



**Office of Children
and Family Services**

Report to the Governor and Legislature on Family Day Care and School-Age Child Care Registration

**(With Comparisons to Day Care Center/Group Family Day Care Licensing)
April 1, 2015 – March 31, 2016
(Pursuant to Chapter 750 of the Laws of 1990)**



New York State Office of Children and Family Services

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1. Executive Summary

During the past 16 years, there have been pronounced improvements in child day care in New York State. One factor driving these developments was passage of The Quality Child Care and Protection Act of 2000, which strengthened requirements for inspection, training and criminal history checks for prospective child care providers. Another factor was the statewide implementation in 2001 of the Child Care Facility System (CCFS) – New York State’s database of record for regulated child care. Ultimately, however, many of the improvements now in place owe their existence to Chapter 750 of the Laws of 1990, which enabled all of the changes by mandating a new system of registration for family day care (FDC) and school-age child care (SACC) programs in New York State, akin to the system already in place at the time for licensing day care centers (DCC) and group family day care (GFDC) programs. Chapter 750 also required the following annual reporting on the new system’s “implementation” – the focus of this report:

1. The number and types of child care providers registered and licensed
2. The number and types of orientation sessions offered
3. The number and types of complaints received and a summary of responses to and resolution of the same
4. The number of registrants and applicants for licensing awaiting inspection or other administrative action.

This latest review in the annual series of reports examines the year beginning April 1, 2015, and ending March 31, 2016, drawing comparisons both to the preceding year and to the three-year period April 1, 2013, through March 31, 2016, based on data from CCFS. This report – like all reports since that for 2011 – 2012 – focuses on both registered programs (FDC and SACC facilities) and licensed programs (DCC and GFDC facilities) in order to satisfy both the mandated reporting requirement under Chapter 750 (limited to registered programs) and the need for a complete and useful overview of the entire universe of regulated providers in New York State.¹ Notably, the expansion to include all modalities of care makes the report series more useful in the future for internal monitoring efforts by the Division of Child Care Services’ (DCCS) regional offices (charged with both licensing and registration services in many areas of the state)² in comparison with the prior registration-only focus.

Because the topic of orientation under Chapter 750 ceased being a prerequisite for registration beginning in 2001,³ all recent reports in the series have modified the original reporting charge under the law by adding content on the closely-related process of handling applications for registration or licensure. In addition, since recently adopted regulations (effective May 1, 2014) reinstated the requirement of pre-application orientations for family-based (FDC and GFDC)

¹ Beginning with the 2011 – 2012 report, the inclusion of licensed as well as registered providers rectified a problem in earlier reports, which presented only a partial snapshot of New York’s regulated child care universe that was occasionally at odds with developments among other kinds of child care providers not subject to the reporting mandate. For example, see n. 1 in the 2010 – 2011 report (*Report to the Governor and Legislature on Family Day Care and School Age Child Care Registration: April 1, 2010 – March 31, 2011* [OCFS, Division of Child Care Services (DCCS), 2012]) on the contradictory trends among FDC and GFDC providers not addressed in the review.

² Throughout this review, DCCS’s seven regions, which are named for the location of the DCCS regional offices, are referred to either by those names, for clarity, or by abbreviation, as described in detail in n. 82 (pg. 36); however, referenced, all designations should be understood as relating to those wider regions, not the named places cited.

³ See the discussion under *Introduction and Background*, p. 1, below.

settings (including DCC and SACC in 2015), that topic is again appropriate for inclusion in the series, at least in a limited fashion, beginning with May 1, 2014, through March 31, 2016.

While the inclusion of both licensed and registered providers suggests easy comparisons between the two major sectors of New York’s regulated child care sector, such comparisons would be deceptive if used to make performance judgments about the respective staff charged with handling the regulation of registered and licensed providers. Absent information on the many distinctions among regulators responsible for different categories of providers across the state – e.g., number, training and responsibilities of staff, or other issues, all unavailable for these annual reviews – each report’s many comparisons juxtaposing registered and licensed programs are best treated only as descriptive differences.⁴

Throughout this report, we refer to the seven OCFS regional offices, which are abbreviated as follows: ARO (Albany), BRO (Buffalo), LIRO (Long Island), NYCRO (New York City), RRO (Rochester), SRO (Syracuse) and SVRO (Spring Valley). It should also be noted that due to population size differences among the regions, New York City by itself is often compared against all other regions, which are collectively referred to as “balance of state.”

Number of Registered and Licensed Providers (page 6)

- For the three years ending March 2016, the total number of registered providers statewide – primarily FDC and SACC programs⁵ – decreased each year. There were year-to-year declines in FDC facilities both in New York City and the balance of the state (ranging from –12 percent to –15 percent, and –6 percent to –10 percent, per year, respectively). The SACC sector, in contrast, increased annually in New York City (17 percent overall increase over the three-year period), but saw an overall decrease of –2 percent in the balance of state across the three-year period. **[Figures 2.1, 2.2.a; Table 2.1]**
- Over the same period, the total number of **licensed** providers⁶ statewide decreased over the three-year period, due mostly to losses in GFDC programs in both New York City and the balance of state, with only one region reporting gains (LIRO, 2 percent to 3 percent per year). DCC facilities outside of New York City reflected a fairly modest growth over the three-year period (< 1 percent to 1 percent gains over the entire period), with only two regions reporting loss (SRO: 1 percent, SVRO: < 1 percent, over the three-year period).⁷ **[Figures 2.1, 2.2.b, 2.5.a - b; Tables 2.1, 2.2]**

⁴ See the section, *Department Response to Complaints* (beginning on p. 17, below) for further discussion.

⁵ Unless noted otherwise, a third type of registered provider also included in the reporting mandate in Chapter 750 of the Laws of 1990, small day care centers (SDCC), is also included in this and all prior reviews’ total calculations, but there are only a very small number of these programs statewide as confirmed again below. Given the small numbers involved, that modality is not broken out separately in the report’s Figures, but its effects on counts are broken out in certain tables. Note, also, that counts here are based on providers “ever registered” – i.e., registered *at any point* during the respective intervals (See note 26, p. 6).

⁶ Throughout this report, data presented for licensed programs excludes New York City DCC facilities, which by law are licensed by New York City and not subject to OCFS’s regulatory authority. Thus, “total” licensee counts presented represent *only* GFDC facilities in the case of New York City, but *both* DCC and GFDC programs for the balance of the state.

⁷ All “three-year” percentages cited in this report refer to the change between the first of the three years (beginning April 1, 2013) and the third – the year beginning April 1, 2015. The smaller licensee increases shown outside of New

Complaint Handling

Volume and rate of complaints (page 11)

- Compared with the prior year, the number of complaints received for all registered programs for the year beginning April 2015 increased significantly statewide (+17 percent). The number increased more in New York City than in the balance of the state (+40 percent, +12 percent increases, respectively). All but two regions (SRO, SVRO) had increases in FDC complaints, and the modest increase in SACC complaints that year was mostly due to NYC, followed by modest increases in RRO. While both modalities contributed to the year's uptick in complaints, FDC was the primary driver. **[Figures 3.1 – 3.2.]**
- Licensed programs also presented a rise in the number of complaints received for the year beginning April 2015, with an overall change of +15 percent over the prior year. The number of complaints received for licensed programs grew 16 percent in New York City and nearly balanced with a +14 percent elsewhere. **[Figure 3.1, Table 3.4.b]**
- As in every review since the one for 2003 – 2006, there was a disparity in the number of complaints made in and outside of New York City. Over the three years ending March 31, 2016, ratios of complaints filed outside New York City compared to those filed within New York City were at least 4:1 each year for **registered** programs, and at least 3:1 each year for licensed programs.⁸ **[Figure 3.1; Tables 3.4.a – b]**
- Since complaint numbers are best compared in relation to the number of programs from which they are generated, standardized rates expressing the number of complaints per 100 providers were calculated to facilitate regional comparisons, and confirmed the disparities noted. Standardized complaint rates (per 100 providers) were near or over three and a half times greater every year outside New York City than within it, for both, registered and licensed programs each year. **[Figure 3.3; Tables 3.4.a – b]**

Timeliness initiating and determining/closing complaints⁹ (page 17)

- For registered programs, complaint investigations were almost always *initiated* on time during the three years ending March 2016. New York City showed 99 percent -100 percent timeliness each year and the balance of the state achieved 97 percent – 98 percent timeliness. Success at *determining and closing* investigations on time for these programs was more varied during the three years – ranging from 91 percent – 93

York City compared with New York City hold regardless of whether comparisons are restricted to GFDC programs (making the New York City and balance-of-state data strictly comparable) or based on “total” counts that include DCC facilities (which would make the two areas’ data less comparable).

⁸ For licensed programs, this ratio dropped to 1.3:1 when limiting the comparison to GFDC programs (with statewide data available) rather than also including DCC information which was unavailable to the review for New York City (e.g., 738:555, Fig. 3.1, p. 12).

⁹ See *Background* (under *Complaints*, p. 11) for details on complaint timeliness calculations for this review. As discussed in Appendix A.3 (p. 41), the review’s measurements of timeliness in initiating and in determining / closing complaint investigations are conservative in the sense of somewhat understating timeliness of performance as compared with corresponding measurements from OCFS’s performance standards for registered programs. In particular, the report’s findings on timeliness of “determination *and closure*” concern a wider range of agency activity than that assessed in OCFS’s measure relating to complaint determination, per se, due to CCFS limitations at the *retrospective* measurement required for the three-year data window employed in the review.

percent per year in New York City and from 88 percent – 92 percent per year outside New York City. **[Figures 3.9.a – b]**

- For licensed programs, complaint investigations in New York City were routinely *initiated* on time (99 percent, consistently). In the rest of the state, timeliness decreased from 94 percent to 90 percent, and then fell even further to 89 percent over the same three years. Timeliness in *determining and closing* such investigations was lower, and further decreased within New York City – dropping from 93 percent to 92 percent there, but with no change (81 percent) elsewhere over the year beginning April 2015. **[Figures 3.9.a – b, 3.10.a – b]**

Application Processing

Number of applications received¹⁰ (page 23)

- Statewide, the number of registration applications received declined 33 percent in New York City and 34 percent in the balance of the state during the three-year period ending March 2016. The overall decline was driven by FDC trends rather than by SACC developments: both New York City and the balance of the state showed pronounced three-year declines in FDC applications over the period (–50 percent, –33 percent, respectively), while SACC applications slightly increased in New York City and declined in the balance of the state (+2 percent, –41 percent, respectively). **[Figure 4.1]**
- Total license applications also declined over the three years, but – reversing the pattern for registration applications – more sharply in New York City than in the balance of the state (–46 percent, –6 percent, respectively). As with registration applications, the overall decline was clearly associated with modality, with all but one of the regions (SVRO) showing declines in GFDC applications over the three years (ranging from –3 percent to –46 percent) but little change in DCC applications. **[Figure 4.1, 4.2b]**

Timeliness processing applications (page 26)

- By the end of the triennium ending March 2016, the percentage of registration applications processed on time statewide improved to 96 percent (from 95 percent the prior year). New York City decreased in performance (99 percent to 97 percent) and the balance of the state improved, especially in the final year of the period (from 91 percent to 94 percent). **[Figures 4.3, 4.4]**
- Statewide, timeliness in processing license applications during the first and second year was two to five percentage points lower than for registrations, although timeliness had improved by the end of the last year (rising from 88 percent to 97 percent overall). In New York City, license applications were processed in a timely manner throughout the period (99 percent, dropping to 98 percent the second year and remained unchanged for the last year), but in the rest of the state, timeliness was lower in the first two years but improved markedly in the second and last year (69 percent and 87 percent, jumping to

¹⁰ Counts here represent applications received (and then resolved) by DCCS during the respective years, not the far larger number *requested* by prospective providers (many of which DCCS never receives, subsequently). See *Orientations and Requests for Applications* (p. 20) for trend data on the latter, documenting how requests for family-based applications declined sharply with the advent of an orientation requirement, effective May 1, 2014. Or see *Applications ... Received*, n. 63 (p. 23) for a quick comparison of the scale of applications requested and received.

96 percent). This may be the result of recent reforms intended to streamline the licensing process (See [Using the Reports](#), next page). **[Figures 4.3, 4.4]**

“50 Percent Inspections” (page 32)

Section 390 (4) (a) of Social Services Law requires annual inspections of at least 50 percent of all registered providers of each modality per county.

- Both New York City and the balance of the state completed more of these inspections than required for the year beginning April 2015. For each of the two preceding years, New York City exceeded its goal for such inspections by 29 percent or more, while the rest of the state exceeded its goal by 6 percent or more. **[Table 4.5]**
- For the year beginning April 2015, the percentage of “50 percent inspections” in which violations of applicable regulations were identified rose slightly statewide (from 46 percent to 48 percent). Outside of New York City, the percentage of such inspections with violations increased from 35 percent to 36 percent), as well as in New York City, from 56 percent to 58 percent. Outside of New York City, the increase in such violations that year occurred in SACC programs, while within New York City, the increase in such violations occurred in both FDC and SACC programs. **[Table 4.5, Figure 4.8]**

Using the Reports

Each report in this series documents important performance benchmarks regarding the volume and timeliness of key regulatory (registration and licensing) activities overseen by DCCS, as well as how the performance of those activities has changed over time. By consolidating information for all modalities of care and all regions of the state, including programs regulated directly by New York State regional office personnel or state- or LDSS-contracted personnel, the reports document a record of pronounced improvements in regulatory practice as well as equally-pronounced differences in that practice, over time and place (such as those documented for different regions in the report). As a whole, the report series represents a significant new monitoring opportunity, allowing for the development of programmatic responses to such differences, once identified.

In addition, continuing with last year’s report, the series should be useful for tracking the progress of efforts already underway to make New York State’s child care licensing process more expeditious. As part of Governor Cuomo’s initiatives to improve efficiency, in March of 2014, OCFS began a systematic effort to apply the principles of Lean – a popular business methodology for analyzing, enhancing value and minimizing waste within business processes – to evaluate the licensing process, with the goal of significantly reducing the time required to issue child care provider licenses. As seen in this report’s section on Applications, this effort has begun to show results in terms of reducing application-processing times – improvements that are expected to become even more apparent in upcoming reports as the Lean initiative continues. (See [Using the Reports, Revisited](#), page 34, below.)

1. Introduction and Background

a) Purpose and Focus of the Study

Chapter 750 of the Laws of 1990 (SSL 390) established a new mandatory system of registration for family day care (FDC) and school-age child care (SACC) programs in New York State and coordinated that system with the one already in place for licensed day care center (DCC) and group family day care (GFDC) programs. It replaced New York's patchwork registration system marked by varying rules and authorities for registration with a single consistent system more capable of exerting strong emphases on training, support services and the protection of children's health and safety.¹¹ The legislation included the following reporting requirements:

"The commissioner of social services shall prepare an annual report to the Governor and legislature on the implementation of this act. Such report shall include information on

1. The number and types of child care providers registered and licensed
2. The number and types of orientation sessions offered
3. The number and types of complaints received and a summary of the department's responses to and resolution of the same
4. The number of registrants and applicants for licensing awaiting inspection or other administrative action."¹²

This report covers the year April 1, 2015 – March 31, 2016, and is a continuation of the series of registration reports previously submitted to comply with the above statutory requirement for the years through March 31, 2016. Prior to the review for 2012 – 2013, the reports' focus was on registered (FDC and SACC) providers – the segment of the day care universe to which the legislation applied a new registration mandate. Like the last three reports, however, this one widens the focus by also including licensed (DCC and GFDC) providers to permit a more comprehensive overview of care that should make this and future reports far more useful for management and policy purposes.¹³ In addition, while the focus is 2015 – 2016, this study also offers extensive comparisons with the preceding two years to provide for comparison and perspective. Each year is broken out separately in the analysis, consistent with the Law's annual reporting requirement.

Because orientation ceased being a requirement for registration in early 2001, the present report, like its predecessors, includes detailed information on a closely related part of the regulatory process: the timeliness with which applications for registration or licensure are handled.¹⁴ Since new regulations recently resumed the requirement of pre-application orientations for family-based (FDC, GFDC) settings, effective May 1, 2014, and effective June 1, 2015, for center-based (DCC, SACC and SDCC) settings, this report also includes information on orientations, during the period from April 1, 2015, through March 31, 2016.

¹¹ Under the prior system, SACC programs operating relatively few hours were exempt from registration, while FDC programs were regulated through a confusing joint state-county system.

¹² *McKinney's 1990 Session Laws of New York* (West Publishing Co.), V. 1, p. 1531. Numbering added.

¹³ See *Background on Child Care Registration and Licensing*, p. 2, for an overview of different modalities of care and the corresponding regulatory frameworks.

¹⁴ See earlier reports in this series (e.g., *Report to the Governor and Legislature on Family Day Care and School Age Child Care Registration: April 1, 2009 – March 31, 2010* [DCCS, 2011], pp. 1-2) for the legislative context surrounding the discontinuation of orientation as a registration requirement for FDC and SACC programs, in early 2001 as part of the Quality Child Care and Protection Act.

Following the Introduction, this review includes three major sections, corresponding to the legislative requirements above:

- a) Registered and Licensed Providers – the number and types of child care providers registered and licensed;
- b) Complaints – the number and types of complaints received and a summary of the department's responses to them; and
- c) Administrative Actions – the number of orientations provided, applications received, applications processed and inspections completed.

b) Background on Child Care Registration and Licensing

In New York State, persons caring for fewer than three children within home settings are considered “license exempt” and are not subject to regulation on a regular basis. When persons provide care for three or more children for more than three hours a day in a home setting, that care *is* regulated by the state and is categorized as either family day care (FDC – up to eight children, depending on the ages of the children) or group family day care (GFDC – up to 16 children, depending on the ages of the children).¹⁵ Programs in which children receive care outside of a home setting include day care centers (DCC – seven or more children), small day care centers (SDCC – three or more children) and school-age child care (SACC – six or more school-age children receiving care during non-school hours, holidays or school vacations). Both DCC and GFDC programs are regulated by the state through a process known as *licensing*, while FDC, SACC and SDCC programs are regulated through the analogous process of *registration*.

Whether through licensing or registration, regulation of child care providers in New York State entails a detailed array of activities, including application processing, background checks, safety and facility inspections, documentation of mandated and other training, and ongoing monitoring and supervision – all aimed at protecting the health and safety of children in care by requiring that providers comply with minimum standards for care established in regulation (e.g., safety, sanitation, nutrition, prevention of child maltreatment). For DCC and GFDC programs, New York State – through the Office of Children and Family Services’ (OCFS) regional child care offices – directly handles these licensing services outside of New York City, while the New York City Department of Health and Mental Hygiene (NYC DOHMH) provides such services within New York City.¹⁶ For FDC and SACC programs, such registration services have been provided under one of several arrangements (which have shifted over time), depending on local department of social services (LDSS) preferences. During the 13 years ending with the current

¹⁵ Note that the requirements described in this paragraph apply only when children are *unrelated* to caregivers according to a standard specified in legislation. In June 2010, Chapter 117 of the Laws of 2010 revised New York law to enable larger capacity limits for FDC and GFDC programs under limited circumstances when OCFS assesses individual programs to determine whether they are able to accommodate the specific number of children in care. After inspection and approval, FDC programs previously limited to caring for no more than two children under the age of two were permitted to care for more than two such children if at least one caregiver was available for each two children under that age who were in care. GFDC programs previously limited to serving up to 14 total children, including up to four school-age children, were permitted to serve as many as 16 children, upon approval of such a change (following an inspection).

¹⁶ Appendix A.1 (p. 36) maps the seven regions of the Division of Child Care Services (DCCS) whose offices oversee the regulation of child care providers in New York State. Six of these seven offices (all except the New York City office [NYCRO]), thus, are responsible for all DCC and GFDC licensing outside of New York City. Within New York City, OCFS *contracts* with NYC DOHMH to license GFDC programs – the only such arrangement statewide.

report period, New York State’s regional child care offices provided registration services directly to a sizable, relatively consistent number of counties (reaching 19) between 2011 and 2016.¹⁷ During that same period, a dwindling number of LDSSs entered into Memoranda of Understanding (MOUs) with OCFS to provide registration services directly, falling from eight counties in 2003 to two counties by 2011 – 2016.¹⁸ Simultaneously, a slowly growing number of LDSSs subcontracted with not-for-profit entities, primarily Child Care Resource and Referral (CCR&R) agencies, for the provision of registration services (rising from 32 counties in 2003 to 36 counties by 2011 – 2016).¹⁹ OCFS contracted with NYC DOHMH to provide registration services in New York City (five counties).²⁰ Most recently, between 2010 and 2011, two additional counties previously serviced by New York State staff (Seneca, Yates) requested OCFS permission (and were approved) to provide registration services through subcontracting with their local CCR&R agency. *Appendix A.1 maps and defines the seven DCCS regions, while Figure 1 (next page) documents the latest transitions referenced.*

One consequence of these different licensing and registration service arrangements has been a “natural experiment,” in effect, made possible by DCCS’s implementation of performance-based contracting for some, but not all of this work, in an effort to improve the consistency of regulatory practice across the state. That is, outside of New York City all licensing work and some registration work has remained a state regional office responsibility; in contrast, effective January 1, 2005, all contracts for the provision of registration services²¹ by non-state entities such as CCR&Rs, NYC DOHMH or LDSSs were converted into performance-based arrangements in an effort to maximize accountability and oversight by conditioning payments for services on localities’ attainment of a variety of accepted standards in completing the work.²² The fact that improvements in regulatory practices documented throughout this series of reports have typically coincided with these regional or modality-based contractual arrangements clearly suggests the effectiveness of the contracts in achieving improvements to practice.

The transition to performance-based contracting probably contributed to the differences in performance seen between registration and licensing activity, as well as to disparities between registration activity in counties with performance-based contracts and other counties without the contracts. Almost certainly, the shift to performance-based contracts improved oversight and the quality of regulation for segments of the child care universe, directly benefiting performance for those modalities of care and those locales affected. But the adoption of performance-based contracting also may have contributed to *variations* in the extent of improvements in regulatory practice that have occurred with respect to registered and licensed care, and among counties and regions, during the years since. One of the major benefits of this series of reports has been to document that such differences have occurred – a crucial first step in developing any response to the variations in services observed.

¹⁷ See Figure 1, p. 4, (green cross-hatch).

¹⁸ *Ibid.* (dark blue hatch).

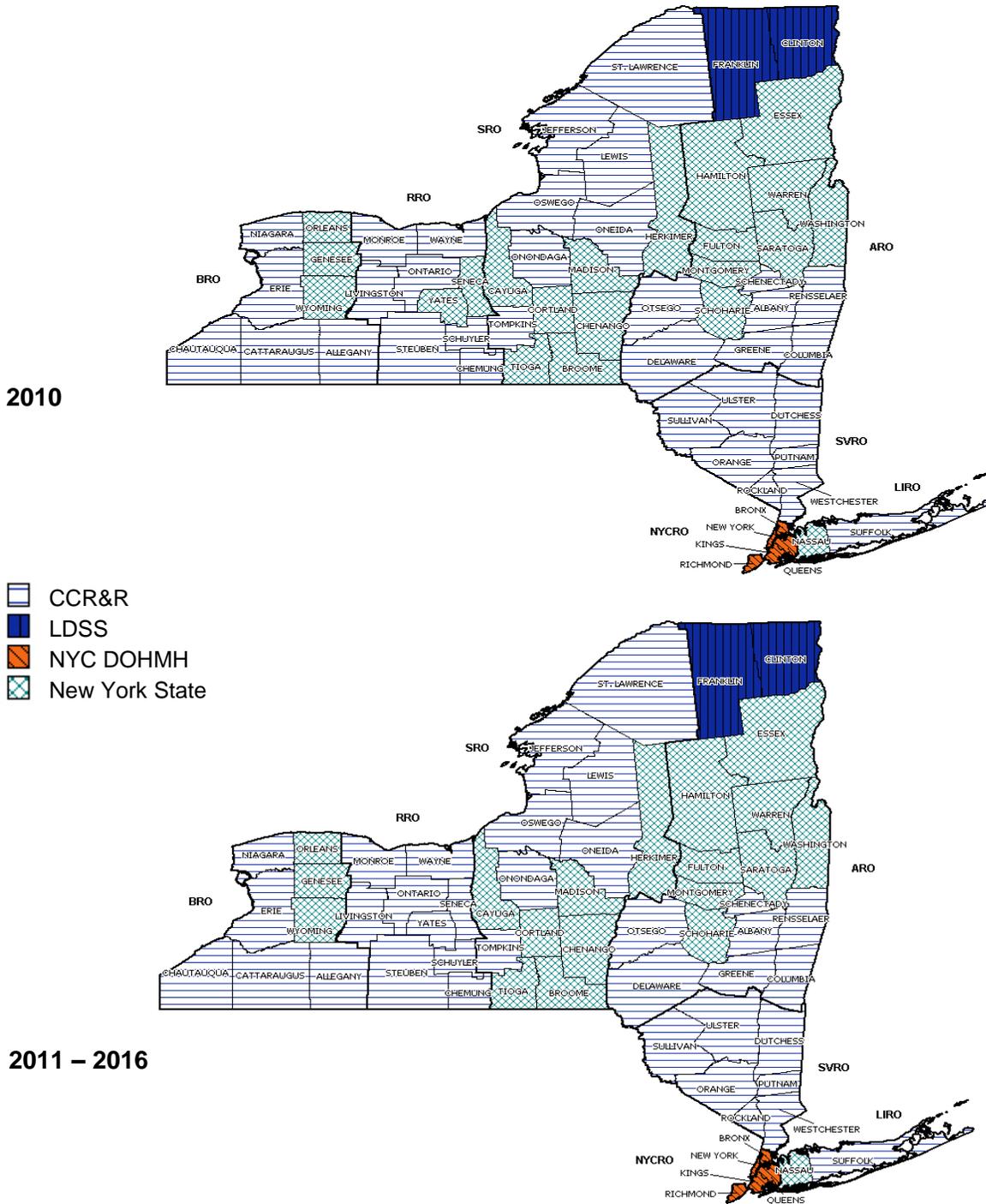
¹⁹ *Ibid.* (light blue hatch).

