



Office of Children and Family Services

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Commissioner

Local Commissioners Memorandum

Transmittal:	20-OCFS-LCM-11
To:	Local District Commissioners
Issuing Division/Office:	Division of Administration Bureau of Budget Management
Date:	September 3, 2020
Subject:	State Fiscal Year (SFY) 2020-21 Foster Care Block Grant Allocations
Contact Person(s):	See VI. Contact Information
Attachments:	A. State Fiscal Year (SFY) 2020-21 Foster Care Block Grant Allocations

I. Purpose

The purpose of the Local Commissioners Memorandum (LCM) is to provide local departments of social services (LDSSs) with their Foster Care Block Grant allocations for State Fiscal Year (SFY) 2020-21.

Notable differences from the prior year Foster Care Block Grant LCM include:

- A revision to the methodology used to determine LDSS set-aside allocations
- The provision of additional information concerning the impact of unclaimed Foster Care Block Grant funds on the county child welfare settlement

II. Background

The Child Welfare Financing Law promotes a reduction in the use of foster care placements through two components:

1. A Foster Care Block Grant capping state reimbursement at amounts annually allocated to LDSSs for foster care services and administration

2. After the application of available federal funds, uncapped state reimbursement for child welfare services other than Community Optional Preventive Services (COPS), foster care services, and foster care administration

The SFY 2020-21 state appropriation for the Foster Care Block Grant is \$383,526,000, and continues the adjustments aligning state and local funding shares with the historical intent of the Foster Care Block Grant.

The federal Family First Prevention Services Act (FFPSA) was enacted on February 9, 2018. A primary goal of FFPSA is to keep children safely at home with their families and, when that is not possible, to utilize the least restrictive placement appropriate for the needs of the child. FFPSA reforms federal financing to prioritize family-based foster care settings over congregate care settings by limiting Title IV-E reimbursement for placement in certain congregate care settings.

III. Other Related SFY 2020-21 Budget Actions

The SFY 2020-21 Enacted Budget appropriates \$964M of funding for the Flexible Fund for Family Services (FFFS) that provides LDSSs with the flexibility to determine local funding priorities. For information on what LDSSs can use their FFFS allocation to fund, please refer to the annual FFFS Administrative Directive (ADM) from the Office of Temporary and Disability Assistance (OTDA).

LDSSs will receive separate guidance for indicating the portion of their FFFS allocations they use to reimburse expenditures associated with Emergency Assistance to Families (EAF) Juvenile Delinquents (JD), EAF Persons in Need of Supervision (PINS), EAF Tuition, EAF Foster Care Administration, and EAF Foster Care Maintenance.

An LDSS's claims may be eligible for federal funding even if they exceed the LDSS's Foster Care Block Grant allocation for the current fiscal year if those claims are

- eligible to receive federal funding under Title IV-E Foster Care, John H. Chafee Foster Care Program for Successful Transition to Adulthood, or EAF; and
- up to the amount of the LDSS's FFFS allocation it chooses to use for EAF JD, EAF PINS, EAF Tuition, EAF Foster Care Administration, or EAF Foster Care Maintenance Actions.

IV. Program Implications

The Foster Care Block Grant includes state reimbursement for the following foster care services during SFY 2020-21:

- Care and maintenance, including clothing and special payments; supervision; administrative costs claimed on Schedule D-2 and Schedule K; and tuition costs for foster children placed in New York State Office of Mental Health (OMH)-licensed residential treatment facilities, as well as in New York State Office of Children and Family Services (OCFS)-licensed child care institutions, except for New York City tuition costs for foster children
- New York City Administration for Children's Services (ACS) may use their Foster Care Block Grant allocation to support non-secure Close to Home (CTH) foster care expenditures, except for New York City tuition costs for foster children.

- Supervision of foster children in federally funded job corps programs
- Care, maintenance, supervision, and tuition of adjudicated JDs placed in residential programs operated by authorized agencies and in out-of-state residential programs, except for New York City tuition costs for foster children, including adjudicated JDs. Foster Care Block Grant funds cannot be used to reimburse costs related to the placement of PINS
- Provision and administration of the Kinship Guardianship Assistance Program (KinGAP), including assistance payments to relative and successor guardians made until the child's 18th birthday or until the child's 21st birthday if certain requirements are met; and nonrecurring guardianship expenses. For more information on KinGAP, please refer to 11-OCFS-ADM-03 and 18-OCFS-ADM-03. For more information on KinGAP successor guardians, please refer to 16-OCFS-ADM-10.

