



Office of Children and Family Services

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Administrative Directive

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| Transmittal: | 23-OCFS-ADM-07 |
| To: | Commissioners of Local Departments of Social Services Executive Directors of Voluntary Authorized Agencies |
| Issuing Division/Office: | Division of Child Welfare and Community Services |
| Date: | May 9, 2023 |
| Subject: | Qualified Individual Report and Supporting Documentation |
| Suggested Distribution: | Directors of Local Departments of Social Services Executive Directors of Voluntary Authorized Agencies Child Welfare Supervisors Foster Care Supervisors CONNECTIONS Implementation Coordinators |
| Contact Person(s): | See section VI. |
| Attachments: | Attachment A: Qualified Individual Report (OCFS-5571) Attachment B: Business Case Flow for QRTP Referrals and QI Assessment Attachment C: CANS-NY Assessment and Summary Sheet Attachment D: Local Department of Social Services Referral for Qualified Individual Assessment (OCFS-5570) Attachment E: Qualified Individual Assessment Summary Report (OCFS-5572) Attachment F: Funding Options for the Qualified Individual |

Filing References

| Previous ADMs/INFs | Releases Cancelled | NYS Regs. | Soc. Serv. Law & Other Legal Ref. | Manual Ref. | Misc. Ref. |
|--------------------|------------------------------------|-----------|---|-------------|------------|
| 21-OCFS-ADM-17 | 21-OCFS-ADM-23 (Revised) | | 42 USC §§672 & 675a; Social Services Law §409-h; Part L of Chapter 56 of the Laws of 2021 | | |

I. Purpose

The purpose of this Administrative Directive (ADM) is to provide guidance to local departments of social services (LDSSs) and voluntary authorized agencies (VAs) regarding documentation requirements of the Qualified Individual (QI) when assessing a child for placement in a Qualified Residential Treatment Program (QRTP). This ADM is accompanied by five attachments outlined in Section III. This ADM cancels and replaces 21-OCFS-ADM-23 **(Revised)** and its previous versions. This ADM extends the

time frame from 14 to 90 days that a youth may be absent from a QRTP before requiring a 30-day QI assessment, and a subsequent 60-day court review.

II. Background

The Family First Prevention Services Act (FFPSA) requires that a QI must assess a child to determine the appropriateness of a placement in a QRTP. The assessment will determine whether the child's needs can be met with family members, in a foster family home or in a specified setting, including a QRTP level of care, as outlined in [21-OCFS-ADM-17](#). The QI must complete the required documentation, including a functional assessment tool, a *Qualified Individual Report* ([OCFS-5571](#)) and the *Qualified Individual Assessment Summary Report* ([OCFS-5572](#)) at the conclusion of their assessment.

Social Services Law (SSL) § 409-h(2) requires that the QI or their designee promptly, but no later than five days following the completion of the assessment, provide the assessment documentation to the **court, the child's parent or guardian, the child's attorney and the attorney for the parent**, if applicable (for instance, where the parent's rights have not been terminated):

- Assessment
- Determination
- Documentation used in the assessment

Per SSL §409-h(2), a written summary detailing the QI's assessment findings must be provided to either the **LDSS or OCFS with care and custody or custody and guardianship of the child**, as applicable, and to the parties to the court proceeding. The *Qualified Individual Assessment Summary Report* ([OCFS-5572](#)) is to be utilized for this purpose.

SSL §409-h(2) also requires that the information sent to the court, parent or guardian, the attorney for the parent, the attorney for the child, and the parties to the proceedings be redacted to remove information that is otherwise confidential under state or federal law.

III. Program Implications

As noted above, information provided to the court, the parents or guardian, the child's attorney, the parent's attorney, and the parties to the proceedings must be redacted when necessary to comply with federal and state confidentiality laws. There is a myriad of state and federal confidentiality laws that may be implicated by the content of the materials required to be provided under SSL § 409-h (2). For instance, this may include, but not be limited to, specific protections for information or records pertaining to mental health, substance use, confidential HIV-related information, child protective services (CPS) report source information, reproductive health information, domestic violence address information, or those that are identified in SSL.

