



Office of Children and Family Services

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Local Commissioners Memorandum

Transmittal:	23-OCFS-LCM-16
To:	Local Departments of Social Services Commissioners
Issuing Division/Office:	Division of Administration
Date:	July 26, 2023
Subject:	State Fiscal Year (SFY) 2023-24 Foster Care Block Grant Allocations
Contact Person(s):	See section VI.
Attachments:	A. State Fiscal Year (SFY) 2023-24 Foster Care Block Grant Allocations

I. Purpose

The purpose of this Local Commissioners Memorandum (LCM) is to provide local departments of social services (LDSSs) with their Foster Care Block Grant allocations for State Fiscal Year (SFY) 2023-24.

Notable differences from the prior year Foster Care Block Grant allocations LCM include a revision to the allocation methodology.

II. Background

The Child Welfare Financing Law promotes a reduction in the use of foster care placements through two components:

1. A Foster Care Block Grant that caps annual state reimbursement allocated to LDSSs for foster care services and administration
2. After the application of available federal funds, uncapped state reimbursement is allocated for child welfare services other than Community Optional Preventive Services (COPS), foster care services, and foster care administration.

The SFY 2023-24 state appropriation for the Foster Care Block Grant is \$398,390,000, which provides for a 4.0% cost of living adjustment and continues to align state and local funding with the historical intent of the Foster Care Block Grant.

The federal Family First Prevention Services Act (FFPSA) was enacted on February 9, 2018. This act reforms the federal child welfare financing streams, Title IV-E and Title IV-B of the Social Security Act. A primary goal of FFPSA is to keep children safely at home with their families, and, when that is not possible, to utilize the least restrictive placement to meet the needs of the child. FFPSA reformed federal financing to prioritize family-based foster care settings over congregate care settings by limiting Title IV-E reimbursement for placement in certain congregate care settings.

III. Other Related SFY 2023-24 Budget Actions

The SFY 2023-24 Enacted Budget appropriates the Flexible Fund for Family Services (FFFS) that provides LDSSs with the flexibility to determine local funding priorities. For information on how LDSSs can use their FFFS allocations, please refer to the annual [FFFS Administrative Directive \(ADM\)](#) from the New York State Office of Temporary and Disability Assistance (OTDA).

LDSSs will receive separate guidance indicating the portion of the FFFS allocations they can be reimbursed for expenditures associated with Emergency Assistance to Families (EAF) Juvenile Delinquents (JD), EAF Persons in Need of Supervision (PINS), EAF Tuition, EAF Foster Care Administration, and EAF Foster Care Maintenance.

An LDSS's claim may be eligible for federal funding even if it exceeds the LDSS's Foster Care Block Grant allocation for the current fiscal year if those claims are

- eligible to receive federal funding under Title IV-E Foster Care, John H. Chafee Foster Care Program for Successful Transition to Adulthood, or EAF; and
- up to the amount of the LDSS's FFFS allocation it chooses to use for EAF JD, EAF PINS, EAF Tuition, EAF Foster Care Administration, or EAF Foster Care Maintenance Actions.

IV. Program Implications

The Foster Care Block Grant includes state reimbursement for the following foster care services during SFY 2023-24:

- Care and maintenance, including clothing and special payments; supervision; administrative costs claimed on Schedule D-2 and Schedule K; and tuition costs for children in foster care who are placed in New York State Office of Mental Health (OMH)-licensed residential treatment facilities as well as in New York State Office of Children and Family Services (OCFS)-licensed child care institutions, except for New York City tuition costs for children in foster care.
- The New York City Administration for Children's Services (ACS) may use its Foster Care Block Grant allocation to support non-secure Close to Home (CTH) foster care expenditures, except for New York City tuition costs for children in foster care.
- Supervision of children in foster care in federally funded job corps programs.
- Care, maintenance, supervision, and tuition of adjudicated JDs placed in residential programs operated by authorized agencies and in out-of-state residential programs, except for New York City tuition costs for children in foster care, including adjudicated JDs. Foster Care Block Grant funds cannot be used to reimburse costs related to the placement of PINS.
- Provision and administration of the Kinship Guardianship Assistance Program (KinGAP), including assistance payments to relative and successor guardians made until the child's 18th birthday or until the child's 21st birthday, if certain requirements are met, and nonrecurring guardianship expenses. For more information on KinGAP, please refer to [11-OCFS-ADM-03](#) and [18-OCFS-ADM-03](#). For more information on KinGAP successor guardians, please refer to [16-OCFS-ADM-10](#).

