



Office of Children and Family Services

KATHY HOCHUL
Governor

SHEILA J. POOLE
Commissioner

Memo

To: Commissioners, Chief Executive Officers, and Executive Directors
From: Lisa Gharthey Ogundimu, Deputy Commissioner of Child Welfare and Community Services
Date: February 4, 2022
Re: COVID-19 Guidance for Foster Parent Certification and Reauthorization by Local Districts of Social Services (LDSS) and Voluntary Agencies (VA)

Department of Health 24/7 Hotline: 1-888-364-3065

In response to the COVID-19 public health emergency, the New York State Office of Children and Family Services (OCFS) has developed this guidance to assist local departments of social services(LDSS) and voluntary agencies (VAs) in completing new foster parent certification and annual reauthorizations for certified or approved foster boarding homes. This guidance is effective until April 16, 2022, unless explicitly stated otherwise in this document or any forthcoming guidance.

LDSSs and VAs are encouraged to review their own protocols to identify practices that go above and beyond what is required by state and federal statutes and regulations. If an LDSS's or VA's protocols that are unrelated to OCFS or federal requirements are causing undue hardship or endanger the health of agency staff, caregivers, children in care, or the general public, OCFS strongly recommends amending such protocols.

I. Foster Parent Initial Certification or Approval

For certification or approval of a foster family boarding home or an adoption-only home, use of technology is encouraged where it is allowed under statutory or regulatory requirements and necessary to provide protection for staff and applicants from the COVID-19 virus.

A. Training

- i. Pre-service training hours is a requirement that cannot be waived. However, until April 16, 2022, the training methods and time to complete the training is flexible. If LDSSs and VAs decide to amend the delivery method or timing for completion of the trainings offered for their families, they shall document these changes and submit the revised training plans to their respective OCFS regional office prior to initiating the new plan, so the regional office is apprised of these changes.
a. Consideration should be given to delivering trainings via videoconferencing, WebEx, or another videoconferencing platform, for the minimum ten hours required.
b. All training hours should be completed as soon as possible but are not required to be completed prior to certification or approval.
c. The foster/adoptive WebEx training calendars can be found on The Foster/Adoptive Parent Resource Center webpage, at https://www.hslcnys.org/fosterparenttraining/. This webpage

is a resource center and contains the training schedule, hosts course materials, a registration portal for foster/adoptive parents, and additional resources for this population.

- ii. CPR and First Aid training may be completed online.
- iii. Training for adoptive-only families may be waived until April 16, 2022.

B. Home Study

An initial home study must be done in-person. When completing an initial home study, the worker must take appropriate precautions including social distancing and wearing gloves and a mask. To the extent practicable, avoid touching household items.

C. Written Medical Statement

Medical statements do not require new contact with a physician. If a potential foster parent has had an annual physical within the last year, that report can be submitted to the certifying agency in satisfaction of medical records.

For other families, the families should contact their medical provider to determine what would be necessary for the physician to complete the forms. It is acceptable to send the forms to the physician electronically and to receive the completed forms back electronically via a password protected file through email or by fax. Hard copy sent through the mail is acceptable as well. If a physician requires a visit, this may be done via a telehealth appointment if the physician is willing and able to use telehealth appointments.

II. Annual Reauthorizations of Foster Boarding Homes (18 NYCRR 443.10(a))

The OCFS CONNECTIONS Implementation Specialists will provide each LDSS and VA an updated Foster Boarding Home Recertification Report. Please contact your Regional Office should you require any assistance.

A. Training for Foster Boarding Homes Qualifying for Special or Exceptional Rate Designation.

Foster parents who provide foster care for children eligible for special or exceptional maintenance payments, must complete four to five hours of agency training per year. Agency training of foster parents should be documented in the Annual Reauthorization Assessment and Determination (OCFS-5183L), as required. Per the training guidance above, these trainings may be conducted via videoconference, WebEx, or another virtual platform.

B. Other Reauthorization Requirements

The following procedures may be followed to meet the foster boarding home reauthorization requirements of *18 NYCRR 443.10(a)*:

- i. Complete a written evaluation of the home and the foster family using the Annual Reauthorization Assessment and Determination (OCFS-5183L).
 - a. When a worker is unable to physically visit the foster boarding home due to quarantine or illness related to COVID-19, virtual visitation is allowable. Whenever virtual visitation is used, the reason for such use must be documented in CONNECTIONS. When using virtual technology, it should include technology that allows the worker to visually examine the inside of the home looking for any apparent risk to the health and safety of the child(ren).

