Administrative Directive

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<td>April 16, 2018</td>
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I. Purpose

The purpose of this Administrative Directive (ADM) is to release and outline the new tools that must be used to support the foster/adoptive home certification and approval process. In New York State, an applicant(s) can be certified or approved as a foster parent. An applicant(s) may also be a concurrently certified or approved foster parent and an approved adoptive parent. For purposes of this ADM the term “foster home” and “foster parent” refers to both options. This ADM also reminds local departments of social services (LDSSs) and voluntary authorized agencies (VAs) of the regulatory requirements regarding certifying and approving foster homes.

II. Background

New York State Office of Children and Family Services (OCFS) regulations outline the requirements for LDSSs and VAs that operate family foster boarding home programs, as well as the process a person(s) must follow when becoming a certified or approved foster parent. In response to a request from LDSSs and VAs for a standardized statewide foster home certification and approval process, OCFS convened a workgroup of multiple stakeholders to obtain their perspectives on the process, identify potential barriers, and gather ideas for creating a thorough and standardized process. During this workgroup, several tools were developed to assist LDSSs and VAs in the certification and approval of foster homes.

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1 18 NYCRR 443.2.
2 18 NYCRR 443.9.
3 Throughout this ADM, the terms LDSS and/or VA refer to the agency that is certifying or approving the foster home.
4 18 NYCRR Part 443.
III. Program Implications

The tools created to support foster home certification and approval have been incorporated into the existing foster home certification and approval process, and will be required within specific time frames. This section will provide general information about each step in the foster home certification and approval process, and will also discuss the purpose of each tool. Section IV of this release will provide specific dates, times, and documentation requirements for each step in the foster home certification and approval process.

All LDSSs and VAs must follow the process and utilize the tools released with this ADM for all applicant(s) who express interest in becoming a foster parent(s) after the issuance of this ADM. All applicant(s) whose homes are in inquiry status prior to the issuance of this ADM may continue in the LDSSs or VAs existing certification or approval process, and must be completed by the end of July 2018. At this time, the process for completing re-certifications and re-approvals (known as “reauthorization” in CONNECTIONS) has not been changed.

Response to Applicant’s Inquiry

Upon receiving an inquiry from a person(s) who is interested in becoming a foster parent, the LDSS or VA must respond in writing to the inquiring person within 10 days of the initial contact and offer an individual appointment to the person(s) or invite them to a group orientation session on becoming a certified or approved foster parent.

Initial Interview or Orientation

At the initial interview or orientation, the LDSS or VA must provide the person(s) interested in becoming a foster parent(s) with information about the certification or approval process. This includes providing an overview of the process of children coming into foster care, the role of the LDSS or VA in the process, the categories of children that are served, and the requirements of the certification or approval process.

The LDSS or VA must explain to the person(s) that each applicant(s) and each person(s) 18 years of age or older who resides in the home of the applicant(s) must have the following:

- Fingerprinting for the purposes of a national (FBI) and a New York State criminal history records check.
- New York Statewide Central Register (SCR) database check
- Where applicable, a check of the child abuse and maltreatment registry of any other state where the applicant(s) or other adult(s) who reside in the applicant’s home

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5 18 NYCRR 443.2 (b).
6 18 NYCRR 443.2 (b).
7 18 NYCRR 443.1 (i): Only relatives within the second or third degree to the parent(s) or stepparent(s) of the foster child through blood or marriage can become approved foster parents.
8 This includes a check of the NYS Division of Criminal Justice Services (DCJS) and Federal Bureau of Investigation (FBI). See 16-OCFS-ADM-20.
9 See Pub-5183 Clearance Chart for Certified or Approved Foster Homes.
have resided within the last five years prior to the application for certification or approval.

