

# ADMINISTRATIVE DIRECTIVE

NEW YORK STATE DEPARTMENT OF SOCIAL SERVICES  
40 North Pearl Street  
Albany, New York 12243  
Cesar A. Perales, Commissioner



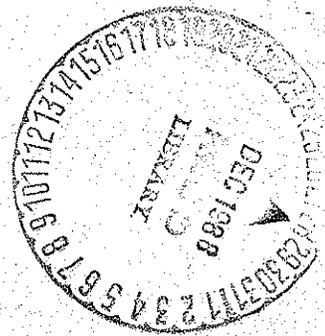
TRANSMITTAL NO: 88 ADM-54

DATE: December 23, 1988

DIVISION: Family and Children Services

TO: Commissioners of Social Services  
Directors of Voluntary Agencies

SUBJECT: Foster Parent Finders Fee



SUGGESTED DISTRIBUTION:

Accounting Supervisors  
Home Finding Staff  
Directors of Family and Children Services  
Staff Development Coordinator

CONTACT PERSON: Jack Spillan, Bureau of Resource Management, phone 1-800-342-3715, Extension 6-3437.

**I. PURPOSE**

The purpose of this directive is to advise you that the Department is implementing a policy of incentive awards for currently certified foster parents.

**FILING REFERENCES**

Previous ADMs/INFs	Releases Cancelled	Department Regs.	Social Services Law and Other Legal References	Manual References	Miscellaneous Reference
			Section 398-a of the SSL Chapter 53 of the Laws of 1988	Manual Bulletin 200	Dear Commissioner Letter 1/25/88

## II. BACKGROUND

During the past two legislative sessions, efforts have been made to enact provisions which would have required the Department to implement a "finders fee" to be paid to foster parents who recruit other homes which are eventually certified. It has been the position of the Department that this activity can be implemented administratively without the use of legislation. Accordingly, we are proposing the implementation of a "foster parent finders fee" payment mechanism during the current fiscal year. This proposal is designed to allow a local social services district to pay up to \$200 for each new certified home. This one-time payment would serve as an incentive for existing certified and approved foster parents to recruit potential homes through the informal community/neighborhood system.

## III. PROGRAM IMPLICATIONS

This type of reimbursement will be a major INCENTIVE for experienced foster parents to recruit new foster families and help reduce the bed shortage that presently exists. Participation by local districts is not mandatory. Those districts which choose to participate will be reimbursed up to a maximum of \$200 per home which is certified. Participating districts may, at their discretion, pay different amounts but state reimbursement is available to the maximum of \$200.

## IV. REQUIRED ACTION

### A. Program Action:

Local districts which choose to adopt a policy which provides cash incentives to certified or approved foster parents for recruiting new homes should make known their policy to foster parents. The policy should be equally applied to both certified and approved homes and make no distinctions as to the level of payments. Direct cash payments may be made in full to the certified or approved foster parent only when the home, which they found and recruited, is initially certified and receives its first child.

The reimbursement method of paying up to \$200 per home works well where districts use it for their own direct care foster care program or where the district is the sole purchaser of the foster care program of a voluntary agency. However, where voluntary agencies serve more than one district, particularly where user districts have developed differing positions on this policy, inequities to certain districts may arise. To address this problem, it is suggested that if a voluntary agency serving multiple districts determines that in order to advance its program goals, it needs to recruit more homes through the implementation of this special payment policy, it may stipulate, as a condition for contracting, that all local social services districts purchasing foster boarding home services participate by making payments above the per diem administrative services rate to cover the costs of special payments to foster parents.

**B. Fiscal Reporting and Claiming Action:**

The \$200 will be reimbursed as an administrative cost. Payments should be made from the foster care administrative appropriation.

This incentive fee of up to \$200 should be paid as a separate payment to either the foster parent by the local district or through the voluntary agency to the foster parent. If the payment is through the voluntary child care agency, the voluntary agency should report the expenditure in Account 45, Special Payments, on the Standards of Payments Cost Report. The payment is not to be included in the FBH administrative/services rate. This payment will be reimbursed as a local district administrative cost.