As state law provides that this information is to be sent either by the QI or the QI's designee, and as LDSSs' legal staff have expertise in the nuances of the various confidentiality laws, it is strongly encouraged that LDSSs utilize their legal staff to perform any required redactions to these materials that must be shared under SSL § 409-h(2).

[Funding Options for the Qualified Individual \(QI\)](#) provides guidance as to how the LDSSs may claim reimbursement for the QI through Medicaid and child welfare funding.

With this policy, the following attached resources and tools are provided to support the role and function of the QI:

- Attachment A: [Qualified Individual Report \(OCFS-5571\)](#)
- Attachment B: [Business Case Flow for QRTP Referrals and QI Assessment](#)
- Attachment C: [CANS-NY Assessment and Summary Sheet](#)
- Attachment D: [Local Department of Social Services Referral for Qualified Individual Assessment \(OCFS-5570\)](#)
- Attachment E: [Qualified Individual Assessment Summary Report \(OCFS-5572\)](#)
- Attachment F: [Funding Options for the Qualified Individual](#)

Additionally, a copy of the *Child and Adolescent Needs and Strengths - New York (CANS-NY) Ages 6-21* is available on the OCFS website, as is a guide for the *Child and Adolescent Level of Care/Service Intensity Utilization System (CALOCUS-CASII)*.

IV. Required Action

When assessing a child for appropriateness of placement in a QRTP, QIs must complete the *Qualified Individual Report* and the *Qualified Individual Assessment Summary Report* in addition to administering a validated assessment tool. New York State has approved the following assessment tools:

- 1) the CANS-NY or the CALOCUS-CASII, when assessing a child for appropriateness of placement in a QRTP, and
- 2) the *CANS-NY Assessment and Summary Sheet* must also be completed when the CANS-NY tool has been administered.

Upon completion of the assessment, the QI (or their designee) is required to promptly, but no later than five (5) days following the completion of the assessment, provide the assessment, *Qualified Individual Report* ([OCFS-5571](#)), *CANS-NY Assessment and Summary Sheet* (if QI administers the CANS-NY) determination and documentation to

- the court,
- the parent or guardian of the child,
- the attorney for the child, and
- the attorney for the child and the attorney for the parent, if applicable.

The *Qualified Individual Report* ([OCFS-5571](#)) and the *Qualified Individual Assessment Summary Report* ([OCFS-5572](#)) must be completed and submitted by all QIs. The *CANS-NY Assessment and Summary Sheet* will be submitted by those QIs that administered the CANS-NY.

The circumstances in which FFPSA requirements for a 30-day QI assessment (and subsequent 60-day court review) include the following:

- Thirty days prior to the child's placement but at least within 30 days of the start of the child's placement in a QRTP
- When a child is absent from a QRTP for 90 or more days (includes absences without consent [AWOC] and hospitalizations)
- When a child is moved from one QRTP to another QRTP that has a different vendor identification number (VID).
 - If the QRTP to which a child is moved is on the same campus as the QRTP in which the child was previously placed, a QI assessment is still required if each QRTP has a different VID.
 - If two QRTPs on the same campus share the same VID, moving a child from one of the QRTPs to the other is not considered a new placement; therefore, a new QI assessment is not required.

When a child is moved from one QRTP to a QRTP with a different VID or is absent for 90 or more days, and a QI assessment and all required documentation has been completed within the past 90 days, a *QI Assessment Summary Report* ([OCFS-5572](#)) may be completed in lieu of a comprehensive assessment. However, nothing precludes an LDSS from requesting a comprehensive QI assessment if so indicated.

