



Andrew M. Cuomo
Governor

NEW YORK STATE
OFFICE OF CHILDREN & FAMILY SERVICES
52 WASHINGTON STREET
RENSSELAER, NY 12144

Gladys Carrión, Esq.
Commissioner

Administrative Directive

Transmittal:	12-OCFS-ADM-09
To:	Local District Commissioners
Issuing Division/Office:	Administration
Date:	November 5, 2012
Subject:	Per Diem Chargeback Rates for OCFS-Operated Facilities and Programs – Final Rates for CY 2009 – Final Rates for CY 2010
Suggested Distribution:	Directors of Services Accounting Supervisors
Contact Person(s):	See Section VI, Other
Attachments:	A. Final CY 2009 Per Diem Chargeback Rates B. Final CY 2009 Levels of Care C. Final CY 2010 Per Diem Chargeback Rates D. Final CY 2010 Levels of Care
Attachments Available Online:	Yes

Filing References

Previous ADMs/INFs	Releases Canceled	Dept. Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
			Section 529 of Executive Law Chapters 109, 110 and 111 of the Laws of 2010		

I. Purpose

The purpose of this Administrative Directive (ADM) is to publish Final Per Diem Chargeback Rates for Calendar Year (CY) 2009 and CY 2010 for care provided to youth placed in facilities and programs operated by the Office of Children and Family Services (OCFS).

These Final Per Diem Chargeback Rates for CY 2009 and CY 2010 will be used as the basis for making bill adjustments for youth who were placed in OCFS-operated facilities during CY 2009 and CY 2010, which were previously billed at CY 2009 and CY 2010 Interim Rates. The calculated bill adjustments will reconcile the difference between amounts previously billed at the CY 2009 Interim Rates (09-OCFS-ADM-13) and CY 2010 Interim Rates (10-OCFS-ADM-07) and the Final Rates specified in this ADM.

II. Background

Chargeback rates for OCFS-operated facilities are used for billing the care provided to youth placed in residential programs directly operated by OCFS. Rates used for such billing purposes are initially calculated and billed as “interim rates” subject to a reconciliation of the actual expenditures for each operating period. Localities are required to make payments based on interim rates that are charged to them on a quarterly basis in the OCFS quarterly cost-of-care bills. When “final rates” are determined for each level of care for the prior period, bills that reconcile the differences between interim and final rates are issued to localities for care provided to youth during those periods.

Chapters 109, 110 and 111 of the Laws of 2010 further provide that, if a social services district fails to provide reimbursement to OCFS for any per diem chargeback rate within 60 days of receiving a bill for services, or by the date certain set by OCFS for providing reimbursement, whichever is later, the state may exercise its set-off rights by withholding the amount due from any amounts due and owing to the district from OCFS under Article 19-G of the Executive Law or the Social Services Law.

III. Program Implications

Final Rates for CY 2009 and CY 2010, as specified in this ADM, have been approved in accordance with Section 529 of the Executive Law. These rates will be used by OCFS to bill for the differences between the interim and final rates for youth placed in applicable OCFS-operated facilities during CY 2009 and CY 2010.

IV. Required Action

Chargeback bills for the second quarter of CY 2011 will include rate adjustments for CY 2009 and CY 2010 using the approved CY 2009 and CY 2010 rates specified in this ADM. The state may exercise its set-off rights and reduce payments due to any district that fails to pay its bill within 60 days of receiving the bill or the date certain put in the bill, whichever is later.

Payments or correspondence about bills should be directed as follows:

NYS Office of Children and Family Services
Bureau of Financial Operations / Accounting Unit
52 Washington St., South Bldg. Room 204
Rensselaer, New York 12144

V. Systems Implications

The Juvenile Justice Information System (JJIS) allows for the electronic distribution of the quarterly chargeback rate bills. If you need to add additional staff to the distribution list for the bills, please e-mail that list to the following address:

ocfs.sm.bfo.finance@ocfs.state.ny.us

VI. Other

Contacts for questions about the issues related to this ADM are as follows:

For questions concerning rate-related issues, please contact Ken Norris, OCFS Rate Setting, at 518-486-3437. He can also be contacted by e-mail as follows:

Ken.Norris@ocfs.state.ny.us.

