



Office of Children and Family Services

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Administrative Directive

Transmittal:	21-OCFS-ADM-23
To:	Commissioners of Social Services Executive Directors of Voluntary Authorized Agencies
Issuing Division/Office:	Strategic Planning and Policy Development Child Welfare and Community Services
Date:	September 29, 2021
Subject:	Qualified Individual Report, Business Case Flow for QRTP Referrals and QI Assessment, and Local Department of Social Services Referral for Qualified Individual Assessment
Suggested Distribution:	Directors of Social Services Legal Staff Child Welfare Supervisors Foster Care Supervisors CONNECTIONS Implementation Coordinators
Contact Person(s):	See section VI.
Attachments:	Attachment A: <i>Qualified Individual Report</i> (OCFS-5571) Attachment B: <i>Business Case Flow for QRTP Referrals and QI Assessment</i> Attachment C: <i>CANS-NY Assessment and Summary Sheet</i> Attachment D: <i>Local Department of Social Services Referral for Qualified Individual Assessment</i> (OCFS-5570)

Filing References (*check on these – be sure they are correct and there are no typos*)

Previous ADMs/INFs	Releases Cancelled	NYS Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
21-OCFS-ADM-17			42 USC §§672 & 675a; Social Services Law §§371(22) & 409-h; Part L of Chapter 56 of the Laws of 2021		

I. Purpose

The purpose of this Administrative Directive (ADM) is to notify local departments of social services (LDSSs) and voluntary authorized agencies (VAs) of the release of the *Qualified Individual Report* ([OCFS-5571](#)), the *Business Case Flow for QRTP Referrals and QI*

Assessment, the Child and Adolescent Needs and Strengths-NY (CANS-NY) Assessment and Summary Sheet, and the Local Department of Social Services Referral for Qualified Individual Assessment ([OCFS-5570](#)).

II. Background

The qualified individual (QI) must assess a child to determine the appropriateness of a placement in a Qualified Residential Treatment Program (QRTP). The assessment will determine whether the child's needs can be met with family members, in a foster family home or in a specified setting, including a QRTP level of care, as outlined in [21-OCFS-ADM-17](#). The QI must complete the *Qualified Individual Report* at the conclusion of their assessment. The *CANS-NY Assessment and Summary Sheet* will assist the QI in their determination of the appropriate level of care for the child they assess. The *Business Case Flow for QRTP Referrals and QI Assessment* provides a framework for the LDSS and the QI in the completion of the 30-day assessment. The *Local Department of Social Services Referral for Qualified Individual Assessment* will be sent by the LDSS to the QI to commence the 30-day assessment.

Social Services Law (SSL) § 409-h(2) requires that the QI or their designee promptly, but no later than five days following the completion of the assessment, provide the following information to the court, the child's parent and their attorney, if applicable (for instance, where the parent's rights have not been terminated), and the child's attorney:

- Assessment
- Determination
- Documentation used in the assessment

Other parties to the proceeding are to receive a written summary detailing the assessment findings.

SSL §409-h(2) also requires that the information sent to the court, parent or guardian, the attorney for the parent, the attorney for the child, and the parties to the proceedings be redacted to remove information that is otherwise confidential under state or federal law.

III. Program Implications

As noted above, information provided to the court, the parents or guardian, the parent's attorney, the child's attorney and parties must be redacted when necessary to comply with federal and state confidentiality laws. There is a myriad of state and federal confidentiality laws that may be implicated by the content of the materials required to be provided under SSL § 409-h (2). For instance, this may include but not be limited to specific protections for information or records pertaining to mental health, substance abuse, HIV-related information, child protective services (CPS) report source information, reproductive health information, domestic violence address information, or those that are spelled out in SSL.

As state law provides that this information is to be sent either by the QI or the QI's designee, and as LDSSs legal staff have existing expertise in the nuances of the various confidentiality laws, it is strongly encouraged that LDSSs utilize their legal staff to perform any required redactions to these materials that must be shared under SSL § 409-h(2).

With this policy, the following attached resources and tools are provided to support the role and function of the QI:

- *Attachment A: Qualified Individual Report* ([OCFS-5571](#))
- *Attachment B: Business Case Flow for QRTP Referrals and QI Assessment*
- *Attachment C: CANS-NY Assessment and Summary Sheet*
- *Attachment D: Local Department of Social Services Referral for QI Assessment* ([OCFS-5570](#))

Additionally, a copy of the CANS-NY Ages 6-21 will be made available on the OCFS website.

IV. Required Action

QIs must use the *Qualified Individual Report* in addition to the validated assessment tool. New York State has approved the use of the following: 1) the CANS or the Child and Adolescent Services Intensity Instrument (CASII) assessment tool, when assessing a child for appropriateness of placement in a QRTP, and 2) the *CANS-NY Assessment and Summary Sheet*, which must be used when using the CANS tool.

Upon completion of the assessment, the QI (or their designee) is required to promptly, but no later than five (5) days following the completion of the assessment, provide the assessment, determination and documentation to

- the court,
- the parent or guardian of the child, and
- the attorney for the child and the attorney for the parent, if applicable.

The *Qualified Individual Report* will be completed and submitted by all QIs. The *CANS-NY Assessment and Summary Sheet* will be submitted by those QIs that administered the CANS-NY.

V. Systems Implications

OCFS is utilizing the CONNECTIONS database to collect and store assessments conducted and related information recorded or collected by the QI. Specifically, the CONNECTIONS uploads feature will be utilized as a mechanism for capturing needed documentation related to the role and function of the QI.

Forms will be stored in the Health Services tab, and only persons with a role in the case or with business functions of “maintain” or “view health” will have access to the information.

The following category will be created in CONNECTIONS:

- Family First

The following subcategories will be created for the Family First forms:

- Qualified Individual Report
- Business Case Flow for QRTP Referrals and QI Assessment
- Long-Stayer Review (LSR) forms
- Treatment reports

- Psychiatric/Psychological assessments
- Substance abuse evaluations
- Educational assessments and reports (Individualized Educational Plan, psycho-social assessments, etc.)
- Family Team Meeting (FTM) form

VI. Contacts

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VII. Effective Date

Information contained in this ADM and the *Qualified Individual Report* becomes effective immediately upon release of this ADM.

/s/ Thomas R. Brooks

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Division/Office: Office of Strategic Planning and Policy Development

/s/ Lisa Ghartey Ogundimu

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