



# Office of Children and Family Services

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## Local Commissioners Memorandum

<b>Transmittal:</b>	24-OCFS-LCM-09
<b>To:</b>	Local Departments of Social Services Commissioners
<b>Issuing Division/Office:</b>	Division of Administration
<b>Date:</b>	June 17, 2024
<b>Subject:</b>	<b>State Fiscal Year (SFY) 2024-25 Foster Care Block Grant Allocations</b>
<b>Contact Person(s):</b>	See section VI.
<b>Attachments:</b>	A. State Fiscal Year (SFY) 2024-25 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) 2024-25.

Notable differences from the prior year Foster Care Block Grant Allocations LCM include a revision to the total amount reserved for the set-asides.

### 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 of foster care services.
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 2024-25 state appropriation for the Foster Care Block Grant is \$403,866,000, which provides for a 2.84% 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 (SSA). 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 2024-25 Budget Actions

The SFY 2024-25 Enacted Budget appropriates \$1,014M of funding for 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 of the SSA for children in 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 2024-25:

- 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 2024-25 and each year thereafter, maximum state aid rate (MSAR) payment requirements, pursuant to §398-a (2-c) of the New York Social Services Law, mandates LDSSs to pay no less than 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.<sup>1</sup>
- 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 2024-25 appropriation for state reimbursement for foster care services is \$403,866,000 and is allocated as follows:

- \$390,197,250 according to LDSSs' respective shares of statewide gross original and supplemental foster care claims net of cancellations and refunds for the three-year period starting July 1, 2020, and ending June 30, 2023, and submitted to the state on or before January 2, 2024.
- \$10,168,750 to incentivize the use of approved relative homes.
- \$3,500,000 to support districts with youth in foster care in congregate settings that qualify as long stayers.
- Total year to year allocation decreases for each county are limited to 5%.

LDSSs allocations for each component of the SFY 2024-25 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.

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<sup>1</sup> 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.

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 an LDSS exceeds its allocation for a particular fiscal year.

**Reimbursement Schedule for the SFY 2024-25 Foster Care Block Grant**

Foster Care Maintenance and Tuition Claims	October 1, 2023, through September 30, 2024
Foster Care Administrative Claims	October 1, 2023, through September 30, 2024

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:

<u>Program Type</u>	<u>Schedule</u>	<u>Form Number</u>	<u>FRM Volume</u>	<u>FRM Chapter</u>
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 2024-25 Foster Care Block Grant allocation must apply the unexpended balance to Federal Fiscal Year 2025 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 3/31/25 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 they 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 toward the state share of a district’s child welfare settlement of prevention, independent living, and aftercare expenditures.

When an LDSS uses unclaimed SFY 2024-25 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 2024 25 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, 2023, through September 30, 2024, must be final accepted in the Automated Claiming System by March 31, 2025. Further instructions for completing time studies; the LDSS-923, the LDSS-923B, 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	<a href="mailto:Shonna.Clinton@ocfs.ny.gov">Shonna.Clinton@ocfs.ny.gov</a>
Program	Buffalo	Amanda Darling	(716) 847-3145	<a href="mailto:Amanda.Darling@ocfs.ny.gov">Amanda.Darling@ocfs.ny.gov</a>
	Rochester	Christopher Bruno	(585) 238-8201	<a href="mailto:Christopher.Bruno@ocfs.ny.gov">Christopher.Bruno@ocfs.ny.gov</a>
	Syracuse	Sara Simon	(315) 423-1200	<a href="mailto:Sara.Simon@ocfs.ny.gov">Sara.Simon@ocfs.ny.gov</a>
	Albany	John Lockwood	(518) 486-7078	<a href="mailto:John.Lockwood@ocfs.ny.gov">John.Lockwood@ocfs.ny.gov</a>
	Westchester Regional Office	Sheletha Chang	(845) 708-2498	<a href="mailto:Sheletha.Chang@ocfs.ny.gov">Sheletha.Chang@ocfs.ny.gov</a>
	New York City	Ronni Fuchs	(212) 383-1676	<a href="mailto:Ronni.Fuchs@ocfs.ny.gov">Ronni.Fuchs@ocfs.ny.gov</a>
FFFS	All	Susanne Haag	(518) 486-6291	<a href="mailto:Susanne.Haag@otda.ny.gov">Susanne.Haag@otda.ny.gov</a>
Automated Claiming System	Regions 1-5	Justin Gross	(518) 474-7549	<a href="mailto:otda.sm.Field_Ops.I-IV@otda.ny.gov">otda.sm.Field_Ops.I-IV@otda.ny.gov</a>
	Region 6	Michael Simon	(212) 961-8250	<a href="mailto:Michael.Simon@otda.ny.gov">Michael.Simon@otda.ny.gov</a>