Except for regular foster boarding home programs and pass-through payments to foster parents, Section 398-a of the Social Services Law prohibits LDSSs from paying less than the maximum state aid rates established by OCFS for congregate care programs and for administrative and services rates for therapeutic, special needs, or emergency foster home programs operated by a voluntary agency.

The Foster Care Block Grant does not provide reimbursement for the following:

- Federal reimbursement for foster care costs¹
- New York City tuition costs for foster children
- Placement of PINS in foster care settings
- State expenditures made on behalf of youth placed in OCFS-operated facilities
- State reimbursement for claims that have separate appropriations available for expenditures, such as the following:
 - Committee on Special Education (CSE) payments
 - Dormitory Authority payments in excess of the Foster Care Block Grant (See *Fiscal Reference Manual*, Volume 2, Chapter 4 – Institutional Rates)
 - Foster Care and kinship services for Indian tribes
 - Medical assistance payments for children in foster care
 - Independent Living Services (except for those LDSSs that have unexpended funds remaining from their SFY 2019-20 Foster Care Block Grant allocation – See V. Claiming)
 - Raise the Age payments

Allocation Methodology

The claims-based methodology continues to allocate the Foster Care Block Grant funding to focus on the safety, well-being, and permanency of children.

The SFY 2020-21 appropriation for state reimbursement for foster care services is \$383,526,000 and is allocated as follows:

¹ Federal reimbursement will not be affected by the Foster Care Block Grant and will be settled through claim settlements subject to the availability of federal funds.

- \$347,076,000 according to LDSSs' respective shares of statewide gross original and supplemental foster care claims net of cancellations and refunds for the 12-month period ending June 30, 2019, and submitted to the state on or before January 2, 2020
- \$22,781,250 according to LDSSs' reduction in the utilization of foster care days from Federal Fiscal Year (FFY) 2015 to FFY 2018
- \$13,668,750 to support FFPSA implementation

LDSS allocations for each component of the SFY 2020-21 Foster Care Block Grant are provided in Attachment A.

V. Claiming

There is no Maintenance of Effort (MOE) requirement associated with the Foster Care Block Grant.

Foster Care Block Grant costs are paid during the SFY through a bottom-line adjustment instead of a claim settlement. Submitted claims for a particular SFY year that do not receive state reimbursement during that SFY may not be claimed against the next year and there is no additional state funding if an LDSS exceeds its allocation for a particular fiscal year.

Reimbursement Schedule for the SFY 2020-21 Foster Care Block Grant

Foster Care Maintenance Claims	January 1, 2020, through December 31, 2020
Foster Care Administration Claims	October 1, 2019, through September 30, 2020
Foster Care Tuition Claims for Eligible Counties and Municipalities	January 1, 2020, through December 31, 2020
RF17 Claim Package	October 1, 2020, through September 30, 2021

Please refer to the *Fiscal Reference Manual* (FRM) available at <https://otda.ny.gov/resources/fiscal-reference/> for instructions on claiming the Foster Care Block Grant expenditures:

<u>Program Type</u>	<u>Schedule</u>	<u>Form Number</u>	<u>FRM Volume</u>	<u>FRM Chapter</u>
Foster Care	Schedule K	LDSS-3479	Volume 2	Chapter 3
Foster Care	Schedule H	LDSS-4283	Volume 2	Chapter 3
Foster Care	Schedule D-2	LDSS-2347-B	Volume 3	Chapter 9
Foster Care	Schedule RF-17 Statement	LDSS-4975	Volume 3	Chapter 18
KinGAP	Schedule K	LDSS-3479	Volume 2	Chapter 3
KinGAP	Schedule D-2	LDSS-2347-B	Volume 3	Chapter 9

Unclaimed Foster Care Block Grant Funds

LDSSs that claim less than their full SFY 2020-21 Foster Care Block Grant allocation may use the unexpended funds during SFY 2021-22 for expenditures for the following child welfare-eligible services:

- Preventive, including reunification
- Independent living
- Aftercare

Unclaimed Foster Care Block Grant funds used as described above are eligible for 100 percent state reimbursement up to the amount of unclaimed Foster Care Block Grant funds, directly offsetting child welfare funding-eligible preventive claims dollar for dollar on the child welfare settlement. These funds will be a separate line item and shown as an advance on the child welfare settlement tool and cannot exceed the amount the LDSS is to receive in the settlement.