²⁰ *Ibid.* (orange cross-hatch). See Appendix A.2 (p. 37) for maps documenting all of the changes cited.

²¹ Alone among all the performance contracts in place, one exception is NYC DOHMH’s to provide *licensing* services for New York City GFDC facilities.

²² In particular, contractors were required to use a common reporting system of record, described below, and DCCS developed a series of “performance standards,” keyed to that reporting system, to enable rigorous, routine monitoring (on an as-needed, usually quarterly, basis) of all key registration activities by those performing the services.

Figure 1. Changes in Registration Service Provider by County: 2010 – 2016²³



²³ Registration service providers as of start of respective calendar years. For both maps, one county (Oneida) served by a not-for-profit agency, which was not a CCR&R agency, is grouped under the “CCR&R” category displayed. See Appendix A.2 (p. 37) for notes regarding corrections made to maps from earlier reports in this series and for full-page versions of selected maps documenting the changes discussed and other context (e.g., see 2011 – 2016 map note, p. 40, regarding changes not reflected on map).

c) Methodology and Data Sources

To provide clear, replicable measurements addressing the specific reporting requirements discussed, this report relies primarily on quantitative data from the database of record for child care services in New York State: The Child Care Facility System (CCFS) – in order to provide clear, replicable measurements addressing the specific reporting requirements discussed. As a result, the report provides a clear perspective on any changes that occurred during the year beginning April 1, 2015, in comparison with prior report periods. Since CCFS does not include data on New York City DCC facilities, this report focuses on all registered providers statewide, and all licensed providers except New York City DCC programs, which are licensed by New York City and not subject to OCFS’s regulatory authority.

For each topic reviewed, either new measures were created using CCFS data, or existing performance measures used to administer registration contracts were modified to satisfy the new reporting purposes while remaining as similar to the original registration contract standards as possible. For example, the analysis of “response to complaints” in this report closely resembles the methodology used to assess the timeliness of complaint investigations in DCCS’s corresponding performance standard but also includes: a) all counties throughout the state, b) all regulated programs except New York City DCC facilities, and c) enhanced detail to facilitate regional comparisons, viz., standardized rates of complaints received.²⁴ For readers’ reference, each chapter below provides an overview of any computational details pertinent to understanding the respective chapter findings. Appendix A.3 (page 42) provides narrative descriptions of all such rules and calculations employed for measures featured throughout the report. Appendix A.3 also provides further details on the respective chapters’ discussions of how measures presented in this report may vary from DCCS’s corresponding registration contract performance standards. Finally, the Appendix also includes a complete complement of map figures that appear in or are cited in the report – sized larger than in the body of the report for maximum detail, when appropriate.

Given that CCFS is the database of record for child care in New York, this report relies on that data, but calls attention, where informative, to instances where variations in reporting (e.g., definitional and/or practice issues) may have influenced findings.²⁵ The report’s finding of fewer complaints reported for New York City than might be expected, based on its 40-to-50 percent share of the population of providers, is a primary example (See pages 12 - 15).

²⁴ As in the prior reviews, this report calculates a one-year complaint rate relating the number of complaints in a year to the number of providers *ever registered or licensed* (as appropriate) during that year, with the measure expressed as the number of complaints “per 100” providers. Aside from such refinements, the four major differences between measures presented here and DCCS’s existing ones are: a) the inclusion of all counties (rather than just those with performance contracts, as in the original measures); b) the inclusion of settings of any modality (except New York City DCC), also irrespective of whether performance-contracted; c) the focus on annual report periods here; and d) in some instances – detailed in each chapter – the report’s retrospective measures differ unavoidably from the performance measure due to CCFS data limitations or other computational factors. Readers should note that the combination of all of these factors makes certain results here look decidedly different from performance measures typically published by DCCS. The performance indicator on complaint processing, e.g., runs within a few days of when complaints received *in a given month* are due to be processed, providing a localized, ‘point-in-time’ look at performance; in comparison with this report’s broad retrospective year-by-year measures of complaint handling. Similarly, this report makes use of counts of providers “ever” registered or licensed (i.e., at any point) during the report period, as distinguished from the point-in-time counts with which readers may be more familiar.

²⁵ For example, see the 2009 – 2010 report’s description of factors that influenced the completeness of reporting early in CCFS’s implementation. *Op cit.*, *Methodology and Data Sources*.

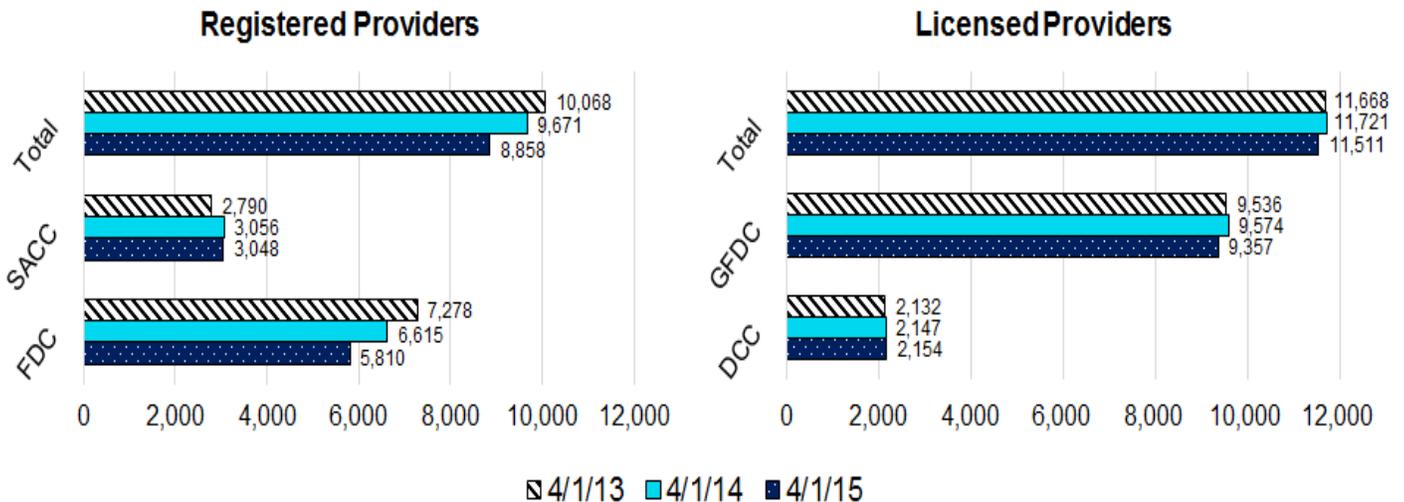
2. Registered and Licensed Providers²⁶

a) Overview

- Overall, *registered* provider numbers continued to decline each year statewide (ranging from -4 percent to -8 percent per year, for a total 2013-16 decline of -12 percent) reflecting:
 - Consecutive annual FDC declines (ranging from -9 percent to -12 percent per year; 2013-16 change: -20 percent).
 - Modest SACC increase (2013-16 change: 9 percent).
- *Licensed* provider numbers increased from 2013-15 statewide (< 1 percent), and decreased in 2015-16 (2 percent, with a 2013-16 loss of 1 percent) reflecting:
 - An increase in GFDC from 2013-15 (< 1 percent) followed by a decrease in 2015-16 (2 percent, with a 2013-16 loss of 2 percent).
 - Marginal DCC growth outside New York City (\leq .7 percent each year; 2013-16 change: 1 percent).

Figure 2.1 summarizes the corresponding changes in numbers of providers registered or licensed at any time, by modality, for the three-year period, April 2013 - March 2016.

Figure 2.1
Providers Registered or Licensed at Any Point During Reporting Period,
by Modality, for Year Beginning: April 1, 2013 – 2015²⁷



²⁶ Unless noted otherwise, counts cited in this section represent programs “ever” registered or licensed (i.e., at any point) during the respective years, as distinguished from so-called ‘point-in-time’ counts (e.g., as of the end of a year). Table 2.1 (p. 8) reports both types of counts, and as in the prior review, reveals fairly steady declines in FDC providers over time (e.g., compare the “first day” and “last day” counts shown for individual years). See *Regional Detail*, next page, for more point-in-time evidence.

²⁷ Registered totals include n = 5 small day care center (SDCC) programs for the 1st year (n = 2, Albany region [ARO], n = 2, Rochester region [RRO], n = 1, Syracuse region [SRO]), n = 4 SDCC programs for the 2nd year (n = 2, ARO, n = 1, RRO, n = 1, SRO) and n = 1 SDCC programs for the 3rd year (n = 1, ARO), respectively. Licensed day care center (DCC) counts exclude New York City programs.

One factor potentially contributing to the significant declines in registered providers but minor decreases in licensed programs is the appeal for registered FDC providers of transitioning to licensed GFDC programs to become eligible for the higher maximum child care subsidy rates for GFDC providers.²⁸

b) Regional Detail

- *Registered* provider numbers declined each year statewide but this varied by modality:
 - New York City, the balance-of-state, and all seven DCCS regions mirrored the statewide trend with consecutive year-to-year declines in total providers (ranging from -4 percent to -9 percent per year, -4 percent to -8 percent per year, and -2 percent to -12 percent per year, respectively).
 - New York City, the balance-of-state and all seven individual DCCS regions also had consecutive year-to-year declines in FDC numbers (ranging from -12 percent to -15 percent per year, -6 percent to -10 percent per year, and -2 percent to -15 percent per year, respectively).
 - SACC numbers, in contrast, remained almost flat in the balance-of-state (ranging from a 2 percent increase to a -4 percent decrease), but increased in New York City (ranging from 2 percent to 15 percent) and varied across DCCS regions (increases ranging from 2 percent to 15 percent, and decreases ranging from -1 percent to -10 percent).

Figure 2.2.a displays the corresponding changes in registered providers underlying these trends for New York City and the balance of the state, as detailed in Table 2.1. Appendix A.4 documents the regional changes in registrants broken down by modality, referenced.²⁹

²⁸ See earlier reports in this series for history and context on the opposing trends seen for FDC and GFDC provider numbers for some years now (e.g., *Report to the Governor and Legislature on Family Day Care and School Age Child Care Registration: April 1, 2003 – March 31, 2006* [DCCS, 2009], pp. 8-9).

²⁹ See Figures 2.4.a – b in Appendix A.4 (p. 44), respectively (summarizing data on all modalities from Table 2.2, p. 46), for FDC and SACC trends discussed.

Figure 2.2.a. Providers Registered at Any Point During Reporting Period, by Major State Region and Modality, for Year Beginning: April 1, 2013 – 2015³⁰

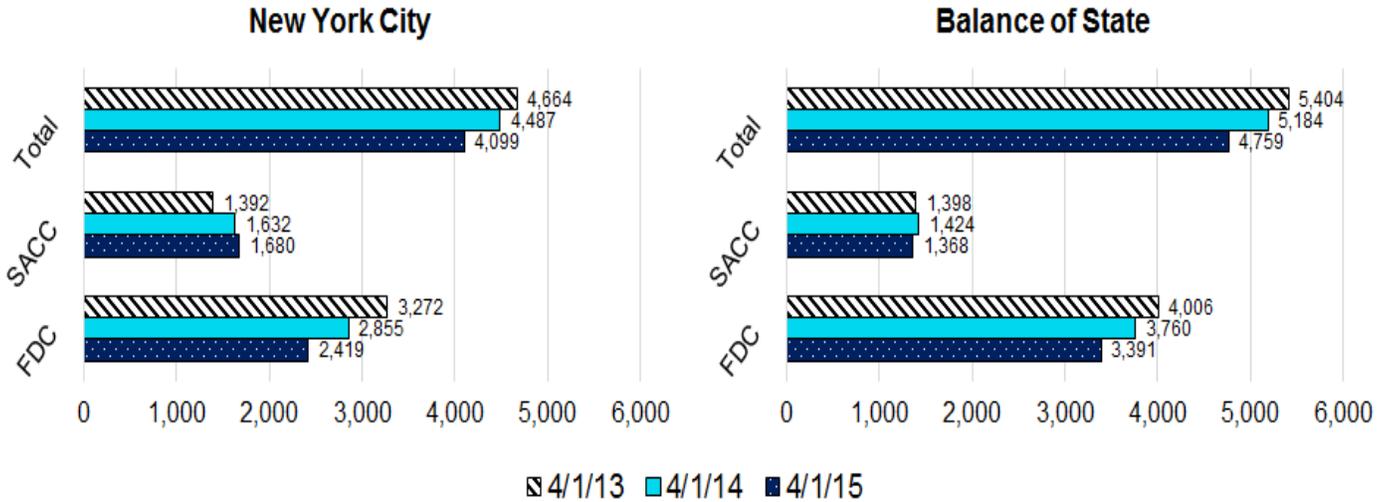


Table 2.1. Registered (FDC/SACC) & Licensed (DCC/GFDC) Providers, by Major Region & Modality: As of Any Point, As of the First Day and as of the Last Day, for Year Beginning: April 1, 2013 – 2015³¹

Region	Year Starting April 1,	Any Point During Year				First Day				Last Day			
		FDC	SACC	DCC	GFDC	FDC	SACC	DCC	GFDC	FDC	SACC	DCC	GFDC
New York City	2013	3,272	1,392	na	6,126	2,938	1,252	na	5,297	2,624	1,233	na	5,525
	2014	2,855	1,632	na	6,192	2,619	1,233	na	5,527	2,214	1,522	na	5,489
	2015	2,419	1,680	na	6,038	2,212	1,522	na	5,487	1,870	1,507	na	5,348
Balance of State	2013	4,006	1,398	2,132	3,410	3,559	1,282	2,010	3,024	3,338	1,298	1,999	3,040
	2014	3,760	1,424	2,147	3,382	3,336	1,300	1,999	3,039	3,007	1,277	2,003	2,964
	2015	3,391	1,368	2,154	3,319	3,006	1,278	2,001	2,963	2,791	1,265	2,032	2,924
Total	2013	7,278	2,790	2,132	9,536	6,497	2,534	2,010	8,321	5,962	2,531	1,999	8,565
	2014	6,615	3,056	2,147	9,574	5,955	2,533	1,999	8,566	5,221	2,799	2,003	8,453
	2015	5,810	3,048	2,154	9,357	5,218	2,800	2,001	8,450	4,661	2,772	2,032	8,272

- For *licensed* providers, year-to-year statewide increases were fueled by growth, which was more prominent in certain DCCS regions and modalities than in others:
 - LIRO showed successive GFDC gains (2 percent to 3 percent per year, respectively) while the other regions decreased (ranging from -1 percent to -6 percent three-year change, 2013 – 16).

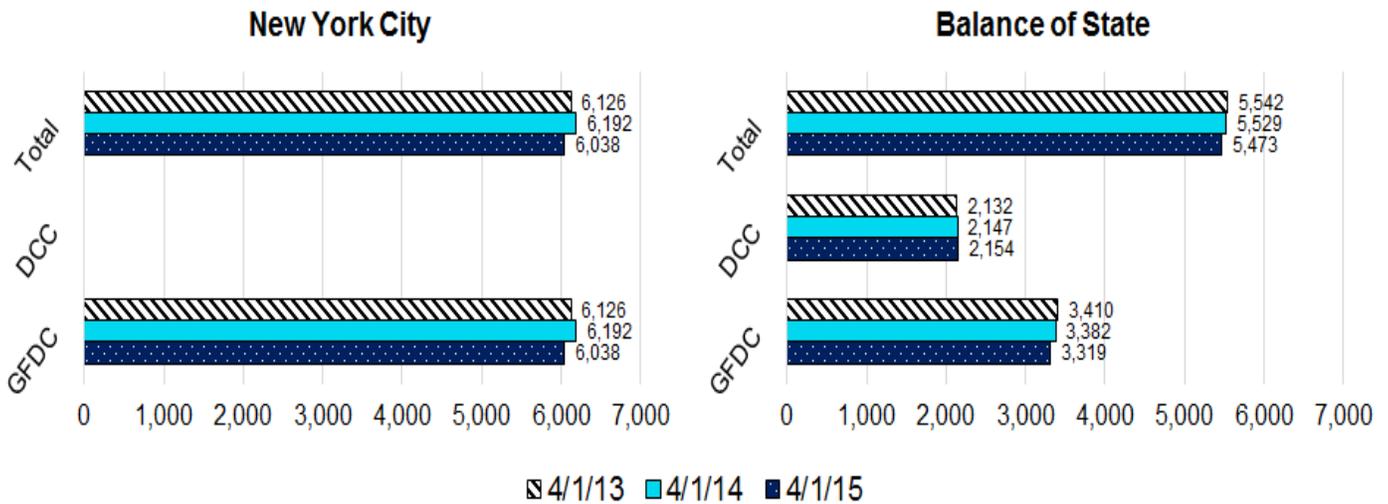
³⁰See Figure 2.1 note on a few SDCC programs' inclusion (and their locations) in registered "total" counts shown. As a result, the latter can exceed the sums of FDC and SACC counts shown at other locations (e.g., Table 2.1, p. 8, "any point" columns) for certain years and locations.

³¹ Licensed provider numbers excluding day care center (DCC) programs in New York City.

- Outside New York City, DCC facility numbers grew only marginally (< 1 percent, all three years).

Figure 2.2.b displays the corresponding changes in licensed providers underlying these trends for New York City and the balance of the state, as summarized in Table 2.1. Appendix A.4 documents the regional changes in licensees broken down by modality, referenced.³²

Figure 2.2.b. Providers Licensed at Any Point During Reporting Period, by Major State Region and Modality, for Year Beginning: April 1, 2013 – 2015³³



- Another strategy for identifying regional trends is to evaluate *intra-year* changes in provider numbers using point-in-time measures (e.g., “first day,” “last day” counts introduced above):
 - Among *registered* programs, this revealed striking, continuous FDC declines for all regions but more variable SACC trends, increasing almost half the time (*Fig. 2.3.a*).
 - Among *licensed* programs, this showed DCC and GFDC trends more randomized – with growth and decline about equally likely, but gains generally larger for DCC programs (*Fig. 2.3.b*).

Figures 2.3.a – b detail the percent change in registrant and licensee counts referenced, by region, from start to finish for each of the three years ending March 2016.

³² See Figures 2.5.a – b in Appendix A.4 (pg. 45), respectively (summarizing data on all modalities from Table 2.2, p. 46), for DCC and GFDC trends discussed.

³³ Excluding day care center (DCC) programs for New York City.

Figure 2.3.a. Percent Change in Registered Providers from First Day to Last Day of Interval, by Region and Modality, for Year Beginning: April 1, 2013 – 2015³⁴

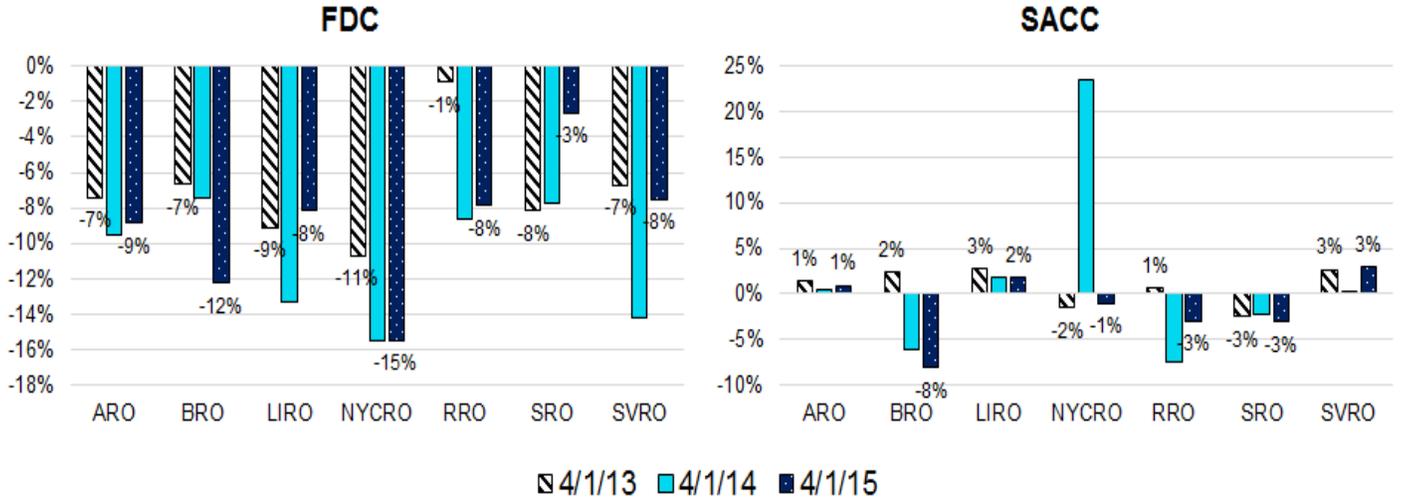
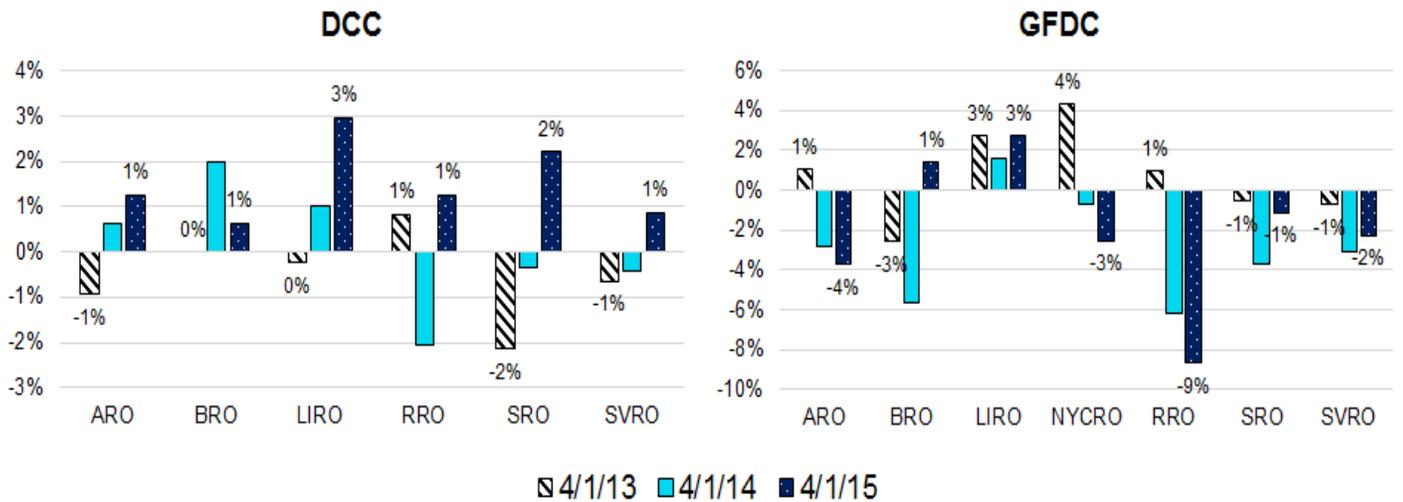


Figure 2.3.b. Percent Change in Licensed Providers³⁵ from First Day to Last Day of Interval, by Region and Modality, for Year Beginning: April 1, 2013 – 2015



³⁴ Table 2.2 in Appendix A.4 (p. 46) details the regional provider counts summarized in Figures 2.3.a and 2.3.b. Note that the rounding of percentages used in labels sometimes yields bars which appear distinct despite identical labeling.

³⁵ Day care center (DCC) counts excluding New York City programs.

3. Complaints

a) Background

In New York State, complaints about child care are received through a variety of channels by a variety of staff ranging from those in OCFS's central and regional offices, to local or subcontracted staff responsible for registration services in particular localities,³⁶ to individual child care program staff. In every instance, complaints are required to be immediately entered into CCFS for appropriate handling. OCFS categorizes complaints into three types, corresponding to their degree of seriousness: non-emergency, serious or imminent danger. The classification of a complaint determines how quickly the corresponding investigation must be *initiated*, while each allegation included in a complaint must also be *determined* as either substantiated or unsubstantiated within 60 days of the date on which the complaint was received.³⁷ As detailed in the Appendix, both this review's measurements of timeliness for initiating and for determining investigations, under this framework, are conservative, slightly *understating* the timeliness of performance involved as compared with the corresponding OCFS performance standards for registered programs – in large part, due to CCFS data limitations that constrain the type of retrospective measurements emphasized throughout this report series.³⁸ Due to this limitation, for clarity, the review's findings on timeliness of determination are labeled, "*determination and closure*," to emphasize that they concern a wider range of agency activity (were findings determined, corrective action plans developed, *and* complaints closed, within 60 days?) than that involved in OCFS's compliance monitoring of determinations (were *allegations substantiated or not* within 60 days?).

b) Volume, Rate and Characteristics of Complaints Received

- Complaints for *registered* providers, overall, increased statewide (+17 percent), for the year beginning April 2015, after a modest increase (3 percent) the prior year (*Fig. 3.1*):
 - Five DCCS regions (ARO, BRO, LIRO, NYCRO, RRO) shared in the 2014 – 15 increase (gains of 16 percent to 67 percent) while just two showed declines that year (SRO: -7 percent, SVRO: -9 percent). (*Fig. 3.2*).
 - All but two DCCS regions (SRO, SVRO) showed increases in FDC complaints for the 2014 – 15 year, contributing to that year's uptick in complaints. (*Fig. 3.2*). In contrast, only two regions (NYCRO, RRO) showed increases in SACC complaints.

