



Office of Children and Family Services

Kathy Hochul
Governor

52 WASHINGTON STREET
RENSSELAER, NY 12144

DaMia Harris-Madden, Ed.D, MBA, M.S.
Commissioner

Informational Letter

Transmittal:	24-OCFS-INF-07
To:	Local Departments of Social Services Commissioners Voluntary Authorized Agencies Executive Directors
Issuing Division/Office:	Office of Strategic Planning and Policy Development Division of Child Welfare and Community Services
Date:	June 27, 2024
Subject:	Transferring of Foster Boarding Homes and Record Retention
Suggested Distribution:	Social Services Directors Foster Care Supervisors Home Finding Supervisors Adoption Supervisors Staff Development Coordinators
Contact Person(s):	See section IV.
Attachments:	None

Filing References

Previous ADMs/INFs	Releases Cancelled	NYS Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
16-OCFS-ADM-20 17-OCFS-ADM-05	00-OCFS-INF-06	18 NYCRR Part 443	SSL §376	Home Finding Practice Guide	CONNECTIONS Tip Sheet: Foster Home Transfer Procedures

I. Purpose

The purpose of this Informational Letter (INF) is to set forth the existing requirements for transferring foster boarding homes between local departments of social services (LDSSs) or voluntary authorized agencies (VAs), including the transfer of foster boarding homes between two foster/adoptive parents that no longer share a home address, and retention of material in the foster boarding home record. This INF cancels and replaces 00-OCFS-INF-06, which addresses this topic.

II. Background

The New York State Office of Children and Family Services (OCFS) regulation 18 NYCRR¹ 443.3(o)(1) states that no person may be certified or approved by more than one authorized agency; however, it is legally permissible to transfer a foster boarding home between authorized agencies. Foster boarding homes may be transferred between LDSSs, between VAs, and from an LDSS to a VA or vice versa at any point in the certification or approval process, including homes approved on an emergency basis.

¹ New York Codes, Rules and Regulations.

When a foster boarding home is transferred, the corresponding file, documents, and CONNECTIONS roles are transferred with it. If the home is closed and would like to reopen with another authorized agency, the home would need to be reopened in CONNECTIONS.² Depending on the closure reason, the new authorized agency may be required to reach out to the previous authorized agency. In best practice, the previous authorized agency should always be contacted.

The agency with the original responsibility for the foster boarding home and the agency to which the home will be transferred have specific responsibilities. These responsibilities are determined, in part, by whether the home is still pending certification/approval or is fully certified/approved. This is explained further in the Program Implications section.

NOTE: The Foster and Adoptive Home Record Summary (FRS) tool in CONNECTIONS provides a comprehensive view of all information recorded for a Foster and Adoptive Home Development (FAD). Home finders may use the FRS to quickly view each tab and scan for missing or inaccurate information.

III. Program Implications

A. Transferring of Foster Boarding Homes

Please find below step-by-step guidance for transferring a foster boarding home. Information on transferring a foster boarding home can also be found in the *Home Finder's Practice Guide* at <https://ocfs.ny.gov/publications/fostercare/Home-Finding-Practice-Guide.pdf> under "Transfer of a home to another agency."

The entity with original responsibility of the home is the "sending agency" and the entity to whom the home will be transferred is the "receiving agency".

Sending Agency:

If there are no children in foster care in the home, follow these steps:

- Ascertain acceptance of the foster boarding home by the receiving agency. If the transfer is between two VAs, this may include coordination with the LDSS with which the sending agency has a contract. Ascertain the effective date of the transfer and the name of the staff person at the receiving agency to whose workload the foster boarding home is being transferred.
- Request and obtain written consent from the foster parents to transfer the home.
- Physically transfer the entire sending agency's paper record to the receiving agency.
- Review records of the home and, if necessary, update the record so that all documentation received is included in the paper record, and/or in CONNECTIONS, and/or any OCFS-approved electronic documentation software.
- Provide written confirmation of the transfer to the foster parent, including the effective date.
- Follow the established steps in CONNECTIONS for foster boarding homes in inquiry or applicant status to transfer (reassign) the foster boarding home to the receiving agency and verify acceptance by the receiving agency. See [CONNECTIONS Tip Sheet: Foster Home Transfer Procedures](#) for a step-by-step process on transferring a home in CONNECTIONS.
- Under no circumstances may a foster boarding home be transferred if there is a criminal history result letter from OCFS that indicates the existence of a mandatory disqualifying crime for a foster parent or indicates a situation requiring "Hold in Abeyance" for a charge or conviction related to a foster parent (see [16-OCFS-ADM-20](#)).

