AGENCY PLAN FOR TITLE IV-E OF THE SOCIAL SECURITY ACT
FOSTER CARE AND ADOPTION ASSISTANCE
STATE/TRIBE OF NEW YORK

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
ADMINISTRATION FOR CHILDREN AND FAMILIES
CHILDREN'S BUREAU
June 2015

SECTION 6. GUARDIANSHIP ASSISTANCE PROGRAM OPTION

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PLAN FOR TITLE IV-E OF THE SOCIAL SECURITY ACT

FEDERAL PAYMENTS FOR FOSTER CARE AND ADOPTION ASSISTANCE

STATE/TRIBE OF NEW YORK

As a condition of the receipt of Federal funds under title IV-E of the Social Security Act (hereinafter, the Act), the

New York State

submits here a plan for the programs to provide, in appropriate cases, foster care and adoption assistance, and if the State/Tribal agency elects, guardianship assistance, under title IV-E of the Act and hereby agrees to administer the programs in accordance with the provisions of this plan, title IV-E of the Act, and all applicable Federal regulations and other official issuances of the Department.

The official text of laws, regulations and official issuances governs, and the State/Tribal agency acknowledges its responsibility to adhere to them regardless of the fact that, for purposes of simplicity, the specific provisions printed herein are sometimes paraphrases of, or excerpts and incomplete quotations from, the full text. Statutory citations refer to provisions in title IV-E of the Social Security Act. Regulatory citations refer to provisions in 45 CFR Parts 1355 and 1356.

The State/Tribal agency understands that if and when title IV-E is amended or regulations are revised, a new or amended plan for title IV-E that conforms to the revisions must be submitted.

Federal Regulatory/ Statutory References	Requirement	State/Tribe Regulatory, Statutory, and Policy References and Citations for Each
	SECTION 6. GUARDIANSHIP ASSISTANCE PROGRAM OPTION	
473(d)(3)(A) 473(d)(3)(C)	A. ELIGIBILITY 1. A child is eligible for a kinship guardianship assistance payment if the State/Tribal agency determines that: a. the child has been-- i. removed from his or her home pursuant to a voluntary placement agreement or as a result of a judicial determination to the effect that continuation in the home would be contrary to the welfare of the child; and ii. eligible for foster care maintenance payments under section 472 while residing for at least 6 consecutive months in the home of the prospective relative guardian; b. being returned home or adopted are not appropriate permanency options for the child; c. the child demonstrates a strong attachment to the prospective relative guardian and the relative guardian has a strong commitment to caring permanently for the child; and	**SSL 458-a, as amended by Chapter 384 of the Laws of 2017** SSL 458-b - 458-f Kinship guardianship assistance program 18 NYCRR Part 436 Kinship guardianship assistance program 11-OCFS-ADM-03 Kinship Guardianship Assistance Program (KinGAP) **16-OCFS-ADM-10 Continuation of the Kinship Guardianship Assistance Program**

Federal Regulatory/ Statutory References	Requirement	State/Tribe Regulatory, Statutory, and Policy References and Citations for Each
	d. with respect to a child who has attained 14 years of age, the child has been consulted regarding the kinship guardianship arrangement; or 2. The child has been placed with a successor guardian named in the guardianship agreement in accordance with 473(d)(3)(C).	**(KinGAP) to a Successor Guardian**
473(d)(3)(B)	3. Siblings. a. The child and any sibling of the eligible child may be placed in the same kinship guardianship arrangement, in accordance with section 471(a)(31), if the State/Tribal agency and the relative agree on the appropriateness of the arrangement for the siblings; and b. Kinship guardianship assistance payments may be paid on behalf of each sibling so placed.	**SSL 458-a, as amended by Chapter 384 of the Laws of 2017** SSL 458-b-458-f Kinship guardianship assistance program 18 NYCRR Part 436 Kinship guardianship assistance program 07-OCFS-INF-04 Keeping Siblings Connected: A White Paper

Federal Regulatory/ Statutory References	Requirement	State/Tribe Regulatory, Statutory, and Policy References and Citations for Each
		11-OCFS-ADM-03 Kinship Guardianship Assistance Program (KinGAP) 15-OCFS-ADM-01 Definition of Siblings and Expansion of the Relative Notification Requirements

ATTACHMENT I

Title IV-E Plan – State/Tribe of **New York**

PLAN SUBMISSION CERTIFICATION

Instructions: This Certification must be signed and submitted by the official authorized to submit the title IV-E plan, each time the state/tribal submits an amendment to the title IV-E plan.

I **Sheila J. Poole** hereby certify that I am authorized to submit the title IV-E Plan on behalf of the New York State Office of Children and Family Services. I also certify that the title IV-E plan was submitted to the governor or tribal leader for his or her review and approval in accordance with 45 CFR 1356.20(c)(2) and 45 CFR 204.1.

Date December 11th, 2017

(Signature)

Acting Commissioner
(Title)

APPROVAL DATE:

EFFECTIVE DATE:

(Signature, Associate Commissioner, Children's Bureau)