- Payment for the Fostering Futures New York (FFNY) program. For more information on FFNY, please refer to [21-OCFS-LCM-05](#).

For rate year 2023-24 and each year thereafter, maximum state aid rate (MSAR) payment requirements, pursuant to §398-a (2-c) of the SSL, mandates LDSSs to pay the OCFS established MSAR for children in regular, therapeutic, special needs and emergency foster boarding homes.

The Foster Care Block Grant does not provide reimbursement for the following:

- Federal reimbursement for foster care costs.¹
- New York City tuition costs for children in foster care.
- Placement of PINS in foster care settings.
- State expenditures made on behalf of youth placed in OCFS-operated facilities.
- State reimbursement for the following:
 - Committee on Special Education (CSE) payments.
 - Dormitory Authority payments in excess of the Foster Care Block Grant (See *Fiscal Reference Manual*, Volume 2, Chapter 4 – Institutional Rates).
 - Foster care and kinship services for Native American tribes.
 - Medical assistance payments for children in foster care.
 - Independent living services (except for those LDSSs that have unexpended funds remaining from their SFY 2021-22 Foster Care Block Grant allocation – See V. Claiming).
 - Raise the Age for eligible municipalities.

Allocation Methodology

The claims-based methodology continues to allocate the Foster Care Block Grant funding to focus on the safety, well-being, and permanency of children.

The SFY 2023-24 appropriation for state reimbursement for foster care services is \$398,390,000 and is allocated as follows:

- \$371,052,500 according to LDSSs' respective shares of statewide gross original and supplemental foster care claims, net of cancellations and refunds for the 3-year period starting July 1, 2019 and ending June 30, 2022, and submitted to the state on or before January 2, 2023. Continued for last year is the condition that this portion of the allocation methodology does not decrease by more than 5% from the prior year.
- \$20,337,500 to incentivize the use of approved relative homes.
- \$7,000,000 to support districts with long stayers.

LDSSs allocations for each component of the SFY 2023-24 Foster Care Block Grant are provided in Attachment A.

V. Claiming

There is not a maintenance of effort (MOE) requirement associated with the Foster Care Block Grant.

Foster Care Block Grant costs are paid during the SFY through a bottom-line adjustment instead of a claim settlement. Submitted claims for a particular SFY year that do not receive state reimbursement during that SFY may not be claimed against the next year, and there is no additional state funding if

¹ Federal reimbursement will not be affected by the Foster Care Block Grant and will be settled through claim settlements subject to the availability of federal funds.

an LDSS exceeds its allocation for a particular fiscal year.

Reimbursement Schedule for the SFY 2023-24 Foster Care Block Grant

Foster Care Maintenance and Tuition Claims	October 1, 2022, through September 30, 2023
Foster Care Administrative Claims	October 1, 2022, through September 30, 2023

Please refer to the *Fiscal Reference Manual* (FRM) available at <https://otda.ny.gov/resources/fiscal-reference/> for instructions on claiming the Foster Care Block Grant expenditures:

Program Type	Schedule	Form Number	FRM Volume	FRM Chapter
Foster Care	Schedule K	LDSS-3479	Volume 2	Chapter 3
Foster Care	Schedule H	LDSS-4283	Volume 2	Chapter 3
Foster Care	Schedule D-2	LDSS-2347B	Volume 3	Chapter 9
Foster Care	Schedule RF-17 Statement	LDSS-4975	Volume 3	Chapter 18
KinGAP	Schedule K	LDSS-3479	Volume 2	Chapter 3
KinGAP	Schedule D-2	LDSS-2347B	Volume 3	Chapter 9

Unclaimed Foster Care Block Grant Funds

LDSSs that claim less than their full SFY 2023-24 Foster Care Block Grant allocation must apply the unexpended balance to FFY 2024 child welfare expenditures for the following services:

- Preventive, including reunification.
- Independent living.
- Aftercare.

