



Office of Children and Family Services

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Commissioner

Notice

To: Associate Commissioners, Facility Managers, Facility Directors, and Assistant Directors

From: Felicia A. B. Reid, Esq., *Deputy Commissioner*
Dr. Joseph E. Tomassone, *Acting Associate Commissioner*
Dr. James Horne, *Chief of Medical Services*

Date: September 3, 2021

Re: Amendment to COVID-19, Youth in Residential Care, and Face Coverings/Masks

On August 27, 2021, the NYS Department of Health (DOH) issued [Commissioner's Determination on Indoor Masking Pursuant to 10 NYCRR 2.61](#) (DOH Determination). The following are important findings from the DOH Determination that amend the current DJJOY guidance [COVID-19, Youth in Residential Care, and Face Coverings/Masks](#). This amendment applies to youth residing at OCFS facilities.

DOH Determination Findings

*"The Centers for Disease Control and Prevention (CDC) has identified a concerning national trend of increasing circulation of the Delta COVID-19 variant, which is approximately **twice as transmissible as the SARS-CoV-2 strain**. Since early July, cases have risen 10-fold, and **95 percent** of sequenced recent positives in New York State were the Delta variant.*

Certain settings and areas (e.g., healthcare, schools, and public places located in CDC-identified areas of substantial or high community transmission) pose increased challenges and urgency for controlling the spread of this disease because of the vulnerable populations served, the disproportionate percentage of individuals (e.g., children) who are not yet eligible for the COVID-19 vaccination, and/or the substantial to high levels of community transmission."

DOH Determination Requirements

To respond to the real and serious threat the Delta variant poses, the DOH Determination **requires** all facility staff and youth residing at OCFS facilities, regardless of vaccination status, to "wear an appropriate face covering/mask when social distancing cannot be maintained" unless an "applicable CDC exception[] (e.g., eating and sleeping)" applies.

The DOH Determination Amends DJJOY Guidance for Youth Masks/Face Coverings

As to staff and masks/face coverings, [COVID-19 Safety: Face Mask/Covering Expectations and PPE for Staff](#) already covers the DOH Determination requirement. As to youth, the DOH Determination requirement is a stronger directive than that in *COVID-19, Youth in Residential Care, and Face Coverings/Masks*.

To meet the DOH Determination requirement for youth, OCFS facilities will implement incentive-based initiatives. This includes but is not limited to: incorporation of face covering/mask-wearing to the daily achievement system, incentive programming, and/or adding a face covering/mask to youth uniform expectations (see, PPM 3247.50, *Uniforms for Facility Youth*).

For the continued health and safety of facility communities, staff must be familiar with the DOH Determination. Staff are responsible for educating youth about the mask/face covering requirement and communicating with youth about what it means for and requires of them. **All other aspects of COVID-19, Youth in Residential Care, and Face Coverings/Masks remain in place.**

This notice will be addressed at an upcoming Facility Director call. If facilities have questions about the DOH Determination and/or the amendment to DJJOY's youth mask/face covering guidance, raise it on the call or reach out to your Facility Manager.

CC:

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