



# Office of Children and Family Services

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## Local Commissioners Memorandum

<b>Transmittal:</b>	18-OCFS-LCM-20
<b>To:</b>	Local District Commissioners
<b>Issuing Division/Office:</b>	Division of Administration Bureau of Budget Management
<b>Date:</b>	November 28, 2018
<b>Subject:</b>	<b>Raise the Age Claiming</b>
<b>Contact Person(s):</b>	See Section VI
<b>Attachments:</b>	None

### I. Purpose

The purpose of this Local Commissioners Memorandum (LCM) is to provide localities with Raise the Age (RTA)-related implications as they pertain to the Automated Claiming System (ACS), the Benefits Issuance and Control System (BICS), CONNECTIONS, and the Welfare Management System (WMS).

### II. Background

Part WWW of Chapter 59 of the Laws of 2017 contains the provisions for the enacted RTA legislation. The RTA Law provides for raising the age of criminal responsibility to 18 years of age, in a phased-in manner over two years and will apply to youth who are:

- 16 years old beginning October 1, 2018, and;
- 17 years old beginning October 1, 2019.

Pursuant to Chapter 53 of the Laws of 2018, State Fiscal Year (SFY) 2018-19 appropriation authority is available for reimbursement of eligible RTA claims, provided the provisions of the laws and SFY 2018-19 claiming deadlines are met. The law includes a provision that allows the state to reimburse localities that meet eligibility criteria for 100 percent of the incremental costs for RTA. To be eligible for reimbursement, the law requires that a locality submit a Comprehensive Fiscal Plan for RTA to the Office of Children and Family Services (OCFS) and the Division of Criminal Justice Services (DCJS) that identifies anticipated, eligible incremental RTA-related costs. The Comprehensive Fiscal Plan for RTA must be submitted to and approved by the state Division of the Budget for an eligible locality to be reimbursed for 100 percent of its costs.

A locality is deemed eligible if it meets the criteria set forth in State Finance Law § 54-m. All subsequent claims submitted by an eligible locality, except costs where separate guidance has been provided, such as secure and specialized secure detention for non-provider counties and foster care costs reimbursed within the Maximum State Aid Rate (MSAR), must have been included in an eligible locality's DOB-approved Comprehensive Fiscal Plan for RTA. For eligible localities, 100 percent state reimbursement is available net of any federal funds for services and related expenses included in its DOB-approved Comprehensive Fiscal Plan for RTA that are provided to RTA-eligible youth.

### III. Program Implications

For the purposes of this claiming instruction, an RTA-eligible youth means, effective October 1, 2018, a 16-year-old who commits an act that results in the youth being at-risk of becoming, or results in the youth being, an alleged or adjudicated, juvenile delinquent, or, effective October 1, 2019, a 16 or 17-year-old who commits such an act and the youth is receiving eligible services solely as a result of committing such an act.

For purposes of this claiming instruction, RTA-eligible services could include the following for RTA-eligible youth:

- Foster care services
- Preventive services
- Aftercare services
- Independent living services
- Program oversight and monitoring services

For RTA-eligible youth placed in Foster Care under RTA or for those youth who are receiving RTA Services **ONLY**, it is imperative the State Charge code of "90" is entered in WMS to **reflect accurate claiming of RTA expenditures in BICS**.

For those youth already in foster care, or who are receiving preventive, or other child welfare services under an existing case at the time the youth becomes eligible for RTA services, and for whom foster care will continue to be provided under the original court order or case (prior to the youth being designated as RTA-eligible), no State Charge code of "90" should be entered into WMS. However, **an Accounts Adjustment will need to be done in BICS, to add the State Charge code of "90", for any RTA-related expenses**.

For those RTA-eligible youth in foster care as a juvenile delinquent under Article 3 of the Family Court Act, who were and will continue to receive preventive, or other services from an existing child welfare case established prior to the youth being designated as RTA eligible, the State Charge code of "90" must be entered into WMS. However, an Accounts Adjustment will need to be done in BICS to remove the State Charge of "90" for the non-RTA related services expenses.

Separate guidance will be provided for services not claimed through the processes included in this LCM. Policies, procedures, and system updates will continue to be released and the associated documentation updated accordingly.