The full value of the Foster Care Block Grant will be advanced to the district. Any amount that was advanced, but not claimed for eligible FCBG expenditures by 3/31/24 will be treated as a child welfare services' advance of the 62% state share of eligible claims, directly offsetting the state share of child welfare funding-eligible claims on the child welfare settlement. These funds will be distinctly shown as an advance on the child welfare settlement tool and walkdown and cannot exceed the amount the LDSS is to receive in the child welfare settlement for eligible services. For example, \$100 in unclaimed FCBG funding will be treated as a \$100 advance towards the state share of a district's child welfare settlement of prevention, independent living and aftercare expenditures.

When an LDSS uses unclaimed SFY 2023-24 Foster Care Block Grant funds, the LDSS must claim it through the RF-17 special project claim package for the month(s) that the expenditures were made. Prior to entry of the RF-17, costs are first identified on the RF2A claim package as F17 functional costs and reported in the F17 column on the *Cost Allocation Schedule of Payments Other Than Salaries* (LDSS-923) and the Schedule D – *DSS Administrative Expenses Allocation and Distribution by Function and Program* (LDSS-2347). After final accepting the RF2A claim package, the individual project costs should be reported under the project label FCBG Savings SFY 2023 24 on the RF-17.

Salaries, fringe benefits, staff counts, and central services costs are directly entered on the RF-17 Worksheet – *Distribution of Allocated Costs to Other Reimbursable Programs* (LDSS-4975A) while overhead costs are automatically brought over from the RF-2A, Schedule D, and distributed based upon the proportion of the number of staff assigned to this project. Employees not working all their time on

this project must maintain time studies to support the salary and fringe benefit costs allocated to the program.

Non-salary administrative costs are reported with the appropriate object of expense code(s) on the *Summary - Administrative Schedule of Payments for Expenses Other Than Salaries for Other Reimbursable Programs* (LDSS-923B) while program costs are reported as object of expense code 37 - Special Project Program Expense on the *Summary - Program Schedule of Payments for Expenses Other Than Salaries for Other Reimbursable Programs* (LDSS-923B).

Claims for the period October 1, 2022, through September 30, 2023, must be final accepted in the Automated Claiming System by March 31, 2024. Further instructions for completing time studies, the LDSS-923 and the Schedule D, and the RF-17 claim package can be found in Chapters 4, 7 and 18 respectively of Volume 3 of the FRM. The FRM is available online at <https://otda.ny.gov/resources/fiscal-reference/>

VI. Contact Information

Please see the chart below to determine how to direct your Foster Care Block Grant questions:

Topic	LDSS Region	Contact Person	Contact Phone	Contact Email Address
Allocations	All	Shonna Clinton	(518) 474-1361	Shonna.Clinton@ocfs.ny.gov
Program	Buffalo	Amanda Darling	(716) 847-3145	Amanda.Darling@ocfs.ny.gov
	Rochester	Christopher Bruno	(585) 238-8201	Christopher.Bruno@ocfs.ny.gov
	Syracuse	Sara Simon	(315) 423-1200	Sara.Simon@ocfs.ny.gov
	Albany	John Lockwood	(518) 486-7078	John.Lockwood@ocfs.ny.gov
	Spring Valley	Thalia Wright	(845) 708-2498	Thalia.Wright@ocfs.ny.gov
	New York City	Ronni Fuchs	(212) 383-1676	Ronni.Fuchs@ocfs.ny.gov
FFFS	All	Susanne Haag	(518) 486-6291	Susanne.Haag@otda.ny.gov
Automated Claiming System	Regions 1-5	Justin Gross	(518) 474-7549	Field_Ops.I-IV@otda.ny.gov
	Region 6	Michael Simon	(212) 961-8250	Michael.Simon@otda.ny.gov