³⁶ See *Background on Child Care Registration and Licensing*, p. 2, for a discussion of the entities responsible for registration services in different locales.

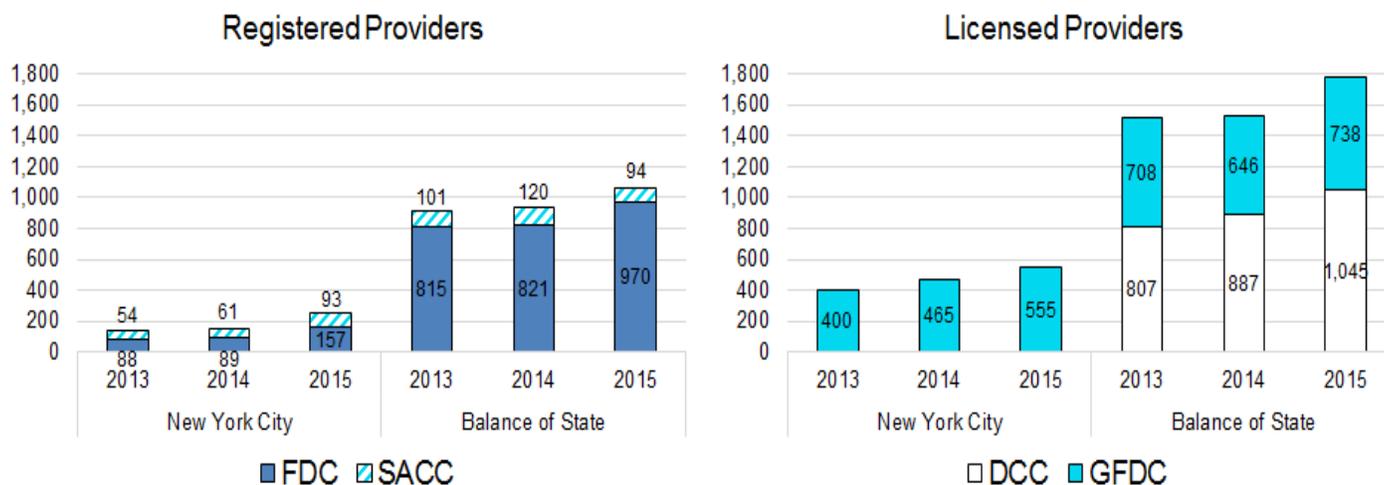
³⁷ This review adopts the 60-day "determination" standard nominally used in the state's performance contracting for registered programs, to emphasize a conservative, consistent frame of reference (anchored in practice) in the report's broader comparisons across modalities. That standard, nonetheless, is best understood as a compromise that reconciles two 30-day standards, which are technically now in effect but problematic to operationalize in practice as separate events – one for "determination," in the sense discussed, and another for closure once a determination is made. Given a window of 15 days for initiating investigations, and allowances of as long as 30 days for implementation of corrective actions responding to a determination, neither determinations nor closures are *reliably* constrained to 30 days, each, prompting adoption of a conservative 60-day standard for completing "at least" determination, or both activities, as a more defensible and valid compromise measurement.

³⁸ Appendix A.3 details the specific time frames, definitions and situational factors that enter into measures for initiating and completing complaint investigations, as used in OCFS's performance standards and as implemented for the *Response to Complaints* section, below. See p. 41, especially, for details on the (slight) understatement of timeliness in complaint processing in this review, and how this could impact the comparisons made.

- Complaints for *licensed* programs also increased statewide (+15 percent) for the year beginning April 2015, after a modest increase (4 percent) the prior year (Fig. 3.1):
 - Underlying the latest increase were some clear differences, with only one DCCS region (SRO) showing decline in these complaints (11 percent), two regions with moderate increases (ARO: 10 percent, RRO: 6 percent), and the rest with larger increases (16 percent to 26 percent), that year (Fig. 3.2).
 - Just as in the last review, these complaints consistently outnumbered those logged for registered programs in every region except SRO throughout the three-year period (Fig. 3.2).

Figures 3.1 - 3.2 detail the numbers of complaints received for registered and licensed programs, by region and modality, underlying these trends for the three-year period.

Figure 3.1
Total Complaints Received for Registered or Licensed Providers,³⁹
by Major State Region and Modality, for Year Beginning: April 1, 2013 – 2015



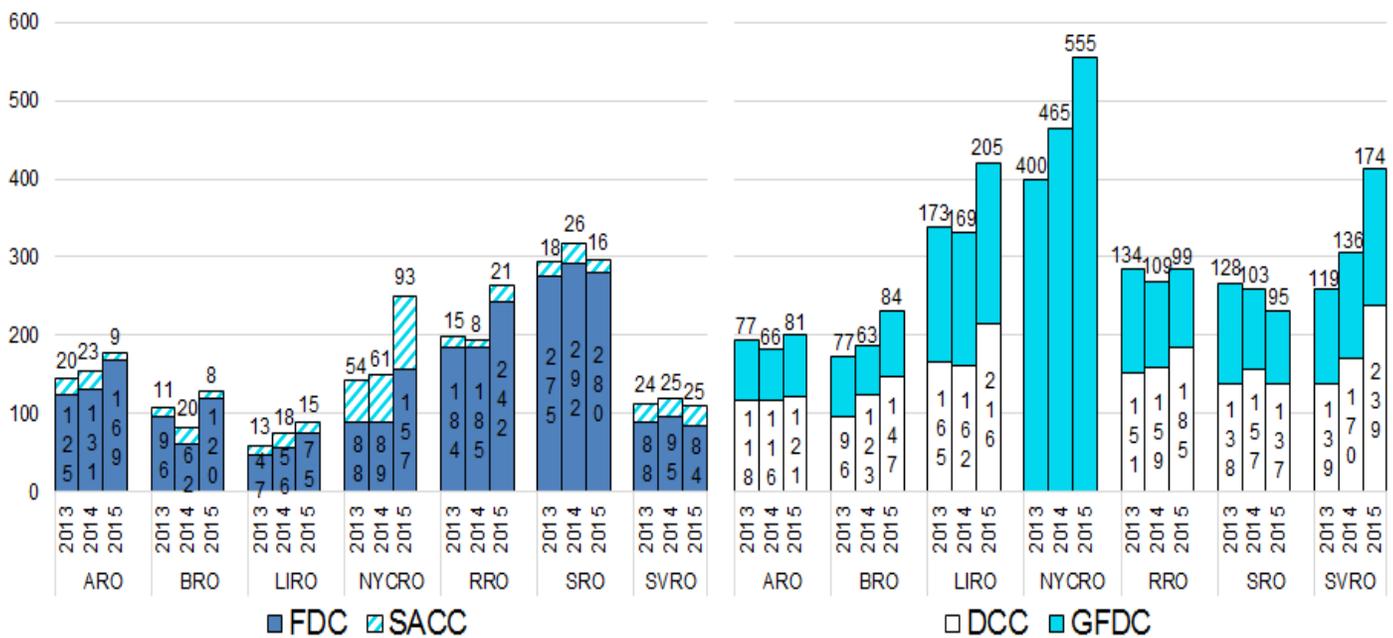
- There were apparent disparities between complaint numbers received in and outside of New York City, relative to the two areas' sizes:
 - For *registered* programs, ratios of complaints filed outside New York City, to those filed within New York City were near or exceeded 4:1 each of the three years beginning April 2013 (e.g., [94+970]: [93+157], Fig. 3.1).

³⁹Total registered programs excluding a small number of SDCC facilities; total licensed programs excluding New York City DCC facilities.

- For *licensed* programs, the same ratios were at least 3:1 every year, or 1.3:1 if limiting the comparison to GFDC programs with statewide data available (e.g., 738:555, Fig. 3.1).⁴⁰

Figure 3.1 (prior page) details the numbers of complaints received, by major state region, reflected in these trends.

Figure 3.2. Total Complaints Received for Registered and Licensed Providers,⁴¹ by Region and Modality, for Year Beginning: April 1, 2013 – 2015



Since complaint counts and differences in counts by region are difficult to evaluate absent information on the numbers of programs to which they refer, standardized rates expressing the number of complaints *per 100 providers* (registered or licensed, as appropriate) were calculated to provide more meaningful comparisons among geographic areas and time periods. This reinforces the evidence of disproportionate complaint activity by geographic area (Figure 3.3, below):

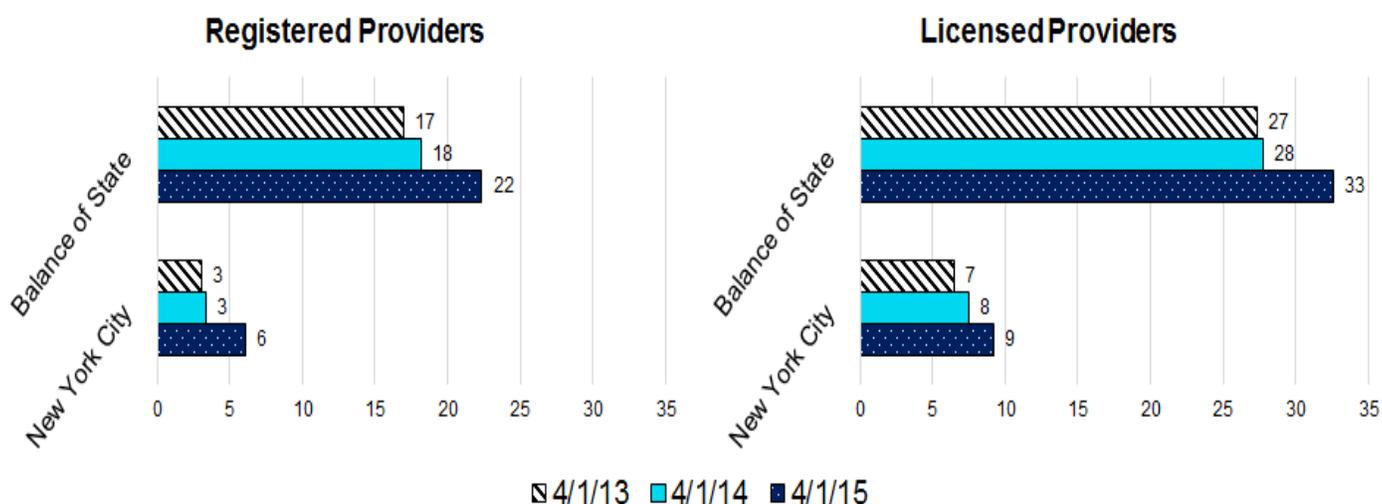
⁴⁰ See n. 9, p. viii. As noted above (n. 6, p. vii), the data on “total” licensed programs presented throughout this report simply mirrors OCFS’s regulatory authority by including all such facilities except New York City DCC programs, which by law are licensed by New York City and not subject to OCFS regulation.

⁴¹ Total registered programs excluding a small number of SDCC facilities; total licensed programs excluding New York City DCC facilities.

- For *registered* programs, standardized rates outside New York City were near or greater than three times the New York City rates each year (*i.e.*, 22:6).
- For *licensed* programs excepting only New York City DCC facilities, standardized rates outside New York City were at least three times the New York City rates each year (*i.e.*, 33:9).

Figure 3.3 details the standardized complaint rates referenced for the three-year period.

Figure 3.3. Number of Complaints Per Year Per 100 Registered or Licensed Providers, by Major State Region, for Year Beginning: April 1, 2013 – 2015

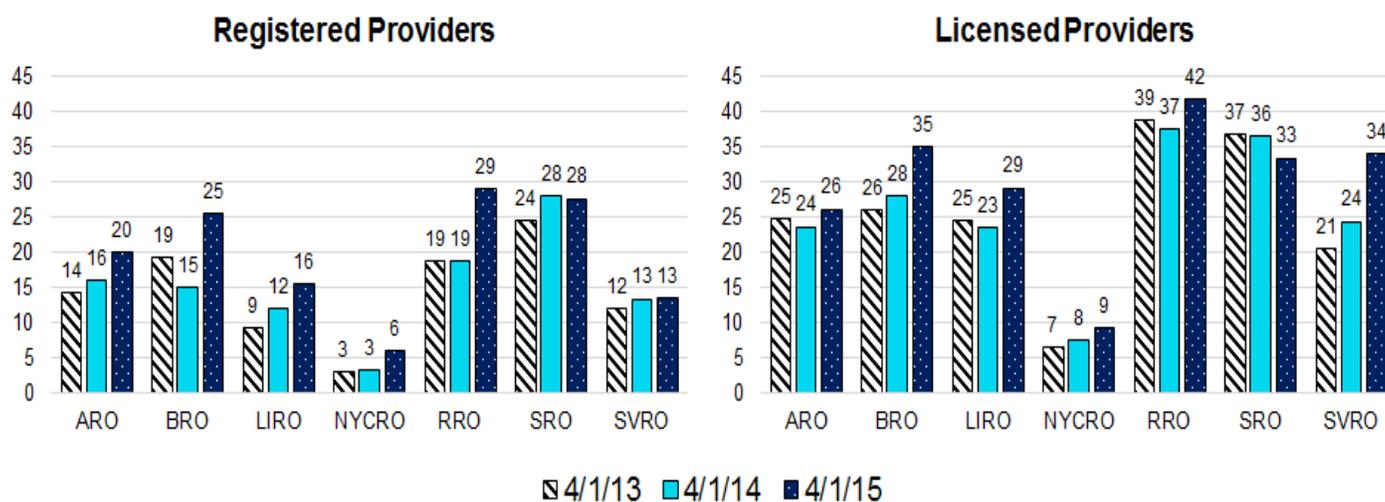


- Apart from these differences between major areas of the state, there were also pronounced differences in rates among the seven DCCS regions:
 - Compared with the balance-of-state rate for *registered* programs for the year beginning April 2015 (22 per 100 providers: *Fig. 3.3, above*), rates for some DCCS regions outside New York City that year ranged from as low as 41 percent less (13 per 100: SVRO) to as high as 24 percent more (29 per 100: RRO). (*Fig. 3.4*)
 - Compared with the balance-of-state rate for *licensed* programs for the year beginning April 2015 (33 per 100 providers: *Fig. 3.3, above*), rates for some DCCS regions outside New York City that year ranged from as low as 21 percent less (26 per 100: ARO) to as high as 21 percent more (42 per 100: RRO). (*Fig. 3.4*)

Figure 3.4 (*next page*) details the standardized complaint rates for specific DCCS regions, underlying these trends.⁴²

⁴² For readers' utility, standardized complaint rates are also included in several tables focusing on other detail, later in this chapter, to facilitate geographic and time comparisons.

Figure 3.4. Number of Complaints Per Year Per 100 Registered or Licensed Providers, by State Region, for Year Beginning: April 1, 2013 – 2015



In addition to differences of scale between complaint reporting in New York City and the rest of the state, and among DCCS regions, there were also dramatic differences in the mix of severity levels reported for complaints received in different parts of the state.

- New York City and the balance of the state differed consistently (with modality much less a factor) in ratings of complaints’ “seriousness” – apparently reflecting rating protocol differences possible under the state’s *county-administered* system⁴³ rather than intrinsic disparities in complaint characteristics:
 - New York City DOHMH classified between 93 percent and 94 percent of all complaints as involving “imminent danger,” compared with just one percent of complaints lodged elsewhere during each of the three years beginning April 2013, leaving little room for modality or other factors to be influential.
 - Complaints rated as “serious” represented between 83 percent and 85 percent of the respective years’ complaints outside New York City – including somewhat higher proportions for registered than for licensed programs – but only four percent to five percent of all complaints within New York City.⁴⁴

⁴³ See discussion in prior reports (e.g., *Report to The Governor and Legislature on Family Day Care and School Age Child Care Registration: April 1, 2012 – March 31, 2013* [DCCS, 2014], p. 18, esp. n. 18).

⁴⁴ Table 3.1, below, Figures 3.5.a – b, p. 48. “Non-emergency” complaints’ rarity in New York City (< a dozen and a half, per year: Table 3.1) makes regional comparisons involving those complaints less informative.

Table 3.1 summarizes the numbers of complaints, by initial severity ratings, underlying these trends in New York City and the balance of the state.⁴⁵

Region	Year Starting April 1,	Number of Complaints				Percent of Total Complaints by Seriousness		
		by Seriousness			Total	Non-Emergency	Serious	Imminent Danger
		Non-Emergency	Serious	Imminent Danger				
New York City	2013	10	22	510	542	2%	4%	94%
	2014	16	30	569	615	3%	5%	93%
	2015	11	41	753	805	1%	5%	94%
Balance of State	2013	384	2,021	26	2,431	16%	83%	1%
	2014	358	2,102	14	2,474	14%	85%	1%
	2015	420	2,375	52	2,847	15%	83%	2%
Total	2013	394	2,043	536	2,973	13%	69%	18%
	2014	374	2,132	583	3,089	12%	69%	19%
	2015	431	2,416	805	3,652	12%	66%	22%

New York City and the balance of the state also differed somewhat in their dispositions of investigations of complaints.

- Overall, complaints in New York City were somewhat less likely to be substantiated than those received elsewhere (ranging from 4 to 10 percentage points lower in each year).
- Substantiation rates are shown within seriousness categories for New York City and the balance of the state. However, widely different sample sizes in the two areas limit the degree of confidence warranted for any finding of difference.

Table 3.2 documents the numbers of complaints by seriousness and disposition (unsubstantiated, substantiated, other⁴⁷), by major state region, underlying these trends.⁴⁸

⁴⁵ See Appendix A.5 for additional detail revealing only more minor differences (compared with those discussed) in complaints' reported severity by DCCS region outside New York City (Table 3.3, p. 47) and by modality within New York City and the balance of the state (Figures 3.5.a – b, p. 48)

⁴⁶ Unlike the preceding summaries (such as Figure 3.1, p.12), this table is based on pooled complaints for all registered and licensed facilities except for a small number of SDCC programs statewide and DCC programs in New York City. For example, total New York City n = 805 shown for 3rd year here = (93 + 157) + 555 as shown for New York City's 3rd year (FDC + SACC) and GFDC programs, respectively, in Figure 3.2 (left + right side).

⁴⁷ Various other dispositions (such as facility closings) typically accounted for only small numbers of complaints and were grouped together under "Other." For all tables, additionally, "Closed, unsubstantiated" and "Closed, substantiated" counts pool all relevant complaints showing such dispositions, as well (e.g., "Open, substantiated").

⁴⁸ See Appendix A.5 (p. 49) for figures illustrating Table 3.2's content: Figures 3.6 – 3.8, displaying the mix of dispositions reported for complaints, by major state region, separately by level of seriousness.

Table 3.2. Percent of Complaints by Seriousness and Major Disposition Category, by Major State Region, for Year Beginning: April 1, 2013 – 2015*

Region	Year Starting April 1,	Seriousness of Complaints											
		Non-Emergency			Serious			Imminent Danger			All Complaints		
		Closed, Unsubst.	Closed, Subst.	Other	Closed, Unsubst.	Closed, Subst.	Other	Closed, Unsubst.	Closed, Subst.	Other	Closed, Unsubst.	Closed, Subst.	Other
New York City	2013	40%	60%	0%	50%	41%	9%	62%	31%	7%	61%	32%	7%
	2014	63%	38%	0%	60%	23%	17%	62%	30%	8%	62%	30%	9%
	2015	55%	36%	9%	56%	39%	5%	67%	26%	7%	67%	26%	7%
Balance of State	2013	69%	29%	2%	58%	38%	4%	27%	42%	31%	60%	36%	4%
	2014	56%	38%	5%	59%	37%	4%	57%	29%	14%	59%	37%	4%
	2015	62%	36%	2%	60%	36%	4%	58%	31%	12%	61%	36%	4%
Total	2013	68%	30%	2%	58%	38%	4%	61%	31%	8%	60%	35%	4%
	2014	57%	38%	5%	59%	37%	4%	62%	30%	9%	59%	36%	5%
	2015	62%	36%	2%	60%	36%	4%	67%	26%	7%	62%	34%	4%

*Based on complaints for all registered and licensed providers except for DCC programs in New York City.

c) Department Response to Complaints

Once a complaint is received, it is classified and investigated, according to the time frames for initiating investigations set forth in statute (See *Background*, page 11). Tables 3.4.a – b (page 54, Appendix A.6) document the number of complaints received for registered and licensed programs together with the timeliness of response to those complaints,⁴⁹ and standardized rates of complaints (introduced above). For maximum clarity, Figures 3.9.a – b in this section highlight the data on timeliness of the department’s response in initiating, and in determining and closing investigations, respectively, for the three years beginning in April 2013.

Before proceeding, the question of how to interpret any differences in timeliness in relation to different types of providers (registered versus licensed) or different geographic areas’ activities with a given type of provider (e.g., FDC across DCCS regions) is critical to any appropriate use and understanding of this report series’ data on timeliness.

Ostensibly, the report format juxtaposing information on different time periods, different geographies, and different regulatory classes of providers (licensed, registered) offers readers seemingly easy comparisons over time, place, and provider type – comparisons not readily available previously. While potentially useful, such comparisons could invite misinterpretation, absent a consideration of the context which is essential to evaluating what difference is actually being compared. To cite a prime example, regional differences in staffing numbers can be stark, negating the “all else equal” assumption normally implied. Without the context, essential for weighing the report series’ many comparisons – number, training and responsibilities of staff,

⁴⁹ As already noted, see Appendix A.3 (p. 41) for the specific timeframes for initiating and determining complaint investigations pertinent to each complaint category (non-emergency, etc.) used in all calculations in this section. Also, note that Tables 3.4.a – b each group all complaints relating to registered or licensed providers, respectively (with calculations accounting for category of complaint), while the complaint rates shown are based on total providers registered or licensed, respectively, at any point during the respective years. Readers will find provider numbers here corresponding to those shown under *Registered and Licensed Providers* (p. 6) and complaint counts as shown above in *Volume of Complaints Received* (Table 3.1, p. 16, summing registered and licensed facilities).

or other issues, which are unavailable to these annual reviews – such contrasts are best treated neutrally, as descriptive differences, rather than as evidence of performance differences among alternative staffing groups (e.g., registrars operating under performance contracts versus licensors who are not). Where state licensors also handle program registration in many counties and New York City registrars also handle licensing for GFDC programs, the differing expectations of staff make it inadvisable to draw conventional judgments about performance from comparisons of indicators applied to registered and licensed providers – a point bearing attention throughout this review.

- Complaint investigations were almost always initiated on time for registered providers during the three years beginning April 2013; for licensed providers, timeliness depended somewhat on geography:
 - For *registered* programs, New York City initiated these actions on time almost routinely (99 percent – 100 percent each year) while the balance-of-state was almost as timely (97 percent – 98 percent per year). Outside New York City, the strong performance left little room for variance: all six DCCS regions met or exceeded a 95 percent timeliness standard for initiating the investigations during the last year of the period.
 - For *licensed* programs, New York City investigations were initiated virtually as promptly (99 percent every year) while those elsewhere evidenced some delays (rising to 94 percent, before falling to 89 percent timeliness). Outside New York City, the reduced timeliness concealed greater regional differences, with three of six DCCS regions exceeding a 95 percent standard for initiations (ARO, BRO, SRO) and three not matching that standard (LIRO: 90 percent, RRO: 87 percent, SVRO: 80 percent) for the year beginning April 2015.