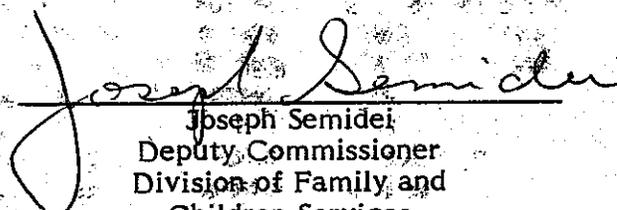
Incentive payments are to be listed on the form DSS-923 (Cost Allocation - Schedule of Payments - Administrative Expenses Other Than Salaries) using object of expense code 10 (Reserved Accommodations, Foster Care) under function code F2 (General Services). These expenditures will be reported on line A.2 (Other Identified Costs) of the Schedule D-2 (Allocation for Claiming of General Service Expenditures, DSS-2347-B of reimbursement. To determine the Federal and State shares of reimbursement, follow the procedure used for Reserved Accommodations Bulletin 143b.

**V. SYSTEMS IMPLICATION**

None

**VI. EFFECTIVE DATE**

This Administrative Directive is effective January 1, 1989, retroactive to December 1, 1987.

  
Joseph Semidei  
Deputy Commissioner  
Division of Family and  
Children Services



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appropriate, the title(s) of the panel members, the names of the invited participants who attended the case conference and the date of the conference. Attendance by the invited participants or their representative will indicate that the two-week notice requirement of section 430.12(c)(2)(i)(b) has been met. When the invited participants do not attend the case conference the efforts made to involve them in the case conference and the efforts made pursuant to clause (b) of subparagraph (1) of this paragraph must be documented.

Subparagraph (i) of paragraph (3) of subdivision (c) of section 430.12 is amended to read as follows:

(3) Casework contacts. (i) Standard. Casework contacts with the child, the child's caretakers, the child's parents or relatives, if any, [shall] must adhere to the standards mandated in section 431.16 of this Title. [In addition, the number of casework contacts required to occur in the parent's or relative's home shall adhere to the standards mandated in section 431.16. Contacts between the caseworker and the parents or relatives shall be scheduled to occur in the home of the parent or relative as often as is practicable, and in no case for less than 50 percent of the required contacts, unless the parents or relatives specifically request otherwise, or unless the necessity of placement for the child is based wholly on the reason described as child service needs, as defined in section 430.10(c)(5) of this Part. In the case of children 13 years or older placed by the court as PINS or juvenile delinquents in an institution more than 100 miles from their homes, the requirement for contacts in the parents' home shall be waived. At the time a discharge plan is developed for the child, appropriate in-home contact with the parents shall be arranged.] Notwithstanding any other

provision of this paragraph, the standards concerning casework contacts with the child are deemed to be met by the district for any child who has been placed in a facility operated or supervised by the Office of Mental Health [or], Office of Mental Retardation and Developmental Disabilities or the Department of Health.

(Deleted material [brackets]; new material underlined.)

(1) the child, if he or she is 10 years of age or older, unless there is a documented reason related to the current necessity of placement why the child should not be involved;

(2) the parent(s), guardian(s), or, in the case of a child whose permanency planning goal is discharge to a relative, the relative to whom the child will be discharged; and

(3) in the case of an Indian child, the child's tribe if known, and where possible, a qualified expert witness as defined in section 431.18(a)(5) of this Title.

(b)(1) The efforts to involve the participants listed in clause (a) of this subparagraph must include, but are not limited to:

(i) written notice to each participant at least two weeks prior to the case conference inviting them to attend, giving the date, time and location of the conference and informing them that they may be accompanied by a person(s) of their choice, and

(ii) where possible, face to face contact by the case planner with the invited participants who were unable to attend the case conference no later than 30 days after the date the case conference was held.

(2) During the face to face contact required by item (ii) of subclause (1) of this clause, those invited participants who were unable to attend the case conference must be given a summary of the service plan for the child which at a minimum must include the following:

(i) new or continued goals and anticipated completion dates for such goals;

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(ii) tasks which describe the activities to be completed within the upcoming review period, and the family members and/or the service provider who are to perform each activity;

(iii) an updated visiting plan for children in foster care;

(iv) documentation stating the involvement of the parent, child and any others in the development of the service plan as required by sections 428.3(d) and 428.9 of this Title, and a listing of the participants in the service plan review; and

(v) a review of the previous service plan, which describes the progress in meeting or completing previously stated goals and tasks, the participation of family members in the process, and the service provision problems, if any, during the period under review.