/s/ Sharon Devine

Issued by:

Name: Sharon Devine

Title: Deputy Commissioner for Administration

Division/Office: Bureau of Budget Management

Attachment A

State Fiscal Year (SFY) 2023-24 Foster Care Block Grant Allocations

County	Prorated Claims	Approved Relative Homes Set-Aside	Long Stayers Set-Aside	Allocation
Albany	5,208,718	518,625	321,622	6,048,965
Allegany	1,106,641	222,268	-	1,328,909
Broome	5,211,466	777,937	340,541	6,329,944
Cattaraugus	1,185,152	444,536	18,919	1,648,607
Cayuga	1,397,477	518,625	75,676	1,991,778
Chautauqua	2,401,769	481,580	18,919	2,902,268
Chemung	1,273,838	-	-	1,273,838
Chenango	673,674	37,045	18,919	729,638
Clinton	1,537,046	-	18,919	1,555,965
Columbia	1,677,617	74,089	56,757	1,808,463
Cortland	1,033,829	518,625	75,676	1,628,130
Delaware	824,764	1,037,250	-	1,862,014
Dutchess	6,395,971	777,937	94,595	7,268,503
Erie	18,669,858	2,444,945	567,568	21,682,371
Essex	947,153	148,179	37,838	1,133,170
Franklin	1,410,981	333,402	-	1,744,383
Fulton	987,156	370,446	18,919	1,376,521
Genesee	1,215,335	111,134	37,838	1,364,307
Greene	1,388,653	74,089	56,757	1,519,499
Hamilton	74,845	-	-	74,845
Herkimer	1,922,602	74,089	75,676	2,072,367
Jefferson	2,022,811	-	37,838	2,060,649
Lewis	333,756	-	18,919	352,675
Livingston	1,137,971	-	-	1,137,971
Madison	1,654,288	-	18,919	1,673,207
Monroe	8,384,148	259,312	94,595	8,738,055
Montgomery	1,161,546	296,357	56,757	1,514,660
Nassau	6,115,821	222,268	208,108	6,546,197
Niagara	3,931,242	889,071	132,432	4,952,745
Oneida	4,949,423	4,889,890	245,946	10,085,259
Onondaga	7,190,805	1,259,517	302,703	8,753,025
Ontario	1,350,156	-	56,757	1,406,913
Orange	6,640,871	703,848	113,514	7,458,233
Orleans	561,494	-	18,919	580,413
Oswego	3,209,028	-	94,595	3,303,623
Otsego	1,018,617	74,089	37,838	1,130,544
Putnam	791,849	111,134	-	902,983
Rensselaer	2,561,896	296,357	56,757	2,915,010
Rockland	2,507,335	777,937	-	3,285,272
Saratoga	1,730,174	185,223	56,757	1,972,154
Schenectady	5,381,403	222,268	359,459	5,963,130
Schoharie	1,993,115	-	37,838	2,030,953
Schuyler	519,741	-	-	519,741
Seneca	939,910	-	75,676	1,015,586
Steuben	2,562,386	370,446	56,757	2,989,589
St. Lawrence	2,701,659	-	113,514	2,815,173
Suffolk	12,734,683	-	208,108	12,942,791
Sullivan	2,719,197	-	56,757	2,775,954
Tioga	879,674	74,089	-	953,763

County	Prorated Claims	Approved Relative Homes Set-Aside	Long Stayers Set-Aside	Allocation
Tompkins	1,288,963	-	18,919	1,307,882
Ulster	3,574,868	-	56,757	3,631,625
Warren	828,210	185,223	75,676	1,089,109
Washington	907,835	111,134	37,838	1,056,807
Wayne	730,383	37,045	-	767,428
Westchester	14,937,669	-	113,514	15,051,183
Wyoming	864,423	111,134	-	975,557
Yates	419,505	296,357	18,919	734,781
Rest of State	167,781,400	20,337,500	4,616,225	192,735,125
New York City	203,271,100	-	2,383,775	205,654,875
Statewide	371,052,500	20,337,500	7,000,000	398,390,000