- Staff Exclusion List (SEL) Check

**Self-Assessment (OCFS-5183A)**

The *Self-Assessment* form (OCFS-5183A) includes a series of questions designed to have applicants and their families, if applicable, consider why they want to become foster parents, stimulate conversation about the various aspects of the process, and provide an opportunity for the family to assess the potential impact that becoming foster parents would have on their lives. The applicants and any children in the home (dependent on the child’s age and developmental appropriateness) should complete the *Self-Assessment* form together as a family. *Note: It is unlikely that every person in the family will answer each question the same way, so multiple answers can be listed for each question. If the question is not applicable to the applicant(s) and their family, “N/A” may be written in the space provided.*

After the applicant(s) complete the *Self-Assessment* form, the home finder and the family should discuss and identify together which level of readiness the family is at, and what needs to be done to help support the family.

There are three levels of family readiness:

1. **Early Stages**
   - The family has some understanding about what fostering and/or adopting is, but needs more information and discussion about the impact on their family.

2. **Minimal Supports Needed**
   - The family needs some support and/or more information from the LDSS or VA on what the experience of fostering and/or adopting a child will be like, and the impact on their family. The family is willing and able to learn.

3. **Acceptable**
   - The family is prepared and knowledgeable about the experience of fostering and/or adopting a child, and the impact on their family.

The *Self-Assessment* form should be completed at least once in the process after the applicant(s) have attended the initial interview or orientation. However, it is recommended that it be completed as needed throughout the process as the applicant’s family circumstances and understanding of being a foster parent(s) evolve. Each time the *Self-Assessment* form is reviewed and the level of family readiness is assessed, the applicant(s), the home finder, and the home finder’s supervisor must sign the completed form.

**Application**

The *Foster-Adoptive Parent Application* (OCFS-5183B) was created to provide a uniform application that is used by all LDSSs and VAs throughout New York State. OCFS-5183B replaces any existing applications used by LDSSs and VAs for certification or approval of foster homes. Each applicant is required to independently complete the OCFS-5183B.

The OCFS-5183B is used to elicit information about the applicant(s), including the following:

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18 NYCRR 443.2(b)(11&12).
Basic demographic information
Current and past employment information
Household composition
Foster/Adoptive parenting experience
Transportation
References
Education history
Financial information

The OCFS-5183B also includes a section requiring each applicant(s) to submit a sworn statement indicating whether, to the best of the applicant’s knowledge, the applicant or any other person over the age of 18 currently residing in the home has ever been convicted of a crime in New York State or in any other jurisdiction.11

If the applicant is applying for foster care and adoption, the applicant must also complete the Application to Adopt (OCFS-5183C). The Application to Adopt is a list of characteristics of children that a family is willing and able to adopt.

As part of the application process, the LDSS and VA must also collect information on the applicant’s health, physical functioning, and physical facilities of the prospective foster home. This information is collected in the Foster-Adoptive Medical Report (OCFS-5183D) and the Safety Review form (OCFS-5183E).

The Foster-Adoptive Applicant Medical Report (OCFS-5183D) is an attestation of the applicant’s medical status that is filled out by a physician, physician’s assistant, nurse practitioner or other licensed and qualified health care practitioner. One medical report must be completed for each applicant.

The Safety Review Form (OCFS-5183E) is a form that is completed by the LDSS or VA during an inspection of the applicant’s physical residence. This form must also be completed if there is a significant structural or physical change to the home and/or the applicant moves.

Verification of the applicant’s employment references is also done as part of the application. This is done by contacting the applicant’s employment references listed on the applicant’s application.

The LDSS or VA must accept or deny an application for home study. If the LDSS or VA denies the application, the LDSS or VA must provide the applicant with a written statement setting forth its reason(s) for the denial, including a statement indicating whether the denial was based in whole or in part on the existence of an indicated report. If the denial is based in whole or in part on the existence of an indicated CPS report that names the applicant as a subject, the notice of denial must also inform the applicant of his or her fair hearing rights as set forth in 18 NYCRR 443.2(b)(9).

