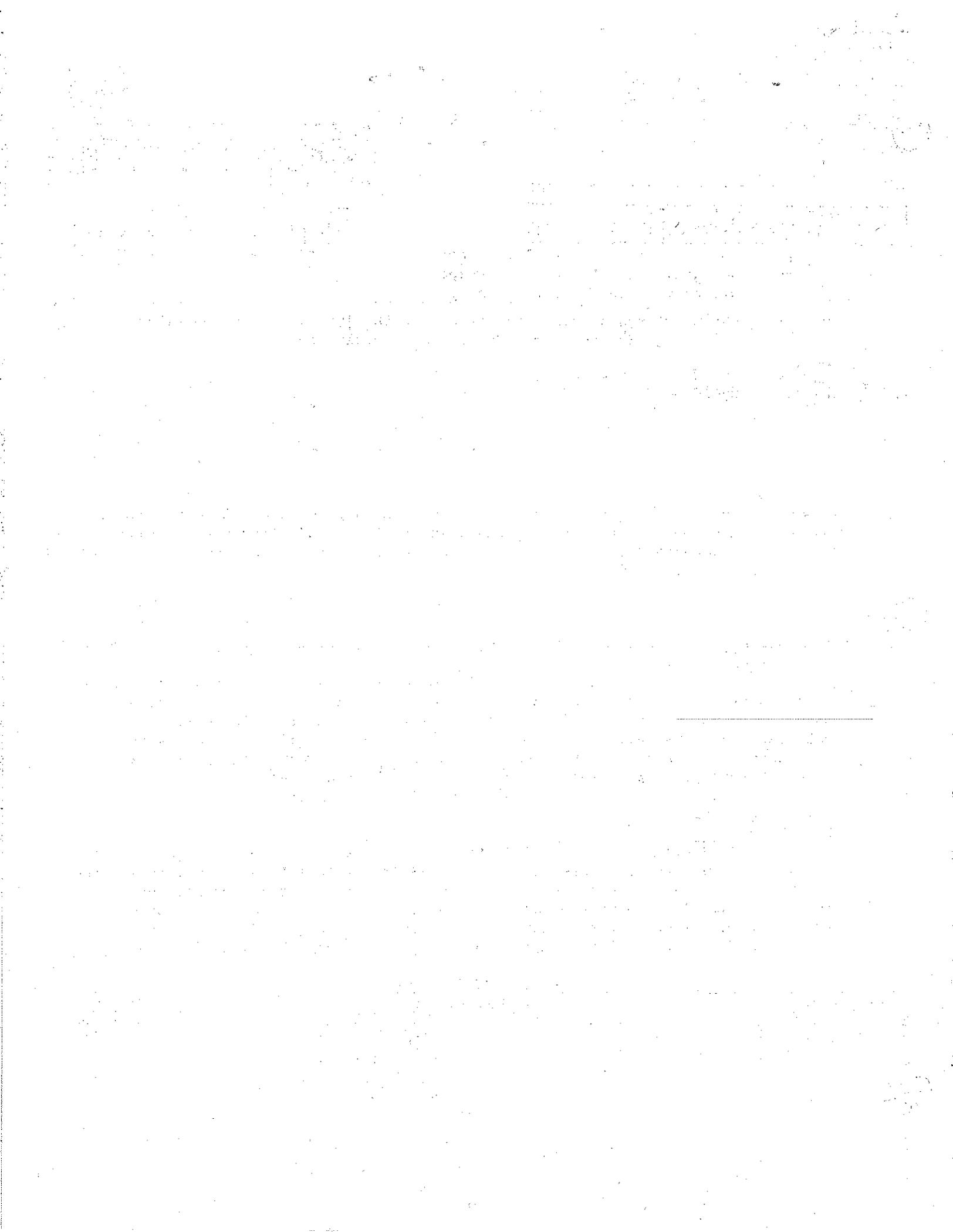
II. Background

Subdivisions 3 and 4 of Section 378 of the Social Services law describe the maximum number of children a licensed or certified foster home may board at any given time. Chapter 204 of the Laws of 1981 added a new paragraph (n) to Section 398.6 of the Social Services Law which required that a child returning to foster care following a interruption in care be placed in the

FILING REFERENCES

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Social Services Law and Other Legal References	Bulletin/Chapter Reference	Miscellaneous Reference
82 ADM-62			SSL 398.6 SSL 378.3 SSL 378.4		

DSS-296 V. 8/82



same foster home, when this was in the best interest of the child. This was to be done without regard to whether such foster home was already at its maximum licensed/certified capacity. This amendment did not, however, provide an exception to exceed the maximum capacity in situations when a child needed to be replaced in the previous foster home after an intervening period during which the child has been placed in a higher level of foster care.

