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FOSTER/ADOPTIVE PARENT MANUAL

April 2013

**SCO FAMILY OF SERVICES
FOSTER/ADOPTIVE PARENT MANUAL
TABLE OF CONTENTS**

INTRODUCTION.....PAGE 3

ABOUT SCO FAMILY OF SERVICES

BASICS.....PAGE 5

- Working as a member of a team
- Foster parent responsibilities
- Foster parent rights
- Training
- Placement of children in your home
- Licensing and Re-licensing
- Adoption and Guardianship

FINANCIAL ISSUES.....PAGE 12

- Foster boarding home payments
- Consideration of foster boarding home payments as income
- Foster parent insurance
- Claiming a child on your income tax
- Adoption tax credit
- Transportation
- Daycare
- School expenses
- Summer or vacation camp
- Afterschool or weekend activities
- Religious activities
- Allowance

COMMUNICATION..... PAGE 16

- Visits with parents
- On-going with caseworker
- Emergencies
- Complaints
- Consents for trips and other issues
- Confidentiality
- Health and medical care
- School
- Allegations
- Parent support group

APPENDICES

A. Guidelines and Rules for Consideration of Foster Care and Adoption Subsidy Income/Payments Financial Assistance Programs.....	Page 22
B. What Makes a Good Foster Parent?.....	Page 26
C. Suggested Reading.....	Page 32

RESOURCES FOR MORE INFORMATION

- NYS Office of Children and Family Services Foster Parent Manual
<http://www.ocfs.state.ny.us/main/publications/Pub5080.pdf>
- Having a Voice and a Choice: NYS Handbook for Relatives Raising Children
<http://www.ocfs.state.ny.us/main/publications/Pub5080.pdf>
- NYS Foster Parents' Guide to Adoption
<http://www.ocfs.state.ny.us/main/publications/Pub5033.pdf>
- NYC Foster Parents' Guide to Adoption
<http://www.ocfs.state.ny.us/main/publications/Pub5022.pdf>
- Regulations for Certified and Approved Foster Family Homes, OCFS, June 2010
<http://www.ocfs.state.ny.us/main/publications/Pub5032.pdf>
- New York City Administration for Children's Services (ACS)
<http://www.nyc.gov/html/acs/html/home/home.shtml>
- Child Welfare Information Gateway
<http://www.childwelfare.gov/>
- NYS Citizens' Coalition for Children: information, support and advocacy for foster and adoptive families www.nysccc.org
- Taking Your Place at the Table: Multi-Disciplinary Perspectives For Understanding the Structure and Mechanisms of the Foster Care System, The Foster Care Process, and Its Procedures, Policies, Standards and Practices, By Michael A. Neff, J.D.
<http://nysccc.org/wp-content/uploads/2008/12/takingyourplacerev.pdf>

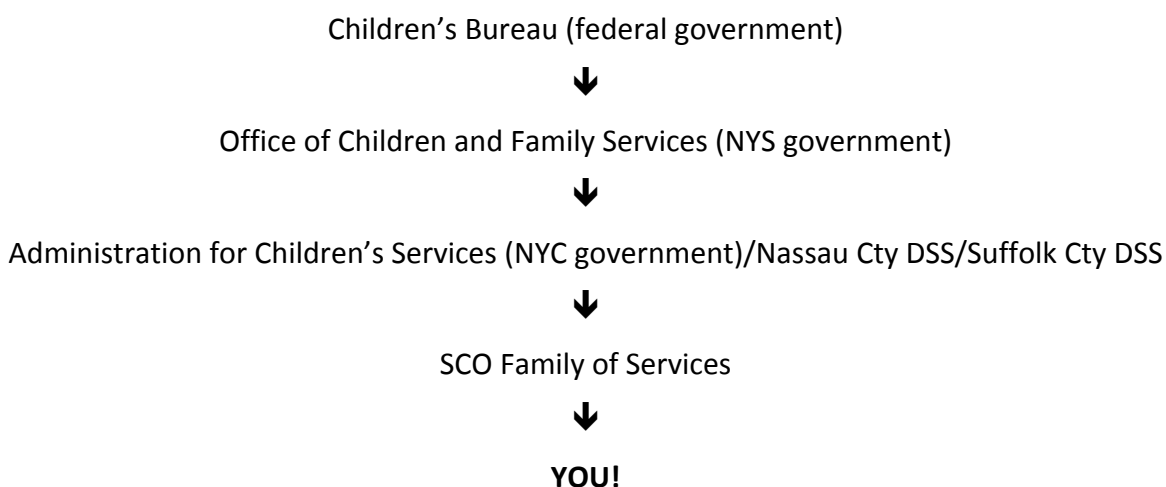
This manual was developed by Sarah Gerstenzang, Executive Director of the NYS Citizens' Coalition for Children, under contract with the Administration for Children's Services using funds provided by Casey Family Programs. November 2011

It has been adapted by Mary Hall of SCO Family of Services 4-2013.

Thank you to the following people for their contributions to this manual: Mary Burke, Cara Chambers, Susan Collins, Janet Dawoodi, Dominique Elie, Josh Kroll, Mary Nam, Michael Neff, Camelia Pierre, Julie Ridge, Helen Shin, Antoinette Sumter Cotman, Linda White, Kelly Anderson, Janet Johnson, Crystal Venable, Fritz Maitre, Lee Pardee and Mary Hall

INTRODUCTION

Congratulations on becoming a SCO Family of Services foster parent! You are now part of the largest volunteer workforce in New York State caring for some of our most vulnerable children. Your efforts are greatly appreciated and we are sure you will find much satisfaction in changing a child or children's lives. This manual is to clarify questions you might have regarding your role and responsibilities as well as financial and other matters related to foster care while working with our agency. Most law and/or policy with regard to foster parenting is set by New York State, but some is also set by the federal government, New York City and our agency. It works like this:



Note: To simplify identification of NYS regulations and policies that affect your job as a foster parent, information in italics identifies legal references and direct quotes from NYS Title 18 Code Rules and Regulations. "NYSFPM" identifies direct quotes from the NYS OCFS Foster Parent Manual. Other sources are noted in parentheses.

SCO FAMILY OF SERVICES

History

SCO Family of Services has been providing shelter and care to people in need for more than a century. It all began in 1895, when a group of wealthy women established the Country Home for Convalescent Babies in Upstate New York.

Two years later, a new home was built on 14 acres in Sea Cliff, Long Island. The Bakers, Carnegies, Morgans, Phipps and Whitneys, in addition to many other prominent New York families, supported the facility that provided care for destitute New York children. During World War II, the facility closed briefly and then reopened in 1947 under the auspices of the Diocese of Brooklyn, when it was renamed St. Christopher's Home.

In 1985, St. Christopher's Home merged with Otilie Home for Children, a Residential Treatment Center in Queens that provides care for adolescents with serious emotional needs and mild

mental retardation, to form St. Christopher-Ottillie. Since then, the agency has continued to grow and flourish.

In 1996, a second merger took place with Madonna Heights Services in Dix Hills, Long Island. Madonna Heights provides a variety of programs for women and girls in need.

In 1999, St. Christopher-Ottillie merged with Family Dynamics, an organization dedicated to improving the lives of New York families, bringing an even greater number of programs for children and families.

As a reflection of the tremendous growth in the scope and range of our services, we changed our name from St. Christopher-Ottillie to SCO Family of Services in December 2004. The new name was chosen to honor our rich heritage and promising future in the service of families. SCO Family of Services captures the essence of who we serve, how we collaborate as an organization, and what we offer the children and families of New York.

Today, SCO Family of Services provides a comprehensive array of services to children and families throughout New York City and Long Island.

SCO Family of Services

SCO Family of Services helps vulnerable New Yorkers build a strong foundation for the future. We get young children off to a good start, launch youth into adulthood, stabilize and strengthen families and unlock potential for children and adults with special needs. We enable New Yorkers to meet life's challenges with support, care and acceptance. SCO has played a vital role delivering human services in communities throughout New York City and Long Island for more than 100 years.

SCO helps over 60,000 people annually through more than 80 programs at over 100 locations. We focus on six core areas:

- Early Childhood Services
- Education and Youth Services
- Family Support Services
- Foster Care Services
- Shelters and Homeless Services
- Special Needs and Behavioral Health Services

SCO website: www.sco.org

24-hour Emergency Hotline: 718.895.8670 / 516.676.5332 / 516.241.3014

BASICS

WORKING AS A MEMBER OF A TEAM

As a foster parent, you are doing the most important job in providing nurturing care and safety for the children in your home. However, there are others who are also doing important work. It is essential that you work together as a team to ensure the best outcomes for the children in foster care. Here are the team members and their responsibilities:

Foster parent: Provide all physical and emotional care (including coordination with school and medical/mental health appointments) for children placed in your home. Share information about the child with his/her birth parents during visits. Communicate with the caseworker assigned to the children's case regularly to share information about the child's development and needs. Attend all meetings and court appearances and be prepared to share information (both improvements and challenges) about the child. As your agency partner, we suggest the following approach to sharing information: Keep a notebook to review with caseworker at each visit. Log in all agency contacts. Document any issues, questions or concerns that can wait for the regular casework visit.