- ii. Evaluate the care provided to children in the home and the working relationship of the children with the foster parents.
 - a. Assessing the safety and well-being of children in foster care, optimally, should be done in person. However, the COVID-19 public health crisis requires the consideration of additional options to maintain the health and safety of both our children and our workers.
 - b. Depending upon the age of the child and their capacity or willingness to communicate via virtual means, children may be interviewed remotely using video-conferencing.
 - c. If children are interviewed remotely, the reason and justification for doing so must be documented in the uniform case record (i.e. child's age, maturity, proficiency with technology used, etc.).

- iii. Interviews with Foster Parents can use the same electronic/virtual contact methods used with the children when necessary. The interview should include a review of the items on the Safety Review Form (OCFS-5183E) and Foster Parent Agreement with Authorized Agencies (OCFS-5183J). Additionally, a discussion must take place regarding the findings of the recent assessments with the foster care workers assigned to child(ren) placed in the home, verifying the date of the last in-person home visit, and verifying that conditions of the home do not present any safety hazards or risks to the health and safety of the child(ren) in the home. All such communications must be documented in CONNECTIONS along with the reason and justification for using a remote interview.

- iv. Written medical statement from a physician about the foster family and additional family members' health can be done using the same methods as covered in paragraph I.C. above under initial certification.
 - a. If the foster parent or other household member cannot obtain a medical statement, that must be documented in CONNECTIONS in the Foster Adoptive Development (FAD) in the FA Home Person Detail window.
 - b. Please enter the universal date of 5/1/2022 as a placeholder until the medical documentation is obtained.
 - c. All foster parents and other household members who are granted this extension must provide updated medical statement on or before April 16, 2022. Please contact your CONNECTIONS Implementation Specialist for assistance updating the FAD.

- v. Review of the written evaluation with the foster parent before the certification or approval is renewed.
 - a. Once the evaluation form (OCFS-5183L) has been completed and reviewed with the supervisor, the worker can remotely review the evaluation with the foster parent(s). The worker may conduct a review of the evaluation via telephone, online meeting such as WebEx or Zoom or other virtual method that allows simultaneous engagement between the worker and the foster parents.
 - b. The worker may not use email to review the evaluation with the foster parent. However, email or text messaging can be used to confirm the review with the foster parent, including the date of the review, and as a means to gather any foster parent comments regarding the content of the review. The justification and detailed account of these interactions and the manner in which these communications took place should be documented in the system of record.
 - c. Additionally, the electronic communication with the foster parent may serve as confirmation of the review if a signature cannot be obtained from the foster parent prior to the expiration of the certification or approval. The worker must obtain the foster parent(s) signature on the completed OCFS-5183L as soon as reasonably practical, but no later than April 16, 2022.

- vi. The completion of criminal history record check(s).
The federal Administration for Children and Families has renewed the allowability of an emergency approval of a foster home despite incomplete criminal history screening. An LDSS may request title IV-E eligibility for an FBH that was emergency approved but was unable to be fully approved due to inability to complete a fingerprint criminal history record check as a result of the COVID-19 pandemic. To complete such request, the LDSS/VA worker must follow the guidance in 20-OCFS-ADM-23 at https://ocfs.ny.gov/main/policies/external/ocfs_2020/ADM/20-OCFS-ADM-23.pdf

III. Helpful Resources

This is a stressful time for all, especially children and their caregivers. Listed below are a few resources which can help individuals navigate this unprecedented time:

- DOH COVID-19 24/7 Hotline: **1-888-364-3065**.
- DOH COVID-19 Website: <https://coronavirus.health.ny.gov/home>
- OMH Emotional Support Helpline: **1-844-863-9314**
- Centers for Disease Control and Prevention (CDC) COVID-19 Website: <https://www.cdc.gov/coronavirus/2019-ncov/index.html>
- CDC Infection Control Basics: <https://www.cdc.gov/infectioncontrol/basics/index.html>
- CDC Caring for Children: <https://www.cdc.gov/coronavirus/2019-ncov/daily-life-coping/children.html>

Thank you for the work you do every day and for your ongoing dedication to the children and families of New York State.

Sincerely,



Lisa Ghartey-Ogundimu, Esq.
Deputy Commissioner
Division of Child Welfare and Community Service