**/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) 2024-25 Foster Care Block Grant Allocations**

<b>County</b>	<b>Prorated Claims</b>	<b>Approved Relative Homes Set-Aside</b>	<b>Long Stayer Set-Aside</b>	<b>Total Allocation</b>
Albany	5,275,962	397,217	73,338	5,746,517
Allegany	899,911	357,495	5,058	1,262,464
Broome	5,679,759	278,052	55,636	6,013,447
Cattaraugus	1,421,723	119,165	25,289	1,566,177
Cayuga	1,504,370	595,825	20,231	2,120,426
Chautauqua	2,017,798	754,712	30,347	2,802,857
Chemung	1,205,088	-	5,058	1,210,146
Chenango	626,807	238,330	20,231	885,368
Clinton	1,476,459	238,330	7,587	1,722,376
Columbia	1,697,809	-	20,231	1,718,040
Cortland	1,051,987	516,382	15,173	1,583,542
Delaware	1,557,660	198,608	12,645	1,768,913
Dutchess	5,638,301	1,231,372	35,405	6,905,078
Erie	19,839,836	556,104	202,312	20,598,252
Essex	1,066,396	-	10,116	1,076,512
Franklin	1,641,991	-	15,173	1,657,164
Fulton	1,300,108	-	7,587	1,307,695
Genesee	1,191,360	79,443	25,289	1,296,092
Greene	1,435,937	-	7,587	1,443,524
Hamilton	80,250	-	-	80,250
Herkimer	1,963,098	-	45,520	2,008,618

<b>County</b>	<b>Prorated Claims</b>	<b>Approved Relative Homes Set-Aside</b>	<b>Long Stayer Set-Aside</b>	<b>Total Allocation</b>
Jefferson	1,929,799	-	27,818	1,957,617
Lewis	357,618	-	2,529	360,147
Livingston	1,058,312	-	22,760	1,081,072
Madison	1,631,955	-	22,760	1,654,715
Monroe	8,174,707	-	126,445	8,301,152
Montgomery	1,418,696	-	20,231	1,438,927
Nassau	6,048,404	79,443	91,040	6,218,887
Niagara	4,289,157	397,217	55,636	4,742,010
Oneida	9,207,587	317,773	55,636	9,580,996
Onondaga	8,092,524	119,165	103,685	8,315,374
Ontario	1,340,052	119,165	25,289	1,484,506
Orange	7,065,090	-	20,231	7,085,321
Orleans	569,777	-	7,587	577,364
Oswego	3,486,760	-	55,636	3,542,396
Otsego	1,021,650	39,722	12,645	1,074,017
Putnam	778,391	79,443	-	857,834
Rensselaer	2,701,720	39,722	27,818	2,769,260
Rockland	3,121,008	-	-	3,121,008
Saratoga	1,853,315	-	20,231	1,873,546
Schenectady	5,771,540	278,052	116,329	6,165,921
Schoharie	1,670,844	238,330	20,231	1,929,405
Schuyler	488,696	-	5,058	493,754
Seneca	949,634	-	15,173	964,807
Steuben	2,799,648	-	40,462	2,840,110
St. Lawrence	2,802,229	-	48,049	2,850,278
Suffolk	11,356,124	1,628,589	214,957	13,199,670
Sullivan	2,696,093	238,330	27,818	2,962,241

<b>County</b>	<b>Prorated Claims</b>	<b>Approved Relative Homes Set-Aside</b>	<b>Long Stayer Set-Aside</b>	<b>Total Allocation</b>
Tioga	1,045,679	79,443	20,231	1,145,353
Tompkins	1,096,298	278,052	17,702	1,392,052
Ulster	3,419,697	-	30,347	3,450,044
Warren	1,022,009	-	12,645	1,034,654
Washington	996,380	-	7,587	1,003,967
Wayne	724,554	-	27,818	752,372
Westchester	13,944,705	278,052	75,867	14,298,624
Wyoming	879,470	39,722	7,587	926,779
Yates	562,664	357,495	-	920,159
Rest of State	174,945,396	10,168,750	2,025,651	187,139,797
New York City	215,251,854	-	1,474,349	216,726,203
Statewide	390,197,250	10,168,750	3,500,000	403,866,000