

RURAL AREA FLEXIBILITY ANALYSIS

1. Types and estimated number of rural areas:

The proposed regulations will have a minimal impact on the 44 local departments of social services (LDSSs) and 35 voluntary authorized agencies (VAs) that are in rural areas. The regulations would have the impact of expanding the authority to issue waivers to non-safety, non-statutory requirements for foster home approval. Currently, such waiver authority exists for approving relatives within the third degree of the child as foster parents. The regulations would expand such authority to include any relative and adults with a positive relationship to the child or child's family. This may result in a small number of new kinship foster homes. This may also create new capacity in existing foster homes for children who might otherwise be placed in congregate care.

2. Reporting, recordkeeping and other compliance requirements:

The proposed regulations would have a minimal impact on recordkeeping requirements. Local departments of social services must document determinations related to the issuance of waivers, and kinship homes must be accurately recorded in CONNECTIONS to reflect their approval status.

3. Costs:

The implementation of emergency and proposed regulations will not result in costs to VAs or LDSSs, including those in rural areas. The proposed rules do not impose any new mandates. The proposed rules create the opportunity for additional kinship foster homes, and create an opportunity to reduce congregate care placements; therefore, any impact would be cost neutral.

4. Minimizing adverse impact:

It is not anticipated that the proposed regulations will result in an adverse impact on local departments of social services or small businesses that are in rural areas.

5. Rural area participation:

The New York State Office of Children and Family Services has been soliciting feedback and providing guidance statewide on strategies for increasing kinship foster care. This includes hosting a monthly statewide implementation meeting for the Family First Prevention Services Act, providing technical assistance to local departments of social services and voluntary agencies, and collaborating with consultants to identify barriers and strategies to kinship care.