Figure 3.9.a (*next page*) summarizes the timeliness of performance in initiating investigations for registered and licensed programs achieved by the two major areas of the state.⁵⁰

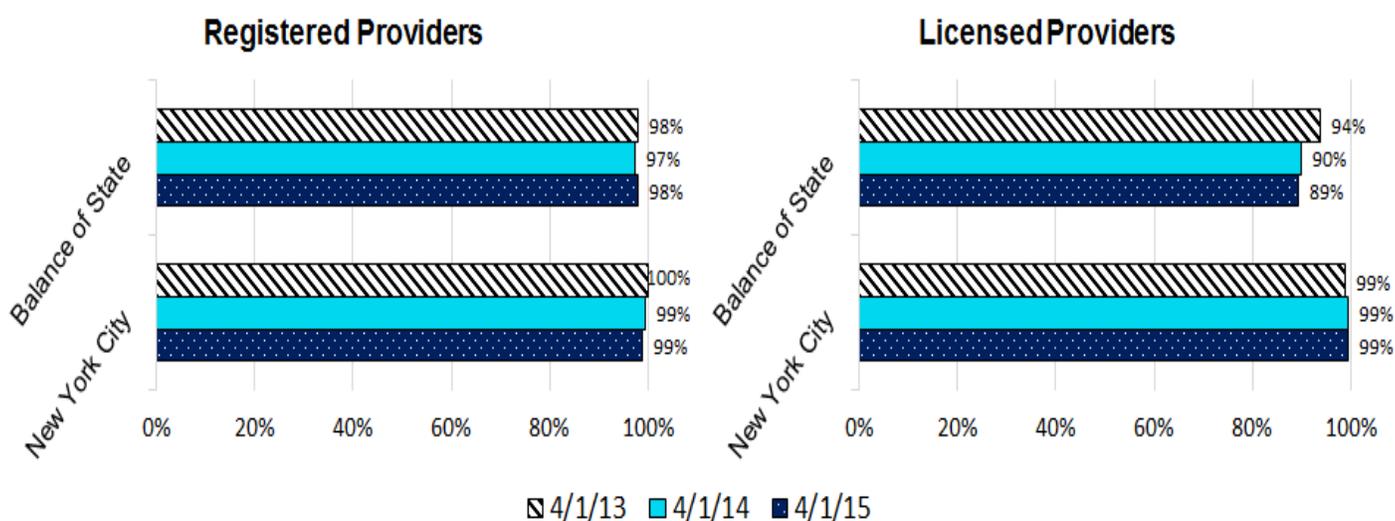
- Timeliness at determining and closing investigations during the three years lagged that of initiating investigations throughout the state and across different provider types, by modest, relatively consistent proportions (6 percent – 9 percent):
 - For *registered* providers, New York City met the 60-day standard 91 percent to 93 percent of the time every year. The balance-of-state achieved 88 percent – 92 percent levels each year – the latter reflecting two DCCS regions meeting or nearly meeting a 95 percent standard the last year (BRO: 98 percent, SVRO: 94 percent), three meeting 90% levels (ARO: 93 percent, RRO: 92 percent, SRO: 90 percent) and one region, with a more modest achievement (LIRO: 87 percent).
 - For *licensed* providers, New York City met the timeliness standard 91 percent – 93 percent of the time each year, compared with 81 percent – 85 percent levels elsewhere. Outside New York City, the weaker overall result signaled greater regional disparities, with only one DCCS region almost meeting the 90 percent

⁵⁰ See Appendix A.6 (especially Figures 3.10.a – b, p. 52), for the detailed results on timeliness of response, by DCCS region, discussed here and immediately below.

level for the year beginning April 2015 (BRO: 89 percent), four reporting 80 percent – 85 percent levels (ARO, LIRO, SVRO, RRO) and one showing a more modest result that year (SRO: 68 percent).

Figure 3.9.b summarizes the timeliness of performance at determining and closing investigations for registered and licensed programs achieved by the two major areas of the state, as discussed.⁵¹

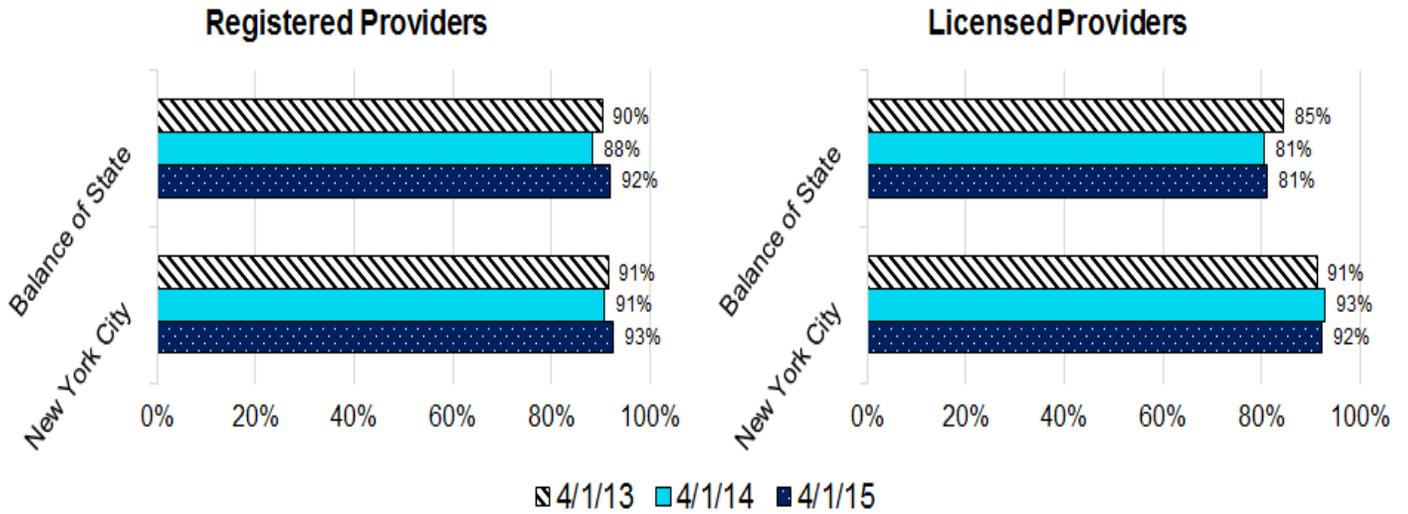
Figure 3.9.a. Percent of Investigations Initiated On Time for Registered and Licensed Providers, by Major State Region, for Year Beginning: April 1, 2013 – 2015⁵²



⁵¹ See *ibid.* for the results on timeliness of determinations/closures, by DCCS region, discussed.

⁵² Tables 3.4.a – b (p.51, “Totals”) detail the counts of complaints for registered and licensed providers, respectively, summarized in each bar in the left and right sides of Figures 3.9.a – b.

Figure 3.9.b. Percent of Investigations with Timely Determinations/Closures for Registered and Licensed Providers, by Major State Region, for Year Beginning: April 1, 2013 – 2015

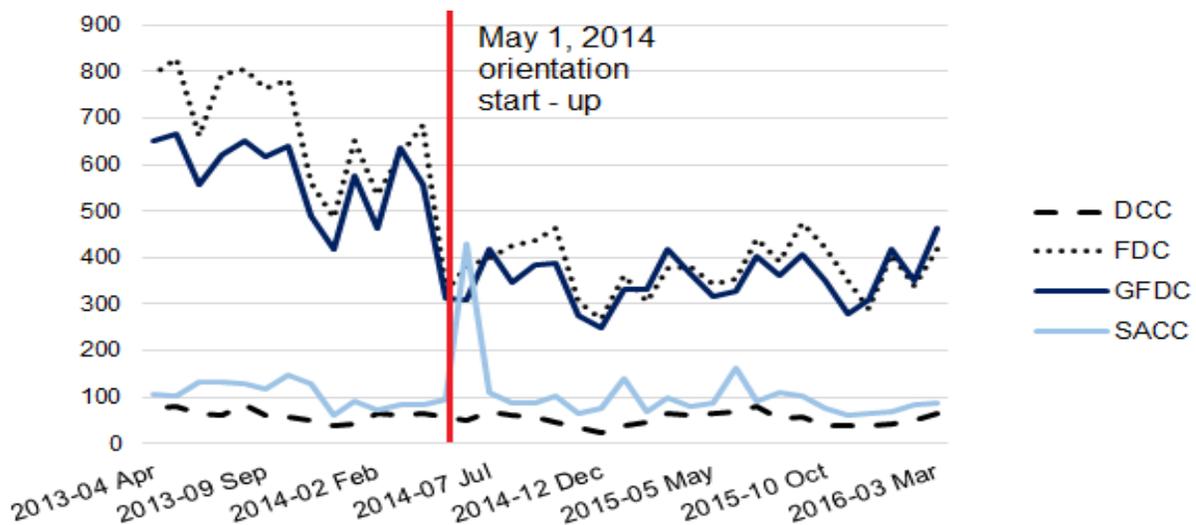


4. Administrative Actions Including Applications and Inspections

a) Orientations and Requests for Applications

Until relatively recently, the process of applying to operate a regulated child care facility in New York State began, simply, by requesting an application. One month into the April 2014 – March 2015 report year, however, new regulations effective May 1, 2014, established a requirement that all family-based (FDC, GFDC) providers complete an orientation on child care *prior to obtaining* an application – a requirement that previously applied to registered (FDC, SACC) providers until 2001.⁵³ As if in response to the May regulatory change, requests for family-based provider applications showed an abrupt downturn the same month, declining by a half or more from levels typical during the year (April 2013 – April 2014) preceding the new mandate. (Figure 4)

Figure 4. Number of Applications for Registration or Licensure Requested, by Month and Modality, for Year Beginning: April 1, 2013 – 2015⁵⁴



Since orientations are now a focus of this report, and took effect simultaneously with the decline in family-based provider application requests, data on orientation activity conducted from May 2014, through March 2016 were reviewed both for purposes of describing the additional services now being rendered and to explore possible explanation(s) the data might suggest for the downturn in application requests seen.

⁵³ See n. 14, p. 1, above, regarding earlier reports' discussion of the discontinuance of orientation as a registration requirement for FDC and SACC programs early in 2001 as part of the Quality Child Care and Protection Act. Effective June 1, 2015, the same orientation requirement was extended to prospective center-based (DCC, SACC, SDCC) applications. Although not required to complete orientations to obtain center-based applications prior to that point, some of those oriented during the period examined here went on to request such applications.

⁵⁴ Applications *requested*, not the far smaller number *received* by DCCS and generally focused on in this report beginning in part (b), below (p. 23). See Table 4.6 in Appendix A.7 (p. 55) for data source and detailed data summarized here as well as information on SDCC application requests excluded from Figure 4 due to miniscule sample sizes (ranging from 0-4 for the first two years shown to under half those involved for DCC facilities for the third year shown). Note that the brief surge in SACC application requests seen for June of 2014 corresponds exactly to the award period of a major Mayoral initiative to increase SACC programs in New York City that summer.

- Orientations were conducted in two venues – *online* and *in-person*⁵⁵ – but the latter accounted for only a small share of all orientations completed during the 12 months from April 2015 through March 2016:
 - The exact number of **online** orientations completed during the period was undocumented, for reasons of website design choices;⁵⁶ the number of orientations *leading to application requests*, however, averaged about 609 monthly, statewide (about 7,309 in total), corresponding to roughly similar numbers of FDC/GFDC application requests, and persons-oriented totals, during the period. (*Tables 4.01,*⁵⁷ *4.02 [next page], respectively*)
 - **In-person** orientations conducted during the period, in contrast, probably numbered not much over five-hundred in total – less than seven percent of the online numbers – based on a survey of CCR&Rs offering the service.⁵⁸
- One explanation for the sharp decline in application requests beginning in May 2014 – that orientations educate applicants to be more selective in both the **number** and **type(s)** of applications they request, compared with “novices” – is consistent with and reinforced by the data:
 - Prospective applicants who completed orientations⁵⁹ during the May 2014 – March 2015 period only rarely requested more than one type of application (i.e., for more than one modality of care); 86.2 percent requested just one type while only 13 percent requested more than one type. Along with anecdotal evidence portraying application “shopping” as commonplace before the orientation mandate, this suggests that application strategies may have become more discriminating, becoming better-informed, under the new requirement. (*Table 4.1, next page*)
 - Those who completed orientations and requested multiple applications including at least one, for family-based care, typically focused any additional request(s) on *another family-based modality* rather than on center-based types of care. In contrast, those requesting at least one application for center-based care (not yet

⁵⁵ Online orientations have been provided through a contract with the Professional Development Program (PDP) of Rockefeller College at the State University at Albany while in-person orientations relying on the same PDP-developed training material are provided as needed in particular localities, on an ad hoc basis, by Child Care Resource & Referral Agencies (CCR&Rs) contracted to serve the respective areas.

⁵⁶ Reflecting a priority on activities leading to applications, above all else, the online orientation system tracks orientations only if participants completing an orientation *also* request an application, leaving any other orientations, even if nominally completed, uncounted.

⁵⁷ See Appendix A.7 (p. 55), as summarized in Figure 4; almost two more times as many family-based application requests (1,269 average, monthly) were made during the period (April 2013 – April 2014) immediately preceding the new mandate.

⁵⁸ At the time of this writing, no formal procedures or requirement existed for CCR&R reporting of orientations provided to prospective providers requesting an in-person alternative to the predominant online mode of accessing orientations beginning in May 2014. As a result, DCCS’s Child Care Resource Contract Unit made an informal ad hoc request for the information from the roughly 30 CCR&Rs contracted to serve different regions of the state. Approximately half of the organizations, including some representing New York City and some the balance of the state, reported providing in-person orientations at some point since the May 2014 mandate took effect for prospective family-based providers. In certain instances, some of the organizations reported tallies for broader and/or different time intervals than that in question, making the resulting conclusions, necessarily, *estimates* for the April 2015 – March 2016 time period.

⁵⁹ Given note 56, all references such as this, here, should be understood as abbreviations – denoting only those who *also* requested applications, subsequently.

mandated to complete orientations) showed a wider variety of choices, without clear “favorites” as far as modality, when requesting additional applications. (Table 4.2)⁶⁰

Table 4.1. Number of Unique Application Types Requested Per Person* for Prospective Providers Completing Online Orientations, ⁶¹ for Year Beginning: April 1, 2015		
Number of Application Types	Number of Persons	Percent of Persons
1	6,302	86.2%
2	850	11.6%
3	120	1.6%
4	12	0.2%
5	25	0.3%
Total	7,309	100.0%

* See Appendix A.3 (p. 43) regarding source data. Application “types” refer to those relating to a specific modality of care. Notably, the online orientation system not only allows individuals to request different types, but also more than one of a single type, of application (e.g., two FDC applications), once a specified time interval following an earlier request has elapsed. In such instances, all data and calculations presented in this report reflect *unduplicated* results to accurately identify both the number and unique combinations of application types requested.

Table 4.2. Percent (#) of Application Requests, by Modality (Rows) Associated with Additional Requests for Applications of Specific Modalities (Columns) for Prospective Providers Completing Online Orientations, ⁶² for Year Beginning: April 1, 2015					
Modality	Modality of Additional Request(s)				
	DCC	FDC	GFDC	SACC	SDCC
DCC (n = 379)	-	8% (30)	11% (42)	7% (25)	6% (23)
FDC (n = 3,061)	<1% (30)	-	10% (315)	1% (36)	1% (40)
GFDC (n = 3,273)	1% (42)	10% (315)	-	2% (58)	<1% (30)
SACC (n = 421)	6% (25)	9% (36)	14% (58)	-	3% (14)
SDCC (n = 175)	13% (23)	23% (40)	17% (30)	8% (14)	-

⁶⁰ For example, in Table 4.2, the rough parity of percentages shown in rows designating the additional application choices of those requesting DCC, SACC, or SDCC applications contrasts with the sharper distinctions (signaling clearer preferences) among those requesting family-based applications (FDC or GFDC rows).

⁶¹ See n. 59, p. 21.

⁶² *Ibid.*

b) Applications for Registration or Licensure Received⁶³

Once an application to operate a regulated child care facility is received by DCCS, workers responsible for registration or licensing services in the county are expected to process and completely resolve the application within six months of receipt. A wide array of requirements must be satisfied as part of this process, including but not limited to: pre-registration facility safety inspections; clearing personnel on criminal background and other checks; arranging for mandatory training on health, safety and other issues, when appropriate; and providing applicants with all appropriate notifications regarding the status of their applications. Applications not resolved within this six-month time frame, where no applicant issue is involved, are considered to be untimely.⁶⁴

1) Number of Applications

- Applications for *registration* declined statewide each year throughout the three-year period, but this varied by geography and modality:
 - The area outside New York City, overall, mirrored the statewide trend, with consecutive annual declines in total applications representing a cumulative reduction of –34 percent (*Fig. 4.1*).⁶⁵ The decline was broad-based, geographically, occurring in all six DCCS regions in the area (declines of –22 percent to –46 percent over the three years). (*Fig. 4.2.a*)
 - New York City applications, in contrast, increased modestly at the start of the period (+6 percent: year ending March 2016) before significantly falling the year after (–36 percent), for a cumulative reduction of: –33 percent over the three years. (*Fig. 4.1*)
 - All seven DCCS regions' FDC applications declined over the three years (from –27 percent to –50 percent). SACC applications decreased as well over the same period (from –8 percent to –81 percent), with an exception in the New York City region, which showed an overall minor increase (+2 percent) over the same three-year period, making FDC trends the primary driver of the overall decline. (*Fig. 4.2.a*).

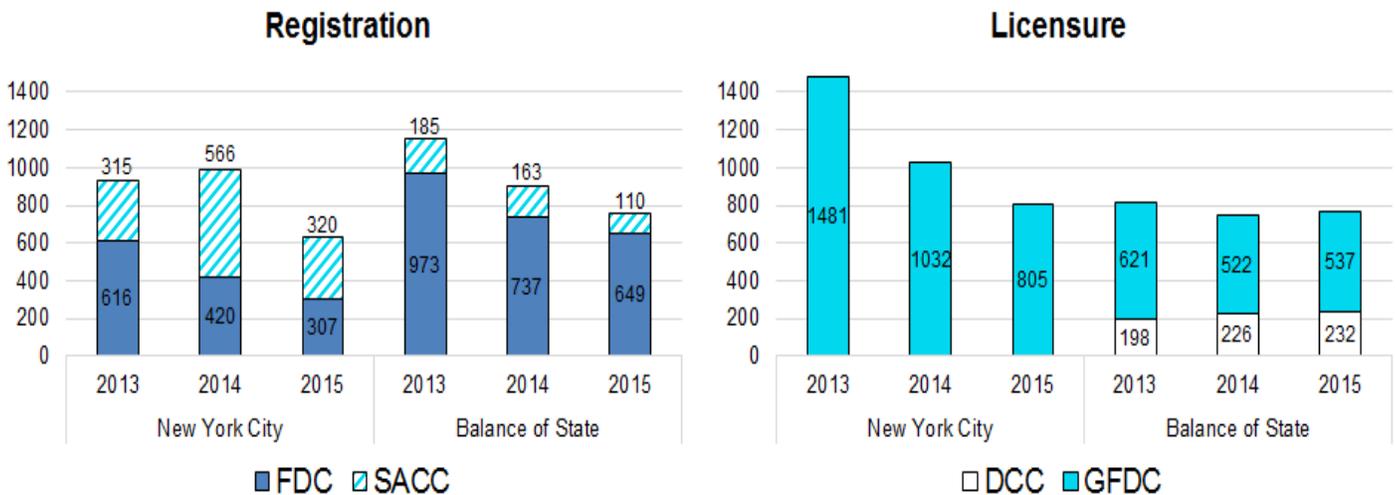
⁶³ This section reports on the response to applications *received* by DCCS, not the far larger universe of those *requested* by prospective providers (many of which DCCS never receives, subsequently) referenced in the preceding section on orientations. In illustration, Tables 4.3.a – b (beginning p. 28) show 2,960 applications received by DCCS (excluding New York City DCC facilities) for the fiscal year ending March, 2016, while a standard CCFS report shows over 10,000 corresponding applications requested for the same period. (See Appendix A.7, Table 4.6, p. 55, “Total” column sum = 10,874 for April 2015 through March 2016; see Appendix A.3, p. 41, on data sources.)

⁶⁴ As part of its quality assurance efforts, OCFS conducts quarterly samplings and reviews of registration services within each district to assess compliance with this and other standards for registration activities. In districts with performance-based contracts, contractors not achieving 95 percent compliance with the six-month application standard face the prospect of financial penalties (partial withholding of contract monies) as a means of encouraging continued improvements in applications-processing; similar incentivized reviews occur in relation to the other performance standards focused on complaint investigations, contract renewals and “50 percent inspections.”

⁶⁵ Calculations based on Table 4.3.a (p. 28: totals) or equivalently, Figure 4.1 (p. 24: summing modalities). Percentages refer to the change in application numbers between the implied “base” year and the last year of the period involved; e.g., 33 percent represents New York City’s three-year decline from 931 to 627 total registration applications (in Table 4.3.a) or from (315 SACC +616 FDC) to (320 SACC + 307 FDC) in Figure 4.1.

Figures 4.1 (page 25) and 4.2.a (page 26) display the registration application counts by modality and by major state region and DCCS region, underlying these trends.

Figure 4.1.⁶⁶ Number of Applications for Registration or Licensure Received, by Major State Region and Modality, for Year Beginning: April 1, 2013 – 2015



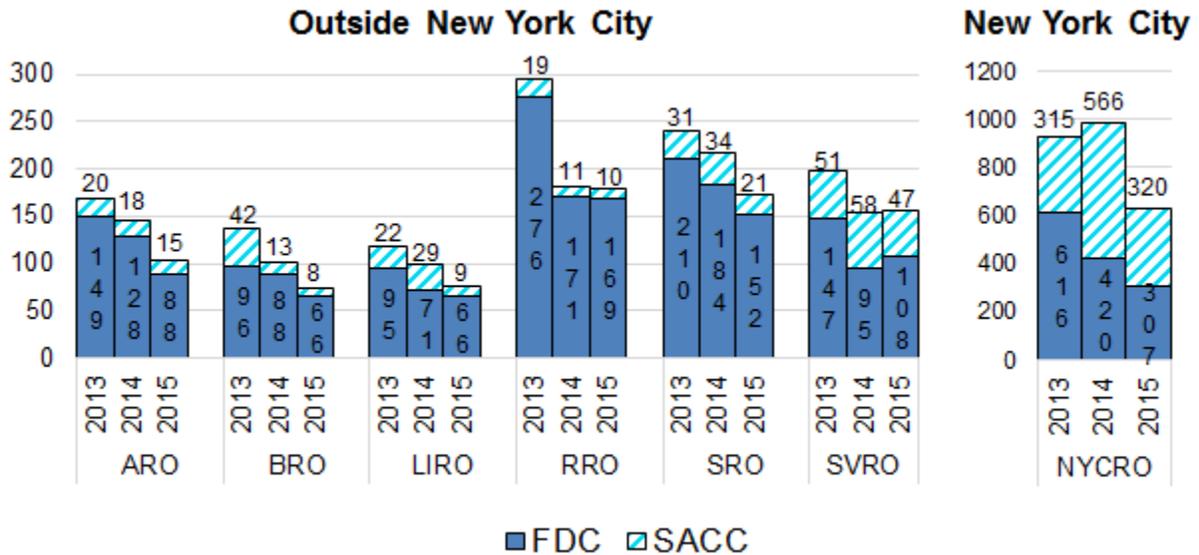
- Applications for *licensure* also declined statewide each year over the three-year period. This decline varied by geography and modality, but *differently* than for registrations:
 - Reversing the geography of registration applications, New York City’s three-year decline was larger than that elsewhere (–46 percent versus –6 percent, respectively: *Fig. 4.1*).
 - New York City’s trend was also far less modest over time, with a precipitous 30 percent decline the second of the three years succeeded by a –22 percent drop the year beginning April 2015. Elsewhere in the state, there was some variation (–9 percent on the second year, and a 3 percent increase for the year ending on March 2016), with an overall decrease of 6 percent. (*Fig. 4.2.b*)
 - Similar to the trend in registration applications, modality was also clearly associated with the overall decline. For GFDC applications, all seven regions shared declines over the three years ranging in size from –3 percent to –14

⁶⁶ Summarizing application counts from Tables 4.3.a – b (p. 28 and p. 29, respectively). Total registration application counts in this section (on which some percentages are based) include tiny numbers of applications with “small day care center” reported for modality (n = 2, n = 9 and n = 5, respectively, for the three years here), which were not removed from the analyses since SDCC providers were included under the registration mandate laid out in Chapter 750 of the Laws of 1990. This results in small discrepancies, which are evident in breakdowns by modality, where the sums of counts for a given year (e.g., 307 + 320 + 649 + 110 = 1,386 for year three, left side of Figure 4.1) may be exceeded by the corresponding annual totals reported [e.g., 1,391 for year three (State Total), Table 4.3.a, pg. 28]. Counts for *license* applications throughout this section include GFDC programs, statewide, and DCC programs except in New York City. Thus, information on “licensure” trends within the City relates to the GFDC sector only.

percent (LIRO, BRO, RRO) to -30 percent to -46 percent (ARO, NYCRO, SRO) with the exception of SVRO, which showed a minor increase (2 percent) over the three-year period. In contrast, outside New York City, DCC applications tracked a three-year pattern unlike the overall trend, with one region showing decline (RRO: -14 percent), while all others reflected gains (ranging from 6 percent to 27 percent), with a net change increase of 15 percent, overall, across the three years. (Fig. 4.2.b, Fig. 4.1)

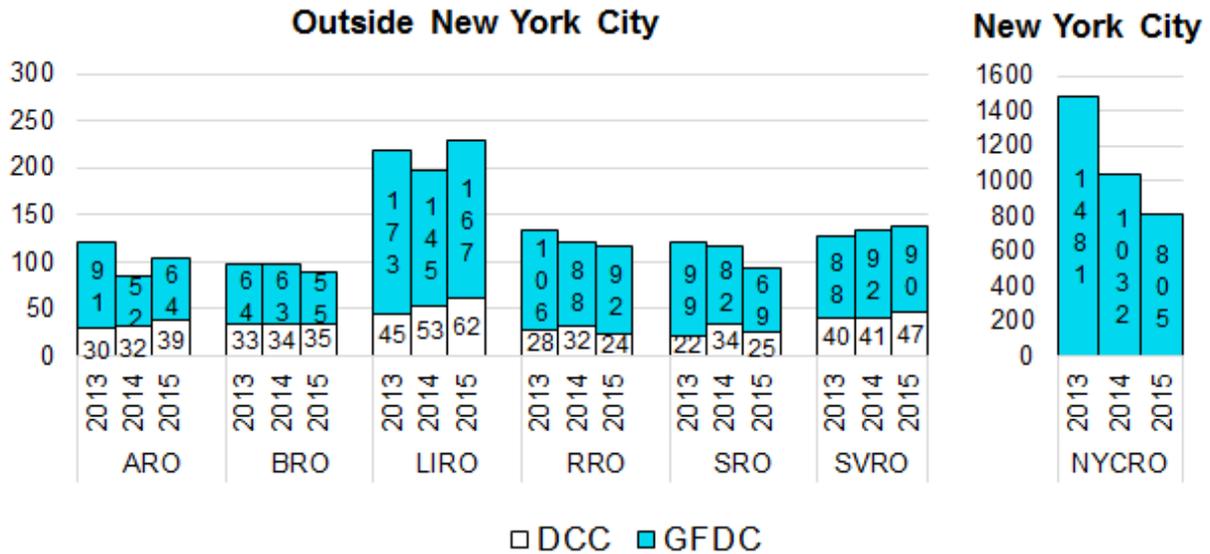
Figures 4.1 (page 25) and 4.2.b (page 26) display the license application counts (by modality), by major state region and DCCS region, respectively, underlying these trends.

