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*Governor*

**NEW YORK STATE**  
**OFFICE OF CHILDREN & FAMILY SERVICES**  
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**Gladys Carrión, Esq.**  
*Commissioner*

## **Local Commissioners Memorandum**

<b>Transmittal:</b>	13-OCFS-LCM-05
<b>To:</b>	Local District Commissioners
<b>Issuing Division/Office:</b>	Strategic Planning and Policy Development Administration/Budget Management
<b>Date:</b>	May 22, 2013
<b>Subject:</b>	<b>Federal Fiscal Year 2012-2013 Independent Living Allocations</b>
<b>Contact Person(s):</b>	See Pages 4 and 5
<b>Attachments:</b>	Attachment A: District Allocations for the Chafee Foster Care Independence Program, 10/1/12-9/30/13
<b>Attachment Available Online:</b>	Only as part of this LCM, which is posted on the OCFS Internet and intranet websites

### **I. Purpose**

The purpose of this Local Commissioners Memorandum (LCM) is to transmit to social services districts the Chafee Foster Care Independence Program (CFCIP) allocations from the Federal Fiscal Year (FFY) 2012-2013 funds. The allocations contained in Attachment A to this memorandum may be used for Independent Living (IL) services expenditures made October 1, 2012, through September 30, 2013, and claimed by March 31, 2014, and will be paid up to the amount of the allocation and subject to a 20 percent state/local match requirement. Unclaimed allocation amounts will be redistributed to other districts that have claims in excess of the allocation, or used to support Office of Children and Family Services' (OCFS) activities related to implementation of the Chafee Foster Care Independence Act, allowing New York State to maximize its use of funds available under this federal funding stream.

This memorandum also describes the methodology for determining the FFY 2012-2013 allocations.

This LCM advises local social services districts that they must be in compliance with all provisions set forth in 02-OCFS-LCM-05, issued on February 28, 2002, including the assurances made to the U.S. Department of Health and Human Services listed in Attachment B of that memorandum, to be eligible for reimbursement from CFCIP funds.

## **II. Allocation Methodology**

The FFY 2012-2013 allocation for distribution to social services districts represents 97 percent of the total federal allocation to New York State, resulting in an allocation to districts of \$11,231,104. The remainder is being reserved by OCFS for two purposes: (1) to support IL services for youth in direct care in OCFS-operated facilities and rehabilitative services programs (districts are required to meet the IL services needs of eligible youth in OCFS custody placed in authorized voluntary agencies in the same manner and under the same criteria as youth in the custody of the commissioner of social services); and (2) to support OCFS activities related to the Chafee Foster Care Independence Act.

The allocation methodology for the FFY 2012-2013 CFCIP allocations to social services districts is comprised of two parts, taking into consideration the potential IL population and IL expenditures. Half of the available funds are allocated to districts based on each social services district's potential IL population, which is defined as youth 14 to 21 years of age in care on September 30, 2012. Each local district is allocated an amount equal to its proportion of the potential IL eligible population in relation to the total statewide potential IL eligible population. The remaining half of the allocation is based on each social services district's proportion of the total statewide IL claims received by March 31, 2013, applied against the FFY 2011-2012 allocations, including expenditures made after September 30, 2012. Each local district is allocated an amount equal to its proportion of the historical claims. The two parts are then added together to get each social services district's FFY 2012-2013 total CFCIP allocation, which appears in Attachment A.

This approach affords the greatest degree of stability to districts across program years, balancing population size with intensity of programming. OCFS, however, reserves the right to base future allocation methodologies on historical expenditures only.

Local social services districts are reminded that districts may claim expenditures for IL services that are directly provided by the local district staff to program recipients. These services are: academic support services, vocational training, independent living skills, and/or aftercare services. Districts are also reminded that within the service categories listed above, districts may also claim expenditures for independent living supports for youth. This would include, for example, expenditures for: cap and gowns and other costs associated with high school graduation; prom dresses; scholastic aptitude tests including SAT/ACT/PSAT (required for undergraduate admission to many colleges and

universities); applications for admission to college or vocational training programs; examinations for attendance at a vocational training program; visits to colleges; clothing for job/college interviews; and car insurance. Districts are also reminded that they must provide, and may claim for Vocational Training (Purchase of Service [POS] Type 85), Academic Support (POS Type 87) services, and Independent Living Skills (POS Type 84) training provided to children who are adopted from foster care at age 16 or older and children who leave foster care at age 16 or older for guardianship with a relative guardian who is receiving kinship guardianship assistance payments.

Any IL claims that exceed a district's Chafee IL allocation are subject to 62 percent state reimbursement, provided that the district meets its threshold requirement. Therefore, it is important that local social services districts submit all claims for the FFY 2012-2013 CFCIP funds.

### **III. Claiming**

CFCIP expenditures are claimed on the Schedule RF-4, "Independent Living Program for Foster Care Children" (LDSS-3871). Refer to the Fiscal Reference Manual, Volume 2, Chapter 3, for instructions on completing the RF-4 claim. The Fiscal Reference Manual is available on the Office of Temporary and Disability Assistance intranet site at <http://otda.state.ny.net/bfdm/>.

