

Frequently Asked Questions: 2017 Runaway Homeless Youth Enacted Legislation

Runaway and Homeless Youth (RHY) Service Planning and Funding

Q: What changes, if any, will there be to county planning for RHY services (Children and Family Services Plan (CFSP), Resource Allocation Plan (RAP) Youth Bureau Administrative Summary)?

A: There may be some changes to the RHY appendix of the CFSP, however it is anticipated that most changes in RHY planning at the municipal level will be captured via the RAP and/or Youth Bureau Administrative Summary. Additional information on these documents will be shared as it becomes available.

Q: Will new funding become available to support the optional expansion of local RHY services?

A: At this time, there is no additional funding to support the optional expansion of local RHY services. The legislation, which will become effective on January 1, 2018, allows for programs and municipalities to determine whether they would like to expand RHY services based on local needs and resources.

Q: When are the RHY service plans due to the Office of Children and Family Services (OCFS)?

A: The RHY services plan is made up of several plans that the municipality is required to submit. For example, the CFSP will be due to OCFS on or before January 1, 2018. This will be the first plan in which the new RHY service options may be addressed by municipalities. The Youth Bureau Administrative summary is due to OCFS annually and must be submitted prior to the approval of a Youth Bureau RAP. The RAP should be submitted no later than 90 days after the notification of available State Aid to localities. These are three examples of plans that make up the RHY services plan.

Q: Do municipalities need to opt into all the legislative changes (maximum length of stay and serve youth up to the age of 24) to receive RHYA funding?

A: No. The ability for municipalities to expand the maximum length of stay and age of population served are local decisions to be addressed in RHY service plans. RHYA funding is not contingent upon expanding services, however the enacted legislation *does* require that all RHY shelter programs maintain OCFS certification to access funding. Program funding is determined at the municipal level.

Q: Will Phase I of the regulatory changes impact non-residential RHY services or programs?

A: Yes. Phase I of the regulatory changes will consider that non-residential RHY programs will also have the option of expanding services so that such programs may serve youth up to 24 years of age.

Q: When do programs and municipalities need to make a final decision on whether to expand RHY services?

A: There is no deadline; service planning is an ongoing process. Should a municipality or program wish to adjust their service offering(s) this can be discussed with the municipal RHY Service Coordinator and/or OCFS at any time. However, any changes made to residential programming will require either certification or recertification depending on whether it is a new or existing program. For more information, please contact your local RHY services coordinator (<http://ocfs.ny.gov/main/youth/rhydirectory.asp>) and for areas that do not have a RHY services coordinator please contact your OCFS regional Child Welfare Services Director (http://ocfs.ny.gov/main/regionaloffices_main.asp)

Certification and options to Serve Young Adults up to 24 years' old

Q: Will the enacted legislation affect program certifications to serve young adults up to age 24?

A: Yes. Per the enacted legislation, all RHY residential programs must be certified by OCFS effective January 1, 2018.

Q: Could a certified residential program house youth of different ages (for example a 16-year-old and a 23-year-old) in the same room?

A: There may be specific circumstances (for example sibling groups) where allowing room sharing across developmental stages is determined to be safe and appropriate. Appropriate planning for safety and programming based on youth's development is to be addressed in program plans, and on a case-by-case basis. More guidance will be provided by OCFS via policies after the effective date of the legislation on January 1, 2018.

Q: Can programs elect to shelter a portion of the population eligible for RHY services?

A: Residential RHY programs will be able to apply for certification to operate programs for youth under 18 years old or to serve youth ages 16-24 years of age. Within the parameters of certification, municipalities and programs may decide to offer shelter to a portion of that population based on local need and resources. A program wishing to serve specific age ranges within those parameters (i.e. 18-24 years of age or 16-24 years of age) would require certification and would need to be addressed in the applicable plans.

Programs certified to shelter youth under 18 years of age may be able to offer shelter to youth who are 18 years of age to 24 years of age on a case by case basis. For more information, please contact your municipal RHY services coordinator.

Q: Will programs need to be re-certified to expand services (maximum length of stay and/or serve youth up to the age of 24) per the enacted legislation? If so, will programs be able to continue operating while they are being recertified? How long will the recertification process take?

A: RHY programs that are currently certified will remain certified, however recertification will be required for a program that wishes to expand or change services (including expanding services

relevant to the enacted legislation). Should recertification become necessary for any reason a program may continue operation of its current program model while the new certification is being processed. The length of the recertification process will depend on several factors and OCFS will be exploring ways to streamline the process.