III. Program Implications

After the effective date of Chapter 127 of the Laws of 1985 districts and agencies can place a child in the foster home that the child had been previously located prior to being placed in institutional care for a period of time, without regard to whether the foster home is at its maximum capacity. In instances where a child needs to be temporarily placed in a higher level of foster care the child's emotional and physical well being will usually be enhanced by returning to the same foster home.

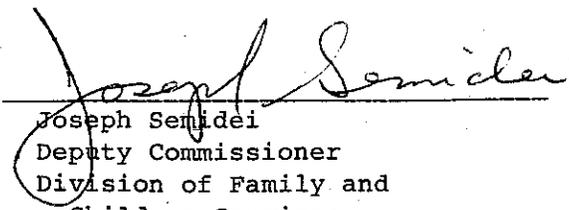
IV. Required Action

When circumstances arise that a child is ready to be discharged from an institutional foster care facility to a foster home and where such child was previously residing in a foster home prior to being placed in the institutional facility, the district or agency case planner should make a determination as to whether the child's best interests would be served by the child being placed in the foster home where he/she previously resided. In situations where it has been determined that the child's best interests will be met by returning the child to the previous foster home, such placement shall be made irrespective of whether that foster home is already at its maximum licensed/certified capacity.

If an agency or local district places a child in a foster home which is already at its maximum capacity in accordance with the provisions of Chapter 127 of the Laws of 1985 or of Chapter 204 of the Laws of 1981 it shall provide either telephone or written notice to the pertinent Division of Children and Family Services Regional Office of such placement and note it in the foster boarding home record.

V. Effective Date

This release becomes effective July 27, 1985, the date that Chapter 127 of the Laws of 1985 became effective. Chapter 127 of the Laws of 1985 is attached for your information.

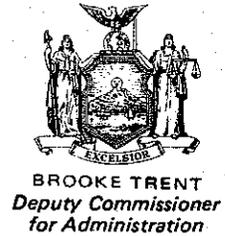


Joseph Semidei
Deputy Commissioner
Division of Family and
Children Services

Attachment

NEW YORK STATE
DEPARTMENT OF SOCIAL SERVICES
40 NORTH PEARL STREET, ALBANY, NEW YORK 12243

CESAR A. PERALES
Commissioner



LIBRARY
10D

A03

January 17, 1986

To: Commissioners of Social Services

Re: Attachment for 85 ADM-52
(Child Returning to Family
Boarding Home Following
Placement in a Foster Care
Institution)

The enclosed copy of Social Service Law #4504-A was
inadvertently left off of the above-indicated Administrative
Directive.

Sincerely,

Pat Bartlett
Director
Office of Support Services

Enclosure

1. Introduction

The purpose of this study is to investigate the effects of various factors on the performance of the system. The study is organized as follows: Section 2 describes the methodology, Section 3 presents the results, and Section 4 discusses the conclusions.



2. Methodology

The methodology used in this study is based on a series of experiments designed to measure the system's performance under different conditions.

The first experiment was conducted to determine the effect of the input variable on the output. The results showed that the output increases as the input increases, and the relationship is approximately linear.

The second experiment was designed to investigate the effect of the output variable on the input. The results showed that the input decreases as the output increases, and the relationship is approximately inverse.



The third experiment was conducted to determine the effect of the system parameters on the performance. The results showed that the performance is highly sensitive to the system parameters, and small changes can lead to significant differences in the output.

3. Results



STATE OF NEW YORK

4504--A

1985-1986 Regular Sessions

IN ASSEMBLY

March 4, 1985

Introduced by M. of A. VANN, PATTON, GREENE -- (at request of the Department of Social Services) -- read once and referred to the Committee on Children and Families -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the social services law, in relation to the foster care of children

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Paragraph (n) of subdivision six of section three hundred
2 ninety-eight of the social services law, as added by chapter two hundred
3 four of the laws of nineteen hundred eighty-one, is amended to read as
4 follows:

5 (n) When it is in the best interest of the child, place a child who is
6 being returned to foster care, following an interruption in care, or a
7 child who is being returned to a family boarding home following place-
8 ment in a foster care institution with the foster care parents with whom
9 that child was last placed, notwithstanding the provisions of subdivi-
10 sions three and four of section three hundred seventy-eight of this
11 chapter.

12 § 2. This act shall take effect on the sixtieth day after it shall
13 have become a law.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[] is old law to be omitted.

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