

NEW YORK STATE
 DEPARTMENT OF SOCIAL SERVICES
 40 NORTH PEARL STREET, ALBANY, NEW YORK 12243

SAR A. PERALES
 Commissioner



[An Administrative Directive is a written communication to local Social Services Districts providing directions to be followed in the administration of public assistance and care programs.]

ADMINISTRATIVE DIRECTIVE

TRANSMITTAL NO.: 85 ADM-21
 [Family & Children Services]

TO: Commissioners of Social Services
 Directors of Authorized Agencies

SUBJECT: Chapter 141 of the Laws of 1983
 Extension of Foster Care Placements

DATE: May 29, 1985

SUGGESTED DISTRIBUTION:

Directors of Social Services
 Legal Staff
 Children's Services Staff

CONTACT PERSON: Any questions concerning this release should be directed to Mr. Jamie Greenberg, Division of Services, by calling 1-800-342-3715, extension 4-9591.

I. Purpose

The purpose of this directive is to advise local social services districts and authorized agencies of the amendments to sections 430.1 (a), 431.8 (b) and 431.8 (d) of the regulations of the Department of Social Services. These regulations implement Chapter 141 of the Laws of 1983. This legislation amended Section 392(2), (3)(c), and (5) of the Social Services Law, and added a new paragraph (3) (d) to such section. The amendments concerned the time periods for the filing of petition for the review of foster care placements.

II. Background

In interpreting requirements of Section 475(5) of Title IV-E of the Social Security Act, the Department of Health and Human Services (HHS) has said that a hearing for a child in foster care must be held within 18 months of the original date of placement.

FILING REFERENCES

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Social Services Law and Other Legal References	Bulletin/Chapter Reference	Miscellaneous Reference
		Sections 430.1 431.8	Section 392		

DSS-296 (RE 82)

It had previously been thought that this requirement could be satisfied if a petition for the hearing was filed within the 18 month period. However, in light of the more strict interpretation being held by HHS Chapter 141 of the Laws of 1983 was enacted so that New York State remains in compliance with the requirements of Title IV-E of the Social Security Act.

Chapter 141 of the Laws of 1983 amends Section 392 of the Social Services Law to require that the petition for a hearing to review the foster care status of a child be filed at least 60 days prior to the end of the 18th month of continuous foster care placement, and to require that the hearing take place within 18 months of the date of the original foster care placement.

Similar legislation amending the Family Court Act was implemented last year (see 82 ADM-59) regarding extensions of placement in child abuse or neglect proceedings.

III. Program Implications

As a result of the requirement that petitions to extend foster care placements pursuant to Section 392 of the Social Services law be filed at least sixty days prior to the expiration of the period of placement, it will be necessary to determine whether there is a need for placement continuation. If it is necessary to continue the foster care placement of a child beyond eighteen months, it will be necessary to develop documentation to support such an extension before the original period of placement expires.

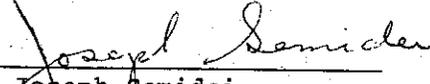
Under Section 153-d of the Social Services Law, the Department is authorized to deny reimbursement for foster care expenditures by a social services district if, among other things, the child's foster care status has not been the subject of a timely petition. The Department will be conducting reviews under this Section in order to assure local districts compliance with the petition filing requirements of Chapter 141 of the Law of 1983.

IV. Required Action

Where a local district has been given the care and custody of a child, pursuant to law other than Articles 3, 7, and 10 of the Family Court Act, a petition to review the foster care status of such child, as required by Section 392 of the Social Services Law, together with a copy, if any, of the placement instrument, shall be filed in the appropriate family court by the authorized agency at least 60 days prior to the expiration of the period of placement.

V. Effective Date

Chapter 141 of the Law of 1983 became effective May 23, 1983, and the regulations were filed on July 5, 1984. This directive is effective as of May 23, 1983. A copy of Chapter 141 of the Laws of 1983 and a copy of the implementing regulations are attached for your information.



Joseph Semidei
Deputy Commissioner
Division of Family and
Children Services

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STATE DEPARTMENT OF SOCIAL SERVICES

ALBANY, NEW YORK

Pursuant to the provisions of Sections 20(3)(d), 34(3)(f) and 392 of the Social Services Law, I, Cesar A. Perales, Commissioner of Social Services, do hereby amend Sections 430.1(a), 431.8(b) and 431.8(d) of the Official Regulations of the State Department of Social Services, being Chapter II of Title 18 NYCRR, effective immediately upon filing with the Secretary of State.