## System Implications

### 1. CONNECTIONS

- LDSS Custody – for RTA-eligible youth who are not already active in a Family Services Stage (FSS) an FSS must be opened in CONNECTIONS.
- OCFS Custody – when an RTA-eligible youth is placed by OCFS in a foster care setting, the LDSS must open an FSS in CONNECTIONS.
- A new Legal Activity Code of “L900-RTA Date of Offense” will be available in CONNECTIONS on October 1, 2018. The L900 activity has no modifiers. The L900 code will *not* update to, or provide legal authority or reimbursement, in BICS. The date of the L900 activity cannot be earlier than October 1, 2018. An L900 activity can only be entered for RTA-eligible youth who are at least 16 years old as of the date of the L900 activity.
- A new program type of “Cong. Care Only-Raise the Age” will be available for entry by New York State staff for congregated care facilities in the Connections Resource Directory. Facilities that have a program type of “Cong. Care Only-Raise the Age” will have a vendor ID numbering convention of “00R#####.” These facilities have been specifically designated by OCFS to only serve RTA-eligible youth who were at least 16 years of age at the time they committed an offense. This vendor ID numbering convention will not be used for facilities that will be serving RTA-eligible youth in congregated foster care programs that are also serving other foster care youth.

### 2. WMS Services

- All current WMS edits that apply to Child Welfare services will also apply to youth designated as RTA-eligible youth.
- To identify RTA-eligible youth, effective October 1, 2018, a new State Charge code “90” Raise the Age has been created on the WMS Services case for use in the “SF” field on the Direct Services (WSUDIR) and Services Undercare/Maintenance Retroactive Eligibility (WSURET) screens. Entry of the code will only be allowed for those youth who are at least 16 years of age at the time they committed an act that constitutes a juvenile delinquency offense or committed an act that makes them at risk of becoming a juvenile delinquent but less than 23 years of age based on the WMS authorization FROM DATE. The youth must have a Direct Service (DIR) equal to 08, 25, 26 or IL. For RTA-eligible youth that also are involved in other open child welfare or juvenile justice cases, the State Charge code “90” should be entered in either WMS or BICS in accordance with the instructions set forth above under III. Program Instructions.
- Errors associated with new State Charge code:
  - 376–S/C Code 90–Individual must have a DIR of 08, 25, 26 or IL
  - 377–S/C Code 90–Individual is less than 16 years old, Recert if needed
  - 378–S/C Code 90–Individual is over 23 years old, Remove 90/Close Case

- 390-S/C Code 90-State Charge not allowed for (Auth) From Date<10-01-18
  - 473-S/C Code 90-Individual older than 16 years old, Cancel or Override
  - 302-Enter Valid S/F Code – 2 Digit Char (03-11, 18-20, 30-31, 99 or 90)
  - 510- Enter Valid S/F Code – 2 Digit Char (03-11, 18-20, 30-31, 99 or 90)
- **Due to capped federal allocations, Title IV-B, Title XX, Title XX Below 200%, and Title IV-E Independent Living funding will not be used to support RTA. Though there is no federal reimbursement for RTA expenses from Title XX, Title XX Below 200%, or Title IV-E Independent Living funding, LDSS should claim in accordance with the federal eligibility criteria.** The ACS will calculate the federal share to be \$0 for any RTA claims submitted on Schedule G. RTA-eligible localities will receive 100 percent state RTA funding related to these claims, if the expenditure is for an RTA-eligible service provided to an RTA-eligible youth included in the locality's DOB-approved Comprehensive Fiscal Plan for RTA, pursuant to State Finance Law §54-m.
  - **TANF statutory and regulatory provisions do not allow for the use of TANF/EAF funds for RTA-eligible youth. Therefore, LDSS must not use EAF eligibility code "04" or EAF suffix code "E" when authorizing RTA services.** OCFS will ask counties to make a claims adjustment if this is coded incorrectly. RTA eligible localities will receive 100 percent state RTA funding related to these RTA-eligible youth when they are properly claimed, if the expenditure is for an RTA-eligible service provided to an RTA-eligible youth included in the locality's DOB-approved Comprehensive Fiscal Plan for RTA, pursuant to State Finance Law §54-m.

### 3. BICS

- The "90" code will be transmitted via the BICS File Maintenance process from WMS to BICS in the same manner as current State/Federal Charge codes are transmitted.
- Existing BICS processes will allow the "90" code to pass through roster and pre-roster generation and attach to an issuance to be available for claiming.
- Existing BICS processes will allow the new "90" code to pass through voucher processing and attach to an issuance and be available for claiming.
- Checks for RTA Foster Care, Aftercare, and Preventive payments will be produced in accordance with the current process. Check Replacement, Check Cancellation and Check Reconciliation will all continue to process in the same manner as is currently done. This applies to both Direct and Indirect Checks. The existing BICS processes will allow the new "90" code to pass through with payment and be available for claiming on composites. There is no new BICS claiming category for RTA.

