



# Office of Children and Family Services

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Governor

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## Administrative Directive

<b>Transmittal:</b>	24-OCFS-ADM-03
<b>To:</b>	Local Departments of Social Services Commissioners
<b>Issuing Division/Office:</b>	Division of Administration
<b>Date:</b>	February 5, 2024
<b>Subject:</b>	<b>Per Diem Chargeback Rates for OCFS-Operated Facilities and Programs – Calendar Year 2022 Final Rates</b>
<b>Suggested Distribution:</b>	Services Directors Accounting Supervisors
<b>Contact Person(s):</b>	See VI.
<b>Attachments:</b>	Final Calendar Year 2022 – 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.
23-OCFS-ADM-02			Section 529 of Executive Law; Chapters 50 and 53 of the Laws of 2023		

### I. Purpose

The purpose of this Administrative Directive (ADM) is to publish the final chargeback rates in effect for calendar year (CY) 2022 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 2022 obligations are based on final CY 2022 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. Beginning in 2015 and continuing in each successive year, the State Operations Budget has limited 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 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 2022, 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 2022

### **IV. Payment System**

LDSSs will be notified of the CY 2022 final rates in quarterly statements of obligations for CY 2022. Payments to fulfill each LDSS's CY 2022 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](mailto: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 Edward Tang at 518-474-9737 or email [Edward.Tang@ocfs.ny.gov](mailto:Edward.Tang@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](mailto:Kathleen.Griffin@ocfs.ny.gov).

**VII. Effective Date**

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

*/s/ Sharon Devine*

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**Issued by:**

Name: Sharon Devine

Title: Deputy Commissioner for Administration

Division/Office: Division of Administration

**Attachment****Final Calendar Year 2022 – Executive Law Section 529 Per Diem Rates**

<b>Program</b>	<b>Uncapped Per Diem Rates</b>	<b>Capped Per Diem Rates</b>	<b>State Share</b>	<b>County Share</b>
Secure Residential Services	\$ 1,387.22	\$ 1,108.78	\$ 832.83	\$ 554.39
Limited Secure Residential Services	\$ 1,916.96	\$ 1,532.36	\$ 1,150.78	\$ 766.18
Non-Community Based Residential Services	\$ 3,647.50	\$ 2,917.38	\$ 2,188.81	\$ 1,458.69