



Office of Children and Family Services

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Informational Letter

Transmittal:	17-OCFS-INF-01
To:	Commissioners of Social Services Executive Directors of Voluntary Authorized Agencies
Issuing Division/Office:	Child Welfare and Community Services
Date:	February 7, 2017
Subject:	Free Certified Copy of a United States Birth Certificate for Youth in Foster Care
Suggested Distribution:	Directors of Social Services Directors of Voluntary Authorized Agencies Staff Development Coordinators Foster Care Supervisors Foster Care Case Managers Foster Care Workers
Contact Person(s):	Any questions concerning this release should be directed to the appropriate regional office, Division of Child Welfare and Community Services: Buffalo Regional Office -Amanda Darling (716) 847-3145 Amanda.Darling@ocfs.ny.gov Rochester Regional Office - Karen Buck (585) 238-8201 Karen.Buck@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 Spring Valley Regional Office - Yolanda Désarmé (845) 708-2498 Yolanda.Desarme@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 Oversight – Jewel Brown-Gregory (212) 383-1828 Jewel.Brown-Gregory@ocfs.ny.gov
Attachments:	DOH-4380, <i>Mail-In Application for Copy of Birth Certificate</i> CS-701F ACS's Request for Copies of Birth Certificate

Filing References

Previous ADMs/INFs	Releases Cancelled	NYS Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
10-OCFS-LCM-17 11-OCFS-ADM-01 11-OCFS-ADM-02 15-OCFS-ADM-18 15-OCFS-ADM-20		18 NYCRR 430.12(l) 430.12 (f)	Preventing Sex Trafficking and Strengthening Families Act (P.L. 113-183) Fostering Connections to Success and Increasing Adoptions Act of 2008 (P.L.110-351) Patient Protection and Affordable Care Act (P.L. 111-148) Public Health Law §4174.4		

I. Purpose

The purpose of this Informational Letter (INF) is to provide guidance to local departments of social services (LDSSs) and voluntary agencies (VAs) on how to request a free certified copy of a United States (U.S.) birth certificate for a youth in foster care in preparation for the youth's discharge from foster care.

II. Background

The *Preventing Sex Trafficking and Strengthening Families Act* (P.L. 113-183) was signed into law on September 29, 2014. Section 114 of P.L. 113-184 amended §475(5)(l) of the Social Security Act (SSA) to require that any youth who has been in foster care for at least six months and is leaving foster care at the age of 18 or older be provided with specific vital documents, including an official or certified copy of the youth's U.S. birth certificate. P.L. 113-183 does not require that an agency provide a youth with his/her birth certificate if he/she was born outside of the U.S.; however, agencies should make every attempt to access the birth certificate of a youth who is born in another country. For more information on how to obtain a birth certificate for a youth born in another country, contact U.S. Citizenship and Immigration Services at:

<http://www.uscis.gov/>.

For more information on which vital documents must be provided to youth at discharge from foster care, please see [15-OCFS-ADM-20](#), *Transition Planning with Youth for a Successful Discharge*.

To assist LDSSs and VAs in meeting the birth certificate requirement of P.L. 113-183, Section 32 of Part L of Chapter 56 of the Laws of 2015 was signed by Governor Cuomo on April 13, 2015. The Chapter Law amended §4174.4 of the Public Health Law (PHL) in order to allow LDSSs and VAs to obtain a free certified copy of a U.S. birth certificate from the New York State Department of Health (DOH) for youth in the care and custody of the commissioner of an LDSS or OCFS in preparation for the youth's discharge.

III. Program Implications

Pursuant to PHL §4174.4, LDSSs and VAs can obtain a free copy of a birth certificate for youth in foster care from the DOH.

The process to obtain a free certified copy of a U.S. birth certificate for youth in foster care is outlined below and is dependent on whether the youth was born outside of New York City or within New York City.

Youth Born Outside of New York City

For youth born outside of New York City, please use the attached DOH form, *Mail-In Application for a Copy of Birth Certificate* (DOH-4380), when requesting a birth certificate or visit the DOH website at https://www.health.ny.gov/vital_records/birth.htm to obtain an application.

In the section that refers to “amount,” please enter “gratis.”

The request **must** be accompanied with a copy of the court order placing the youth in the care of the LDSS or the New York State Office of Children and Family Services as well as a letter from either the LDSS or the VA, dated within the last six months on the agency’s letterhead, outlining why it is needed. The document must have an original signature. For the latest information on processing times, please visit DOH’s site listed above. .

The completed and signed form must be sent to:

New York State Department of Health
Vital Records Section/Certification Unit
P. O. Box 2602
Albany, NY 12220-2602

Youth Born in New York City

For youth born in one of the five boroughs of New York City (Manhattan, Brooklyn, Queens, Bronx, and Staten Island), the New York City Administration for Children’s Services (ACS) has an internal process for requesting a youth’s birth certificate. The VA must complete the CS-701F form (found on ACS docuShare and attached to this INF) and submit it to ACS via email at:

Birth.request@acs.nyc.gov.

For youth who were born in New York City but reside in an upstate county, the VA must complete the CS-701F form and submit it to ACS via email at:

Birth.request@acs.nyc.gov.

ACS will submit the request to the New York City Department of Health and Mental Hygiene on behalf of the VA.

P.L. 113-183 does not require that an agency provide youth with his or her birth certificate if he/she was born outside of the U.S. However, agencies should make every attempt to access the birth certificate of a youth who was born in another country. For more information, contact U.S. Citizenship and Immigration Services at <http://www.uscis.gov/>.

/s/ Laura M. Velez

Issued by:

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Title: Deputy Commissioner

Division/Office: Child Welfare and Community Services