For placement-related questions about specific youth, please contact Allison Campbell of the Bureau of Classification and Movement at (518) 486-5513, or by e-mail as follows

Allison.Campbell@ocfs.state.ny.us

For payment questions, please contact Mark Sullivan of the Bureau of Financial Operations at (518) 486-6973, or by e-mail as follows:

Mark.Sullivan@ocfs.state.ny.us

Copies of this ADM should be shared with accounting supervisors and other staff associated with OCFS residential programs.

VII. Effective Date

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

Issued By: s/s Mikki Ward-Harper

Name: Mikki Ward-Harper

Title: Acting Deputy Commissioner for Administration

Division/Office: Administration

Attachment A**Final Calendar Year 2009 - Section 529 Per Diem Rates**

Program	Per Diem Rates	County Share	State Share
Secure Residential Services	548.38	274.19	274.19
Limited Secure Residential Services	586.50	293.25	293.25
Non-Community-Based Residential Services	692.82	346.41	346.41
Community Residential Homes	833.86	416.93	416.93
Family Foster Care	162.76	81.38	81.38
Evening Reporting Centers	261.62	130.81	130.81

Final Calendar Year 2009 - Title IV-E Per Diem Rates

Program	Title IV-E Per Diem Rates
Non-Community-Based Residential Services	493.16
Community Residential Homes	775.06
Family Foster Care	148.28

Attachment B**Final Calendar Year 2009
Levels of Care and Facilities**

Secure Residential Services			
Brookwood	Goshen Secure	Industry Secure	MacCormick
Tryon Girls			

Limited Secure Residential Services			
Finger Lakes	Highland	Industry School	Pyramid Reception
Pyramid Transition	Taberg	Tryon Boys Residential	Tryon Girls Limited Secure
Tryon Girls Reception	Youth Leadership Academy		

Non-Community-Based Residential Services			
Adirondack Residential	Adirondack Wilderness	Allen	Annsville
Auburn	Brace	Brentwood	Bronx
Brooklyn	Cattaraugus	Great Valley	Harriet Tubman
Lansing	McQueen	Middletown	Red Hook
Staten Island Residential			

Community Residential Homes			
Gloversville	Rochester	Staten Island	Syracuse-Salina (Central New York)

Family Foster Care			
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Evening Reporting Centers			
Albany-Capital District	Bronx-Given	Bronx-Wilder	Brooklyn
Buffalo	Rochester	Syracuse (Central New York)	

Attachment C**Final Calendar Year 2010 - Section 529 Per Diem Rates**

Program	Per Diem Rates	County Share	State Share
Secure Residential Services	673.30	336.65	336.65
Limited Secure Residential Services	835.98	417.99	417.99
Non-Community-Based Residential Services	927.72	463.86	463.86
Community Residential Homes	930.98	465.49	465.49
Family Foster Care	180.52	90.26	90.26
Evening Reporting Centers	345.62	172.81	172.81

Final Calendar Year 2010 - Title IV-E Per Diem Rates

Program	Title IV-E Per Diem Rates
Non-Community-Based Residential Services	821.80
Community Residential Homes	774.64
Family Foster Care	129.36

Attachment D**Final Calendar Year 2010
Levels of Care and Facilities**

Secure Residential Services			
Brookwood	Goshen Secure	Industry Secure	MacCormick
Tryon Girls			

Limited Secure Residential Services			
Ella McQueen Reception	Ella McQueen Transition	Finger Lakes	Highland
Industry School	Pyramid Reception	Pyramid Transition	Taberg
Tryon Boys Residential	Tryon Girls Limited Secure	Tryon Girls Reception	Youth Leadership Academy

Non-Community Based Residential Services			
Allen	Annsville	Brentwood	Bronx (Southern New York)
Brooklyn	Harriet Tubman	Lansing	Middletown
Red Hook	Staten Island Residential		

Community Residential Homes			
Staten Island			

Family Foster Care			

Evening Reporting Centers			
Bronx-Given	Bronx-Wilder	Brooklyn	Rochester