If there are one or more children in foster care in the home, follow these steps:

² 18 NYCRR 443.2(b)(19).

- All steps listed above, and
- Establish which VAs or LDSSs will have planning responsibility for each child in the foster boarding home and each child's family.
 - If planning responsibility changes, follow your established procedures in coordination with the case manager at the LDSS and related contract provisions between LDSSs and VAs regarding the child and family uniform case record and/or case management.³

The sending agency is responsible for the electronic transfer of the home and for changing the Vendor ID (VID) in CONNECTIONS.

If a foster boarding home is transferred prior to final certification or approval, the sending agency must apprise the receiving agency as to the exact status of the home, specifying the requirements that have been met and those that are still pending.

Receiving Agency:

If a foster boarding home is being transferred **prior to final certification or approval**, follow these steps:

- Review the sending agency's paper record and all FAD-related information in CONNECTIONS, and note the status of the home related to the requirements that have been met or are still pending.
- Communicate with the sending agency if there are any discrepancies as to the status of the home and resolve such discrepancies.
- Determine whether the foster boarding home is acceptable to the receiving agency to proceed with the continuation of the certification or the approval process. If the foster boarding home is acceptable, proceed with the remainder of the steps below.
- The receiving agency must complete an interim home study.
- The reasons for the transfer must be noted in the interim home study, including any other reasons that apply (i.e., change in address, change in household composition, etc.)
- The receiving agency is responsible for notifying the OCFS Criminal History Review Unit (CHRU) of the transfer, using the *Notice to NYS OCFS of Foster Home Transfer Between Authorized Agencies* form ([OCFS-4680](#)). This step is critical to support maintaining appropriate lines of communication between the CHRU and the new LDSS or VA. Follow the established steps in CONNECTIONS for foster boarding homes in inquiry or applicant status to accept the transfer of the foster boarding home.
- Continue with the certification or approval process.

If the home is being transferred **as a certified or approved foster home**, follow these steps:

- Review the sending agency's paper record and determine that it is complete.
- Review all FAD-related information in CONNECTIONS and determine that the home is appropriately certified or approved and the period is current.

If anything is missing, contact the sending agency to acquire it. If the missing documentation cannot be provided, the transfer may still be allowed depending on what documentation is missing.

- Under no circumstances may the transfer take place without the following items: application, sworn criminal conviction statement, current medical report(s), Statewide Central Register (SCR) clearance results, out-of-state SCR clearance results, if applicable, Staff Exclusion List (SEL)

³ SSL § 153-k.

results, Federal Bureau of Investigation (FBI) and New York State Division of Criminal Justice Services (DCJS) criminal history record results (CHR), written home study, and current reauthorization.

- Please note: SCR, SEL, out-of-state clearance results, if applicable, and CHR results must be received for the applicant and any other adult over the age of 18 residing in the home. If these requirements cannot be met, the home cannot be transferred. Otherwise, the receiving agency is allowed to make a judgment call on the necessity of receiving complete documentation before the transfer. That is, if the missing information is dated and would not be essential for the receiving agency to supervise the foster boarding home, the transfer may still take place. For example, if there is a current medical report, but there is also a missing medical report from previous years of certification or approval, the receiving agency can decide that the home may still be transferred.
- Determine whether the foster boarding home is acceptable for certification or approval by the receiving agency. There may be circumstances (other than missing documentation) where the receiving agency finds the foster boarding home unacceptable. For example, assessments based on disclosure of criminal convictions, or based on indicated reports of abuse or maltreatment, or safety assessments conducted on persons with specified criminal charges or convictions may cause the receiving agency to reach a different decision than that reached by the sending agency.

If the home was closed and is reopening with a new authorized agency, please review and verify if the home has been listed as Do Not Recommend in CONNECTIONS Home History. The Do Not Recommend classification is not in and of itself a basis to deny the home. Each authorized agency may have a different set of reasons to use this label, so the receiving agency must contact the sending agency to review the reason for the Do Not Recommend classification. Attempt to resolve this with the sending agency. If the foster boarding home is acceptable, proceed with the normal certification procedures outlined in the [Home Finding Practice Guide](#).

B. Transfer of Foster Boarding Homes Between Two Foster/Adoptive Parents That No Longer Share an Address

In the event that two certified/approved foster/adoptive parents have separated and are living in different households, they would need to notify their LDSS or VA of the household and marital status changes immediately.

