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| LOCAL COMMISSIONERS MEMORANDUM |  
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Transmittal No: 90 LCM-175

Date: October 25, 1990

Division: Commissioner's  
Office

TO: Local District Commissioners

SUBJECT: Filed Regulation 352.30(b)

ATTACHMENTS: Attachment listed below  
(Attachment available on-line)

The following changes to the Official Regulations of the State Department of Social Services have been filed for adoption with the Secretary of State.

18 NYCRR 352.30(b) relating to shelter/fuel allowances for foster care children.

The final rule - Filed: 10/22/90 - Effective: 11/7/90.

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Michael J. McNaughton  
Director, Local District  
Policy Communications

Subdivisions (b) through (e) of section 352.30 are re-lettered subdivisions (c) through (f) and a new subdivision (b) is added to read as follows:

(b) For purposes of determining the amount to be included in the standard of need for shelter under section 352.3 of this Part and fuel for heating under 352.5 of this Part for persons in permanent housing, if permitted under federal law and regulations, the public assistance household includes any child entering foster care who was eligible for and in receipt of assistance and care as a member of the household in and for the month of entry into foster care. Such child must be included in the household pending preparation of the child services plan pursuant to Part 428 of this Title and at any time thereafter that the child remains in foster care and the child services plan includes a goal of discharge of the child to a member of the household.

Paragraph (2) of subdivision (c) of section 369.4 is amended to read as follows:

(2) Such absence may include visits to friends or relatives, attendance at camp, enrollment as a resident pupil, or temporary foster care, either in a family home or in an institution; but the costs of tuition and maintenance in a residence school, or of foster care, [shall] must not be met through the regular ADC grant to the household. When a child is in foster care pending preparation of or implementation of a child services plan pursuant to Part 428 of this Title, the provisions of subdivision 352.30(b) of this Title apply.