



Office of Children and Family Services

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Commissioner

Administrative Directive

Transmittal:	19-OCFS-ADM-05
To:	Runaway and Homeless Youth Residential Programs Municipal Youth Bureaus Runaway and Homeless Youth Service Coordinators
Issuing Division/Office:	Division of Youth Development and Partnerships for Success, Bureau of Health and Wellbeing
Date:	July 31, 2019
Subject:	Notification of Expanded Services in a Residential Transitional Independent Living Support Program (TILP)
Suggested Distribution:	OCFS Regional Offices
Contact Person(s):	(518) 474-4110, RHY@ocfs.ny.gov
Attachments:	Attachment A: <i>Notification of Expanded Services in a Residential Transitional Independent Living Support Program (TILP)</i> Attachment B: OCFS-2133, <i>Notification to OCFS of an Extended Length of Stay in a Residential RHY Program</i>

Filing References

Previous ADMs/INFs	Releases Cancelled	NYS Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
		9 NYCRR Sections 165-1.3(d) & 182-2.2(c), (k) and (s) and 182-2.9(d)	Article 19-H and sections 420, 532-a and 532-d of the Executive Law; Part M of Chapter 56 of the Laws of 2017		

I. Purpose

The purpose of this Administrative Directive (ADM) is to clarify the conditions under which a runaway and homeless youth (RHY) service coordinator, and others as designated by a municipality in the RHY section of the Child and Family Services Plan (CFSP), must provide

written notification to the New York State Office of Children and Family Services (OCFS) of a circumstance warranting extended residential services for a homeless youth in a residential Transitional Independent Living Support Program (TILP). These conditions were created as a result of amendments to sections 420 and 532-d of the Executive Law, and the applicable regulations under Part M of Chapter 56 of the Laws of 2017. This policy applies only to extended lengths of stay for homeless youth in TILPs; lengths of stay for runaway youth served by residential RHY crisis services programs are addressed in 19-OCFS-ADM-06, *Notification of Increased Length of Stay in a Runaway and Homeless Youth Crisis Services Program*.

II. Background

There are two types of residential TILPs: supported residences and group residences. OCFS-certified TILPs provide housing and supportive services to homeless youth within the age range of 16 through 20. If approved by OCFS as part of a municipality's CFSP or otherwise authorized by OCFS, TILPs may also serve homeless young adults who are within the age range of 21 through 24 years old. In some circumstances a youth who is under 16 years of age may also access TILP residential services. The goal of TILPs is to support homeless youth progress from crisis to stability.

Housing and supportive services may be provided to a homeless youth in a TILP program for a period of up to 18 months, or for a period of up to 24 months when authorized in the municipality's approved CFSP. Homeless youth who are not yet 18 years old but who have reached the maximum length of stay may remain in a TILP until such youth turns 18, or for an additional six months after the maximum length of stay has been reached, whichever comes first.

Under section 532-a(6) of the Executive Law, a TILP is any residential program established and operated to provide supportive services in accordance with the applicable regulations to enable homeless youth to progress from crisis care to transitional independent living.

Under section 532-a(2) of the Executive Law, a homeless youth is defined as

- a person under the age of 18 who is in need of services and is without a place of shelter where supervision and care are available, or
- a person who is under the age of 21 but at least 18 years of age who is in need of services and is without a place of shelter.

The definition of homeless youth may also include homeless young adults when a municipality's CFSP authorizes services to be provided to such individuals. Section 532-a(9) of the Executive Law defines a homeless young adult as a person who is age 24 or younger, but who is at least 21, who is in need of services and is without a place of shelter.

III. Program Implications

Changes made to the Executive Law by Part M, Chapter 56 of the Laws of 2017, also allow for homeless youth under the age of 16 to access TILP residential services when authorized in the municipality's CFSP, and when the municipality believes circumstances warrant those services be provided to best meet the needs of the youth.

