



Office of Children and Family Services

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Administrative Directive

Transmittal:	22-OCFS-ADM-21
To:	Executive Directors of Helping Hands New York Agencies Commissioners of Local Departments of Social Services Executive Directors of Voluntary Authorized Agencies
Issuing Division/Office:	Division of Child Welfare and Community Services
Date:	August 16, 2022
Subject:	Host Family Home Agency (Helping Hands New York) – Application for Approval and Home Study Process and Forms
Suggested Distribution:	Executive Directors of Helping Hands New York Agencies
Contact Person(s):	Section VI
Attachments:	OCFS-5481 , <i>Application for Corporate Approval and Approval to Operate a Helping Hands New York Agency in New York State</i> OCFS-5483 , <i>Document Checklist for Helping Hands New York Applications</i> OCFS-5470 , <i>Self-Assessment Helping Hands – New York Volunteer</i> OCFS-5471 , <i>Helping Hands New York Volunteer Application</i> OCFS-5474 , <i>Safety Review Form – Helping Hands New York Home</i> OCFS-5478 , <i>Final Assessment and Determination – Helping Hands New York Volunteer</i> OCFS-5484 , <i>Helping Hands New York Getting to Know Me</i>

Filing References

Previous ADMs/INFs	Releases Cancelled	NYS Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
		18 NYCRR Parts 444 and 482	Social Services Law (SSL) §§374(2) and 460-a; Title 15-A of Article 5 of the General Obligations Law (GOL)		

I. Purpose

The purpose of this Administrative Directive (ADM) is to set forth the framework for the Host Family Home Program, hereafter known as Helping Hands New York (HHNY), establish the steps required to implement the model in New York State and delineate the application process and associated forms needed for a not-for-profit to become a New York State Office of Children and Family Services (OCFS)-approved HHNY Agency. The process has been designed to provide a standardized, statewide approach to the licensing process.

II. Background

As New York State moves its child welfare system toward a child and family well-being system, utilizing a public health approach to primary prevention and keeping families together, it is imperative to strengthen social determinants of health and well-being especially for children and families living in communities most deeply harmed by generations of systemic racism. Key to this strategy is incubating and restoring tangible capacity and access to support within these very communities. The national literature and our own data are clear – far too many families in need of help and support must wait for the unwelcomed involvement from the child protective services system in order to receive the help they need – and very often the help needed is rooted in poverty. OCFS is leading the effort to implement new initiatives throughout the state aimed at giving families access to tangible goods, commodities and resources without the need for the involvement of child protective services whenever possible. HHNY, a primary prevention program, aligns with this OCFS commitment. Similar host family programs exist in over 30 states across the nation.

On December 8, 2021, New York State adopted new state regulations (18 NYCRR Part 444), to establish an HHNY, subject to OCFS approval and monitoring. The intent of the HHNY is to provide support to families outside of the child welfare system for a temporary period during a time of crisis, such as homelessness, unemployment, medical emergency, etc. HHNY, which is operated by an OCFS-approved HHNY Agency, assists parents with the arrangement of temporary care of their child(ren) in a HHNY home.

The HHNY model aligns with the principles of the federal Family First Prevention Services Act (FFPSA), namely reducing the need for children to be placed unnecessarily in foster care. It also advances OCFS's race equity agenda, which recognizes that families of color are disproportionately represented in the child welfare system. Community-based HHNY programs will afford parents the opportunity to seek assistance without having to request such help from the child welfare system or come to the attention of the child welfare system through a call made to the New York Statewide Central Register of Child Abuse and Maltreatment (SCR).

Parents using the HHNY program ***do so completely voluntarily***, and ***do not relinquish legal custody or their parental rights to their child(ren)***. The child's parent will execute a designation of a "person in parental relation,"¹ allowing the HHNY volunteer to temporarily care for their child(ren). At any time, the child's parent can terminate the designation of a "person in parental relation" and bring the child back to the home of origin. Additionally, the parent and child, as age appropriate, must complete the *Getting to Know Me* form (OCFS-5484), which must be provided to the HHNY volunteer prior to the HHNY volunteer agreeing to care for the child. The *Getting to Know Me* form will assist the HHNY volunteer to understand the needs of the child and to help the child assimilate into the HHNY volunteer's home. The *Getting to Know Me* form is in addition to the information the HHNY Agency must provide to an HHNY volunteer as required by OCFS regulation 18 NYCRR 444.14.

Parents may not execute a "person in parental relation" if they are a subject of an open investigation of a report of suspected child abuse or maltreatment, or of an open indicated case of child abuse or maltreatment.