If the parent remaining in the household wishes to continue fostering, the LDSS or VA must update the home study accordingly. If the changes occurred prior to the reauthorization period, the LDSS or VA must complete an interim home study to document and explain the changes. If the change is within 90 days of the end of the foster boarding home authorization date, the home finder can access the reauthorization template to document the changes. A new OCFS-5183E, *Safety Review Form*, will need to be completed for the current foster boarding home.

If the parent who no longer resides in the current open foster boarding home would like to continue fostering, they would need to have their new home certified/approved as a foster boarding home. The LDSS or VA would use the Person Identification (PID) that has already been created for the foster parent to open a new foster boarding home in CONNECTIONS, generating a new Resource ID (RID) and VID. This is the only time a foster parent should be issued a new RID and VID associated with their PID, without prior OCFS regional office approval. Information from the original home study may be used, and an interim home study must be completed for this new foster boarding home. A new OCFS-5183E, *Safety Review Form*, will need to be completed if the parent who moved to a new household chooses to continue fostering. There is no need to complete new background clearances, except for persons 18 years of age or older residing in the home who have not previously had clearances completed as part of the certification or approval of the previous foster home.

In either scenario, if there is a child(ren) in foster care in the original home, the LDSS or VA should be made aware of any changes in the household and of the emotional well-being of both foster parents to ensure that the child(ren) in care is still having their needs met. The foster parents must decide and discuss with the LDSS or VA who the child(ren) will be residing with or if the child(ren) will need a new placement entirely. If the age and/or development of the child(ren) is appropriate, a conversation should be had with the child(ren) to assess their understanding and agreement with the plan. The attorney for the child must be made aware of any changes to the child(ren)'s placement.

C. Record Retention

All information pertaining to foster home certification or approval must be recorded accurately and in a timely manner in the FAD stage. This provides an electronic, historical record of information for persons involved with the foster home.

While reviewing historical information and documenting current information regarding the foster home in the FAD stage is mandated, not all documents can be stored in CONNECTIONS. Therefore, there is a continued need to maintain external foster home case records on the home. If the LDSS or VA is using an OCFS contracted/approved electronic foster/adoptive system, they must upload these documents in the appropriately designated locations in that system, in addition to maintaining the paper documents. LDSSs and VAs must retain paper copies of all required documents for certification or approval such as the following (see [17-OCFS-ADM-05](#) for further detail):

- a) New York State Division of Criminal Justice Services (DCJS) and Federal Bureau of Investigation (FBI) criminal history record checks (CHR)
- b) Statewide Central Register of Child Abuse and Maltreatment (SCR) database checks including, where applicable, out-of-state SCR checks
- c) Justice Center Staff Exclusion List (SEL) checks
- d) Medical exams
- e) Copies of foster home certificates or approval letters

The above is not a complete listing of all the requirements for certifying, approving, recertifying, or reapproving foster boarding homes. The complete requirements, both documentary and non-documentary, are set forth in 18 NYCRR Part 443.

IV. **Contacts**

Any questions concerning this release should be directed to the appropriate regional office in the OCFS Division of Child Welfare and Community Services:

Buffalo Regional Office – Amanda Darling (716) 847-3145

Amanda.Darling@ocfs.ny.gov

Rochester Regional Office – Chris Bruno (585) 238-8201

Christopher.Bruno@ocfs.ny.gov

Syracuse Regional Office – Sara Simon (315) 423-1200

Sara.Simon@ocfs.ny.gov

Albany Regional Office – John Lockwood (518) 486-7078

John.Lockwood@ocfs.ny.gov

Westchester Regional Office – Sheletha Chang (845) 708-2498

Sheletha.Chang@ocfs.ny.gov

New York City Regional Office – Ronni Fuchs (212) 383-1788

Ronni.Fuchs@ocfs.ny.gov

Native American Services – Heather LaForme (716) 847-3123

Heather.LaForme@ocfs.ny.gov

Close to Home & Detention – Donte Blackwell (212) 383-7261
Donte.Blackwell@ocfs.ny.gov

/s/ Thomas R. Brooks, Esq.

Issued by:

Name: Thomas R. Brooks, Esq.

Title: Deputy Commissioner

Division/Office: Office of Strategic Planning and Policy Development

/s/ Gail Geohagen-Pratt

Issued by:

Name: Gail Geohagen-Pratt

Title: Deputy Commissioner

Division/Office: Division of Child Welfare and Community Services