Birth parents: Participate in services so that they may safely parent their child. Visit their child as often as permitted. Share information with you that will help you to care for the child.

Caseworker: Identify services for the birth parents that will help them parent their children. Assess the family to determine the level of supervision required in visits and the ability of the parents to safely care for their children when/if they return home. Work with you to get services for the children in your home, if necessary. Document all aspects of the case in the case record.

Judge: While our agency and the child's attorney will make recommendations as to what is in the best interest of a child, the judge has the authority to make all decisions regarding where a child will live, under the guidance of federal and state laws. The judge will also want to hear from you! The best way to share information with the court is to attend all court appearances and exercise your right to be heard.

RESPONSIBILITIES

Foster parenting is a challenging job and ultimately, extremely rewarding. It comes with many responsibilities as noted below. It is our mission to ensure that you always feel supported in the work you do; you will find information on support in other sections of this manual. We hope you never hesitate to reach out when you need support!

One of the regular and important responsibilities of a SCO Family of Service's foster parent is transporting or arranging for transportation for family visits, medical appointments, school and events.

You are required to attend Family Team Conferences (FTC) every six months to discuss what is happening with the children in your care. We will discuss the following: whether the birth parents and agency are following the service plan, if the plan should be modified, family visits, the child's safety and well-being, and the child's projected discharge date from foster care.

You must tell us if people move in or out of your home or if you are changing the inside of your home by construction, for example. We will not remove a child from your home when your family circumstances change unless we determine that the change is harming the child. [NYCCR 443.3 (o)(3)]. All household members residing in home 18 or older must be fingerprinted and cleared. If decision is to move child a 10-day notice will be issued.

You, as a foster parent, need to make intelligent, reasoned decisions regarding leaving children home alone. All children develop at their own rate, and with their own special needs and abilities. Some children are responsible, intelligent, and independent enough to be left alone at 12 or 13 years of age. Likewise, there are some teenagers who are too irresponsible or who have special needs that limit their ability to be safe if they are left alone. **Always check with your case worker before allowing any child to be left alone.** Babysitters must be at least 18 years of age (OCFS FAQ). All babysitters must be cleared through the state central register.

FOSTER PARENT RIGHTS

You have the right (1) to have your application to adopt a child who has been in your care for 12 continuous months given preference and first consideration over all other applicants as provided by section 383.3 of the Social Services Law; (2) to intervene, as an interested party, in any court proceeding involving the custody of a child you have cared for, for more than 12 months; and (3) to be given notice and an opportunity to be heard at all permanency hearings for any child in your care. [NYCRR 443.3(m)(1-30)]

Permanency hearings will be held in court eight months after the child has been removed from home. Each subsequent permanency hearing must be held six months after completion of the prior one. We will share the report about the child that we will be presenting in court with the Administration for Children's Services (ACS) before the permanency hearing. ACS will share the report with you as well as the time and date of the hearing 14 days in advance. It is your right to attend all hearings and we strongly encourage you to do so.

You have the right to hire an attorney and have [your attorney] assist you at court in abuse and neglect, permanency and termination of parental rights cases. The court is required to provide a free attorney if you are indigent and cannot afford an attorney.

If a child has lived with you for more than one year, you have the right at a permanency hearing to object to the court giving a child to a relative on a custody petition that the relative has brought and you can request the court hold a "best interest hearing" to see if the custody to a relative would be in the child's best interests.

You can bring on a termination of parent rights matter if the court orders us (the agency) to do so and we do not do it within 90 days of being ordered to do so or if the child has been in care for 19 months and we have not brought a petition.” (Source: *“The Rights of Foster Parents in NYS”*, Margaret A. Burt, Esq. 2009)

You have the right to leave our agency and volunteer as a foster parent with another agency. We will transfer your records to that agency within 30 days after home has been assessed to be in good standing. You can only be licensed by and work with one foster care agency at a time. However, if you have children in foster care currently in your home, you must have our consent for those children to be transferred to another agency.

TRAINING

Federal law requires that “...before a child in foster care under the responsibility of the State is placed with prospective foster parents, the prospective foster parents will be prepared adequately with the appropriate knowledge and skills to provide for the needs of the child [this is your Group Preparation Selection II/Model Approach to Partnership in Parenting (GPS II/MAPP) training], and that such preparation will be continued, as necessary, after the placement of the child.” [Social Security Act Sec. 471 (24)]

Pre-service training requirements for a regular foster boarding home (RFBH) are 30 hours of GPS II/MAPP. If you decide to become a resource (foster) parent for a child who is related to you (within the 3rd degree) or a child with whom you have a prior significant relationship (we will work with you to determine whether your prior relationship meets the requirements) you are required to attend mini-MAPP (15 hours) or Caring for Our Own (27 hours). If you choose to become a Therapeutic Foster Parent (TFFC), you must attend PST (Parent Skills Training) for 27 hours in addition to GPSII/MAPP or mini-MAPP. If you are married or co-parenting, both you and your partner must attend all pre-service and in-service training.

To meet the requirement that you be trained to meet the needs of the children in your care, we require 12 hours of training every year. Six hours must be at our agency, through iLinc, at ACS or at another contract agency. An additional 6 hours may be provided in the community. If you are caring for a child who has special needs, we require 12 hours of training each year and recommend an additional 6 hours either at our agency, in the community or by professionals who are treating the child in your care. If you are caring for a child who has exceptional needs, we require 15 hours of training each year and recommend an additional 9 hours either at our agency, in the community or by professionals who are treating the child in your care. We send calendars of all foster parent trainings and dates to you semi-annually with reminders each month.

You may meet the annual training hour requirement by attending trainings held at our agency or given by ACS or by attending the NYSCCC annual conference each May or another similar conference. We do not have funds available to support conference attendance. You may also attend training on a specific topic related to the needs of a child such as developmental disabilities or educational disabilities. To get credit, you must have prior authorization from the

caseworker or your homefinder and a signed certificate of attendance from the instructor indicating the topic, date, and hours of the training.

You can also earn training credits on line. We recommend you explore online training opportunities and discuss earning online credits with your caseworker or homefinder. Available resources include the Center for Development of Human Services' free, NYS-approved iLinc courses at <http://www.bsc-cdhs.org/fosterparenttraining/> and online training resources on the NYSCCC website at <http://nysccc.org/family-supports/helping-services/trainingopportunities/online-parent-training/>

We maintain a record of foster parent training hours and recommend you keep one for yourself, as you could lose your certification for failing to earn the required training hours. It is your responsibility to ensure that you have met the annual training requirement before your annual renewal date.

PLACEMENT AND REMOVAL OF CHILDREN IN YOUR HOME

You have the right to accept or decline which children are placed in your home. The social worker should give you known background information before the child is placed with you. The parents' names and addresses may be blacked out in any copied information, but you will have access to this information. Below is what you are entitled to know by NYS law:

Social Services Law 373-a: Such medical histories shall include all available information setting forth conditions or diseases believed to be hereditary, any drugs or medication taken during pregnancy by the child's natural mother and any other information, including any psychological information in the case of a child legally freed for adoption or when such child has been adopted, or in the case of a child to be placed in foster care or placed in foster care, which may be a factor influencing the child's present or future health.

Section 443.2 e (3) of the NYCRR: Authorized agencies shall provide basic information to foster parents about each child who is to be placed in the home. Where a child is placed on an emergency basis, such information shall be provided within 30 days of placement. Information shall include, but need not be limited to the following topics:

- i. the estimated length of time a child may need to be in placement and the assumptions and knowledge on which the estimate is based;*
- ii. the health of the child, including the procedure to be followed in obtaining consent for emergency medical treatment in accordance with section 507.5 of this Title and the child's medical history in accordance with the provisions of section 357.3 of this Title;*
- iii. handicaps or behavior problems;*
- iv. school and educational experiences;*
- v. the relationship of the child and the natural parents;*
- vi. requirements and plans for visitation of and by the natural family, including probable location of such visits; and*
- vii. placement and discharge goals.*

NYS regulations allow you to be certified or approved to care for up to six children (including your own children 13 years and under) at one time assuming that you have an appropriate amount of physical space. Only two of those children can be under two years old unless we give you special permission, for example - in order that siblings are not separated. You can care for two additional (a total of eight) children if the additional children are siblings, or siblings of a child in your home, or the children are free for adoption and you plan to adopt them. [NYCRR 443.1 (j)] We can also make an exception to exceed the limit to place a child in your home that previously lived with you and is coming back into foster care or from an institution if we think it is best for the child and you are in agreement. [NYCRR 443.6 (b)]

Here are issues and circumstances we must consider when making decisions about placing a child in a foster home: if relatives are available to care for a child; if there is sufficient space in available homes to accommodate a sibling group if the child has siblings already in care (siblings must be placed together, if possible); the preference of the parent regarding the child's religion; whether the child can stay in his/her school and; whether the foster family speaks the child's primary language.