Parents are entitled to see and have contact with their child(ren) while being cared for by an HHNY volunteer. The length of time a parent may need assistance to care for their child(ren) can vary from a few days up to six months. If stay in the HHNY home is needed for more than the six months, a new

¹ Title 15-A of Article 5 of the General Obligations Law.

form must be executed extending the designation for an additional six months, if the parent so desires and if reviewed and approved by the HHNY Agency.

HHNY volunteers are individuals who want to help parents facing difficult challenges and have the capacity to provide that assistance in their own home. The HHNY Agency is responsible for the screening (Statewide Central Register, criminal background and Staff Exclusion List), training and supervision of HHNY volunteers. HHNY volunteers do not receive monetary compensation from the parents or caregivers, state, local department of social services or the HHNY Agency for care of the child(ren).

Each HHNY Agency must evaluate HHNY volunteers through an application process that includes background checks, a home study that includes a review of references, medical reports and other required information.² HHNY Agencies are required to provide training to HHNY volunteers including, but not limited to, parents' legal rights, race equity and cultural competency, implicit bias, trauma-informed care and the impact of Adverse Childhood Experiences (ACES) on child development.

For each HHNY volunteer, the HHNY Agency must make an assessment and determination regarding the appropriateness of using the HHNY volunteer before a parent can be referred to that HHNY volunteer. Additionally, the HHNY Agency must provide supervision of the child(ren) cared for in the HHNY home through contacts and conferences with the child(ren), parents and HHNY volunteers.

HHNY Agencies will provide a list of vetted and qualified HHNY volunteers that live near the parent for their consideration. The child's parent will decide which HHNY volunteer they will work with to support their child during this temporary period. HHNY Agencies will also provide the parent with information and referrals for services in the parent's community to help address any additional needs of the family. Nothing in 18 NYCRR Part 444 precludes a parent from pursuing a voluntary placement agreement with an LDSS placing their child in foster care.

Only not-for-profit agencies may apply to OCFS to be an HHNY Agency. HHNY programs must be administered by an approved HHNY Agency. Each prospective HHNY Agency should review 18 NYCRR Part 444 ([OCFS.NOA.444-Regulations.pdf \(ny.gov\)](#)) in its entirety so they are aware of all regulatory requirements before applying for OCFS approval.

As part of OCFS's equity agenda, OCFS will widely disseminate a letter of interest (LOI) to non-for-profit and other community organizations, soliciting interest in becoming designated as an HHNY Agency with a strong emphasis on attracting smaller, grassroots organizations most familiar with the community and the families living in it. Respondents to the LOI will be invited to regional information sessions and will have the opportunity to join in a learning collaborative with other interested agencies. The OCFS-led learning collaborative will provide peer support, training, guidance and continued technical assistance as providers apply for and become approved HHNY Agencies.

III. Program Implications

Application Process

Not-for-profit corporations looking to become an OCFS-approved HHNY Agency must complete OCFS 5481, *Application for Corporate Approval and Approval to Operate an HHNY Family Home Agency in New York State*. Additionally, OCFS 5483, *Document Checklist for HHNY Applications*, is provided to help prospective HHNY Agencies keep track of the necessary documents required to be submitted with the application as noted below.

- Resumes for all board members

² See Helping Hands NY Agency application.

- If applicable, current license/approval from each state, county or municipality in which the corporation operates, and a letter from the licensing/approving authority in each state in which the corporation operates indicating that it is in good standing and that there are no unresolved complaints against it
- If applicable, a copy of any notice issued by a licensing/approving authority for a suspension, termination or revocation of any license/approval issued in any state to operate an HHNY Program or Agency
- Documentation supporting compliance with the New York Charities Bureau
- Most recent set of certified public accountant (CPA)-audited financial statements together with the opinion letter
- A current policy and procedure manual pursuant to 18 NYCRR 444.9 that addresses the day-to-day provision of HHNY services as they will be provided in New York State
- All agency brochures and guidance documents that will be used by the HHNY Agency as numerated in item 10 of the application, including the *Designation of Person in Parental Relationship* form that complies with 18 NYCRR 444.5(h).

Completed forms and required documentation must be sent to the OCFS regional office(s) in the area in which you plan to serve. A list of OCFS regional offices and the counties they serve can be found on the OCFS webpage at <https://ocfs.ny.gov/directories/regional-offices.php>.