11 18 NYCRR 443.2(b)(13)(iv).
12 18 NYCRR 443.2(c)(1)(ii).
Home Study\textsuperscript{13,14}

LDSSs and VAs must complete a home study within four months after acceptance of an application unless delays occur as a result of circumstances beyond the control of the agency or unless the schedule for interviews with the applicant is changed by mutual consent of the applicant and the agency representative.\textsuperscript{15} The home study consists of multiple components, which are detailed in this section. The home study is completed concurrently with MAPP or other OCFS-approved training program.

- The *Household Composition and Relationships* form (OCFS-5183F) is divided into five sections, and is to be completed by the home finder with the applicant(s) as addressed below:
  - Partner Relationship: completed by home finder individually with each adult applicant
  - Family: completed by the home finder with each household
  - Parenting: completed separately by the home finder with each applicant individually.
  - Child Interview: one form completed for each household member under the age of 18, depending on the child’s developmental stage. The family, home finder, and supervisor will determine whether the child will participate and whether the applicant(s) should be present. If a decision is made for a child not to participate, the reason must be explained on the form.
  - Psychosocial Interview: to be completed by home finder with each adult applicant.
    - The purpose of the psychosocial interview is to explore the applicant’s history and current psychological/social factors and their impact on the capacity, willingness, and readiness to safely care for a child in foster care, and to develop support plans where applicable.
    - The psychosocial interview is divided into three sections: “Personal History,” “Coping Skills and Stress Management,” and “Behavioral Health.” The form provides sample questions and guidance to lead the conversations; however, the home finder needs to use their engagement and assessment skills to explore each section with the applicant(s) independently.
    - A genogram should also be completed during the psychosocial interview. A genogram is a multi-generational diagram of the applicant’s family and social network. Symbols are linked with lines to depict relationships. A Sample Genogram Template (OCFS-5183G) is provided with this ADM for home finders to use as a reference, however any genogram template can be used for this process.

\textsuperscript{13} 18 NYCRR 443.2(c).
\textsuperscript{14} Note: All hard copies of the home study and related background check materials must be kept in the applicant’s file.
\textsuperscript{15} 18 NYCRR 443.2(c).
• **Personal References (OCFS-5183H)**: A form is sent to each of the applicant’s three personal references to fill out. The forms must be returned directly to the home finder.

• SCR, out of state SCR (where applicable), SEL, and FBI and New York State criminal history record check results for the applicant(s) and any person(s) 18 years of age or older residing in the home of the applicant(s).

**Resource Characteristics (OCFS-5183I)**

The fully certified or approved foster parent(s) must complete the OCFS-5183H, *Resource Characteristics*. The OCFS-5183H is a list of characteristics of children who may need a foster care/adoption placement. Each family must complete one by checking “yes” or “no” by each child characteristic that their family is willing and able to accommodate.

**Foster Parent Agreement With Authorized Agency (OCFS-5183J)**

Once applicant(s) successfully complete all necessary requirements to become certified or approved foster parent(s), the LDSS or VA must review the components in OCFS-5183I, *Foster Parent Agreement*, with the applicant(s). Only when the applicant(s) have agreed to the components, and signed OCFS-5183I, can they be fully certified or approved.

**Certificate or Letter of Approval**

Upon the successful completion of the certification or approval process, the LDSS or VA prints out a certificate or letter of approval from CONNECTIONS and provides it to the applicant(s).

**Final Assessment and Determination (OCFS-5183K)**

At the completion of the applicant’s home study, the LDSSs and VAs must complete a *Final Assessment and Determination (OCFS-5183K)*. The purpose of the *Final Assessment and Determination* is for the worker to apply their critical thinking skills to assess all the information they have received and to summarize and synthesize where the applicant has strengths and needs.

The *Final Assessment and Determination* is divided into five sections as follows:

- **Section I** contains a list of regulatory requirements that must be completed during the home study process for each applicant. The home finder must select “yes” if the requirement is satisfied or “no” if it is not. There is also a space for the home finder to explain the decision. The regulatory requirements listed in the Section I only list the regulatory requirements needed for the home study process and do not list every regulatory requirement that must be satisfied in order for the home to be certified or approved.