Figure 4.2. a.⁶⁷ Number of Applications for Registration Received, by Region and Modality, for Year Beginning: April 1, 2013 – 2015



⁶⁷ Excluding a small number of SDCC facilities as documented in *ibid*.

Figure 4.2. b.⁶⁸ Number of Applications for Licensure Received, by Region and Modality, for Year Beginning: April 1, 2013 – 2015



2) Timeliness in Processing Applications

- Statewide, the proportion of *registration* applications processed in accord with the six-month standard improved one percent, to 96 percent, for the year beginning April 2015, continuing the prior year's increase of 2 percent (*Fig. 4.3*). Although the balance of the state contributed to the change (*Fig. 4.4*), not all regions shared in the improvement:
 - New York City showed a 2 percent decrease for the year beginning April 2015, to 97 percent, after improving to 99 percent the prior year.
 - The balance of the state, showed a 3 percent improvement, to 94 percent, for the last year of the period, continuing the prior-year improvement to 91 percent.
 - Outside of New York City, just two regions showed marked timeliness declines or no change for the final year (SVRO: -1 percentage point, to 98 percent; SRO: no change, 87 percent), making all other regions' performance the primary drivers for the balance-of-state improvement that year.⁶⁹

Figures 4.3 – 4.4 summarize the timeliness of applications processed, statewide and by major geographic area, reflected in these trends. Figure 4.5 in Appendix A.7 (page 58) provides the corresponding results discussed for DCCS regions.

⁶⁸ Total licensed programs excluding New York City DCC facilities.

⁶⁹ Four regions outside New York City showed moderate improvement in timeliness the final year (ARO: 9 percentage point increase to 92 percent, BRO: 3 percentage point increase to 97 percent, LIRO: 2 percentage point increase to 97 percent, RRO: 3 percentage point increase to 97 percent).

Figure 4.3. Percent of Applications for Registration or Licensure Processed Timely, for Year Beginning: April 1, 2013 – 2015⁷⁰

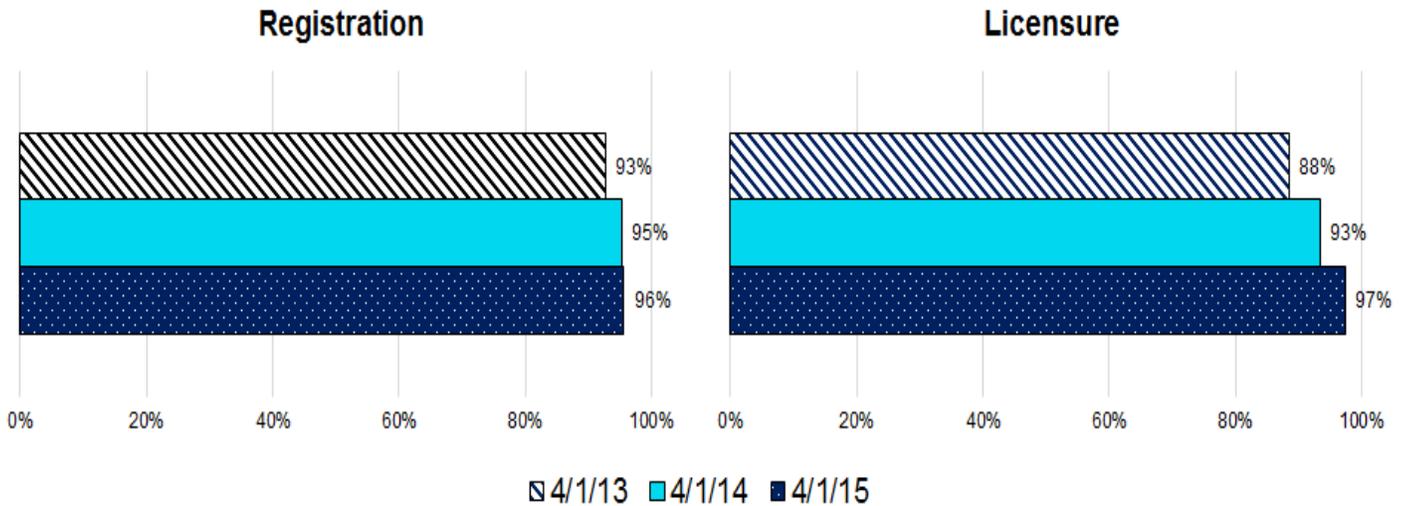
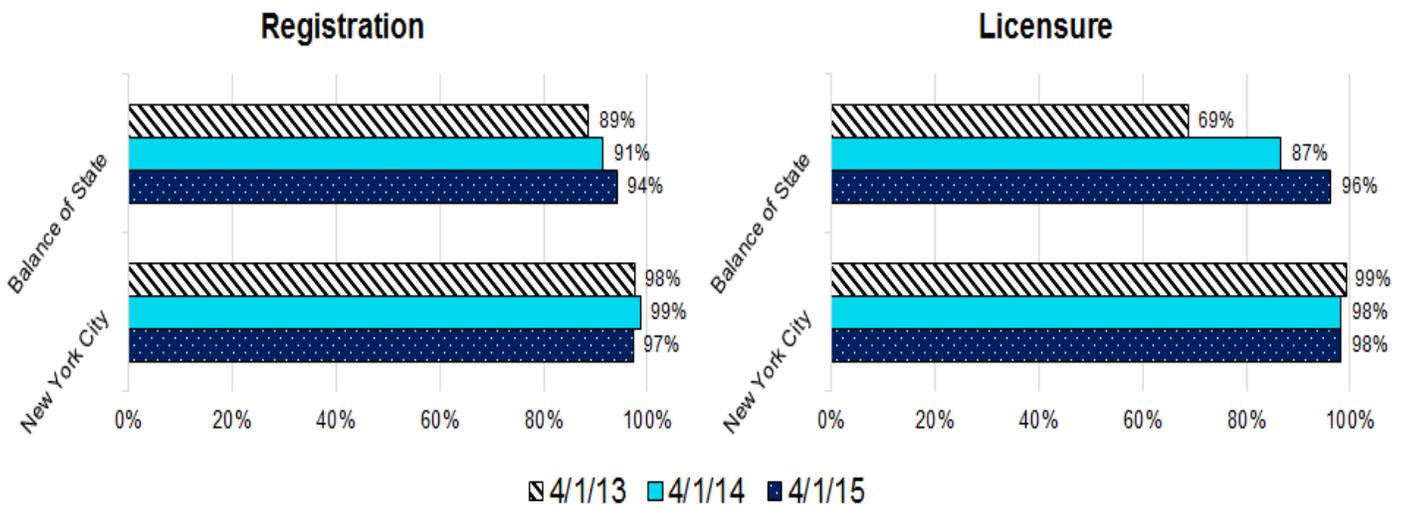


Figure 4.4. Percent of Applications for Registration or Licensure Processed Timely, by Major State Region, for Year Beginning: April 1, 2013 – 2015⁷¹



⁷⁰ Summarizing “State Total” timeliness in Tables 4.3.a – b (beginning next page). Counts as defined in note 66, p. 24. As shown in those tables, the statewide numbers of applications summarized for each year/bar displayed for registration are: 2,091, 1,895 and 1,391, respectively, and for licensure, 2,300, 1,780 and 1,574, respectively.

⁷¹ See *ibid.* regarding definitions of counts. The same note applies to all remaining Tables and Figures in this section, except that those providing registration results *by modality* show only programs of the modalities indicated. See Tables 4.3.a – b (beginning p. 28) for the numbers of applications per major state region summarized in each year/bar displayed in this Figure.

- Statewide, the proportion of *license* applications processed on time was from 2 to 5 percentage points lower than for registrations for the first two years, but 1 percentage point higher at the end of the triennium (*Fig. 4.3*). But there were clear differences between the two major parts of the state (*Fig. 4.4*) and among the regions outside New York City:
 - New York City achieved virtually routine timeliness throughout the three years: 99 percent, falling to 98 percent the second year and no change for the last year.
 - The balance of the state showed sharply improving timeliness over the three years (rising from 69 percent to 87 percent to 96 percent) – accounting for the statewide gain from 69 percent to 96 percent given New York City’s persistently strong performance.
 - Significantly, the marked improvement from 69 percent to 87 percent outside New York City for the year ending in March 2015 coincided with DCCS’s effort to streamline the licensing process under Lean, in which average licensing times for the first modality targeted for improvement – DCC – fell dramatically from just under six months in 2014 to approximately 80 days by early 2015. This trend further improved in the year beginning April 2015, rising to 96 percent.
 - Outside New York City, both the timing and geographic consistency of performance improvements suggested the Lean Initiative was responsible, with all six regions showing sharp, simultaneous improvements in timeliness for the year beginning April 2015. Four of the six regions (BRO, LIRO, RRO, SVRO) posted two-year gains of 26 percentage points or more, and all six, substantially reduced differences in timeliness in processing registration and licensure applications.

Table 4.3.a. Number and Timeliness of Processing of Registration Applications (FDC/SACC/SDCC), by Major State Region, for Year Beginning: April 1, 2013 – 2015

Region	Year Starting April 1,	Number of Applications			Percent of Applications Processed Timely
		Timely	Not Timely	Total	
New York City	2013	909	22	931	98%
	2014	973	13	986	99%
	2015	610	17	627	97%
Balance of State	2013	1,029	131	1,160	89%
	2014	831	78	909	91%
	2015	720	44	764	94%
State Total	2013	1,938	153	2,091	93%
	2014	1,804	91	1,895	95%
	2015	1,330	61	1,391	96%

Region	Year Starting April 1,	Number of Applications			Percent of Applications Processed Timely
		Timely	Not Timely	Total	
New York City	2013	1,472	9	1,481	99%
	2014	1,014	18	1,032	98%
	2015	791	14	805	98%
Balance of State	2013	563	256	819	69%
	2014	648	100	748	87%
	2015	741	28	769	96%
State Total	2013	2,035	265	2,300	88%
	2014	1,662	118	1,780	93%
	2015	1,532	42	1,574	97%

- For the two years preceding April 2015, timeliness in resolving applications also varied by modality, favoring FDC over SACC programs and DCC over GFDC programs (where data on both were available), but such differences diminished sharply for the year beginning April 2015 – whether due to reforms under Lean or other factors:
 - With respect to *registration* applications, New York City achieved better timeliness in handling FDC than SACC applications during the first-year preceding March 2015 (4 percent better) but leveling at 99 percent by the second year. In the balance of state, SACC programs presented better improvements throughout the three-year period (82 percent to 95 percent vs. 90 percent to 94 percent in FDC). For the year beginning April 2015, New York City lagged on improvements in processing SACC applications on time (modest loss of 3 percentage points), while FDC applications reflected no change.
 - In handling *license* applications, New York City showed virtually routine timeliness in processing GFDC applications (99 percent, falling to 98 percent the second and third year), compared with rapidly improved performance both for GFDC programs (rising from 68 percent to 84 percent to 96 percent) and DCC programs (rising from 72 percent to 92 percent to 98 percent) elsewhere in the state for the three-year period. For the year beginning April 2015, the balance-of-state improvements in processing GFDC and DCC applications on time (gains of 28 and 26 percentage points, respectively) appeared to be further evidence of the benefits of the Lean Initiative for improving licensing times.

Figures 4.6.a – 4.6.b summarize the timeliness of processing applications for registration and licensure, respectively, by modality and major state region, reflected in these trends. Tables 4.4.a – 4.4.b (beginning on page 29), then detail the corresponding numbers of applications and performance data underlying the figures.

Figure 4.6.a. Percent of Applications for Registration Processed Timely, by Major Region and Modality of Care, for Year Beginning: April 1, 2013 – 2015⁷²

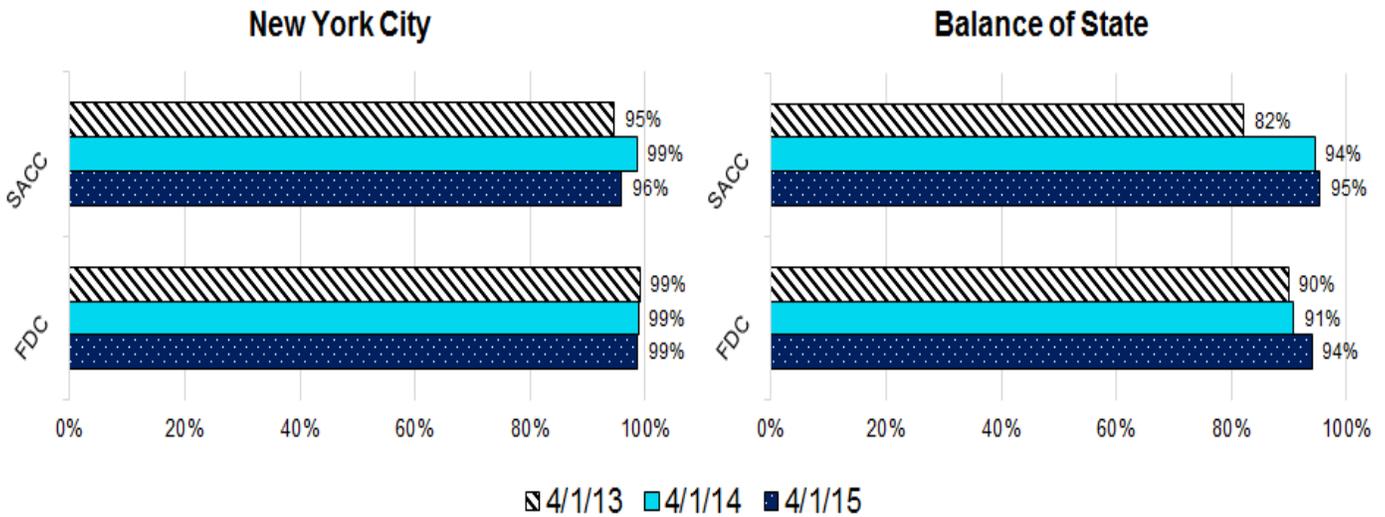
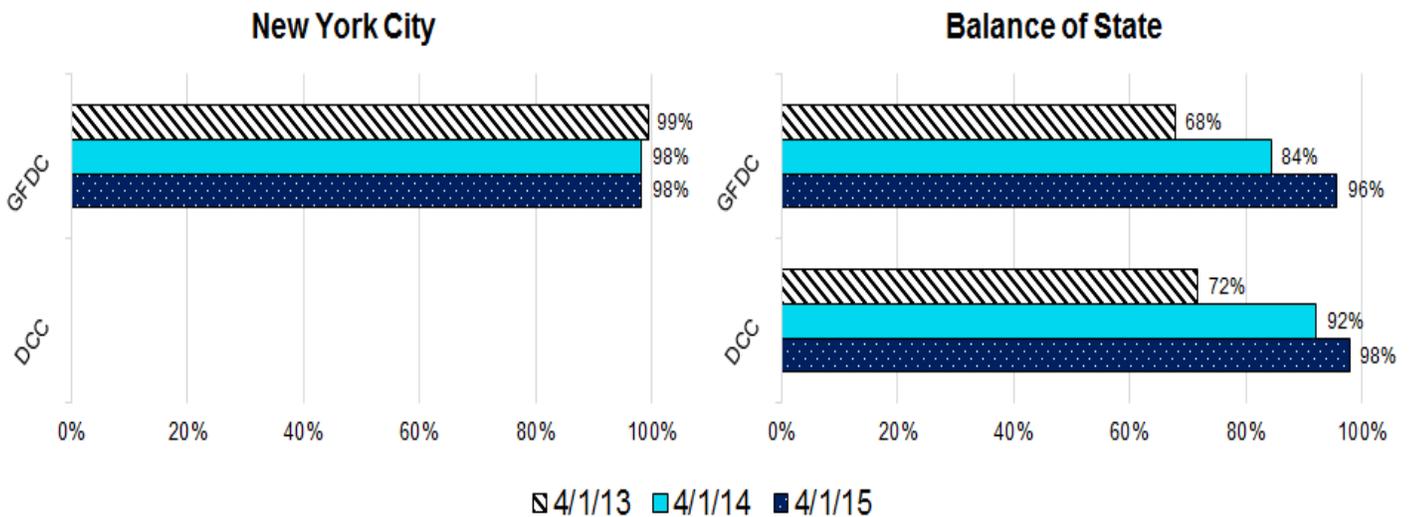


Figure 4.6.b. Percent of Applications for Licensure Processed Timely, by Major Region and Modality of Care, for Year Beginning: April 1, 2013 – 2015⁷³



⁷² Table 4.4.a (next page) shows the numbers of registration applications (by major state region and modality) involved for each year/bar displayed in Figure 4.6.a; for New York City: 315, 566, 320 (SACC), 616, 420, 307 (FDC); for Balance of State: 185, 163, 110 (SACC), 973, 737, 649 (FDC).

⁷³ See note 6 (p. vii) on New York City DCC facilities' omission from this and other Figures and Tables throughout the report. Table 4.4.b (p. 32) shows the numbers of license applications (by major state region and modality) involved for each year/bar displayed in Figure 4.6.b; for New York City: 1,481, 1,032, 805 (GFDC); for Balance of State: 621, 522, 537 (GFDC), 198, 226, 232 (DCC).

Table 4.4.a. Number and Timeliness of Processing of Registration Applications (FDC/SACC), by Major State Region, Modality and Year, for Year Beginning: April 1, 2013 – 2015					
Region	Year Starting April 1,	Modality	Number of Applications		Percent of Applications Processed Timely
			Total	Not Timely	
New York City	2013	FDC	616	5	99%
		SACC	315	17	95%
	2014	FDC	420	5	99%
		SACC	566	8	99%
	2015	FDC	307	4	99%
		SACC	320	13	96%
Balance of State	2013	FDC	973	98	90%
		SACC	185	33	82%
	2014	FDC	737	68	91%
		SACC	163	9	94%
	2015	FDC	649	39	94%
		SACC	110	5	95%
State Total	2013	FDC	1,589	103	94%
		SACC	500	50	90%
	2014	FDC	1,157	73	94%
		SACC	729	17	98%
	2015	FDC	956	43	96%
		SACC	430	18	96%

Table 4.4.b. Number and Timeliness of Processing of Licensure Applications (DCC/GFDC), by Major State Region, Modality and Year, for Year Beginning: April 1, 2013 – 2015 ⁷⁴					
Region	Year Starting April 1,	Modality	Number of Applications		Percent of Applications Processed Timely
			Total	Not Timely	
New York City	2013	DCC	na	na	na
		GFDC	1,481	9	99%
	2014	DCC	na	na	na
		GFDC	1,032	18	98%
	2015	DCC	na	na	na
		GFDC	805	14	98%
Balance of State	2013	DCC	198	56	72%
		GFDC	621	200	68%
	2014	DCC	226	18	92%
		GFDC	522	82	84%
	2015	DCC	232	5	98%
		GFDC	537	23	96%
State Total	2013	DCC	198	56	72%
		GFDC	2,102	209	90%
	2014	DCC	226	18	92%
		GFDC	1,554	100	94%
	2015	DCC	232	5	98%
		GFDC	1,342	37	97%

c) “50 Percent Inspections”

Section 390(4)(a) of Social Services Law, effective December 31, 2001, requires that DCCS or contracted registration service providers inspect annually at least 50 percent of all registered providers of a given modality per county, to ensure the providers’ compliance with the regulatory and statutory requirements protecting the quality of care in New York. Such “50 percent inspections” need to be understood as distinct from others – e.g., those required during the application process that is described above – as they represent a critical additional tool in regulating and monitoring care.⁷⁵ Each year, this requirement involves the identification of literally thousands of providers throughout the state who are scheduled for such inspections. Since “50 percent inspections” pertain, by definition, only to *registered* child care programs, this section does not include the content on licensed providers shown in other parts of the review.

⁷⁴ See *ibid.* (note on New York City DCC facilities).

⁷⁵ See Appendix A.3 (p. 41) for additional details defining these inspections (and other measurements used in the report).

- Both major areas of the state exceeded the required number of “50 percent inspections” for the year beginning April 2015 as well as for the two preceding years:
 - New York City's “50 percent inspection” goal was met and exceeded by between 29 percent and 51 percent, for each of the three years.
 - The balance of the state exceeded its goal by between 6 percent and 26 percent, for each of the years.

Table 4.5 details the facility counts, inspection goals and inspections completed data, by major state region, underlying these trends for the three-year period.⁷⁶ It should be noted that the 50 percent inspection facility count data in this year’s report differs from the data presented in previous year’s reports due to a correction of the data extraction logic. The number of facilities in Table 4.5 is equal to the sum of “first day” FDC and SACC facilities in Table 2.1.

Region	Year Starting April 1,	Number Facilities	Number of Inspections			Percent of:	
			Goal	Conducted	With Violations	Goal Achieved	Inspections with Violations
New York City	2013	4,190	2,095	3,166	1,731	151%	55%
	2014	3,852	1,926	2,489	1,397	129%	56%
	2015	3,734	1,867	2,556	1,488	137%	58%
Balance of State	2013	4,841	2,421	3,047	1,227	126%	40%
	2014	4,636	2,318	2,576	911	111%	35%
	2015	4,284	2,142	2,260	818	106%	36%
Total	2013	9,031	4,516	6,213	2,958	138%	48%
	2014	8,488	4,244	5,065	2,308	119%	46%
	2015	8,018	4,009	4,816	2,306	120%	48%

- The proportion of “50 percent inspections” in which violations of applicable regulations were identified, rose slightly, statewide, for the year beginning April 2015 (from 46 percent to 48 percent) – after moderately falling the previous year, breaking a rising trend observed since before the year beginning April 2010:⁷⁷

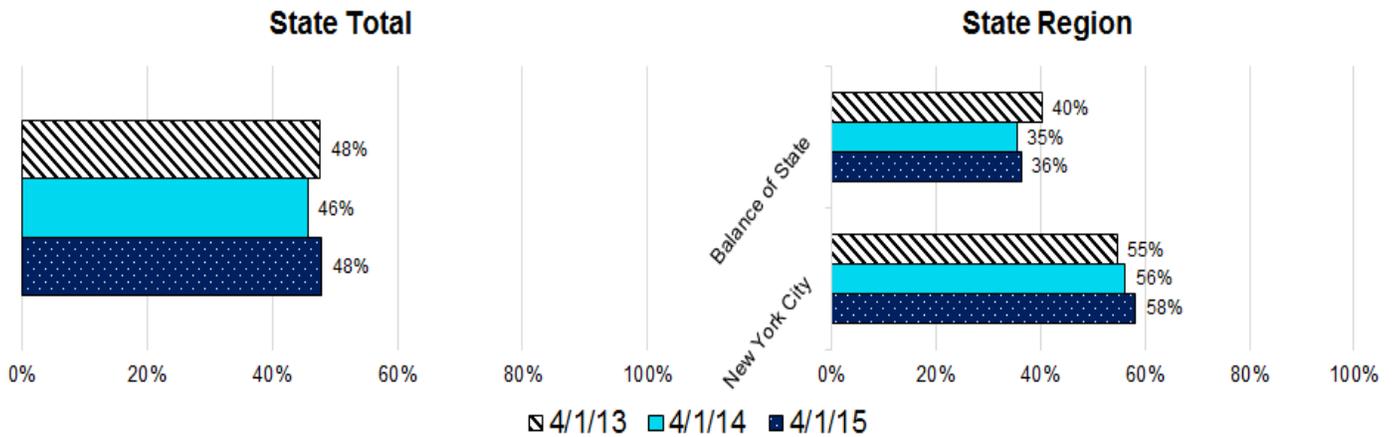
⁷⁶ Readers should note the distinction between Table 4.5's facility counts – the base used to determine the number of “50 percent inspections” required – and counts of total registered providers presented above (e.g., Table 2.1, p. 8). The former are *point in time* tallies reflecting populations as of the start of a period while the latter include similar time-limited tallies as well as much larger “ever-registered” counts (See note 26, p. 6). Appendix A.3 (p. 41) clarifies the distinctions between the two measures presented.

⁷⁷ Table 4.5, above, details the numbers underlying these results for the year ending March 2016. See Table 4.4 in *Report to the Governor and Legislature on Family Day Care and School Age Child Care Registration: April 1, 2003 – March 31, 2006* (DCCS, 2010), and Table 4.4 in *Report to the Governor and Legislature on Family Day Care and School Age Child Care Registration: April 1, 2006 – March 31, 2009* (DCCS, 2010), respectively, for corresponding 2003 – 2006 and 2006 – 2009 source data showing persistent *decreases* in regulatory violations which were observed in connection with “50 percent inspections” for many years, prior to the recent upswing now halted.