Guidance on Background Checks

HHNY Agencies are required to inquire of OCFS whether the HHNY volunteer applicant is the subject of an indicated child abuse or maltreatment report on file with the SCR; inquire of the Justice Center for the Protection of People With Special Needs (Justice Center); and whether the HHNY volunteer applicant is listed on the register of substantiated Category One cases of abuse or neglect. Additionally, the HHNY Agency must inform persons who express an interest in volunteering that each HHNY volunteer applicant and household member over the age of 18 must obtain their criminal history from the New York State Division of Criminal Justice Services (DCJS) and provide such history to the HHNY Agency prior to the approval of the HHNY volunteer. Guidance on the review of the findings can be found on the OCFS website by reviewing the Administrative Directives (ADM) listed below.

- Criminal History Information [(18 NYCRR 444.9(f)]³ - Prospective HHNY volunteers and applicants for employment with an Agency with the potential for substantial, unsupervised or unrestricted access to children - See 16-OCFS-ADM-20 and 17-OCFS-ADM-16, specifically the application of Article 23-A of the Correction Law.
- Statewide Central Register Checks [18 NYCRR 444.11(d)]⁴ - Prospective applicants to volunteer as an HHNY volunteer - See 18-OCFS-ADM-08.
- Justice Center - If the HHNY volunteer applicant is on the Staff Exclusion List, the Agency can make a determination based on the information it has available whether to approve the volunteer - See 13-OCFS-ADM-09.⁵

The HHNY Home – Home Study

As noted in 18 NYCRR 444.15, prior to an HHNY volunteer receiving a child(ren) for care, a home study of the HHNY volunteer applicant must be completed. The purpose of the home study is to provide the HHNY Agency with sufficient information to determine if the HHNY volunteer applicant is equipped and ready to host a child in their home. The home study and evaluation must determine compliance with the following criteria:

³ [OCFS.NOA.444-Regulations.pdf \(ny.gov\)](#).

⁴ Ibid.

⁵ [13-OCFS-ADM-09; Justice Center Staff Exclusion List Clearance Requirements \(ny.gov\)](#).

- Age
- Health
- Employment
- Character
- Ability and motivation

The HHNY Agency must also develop a record for each applicant and each approved HHNY volunteer. The items to be included are noted in 18 NYCRR 444.15(d)

The following forms must be used to enroll a HHNY volunteer.

OCFS-5471, Helping Hands New York Volunteer Application

Form OCFS-5471, *Volunteer Application*, provides a uniform application that is used by all HHNY Agencies across New York State. Each volunteer applicant is required to independently complete form OCFS-5471, *HHNY Volunteer Application*. HHNY volunteer married couples are required to only complete one application. Form OCFS-5471, *Volunteer Application*, is used to elicit information about the HHNY volunteer applicant(s), including the following:

- Basic demographic information
- Household composition
- Foster/Adoptive parenting experience
- Transportation
- References
- Employment information
- Home business information
- Plan for supervision

Form OCFS-5471, *Volunteer Application*, also includes a section requiring each HHNY volunteer applicant(s) to submit a sworn statement indicating whether, to the best of the HHNY volunteer's knowledge, the HHNY volunteer, or any other person over the age of 18 currently residing in the home, has ever been convicted of a crime in New York State or in any other jurisdiction.

OCFS-5470, Self-Assessment

Form OCFS-5470, *Self-Assessment*, includes a series of questions designed to have HHNY volunteer applicants and their families, if applicable, consider as to why they want to become HHNY volunteers, stimulate conversation about the various aspects of the process, and provide an opportunity for the HHNY volunteer to assess the potential impact that becoming an HHNY volunteer would have on their life. HHNY volunteer applicants should complete form OCFS-5470, *Self-Assessment*, together as a family. One form should be completed for each individual or couple. *Note: It is unlikely that every person in the family will answer each question the same way, so multiple answers can be listed for each question. If the question is not applicable to the applicant(s) and their family, "N/A" should be written in the space provided.*

The OCFS-5470, *Self-Assessment*, should be completed at least once in the process. However, it is recommended that it be completed as needed throughout the application process as the HHNY volunteer applicant's family circumstances and understanding of HHNY homes evolve. Each time the OCFS-5470, *Self-Assessment*, is reviewed and the level of family readiness is assessed, the HHNY volunteer applicant(s), the agency worker and the agency worker's supervisor must sign the completed form. The hard copy must be maintained in the HHNY volunteer's file.

After the HHNY volunteer applicant(s) completes form OCFS-5470, *Self-Assessment*, the agency worker and the family should discuss and identify together the readiness level of each individual/family and what needs to be done to help support the individual/family.