Dated: JUL 5 1984

Signed:

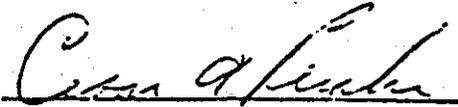


Commissioner

This is to certify that this is the original of an order of the State Department of Social Services, made on JUL 5 1984 amending Sections 430.1(a), 431.8(b) and 431.8(d) of the Official Regulations of the State Department of Social Services, being Title 18 NYCRR, the express terms of which were published in the New York State Register on MAY 9 1984

Dated: JUL 5 1984

Signed:



Commissioner

Subdivision (a) of Section 430.1 is amended as follows:

(a) Timely filing of petition. Where a child under the age of 18 has been placed in foster care with an authorized agency [and] pursuant to provisions of law other than Articles 3, 7 and 10 of the Family Court Act [has remained] and the authorized agency has determined that the child will remain in foster care for a continuous period of 18 months, a petition to review the child's foster care status shall [have been] be filed in the appropriate Family Court by the authorized agency charged with the care and custody or the guardianship and custody of such child or by the authorized agency having the supervision of such foster child or by the foster parents or parents in whose home the foster child resided or resides [at or after the expiration of a continuous period of 18 months] at least 60 days prior to the end of the month which would constitute the eighteenth month of continuous foster care placement.

Subdivision (b) of Section 431.8 is amended as follows:

(b) Time for filing petition. (1) Where an authorized agency has determined that a child [has remained] will remain in foster care for a continuous period of 18 months, a petition to review the foster care status of such child, together with a copy, if any, of the placement instrument:

(i) shall be filed in the Family Court by the authorized agency charged with the care and custody or the guardianship and custody of such child;

(ii) may be filed by another authorized agency having the supervision of such foster care; and

(iii) may be filed by the foster parent or parents in whose home the child resides or has resided [at or after the expiration of such] during the period of 18 months.

All such petitions shall be filed in the appropriate Family Court at least 60 days prior to the end of the month which would constitute the eighteenth month of continuous foster care placement.

Subdivision (d) of Section 431.8 is amended as follows:

(d) Notice. Notice of the hearing to review the foster care status of a child who [has remained] will remain in foster care for a continuous period of 18 months, or to review the status of a child who has been continued in foster care, including a statement of the dispositional alternatives of the court, shall be given to and a copy of the petition shall be served upon the following, each of whom shall be a party entitled to participate in the proceeding:

(Deleted material [brackets]; new material underlined)

The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that every entry should be supported by a valid receipt or invoice. This ensures transparency and allows for easy verification of the data.

In the second section, the author details the various methods used to collect and analyze the data. This includes both primary and secondary sources, as well as the specific statistical techniques employed to interpret the results.

The third section presents the findings of the study. It shows a clear trend in the data, which is consistent with the initial hypothesis. The analysis reveals that there are significant differences between the two groups being compared.

Finally, the document concludes with a summary of the key points and offers some recommendations for future research. It suggests that further studies should be conducted to explore the underlying causes of the observed trends.

The author is grateful to the participants and the funding agency for their support.



NEW YORK STATE
DEPARTMENT OF SOCIAL SERVICES
40 NORTH PEARL STREET, ALBANY, NEW YORK 12243

CESAR A. PERALES
Commissioner



JOSEPH SEMIDEI
Deputy Commissioner
Division of Family
and Children Services

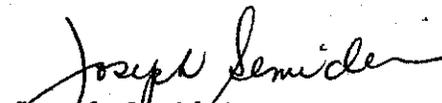
June 14, 1985

SUBJECT: Correction to 85 ADM-21

Dear Commissioner:

Your district recently received 85 ADM-21, Chapter 141 of the Laws of 1983; Extension of Foster Care Placements. Inadvertantly, a copy of Department Regulations Sections 430.1 and 431.8 did not accompany this transmittal. They are attached. Please add them to this ADM.