CFCIP funds are available to provide reimbursement of 80 percent of a social services district's expenditures, up to the amount of the allocation. Districts may meet the 20 percent match for expenditures claimed under the CFICP by use of in-kind and donated funds as described in 00-OCFS-LCM-32, Federal Fiscal Year 1999-2000 Independent Living Allocations. The 20 percent match for expenditures claimed under the CFICP is eligible for 62 percent state reimbursement, subject to child welfare threshold requirements and performance or outcome based provisions.

For New York City, Close to Home (CTH) funds may be used to reimburse the non-federal share of Independent Living expenditures claimed on the RF-4 up to the unexpended amount of the CTH allocation. Expenditures must be claimed in column 3, Federal IL Eligible CTH, to receive reimbursement with CTH funds.

For expenditures exceeding the district's CFCIP allocation, social services expenditures are eligible for 62 percent state reimbursement, subject to the child welfare threshold requirements and performance or outcome-based provisions. Any donated funds or in-kind services that are a part of those expenditures and claimed for 62 percent state reimbursement are subject to special rules. Refer to Section V of 02-OCFS-LCM-05 and to 02-OCFS-LCM-20.

#### IV. Direct Charges

Effective July 1, 2003, the IL Program category was removed from the Schedule D-2 “Allocation for Claiming General Services Administration Expenditures” (LDSS-2347-B). District spending for IL services is now accounted for outside of the State Services Random Moment Study and not subject to the cost allocation formula. Local social services districts may claim expenditures for IL services (academic support services, vocational training, independent living skills, and/or aftercare services) that are directly provided by the local district staff to program recipients. These expenditures should be claimed on Schedule D “DSS Administrative Expenses Allocation and Distribution by Function and Program,” as an F30 function. From the F30 function, the local districts should report these expenditures in the proper category of service on the Schedule RF-4.

Local district administration costs related to IL cases are considered regular foster care administration (Title IV-E or Non-Title IV-E eligible). Therefore, these costs should not be reported on the Schedule RF-4.

#### V. Additional Information

Section 477(b)(3)(A) of the Social Security Act requires states to certify that they will provide assistance and federally funded CFCIP services to youth who have left foster care because they have attained the age of 18, see also 42 U.S.C.A. § 677(b)(3)(A). Therefore, if a youth (between the ages of 18 and 21) formerly in foster care moves from the state in which he or she aged out of foster care to another state, he or she is eligible for independent living services in the new state, so long as he or she left foster care because of attaining the age of 18. If a youth meets this eligibility criterion, the independent living services must be paid for by the district where the youth resides. The district must treat the youth as it would any other youth who is eligible to receive CFCIP services in New York State.

Additional information can be found at:

[Health and Human Services Child Welfare Policy Manual Independent Living](#)

#### VI. Contact Names

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Bureau of Indian Affairs - Kim Thomas (716) 847-3123 - [Kim.Thomas@ocfs.ny.gov](mailto:Kim.Thomas@ocfs.ny.gov)

Questions pertaining to ***claiming*** should be directed to the Office of Temporary and Disability Assistance, Bureau of Financial Services:

Regions I-V: Edward Conway (518) 474-7549  
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Region VI: Michael Simon (212) 961-8250  
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Questions pertaining to the ***allocations*** should be directed to:

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*/s/ Jeanne Milstein*

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**Issued By:**

Name: Jeanne Milstein

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*/s/ Mikki Ward-Harper*

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Name: Mikki Ward-Harper

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## ATTACHMENT A

**DISTRICT ALLOCATIONS**  
**CHAFEE FOSTER CARE INDEPENDENCE PROGRAM (CFCIP) FUNDS**  
**10/1/12 to 9/30/13**

<b>District</b>	<b>Allocation</b>	<b>District</b>	<b>Allocation</b>
Albany	72,611	Orange	171,582
Allegany	17,999	Orleans	11,046
Broome	95,864	Oswego	38,797
Cattaraugus	15,984	Otsego	14,315
Cayuga	27,323	Putnam	5,738
Chautauqua	28,151	Rensselaer	65,561
Chemung	34,610	Rockland	42,695
Chenango	13,266	St. Lawrence	40,619
Clinton	14,492	Saratoga	29,295
Columbia	71,242	Schenectady	90,503
Cortland	18,995	Schoharie	16,795
Delaware	19,794	Schuyler	7,899
Dutchess	72,093	Seneca	4,604
Erie	363,834	Steuben	35,399
Essex	12,214	Suffolk	266,477
Franklin	24,113	Sullivan	42,948
Fulton	18,055	Tioga	12,396
Genesee	31,462	Tompkins	59,533
Greene	11,659	Ulster	78,670
Hamilton	-	Warren	12,003
Herkimer	24,406	Washington	9,124
Jefferson	21,445	Wayne	9,942
Lewis	4,161	Westchester	442,675
Livingston	8,296	Wyoming	13,734
Madison	15,386	Yates	8,956
Monroe	260,693	St. Regis Mohawk	3,253
Montgomery	15,233		
Nassau	177,649	Upstate Totals	3,391,918
Niagara	46,601		
Oneida	112,190	New York City	7,839,186
Onondaga	191,590		
Ontario	15,948	Statewide Totals	11,231,104