



# Adoptive and Foster Family Coalition of New York ACHIEVES INCREASE IN NYS FOSTER FAMILY SUPPORT

## WHAT ARE THE CHANGES?

- Initial increases ranging from 20% to 46% in the monthly stipend for children in foster care starting on April 1, 2022.
- An increase, on average, of 25% in support for the care of children with special needs, and an implementation of a new “extraordinary” rate.
- Annual adjustments of all rates to keep them in line with inflation.
- These new rates will apply to all KinGap Guardianship families.
- Likely compatible increases in adoption subsidy rates. \*

\*SEE 21-OCFS-ADM-06 AND 21-OCFS-ADM-24 FOR PREVIOUS LINKAGE BETWEEN INCREASES IN FOSTER CARE STIPENDS AND INCREASES IN ADOPTION SUBSIDIES.

|                     | AGE RANGE   | RATES    | MINIMUM** INCREASES |
|---------------------|-------------|----------|---------------------|
| NEW YORK CITY (NYC) | 0-5 YEARS   | \$666.00 | \$920.00            |
| NEW YORK CITY (NYC) | 6-11 YEARS  | \$784.00 | \$1,167.00          |
| NEW YORK CITY (NYC) | 12-21 YEARS | \$912.00 | \$1,156.00          |
| REST OF STATE (ROS) | 0-5 YEARS   | \$608.00 | \$846.00            |
| REST OF STATE (ROS) | 6-11 YEARS  | \$732.00 | \$983.00            |
| REST OF STATE (ROS) | 12-21 YEARS | \$848.00 | \$1,080.00          |

\*\* ADJUSTED FOR 2020 INFLATION LEVELS FROM THE MARC REPORT BY AFFCNY EXPERTS AT CORNERSTONE CONSULTING

## WHAT STILL NEEDS TO BE DONE?

- OCFS will propose legislation mandating that the State rates become minimums in all counties for the 2022-2023 rate year. This will need to be approved by the legislature. If the legislature does not approve the mandatory minimums for 2022-2023, OCFS will re-introduce the legislation to take effect for 2023-2024.
- OCFS needs to issue guidance around the definition of the extraordinary rate and what would make children eligible.
- A foster parent liability insurance product needs to be created that is accessible and affordable for all parents. Currently no such product exists. The Coalition believes liability insurance should be mandated for all licensed foster parents.

## HISTORY:

In July 2010 the Coalition filed a lawsuit against the State of New York to compel the state to reimburse foster parents for the actual costs associated with children placed in their homes as described in the Federal Child Welfare Act of 1980. This Federal law requires reimbursement for 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 is enrolled at the time of placement. In December of 2021, we signed a settlement agreement to resolve this litigation.

FOR MORE INFORMATION, PLEASE GO TO: [HTTPS://AFFCNY.ORG/LAWSUIT/](https://affcnny.org/lawsuit/)