



## Office of Children and Family Services

**ANDREW M. CUOMO**  
Governor

**SHEILA J. POOLE**  
Commissioner

April 10, 2020

Dear Commissioners, Chief Executive Officers, and Executive Directors:

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 for the duration of the emergency, unless explicitly stated otherwise in this document.

LDSS 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 or VA's protocols, 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. Scheduling and Conducting Visits in the Community**

When scheduling or conducting visits in the community, workers should first administer the NYS Department of Health (DOH) screening protocol outlined in the March 9, 2020 [Guidance for NYS Office of Children and Family Services Programs \(funded, operated, licensed, regulated, or designated providers\)](#) and updated below. **This screening is designed to determine whether there is risk of exposure to COVID-19:**

- **Have you traveled to a country for which the Centers for Disease Control (CDC) has issued a Level 2 or 3 travel designation within the last 14 days?** <https://www.cdc.gov/coronavirus/2019-ncov/travelers/map-and-travel-notice.html>
- **Have you had any exposure to a suspected or confirmed case of COVID-19 within the last 14 days?**
- **Do you have any symptoms of a respiratory infection (e.g., fever, cough, sore throat, fatigue, muscle aches or pain, or shortness of breath)?**
- **Are you or anyone in your home in active quarantine or isolation status?**

If the answer to any of the questions is "YES", the worker should not visit in-person and should only conduct the visit using remote technology, for example, telephone or videoconferencing. If the worker has questions, they should immediately consult their supervisor. If the supervisor is unclear how to proceed, promptly consult with the local health department (LHD).

## II. Foster Parent Initial Certification, Approval, and Annual Reauthorization

### A. Initial certification or approval for foster care or adoption only (as applicable to each area) (18 NYCRR Parts 421 and 443). Any requirements that can be satisfied using remote technology should be conducted in this manner.

#### Training

- Pre-service training hours is a requirement that cannot be waived. However, for the duration of this public health emergency, the training methods and time to complete the training is flexible. Consideration should be given to delivering trainings via videoconferencing, WebEx, or another videoconferencing platform, for the minimum ten hours required. All training hours are not required to be completed prior to certification or approval, but they must be completed as soon as practicable.
- Deciding Together (a CAOK MAPP product) is the only MAPP pre-certification training that can be utilized on a virtual platform. OCFS is working with the developers of this training to expand the number of offerings.
- CPR and First Aid training may be completed online during the public health emergency.
- Training for adoptive-only families may be waived until the end of this crisis, but no later than October 1, 2020.
- 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.
- If LDSS 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, so they are apprised of these changes.

#### Criminal Background Checks and Fingerprinting

*OCFS and other states have raised concerns regarding the ability to obtain required fingerprint checks. The Administration for Children and Families (ACF) has indicated the guidance from the federal government is forthcoming. Until such time, LDSS and VA's should adhere to the following:*

Criminal background checks are still required for all potential foster and/or adoptive parents and each person 18 years of age or older residing in the home. Agencies and families are strongly encouraged to schedule appointments on-line. The on-line sites contain the most up to date information. Currently available sites will be shown when applicants are scheduling their appointment.

#### Home Study

- If completing an initial home study, the worker must take appropriate precautions with social distancing, wear gloves and a mask, if available, avoid touching household items, and complete the physical check of the home, looking for apparent risks to the health and safety of child.

#### Written Medical Statement

- Medical statements do not require contact with a physician. Families can use whatever means available to have physicians complete the forms, such as email, fax, mail, etc. If a physician requires a visit, this may be done via telehealth. 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.

## **B. 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.

### **Training**

There is no training requirement associated with reauthorization per 18 NYCRR 443.10. 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; however, the additional training is not required for reauthorizations. Agency training of foster parents should be documented in the Annual Reauthorization Assessment and Determination (OCFS-5183L) reauthorization, as required. Per the training guidance above, these trainings may be conducted via videoconferencing, WebEx, or another videoconferencing platform.

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

#### **1. Complete a written evaluation of the home and the foster family using Annual Reauthorization Assessment and Determination (OCFS-5183L).**

If a worker can safely enter the home to conduct a home study, the worker must take appropriate precautions with social distancing, gloves, not touching household items, etc. The worker must complete the safety check looking for any apparent risk to the health and safety of the child(ren). If a worker is unable to physically visit the foster boarding home due to quarantine or illness related to COVID-19, that should be documented in CONNECTIONS. Remote technology, videoconferencing or FaceTime should be used, as frequently as possible, to examine the inside of the home.

#### **2. Evaluate the care provided to children in the home and the working relationship of the foster parents. This evaluation may be completed by the LDSS and/or VA using remote interviews.**

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. Depending upon the age of the child, children may be interviewed remotely using the telephone, Facetime, Skype, or other videoconferencing technology (See Guidance for Foster Care and Preventive Staff, <https://ocfs.ny.gov/main/news/2020/COVID-2020Mar20-Guidance-for-Foster-Care-and-Preventive-Staff.pdf>). The same electronic methods may be used to remotely interview the foster parents. 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 should take place on the recent assessments with the foster care workers assigned to children placed in the home, verifying the date of the last 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.

#### **3. Receive a written statement from a physician about the foster family and additional family members' health.**

A medical statement does not require face-to-face contact with a physician. Families can use whatever means available to have physicians complete the medical forms, detailing the general health of family members and submit the forms via email, fax, mail, etc. If two years have passed since the date of the last medical examination and a physician requires a visit, this may

be done via telehealth. If the foster parent has had an annual physical within the last year, that report can be submitted to satisfy the medical record requirement.

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. Please enter the universal date of 1/1/2020 as a placeholder until the medical documentation is obtained. All foster parents and other household members who are granted this extension must provide updated medical statement on or before October 1, 2020. Please contact your CONNECTIONS Implementation Specialist for assistance updating the FAD.

**4. Review the written evaluation with the foster parent before the certification or approval is renewed.**

Once the evaluation (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, Skype, FaceTime, or other video conferencing methods so that in-person contact is kept to a minimum, as much as possible. The worker may use email or text messaging 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. 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 October 1, 2020.

**5. The completion of criminal history record check(s).**

Criminal history record check for adults who are 18 years of age or older residing in the home, who did not previously have a background check conducted during the initial certification, **cannot** be waived or extended. Several fingerprinting locations are still open. Agencies and families are urged to use the attached list of all fingerprinting sites and their current status, to identify a location to complete the required fingerprinting checks. For any site closed, comments have been included indicating a nearby open location.

**A. Reopening of closed foster boarding homes (18 NYCRR 443.10(b))**

In response to the COVID-19 crisis, LDSS and VAs should give consideration to reopening foster boarding homes not closed for safety reasons. Should a determination be made to reopen a closed home, the relevant procedures set forth above for initial certification – training, criminal background checks, home study, and medical statement – shall be implemented.

### **III. 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/summary.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,

A handwritten signature in black ink, appearing to read "Lisa Ogundimu", with a long horizontal line extending to the right.

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