



## Office of Children and Family Services

**KATHY HOCHUL**

Governor

**SHEILA J. POOLE**

Commissioner

**To:** New York State Department of State - Division of Administrative Rules

**From:** Frank J. Nuara, Associate Attorney

**Date:** January 11, 2022

**Re:** OCFS 2022 Regulatory Agenda

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Pursuant to section 202-d of the State Administrative Procedure Act (SAPA,) the Office of Children and Family Services (OCFS) is required to publish a regulatory agenda for those regulations it is considering for publication in the State Register. Set forth below is an agenda for 2022. OCFS reserves the right to add, delete or modify, without further notice, except as required by SAPA, any item or information presented herein as relating to its 2022 Regulatory Agenda. Section 202-d of SAPA does not preclude OCFS from proposing for adoption a regulation that is not described in this agenda, nor does it require OCFS to propose for adoption a regulation that is described in this agenda.

Amendment of Part 489 of Title 18 of the NYCRR for Family Type Homes for Adults.

Amendment of Parts 432 and 423 of Title 18 of the NYCRR regarding Statewide Central Registry reforms.

Full repeal and replace of Part 182 of Title 9 of the NYCRR regarding crisis shelter services, interim family host homes, transitional independent living services programs, runaway and homeless youth coordinators, and non-residential programs.

Amendment of Section 415.9 of Title 18 of the NYCRR related to childcare market rates that will change the maximum reimbursements for expenditures for childcare services funded under the NYS Child Care Block Grant and Social Services Block Grant.

Amendment of Part 168 of Title 9 of the NYCRR to address staff supervision of self-administration of medication by youth in OCFS-operated facilities and programs.

Amendment of Subpart 179-2 of Title 9 of the NYCRR to extend applicability of good behavior allowances to adolescent offenders and to youth with determinate sentences.

Repeal and replace Part 180 of Title 9 of the NYCRR to update juvenile detention regulations.

The new Part 180 will have 4 Subparts. Subpart 180-1 will define the responsibilities and functions of all county detention-administering agencies. Subpart 180-2 will implement uniform standards and procedures for the establishment and operation of non-secure detention facilities. Subpart 180-3 will implement uniform standards and procedures for the establishment and operation of secure and specialized secure detention facilities. Subpart 180-4 will implement the procedures for enforcement revocation and suspension of a detention facility operating certificate issued by OCFS. A regulatory flexibility analysis and rural area flexibility analysis may be required.

Any questions, comments, or requests for information concerning the items listed in this agenda may be referred to Frank Nuara, Associate Attorney, Office of Children and Family Services, 52 Washington Street, Rensselaer, NY 12144, (518) 474 - 9778. Email: [REGCOMMENTS@ocfs.ny.gov](mailto:REGCOMMENTS@ocfs.ny.gov) This regulatory agenda may also be accessed on OCFS's website at: <https://ocfs.ny.gov/main/legal/Regulatory/>