American Indian children have a right to be placed with an American Indian family but race, color or national origin may not be routinely considered in placing any other children. (NYSFPM p. 12-13.) We also make every effort to place children who have lived with you previously and are returning to foster care or from an institution, back into your care rather than in another foster home. [NYCRR 443.6 (f)]

Here is our process to make sure this happens. The Homefinder assigned to you will do an initial assessment of your home for space and your ability to provide sufficient supervision and care to all the children currently in your home. A decision will be made, with your input, to determine how many foster children of what ages you could provide care for. This is an ongoing process and can be updated at anytime. SCO Homefinders or Intake staff will always call you to discuss a child or children that we would like you to consider for placement. We will provide you with all the information regarding the child that is available to us.

Boys and girls over the age of seven cannot share a bedroom and you cannot put more than three children together in one bedroom. Children who are four years and older can not sleep in the same room with an adult of the opposite sex and no child can sleep in the same bed with an adult. All children need to have their own beds.

As a result of amended regulations (*Flexibility in Sleeping Arrangement Requirements for Sibling Foster Care Placements 3/21/11*) we are permitted to consider the following sleeping arrangements provided they are consistent with the health, safety and welfare of each child and such arrangements are necessary to place siblings or half-siblings together in the same foster home: siblings and half-siblings of the opposite sex over the age of 7 years of age can sleep in the same bedroom and more than 3 persons can occupy the same bedroom if the children are siblings or half-siblings.

If you live above the first floor, you must have window guards. You must also have at least one smoke detector and one carbon monoxide alarm on each floor. You may not rent rooms to lodgers. [NYCCR 443.3 (a)]

You are also entitled to request that a child be removed from your home. However, it is very traumatic for children to be moved even if they seem unhappy with you. Research has shown that children in foster care who move less have better outcomes (e.g., they behave better and do better in school). It is your responsibility to ask for help from us at the first sign of problems, and it is our responsibility to provide you with training, support and contact with experienced professionals to assist you in effectively parenting the children in your care. If necessary, ACS can schedule a Placement Preservation conference to assess and determine needed resources so that the child can remain with you. We view asking for help as a sign of a strong and competent foster parent! SCO Family of Services requires that a foster parent provide, in writing, any request for a child in their care to be removed. We will make every effort to find a new home for a child within 30 days of your request.

We may decide to remove a child from your home. If we do so, we must provide you with a written 10-day notice (form CS 701D). (SCO staff may remove a child without notice if the child's health and safety are at risk or if there is a court order.) You have the right to request a conference and can contact ACS Office of Advocacy to conduct an Independent Review to discuss why the child is being removed and why you think the child should not be moved. Foster parents of children from other counties can request a conference at the agency. You are allowed to bring someone with you to the meeting for support, including an attorney, a friend or whomever you choose. You will get a letter sent to you within 5 days telling you the outcome from the meeting. The letter must include information about how you can request a Fair Hearing from the Office of Children and Family Services (NYS) if you disagree with the decision. [NYCCC 443.5 (a-e)]

"Ultimately, you may even request a court proceeding to contest our decision to remove a child from your home regardless of how long the child has been with your family." (*The Rights of Foster Parents in NYS*, Margaret A. Burt, Esq. 2009)

LICENSING AND RE-LICENSING

Before you can be licensed as a foster parent you must undergo a New York State child abuse and maltreatment clearance and a state and federal criminal clearance through fingerprints. We must inspect your home to make sure it meets all safety requirements. You must attend training (see below for details). You must provide us with a variety of documentation, e.g. medical status report, financial documents. We must receive four (4) written character references.

You are entitled to review your home study (except for the references which are confidential) and to write a note about your thoughts about what has been written about you and your family before you and the home finder sign it. [NYCRR 443.3 (16)(e)]. Your certificate of approval that you will receive when you are licensed will specify the maximum number of

children and the ages and sex of the children you can care for in your home. We can change this with your agreement.

We are required to review all foster families every year to renew their foster parent certification. As part of that process, we will write an evaluation of your home and family which also includes how you care for the children in your home as well as how well you work with us. We are required to review this evaluation with you orally. You are also required to have an annual completed Tuberculosis (TB) Clearance Form completed by your doctor (which states either that you are at low risk for TB or have had a negative TB test) and an annual physical with written confirmation of good health by your doctor for you and each member of your household with us. In addition, anyone over the age of 18 who has moved into your home or who has turned 18 in the past year must be cleared by state central registry and have a federal and state criminal history record check. *[NYCRR 443.10 (a) (1-5)]*

We will maintain a file of information about you that includes your application information, summaries of your annual licensing renewals, copies of correspondence between us, and summaries of conferences where we have discussed your status with the agency. *[NYCRR 443.2 (f) (1-10)]*

If we decide not to renew your foster parent certification, we must tell you in a letter that is postmarked at least 20 days before your certificate expires. You are also entitled to meet with us to review the decision. *[NYCRR 443.11 (3) (b)]* We will specify whom to contact to set this up in the letter.

As long as you submit all necessary documents and completed in-service trainings for annual renewal in a timely way, your certification will remain in effect, even if we are delayed in processing the paperwork. *[NYCRR 443.10 (d)]*

Foster parents are entitled to Fair Hearings regarding decisions that they disagree with, e.g too low foster care rate, closing of their home, removing a child, an “indicated” OSI finding. Fair Hearings can be requested by calling 1-800-342-3334 or writing to:

New York State Office of Children and Families
Bureau of Special Hearings
PO Box 1930
Albany, NY 12201-1930

ADOPTION AND GUARDIANSHIP

NYS has dual licensure for foster and adoptive parents which means that the same standards would apply for licensing foster and adoptive parents. Any applicant for concurrent foster home certification/ approval and adoptive parent approval will not be required to submit dual documentation to the authorized agency.

FINANCIAL ISSUES

FOSTER BOARDING HOME PAYMENTS

Foster parents are to be reimbursed for the “cost of (and the cost of providing) food, clothing, shelter, daily supervision, school supplies, a child’s personal incidentals, liability insurance with respect to a child, reasonable travel to the child’s home for visitation, and reasonable travel for the child to remain in the school in which the child was enrolled at placement.” [42 U.S.C. 675(4)(A)] SCO family of Services provides the maximum rate that OCFS has set directly to you to cover all costs incurred. Foster parents are required to provide for the child’s needs, even if the costs exceed the rate provided.

We may not withhold or delay foster boarding home payments to you for any reason such as missing training hours. NYS sets a maximum per diem rate that we can reimburse you as a foster parent. We will reimburse you for each day the child is in your care.

We will count the first day the child comes to you but not the day that the child leaves in calculating your reimbursement. Infants and toddlers are entitled to a diaper allowance each month. We must specially authorize a diaper allowance for a child over the age of 3 years. We will also give you a separate allowance for clothing each month. If a child leaves your care, you are obligated to send his/her clothing and all other belongings with him/her.

Some children are determined to have special or exceptional needs and their foster parents are reimbursed at a higher rate. Foster parents of children who receive the higher rate must demonstrate that they are capable of meeting the child’s needs by being available to attend multiple appointments regarding the child’s physical, emotional and mental needs as well as participate in additional training. The following information summarizes the regulations for special and exceptional rate eligibility, pursuant to New York State Department of Social Services Title 18 regulations, Sections 427.2, 427.6, and 427.15.

The special rate is applicable for a child who:

- suffers from pronounced physical conditions and a physician certifies that the child requires a high degree of physical care; or
- is awaiting a family court hearing on a PINS or JD petition or is adjudicated a PINS or JD; or
- has been diagnosed by a qualified psychiatrist or psychologist as being moderately developmentally disabled, emotionally disturbed or having a behavioral disorder which requires a high degree of supervision; or
- is a refugee or Cuban/Haitian entrant and is unable to function successfully in the community; or
- entered foster care directly from inpatient hospital care. This child is eligible for the special rate for one year. After that, eligibility depends on meeting one of the other conditions; or
- has an equivalent condition as determined by the local commissioner.

The exceptional rate is applicable for a child who:

- requires, as certified by a physician, 24-hour a day care provided by qualified nurses or persons supervised by qualified nurses; or
- has severe behavior problems characterized by the infliction of violence on themselves, other persons or their physical surroundings, and who has been certified by a qualified psychiatrist or psychologist as requiring high levels of individual supervision in the home; or
- has been diagnosed by a qualified physician as having severe mental illness, such as child schizophrenia, severe developmental disabilities, brain damage or autism; or
- has been diagnosed by a physician as having AIDS or HIV-related illness. If a child tests positive for HIV infection then seroconverts to negative, the child remains eligible for the exceptional rate for one year. After that, eligibility depends on meeting one of the other conditions; or
- has an equivalent condition as determined by the local commissioner.

We are obligated by law to review the circumstances of every child who comes into foster care and determine if they qualify for the special or exceptional rate. We will let you know what level rate a child will receive within thirty days of the child being placed with you. If you disagree with our determination, you should contact your caseworker to request a conference to discuss the situation. You also have up to 60 days to request a fair hearing (see the back of the Notification of Foster Care Room and Board Payment form/LDSS-7018). You can initiate the process to change the rate level at any time a child's circumstances change or you learn more about the child. (*NYSOCFS Administrative Directive 08-OCFS ADM-03*)

Infants are also entitled to WIC (coupons for free formula and some food). To get WIC coupons contact your caseworker.