Sincerely,


Joseph Semidei

NEW YORK STATE

DEPARTMENT OF SOCIAL SERVICES

10 NORTH PEARL STREET, ALBANY, NEW YORK 12243

CESAR A. PERALES
Commissioner



[An Informational Letter informs local districts of potential developments in the Social Services field, or of actual or potential developments in collateral fields of interest.]

INFORMATIONAL LETTER

TRANSMITTAL NO.: 85 INF-9
[Adult Services]

TO: Commissioners of Social Services

SUBJECT: Staffing Guidelines for Protective Services for Adults

DATE: June 10, 1985

SUGGESTED DISTRIBUTION: All Commissioners
Directors of Services
Adult Services Staff

CONTACT PERSON: Questions concerning this release should be directed to your district's Protective Services for Adults Program Representative in the Division of Adult Services by calling 1-800-342-3715; Sharon Lane, ext. 3-8728; Regina Driscoll, ext. 3-1713; Kathleen Crowe, ext. 4-6607; or Irv Abelman, ext. 4-8934 or (212) 488-5097.

I. PURPOSE

The purpose of this release is to provide local districts with staffing guidelines relating to the provision of Protective Services for Adults (PSA).

II. BACKGROUND

One of the issues related to Protective Services for Adults (PSA) which the Department has examined, with the assistance of an advisory committee composed of representatives of twelve local districts, is the area of

FILING REFERENCES

Previous INFs/ADMs	Dept. Regs.	Social Services Law and Other Legal References	Bulletin/Chapter Reference	Miscellaneous References
85 ADM-5	457	473 473-a 473-b	194	

PSA staffing guidelines in local districts. Local districts are providing PSA to ever increasing number of persons, many of whom are involuntary clients and/or persons with multiple problems requiring services from several other agencies. Consequently, a great deal of casework time is required to address crisis situations, to develop comprehensive assessment and services plans which reflect the involvement of all necessary service providers, as well as to provide ongoing direct services to these clients. In view of the importance of this issue, the committee members agreed that guidelines relating to PSA caseload size should be developed. The following staffing guidelines represent the consensus of the committee.

In caseloads consisting of PSA clients only, it is recommended that each worker carry a caseload of 20 to 30 clients. The exact size of a worker's caseload should be determined by the following factors:

- o the number of clients a worker serves who are involuntary;
- o the number of clients a worker serves who require legal intervention;
- o the number of clients a worker serves who require financial management;
- o whether the worker is responsible for intakes as well as undercare cases; and/or
- o whether the worker provides transportation for clients.

The greater the extent to which these factors are applicable, the smaller the caseload should be. In addition, the following factors should also be considered in determining the number of cases to be assigned to each caseworker:

- o the caseworker's skills;
- o the geographic area covered by the worker;
- o the availability of paraprofessional and clerical staff to perform functions not requiring casework skills, such as transporting clients, SSRR data entry coding, maintaining tickler files, xeroxing, answering telephones, and filing; and
- o the involvement of other agencies in the delivery of services.

For generic caseloads, it is recommended that each worker carry a caseload of 30 to 50 cases, no more than 10 to 20 of which should be PSA cases. The exact number of cases would depend on all of the factors cited above for specialized PSA caseloads, in addition to:

- o the type and complexity of the other cases assigned to the caseworker; and
- o whether a worker's caseload includes State Charge PISP clients who are residing in facilities certified by other agencies and for whom the worker is providing only the required annual follow up.

III. PROGRAM IMPLICATIONS

Adherence to the aforementioned caseload guidelines should strengthen the provision of PSA in local districts. With manageable caseloads, workers will be able to more effectively meet the needs of their PSA clients. The guidelines should also assist workers in meeting the additional PSA process standards requirements as set forth in 85 ADM-5.

IV. RECOMMENDED ACTION

Districts are strongly encouraged to adhere as closely as possible to the aforementioned guidelines in order to ensure that dependent adults receive prompt and quality services. Districts with more stringent standards in place are strongly encouraged to maintain those standards.

It is also recommended that there be a maximum per case supervisor of five workers whose caseloads include PSA clients. This recommendation recognizes the difficulty of these cases and the amount of support required by workers and is consistent with the guidelines developed for the supervision of workers providing services to children.

The Department also encourages the use of paraprofessional staff to perform functions not requiring casework skills.


Corinne Plummer
Deputy Commissioner
Division of Adult Services

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