- Both New York City and the balance of state contributed to the overall trend for the latest year, both with small increases in the percentage of 50 percent inspections with violations
- The balance-of-state’s latest-year increase (from 35 percent to 36 percent) was affected primarily by the rise in violations identified at inspections of SACC programs (from 35 percent to 38 percent). In contrast, FDC programs presented a modest decrease of such inspections (from 36 percent to 35 percent).

Figure 4.7 displays the proportions of inspections involving regulatory violations, by major state region, as referenced, for the three-year period.⁷⁸ Figure 4.8 in Appendix A.8 (page 63) shows the additional results by major region and modality, discussed.

Figure 4.7. Percent of “50 Percent Inspections” (FDC/SACC) Involving Regulatory Violations, for State and Major Regions, for Year Beginning: April 1, 2013 – 2015⁷⁹



d) Using the Reports, Revisited

To make New York’s child care licensing process more efficient, three years ago, in March of 2014, OCFS began working with the New York State Director of Lean⁸⁰ to identify improvements that could help streamline and abbreviate the process of applying for licenses to do business in our state. By early 2015, near the end of the period examined in the last review, one striking precursor of progress accomplished toward that end had emerged on DCCS’s internal tracking reports: average licensing times achieved for day care center (DCC) providers decreased dramatically, from just under the six-month standard evaluated in this report series, to approximately 80 days. This report is the second in the series to begin to document these

⁷⁸ See Appendix A.8 (Table 4.8, p. 58, summarized in Figure 4.8, p. 59), for additional “50 percent inspection” results by major state region, modality and year.

⁷⁹ Table 4.5, above, shows the numbers of “50 percent inspections” summarized for each year/bar displayed in Figure 4.7; for New York State: 6213, 5065, 4816; for Balance of State: 3047, 2576, 2260; for NYC: 3166, 2489, 2556.

⁸⁰ In New York, one part of the Governor’s initiatives to improve efficiency has been to make use of principles from Lean – a popular business methodology for analyzing, enhancing value, and minimizing waste within organizations and processes.

improvements – for example, the marked reductions in application processing times seen for licensed providers outside of New York City, in this section. Intriguingly, future reports in the series promise to allow readers to track the continued progress of this initiative, as further changes in performance on application processing relative to that seen in prior reports emerge for different groups of providers (e.g., registered and licensed providers).

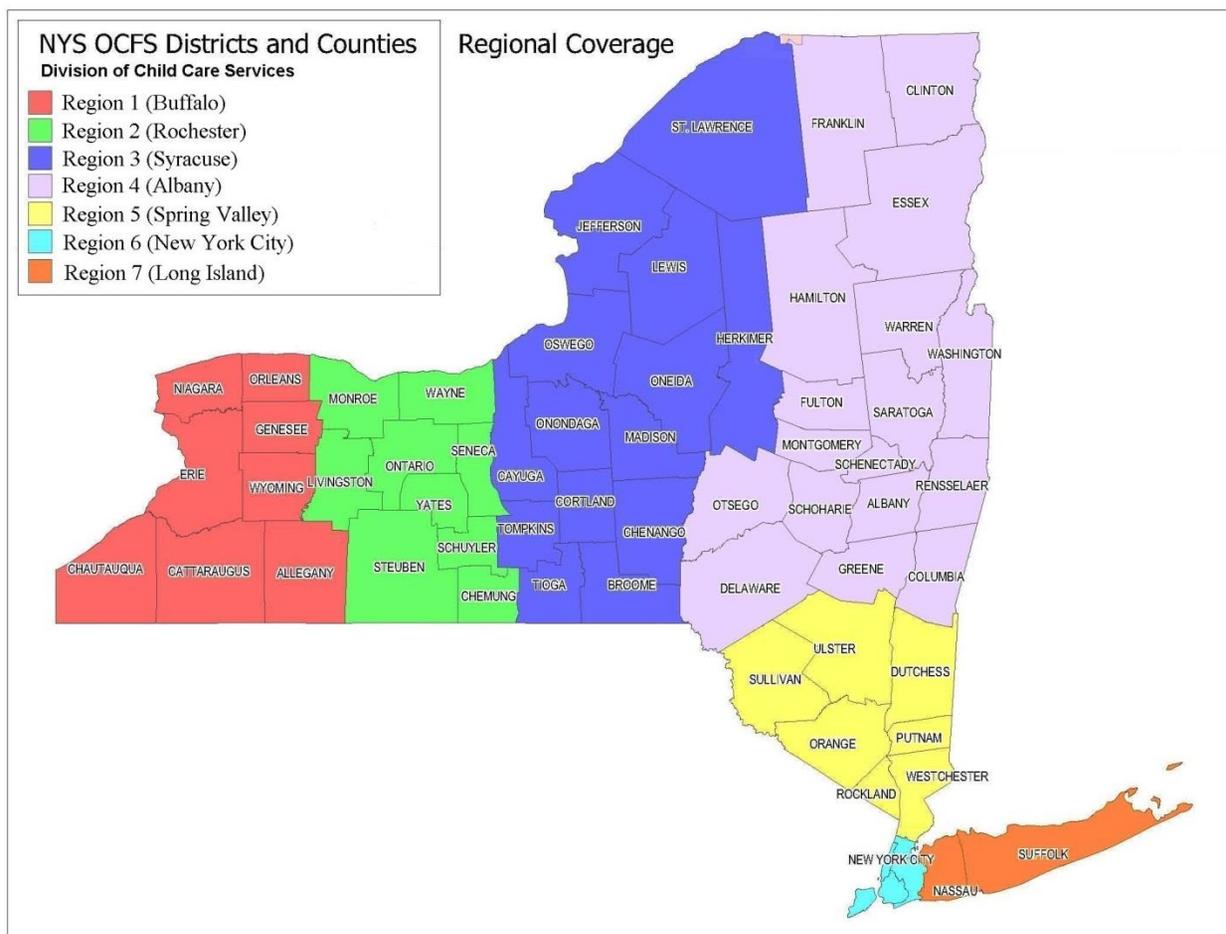
Each report in this series has documented important performance benchmarks highlighting the volume and timeliness of key regulatory activities, as well as how that performance has changed over time. By consolidating information for all modalities of care and all regions of the state, the series documents a record of pronounced improvements in regulatory practice.

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⁸¹ See note, p. 37, regarding corrections made to selected maps from earlier reports in this series. See *Report to the Governor and Legislature 2010 – 2011*, op. cit., for 2004, 2005 – 2007 and 2008 maps.

OCFS Division of Child Care Services Regions and Constituent Counties⁸²



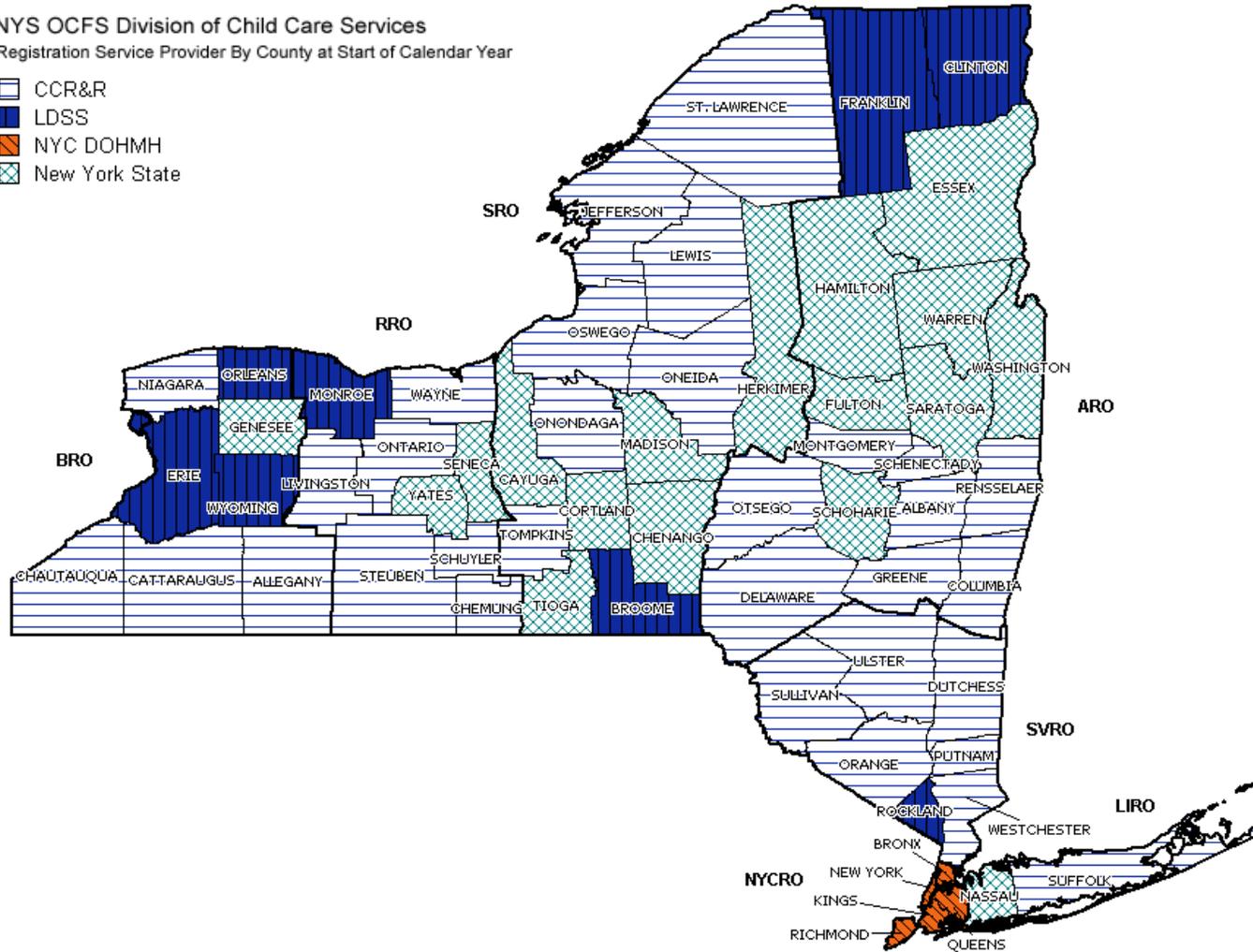
DCCS Regions / Counties	
Albany Region	Rochester
Albany	Chemung
Clinton	Livingston
Columbia	Monroe
Delaware	Ontario
Essex	Schuyler
Franklin	Seneca
Fulton	Steuben
Greene	Wayne
Hamilton	Yates
Montgomery	Spring Valley Region
Otsego	Dutchess
Rensselaer	Orange
Saratoga	Putnam
Schenectady	Rockland
Schoharie	Sullivan
Warren	Ulster
Washington	Westchester
Buffalo Region	Syracuse
Allegany	Broome
Cattaraugus	Cayuga
Chautauqua	Chenango
Erie	Cortland
Genesee	Herkimer
Niagara	Jefferson
Orleans	Lewis
Wyoming	Madison
Long Island Region	Oneida
Nassau	Onondaga
Suffolk	Oswego
New York City	St. Lawrence
Bronx	Tioga
Kings	Tompkins
New York	
Queens	
Richmond	

⁸² Throughout this report, DCCS Regions, which are named for the location of the DCCS regional offices, are often referred to by abbreviation - ARO (Albany Regional Office), BRO (Buffalo), LIRO (Long Island), NYCRO (New York City), RRO (Rochester), SVRO (Spring Valley) and SRO (Syracuse).

Registration Service Provider by County: 2003⁸³

NYS OCFS Division of Child Care Services
 Registration Service Provider By County at Start of Calendar Year

-  CCR&R
-  LDSS
-  NYC DOHMH
-  New York State

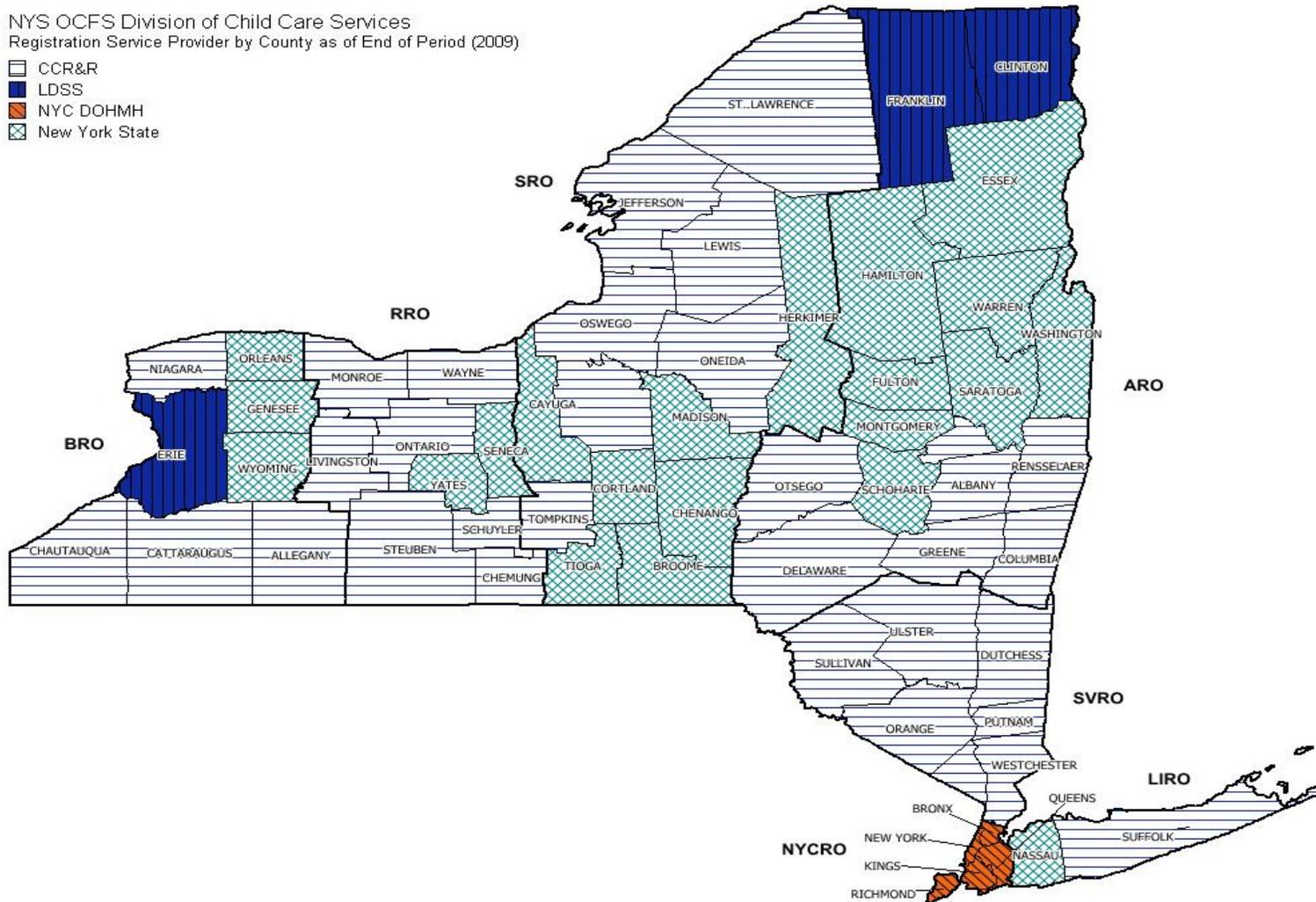


⁸³ Throughout this report, one county (Oneida) served by a not-for-profit agency which was not a CCR&R agency is grouped under the “CCR&R” category displayed on maps. In addition, two counties (St. Lawrence, Saratoga) whose correct grouping was reversed for all maps appearing in the 2003-6, 2006-9 and 2009-10 reports are displayed correctly in all maps here. See *Report to the Governor and Legislature 2010 – 2011*, op. cit., for 2004, 2005 – 2007 and 2008 maps not displayed here.

Registration Service Provider by County: 2009

NYS OCFS Division of Child Care Services
 Registration Service Provider by County as of End of Period (2009)

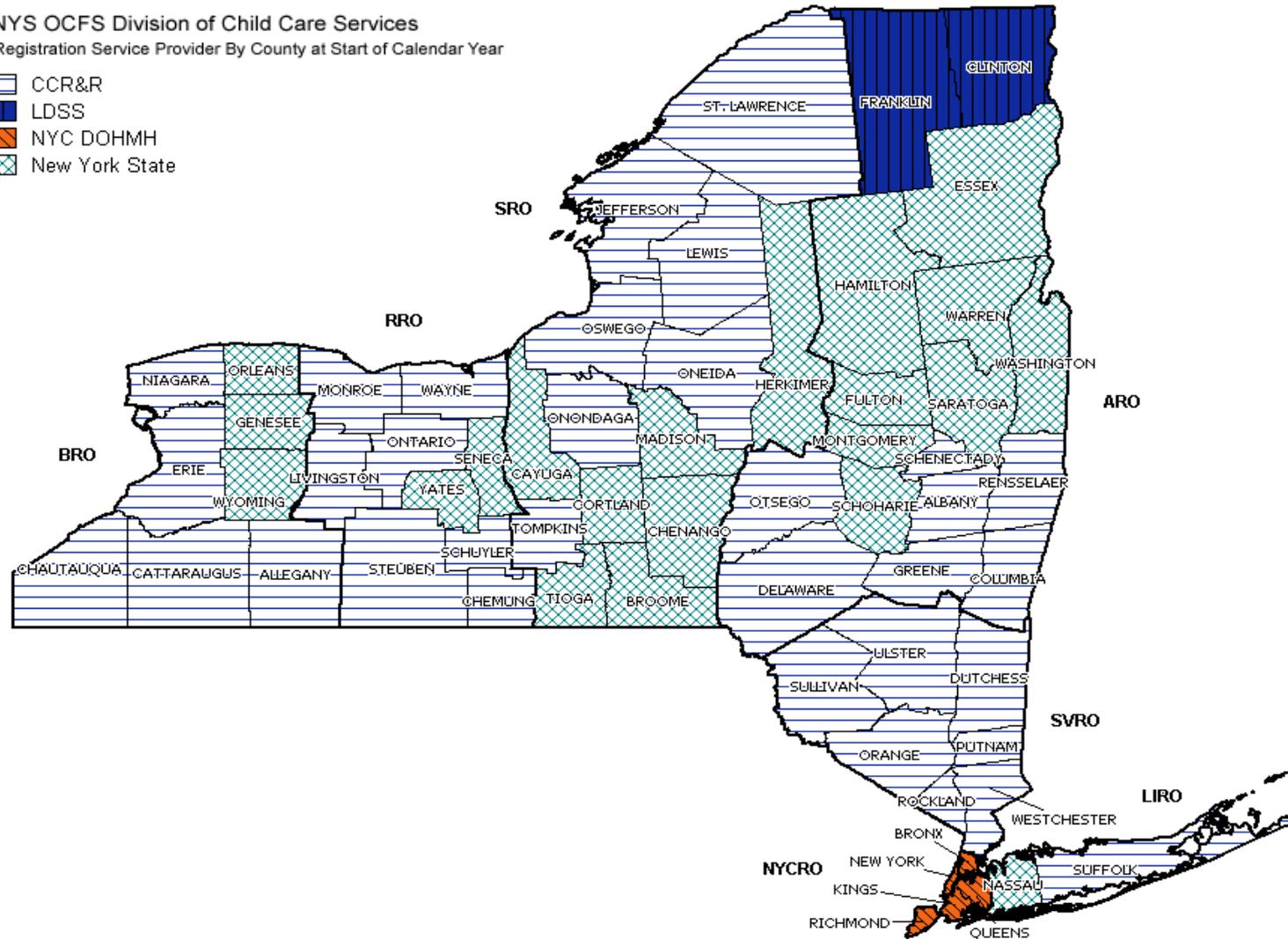
-  CCR&R
-  LDSS
-  NYC DOHMH
-  New York State



Registration Service Provider by County: 2010

NYS OCFS Division of Child Care Services
 Registration Service Provider By County at Start of Calendar Year

-  CCR&R
-  LDSS
-  NYC DOHMH
-  New York State



Bases for Key Measurements
(With Comparisons to *DCCS Registration Performance Standards Measures*)

I. Department Response to Complaints (Complaint Investigations)

For this report, timeliness of complaint investigations is based on data for both registered providers (FDC, SACC and perhaps a negligible number of SDCC programs sometimes appearing for particular time periods) and licensed providers (DCC programs except in New York City and GFDC programs, statewide). Two time frames are involved in assessing complaint investigations: time to initiate the investigation and time to make a final determination (or disposition) on any allegation(s) alleged under each complaint. For purposes of OCFS's performance standards, which govern the state's performance monitoring of services for *registered* programs, registration service providers are expected to initiate investigations within **one business day** (for complaints rated in the **imminent danger** category of severity) or within **five or 15 calendar days** (for those rated as **serious or non-emergency**, respectively) of receipt of a complaint and to make final determinations (as either substantiated or unsubstantiated) on all such allegation(s) within **60 calendar days of receipt of the complaint**. (As discussed more fully elsewhere (page 11), the report adopts the 60-day "determination" standard used in the state's performance contracting for registered programs to emphasize a conservative, consistent frame of reference for the report's broader comparisons across all modalities.) Complaints showing Child Protective Services investigation involvement, while included in the populations of complaints examined for both the performance standards and this report, are exempted from these time frames for determining timeliness under both sets of calculations.

In comparison to the corresponding performance standards, two aspects of the measurement of the timeliness of response to complaints used for this report need to be understood: one relating to the requirements for initiating complaint investigations, and one relating to the requirements for determining the findings of investigations (in the sense of whether allegations are substantiated or not).

Regarding the timeliness of *initiating* investigations, for years prior to the 2014-2015 report year, the adjustment for business days (i.e., taking account of weekends and holidays) was *not* made, leading to a small understatement of timeliness calculated throughout this report with respect to this requirement. Since this bias would be expected to affect each year prior to the report year about equally, on average, findings of clear, marked trends toward greater timeliness across earlier years (e.g., as found for the 2003 – 2006 and 2006 – 2009 reports) would not be invalidated by this factor. But differences in timeliness (and any improvement) at initiating investigations when comparing current and last year's reports with prior years' reports can be expected to be slightly exaggerated by this issue (at least for rising trends as in Figure 3.9.a on page 19). Within the current report, the measurement of timeliness of initiating imminent danger inspections was calculated using business days for all three years.

A different type of understatement also applies to this review's measurements of the timeliness of *determinations* on investigations (in the sense already discussed). Because CCFS provides only a single field ("Complaint_Status_Date") capturing the date for the latest status recorded for a complaint, all measurements calculated on that basis for complaints already reported closed – probably all except for a tiny fraction of *only the latest-year* complaints reviewed for this report –

could include time associated with activities such as corrective action plans and provider responses to same which precede the formal “closing” date for the complaint but post-date the key determination at issue under the 60-day requirement (i.e., *were complaint allegations substantiated/unsubstantiated on time?*). In contrast, the performance measure on this topic automatically runs within a few days of when timely determinations on each allegation in a complaint are due for all complaints received in a given month, unambiguously identifying *most*⁸⁵ “late determinations” from complaints still showing statuses of “pending” or “under investigation” at that point – an impossibility under this report’s retrospective three-year measures, which cannot identify late determinations in the strict sense but can only identify *closures* which are late (i.e., requiring over 60 days) among complaints which are generally long-closed at the time of analysis. Conceptually, this should lead to small understatements of “determination” timeliness in this study as compared with the somewhat different standard afforded under the performance measures. As a result, the language, timeliness of “determination *and closure*,” is used throughout this report to emphasize the distinction involved. Just like the issue discussed above in measuring initiations, however, this limitation would not invalidate clear trends observed over time, making the review’s measurements on this score somewhat more conservative than those based on the analogous OCFS performance standards but still close approximations to the measures required.

II. Registration/Licensing Applications

The timeliness of initial applications for registration or licensure, like all measures included in this report, is based on applications data for the corresponding modalities (with the same proviso above regarding SDCC providers). Registration and licensing workers are expected to process and resolve such applications within **six months** of receipt, including providing applicants with all appropriate notifications regarding the status of their applications.

III. Orientations and Requests for Applications

For time periods prior to the May 2014 implementation of the orientation requirement for prospective family-based applications, information on **requests for applications** has been available only in the form of *summary count data* – broken down by month and modality but devoid of individual record-level detail required to tease out other details about the requests made – from a standard CCFS report, *Initial Applications by Year, Month and Modality*. Simple tabulations of application requests such as Table 4.6 (page 58) rely on this data source.

For the period beginning May 2014, data on application requests was available both from CCFS, as above, and from two other sources – the Professional Development Program (PDP), the orientation contractor for DCCS,⁸⁶ and the state’s Office of Information Technology Services (ITS), which processes PDP’s data before transmitting it to OCFS’s CCFS unit. Since neither CCFS’s standard reports nor the *Cognos* interface for accessing CCFS, as presently implemented, permitted manipulating this data at the individual record level, however, the data set produced by PDP’s online orientation system offered important advantages for developing

⁸⁵ If complaints have *just closed* at the time of analysis, however, the same CCFS limitation makes this procedure, too, susceptible of failing to correctly identify determination status for certain complaints (but probably exceedingly few, given the narrow window of time between the end of each month, and run time).