CONSIDERATION OF FOSTER CARE BOARDING HOME PAYMENTS AS INCOME

Foster Care boarding home payments are not considered as family income for income tax purposes. They are also not considered family income for: food stamps; temporary assistance (public assistance); subsidized housing; supplemental security income; free or reduced school meal programs (children in foster care are automatically entitled to free lunches at school); child care subsidies, Medicaid; and Family and Child Health Plus Programs. (See Appendix A for more information.)

FOSTER PARENT INSURANCE

"Foster parents are exempt from liability for damages to certain real or personal property caused by a foster child who is over age 10 and under age 18. Foster parents also are exempt from responsibility for damages done to public property belonging to a municipality, a school district, or state government. Foster parents also generally are not liable for damages caused by a foster child under the age of 10.

Foster parents may be liable for damages caused by a foster child regardless of the child's age if they did not properly supervise the child or if they directed the child to perform the damaging action. Under certain circumstances, the DSS Commissioner may be liable for damages resulting from improper supervision. " (NYSFPM p. 38)

We highly recommend that you have homeowner or apartment insurance for accidental damages that happen to your home while a child is in your care. Compensation up to a maximum of \$1000 over a two-year period can be given for damage to and/or loss of your personal property caused by a child in your care (after you have sought compensation from your insurance carrier). You might also ask your parent support group or caseworker about foster parent insurance to cover intentional damage by a child (above the \$1000 that we can reimburse you) to your home or a neighbor's home or for your legal fees should you be sued for a child's actions while the child is in your care.

CLAIMING A CHILD ON FEDERAL INCOME TAX OR EARNED INCOME/CHILD TAX CREDITS

The most authoritative source for information on whether foster parents can claim a child as a dependent is [IRS publication 501, Exemptions, Standard Deduction and Filing Information](#). A child in foster care may be claimed if he or she: is (a) under 19 at the close of the calendar year, (b) a full-time student who is under 24 at the close of the tax year, or (c) any age if permanently and totally disabled; lives with the taxpayer (i.e. foster parent) for more than one-half the tax year; and does not provide more than half his or her own support during the tax year. (Note that it doesn't matter how much of the child's support the taxpayer provides, merely that the child himself cannot provide more than half his own support.) Foster care payments received by the foster parent on behalf of the child are considered support provided by the government, and not as support provided by the child. At this time, however, the federal government requires the child's social security number for any claim, but agencies are not allowed to give this number to foster parents. There is an effort to get the government to issue alternative Tax ID numbers for foster children, but this has not been successful yet.

An alternative is an Adoption Taxpayer Identification Number (ATIN) issued by the Internal Revenue Service as a temporary taxpayer identification number for the child in a domestic adoption where the adopting taxpayers do not have and/or are unable to obtain the child's Social Security Number (SSN). If you are in the process of adopting a child, are eligible to claim the child as your dependent, and you do not have the child's SSN, then you will need to request an ATIN in order to claim the child as a dependent. (Source and for more information: <http://nysccc.org/fostercare/financial-supports/claiming-foster-children-as-dependants/>)

ADOPTION TAX CREDIT

Families who adopt a child from foster care with an adoption subsidy in 2010 and 2011 are eligible to receive a refundable federal adoption tax credit of \$13,170 per child. A refundable adoption tax credit does not require any out-of-pocket expenses or tax liability which means you get back the credit regardless of what you owed or paid in taxes for the year. Families who adopt a child from foster care with an adoption subsidy in 2012 are eligible to receive an adoption credit (\$12,500 estimated at time of publication of this manual) against owed taxes.

Families are not required to document expenses. The relevant IRS forms are 8839 and the accompanying instructions. (More information: <http://nysccc.org/adoption/financial-supports/adoption-tax-issues/>)

TRANSPORTATION

The foster care boarding home payment includes reimbursement for all transportation including the child's visits with their parents and siblings. We will reimburse your subway fare/gas mileage/parking for bringing a child to a family visit at our agency, another foster home or any approved family visit if the distance is over 50 miles.

If you transport a child in a private vehicle you must insure that:

- Vehicle's inspection and registration is current

- Vehicle is insured as required by NYS law

- Vehicle has age appropriate seat belts and car seats for all passengers

- The driver must have a valid driver's license

DAYCARE

We cannot pay for daycare for the children in your home if you work full time. We will assist with filling out an application for NYC or County daycare. It may take several months for the daycare application to be processed. During this waiting period, you will have to pay for the cost of daycare out of the foster care boarding home payment.

SCHOOL EXPENSES

You must pay for most school expenses out of the monthly foster care boarding home payment. SCO will assist for senior dues. We will pay for any educational tutoring that a child needs if it is not available through the child's school or other means.

SUMMER OR VACATION CAMP

Sleep-away camp will be paid for, for up to two weeks, a maximum of \$225 per week. Day camp will be paid for up to a maximum of \$290 for the summer.

AFTERSCHOOL OR WEEKEND ACTIVITIES

There is no funding available for afterschool programs. You will have to pay for the cost of these programs out of the foster care boarding home payment. .

RELIGIOUS ACTIVITIES

We will pay for religious activities including attire for religious ceremonies.

ALLOWANCE

A portion of the monthly boarding home payment may be used to give a child an allowance and we encourage this practice. This amount should be fair and equitable according to the child's age and daily needs. Allowance should not be used for the child's basic living needs such as soap, toothpaste, etc. Here are some recommendations:

<u>Age</u>	<u>Allowance</u>
12-13	\$10 per week/\$40 per month
14-15	\$20 per week/\$80 per month
16-17	\$25-\$30 per week/\$100-\$120 per month
18 and older	\$50 per week/\$200 per month

SCO recommends giving allowance on a weekly or bi-weekly basis.

COMMUNICATION

VISITS WITH PARENTS AND SIBLINGS

You must facilitate visits or communication at least twice a month for a child in your home with his/her parents and siblings or half-siblings living somewhere else. It is our responsibility to plan and supervise the visits, including determining the frequency and level of supervision required. It is your responsibility to bring the child on time. Your caseworker will also let you know whether visits or communication by telephone or email, etc. is required. If the birth parents are incarcerated in the tri-state area, they are entitled to visits with their children at least once per month.

Visits (in addition to other meetings) are a great opportunity to set up a constructive relationship with the birth parents of the children in your care. The first time you will meet the birth parents will be at the Parent to Parent (P2P) meeting held in the first 48 hours at our agency after the children are placed with you. This meeting is arranged by your caseworker but is primarily for you and the birth parents to get to know each other. It gives you an opportunity to meet the birth parents without the children there and to begin to develop a relationship of mutual support for the benefit of the children. Here are some tips to start and continue your shared parenting relationship: ask the birth parent questions about their child (schedule, likes/dislikes, etc.); give the birth parent a letter about your experience caring for children (consider including pictures of the child's bedroom, etc.); give pictures of the child to their parent; and ask the parent to bring something personal (e.g., pictures or a toy) for the child to keep with them in your home. For more suggestions on shared parenting, please visit: <http://nysccc.org/fostercare/shared-parenting/>.

ON-GOING WITH CASEWORKER

Your caseworker will also be meeting with you and visiting your home at least once each month. It is also helpful to keep your caseworker up to date on what is happening with you and your family, such as if you begin a new job. We suggest you keep a notebook or journal to share with caseworker at their visits.

EMERGENCIES

During regular business hours, call your caseworker. If caseworker is not available, call the supervisor. Please insure that you have your worker's and supervisor's name and office numbers. After hours or on weekends, call the SCO Hotline number: 718-895-8670 or 516-676-5332. When calling the hotline please have child's full name handy. Some of the things we consider an emergency are when a child: runs away, needs to go to the hospital, intentionally hurts him/herself or others, gets arrested, or displays violent behavior. Likewise, if you have a personal or family emergency such as a death in your family or a medical issue, please call and let your caseworker know as soon as possible. We encourage you to contact the agency at any time.

CONCERNS/COMPLAINTS

We work to involve foster parents meaningfully in our agency policy development and program planning activities. We do this by an advisory group or foster parent support group. Each office has a Foster Adoptive Parent Association. SCO has a foster parent advocate. Please ask your Homefinder for the name and number of the FAPA and advocate for their site. A foster parent advocate's job is to provide a sympathetic ear for your concerns, help you understand agency or foster care policies and procedures, and inform you how to request or advocate for needed services for yourself or your foster child.

SCO has a grievance policy with regard to obtaining an administrative review of any complaint you have about agency policy or practice. *[NYCRR 443.3 (l)]* Whenever you have a concern or complaint, the best thing to do is to talk to your caseworker or homefinder. If your concern or complaint involves the caseworker or homefinder, talk to their supervisor. If the worker and supervisor are unable to address your concern or complaint, contact the Quality Improvement Specialist assigned to your program. The QI Specialist will talk with you, help you complete a written grievance form, and develop a plan of action with you. The grievance will continue to move up the chain of command at SCO until your concern or complaint has been resolved.