- **Section II** is an assessment of the home study components. The home finder takes the information gathered in the *Household Composition and Relationships* form (OCFS-5183F) and summarizes each area assessed as it impacts the applicant(s).

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16 18 NYCRR 443.2(c)(1)(v).
17 See Pub.5183, *Clearance Chart for Certified or Approved Foster Homes*.
18 18 NYCRR 443.3(b).
19 18 NYCRR 443.3(f).
ability for foster and/or adopt. The home finder must list strengths, considerations, and supports needed for each section.

- Section III is only completed if there are changes made to an existing foster parents certification or approval prior to the annual recertification or re-approval of the home. This is referred to as an “Interim Home Study” in CONNECTIONS.
- Section IV is the space where the agency records the determination on whether to approve or not approve the application. The home finder must consider all regulatory standards set forth in 18 NYCRR Part 443 necessary to approve an application when making a final decision on whether the home can be certified or approved, which also include all components of the application and home study process. This is a decision that must be made by the home finder and the home finder’s supervisor.
  - If an LDSS or VA decides to discontinue a home study or denies certification or approval upon completion of the home study, it must advise the applicant in writing of the reasons for the agency’s decision and must offer an interview to discuss the decision.[1]
- After completing the *Final Assessment and Determination* (OCFS-5183K), the home finder must copy and paste the OCFS-5183K into CONNECTIONS. The home finder must print out the OCFS-5183K and provide the family the opportunity to comment, if they choose, within Section V. The applicant(s), home finder and supervisor must also sign and date the *Final Assessment and Determination*. The signed copy must be maintained in the foster parents file and a copy must be provided to the foster parent.

IV. Required Actions

All LDSSs and VAs must follow the process and utilize the tools released with this ADM for all applicant(s) who express interest in becoming a foster parent(s) after the issuance of this ADM.

All applicant(s) whose homes are in inquiry status prior to the issuance of this ADM may continue in the LDSSs or VAs existing certification or approval process and must be completed by the end of July 2018.

At this time, the process for completing re-certifications and re-approvals (“reauthorizations”) has not been changed.

1. **Response to an Applicant’s Inquiry**

   Upon receiving an inquiry from an individual who is interested in becoming a foster/adoptive parent, the LDSS or VA must respond in writing within 10 days of the initial contact and offer an individual appointment, or invite the applicant to a group orientation session on becoming a certified or approved foster parent.20

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20 18 NYCRR 443.2(b).
After responding to an applicant’s inquiry, the LDSS or VA must:

- open the “Foster and Adoption Development (FAD) home” in “Inquiry Status” in CONNECTIONS,
- review the CONNECTIONS history to determine if applicant(s) previously had foster home certification or approval,\(^{21}\) and
- record corresponding dates in the FAD “Checklist.”

2. Orientation or Individual Appointment

At the orientation or individual interview, the LDSS or VA must provide the prospective foster/adoptive parent applicant with information on becoming a foster parent, including the following forms:

- *Foster-Adoptive Parent Application* (OCFS-5183B): one form per applicant
- *Foster-Adoptive Applicant Medical Report* (OCFS-5183C): one form per applicant
- *Request for NYS Fingerprinting Services* (OCFS-4930ASFA): one form per person 18 years of age or older
- *Statewide Central Register Database Check* (LDSS-3370): one form per person 18 years of age or older

After the orientation or individual interview, the LDSS or VA must:

- record corresponding dates in the FAD “Checklist.”

3. Self-Assessment (OCFS-5183A)

The applicant(s) should be provided with the OCFS-5183A at the initial interview or orientation, and the family should complete the form together to determine their readiness to be a foster/adoptive family.