⁸⁶ See n. 55 (p. 21) on PDP and its role in providing online orientations.

additional analyses of orientation activity and application requests used in the review, given the superior level of detail still available for use in PDP's data, as follows.

For tabulations such as **types of requests per person or numbers of providers completing orientations** in Table 4.1 (“... *Application Types Requested Per Person for Prospective Providers ...*,” page 23), records representing *individual applications* as the unit of analysis were grouped (i.e., aggregated) by type of application (to unduplicate application types if multiple applications of any type were requested)⁸⁷ and prospective provider, or by prospective provider *alone*, to develop the respective counts.

To identify the frequencies of **combination(s) of different types of applications requested** by prospective providers (Table 4.2, “... *Application Types Requested, By Type, Associated with Additional Requests, By Type ...*,” page 23), similarly, application-level records were simply grouped by provider *while retaining flags* for any application type(s) involved, to permit the desired counts.

IV. “50 Percent Inspections”

Section 390(4)(a) of Social Services Law requires that OCFS on an annual basis shall inspect “at least fifty percent of all registered family day care homes, registered child day care centers and registered school-age child care programs” to determine compliance with applicable statutes and regulations.⁸⁸ Only inspections covering all such statutory or regulatory program requirements (not those more limited in focus) can qualify as “50 percent inspections.” This is measured using either the primary or secondary reason for inspection reported in CCFS, which must be “50 percent sample.” Finally, only one inspection of a particular registered provider per year can count toward the required number, but localities at their discretion can elect to inspect more than their minimum numbers.

In comparison to the corresponding registration performance standards, “50 percent inspections” are identified the same way as they are in this report with one exception. The registration performance standard for 50 percent inspections includes inspections that do not have a primary or secondary reason of “50 percent inspection”, but do have a primary or secondary reason of “application – renewal”. “Application – renewal” inspections are also counted for the purpose of measuring compliance with contract performance standards because those inspections have the same scope as inspections that are designated “50 percent inspections,” thereby satisfying the regulatory requirement. Only one inspection of a particular registered provider per year is counted toward the required number.

Unless small county provider populations require the pooling of counties, facilities to be inspected under this requirement are typically identified by randomly selecting those to be inspected in numbers equivalent to 50 percent (or more) of all providers (*not applicants*) of a given modality registered in the respective counties as of the point of sampling (usually near the beginning of the year). Since counts of facilities open as of any *one* point are typically far smaller than those open *at any point* during a period, this makes for clear differences between

⁸⁷ See Table 4.1 note (p. 22) explaining that not only multiple types of applications, but more than one of a given type of application, could be requested.

⁸⁸ OCFS, BECS Policy Statement 03-2 (12/5/03), *Registered Child Day Care Programs: 50% Inspection Requirement*.

facility counts used to set 50 percent inspection goals (appearing in Tables 4.5, 4.8 [page 34 and page 62, respectively]) and certain of this report's counts of registered providers (e.g., those "ever registered," in contrast with those registered at the start of periods, as reported in Tables 2.1 – 2.2 [page 8 and page 49, respectively]).

Another factor contributing to apparent discrepancies in facility counts appearing in the report concerns the types of facility statuses entering into the different counts presented. Perhaps understandably, facilities showing a variety of "closed" statuses are excluded for purposes of identifying the population of providers from which to sample those to be inspected, but not for purposes of identifying all facilities registered at some point of an interval (given appropriate open- and close-dates). In effect, the methodology for counting registered providers casts a "broader net" by counting all facilities registered anytime during an interval, regardless of what occurred with the facilities earlier or later during the interval.

Figure 2.4.a.⁸⁹ Number of FDC Providers Registered at Any Point During Interval, by Region, for Year Beginning: April 1, 2013 – 2015

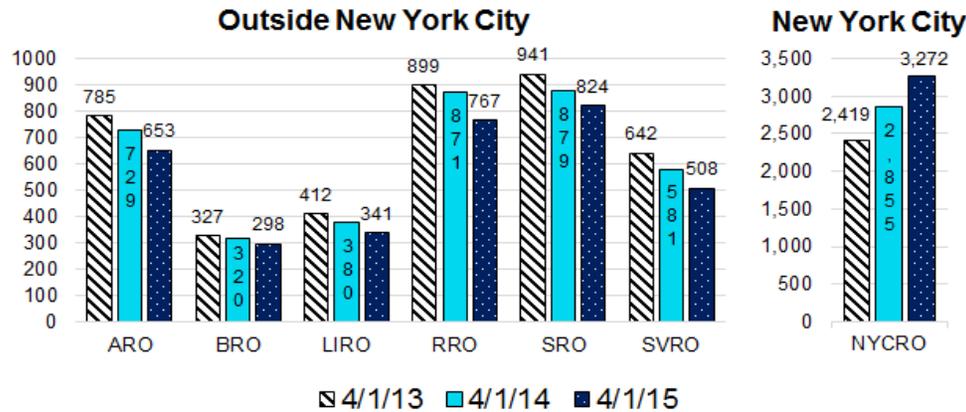
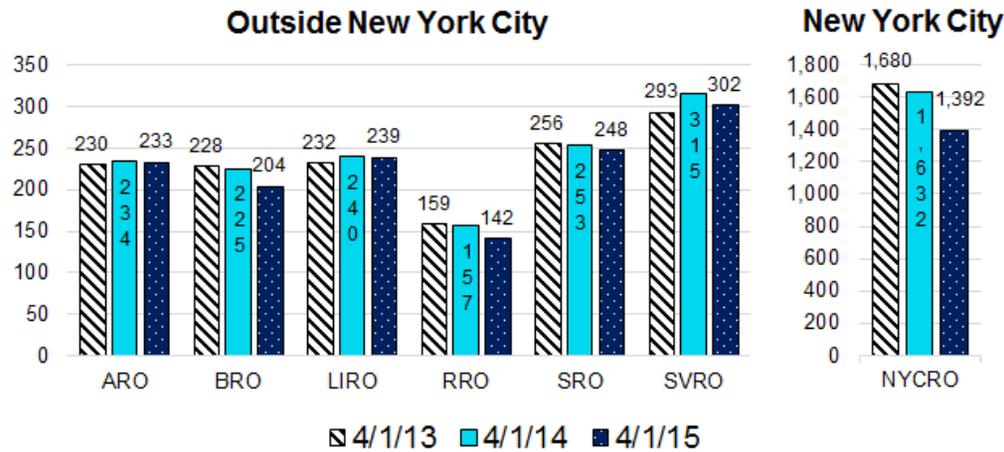


Figure 2.4.b. Number of SACC Providers Registered at Any Point During Interval, by Region, for Year Beginning: April 1, 2013 – 2015



⁸⁹ Figures on this and the following page summarize the complete data (including intervening years not displayed) from Table 2.2, p. 46.

Figure 2.5.a. Number of DCC Providers Licensed at Any Point During Interval, by Region, for Year Beginning: April 1, 2013 – 2015⁹⁰

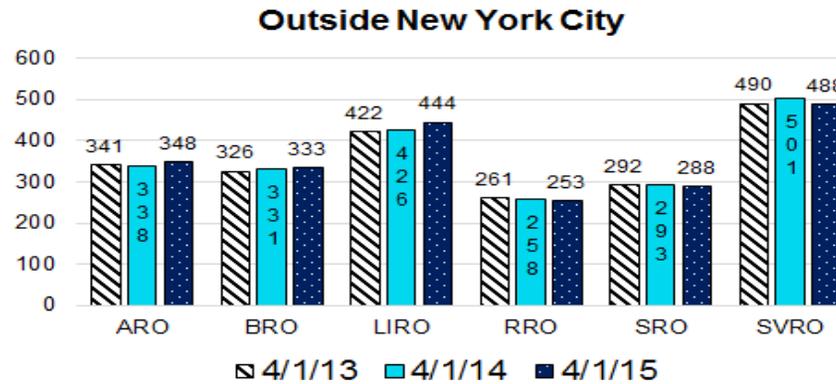
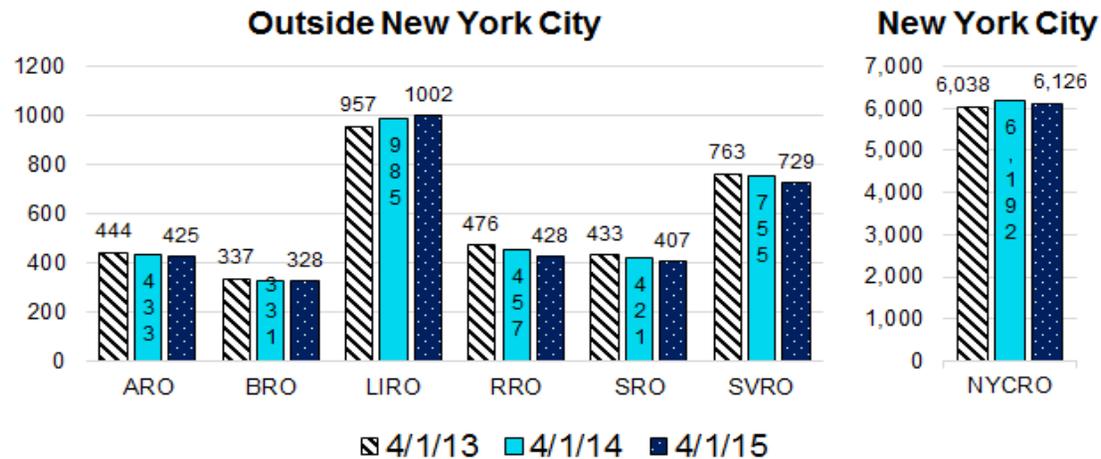


Figure 2.5.b. Number of GFDC Providers Licensed at Any Point During Interval, by Region, for Year Beginning: April 1, 2013 – 2015



⁹⁰ Day care centers (DCC) excluding New York City programs; see note 6 (p. vii) on the omission of New York City’s DCC facilities from this and other Figures.
New York State Office of Children and Family Services

Table 2.2. Registered (FDC/SACC) & Licensed (DCC/GFDC) Providers,⁹¹ by Region and Modality: As of Any Point, As of the First Day and as of the Last Day, for Year Beginning: April 1, 2013 – 2015

Region	Year Starting April 1,	Any Point During Year				First Day				Last Day			
		FDC	SACC	DCC	GFDC	FDC	SACC	DCC	GFDC	FDC	SACC	DCC	GFDC
ARO	2013	785	230	341	444	702	213	318	383	650	216	315	387
	2014	729	234	338	433	650	216	315	388	588	217	317	377
	2015	653	233	348	425	588	218	317	377	536	220	321	363
BRO	2013	327	228	326	337	301	205	305	309	281	210	305	301
	2014	320	225	331	331	282	211	305	301	261	198	311	284
	2015	298	204	333	328	262	198	311	285	230	182	313	289
LIRO	2013	412	232	422	957	373	218	401	851	339	224	400	874
	2014	380	240	426	985	339	224	400	873	294	228	404	887
	2015	341	239	444	1002	294	228	404	885	270	232	416	909
NYCRO	2013	3,272	1,392	na	6,126	2,938	1,252	na	5,297	2,624	1,233	na	5,525
	2014	2,855	1,632	na	6,192	2,619	1,233	na	5,527	2,214	1,522	na	5,489
	2015	2,419	1,680	na	6,038	2,212	1,522	na	5,487	1,870	1,507	na	5,348
RRO	2013	899	159	261	476	760	146	241	414	753	147	243	418
	2014	871	157	258	457	752	147	243	418	687	136	238	392
	2015	767	142	253	428	686	136	238	392	632	132	241	358
SRO	2013	941	256	292	433	856	240	279	379	786	234	273	377
	2014	879	253	293	421	785	234	273	376	724	229	272	362
	2015	824	248	288	407	724	229	272	362	705	222	278	358
SVRO	2013	642	293	490	763	567	260	466	688	529	267	463	683
	2014	581	315	501	755	528	268	463	683	453	269	461	662
	2015	508	302	488	729	452	269	459	662	418	277	463	647
Total	2013	7,278	2,790	2,132	9,536	6,497	2,534	2,010	8,321	5,962	2,531	1,999	8,565
	2014	6,615	3,056	2,147	9,574	5,955	2,533	1,999	8,566	5,221	2,799	2,003	8,453
	2015	5,810	3,048	2,154	9,357	5,218	2,800	2,001	8,450	4,661	2,772	2,032	8,272

⁹¹ Registered "total" counts reported at certain points in this report (e.g., Figures 2.1 - 2.2.a) include n = 5, n = 4 and n = 1 small day care center (SDCC) programs for the 1st year (n = 2, ARO n = 2, RRO n = 1, SRO), 2nd year (n = 2, ARO n = 1, RRO n = 1, SRO) and 3rd year (n = 1, ARO), respectively, and thus can exceed the corresponding sums of FDC and SACC counts shown in this table for certain years and locations by the same numbers. Licensed day care center (DCC) counts exclude New York City programs (See *Ibid.*).

Region	Year Starting April 1,	Number of Complaints				Percent of Total Complaints By Seriousness		
		By Seriousness			Total	Non-Emergency	Serious	Imminent Danger
		Non-Emergency	Serious	Imminent Danger				
ARO	2013	41	296	3	340	12%	87%	1%
	2014	49	285	2	336	15%	85%	1%
	2015	41	339	1	381	11%	89%	0%
BRO	2013	24	251	5	280	9%	90%	2%
	2014	13	251	4	268	5%	94%	1%
	2015	18	336	5	359	5%	94%	1%
LIRO	2013	94	300	4	398	24%	75%	1%
	2014	96	307	3	406	24%	76%	1%
	2015	157	347	7	511	31%	68%	1%
NYCRO	2013	10	22	510	542	2%	4%	94%
	2014	16	30	569	615	3%	5%	93%
	2015	11	41	753	805	1%	5%	94%
RRO	2013	67	407	10	484	14%	84%	2%
	2014	52	406	3	461	11%	88%	1%
	2015	76	434	37	547	14%	79%	7%
SRO	2013	107	451	1	559	19%	81%	0%
	2014	107	470	1	578	19%	81%	0%
	2015	70	458	0	528	13%	87%	0%
SVRO	2013	51	316	3	370	14%	85%	1%
	2014	41	384	1	426	10%	90%	0%
	2015	58	462	2	522	11%	89%	0%
Total	2013	394	2,043	536	2,973	13%	69%	18%
	2014	374	2,133	583	3,090	12%	69%	19%
	2015	431	2,417	805	3,653	12%	66%	22%

⁹² Based on complaints for all registered and licensed facilities except for DCC programs in New York City.

Figure 3.5.a
Percent Distribution of Total Complaints for Registered Programs, by Seriousness,
Modality and Major State Region, for Year Beginning: April 1, 2013 – 2015 ⁹³

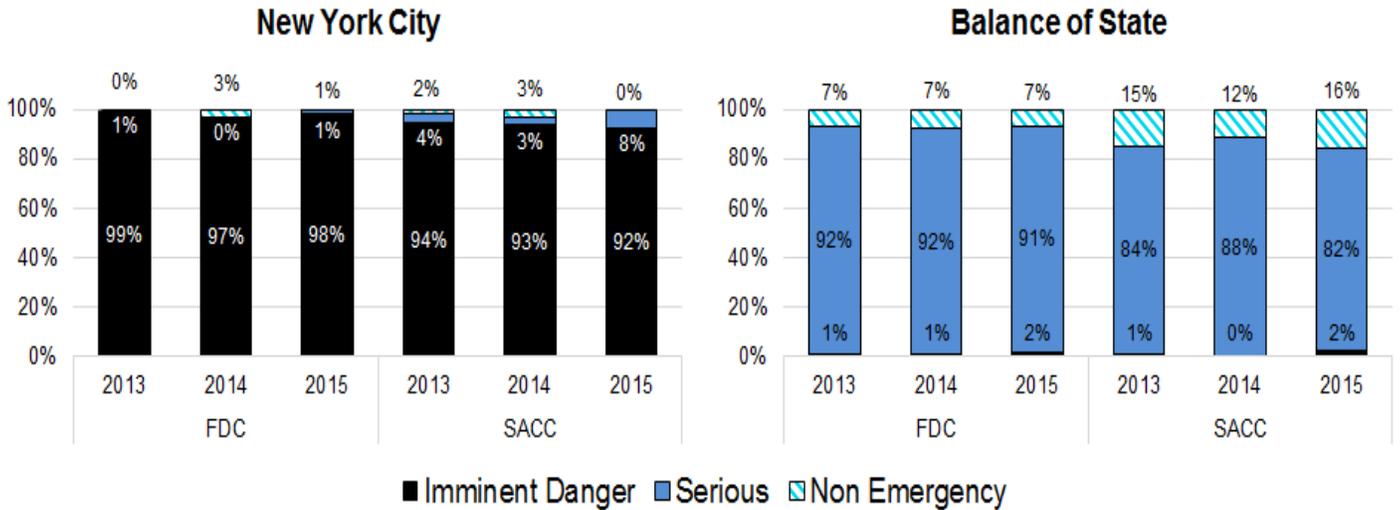
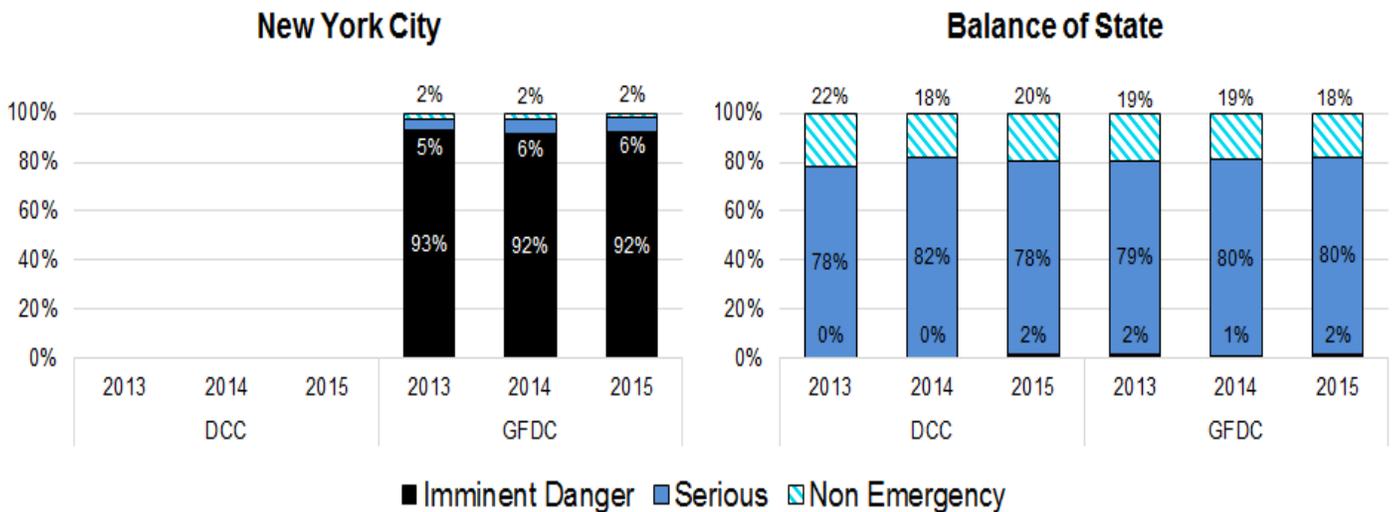


Figure 3.5.b
Percent Distribution of Total Complaints for Licensed Programs, by Seriousness,
Modality and Major State Region, for Year Beginning: April 1, 2013 – 2015 ⁹⁴



⁹³ Based on complaints for registered facilities as described in note 39 (p. 12). As shown in Figure 3.1 (left side, pg. 12), the numbers of complaints summarized for each year/bar displayed are, in order: 88, 89 and 157 (for New York City FDC); 54, 61 and 93 (for NYC SACC); 815, 821 and 970 (for Balance of State FDC); and 101, 120 and 94 (for Balance of State SACC), respectively.

⁹⁴ Based on complaints for licensed facilities as described in note 39 (p. 12). As shown in Figure 3.1 (right side, pg. 12), the numbers of complaints summarized for each year/bar displayed are, in order: 400, 465 and 555 (for NYC GFDC); 807, 887 and 1,045 (for Balance of State DCC); and 708, 646 and 738 (for Balance of State GFDC), respectively.

Figure 3.6. Percent Distribution of Non-Emergency Complaints by Disposition, for Major State Regions, For Year Beginning: April 1, 2013 – 2015⁹⁵

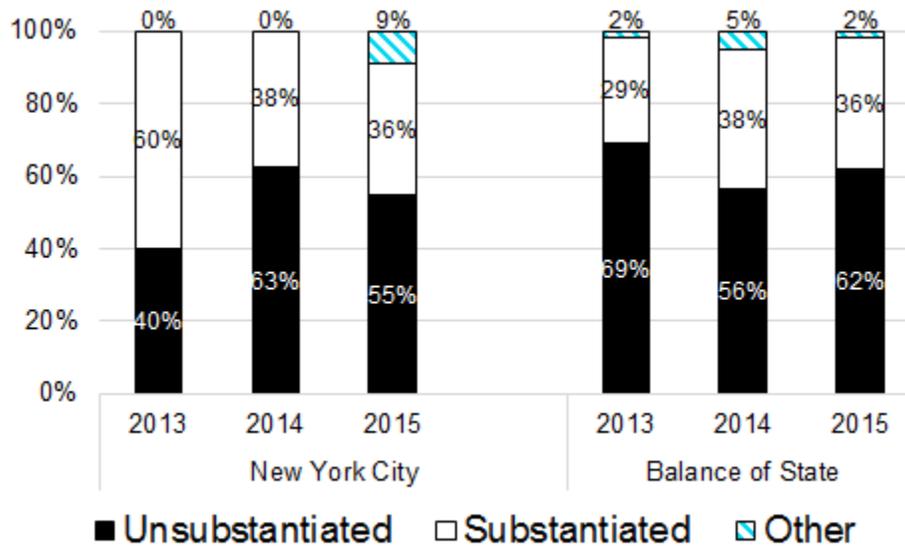
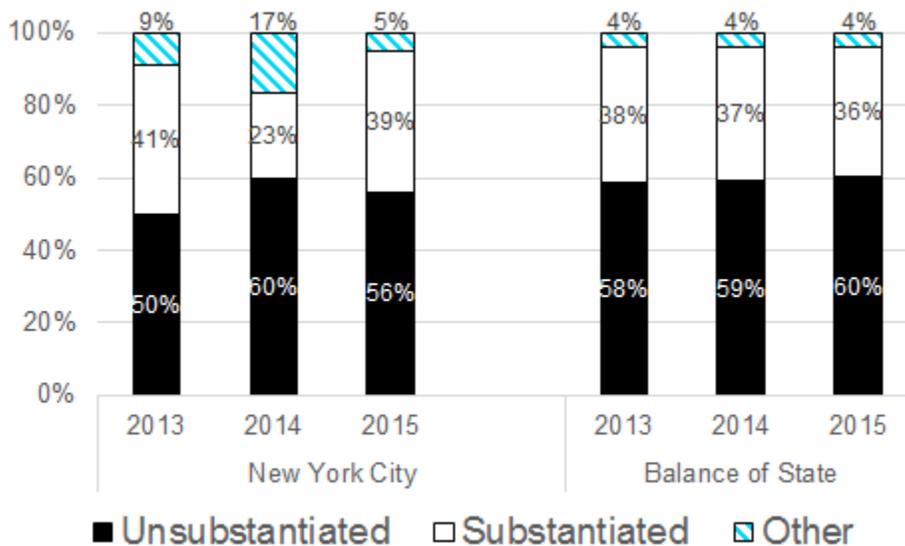


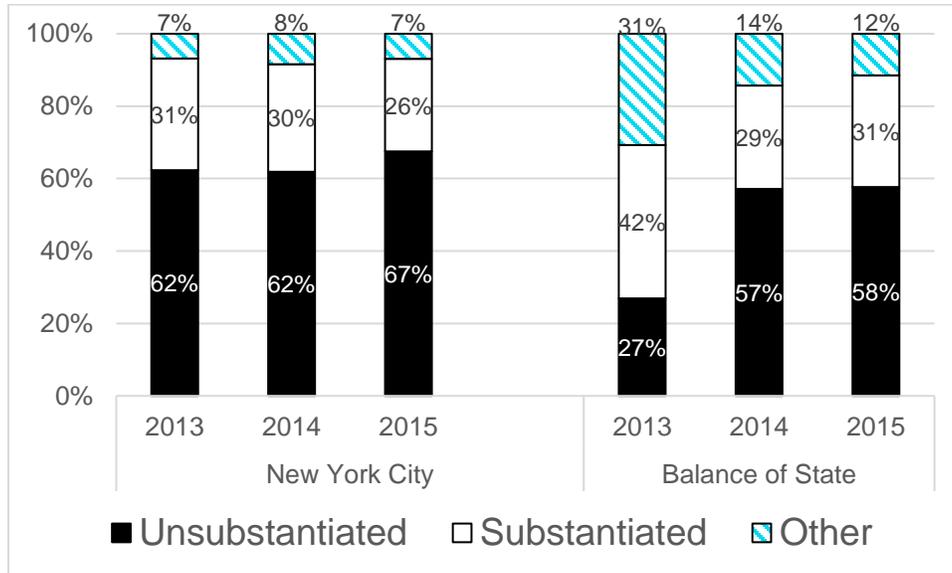
Figure 3.7. Percent Distribution of Serious Complaints by Disposition, for Major State Regions, for Year Beginning: April 1, 2013 – 2015⁹⁶



⁹⁵ As shown in Table 3.1 (p. 16, data col. 1), the numbers of non-emergency complaints represented for each year/bar displayed for New York City and the balance of the state are: 10, 16, 11, 384, 358 and 420, respectively.