When an LDSS uses unclaimed SFY 2020-21 Foster Care Block Grant funds, the LDSS must report it as described below:

- These costs must be identified as F17 functional costs and reported in the RF -2A claim package on Schedule D – *DSS Administrative Expenses Allocation and Distribution by Function and Program* (LDSS-2347) in the F17 column.
- Individual project costs must also be reported under project label FCBG Savings SFY 2020-21 on the RF17 Worksheet – *Distribution of Allocated Costs to Other Reimbursable Programs* (LDSS-4975A).
- For October 1, 2020, through September 30, 2021, non-salary project costs must be reported in the RF-2A claim package and identified as F17 functional costs on the *Cost Allocation Schedule of Payments Other Than Salaries* (LDSS-923) as Object of Expense 37 – Special Project Expense.
 - Expenses reported in this way are carried forward to the RF -2A claim package on Schedule D – *DSS Administrative Expenses Allocation and Distribution by Function and Program* (LDSS-2347).
- Project costs must subsequently be reported under project label FCBG Savings SFY 2020-21 in the RF17 claim package on LDSS-923B Summary-Program (page 2) of *Schedule of Payments for Expenses Other Than Salaries for Other Reimbursable Programs* (LDSS-923B) as Object of Expense 37 – Special Project Expense.
 - Expenses reported in this way are carried forward to the RF -17 Worksheet – *Distribution of Allocated Costs to Other Reimbursable Programs* (LDSS-4975A).

Further instructions for completing the Schedule D and RF -17 claim package can be found in Chapters 7 and 18, respectively, of Volume 3 of the FRM. The FRM is available online at <http://otda.state.nyenet/bfdm/finance/>.

VI. Contact Information

Please see the chart below to determine how to direct your Foster Care Block Grant questions:

Topic	LDSS Region	Contact Person	Contact Phone	Contact Email Address
Allocations	All	Shonna Clinton	(518) 474-1361	Shonna.Clinton@ocfs.ny.gov
Program	Buffalo	Amanda Darling	(716) 847-3145	Amanda.Darling@ocfs.ny.gov
	Rochester	Christopher Bruno	(585) 238-8201	Christopher.Bruno@ocfs.ny.gov
	Syracuse	Sara Simon	(315) 423-1200	Sara.Simon@ocfs.ny.gov
	Albany	John Lockwood	(518) 486-7078	John.Lockwood@ocfs.ny.gov
	Spring Valley	Sheletha Chang	(845) 708-2498	Sheletha.Chang@ocfs.ny.gov
	New York City	Ronni Fuchs	(212) 383-1676	Ronni.Fuchs@ocfs.ny.gov
FFFS	All	Susanne Haag	(518) 486-6291	Susanne.Haag@otda.ny.gov
Automated Claiming System	Regions 1-5	Lauren Horn	(518) 474-7549	Field_Ops.I-IV@otda.ny.gov
	Regions 6	Michael Simon	(212) 961-8250	Michael.Simon@otda.ny.gov

/s/ Derek J. Holtzclaw

Issued by:

Name: Derek J. Holtzclaw

Title: Deputy Commissioner for Administration

Division/Office: Administration

Attachment A

State Fiscal Year (SFY) 2020-21 Foster Care Block Grant Allocations

District	Prorated Foster Care Claims	Set-Aside Based on Trended Change for 2015-2017	Set-Aside Based on Trended Change for 2017-2018	Set-Aside Based on Change in Approved Relative Home Placements for Most Recent Year	Allocation
Albany	\$6,075,193	\$0	\$0	\$50,026	\$6,125,219
Allegany	\$1,168,604	\$141,815	\$122,128	\$70,624	\$1,503,171
Broome	\$5,422,291	\$33,248	\$0	\$38,255	\$5,493,794
Cattaraugus	\$1,282,188	\$142,637	\$100,114	\$70,624	\$1,595,563
Cayuga	\$1,349,543	\$44,719	\$181,696	\$20,599	\$1,596,557
Chautauqua	\$2,048,266	\$18,987	\$0	\$8,828	\$2,076,081
Chemung	\$1,485,742	\$0	\$0	\$58,854	\$1,544,596
Chenango	\$699,108	\$0	\$86,632	\$23,541	\$809,281
Clinton	\$1,651,196	\$132,281	\$12,355	\$29,427	\$1,825,259
Columbia	\$1,673,920	\$152,242	\$280,781	\$5,885	\$2,112,828
Cortland	\$994,595	\$81,994	\$0	\$41,198	\$1,117,787
Delaware	\$575,196	\$104,591	\$218,614	\$17,656	\$916,057
Dutchess	\$6,508,074	\$87,471	\$951,871	\$150,077	\$7,697,493
Erie	\$17,162,690	\$0	\$847,638	\$447,287	\$18,457,615
Essex	\$1,104,713	\$0	\$0	\$35,312	\$1,140,025
Franklin	\$1,314,316	\$0	\$0	\$135,363	\$1,449,679
Fulton	\$1,034,390	\$2,465	\$116,980	\$2,943	\$1,156,778
Genesee	\$1,120,498	\$35,723	\$297,009	\$35,312	\$1,488,542
Greene	\$1,527,730	\$23,075	\$91,927	\$26,484	\$1,669,216
Hamilton	\$84,010	\$0	\$3,285	\$0	\$87,295
Herkimer	\$1,512,769	\$0	\$0	\$17,656	\$1,530,425
Jefferson	\$2,040,838	\$0	\$0	\$64,739	\$2,105,577
Lewis	\$195,042	\$6,228	\$109,528	\$5,885	\$316,683
Livingston	\$1,088,214	\$0	\$239,059	\$0	\$1,327,273
Madison	\$992,717	\$60,359	\$0	\$11,771	\$1,064,847
Monroe	\$9,441,293	\$95,218	\$0	\$64,739	\$9,601,250
Montgomery	\$1,195,569	\$0	\$9,315	\$2,943	\$1,207,827
Nassau	\$6,798,923	\$173,339	\$334,270	\$55,911	\$7,362,443