CONSENTS FOR TRIPS AND OTHER ISSUES

We hope that you are able to bring the children in your care on vacation with you! Please just let us know in advance in order that we can obtain permission from the child's parents. For all trips outside the State or Country, you must provide information (address and telephone number) on where the child is staying, the dates of the trip and the name of the nearest hospital. You are allowed to sign permission slips for short trips such as children's school trips or trips taken as part of a religious organization or other out-of-school activity. When an unplanned trip happens, we must be notified as soon as possible.

You need the parent's consent to change a child's hair style (major cut, hair color, etc) or to permit tattooing or piercing.

CONFIDENTIALITY AND PRIVACY

We will not share any personal information about you or your family including your contact information unless we have your permission.

You have the right to know whether a child placed with you is HIV positive. However this information is confidential and if you share it, you could be fined or go to jail or both. *[NYCRR 443.3 (b)(15)]*

"The family background of the child, the child and family's medical history and condition, and/or the services being provided to the child...may be disclosed and discussed only when, and if necessary, for the purpose of providing care, treatment, or supervision of the child." (NYFPM p. 24.)

You cannot read a child's mail, restrict a child from making or receiving telephone calls during reasonable hours, or search a child's room unless you have reasonable cause to think that the child stole something or has a weapon, drugs or something else that is dangerous. [NYCRR 441.18 (a)(b)] Please contact your caseworker if you have concerns about any of these things.

HEALTH AND MEDICAL CARE

Every child placed in foster care for the first time (and if the child comes back into care after 90 days out of care) must have a comprehensive medical exam (NYSFPM p. 28) and mental health/developmental screening within 30 days. All children under the age of three should be evaluated by an early intervention program. SCO's medical department is alerted each time a child is placed in care. They will assist you in scheduling all required medical appointments. You are required to bring a child to our medical clinic the next business day after placement (child's initial placements only)

We expect you to bring children in your care to our agency for routine physical exams. We will give you two medical cards for all children in your care that can be used at agency authorized clinics for other appointments. If children in your care need a prescription filled, please use these cards. Use the agency's address, not your home address, on all medical forms. Even if children in your care are covered under your private insurance, you may not use it as this would make our agency liable for Medicaid fraud. **Never sign a consent for medical or mental health treatment.** Only birth parents or agency staff may do this. If you have any problems contact SCO's medical department. After hours call the Hotline.

To find out how to obtain therapeutic services for a child in your care, ask your caseworker.

Any medical procedure needs to be authorized in advance (unless it is an emergency in which case you must contact your caseworker or the Hotline as soon as possible). However, "New York law provides that consent is not required in order for a physician to administer emergency medical care." (NYSFPM p. 27)

"Foster parents providing care for an adolescent who is 12 years of age or older [or younger children who are known to be sexually active] must be informed in writing within 30 days of the child's placement in the home, and then annually, that such social, educational, and medical family planning services are available for the adolescent." (NYSFPM p. 29)

Two NYS OCFS publications with additional information you might find helpful are:

- Working Together Health Services for Children in care
http://www.ocfs.state.ny.us/main/sppd/health_services/manual.asp
- A medical Guide for Youth in Care:
<http://nysccc.org/wp-content/uploads/MedicalForYouth.pdf>.

SCHOOL

Educational rights with regard to a child remain with his/her parent. However, you are crucial to helping a child succeed in school. You should review and sign report cards, attend

parent/teacher night and attend any other meetings including those for special education services a child might need, along with the birth parents. Generally, only the birth parents can sign consent for special education evaluations and services (the Individualized Educational Plan or IEP). The foster parent can only sign consent if the birth parents' rights have been terminated or if their whereabouts are unknown. Children with special needs are sometimes entitled to special services such as private bus service or extended year school programs. For more information, check with Resources for Children with Special Needs (RCSN) at resourcesnyc.org.

ALLEGATIONS

A caseworker from the ACS Office of Special Investigations (OSI) or LDDSS office may come to your home at any time to investigate a complaint of abuse or neglect with regard to a child in your care. In rare circumstances if the OSI caseworker is having difficulty reaching you, she may come to your workplace or a relative's house. Your biological and adopted children (if you have them) may also be interviewed without you in the room. In addition, your neighbors, friends and medical providers may also be interviewed. You will receive a letter detailing the allegations within 7 days of the report. The investigation must be completed within 60 days. OSI will recommend follow up actions to be taken by our agency, if necessary. Most foster parents undergo this process in their life as a foster parent. Please reach out to your caseworker, homefinder, foster parent advocate or FAPA members if you need support or have questions regarding the process or complaints regarding the investigation.

Foster and adoptive families who care for children who have been separated from their parents because of abuse, neglect or abandonment are especially vulnerable to reports of abuse/neglect; often experience increased scrutiny; and may be more likely to be the target of maltreatment allegations than other families in their communities. The North American Council on Adoptable Children¹ recommends the following prevention strategies:

- **“Know your limits.** If you are not comfortable handling children with certain challenging backgrounds and behaviors, don’t set yourself up by bringing such children into your home.
- **Learn all you can about each child before placement.** You have a right to know about previous abuse and allegations. Ask: "Has this child been abused? In what way? Who were the perpetrators? Have there been any abuse allegations?" [For example, if a] foster family whose 13-year-old girl charged the grandfather with abuse [knew] about her abuse history, they would never have left the foster grandfather alone with her.
- **Make sure that men and boys [males are statistically far more likely than females to have been sexual perpetrators and therefore more likely to be accused] in your house are never alone with a [child] who has been sexually abused.** Proactive precautions are very important in this situation, especially at the beginning of the placement. Talk with your partner and others in the household about this safety plan, and stay proactive.

¹ Strategies excerpted from <http://www.nacac.org/adoptalk/allegations.html> in *Adoptalk*, published by the North American Council on Adoptable Children, 970 Raymond Avenue, Suite 106, St. Paul, MN 55114; 651-644-3036; www.nacac.org.

- **Give each sexually abused child his or her own bedroom.** [This can be] difficult, but why put another child in your home at risk? If a child's boundaries have been invaded, he or she needs to re-learn proper boundaries.
- **Be crystal clear about rules for dress, privacy, touching, etc.** Caregivers must agree on house rules, boundaries, and consequences. Each child comes from a different culture of parenting, sexuality, sleeping habits, dress, touch, and more, and needs to learn what is appropriate. [You could talk] about sexuality as one of the house rules. "In this house," [you could] say, "my husband gets his sexual needs met with me and only me." Sound crude? Yes, but [it sets] a very clear boundary that [children can really need].
- **Never use physical discipline.** Corporal punishment is not allowed in foster care. Some folks think that once the kids are adopted, physical discipline is okay. Don't do it. Children with a history of physical, sexual, or emotional abuse often misinterpret physical discipline and an allegation is likely. Physical discipline can also undermine attachment.
- **Avoid teasing, horseplay, wrestling, and suggestive language.** These are acts of intimacy, and intimacy is just what abused children often resist. In addition, the child may get a different message than you intend during the close physical contact involved.
- **Document sexual acting out in writing.** Send reports to the child's social worker and therapist. Then, if another incident comes to light, the worker and therapist can see that there might be a pattern to the child's acting out that perhaps relates to past experiences.
- **Document behavior patterns.** When a child enters your home, use a calendar to record changes in the child's behavior; inappropriate words or actions during birth parent visits; the child's behavior following visits; the cause of scratches, bruises, or other injuries; and any patterns of behavior that seem to follow specific events or times of the year (like anniversaries of certain past events).
- **Participate in a support group.** As foster and adoptive parents of children with special needs, you need to share the struggles and joys that are a part of your lives with those who can empathize and support you. You need folks who can laugh and cry with you and really understand the foster and adoptive parent's journey.
- **Reserve personal time to reduce stress.** Know what really pushes your buttons, and establish a calming plan. Post 20 calming tips on your refrigerator and model stress-reduction techniques for your children. Then, make plans for a weekly—yes, weekly—time away from the children. Take care of yourself; you are the child's greatest gift!"

PARENT SUPPORT GROUP

We have SCO Foster Parent Associations for foster and pre-adoptive parents, and we encourage you to attend. Speak to your homefinder to get the leader's contact information for your area. OR You can find a multi-agency Foster and Adoptive Parent Association (FAPA) in your area by looking under NY Services at www.nysccc.org and clicking on your borough. Parent support groups are listed on the bottom of the page. You can also start your own group! You can find resources to do so by looking under Family Support/Parent Groups at www.nysccc.org.

APPENDIX A

GUIDELINES AND RULES FOR CONSIDERATION OF FOSTER CARE AND ADOPTION SUBSIDY INCOME/PAYMENTS FOR FINANCIAL ASSISTANCE PROGRAMS

FOOD STAMPS

Foster Care Payments The treatment of foster care payments depends on whether or not the child for whom payments are received is included in the food stamp household.

Source: *NYS OTDA 08-ADM-04:* “Children who are in foster care are **not** required to be included in the FS household of their foster parent(s). It is the decision of the household whether to include the child(ren) or not. Inclusion or exclusion of the foster care child in the FS household is not contingent on whether or not food for the foster care child is purchased and prepared with the rest of the food stamp household. (i.) If a child **is** included in the FS household, then the foster care payments for that child, **in excess of allowable, verified, reimbursable expenses**, must be included as income when determining the eligibility and benefit for that household. Such payments are considered to be unearned income to the FS household.
ii. If a child is **not** included in the FS household, then the total amount of the foster care payments must be excluded as income to the FS household.”