⁹⁶ Similarly, as shown in Table 3.1 (p. 16, data col. 2), the numbers of serious complaints represented for each bar in this Figure are: 22, 30, 41, 2,021, 2,102 and 2,375, respectively.

Figure 3.8. Percent Distribution of Imminent Danger Complaints by Disposition, for Major State Regions, for Year Beginning: April 1, 2013 – 2015⁹⁷



⁹⁷As shown in Table 3.1 (p. 16, data col. 3), the numbers of imminent danger complaints represented for each bar in this Figure for New York City and the balance of the state are: 510, 569, 753, 26, 14 and 52, respectively.

Table 3.4.a. Handling and Rate of Complaints for Registered Programs, by Major Region and Year, * for Year Beginning: April 1, 2013 – 2015								
Major Region	Year Starting April 1,	Number of Complaints			Percent of Complaints		Rate of Complaints	
		Total	Investigation Initiated Late	Investigation Determination /Closure Late	Investigation Initiated Timely	Investigation Determination /Closure Timely	Total Providers	Complaints Per 100 Providers
New York City	2013	141	0	12	100%	91%	4,664	3
	2014	151	1	14	99%	91%	4,487	3
	2015	242	3	18	99%	93%	4,099	6
Balance of State	2013	920	20	89	98%	90%	5,409	17
	2014	946	26	110	97%	88%	5,188	18
	2015	1067	21	85	98%	92%	4,759	22
Total	2013	1,061	20	101	98%	90%	10,073	11
	2014	1,097	27	124	98%	89%	9,675	11
	2015	1,309	24	103	98%	92%	8,858	15

* For all registered (FDC/SACC/SDCC) providers. Total providers (and rates) are based on providers registered as of any point during the respective periods, as discussed under *Registered and Licensed Providers* section.

Table 3.4.b. Handling and Rate of Complaints for Licensed Programs, by Major Region and Year,** for Year Beginning: April 1, 2013 – 2015								
Major Region	Year Starting April 1,	Number of Complaints			Percent of Complaints		Rate of Complaints	
		Total	Investigation Initiated Late	Investigation Determination /Closure Late	Investigation Initiated Timely	Investigation Determination /Closure Timely	Total Providers	Complaints Per 100 Providers
New York City	2013	401	5	35	99%	91%	6,126	7
	2014	464	3	33	99%	93%	6,192	7
	2015	563	3	43	99%	92%	6,038	9
Balance of State	2013	1,511	93	234	94%	85%	5,542	27
	2014	1,529	154	297	90%	81%	5,529	28
	2015	1,781	190	334	89%	81%	5,473	33
Total	2013	1,912	98	269	95%	86%	11,668	16
	2014	1,993	157	330	92%	83%	11,721	17
	2015	2,344	193	377	92%	84%	11,511	20

** For all licensed providers except DCC programs in New York City. Total providers (and rates) are based on providers licensed as of any point during the respective periods, as discussed under *Registered and Licensed Providers* section.

Figure 3.10.a. Percent of Investigations Initiated On Time for Registered and Licensed Providers, by Region, for Year Beginning: April 1, 2013 – 2015⁹⁸

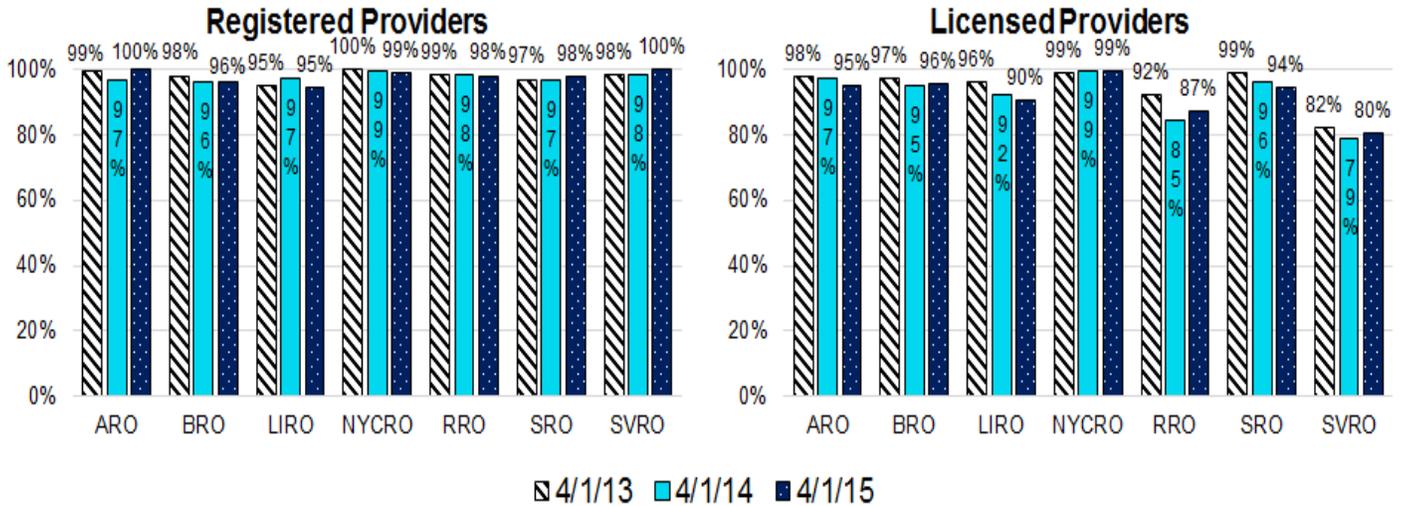
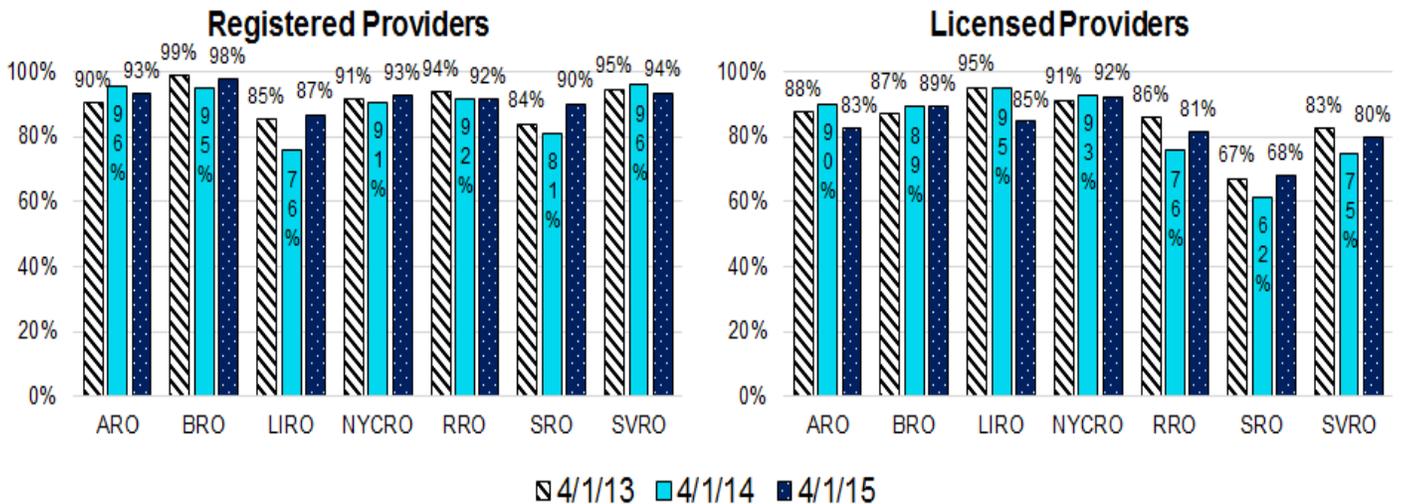


Figure 3.10.b. Percent of Investigations with Timely Determinations/Closures for Registered and Licensed Providers, by Region, for Year Beginning: April 1, 2013 – 2015



⁹⁸ Figures on this page based on complaints for all registered (FDC/SACC/SDCC) providers or all licensed (DCC/GFDC) providers except for New York City DCC facilities, respectively. Tables 3.5.a - b, beginning on the next page, detail the numbers of complaints, respectively, summarized in each year/bar displayed in the two Figures. Anywhere from 61 - 318 complaints annually were involved per DCCS region for both left-hand Figures (registered programs), compared with anywhere from 174 - 563 complaints per region and year for both right-hand Figures (licensed programs).

Table 3.5.a. Handling and Rate of Complaints for Registered Providers,
by Region and Year, for Year Beginning: April 1, 2013 – 2015

Region	Year Starting April 1,	Number of Complaints			Percent of Complaints		Rate of Complaints	
		Total	Investigation Initiated Late	Investigation Determination /Closure Late	Investigation Initiated Timely	Investigation Determination /Closure Timely	Total Providers	Complaints Per 100 Providers
ARO	2013	146	1	14	99%	90%	1,017	14
	2014	156	5	7	97%	96%	965	16
	2015	180	0	12	100%	93%	886	20
BRO	2013	106	2	1	98%	99%	555	19
	2014	83	3	4	96%	95%	545	15
	2015	129	5	3	96%	98%	502	26
LIRO	2013	61	3	9	95%	85%	644	9
	2014	74	2	18	97%	76%	620	12
	2015	91	5	12	95%	87%	580	16
NYCRO	2013	141	0	12	100%	91%	4,664	3
	2014	151	1	14	99%	91%	4,487	3
	2015	242	3	18	99%	93%	4,099	6
RRO	2013	201	3	12	99%	94%	1,060	19
	2014	194	3	16	98%	92%	1,029	19
	2015	263	5	22	98%	92%	909	29
SRO	2013	294	9	47	97%	84%	1,198	25
	2014	318	11	60	97%	81%	1,133	28
	2015	295	6	29	98%	90%	1,072	28
SVRO	2013	112	2	6	98%	95%	935	12
	2014	121	2	5	98%	96%	896	14
	2015	109	0	7	100%	94%	810	13
Total	2013	1,061	20	101	98%	90%	10,073	11
	2014	1,097	27	124	98%	89%	9,675	11
	2015	1,309	24	103	98%	92%	8,858	15

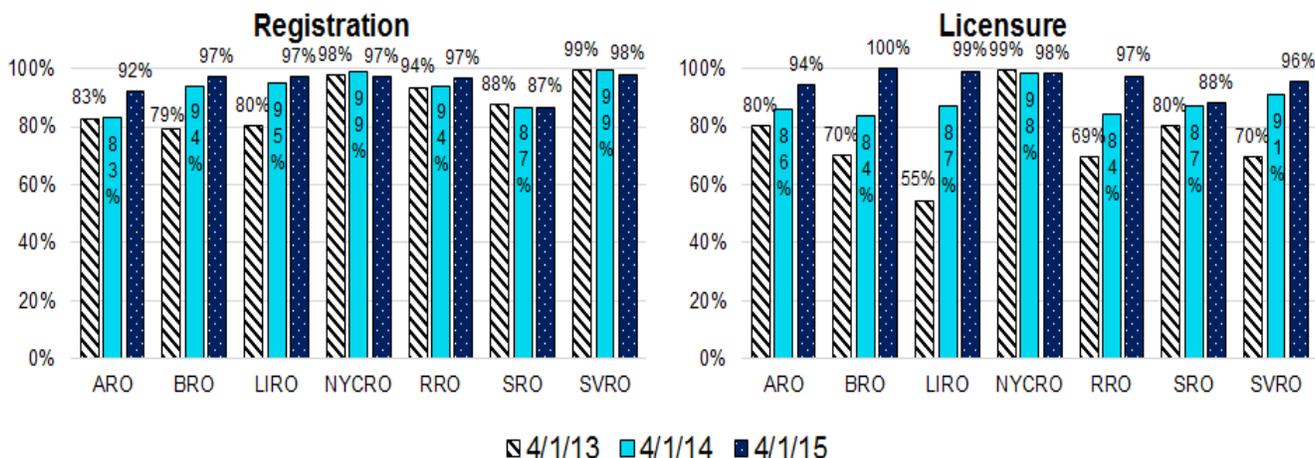
Table 3.5.b. Handling and Rate of Complaints for Licensed Providers, by Region and Year, for Year Beginning: April 1, 2013 – 2015 ⁹⁹								
Region	Year Starting April 1,	Number of Complaints			Percent of Complaints		Rate of Complaints	
		Total	Investigation Initiated Late	Investigation Determination /Closure Late	Investigation Initiated Timely	Investigation Determination /Closure Timely	Total Providers	Complaints Per 100 Providers
ARO	2013	194	4	24	98%	88%	785	25
	2014	180	5	18	97%	90%	771	23
	2015	201	10	35	95%	83%	773	26
BRO	2013	174	5	22	97%	87%	663	26
	2014	185	9	20	95%	89%	662	28
	2015	230	10	25	96%	89%	661	35
LIRO	2013	337	13	16	96%	95%	1,379	24
	2014	332	25	17	92%	95%	1,411	24
	2015	420	40	63	90%	85%	1,446	29
NYCRO	2013	401	5	35	99%	91%	6,126	7
	2014	464	3	33	99%	93%	6,192	7
	2015	563	3	43	99%	92%	6,038	9
RRO	2013	283	22	40	92%	86%	737	38
	2014	267	41	65	85%	76%	715	37
	2015	284	36	53	87%	81%	681	42
SRO	2013	265	3	87	99%	67%	725	37
	2014	260	10	100	96%	62%	714	36
	2015	233	13	75	94%	68%	695	34
SVRO	2013	258	46	45	82%	83%	1,253	21
	2014	305	64	77	79%	75%	1,256	24
	2015	413	81	83	80%	80%	1,217	34
Total	2013	1,912	98	269	95%	86%	11,668	16
	2014	1,993	157	330	92%	83%	11,721	17
	2015	2,344	193	377	92%	84%	11,511	20

⁹⁹ For all licensed providers except DCC programs in New York City. Total providers and rates are defined as in Table 3.4.b (p. 51).

Table 4.6. Number of Applications for Registration or Licensure Requested, by Month of Request and Modality, for Year Beginning: April 1, 2013 – 2015* (Date Orientation Requirement Implemented [for family provider requests] in red)						
Month of Request	Modality					Total
	DCC	FDC	GFDC	SACC	SDCC	
2013- Apr	76	793	651	106	2	1,628
2013- May	79	826	664	103	2	1,674
2013- Jun	63	663	557	133	1	1,417
2013- Jul	60	795	621	132		1,608
2013- Aug	82	804	651	127	2	1,666
2013- Sep	61	762	616	118	2	1,559
2013- Oct	56	784	639	146	1	1,626
2013- Nov	48	559	491	127		1,225
2013- Dec	37	484	418	60	1	1,000
2014- Jan	42	652	577	92		1,363
2014- Feb	65	536	461	73		1,135
2014- Mar	59	621	635	82	1	1,398
2014- Apr	64	683	557	85		1,389
2014- May	56	327	314	95	14	806
2014- Jun	50	381	308	430	17	1,186
2014- Jul	69	399	417	109	22	1,016
2014- Aug	59	424	347	87	15	932
2014- Sep	57	435	384	86	10	972
2014- Oct	45	463	388	103	18	1,017
2014- Nov	34	304	274	63	14	689
2014- Dec	25	268	247	77	11	628
2015- Jan	38	363	333	139	20	893
2015- Feb	45	306	332	67	13	763
2015- Mar	63	375	417	97	14	966
2015- Apr	62	380	367	80	21	910
2015- May	63	342	316	87	11	819
2015- Jun	67	354	327	163	26	937
2015- Jul	79	441	404	92	15	1,031
2015- Aug	54	391	363	111	7	926
2015- Sep	58	475	408	101	13	1,055
2015- Oct	40	423	350	77	16	906
2015- Nov	38	349	279	59	12	737
2015- Dec	38	290	309	65	11	713
2016- Jan	41	405	418	69	25	958
2016- Feb	50	339	350	83	10	832
2016- Mar	66	418	461	88	17	1,050
Total	1,989	17,614	15,651	3,812	364	39,430

* From *Initial Applications by Year, Month and Modality* (CCFS report run May 2, 2017). Reflects applications *requested* by prospective providers, not those *received* by DCCS and largely focused on in this report (e.g., timeliness results). See note 63 (p. 24) for comparison.

Figure 4.5.¹⁰⁰ Percent of Applications for Registration or Licensure Processed Timely, by Region, for Year Beginning: April 1, 2013 – 2015



Region	Year Starting April 1,	Number of Applications			Percent of Applications Processed Timely
		Timely	Not Timely	Total	
ARO	2013	140	29	169	83%
	2014	121	25	146	83%
	2015	95	8	103	92%
BRO	2013	109	29	138	79%
	2014	95	6	101	94%
	2015	72	2	74	97%
LIRO	2013	94	23	117	80%
	2014	95	5	100	95%
	2015	73	2	75	97%
NYCRO	2013	909	22	931	98%
	2014	973	13	986	99%
	2015	610	17	627	97%
RRO	2013	276	19	295	94%
	2014	171	11	182	94%
	2015	173	6	179	97%
SRO	2013	211	30	241	88%

¹⁰⁰ Registration and license application counts as defined in note 66, p. 24. Tables 4.7.a – b, beginning immediately below, provide the underlying results on registration and license application handling, respectively, by DCCS region, including the numbers of applications summarized for each year/bar displayed in this Figure.

¹⁰¹ Total registration application counts in this table and at selected other locations in the report include minimal numbers of applications with "small day care center" (SDCC) reported for modality (n = 2, n = 9 and n = 5 for the three years, respectively), which were not removed from the analyses since SDCC providers were included under the registration mandate laid out in Chapter 750 of the Laws of 1990. See note 66, p. 24, in body of report. [For 2013: n = 1, YRO, n=1 RRO; for 2014: n = 2, ARO, n = 2, LIRO, n = 1, RRO, n = 4, SRO; for 2015: n = 1, LIRO, n = 2, RRO, n = 1, SRO, n = 1, SVRO].

Table 4.7.a. Number and Timeliness of Processing of Registration Applications (FDC/SACC/SDCC), by Region, for Year Beginning: April 1, 2013 – 2015 ¹⁰¹					
Region	Year Starting April 1,	Number of Applications			Percent of Applications Processed Timely
		Timely	Not Timely	Total	
	2014	189	29	218	87%
	2015	150	23	173	87%
SVRO	2013	197	1	198	99%
	2014	152	1	153	99%
	2015	152	3	155	98%
Total	2013	1,936	153	2,089	93%
	2014	1,796	90	1,886	95%
	2015	1,325	61	1,386	96%

Table 4.7.b. Number and Timeliness of Processing of Licensing Applications (DCC/GFDC), by Region, for Year Beginning: April 1, 2013 – 2015 ¹⁰²					
Region	Year Starting April 1,	Number of Applications			Percent of Applications Processed Timely
		Timely	Not Timely	Total	
ARO	2013	97	24	121	80%
	2014	72	12	84	86%
	2015	97	6	103	94%
BRO	2013	68	29	97	70%
	2014	81	16	97	84%
	2015	90	0	90	100%
LIRO	2013	119	99	218	55%
	2014	172	26	198	87%
	2015	227	2	229	99%
NYCRO	2013	1,472	9	1,481	99%
	2014	1,014	18	1,032	98%
	2015	791	14	805	98%
RRO	2013	93	41	134	69%
	2014	101	19	120	84%
	2015	113	3	116	97%
SRO	2013	97	24	121	80%
	2014	101	15	116	87%
	2015	83	11	94	88%
SVRO	2013	89	39	128	70%
	2014	121	12	133	91%
	2015	131	6	137	96%

¹⁰² License applications except for New York City DCC programs; see note 6.(p. vii) on the omission of New York City DCC facilities' data from this and other Tables.

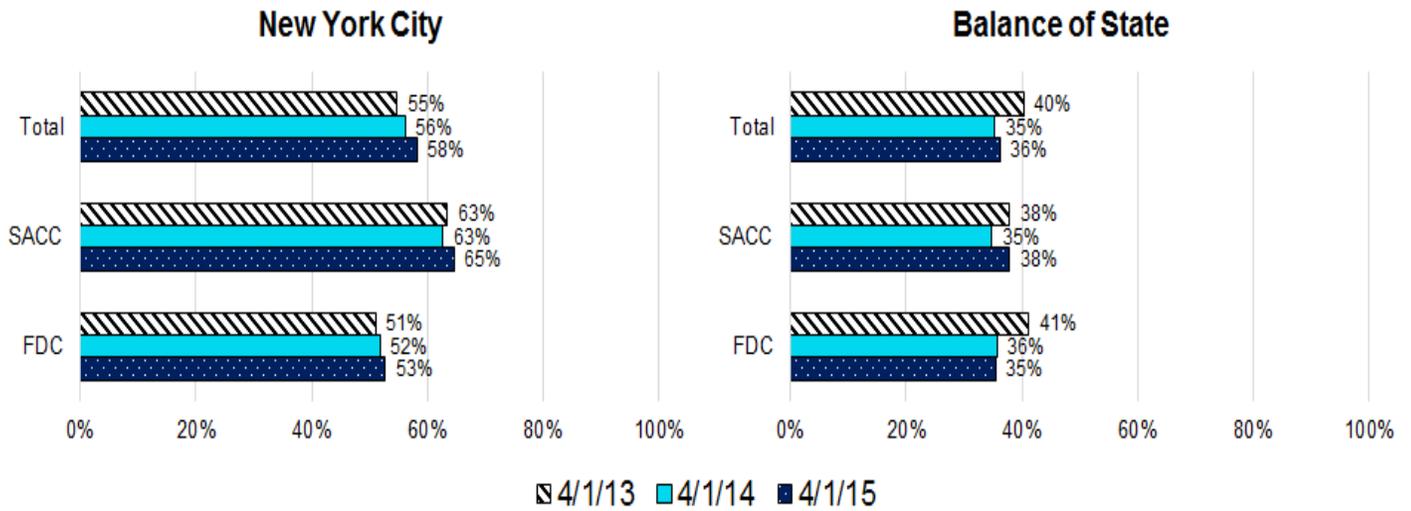
Table 4.7.b. Number and Timeliness of Processing of Licensing Applications (DCC/GFDC), by Region, for Year Beginning: April 1, 2013 – 2015 ¹⁰²					
Region	Year Starting April 1,	Number of Applications			Percent of Applications Processed Timely
		Timely	Not Timely	Total	
Total	2013	2,035	265	2,300	88%
	2014	1,662	118	1,780	93%
	2015	1,532	42	1,574	97%

Table 4.8. “50 Percent Inspections,” by Major State Region, Modality and Year, for Year Beginning: April 1, 2013 – 2015¹⁰³

Region	Modality	Year Starting April 1,	Number Facilities	Number of Inspections			Percent of:	
				Goal	Conducted	With Violations	Goal Achieved	Inspections with Violations
New York City	FDC	2013	2,938	1469	2,238	1,142	152%	51%
		2014	2,619	1310	1,489	771	114%	52%
		2015	2,212	1106	1,368	721	124%	53%
	SACC	2013	1252	626	928	589	148%	63%
		2014	1,233	617	1000	626	162%	63%
		2015	1,522	761	1188	767	156%	65%
	Total	2013	4,190	2095	3,166	1,731	151%	55%
		2014	3,852	1926	2,489	1,397	129%	56%
		2015	3,734	1867	2,556	1,488	137%	58%
Balance of State	FDC	2013	3,559	1780	2,203	908	124%	41%
		2014	3,336	1668	1,779	634	107%	36%
		2015	3,006	1503	1,554	551	103%	35%
	SACC	2013	1,282	641	844	319	132%	38%
		2014	1,300	650	797	277	123%	35%
		2015	1,278	639	706	267	110%	38%
	Total	2013	4,841	2421	3,047	1,227	126%	40%
		2014	4,636	2318	2,576	911	111%	35%
		2015	4,284	2142	2,260	818	106%	36%
State Total	FDC	2013	6,497	3249	4,441	2,050	137%	46%
		2014	5,955	2978	3,268	1,405	110%	43%
		2015	5,218	2609	2,922	1,272	112%	44%
	SACC	2013	2,534	1267	1,772	908	140%	51%
		2014	2,533	1267	1,797	903	142%	50%
		2015	2,800	1400	1,894	1,034	135%	55%
	Total	2013	9,031	4516	6,213	2,958	138%	48%
		2014	8,488	4244	5,065	2,308	119%	46%
		2015	8,018	4009	4,816	2,306	120%	48%

¹⁰³ See note 76 (p. 33) and Appendix A.3 (p. 41) regarding the distinction between facility tallies in this table and counts of registered providers appearing elsewhere in the report.

Figure 4.8. Percent of “50 Percent Inspections” Involving Regulatory Violations, by Major State Region and Modality of Care, for Year Beginning: April 1, 2013 – 2015¹⁰⁴



¹⁰⁴ Table 4.8 (preceding page) documents the numbers of "50 Percent Inspections" summarized for each year/bar displayed in Figure; for New York City: 3,166, 2,489, 2,556 (Total), 2,238, 1,489, 1,368 (FDC), 928, 1,000, 1,188 (SACC); for Balance of State: 3,047, 2,576, 2,260 (Total), 2,203, 1,779, 1,554 (FDC), 844, 797, 706 (SACC).