- The home finder should meet with the family to review the assessment and to complete the initial assessment of the family’s readiness, at least once during the certification or approval process. However, it is recommended that it be reviewed as needed throughout the process, as the applicant’s family circumstances and understanding of the certification or approval process evolve.
  - Each time the OCFS-5183A is discussed by the home finder and the applicant(s), the assessment of family readiness listed on the bottom of the form must be completed by the home finder with input from the family, and it must be signed by the applicant(s) and home finder.
  - The home finder must meet with his or her supervisor after discussing the OCFS-5183A with the family. The supervisor must also sign the OCFS-5183A.
  - The OCFS-5183A hard copy must be maintained in the foster home file.

4. Application (OCFS-5183B)

\(^{21}\) 17-OCFS-ADM-05 - Use of the “Foster and Adoptive Home Development (FAD) Stage” in CONNECTIONS.
The applicant(s) must complete the Foster/Adoptive Parent Application (OCFS-5183B). If the applicant(s) apply for foster care and adoption, they must also compete the Application to Adopt (OCFS-5183C).

Foster-Adoptive Applicant Medical Report (OCFS-5183D) must be completed by a physician, physician’s assistant, nurse practitioner, or other licensed and qualified health care practitioner for each applicant(s).

The applicant(s) must submit the completed OCFS-5183B, OCFS-5183C (if applicable), and OCFS-5183D to the home finder.

Safety Review Form (OCFS-5183E) must be completed by the home finder during an inspection of the applicant’s physical residence. This form must be completed any time there is a significant physical or structural change to the home and/or the applicant’s move.

The LDSS or VA must verify the applicant’s employment references listed on the OCFS-5183B.

Within 10 days of receiving the completed application, the LDSS or VA must accept or deny an application for home study.

If the LDSS or VA denies the application, it must provide the applicant with a written statement setting for its reason(s) for the denial as set forth in 18 NYCRR 443.2(b)(9).

The home finder enters the demographic information recorded on the OCFS-5183B into the FAD home in CONNECTIONS.

The home finder enters corresponding dates into the FAD “Checklist.”

All hard copies of forms must be maintained in the applicant’s file.

5. **Home Study**

- LDSSs and VAs must complete a home study within four months after acceptance of an application unless delays occur as a result of circumstances beyond the control of the agency or unless the schedule for interviews with the applicant is changed by mutual consent of the applicant and the agency representative.22
- The applicant(s) must participate in MAPP or other OCFS-approved foster/adoption training program.
- The home finder must use all information gathered from the applicant’s participation in the training program, through home visits, and all interviews to complete all five sections of the Household Composition and Relationships form OCFS-5183F.
  - A genogram should be completed with each applicant during the psychosocial portion of the OCFS-5183F. A Sample Genogram Template (OCFS-5183G) is included with this ADM.
- Personal References (OCFS-5183H) must be sent to each of the applicant’s three personal references to fill out.
- SCR, out-of-state SCR (where applicable), SEL, and FBI and New York State criminal history record checks must be completed on the applicant(s) and any person(s) 18 years of age or older residing in the home of the applicant(s).
- The home finder must enter SEL, SCR, out-of-state SCR and fingerprint results into FAD.
- The home finder enters corresponding dates into the FAD “Checklist.”

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22 18 NYCRR 443.2(c).
Note: All hard copies of the home study and related background check materials must be kept in the applicant’s hard copy file.

   - One form must be completed by each family.

7. **Foster Parent Agreement with Authorized Agency (OCFS-5183J)**
   - The home finder must review the OCFS-5183I form with the applicant(s).
   - The applicant(s) and home finder must sign the OCFS-5183I.
   - A copy of the OCFS-5183I must be kept in the foster home record, and a copy given to the foster parent(s).
   - The home finder must enter corresponding dates into the FAD “Checklist.”

8. **Certificate or Letter of Approval**
   - The home finder generates the certificate or letter of approval from CONNECTIONS.
   - The home finder provides a copy of the certificate or letter of approval to the applicant(s).