Additionally, changes made to the Executive Law by Part M, Chapter 56 of the Laws of 2017 allow homeless youth who are not yet 18 years old but have reached the maximum length of stay to remain in a residential TILP until such youth turns 18, or for an additional six months if the youth is still under 18 years old. In these instances, notification to OCFS is not required.

Changes made to the Executive Law by Part M, Chapter 56 of the Laws of 2017 also allow for youth who entered a TILP before the age of 21 to continue receiving residential services in the TILP beyond the maximum length of stay when a municipality believes circumstances warrant the additional services be provided to best meet the needs of the individual.

Notification must be submitted to OCFS, as outlined in section IV. Required Action, in each situation where the municipality believes that circumstances warrant a homeless youth under 16 years of age receiving residential TILP services, and where a homeless youth who entered a TILP before attaining the age of 21 seeks shelter past the program's maximum length of stay.

IV. Required Action

Actions for Municipalities

A. Residential TILP Services for Homeless Youth Under 16

When a municipality believes that circumstances exist to warrant a youth under the age of 16 access residential services in a TILP, and the CFSP allows for such services to be provided, the RHY service coordinator, or designee as specified in the CFSP, **must** provide written notification to OCFS within **60 calendar days** of the youth's admission to the TILP. Form OCFS-2133 is provided for this purpose.

The following information must be included in the notification:

1. The condition(s) that made TILP services necessary;
2. Efforts made by the program to find other suitable living arrangements;
3. The outcomes of those efforts; and
4. A tentative date that the youth will be successfully discharged from the program, and efforts planned to prepare the youth for such discharge.

B. Additional Length of Stay in a TILP for Youth Who Accessed Services Before Age 21

When a municipality believes that circumstances exist to warrant a youth who entered a TILP before the age of 21 to continue receiving residential services beyond the maximum length of stay, written notification **must** be made to OCFS. Notification must be made by the RHY service coordinator or designee, as specified in the CFSP, at least **60 calendar days** before the youth's maximum permissible length of stay expires. Form OCFS-2133 is provided for this purpose.

The following information must be included in the notification:

1. The condition(s) that make the extended provision of TILP services necessary;
2. Efforts made by the program to find other suitable living arrangements;
3. The outcomes of those efforts; and

4. A tentative date when the youth will be successfully discharged from the program, and efforts to prepare the youth for such discharge.

Form OCFS-2133 is to be submitted via email to OCFS at RHY@ocfs.ny.gov; a copy of the notification is to be maintained in the youth's case file. OCFS will acknowledge the notification within five business days of the receipt of the notification. Unless OCFS advises a more suitable course of action than that identified in the notification, the plan of action is deemed acceptable. OCFS may instruct the program on how to seek a more suitable alternative living arrangement.

Actions for Programs

When youth who have been provided with an extended length of stay beyond what is allowed for by the municipality's CFSP are discharged, the program must notify the municipality's RHY service coordinator. This discharge notification must be made in writing and include a summary of the youth's discharge plan. Following discharge of any youth from a TILP, regardless of their length of stay, programs must continue to provide case management and other non-residential services for at least 90 days after discharge; programs must document all efforts made to provide services after discharge in youth's case records.

In accordance with 9 NYCRR section 182-2.12 (a), residential TILPs that are not funded as part of any municipality's approved CFSP may apply to OCFS for a variance related to the length of time youth may remain in TILPs subject to the same limitations placed on municipalities. To initiate this process, programs must contact OCFS either by email at RHY@ocfs.ny.gov or by writing to the mailing address below:

New York State Office of Children and Family Services
Attn: RHY
52 Washington Street, 338N
Rensselaer, NY 12144

V. Contacts

For additional guidance, please contact RHY@ocfs.ny.gov or (518) 474-4110 during normal business hours.

VI. Effective Date

This policy is effective immediately.

/s/ Nina Aledort

Issued By:

Name: Nina Aledort, Ph.D.

Title: Deputy Commissioner

Division/Office: Division of Youth Development and Partnerships for Success