District	Prorated Foster Care Claims	Set-Aside Based on Trended Change for 2015-2017	Set-Aside Based on Trended Change for 2017-2018	Set-Aside Based on Change in Approved Relative Home Placements for Most Recent Year	Allocation
Niagara	\$3,320,820	\$50,500	\$114,627	\$32,369	\$3,518,316
Oneida	\$5,596,754	\$96,406	\$176,009	\$220,701	\$6,089,870
Onondaga	\$7,886,821	\$40,774	\$0	\$444,345	\$8,371,940
Ontario	\$1,228,708	\$38,684	\$278,232	\$32,369	\$1,577,993
Orange	\$7,745,584	\$0	\$0	\$235,414	\$7,980,998
Orleans	\$584,219	\$0	\$55,156	\$0	\$639,375
Oswego	\$2,510,897	\$0	\$0	\$164,790	\$2,675,687
Otsego	\$746,155	\$0	\$0	\$2,943	\$749,098
Putnam	\$858,126	\$0	\$27,455	\$8,828	\$894,409
Rensselaer	\$2,692,832	\$192,204	\$74,032	\$20,599	\$2,979,667
Rockland	\$2,924,433	\$34,221	\$0	\$35,312	\$2,993,966
St. Lawrence	\$3,094,161	\$0	\$56,921	\$247,185	\$3,398,267
Saratoga	\$1,771,923	\$28,176	\$0	\$0	\$1,800,099
Schenectady	\$5,632,948	\$0	\$285,831	\$126,535	\$6,045,314
Schoharie	\$1,170,825	\$0	\$86,681	\$11,771	\$1,269,277
Schuyler	\$539,769	\$0	\$66,432	\$11,771	\$617,972
Seneca	\$1,026,156	\$6,643	\$70,109	\$5,885	\$1,108,793
Steuben	\$2,222,507	\$0	\$129,482	\$32,369	\$2,384,358
Suffolk	\$14,629,590	\$506,009	\$223,517	\$356,064	\$15,715,180
Sullivan	\$2,621,453	\$0	\$0	\$8,828	\$2,630,281
Tioga	\$686,730	\$0	\$78,101	\$14,713	\$779,544
Tompkins	\$1,190,489	\$119,806	\$312,894	\$88,280	\$1,711,469
Ulster	\$4,169,550	\$0	\$0	\$217,758	\$4,387,308
Warren	\$723,934	\$83,495	\$242,049	\$5,885	\$1,055,363
Washington	\$990,805	\$0	\$68,050	\$20,599	\$1,079,454
Wayne	\$723,773	\$36,118	\$128,109	\$0	\$888,000
Westchester	\$16,568,795	\$118,923	\$853,767	\$182,446	\$17,723,931
Wyoming	\$904,036	\$7,455	\$104,184	\$0	\$1,015,675
Yates	\$313,547	\$77,521	\$0	\$5,885	\$396,953
New York City	\$174,452,032	\$6,339,173	\$6,233,910	\$9,643,167	\$196,668,282
Statewide Totals	\$347,076,000	\$9,112,500	\$13,668,750	\$13,668,750	\$383,526,000

