

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

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES  
ADMINISTRATION FOR CHILDREN AND FAMILIES  
CHILDREN'S BUREAU  
**April 2023**

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

    New York State Office of Children and Family Services      
(Name of State/Tribal Agency)

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

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

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

<b>Federal Regulatory/ Statutory References</b>	<b>Requirement</b>	<b>State Regulatory, Statutory, and Policy References and Citations for Each</b>
---	--------------------	--

<b>SECTION 5. GENERAL PROVISIONS</b>		
471(a)(35)(B)	<p><b>P. SEX TRAFFICKING VICTIMS AND MISSING CHILDREN</b></p> <p>For each child and youth described in 471(a)(9)(C)(i)(I) of the Act, the State/Tribal agency shall report immediately, and in no case later than 24 hours after receiving, information on missing or abducted children to the law enforcement authorities for entry into the National Crime Information Center (NCIC) database of the Federal Bureau of Investigation, and to the National Center for Missing and Exploited Children (referred to in this subparagraph as "NCMEC"), and that the State/Tribal agency shall maintain regular communication with law enforcement agencies and NCMEC in efforts to provide a safe recovery of a missing or abducted child or youth, including by sharing information pertaining to the child's or youth's recovery and circumstances related to the recovery, and that the State/Tribe report submitted to law enforcement agencies and NCMEC shall include where reasonably possible—</p> <ul style="list-style-type: none"> <li>(i) a photo of the missing or abducted child or youth;</li> <li>(ii) a description of the child's or youth's physical features, such as height, weight, sex, ethnicity, race, hair color, and eye color; and</li> <li>(iii) endangerment information, such as the child's or youth's pregnancy status, prescription medications, suicidal tendencies, vulnerability to being sex trafficked, and other health or risk factors;</li> </ul>	<p><b>16-OCFS-ADM-09-R1 Protocols and Procedures for Locating and Responding to Children and Youth Missing from Foster Care and Non- Foster Care</b></p> <p>18 NYCRR 431.8 Procedures in cases of children absent without consent from foster care placement</p>