Adoption Subsidy Payments are included as unearned income

Source: *NYS OTDA 08-ADM-04:* “Adoption subsidy payments in excess of allowable, verified, reimbursable expenses may not be excluded as income and are considered to be unearned income to the FS household. Income from adoption subsidy payments must be budgeted in determining the household’s FS eligibility and benefit amount.”

TEMPORARY ASSISTANCE (TA) - AKA PUBLIC ASSISTANCE

Foster Care Payments are not included as income for purposes of applying for Temporary Assistance.

Source: *NYS OTDA 08-ADM-04:* “A child on whose behalf a relative or caretaker is receiving foster care is not considered under 18NYCRR 369.2(f) (1) (ii) to be residing in the home of the relative or caretaker. This means that a child on whose behalf foster care is being received when physically present in the home of the relative/caretaker is not considered for filing unit or other budgetary purposes. Foster care income is exempt for TA budgetary calculations under 18 NYCRR 352.22(g)”

Adoption Subsidy Payments: The treatment of adoption subsidy income depends on whether or not the child (for whom subsidy is received) is included in the family household. If the adopted child is included in the household composition, subsidy income is included. If the child is not included, subsidy income is excluded.

Source: *NYS OTDA 08-ADM-04:* “The treatment of adoption subsidy income for TA eligibility purposes is detailed in 92 ADM-42. The social services district must include the child on whose behalf an adoption subsidy is being received in the TA filing unit and the full amount of the adoption subsidy income in the budget *only when it is financially beneficial to the family for the child to be included*. Since it is normally financially beneficial to exclude the child on whose behalf an adoption subsidy is being received from the filing unit and therefore exclude the full amount of the adoption subsidy income from the budget, children in receipt of an adoption subsidy are normally not members of the TA filing unit.”

SUBSIDIZED HOUSING

Foster Care Payments: are not included as the child is not a permanent member of the family.

Source: *HUD Occupancy Handbook 4350.3, Section 1, Chapter 5 (5-6,A,3,g):* "Payments received by the family for the care of foster children or foster adults are *not* counted."

Adoption Subsidy Income: is included in the adoptive family's income up to \$480.00 a month. Any amount over \$480 is excluded.

Source: *HUD Occupancy Handbook 4350.3, Section 1, Chapter 5 (5-6,A,3,g):* "Adoption assistance payments in excess of \$480 are not counted."

SUPPLEMENTAL SECURITY INCOME (SSI)

Foster Care Payments: are not deemed as available income in determining eligibility for SSI.

Source: <http://www.socialsecurity.gov/ssi/spotlights/spot-deeming.htm> "Examples of income that we do not deem are Temporary Assistance for Needy Families; Department of Veterans Affairs' pension; general assistance; foster care payments for an ineligible child; and income used to make support payments"

Adoption Subsidy Payments are included in the adoptive family's income when determining eligibility for, and the amount of a disabled child's SSI benefit. If the child is eligible, the amount of the SSI payment is reduced dollar for dollar by the amount of the adoption subsidy.

Source: *ACF Child Welfare Policy Manual, 8.2B.12 TITLE IV-E, Adoption Assistance Program, Eligibility, SSI.* "Title XVI (SSI) is a needs based program and, as such, requires a test of income and resources of the adoptive parents in determining the amount of the SSI benefit to which a child with a disability(ies) may be entitled. If (or when) the parental resources and income exceed a maximum level determined by the SSI program, the child is no longer eligible for SSI payments. In cases where the child is eligible for both SSI and title IV-E [Adoption Assistance] and there is concurrent receipt of payments from both programs, the child's SSI payment will be reduced dollar for dollar without application of any exclusion, thus decreasing the SSI benefit by the amount of the title IV-E payment."

FREE OR REDUCED SCHOOL MEAL PROGRAMS

Foster Care Payments: are not included as income if the foster parent is applying as a household for other children not in care. Children in foster care are considered a household of one and must have a separate application submitted and signed by a member of the child's household, a court official or other agency with responsibility for the child.

Source: *USDA Eligibility Manual for School Meals Part 4, B, page 32.* "Foster child - a foster child is a child who is living with a household but who remains the legal responsibility of the welfare agency or court. Such a child is considered a household of one." *Part 3, page 28.* "Since each foster child, including a preschool foster child, is a household of one, foster children are not included in the foster parents household."

Adoption Subsidy Payments are included the adoptive family's income when applying as a household.

Source: *USDA Eligibility Manual for School Meals, Part 4, B, page 31.* "Adopted Child - An adopted child for whom a household has accepted legal responsibility is considered to be a member of that household. If the adoption is a "subsidized adoption, which may include children with special needs, the subsidy is included in the total household income. "

CHILD CARE SUBSIDIES

Foster Care and Adoption Subsidy Payments are not included in the foster or adoptive family's income.

Source: *NYS 07-OCFS-LCM-5*. "Effective April 30, 2007, all local offices must exclude adoption and foster care subsidies when determining eligibility for child care subsidies and calculation of the family share."

MEDICAID

Foster Care Payments are not included in family income when determining eligibility for low Income Families.

Source: *NYS DOH Medicaid Reference Guide, Section 2- Income, pages 150-152* "The following types of income are disregarded in the determination of gross monthly income for Medicaid: ...FOSTER PARENT PAYMENTS - Payments received for a child boarded out in the home of a recipient by an agency or a relative of the child."

Adoption Subsidy Payments: The treatment of adoption subsidy income depends on whether or not the child (for whom subsidy is received) is included in the family household. If the adopted child is included in the household composition, subsidy income is included. If the child is not included, subsidy income is excluded.

Source: *NYS DOH Medicaid Reference Guide, Section 2 Income, page 455*. "Medicaid may be authorized for an entire household or the portion of a household that is determined eligible. All persons in a household may apply on the same application, regardless of whether or not their eligibility is determined in the same budget/household. A child(ren) in receipt of an adoption subsidy may be removed from the household for budgeting purposes if the child(ren) makes the rest of the family ineligible. Federal law mandates states provide Medicaid coverage for adopted IV-E children."

Additional source: *NYS DOH Medicaid Reference Guide, Section 4 Other Eligibility Requirements, pages 133-4* "Determining eligibility is a two-step process: 1. Count as many persons in the household as possible. If the child or the person seeking eligibility is not found eligible; 2. Remove the "May Counts" from the household of the applicant(s) and determine eligibility. Prior to the adoption finalization, the child is considered a household of one. Once the adoption is finalized, Medicaid eligibility is determined using the household size of the child, adoptive parent(s) and any other applying siblings. The child's adoption subsidy is counted in the eligibility determination unless the child has been deleted from the household based on Mehler/Vailes. The child's adoption subsidy is counted in the eligibility determination unless the child is not counted in the household."

FAMILY AND CHILD HEALTH PLUS PROGRAMS

Foster Care Payments: As both of these programs use the same budgeting methodology as Medicaid, foster care payments are not included in family income.

Adoption Subsidy Income: Same as Medicaid, the treatment of adoption subsidy income depends on whether or not the child (for whom subsidy is received) is included in the family household.

Source: *01 OMM/ADM-6*. To be eligible for FHPlus, an adult must be uninsured, age 19 through 64, a New York State resident, meet citizenship/alien status requirements, ineligible for Medicaid based on income and/or resources, and must meet certain income requirements. While the majority of Medicaid eligibility standards and rules will apply for FHPlus applicants, there are several differences such as higher income levels, no resource test, and no co-payments, premiums or other types of cost-sharing. When determining gross countable income, exclude those ADC-related and S/CC-related categorical income disregards that are not considered in determining gross, monthly income for Medicaid eligibility. (Medicaid Reference Guide)

Source: *Office of Medicaid Management GIS 00 MA/007*. A major difference between Child Health Plus and Medicaid has been the determination of household size. In order to more closely align the programs, a common method of determining household size has been developed... When families apply directly to a local district office, eligibility workers should initially include all applying and non-applying siblings residing together in the household size. In the event that such sibling has income which renders the applicants ineligible, workers must explain the right to exclude any applying **or** non-applying children with income from the household count, as required by the Mehler/Vailes litigation. This applies to: Low Income Families, ADC-related Medically Needy, and Expanded/poverty

NON-PARENT CAREGIVER FINANCIAL ASSISTANCE CASES

Overview: Grandparents, other relatives, and non-relatives who are caring for children for whom they are not legally responsible are eligible to apply for Temporary Assistance (TA) for children in their care.

Non-parent Caregiver is the NYS OTDA recommended term to be used when referring to cases where there is a non-legally responsible caregiver caring for a children for whom they are applying for, or receiving TA; and includes both relative and non-relative caregivers.