If the QI assesses that a QRTP is still the appropriate placement for the child, the *QI Assessment Summary Report* ([OCFS-5572](#)) must articulate why this placement would provide the most effective and appropriate level of care for the child in the least restrictive setting and be consistent with the short-term and long-term goals as specified in the permanency plan. The summary must also include the behaviors or concerns that precipitated the child's movement, interventions applied to prevent the movement, and current recommended treatment interventions. The LDSS must ensure that the QI has the needed documentation to complete the assessment. When complete for submission, the *QI Assessment Summary Report* ([OCFS-5572](#)) must include the attachments of the *QI Assessment Report* ([OCFS-5571](#)), and all required, supporting documentation that was completed and submitted by the QI for the child's previous QRTP placement.

QRTPs offer different program types, with different levels of restrictiveness. Group homes are less restrictive than an institution, for example. If a child is moved from one QRTP to another QRTP setting with a different level of restrictiveness, the QI must clearly document how this program type and level of care is the most appropriate setting for the child in the least restrictive setting.

V. Systems Implications

OCFS is utilizing the CONNECTIONS database to collect and store assessments conducted and related information recorded or collected by the QI. Specifically, the CONNECTIONS uploads feature is utilized as a mechanism for capturing needed documentation related to the role and function of the QI. Upload functionality does not negate the need for CONNECTIONS Activities entries. Activities entries are detailed further below.

Forms are stored in the Health Services tab, and only persons with a role in the case or with business functions of "maintain" or "view health" have access to the information.

The following category has been created in CONNECTIONS:

- Family First

The following subcategories have been created for the Family First forms:

- 30-Day Assessment Tool
- 30-Day QDM Form
- Educational Assessment and Reports (IEP, psychosocial, etc.)
- FTM Form
- LSR Forms
- Psychiatric/Psychological Assessments
- QI Assessment
- Substance Abuse Evaluations
- Treatment Reports
- Other

CONNECTIONS Activities Coding is used to record the QRTP 30-Day QI Assessment and 60-Day Court Review. BICS is the system of record for reimbursement of expenditures associated with QRTP placements. The QRTP 30-Day QI Assessment and 60-Day Court Review are updated to BICS via an

interface, and both are reviewed to determine appropriate reimbursement for QRTP placement expenditures.

A Q030 – QRTP Assessment code must be entered in CONNECTIONS Activities to record the QI Assessment determination. The Q030 Activity Date must be entered with the date the QI signed the final 30-Day Assessment decision on the [\(OCFS-5572\)](#). Modifier A of the Q030 is entered to record the QI determination. Selections for Modifier A are:

- P – Placement Recommended
- NP – Placement Not Recommended

Modifier B is recorded with the QRTP VID that pertains to the child’s assessment determination.

An L310 – Court Review must be entered to record the outcome of the 60-Day Court Review. The Activity Date of the L310 entry is the actual date that the Court Review occurred. L310 Modifier A options are:

- 21 – Adjourned
- 28 - 60-Day Court Review.

If Modifier A - 28 – 60-Day Court Review is selected Modifier B must be completed. Modifier B options are:

- 95 – QRTP Placement Approved
- 96 – QRTP Placement Not Approved

Modifier C must be recorded with the QRTP VID that pertains to the Court Review.

No entry is required for Modifier D. When the Modifier B entry is 95-QRTP Placement Approved, CONNECTIONS will calculate the Modifier D date based on the child’s age as of the date of entry into the QRTP VID. When the Modifier B entry is 96-QRTP Placement Not Approved, no date will appear in Modifier D.

VI. Contacts

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VII. Effective Date

This ADM, the *Qualified Individual Report*, the *Business Case Flow for QRTP Referrals and QI Assessment*, the *CANS-NY Assessment and Summary Sheet*, the *Local Department of Social Services Referral for Qualified Individual Assessment*, and the *Qualified Individual Assessment Summary Report* become effective immediately upon release of this ADM.

/s/ Lisa Ghartey Ogundimu, Esq.

Issued by:

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Title: Deputy Commissioner

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