- BICS Vendor Receivable screens LCMVR8 and LCMVR9, along with any Cash Management Sub-System (CAMS) screens that accept/display State/Federal Charge codes will allow entry of the State/Federal Charge code of “90”.
- BICS will store and display the State/Federal Charge code of “90” in the same manner that current S/F codes are stored and displayed.
- BICS claiming edits (in both voucher processing and retroactive processes) will function as is currently done for all other payments for CINs with an S/F charge indicator.
- Payments for RTA-eligible youth will be subject to the same BICS claiming and reimbursement edits currently applied to all foster care payments.

#### 4. BICS Composites

When the S/F Charge code field is populated with “90”, payments will be driven to the following line items on both the regular and supplemental composites:

- Schedule G: \*
  - ITEM DAY-SERV-RTA-TITLE-XX
  - ITEM DAY-SERV-RTA-XX-BELOW-200%
  - ITEM FAM-PLAN-RTA-TITLE-XX
  - ITEM FAM-PLAN-RTA-XX-BELOW-200%
  - ITEM HOME-MAN-RTA-TITLE-XX
  - ITEM HOME-MAN-RTA-XX-BELOW-200%
  - ITEM HOME-SERV-RTA-TITLE-XX
  - ITEM HOME-SERV-RTA-XX-BELOW-200%
  - ITEM HOUSEKEEP-RTA-TITLE-XX
  - ITEM HOUSEKEEP-RTA-XX-BELOW-200%
  - ITEM CLIN-SERV-RTA-TITLE-XX
  - ITEM CLIN-SERV-RTA-XX-BELOW-200%
  - ITEM OTHER-SERV-RTA-TITLE-XX
  - ITEM OTHER-SERV-RTA-XX-BELOW-200%
  - ITEM EMER-CASH-SERV-RTA-TITLEXX
  - ITEM EMER-CASH-SERV-RTA-XX-BELOW-200%
  - ITEM EMER-GOODS/SHELT-RTA-TITLE-XX
  - ITEM EMER-GOODS/SHELT-RTA-XX-BELOW-200%
  - ITEM TRANS-RTA-TITLE-XX
  - ITEM TRANS-RTA-XX-BELOW-200%
  - ITEM PARENT-SERV-RTA-TITLE-XX
  - ITEM PARENT-SERV-RTA-XX-BELOW-200%
  - ITEM HEALTH-SERV-RTA-TITLE-XX
  - ITEM HEALTH-SERV-RTA-XX-BELOW-200%
  - ITEM AFTERCARE-SERV-RTA-TITLE-XX
  - ITEM AFTERCARE-SERV-RTA-XX-BELOW-200%

- Due to capped federal allocations, Title IV-B, Title XX, and Title XX Below 200% funding will **not** be used to support RTA. Though there is no federal reimbursement for RTA expenses from Title XX or Title XX Below 200%, LDSS should claim in accordance with the federal eligibility criteria. The ACS will calculate the federal share to be \$0 for any RTA claims submitted on Schedule G. RTA-eligible localities will receive 100 percent state RTA funding related to these claims, if the expenditure is for an RTA-eligible service provided to an RTA-eligible youth included in the locality's DOB-approved Comprehensive Fiscal Plan for RTA, pursuant to State Finance Law §54-m.
- RTA-eligible youth in Congregate Care Only-Raise the Age facilities with a vendor ID numbering convention of "00R#####" and specifically designated by OCFS to only serve RTA-eligible youth who were at least 16 years of age at the time they committed an offense will receive aftercare services beginning concurrently with the youth's admission to the program. The program will provide aftercare services for these RTA-eligible youth for the duration of a youth's required participation in the program, including community supervision. Aftercare services for these RTA-eligible youth will be reimbursed in accordance with a rate established annually by OCFS and identified with service type 48.
- RTA-eligible youth placed in a foster care program other than a Congregate Care Only-Raise the Age Facility with a vendor ID numbering convention of "00R#####" and specifically designated by OCFS to only serve RTA-eligible youth who were at least 16 years of age at the time they committed an offense may receive aftercare services after being released from the foster care program. Aftercare services for these RTA-eligible youth will be reimbursed in accordance with current practice and identified with service type 48.
- Schedule H:
  - **TANF statutory and regulatory provisions do not allow for the use of TANF/EAF funds for RTA youth. Therefore, LDSS must not use EAF eligibility code "04" or EAF suffix code "E" when authorizing RTA services.** OCFS will ask counties to make a claims adjustment if this is coded incorrectly. An RTA-eligible locality will receive 100 percent state RTA funding related to these expenditures when they are properly claimed, if the expenditures are for an RTA-eligible service provided to an RTA-eligible youth included in the locality's DOB-approved Comprehensive Fiscal Plan for RTA, pursuant to State Finance Law §54-m.
  - RTA-eligible youth in Congregate Care Only-Raise the Age facilities with a vendor ID numbering convention of "00R#####" and specifically

designated by OCFS to only serve RTA-eligible youth who were at least 16 years of age at the time they committed an offense will receive aftercare services beginning concurrently with the youth's admission into the program. The program will provide aftercare services for these RTA-eligible youth for the duration of a youth's required participation in the program, including community supervision. Aftercare services for these RTA-eligible youth will be reimbursed in accordance with a rate established annually by OCFS and identified with service type 48.