It is important to note that agencies that do not intend to change the program model of TILP would not need to take the steps necessary to apply for OCFS approval to become authorized agencies. The provisions of the legislation that require residential RHY programs be operated by authorized agencies applies to those agencies seeking to become certified to operate such programs on or after January 1, 2018 to include TILP programs that are amending or changing their current certification for any reason. Should a current TILP program need to become re-certificated, it will be required at that time to take the steps necessary to become an authorized agency. For more information on how to become an authorized agency, please contact the appropriate OCFS regional office.

Q: Will recertification go through RHY services coordinators or directly through OCFS?

A: The certification process will not be changed by Phase I of regulatory changes. Therefore, the certification and recertification process will continue to require the approval of the local RHY services coordinator.

Q: Can a residential RHY program elect to offer services to youth up to 24 years of age in one type of shelter and not another (for example at a Transitional Independent Living Support Program and not a crisis shelter)?

A: Perhaps. A specific answer would depend on several factors for example, whether programs are co-located, the age range the other program serves, the supervision requirements and the insurance of safety and health of all youth and young adults being served. For more information, please contact your local RHY services coordinator (<http://ocfs.ny.gov/main/youth/rhydirectory.asp>) and for areas that do not have a RHY services coordinator please contact your OCFS regional Child Welfare Services Director (http://ocfs.ny.gov/main/regionaloffices_main.asp). Appropriate planning for safety and programming based on youth's development would be addressed when the program applies for certification. More guidance may be provided via policies after the effective date of the legislation which is January 1, 2018.

Length of Stay

Q: Will new regulations affect the length of stay for Interim Family Host Home programs?

A: Yes. The first phase of regulatory changes will extend the maximum permissible length of stay for youth in Interim Family Host Home programs to a maximum of 60 days for youth 14 and older. Written agreement of the youth, parent or legal guardian and RHY services coordinator is required when a youth seeks to remain in an Interim Family Host Home Program for up to 120 days when this timeframe is authorized in a municipality's approved comprehensive plan.

Length of stay for youth under the age of 14 shall not exceed 30 days from the date of a runaway youth's admission. If a runaway youth under the age of 14 and the youth's parent, guardian or legal custodian agree in writing, the youth may remain in program for a total period of up to 60 days, or up to one hundred twenty days when authorized in the applicable municipality's approved county comprehensive plan.

Q: If a youth accesses shelter prior to 1/1/2018, are the new length-of-stay options available to them?

A: This situation will be addressed on a case-by-case basis by consultation between the program, RHY Service Coordinator, and OCFS.

Q: Can any youth over 14 years of age stay in a RHY shelter for up to 60 days without their parents' permission?

A: Should a municipality and the programs operating in such municipality elect to extend the maximum length of stay in crisis shelters to up to 60 days, then youth 14 years of age and older would be able to remain in the crisis shelter for up to 60 days without parental consent. Parental notification is still required in accordance with current regulatory standards for youth under 14 years of age. Written agreement of the youth, parent or legal guardian and RHY services coordinator is required when a youth seeks to remain in a RHY program for up to 120 days when this timeframe is authorized in a municipality's approved comprehensive plan.

Q: Can a municipality elect to expand services (maximum length of stay and/or serve youth up to the age of 24) if local programs do not wish to expand services? Can a program elect to expand services (maximum length of stay and/or serve youth up to the age of 24) if the municipality does not? How would this affect certification and funding?

A: It would be acceptable if a municipality opts to expand services (maximum length of stay and/or serve youth up to the age of 24) in the RHY services plan and local programs do not wish to expand their services.

A program may opt to expand services (maximum length of stay and/or serve youth up to the age of 24) with OCFS certification even if the municipality does not wish to expand their services or did not document service expansion in the municipal RHY services plan. In this event the program could offer expanded services per OCFS certification.

Reimbursement for such services is at the discretion of the municipality and in accordance with the municipal RHY service plan. This is due in part to municipalities being required to match funds that support RHY programs. Therefore, OCFS cannot project if the program will lose funding, if it opts to expand services where the municipality has not opted to expand services as part of its comprehensive plan; it is a local decision.

For more information on Runaway-Homeless Youth programs please contact
RHY@ocfs.ny.gov.