



# Office of Children and Family Services

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## Local Commissioners Memorandum

<b>Transmittal:</b>	20-OCFS-LCM-01
<b>To:</b>	Local District Commissioners
<b>Issuing Division/Office:</b>	Division of Administration Bureau of Budget Management
<b>Date:</b>	January 3, 2020
<b>Subject:</b>	<b>Raise the Age Detention Startup Expenses</b>
<b>Contact Person(s):</b>	See section V.
<b>Attachments:</b>	None

### I. Purpose

The purpose of this Local Commissioners Memorandum (LCM) is to provide localities with claiming instructions for Raise the Age (RTA) expenses for detention startup.

### II. Background

Part WWW of Chapter 59 of the Laws of 2017 contains the provisions for the enacted RTA legislation. The RTA law raised the age of criminal responsibility to 18 years of age, in a phased-in manner over two years, and applies to youth who are

- o 16 years old beginning October 1, 2018; and
- o 17 years old beginning October 1, 2019.

Pursuant to Chapter 53 of the Laws of 2018, SFY 2018-19 appropriation authority is available for reimbursement of eligible RTA claims, provided the provisions of the laws and SFY 2018-19 claiming deadlines are met. The appropriation includes a provision that allows the state to reimburse localities that meet eligibility criteria, net of federal, for 100 percent of the incremental costs for RTA. To be eligible for reimbursement, the appropriation requires that a locality submit a Comprehensive Fiscal Plan for RTA to the New York State Office of Children and Family Services (OCFS) and the state Division of Criminal Justice Services that identifies anticipated, eligible incremental RTA-related

costs. The Comprehensive Fiscal Plan for RTA must be submitted to and approved by the state Division of the Budget (DOB) for an eligible locality to be reimbursed for 100 percent of its costs. A locality is deemed eligible if it meets the criteria set forth in State Finance Law §54-m. All subsequent claims submitted by an eligible locality, except for costs where separate guidance has been provided, such as secure and specialized secure detention for non-provider counties and foster care costs reimbursed within the maximum state aid rate, must have been included in an eligible locality's DOB-approved Comprehensive Fiscal Plan for RTA. For eligible localities, 100 percent state reimbursement is available net of any federal funds for services and related expenses included in the locality's DOB-approved Comprehensive Fiscal Plan for RTA that are provided to RTA-eligible youth.

### III. Program Implications

Counties may have incurred costs associated with developing capacity and meeting security upgrade requirements to support RTA. Counties are eligible to receive reimbursement for these expenses incurred during the period from April 1, 2018, to December 31, 2019, if such expenses are included in the DOB-approved Comprehensive Fiscal Plan for RTA.

Separate guidance has been provided for services claimed through the Automated Claiming System (ACS) in 19-OCFS-LCM-02, *Raise the Age Claiming*; 19-OCFS-LCM-03, *Raise the Age Public Safety Claiming*; 19-OCFS-LCM-28, *Raise the Age Behavioral Health*; 19-OCFS-LCM-29, *Raise the Age Caseworker Training Expenses*; and 19-OCFS-LCM-30, *Raise the Age Treahy Consultation Services LLC Expenses*. Separate guidance will be provided for services not typically claimed through the ACS. Policies, procedures, and system updates will continue to be released and the associated documentation updated accordingly.

### IV. Claiming

DOB-approved "All Other" RTA expenditures must be separately identified and claimed through the RF-17 claim package for special project claiming. The costs must be identified as F17 functional costs and reported in the RF-2A claim package on the Schedule D, *DSS Administrative Expenses Allocation and Distribution by Function and Program* (LDSS-2347), in the F17 column. The individual project costs must also be reported under the project label "RTA Detention Startup" on the LDSS-4975A, *RF-17 Worksheet, Distribution of Allocated Costs to Other Reimbursable Programs*.

Total project costs, including all costs regardless of state reimbursement, must be reported on the LDSS-4975, *Monthly Statement of Special Project Claims Federal and State Aid (RF-17)*. Please note that associated central services (previously known as A-87 costs) are not reimbursable from state funds and, therefore, are 100 percent local share. Local districts' administrative costs are an allowable expense under this project and will be reimbursed at 100 percent state share up to the district's approved allocation from the DOB-approved Comprehensive Fiscal Plan for RTA. Salary and fringe benefit costs related to RTA detention startup may be directly charged to the RF-17 claim package.

To receive reimbursement, eligible "All Other" RTA Detention Startup expenditures must have been incurred between April 01, 2018, and December 31, 2019, and final accepted in the ACS by March 31, 2020.

Further instructions for completing the Schedule D and RF-17 claim package can be found in Chapters 7 and 18, respectively, of the *Fiscal Reference Manual* (FRM), Volume 3. The FRMs are available online at <http://otda.state.ny.net/bfdm/finance/>.

## V. Contact Information

**Any fiscal questions regarding the RTA program should be directed to:**

Shonna Clinton, Chief Budgeting Analyst, Bureau of Budget Management,  
(518) 474-1361, [Shonna.Clinton@ocfs.ny.gov](mailto:Shonna.Clinton@ocfs.ny.gov)

**Programmatic questions should be directed to Detention Services:**

Dan Hulihan, 518-473-4511, [Daniel.hulihan@ocfs.ny.gov](mailto:Daniel.hulihan@ocfs.ny.gov)

### **Automated Claiming System Questions**

Regions 1-5: Lauren Horn, (518) 474-7549, [otda.sm.Field\\_Ops.I-IV@otda.ny.gov](mailto:otda.sm.Field_Ops.I-IV@otda.ny.gov)

Region 6: Michael Simon, (212) 961-8250, [Michael.Simon@otda.ny.gov](mailto:Michael.Simon@otda.ny.gov)

*/s/ Derek J. Holtzclaw*

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#### **Issued by:**

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Division/Office: Administration