



Office of Children and Family Services

Andrew M. Cuomo
Governor

52 WASHINGTON STREET
RENSSELAER, NY 12144

Sheila J. Poole
Commissioner

Local Commissioners Memorandum

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| Transmittal: | 20-OCFS-LCM-20 |
| To: | Local Social Services District Commissioners |
| Issuing Division/Office: | Division of Child Welfare and Community Services Division of Administration |
| Date: | December 11, 2020 |
| Subject: | CARES Act Funding |
| Contact Person(s): | CARESActNY@ocfs.ny.gov |
| Attachments: | Attachment A: <i>Attachment for U.S. Department of Health and Human Services Grants</i> Attachment B: <i>CARES Act NY Fund District Allocations</i> Attachment C: <i>Attestation of Use of CARES Act Funding</i> |

I. PURPOSE

The purpose of this Local Commissioners Memorandum (LCM) is to advise local departments of social services (LDSSs) of the availability of \$1.9 million provided under the CARES Act supplemental title IV-B, subpart 1. The supplemental title IV-B, subpart 1 funds provided under the CARES Act may be used to prevent, prepare for or respond to COVID-19 in a manner consistent with the purposes of title IV-B, subpart 1, found in section 421 of the CARES Act. This LCM explains the allocation methodology, allowable expenditures and requirements for LDSSs to receive this funding.

II. BACKGROUND

On March 27, 2020, President Donald J. Trump signed into law the CARES Act, which provides emergency funding under numerous federal programs to respond to COVID-19. Title VIII of Division B of the CARES Act includes \$45 million in additional appropriations for title IV-B, subpart 1 of the Act. These funds are to be used by child welfare agencies to prevent, prepare for and respond to child welfare needs arising from the coronavirus pandemic.

The New York State Office of Children and Family Services (OCFS) received \$1.9 million in funding under the CARES Act. OCFS has allocated these funds to LDSSs to address the additional activities and challenges that have arisen due to the COVID-19 pandemic, as allowable under title IV-B of the Act, including to support the safety, permanency and well-being of children and families involved in the child welfare system during the COVID-19 pandemic.

III. PROGRAM IMPLICATIONS

The CARES Act NY funding recognizes the need for additional funds for LDSSs to support the safety, permanency and well-being of children in families involved in the child welfare system during the COVID-19 pandemic. It is critical that child welfare personnel and service providers have the tools and equipment to be able to safely visit children, families and foster homes whenever possible, as well as the technological supports to remain in contact remotely when that is not possible.

As such, these funds can be used to restore amounts, either directly or through reimbursement, for obligations incurred to prevent, prepare for and respond to COVID-19 beginning January 20, 2020.

LDSSs can use CARES Act NY funds for purposes that are consistent with title IV-B, subpart 1, as stated above, and that support efforts to prevent, prepare for and respond to the coronavirus pandemic. LDSSs will need to account for these payments with the purchase of service (POS) types in the Benefits Issuance Control System (BICS) that line up with associated preventive services that go to the Schedule G in the Automated Claiming System.

A. Allowable Expenditures

Examples of allowable expenditures are listed below.

- Provide concrete assistance to families, such as purchasing food or arranging food delivery, obtaining household supplies or paying utilities and rent. Agencies should be careful to ensure that such assistance is not duplicative of other assistance families may be receiving, including supplemental food and utility assistance that was provided by the CARES Act and other COVID-19 response legislation.
- Enhance agency telecommunications hardware, software and service infrastructure to support telework and remote participation by agency employees in caseworker visits, family team meetings and court hearings. Examples of hardware to support activities include cell phones, tablets and laptop computers. Examples of software include video conferencing applications, electronic case file applications or systems for secure electronic document transmission. Services may include software subscription payments, internet service or cell phone plans.
- Purchase cell phones, tablets, laptops, internet service, cell phone plans or other technological tools for families and youth to ensure that they are able to participate in remote parenting time, sibling visits, court hearings or access to other needed services.

- Purchase personal protective equipment (PPE) for child protective services investigators and caseworkers to minimize exposure to COVID-19 when conducting critical child protective service investigations or in-home caseworker visits.

B. Requirements to Receive Funds

To receive the allocated funds, LDSSs **must** complete the *Attestation of Use of CARES Act NY Fund* form (Attachment A) and submit it to OCFS for approval via email at: CARESActNY@ocfs.ny.gov no later than **January 29, 2021**.

IV. ALLOCATION METHODOLOGY

The Title IV-B Subpart 1 CARES allocations provide \$1,902,197 for the reimbursement of LDSS expenditures. The allocation of these funds is based on each district's proportion of COVID-19 cases as of 9/17/20, with each LDSS receiving a minimum allocation of \$1,000. If an LDSS does not fully expend its allocation, the funds may be reallocated to other LDSSs with eligible claims that exceed their allocation. Eligible title IV-B, subpart 1, CARES services expenditures in excess of the allocation are eligible for state reimbursement at the rate of 62 percent for child welfare services.

V. FISCAL AND CLAIMING

Eligible claims submitted for expenditures from January 20, 2020, through September 30, 2020, that are final accepted in the Office of Temporary and Disability Assistance (OTDA) Automated Claiming System (ACS) by March 31, 2021, for federal title IV-B, subpart 1 reimbursement will automatically be applied to this federal funding. Any overclaim will be applied to federal title IV-B, subpart 1 funding with any remaining overclaim being eligible for 62 percent state reimbursement through the SFY 2020-21/FFY 2019-20 Child Welfare Settlement. LDSSs will see payments for title IV-B, subpart 1 of the CARES Act as a bottom-line adjustment with their SFY 2020-2/ FFY 2019-20 Child Welfare Settlement.

/s/ Lisa Ghartey Ogundimu

Issued by:

Name: Lisa Ghartey Ogundimu

Title: Deputy Commissioner

Division/Office: Child Welfare and Community Services

/s/ Derek J. Holtzclaw

Issued by:

Name: Derek J. Holtzclaw

Title: Deputy Commissioner

Division/Office: Administration