The child's eligibility for TA is based solely on the child(ren)'s income and resources. Federal reporting requirements mandate that relative non-parent caregivers provide their income and resources as a condition of eligibility for the child(ren). However, they are not required to verify their income and resources. If the non- parent caregiver is in receipt of SSI and is receiving the live alone rate, the child(ren) moving in with them would move them to the living with others rate, which is generally lower. **Source:** *NYS OTDA 05-INF-24, Non- parent Caregiver Cases and Temporary Assistance (TA)*

REFERENCES

- **NYS OCFS Policy Directives:** <http://www.ocfs.state.ny.us/main/policies/external/>
- **NYS OTDA Policy Directives:** <http://www.otda.state.ny.us/main/policy/directives/2010/>
- **HHS Administration for Children & Families Child Welfare Policy Manual:**
http://www.acf.hhs.gov/cwpm/programs/cb/laws_policies/laws/cwpm/policy.jsp?idFlag=8
- **USDA Eligibility Manual for School Meals:**
http://www.fns.usda.gov/cnd/guidance/eligibility_guidance.pdf
- **HUD Handbook 4350.3 - Occupancy Requirements of Subsidized Multifamily Housing Programs:**
<http://www.hud.gov/offices/adm/hudclips/handbooks/hsgb/4350.3/index.cfm>
- **NYS DOH 01 OMM/ADM-6 Eligibility Requirements for the Family Health Plus Program**
http://www.nyhealth.gov/health_care/medicaid/publications/docs/adm/01adm-6.pdf
- **NYS DOH OMM GIS 00 MA/007 Change in the Definition of Household Size**
http://www.nyhealth.gov/health_care/medicaid/publications/docs/gis/00ma007.pdf

APPENDIX B

WHAT MAKES A GOOD FOSTER PARENT?

The following comes from an amazing blog (<http://looneytunes09.wordpress.com/>) written by a young woman who aged out of foster care after living in 14 different places. A reader asked her, “What makes a good foster mom?” Also see “What makes a good foster dad? ... a reader asks” on her blog for more excellent suggestions.

1. Caring and Interest: Show interest in the child. Ask what is going on in their world. Ask what they feel. They may not answer, but show that you are interested. Showing interest shows you care. In so many of the foster homes/group homes I stayed in, no-one even asked about school, let alone how I felt or what was going on in my world. I knew they never cared about me. Foster kids may act like we don’t want you to care about us, but deep down we do. We are just trying to protect ourselves from getting hurt again.

Show you care. Sometimes children in foster care “can’t hear” your caring. You tell them you care and they say “**** you.” Sometimes words mean nothing to a foster kid, because words have been nothing but lies from their bioparents and therefore hold no weight. Therefore, show you care. This takes more effort, but do it. Examples:

- Go out of the way to cook their favorite dinner
- Ask to see their homework
- If they did well on a test or an assignment — display it on the refrigerator or go celebrate
- Spend time with the child doing an activity – walking the dog, playing football, etc.
- Sometimes actions speak much louder than words – in a foster kids world. As trust develops, words become important, but at first it might be actions.

2. Patience, Gentleness, Steadiness; but Firm Boundaries: I don’t believe in yelling at foster children and I actually do not believe in “tough parenting or tough punishment.” These kids have had enough “toughness” and hostility in their lives. I think of a good foster parent as acting similar to how the Taoists describe water. Water flows gently and peacefully, ...but over time is so powerful that it is able to carve through rock. Display gentleness, steadiness, and firm boundaries regarding what is appropriate and what is not. Set the boundaries early in the relationship. When the boundaries are tested, stand firm; not with hostility but explanation. For example:

- “LT, we eat at the table; not walking around the house because we don’t want crumbs everywhere. Come and sit down.”

- “LT, we don’t condone you smoking. You can NOT smoke in the house. If you are going to smoke which is not healthy for you, you must smoke outside. If you smoke inside, we will take the cigarettes.”
- “LT, sneaking out at night is NOT permitted. We care where you are and are concerned if you are missing. One more time and you will spend the next month of weekends with us cleaning the garage and helping out at the community food shelter.”

Notice, boundary is said, explanation of caring and why it is not appropriate to break the boundary, and some discipline if necessary. Expect the boundaries to be tested. This is a way of establishing whether you are trustworthy. Showing anger, toughness, or threats will most likely make the child react “worse” – because they are testing you to take the next step. Stop this cycle. Gentleness, firmness and steadiness wins.

3. Creativity: Find ways to deal with the child’s issues creatively. Find ways to deal with the child’s feelings creatively. Find ways to deal with the child creatively. Think outside the box. Traditional methods do not work and put the child further into isolation. Remember my story about the Hippie foster parents...they encouraged dancing as an expression of feeling. It was a release of both energy and feeling for a kid (me) in so much turmoil. Other positive examples of creativity:

- Talk to the Stars Game. My 2nd foster home did this. Because I could not talk to “people” and was very afraid of “people,” they started the “Talk to the stars” game. When the stars came out, we would go sit outside on a blanket and my foster mother would say something like: “Hello stars – we are glad to see you tonight and we came to talk to you.” Then she would say a phrase like “I am so tired.” Then each of us would point to a star twinkling and that would be a sign that the star heard. When we found 5 stars twinkling at us, it would be my turn to “Talk” to the stars. I would say a phrase and then we would look for the twinkling stars. Over time the phrases became more detailed and descriptive of my feelings and fears.
- A food storage container in my room where I could put the food I was stealing and hoarding. Instead of hiding food all over the room, I put the food in that bin that was mine. Every couple of days, me and my foster mother would go through it to see if anything needed to be thrown away and we would talk about it. It was my safe space. I knew food was always there. No-one else could go into the storage bin without me knowing.
- “Punishment” - that was activities with the family, such as raking leaves. This actually turned into a fun activity because we wound up “playing” in the leaves which released energy and tension.

4. Ability to Put Yourself in the “Child’s Shoes”: I guess this is called empathy. Never forget no matter how “bad” we have acted, that we are children. What may seem really stupid to you, most likely makes perfect sense to the child. For example, I am always amazed that beginning foster parents are shocked that foster children eat a ton of food or steal and hoard food. Many

are overwhelmed by this. But, if you are a child where there was not constant food and you are starving, it makes perfect sense to steal and hide food.

Have you ever been starving? I don't mean "oh, I didn't eat dinner TODAY" starving — I mean you are so fucking hungry that you eat paper to try to stop the pain in your stomach? Or carpet? Starving where you can feel your stomach eating itself. That type of starving? For weeks? For longer? - Have you?

Have you ever wondered when your next any food item will come— when your parents will put something in the refrigerator? And you give up waiting and search the trash cans, willing to eat bread that is soggy and covered with mold? Or half-eaten pizza that you find under table trash and cigarette ashes from a restaurant? Or a banana that well, you can't really tell what it is....but it smells like something to eat. This is what I mean. Put yourself in the shoes of the child.....and it all makes sense.

5. Sense of Humor: This is incredibly important. Humor is at times the best medicine and a huge stress reliever for both the foster mom and foster child. For example:

- When I was young, one of my "bad habits" when I was upset was writing on walls—all walls. In one foster home I lived in, the foster mother purchased all kinds of paper, in all sizes, shapes, colors, in hopes of getting me to write on the paper instead of the walls. She laid them on the floor, in almost every room. Normally I wrote on every wall in my bedroom, all four of them. One day I wrote on only one wall and then started writing on the papers on the floor. When my foster mother came in, instead of yelling at me for writing on the wall again, she looked at the floor, laughed and said "Progress LT. Good job." She did not get mad, she laughed. Then she got on the floor and colored with me.

6. Willingness to Want to Teach and to Learn: Foster children come from a different life than you are probably accustomed to. Some of it bad, some of it good, and some of it different. Use this opportunity to both teach and learn from the children. For example:

- I never ate at a table and never knew formal "manners" until I went to foster care. I had to be taught those.
- I never brushed my teeth before. I had to be taught to do that and why.
- I had to be taught to change clothes every day. When I lived with my bioparents, no-one cared and I did not have a lot of clothes. I kept wearing the same things. Then when I went to foster care, there was "lots" of shirts and pants and socks. I had to be taught to wear different clothes and that clothes needed to be washed.

These may be extreme examples, but the point is that my world with my bioparents was very different than "normal" and I had a lot to learn. But at the same time, the foster parents had to want to learn what my world was like. That included listening to my experiences, hearing my feelings, and trying to understand what it was like for me. It may be hard to learn about all these things, but it helps aid in empathy and understanding the child. And it helps the child heal and make sense of things.

In a more concrete example, many foster children are educationally behind or have difficulties. Share your knowledge about the world, your ability to read, and be willing to teach the child — from things like school work, to things about the world, to things about survival. In my blog I mention many “things” I should have been taught along the way — school, cooking, how to drive, how to get a bank account and manage money, etc.etc. I also talk about some things I learned — building fires, appreciation of music, how to make water safe, that it was ok to drop stuff, etc. etc...

7. Creative Punishment that Forces Engagement, Not Isolation: Punishing foster children so that they are isolated, alone, sent back, etc. is not helping them at all. They act-out in fear, in anger, to test what will happen. If you respond as they expect, you prove that they are not worthwhile or are bad...exactly what they want. Use creative punishment that ENGAGES the child to be with you. For example from my own experiences:

- raking leaves with the family,
- cooking dinner with the foster mother,
- building a birdhouse with the foster father,
- cleaning and picking up a room with the foster mother, etc.

