



Office of Children and Family Services

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Informational Letter

Transmittal:	20-OCFS-INF-11
To:	Commissioners of Social Services Executive Directors of Voluntary Authorized Agencies
Issuing Division/Office:	Child Welfare and Community Services
Date:	November 20, 2020
Subject:	Contemporaneous Documentation of Casework Contacts With Children in Foster Care
Suggested Distribution:	Directors of Social Services Child Welfare Supervisors Foster Care Supervisors Adoption Supervisors Preventive Supervisors Staff Development Coordinators
Contact Person(s):	See section VI.
Attachments:	None.

Filing References

Previous ADMs/INFs	Releases Cancelled	NYS Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
10-OCFS-INF-02 16-OCFS-ADM-16		18 NYCRR §§ 428.5 and 441.21			

I. Purpose

The purpose of this informational letter (INF) is to remind the local departments of social services (LDSSs) and voluntary authorized agencies (VAs) of the importance of adhering to the regulatory requirements of conducting face-to-face casework contacts with children in foster care and receiving preventive services contemporaneously documenting these casework contacts in the child's CONNECTIONS (CONNX) case record.

II. Background

The New York State Office of Children and Family Services (OCFS) previously issued an INF, *Casework Contacts: Best Practice Guidelines* ([10-OCFS-INF-02](#)) on April 14, 2010, and an Administrative Directive (ADM), *Casework Contacts for Children in Foster Care* ([16-OCFS-ADM-16](#)) on September 7, 2016, informing LDSSs and VAs of the requirements and best practice guidelines for making and documenting required casework contacts. This INF is a reminder of those best practice guidelines and of the importance of timely documentation of such casework contacts.

Casework contacts with children in foster care are an essential casework activity that promotes the safety, well-being, and permanency of children. Following the first 30 days of placement in foster care, children should be seen every 30 days, at a minimum. However, it is strongly recommended that children are seen as frequently as necessary and possible, as research indicates that the more casework contacts the better the outcomes are for children.¹ It is vital that required casework contacts are occurring and that details of these contacts are being documented contemporaneously, which means documenting information within 30 days from when the event occurred. Additionally, diligent oversight and supervision of such casework activity is expected as this also further promotes the safety and well-being of children in foster care.

III. Program Implications

Federal law requires that children in foster care be visited at minimum on a monthly basis. In addition, it is required that the caseworker's visits are well-planned and focused on issues pertinent to case planning and service delivery to ensure the safety, permanency, and well-being of the children. Federal statute² and guidance and OCFS regulation³ define casework contacts with the child as **face-to-face** individual or group contacts between the case planner or the caseworker assigned to the child, as directed by the case planner or the case manager and the child. The purpose of the contacts is to assess the child's safety and well-being, to evaluate or reevaluate the child's permanency needs and permanency goal, and to guide the child toward a course of action aimed at resolving problems of a social, emotional or developmental nature that are contributing toward the reason(s) why such child is in foster care.

In addition, casework contacts must also encompass face-to-face contact with the individuals caring for the children and the child's parents and/or relatives, as defined by OCFS regulation,⁴ and for the duration of the state of emergency related to COVID-19, in accordance with OCFS guidance that reflects situational flexibility related to the pandemic.⁵

¹ 10-OCFS-INF-02.

² See Section 422(b)(17) of the federal Social Security Act.

³ See the Administration of Children and Families *Child Welfare Policy Manual*, Section 7.3 and 18 NYCRR 441.21 (c) (1).

⁴ 18 NYCRR 441.21 (b) and 18 NYCRR 441.21 (d).

⁵ See the Administration of Children and Families *Child Welfare Policy Manual*, Section 7.3 question 8, and OCFS guidance at: <https://ocfs.ny.gov/main/news/2020/COVID-2020Mar20-Guidance-for-Foster-Care-and-Preventive-Staff.pdf>.

Frequency of Casework Contacts With the Child

During the first 30 days of placement, in accordance with the guidance and legal requirements listed above, the following must occur:

- Casework contacts are to be held with the child as often as is necessary to implement the services and tasks specified in the family's and children's services plan, **but**
- must occur at least twice, **and**
- at least one of the two contacts must be held at the child's placement location.

The focus of the initial contacts with the child must include, but need not be limited to, determining the child's reaction to the separation and their adjustment to the out-of-home placement and arranging for services necessary to meet their needs.

After the first 30 days of placement, the following must occur:

- casework contacts are to be held with the child at a **minimum of once a month, and**
- at least two of the monthly contacts every 90 days must be at the child's placement location.

Contemporaneous Documentation of Casework Contact

OCFS regulation⁶ requires that progress notes must be entered as contemporaneously as possible with the occurrence of the event or the receipt of the information, which is to be recorded. Contemporaneous documentation is defined as within **30 days** from when the face-to-face casework contact occurred.

For example, after the first 30 days of placement of a child, a face-to-face contact with the child must occur at a minimum of once a month. It is expected that each month the LDSS or VA caseworker will enter details of the casework contact with the child into the child's CONNX case record within 30 days. Therefore, prior to the next regulatory required monthly face-to-face casework contact, the case record must indicate details of the previous casework contact. Supervisors and/or administrators should be monitoring the case records and verifying that the minimum regulatory required contacts are occurring, and that documentation is being entered contemporaneously.

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⁶ 18 NYCRR 428.5(a).

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