9. **Final Assessment and Determination**
   - At the completion of the applicant’s home study, the LDSSs and VAs must complete a *Final Assessment and Determination (OCFS-5183K)*.
     - Section I contains a list of regulatory requirements that must be completed during the home study process for each applicant. The home finder must select “yes” if the requirement is satisfied or “no” if it is not. There is also a space for the home finder to explain the decision. The regulatory requirements listed in the Section I only list the regulatory requirements needed for the home study process and do not list every regulatory requirement that must be satisfied in order for the home to be certified or approved. ALL regulatory requirements must be satisfied for the home to be certified or approved.
     - Section II is an assessment of the home study components. The home finder must take the information gathered in the *Household Composition and Relationships* form (OCFS-5183F) and summarize each area assessed as it impacts the applicant’s ability to foster and/or adopt. The home finder must list strengths, considerations, and supports needed for each section.
     - Section III is only completed if there are changes made to an existing foster parent’s certification or approval prior to the annual recertification or reapproval of the home. This is referred to as an “Interim Home Study” in CONNECTIONS.
     - Section IV is the space where the agency records the determination on whether to approve or not approve the application. The home finder must consider all regulatory standards set forth in 18 NYCRR Part 443 necessary to approve an application when making a final decision on whether the home
can be certified or approved, which also include all components of the application and home study process. This is a decision that must be made by the home finder and the home finder’s supervisor.

- If an LDSS or VA decides to discontinue a home study, or denies certification or approval upon completion of the home study, it must advise the applicant in writing of the reasons for the agency’s decision, and must offer an interview to discuss the decision.  
- After completing the Final Assessment and Determination (OCFS-5183K), the home finder must enter the completed form into the Home Study Narrative section of the Home Study window in CONNECTIONS. Please see Section V of this ADM for more information on how to complete this process in CONNECTIONS.
- The home finder must print out the report and give the family the opportunity to provide comments, if they choose, within Section V.
- The applicant(s), home finder, and supervisor must sign and date the Final Assessment and Determination. The signed copy must be maintained in the foster parent’s file and a copy must be provided to the foster parent.

V. Systems Implications

Changes will be made to the FAD section of CONNECTIONS to incorporate the changes to the certification/approval process for foster/adoptive parents. Until the CONNECTIONS changes are made, the Final Assessment and Determination (OCFS-5183K) will be completed outside of CONNECTIONS and copied and pasted into the Home Study Narrative section, as described below.

1) When completing an agency transfer, initial home study, or interim home study users must enter the Home Study window in CONNECTIONS. It is important to note that the home finder cannot use the Use Prior feature.
2) The user must select the Reason(s) for Home Study and the Home Study Narrative choice of “other.” Users can not use the MAPP/GPS “Home Study” or “Standard Home Study.”
3) Users must then select “Narrative” under the “Options” column.
4) The selection of “Narrative” will open a blank word document.
5) The user must then paste the completed OCFS-5183K into the blank word document.
6) The user may then save and submit the Home Study for supervisory approval.

VI. Contacts

Any questions concerning this release should be directed to the foster boarding home application mailbox at FBHApplication@ocfs.ny.gov or 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 - Karen Lewter (585) 238-8201
Questions regarding the CONNECTIONS changes can be directed to the appropriate CONNECTIONS implementation specialists.

For upstate implementation in BRO, RRO, SRO, and ARO
Linda Gorthy (518) 486-7718
Linda.Gorthy@its.ny.gov

For downstate assistance in SVRO or NYCRO
Don Butler (212) 383-1854
Don.Butler@its.ny.gov

For a full listing of CONNECTIONS, please visit https://ocfs.ny.gov/connect/contact.asp.

VII. Effective Date

This policy directive is effective immediately.

/S/ Laura M. Velez

Issued By:
Name: Laura M. Velez
Title: Deputy Commissioner
Division/Office: Child Welfare and Community Services