



Office of Children and Family Services

Kathy Hochul
Governor

52 WASHINGTON STREET
RENSSELAER, NY 12144

Suzanne Miles-Gustave, Esq.
Acting Commissioner

Administrative Directive

Transmittal:	23-OCFS-ADM-02
To:	Local Departments of Social Services Commissioners
Issuing Division/Office:	Division of Administration
Date:	January 20, 2023
Subject:	Per Diem Chargeback Rates for OCFS-Operated Facilities and Programs – Calendar Year 2021 Final Rates
Suggested Distribution:	Directors of Services Accounting Supervisors
Contact Person(s):	See VI.
Attachments:	Final Calendar Year 2021 – Executive Law Section 529 Per Diem Rates

Filing References

Previous ADMs/INFs	Releases Cancelled	NYS Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
22-OCFS-ADM-05			Section 529 of Executive Law; Chapters 50 and 53 of the Laws of 2022		

I. Purpose

The purpose of this Administrative Directive (ADM) is to publish the final chargeback rates in effect for calendar year (CY) 2021 for care provided to youth placed in facilities and programs operated by the New York State Office of Children and Family Services (OCFS).

All OCFS chargeback rates for CY 2021 obligations are based on final CY 2021 rates for youth in OCFS-operated facilities and programs.

II. Background

Executive Law section 529 requires OCFS to charge local departments of social services (LDSSs) 50% of the non-federal share of the cost of care for LDSS youth placed in OCFS facilities. Chapter 50 of the Laws of 2022 limits the total amount of local share for OCFS facility costs to \$55 million for services provided in a calendar year. This initiative continues to provide significant fiscal relief to the LDSSs.

Chargeback rates for OCFS-operated facilities and programs are determined by the OCFS Bureau of Budget Management (BBM). The rates support care provided to youth in residential programs directly operated by OCFS as well as case management and supervision services provided to youth placed in other OCFS programs. When the rates are determined for each level of care, OCFS issues statements of obligations to LDSSs for care provided to youth during each quarter of the CY. Statements of obligations are based on the applicable rates and care days applied to each youth for which the LDSS is responsible.

Upon the distribution of statements of obligations by OCFS, LDSSs obligations will be recouped by the state as a bottom-line adjustment on the monthly notice of claim settlement.

III. Program Implications

Final rates for CY 2021, as specified in this ADM, have been approved in accordance with section 529 of the Executive Law. These rates will be used as the basis for all obligations for the cost of care for youth placed with OCFS during CY 2021

IV. Payment System

LDSSs will be notified of the CY 2021 final rates in quarterly statements of obligations for CY 2021. Payments to fulfill each LDSS's CY 2021 obligation will be processed by the Child Welfare Services Settlement System.

V. Systems Implications

The Juvenile Justice Information System allows for the electronic distribution of the chargeback rate obligation statements. If an LDSS wants to make a change in the distribution list, a request must be submitted to ocfs.sm.bfo.finance@ocfs.ny.gov. Upon request, a copy of the E-bill form will be sent to allow entry of required information for obtaining a new user and LDSS Information Technology clearance.

VI. Other

Questions about billing rates, placement data for youths billed or statements of obligations issues should be directed as follows:

For OCFS rate-setting questions, please call Hyeyoung Kim at 518-474-6343 or email Hyeyoung.Kim@ocfs.ny.gov.

For placement-related questions about specific youth, please call Kathleen Griffin at 518-474-1831 or email Kathleen.Griffin@ocfs.ny.gov.

VII. Effective Date

This directive is effective as of the date of its issuance.

/s/ Sharon Devine

Issued by:

Name: Sharon Devine

Title: Deputy Commissioner for Administration

Division/Office: Division of Administration

Attachment

Final Calendar Year 2021 – Executive Law Section 529 Per Diem Rates

Program	Uncapped Per Diem Rates	Capped Per Diem Rates	State Share	County Share
Secure Residential Services	\$1,665.56	\$1,429.98	\$950.57	\$714.99
Limited Secure Residential Services	\$2,076.44	\$1,782.54	\$1,185.17	\$891.27
Non-Community Based Residential Services	\$4,454.68	\$3,826.02	\$2,541.67	\$1,913.01