- RTA-eligible youth placed in a foster care program other than a Congregate Care Only-Raise the Age Facility with a vendor ID numbering convention of "00R#####" and specifically designated by OCFS to only serve RTA-eligible youth who were at least 16 years of age at the time they committed an offense may receive aftercare services after being released from the foster care program. Aftercare services for these RTA-eligible youth will be reimbursed in accordance with current practice and identified with service type 48.

- Schedule K:

ITEM FCA-RTA-FP

ITEM FCA-RTA-FNP

ITEM FCA-RTA-NR

ITEM RTA-FOS-HM-FP

ITEM RTA-FOS-HM-FNP

ITEM RTA-FOS-HM-NR

ITEM RTA-FOS-HM-VA-MISC-FP

- Schedule RF-4:

ITEM ILS-AOR-RTA

ITEM ILIV-STR-RTA

ITEM VOC-TRNG-RTA

ITEM ACAD-SSV-RTA

ITEM ILS-STIP-RTA

ITEM AFTER-CARE-RTA

ITEM ROOM-AND-BOARD-RTA

- Due to capped federal allocations, Title IV-E independent living funding will **not** be used to support RTA. Though there is no federal reimbursement for RTA expenses from Title IV-E independent living funds, LDSS should claim as if they were eligible for these federal funds. The Automated Claiming System will calculate the federal share to be \$0 for any RTA claims submitted on Schedule RF-4. RTA-eligible localities will receive 100 percent state RTA funding related to these claims that otherwise would have been reimbursed with federal funds when they are properly claimed, if the expenditure is for an RTA-eligible service provided to an RTA-eligible youth included in the locality's

DOB-approved Comprehensive Fiscal Plan for RTA, pursuant to State Finance Law §54-m.

Additional information regarding BICS processing for RTA payments and claiming is in a separate SSPS Liaisons letter dated October 16, 2018.

#### **IV. Claiming**

For RTA-eligible localities, settlement payments for RTA claiming will be made monthly on a three-month lag, consistent with existing Automated Claiming System settled claims, up to the locality's DOB-approved Comprehensive Fiscal Plan for RTA amount. These claims must be final accepted in the ACS within 21 months after the end of the period in which the expenditure was made.

The *Fiscal Reference Manual* (FRM) is being updated to reflect the specific instruction for RTA. The FRM is available at <http://otda.ny.gov/resources/fiscal-reference/>. General instructions follow:

- RF-2: RTA claims will work like other claims on these schedules. The BICS code will drive RTA Expenses to unique RTA columns. The expenditures for Title XX and Title XX Below 200% eligible services for RTA-eligible youth that are eligible for Title XX or Title XX Below 200% must be claimed on Schedule G. The expenditures for foster care services for RTA-eligible youth will be claimed on Schedule K. Effective October 1, 2018 for 16-year-olds and October 1, 2019 for 17-year-olds, these expenditures must be solely as a result of the youth committing an act on or after those dates that results in the youth being, or being at risk of becoming, an alleged or adjudicated juvenile delinquent.
- RF-4: RTA claims will work like other claims on these schedules. The BICS code will drive RTA Expenses to unique RTA columns.
- RF-2A: RTA administration claims will be separately identified on the Schedule D2. These costs will not flow through the Random Moment Survey (RMS) for distribution among the related programs. This will provide for RTA-eligible localities to be fully reimbursed for RTA-related costs at 100 percent state share if the costs are included in the locality's DOB-approved Comprehensive Fiscal Plan for RTA, pursuant to State Finance Law §54-m. Appropriate claiming documentation must be maintained at the LDSS level to be produced upon audit.
- RF-17 Special Project: For RTA-eligible costs that do not have an existing claiming process, OCFS may use an RF17 Special Project.

#### **V. Contact Information**

**Any fiscal questions regarding the RTA Program should be directed to:**

Shonna Clinton, Chief Budgeting Analyst, Bureau of Budget Management,  
(518) 474-1361, [Shonna.Clinton@ocfs.ny.gov](mailto:Shonna.Clinton@ocfs.ny.gov)

**Programmatic questions should be directed to the appropriate regional office,  
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BRO – Amanda Darling, (716) 847-3145, [Amanda.Darling@ocfs.ny.gov](mailto:Amanda.Darling@ocfs.ny.gov)

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**Claiming**

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*/s/ Derek J. Holtzclaw*

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**Issued By:**

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