Foster children are used to being alone. Punishing them so that they are “alone” again, does nothing but enforce their negative feelings about themselves and the world.

8. SMILE, Please smile: Many of us come from worlds where there were no smiles, no soft gentle eyes, no looks of happiness. Example:

- When I was 7 and I went into foster care, my first foster mother, Ms. Liz was a wonderful lady. She smiled. I was so captivated by her smile that I remember taking my fingers and running them along her lips to the corner... for which she would smile more. I don’t think I ever saw “smile” that much. **So, freaking SMILE.**

9. FIGHT For Foster Kid’s Rights: A good foster parent will fight to get the child what she/he needs. If you have read some of the comments on my blog, foster parents talk about having to “fight” for the child. If you don’t fight, the child will slip through the cracks. You may have to fight for mental health treatment, ILP, less visitation, more visitation, ... the list goes on. Example:

- I left foster care at 18 with a bad eating disorder, severe self-harming behavior, and mental illness that should have been treated by therapy. I left without life skill classes and without finishing high school. I should have been in a permanent placement early on in care. Fight for these things — the kids deserve them.

Part of being a good foster parent is being an advocate for the child. Because most likely, the child can’t or won’t advocate for themselves. **SPEAK UP!**

10. Be Willing to “Step Back in Time”: Foster kids may be emotionally younger than their chronological age. It may not be a developmental delay, but an emotional delay. Don’t be afraid to step back in time with a foster child, because, well, they may have missed a lot of “stuff.” Examples:

- Reading to them and having them read to you
- Playing with toys and games with them
- Teaching about different foods like what fruits are or how to cook
- Taking the child to a place like a zoo — where they may never have been
- When I went into foster care, one of my favorite games at age 7 was Candy Land. I had NEVER played that and I loved the colors and the counting and the candy. I thought it was funny. That game is for young children, but I played it constantly. I also was fascinated with Hungry Hungry Hippos, which is this game where you push the back of the hippo and it opens up to eat the marbles that are rolling around the board. The person whose Hippo eats the most marbles wins. I thought it was hysterical and it was about food. That game was also “below” where I should have been.

11. Let the Children Have a “Life”: Just because the children in your home are “foster children,” does not mean they don’t need a life. Encourage sports, music, extracurricular activities that can help build their self-esteem and that they enjoy. I know things cost money, but if money is an issue, encourage school-based activities or free activities. I grew up never having any extracurricular activities but wishing I had; because now as a young adult, I have very little clue what I like or what I would like to do for “fun.” I never experienced playing a sport or the yearbook club or drama club or playing an instrument, etc. All these things help define a child...make sure the opportunity is there.

Think about cross-over if the child is moved. Are there activities that the child can continue if moved to another home? Sometimes foster parents and workers use the excuse that the kids “move so much” and that is why they are not active...work hard to think about ways to get them involved in activities that can stay CONSTANT.

12. Be THE Parent: Just because you are a “foster parent” does not mean you should not be THE parent. What I mean is attend parent-teacher conferences, attend the science fair, attend the game or the play or whatever else the child is involved in. Include them in your family events; don’t isolate them away. Act like their parent; not a friend, etc., because a parent is what the child needs.

13. Don’t Give Up! This is probably the hardest suggestion to give, because I recognize that being a foster parent is not easy. I also recognize that you may get some kids who “give you a run for your money” and that you want to send back. My advice is to please think carefully about your decision. Although we as foster kids may egg-you-on to “send us back” or “to get rid of us” — deep down inside we are really terrified of being abandoned again. And in most cases, we are just testing you to do so. When you make that decision to get rid of us, in most children, it is very painful because we again feel “bad,” “unwanted,” “unworthy,” etc. The example I share here, I am NOT proud about and feel tremendous guilt about to this day; but it eloquently shows what I mean. Example:

- Recall the Hippies...one of the best foster homes I lived in. For personal reasons, they could no longer keep me and made the decision to “send me back.” I was devastated inside; beyond belief..... but I cursed them out, acted-out, and set fire to many of their record albums. My behaviors were so “bad” that they “sent me back” several weeks before the planned time. Their reaction to me acting-out reinforced how horrible I felt about myself and how “bad” I truly was.

It is like a vicious cycle. We egg-you-on, you respond how we expect, and it proves exactly how horrible we are. ... Break that cycle and don't respond or react how the foster kid wants. This builds trust. If you give up, deep down inside, so does a piece of us. A shattered heart is hard to rebuild.

14. LISTEN: Please. Hear us. Sometimes lending your ear to a child in pain and turmoil is the best thing in the world. When a child is ready, she/he will talk. And when she/he talks....
PLEASE LISTEN.

15. Be HONEST. Period: Don't lie — about anything. We are lied to enough by bio-parents and many other people in our lives. Model honesty. Lying will break trust. Don't lie about our bio-parents, don't lie about why we are in foster care, don't lie about yourselves. If you don't know the answer, say so; but do not lie. Foster children tend to be excellent at reading body language and small signals — it is part of being hyper vigilant. If you lie, we will know it....eventually. The foster parents I respected the most were the ones who told me the truth no matter how hard it was to hear. For example:

- “LT, I know you want to see your mom, but everyone has tried very hard to find her. She is gone. They will keep trying but if she does not come back, there is no way to see her.”
- “LT, your dad is going to jail. The judge made the decision. You are safe now. But many, many years from now, he may get out. But then you will be big. Do you have any questions?”
- “LT, you have to leave our home because we are moving to another state. We can't take you with us. We only wanted to do foster care and never planned on adopting. “

These examples were somewhat confusing and painful at the time, but I appreciate the honesty. Lies DO NOT protect....always remember that.

APPENDIX C

SUGGESTED READING

The following list was taken from <http://nysccc.org/family-supports/recommended-reads/>.

ADOPTION BOOKS

- *Adopting the Hurt Child: Hope for Families with Special-Needs Kids* by Gregory C. Keck & Regina Kupecky
- *Adopting The Older Child* by Claudia L. Jewett
- *Attaching in Adoption: Practical Tools for Today's Parents* by Deborah D. Gray
- *Being Adopted: The Lifelong Search for Self* by David Brodzinsky, Ph.D., Marshall Schechter, M.D. and Robin Hening
- *Beneath the Mask: Understanding Adopted Teens* by Debbie Riley
- *Brothers and Sisters in Adoption* by Arleta M. James
- *Help I've Been Adopted* by Brenda McCreight
- *Helping Children Cope with Separation and Loss*, Revised Edition by Claudia L. Jewett Jarratt
- *Nurturing Adoptions: Creating Resilience After Neglect and Trauma* by Deborah D. Gray Perspectives Press, 2007
- *Parenting Adopted Adolescents: Understanding and Appreciating Their Journeys* by Gregory C. Keck
- *Parenting the Hurt Child: Helping Adoptive Families Heal and Grow* by Gregory C. Keck
- *Parenting Your Adopted Older Child: How to Overcome the Unique Challenges and Raise a Happy and Healthy Child* by Brenda McCreight, Ph.D.
- *Real Parents, Real Children: Parenting the Adopted Child* by Holly van Gulden and Lisa M. Bartels-Rabb
- *Telling the Truth to Your Adopted or Foster Child: Making Sense of the Past* by Betsy E. Keefer and Jayne E. Schooler
- *The Family of Adoption: Completely Revised and Updated* by Joyce Maguire Pavao
- *The Open Adoption Experience – A Complete Guide for Adoptive and Birth Families* by Lois Ruskai Molina
- *Twenty Things Adopted Kids Wish Their Adoptive Parents Knew* by Sherrie Eldridge
- *Wounded Children, Healing Homes* by Jayne E. Schooler, Betsy Keefer Smalley, and Timothy J. Callahan, Psy.D.

FOSTER CARE BOOKS

- *A Child's Journey Through Placement* by Vera I. Fahlberg, M.D.
- *Another Mother: Co-Parenting with the Foster Care System* by Sarah Gerstenzang
- *A Guide to Foster Parenting: Everything But the Kids!* by Mary Anne Goodearle, M.S.,
- *A Guidebook for Raising Foster Children* by Susan McNair Blatt, M.D. -

- *Advocating for Children in Foster and Kinship Care: A Guide to Getting the Best out of the System for Caregivers and Practitioners* by Micheal Rosenwald, Phd and Beth Riley, MSW
- *The Heart Knows Something Different: Teenage Voices from the Foster Care System* by Al Desetta
- *Families Change: A Book for Children Experiencing Termination of Parental Rights* by Julie Nelson
- *Kids Need to Be Safe: A Book for Children in Foster Care* by Julie Nelson
- *The Lost Children of Wilder: The Epic Struggle to Change Foster Care* by Nina Bernstein
- *Maybe Days: A Book for Children in Foster Care* by Jennifer Wilgocki
- *Parenting Someone Else's Child* by Ann Stressman
- *Building A Bridge: Stories About Connections Between Parents and Foster Parents* from Youth Communication