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## Local Commissioners Memorandum

<b>Transmittal:</b>	07-OCFS-LCM-05
<b>To:</b>	Local District Commissioners
<b>Issuing Division/Office:</b>	Development and Prevention Services
<b>Date:</b>	April 23, 2007
<b>Subject:</b>	Adoption and Foster Care Subsidies - Excludable Income for Child Care Subsidy Program Eligibility
<b>Contact Person(s):</b>	Anne.Ball@ocfs.state.ny.us
<b>Attachments:</b>	none
<b>Attachment Available Online:</b>	n/a

### I. Purpose

The purpose of this Local Commissioners Memorandum (LCM) is to establish a formal policy regarding the calculation of countable income for families in receipt of adoption and foster care subsidies and to notify social services districts of this policy.

In an effort to both support adoption and promote the broader efforts of permanency for children, social services districts are directed to exclude adoption subsidies when calculating family gross income and eligibility for the child care subsidy program. Similarly, in order to promote the recruitment and retention of foster care parents, foster care subsidies are also considered excludable family gross income when calculating income for the child care subsidy program.

## **II. Background**

Department regulations at 18 NYCRR section 404.5(b)(5) and (6) list countable and excludable family gross income sources. Because the regulations do not address adoption and foster care subsidies in calculating family monthly gross income, the Office of Children and Family Services has decided to put forth this policy.

## **III. Program Implications**

Effective no later than April 30, 2007, for all new cases, districts must exclude the amount of adoption and foster care subsidies from the determination of financial eligibility for the child care subsidy program and the calculation of the family share. For existing child care cases, this change will be effective no later than at the next case action or case recertification after April 30, 2007.

Given the previous absence of a formal policy, to the extent that this represents a change in local policy, districts' determinations will be considered appropriate up to the effective date of this LCM. Districts are not expected to review previous case denials that were based on the inclusion of either or both adoption and foster care subsidies as part of family gross income.

Any questions regarding the information included in this LCM should be directed to Children and Family Services Specialist Anne Ball, Bureau of Early Childhood Services at (518) 474-3775 or Anne.Ball@ocfs.state.ny.us.

*/s/ Jane G. Lynch*

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Deputy Commissioner  
Division of Development and Prevention Services