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Upon presentation of the service plan documents described in subclause (2) of this clause to the invited case conference participants, the contents will be discussed, or, in the event that such face to face contact is not possible, a letter stating that a case conference was held will be sent to the invited participant(s). The letter must inform the invited participant(s) that a copy of the documents described in subclause (2) of this clause will be made available to them upon request.

Subparagraph (ii) of paragraph (2) of subdivision (c) of section 430.12 is repealed and a new subparagraph (ii) is added to read as follows:

(ii) Documentation. The assessment and service plan required by the uniform case record must indicate the names and, where

Paragraph (8) of subdivision (b) of section 428.7 is amended to read as follows:

(8) a summary which documents the involvement of the parent, child and any others in the development of the service plan, [and a listing of the participants in the service plan review] as required by sections 428.3(d) and 428.9 of this Part[;] and section 430.12 of this Title and a listing of the participants in the service plan review; and

Paragraph (10) of subdivision (b) of section 428.8 is hereby amended to read as follows:

(10) a summary which documents the involvement of the parent(s) and child(ren) and any others in the development of the service plan, [and a listing of the participants in the service plan review] as required by sections 428.3(d) and 428.9 of this Part[;] and section 430.12 of this Title and a listing of the participants in the service plan review; and

Section 428.9 is repealed and a new section 428.9 is added to read as follows:

428.9 Service plan review for foster care cases. The service plan review and case conference must be conducted in accordance with the requirements of section 430.12 of this Title and must be documented in the uniform case record in accordance with the requirements of sections 428.7(b)(8) and 428.8(b)(10) of this Part and section 430.12 of this Title. The term foster care case includes children who are legally free for the purpose of adoption.

Subparagraph (i) of paragraph (2) of subdivision (c) of section 430.12 is amended to read as follows:

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(i) Standard. A panel of at least two people [shall] must participate in the development and review of each comprehensive assessment and service plan as required under section 428.7 of this Part and all subsequent service plans as required in the reassessment and service plan reviews as required under section 428.9 of this Part. The panel [shall] must include the case planner and an administrator or other person not responsible for the case management or delivery of services to that case. The review panel [shall] must convene a case conference, with the review panel members and the parent(s) and child present, as required in [clause] clauses (a) and (b) of this subparagraph, to review and develop a service plan for the case. The plan which is developed by the panel must be approved by the case manager. The case conference must be held no earlier than the first day of the month preceding the month in which the plan is due to be approved by the case manager as defined in section 428.4 of this Title, or if case planning responsibility has been delegated to a purchase of service provider, the case conference must be held no earlier than the first day of the month preceding the month in which the plan is due to be submitted to the case manager as specified in the purchase of service agreement.

Clauses (a) and (b) of subparagraph (i) of paragraph (2) of subdivision (c) of section 430.12 are repealed and new clauses (a) and (b) are added to read as follows:

(a) Efforts must be made to involve the following persons as participants in the development and review of the service plan and in the case conference:

## STATE DEPARTMENT OF SOCIAL SERVICES

ALBANY, NEW YORK

Pursuant to the provisions of Sections 20(3)(d), 34(3)(f), 153-d and 398-b of the Social Services Law, I, Cesar A. Perales, Commissioner of Social Services, do hereby amend Sections 428.7(b)(8), 428.8(b)(10), 430.12(c)(2)(i) and 430.12(c)(3)(i) and repeal Section 428.9 and add a new Section 428.9, repeal clauses (a) and (b) of Section 430.12(c)(2)(i) and add new clauses (a) and (b) and repeal subparagraph (ii) of Section 430.12(c)(2) and add a new subparagraph (ii) of the Official Regulations of the State Department of Social Services, being Chapter II of Title 18 NYCRR, effective twenty-one days after filing with the Secretary of State.

Dated: October 30, 1987

Signed:   
Commissioner

This is to certify that this is the original of an order of the State Department of Social Services, made on October 30, 1987 amending Sections 428.7(b)(8), 428.8(b)(10), 430.12(c)(2)(i) and 430.12(c)(3)(i) and repealing Section 428.9 and adding a new Section 428.9, repealing clauses (a) and (b) of Section 430.12(c)(2)(i) and adding new

clauses (a) and (b) and repealing subparagraph (ii) of Section 430.12(c)(2) and adding a new subparagraph (ii) of the Official Regulations of the State Department of Social Services, being Title 18 NYCRR, the express terms of which were published in the New York State Register on May 6, 1987.

Dated: October 30, 1987

Signed: *Cornelia F. ...*

Commissioner