There are three levels of family readiness:

- **Early Stages:** The individual/family has some understanding about what hosting a child involves but needs more information and discussion about the impact on them and their family, and how best to support a non-relative child and their parent.
- **Minimal Support Needed:** The individual/family needs some support and/or more information from the HHNY Agency on what the experience of hosting a child will be like and what impact it will have on them and their family. The individual/family is willing and able to learn.
- **Acceptable:** The individual/family is prepared and knowledgeable about the experience of hosting a child and the impact on them and their family as well as the impact upon the non-relative child and their parents.

HHNY agency workers must use the information to assess the appropriate next steps in the home study process, including what supports, if any, are needed before approving the HHNY volunteer applicant(s).

OCFS-5474, Safety Review Form

The OCFS-5474, *Safety Review Form*, is to be completed by the HHNY Agency during an inspection of the HHNY volunteer applicant's physical residence. The OCFS-5474, *Safety Review Form*, must also be completed if there is a significant structural or physical change to the home and/or the HHNY volunteer applicant moves. Information collected in the form must be considered as part of the final assessment and determination as to whether to approve the HHNY volunteer applicant(s).

OCFS-5478, Final Assessment and Determination

At the completion of the HHNY volunteer applicant's home study, the HHNY Agency must complete the OCFS-5478, *Final Assessment and Determination*. The HHNY Agency must provide a written analysis of the decision to approve or not approve the HHNY volunteer applicant(s). This decision is based on all the information gathered through completed forms, interviews/home visits, and ongoing communication and trainings (legal rights of parent and child, cultural sensitivity, implicit bias, and trauma-informed care). The HHNY agency worker must summarize and describe the HHNY volunteer applicant(s)' ability to meet all regulatory requirements, partner with families and the HHNY Agency and meet the children's need to be cared for in their home.

Section I contains a list of regulatory requirements that must be completed during the home study process for each HHNY volunteer applicant. The HHNY agency worker must select "yes" if the requirement is satisfied or "no" if it is not. There is also space for the agency worker to explain the decision.

Section II is an assessment of the home study components. The HHNY agency worker must take the information gathered and summarize each area assessed as it impacts the HHNY volunteer applicant's ability to care for a child in their home. The agency worker must list strengths, considerations and supports needed for each section.

Section III is the space where the HHNY Agency records the determination on whether to approve, not approve, withdraw or discontinue the HHNY volunteer application. The HHNY agency worker must consider all regulatory standards set forth in 18 NYCRR Part 444 necessary

to approve an HHNY volunteer application when making a final decision on whether the HHNY volunteer can be approved, which also includes all components of the application and home study process. This is a decision that must be made by the HHNY Agency worker and supervisor.

If an HHNY Agency denies approval upon completion of the home study, it must advise the HHNY volunteer applicant(s) in writing of the reasons for the HHNY Agency's decision and must offer the HHNY volunteer applicant(s) an opportunity for an in-person discussion of the decision with the HHNY agency worker's supervisor. If the rejection is based in whole or in part on the existence of an indicated report of child abuse or maltreatment, that fact and an explanation must be included in the notice.

Section IV is where any comments the HHNY volunteer applicant(s) has about the home study and HHNY Agency determination are entered.

Section V reflects any changes since the last annual approval. This is referred to as an "update/addendum."

Section VI is the space where the HHNY agency worker records the determination on whether to approve or not approve the update/addendum.

Section VII is the space where any comments the HHNY volunteer applicant(s) has about the update/addendum and HHNY Agency determination are entered.

IV. Required Action

Any community not-for-profit that wishes to apply for corporate approval to operate an HHNY Agency in New York State must utilize the templates released with this ADM. These forms cannot be altered under any circumstances. HHNY Agency applicants can submit additional documentation as needed. Completed application forms must be submitted to the OCFS regional office that covers the area(s) they wish to serve (see link to the OCFS website above for the list of counties in each regional office). Additionally, approved HHNY Agencies must use the standardized templates for conducting the home study of an HHNY volunteer applicant(s).

V. Systems Implications

None

VI. Contacts

Any questions concerning this release should be directed to the appropriate regional office, Division of Child Welfare and Community Services:

Buffalo Regional Office – Amanda Darling (716) 847-3145
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VII. Effective Date

This policy directive is effective immediately upon release.

Lisa Gharthey Ogundimu, Esq.

Issued by:

Name: Lisa Gharthey Ogundimu, Esq.

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