

THOMAS DINAPOLI  
COMPTROLLER



110 STATE STREET  
ALBANY, NEW YORK 12236

STATE OF NEW YORK  
OFFICE OF THE STATE COMPTROLLER

May 22, 2008

Ms. Gladys Carrión Esq.  
Commissioner  
Office of Children and Family Services  
52 Washington Street  
Rensselaer, NY 12144-2796

Re: Report 2007-F-46

Dear Ms. Carrión:

Pursuant to the State Comptroller's authority as set forth in Article V, Section 1 of the State Constitution and Article II, Section 8 of the State Finance Law, we have followed up on the actions taken by officials of the Office of Children and Family Services (OCFS), and the New York City Administration for Children's Services (ACS) to implement the recommendations contained in our audit report, *Accounting for and Contacting Children in Foster Care* (Report 2004-N-05).

**Background, Scope and Objective**

OCFS's mission, which is to promote the well-being and safety of children, families and communities, includes oversight of the State's foster care program (Program). Foster care placement is intended as a temporary out-of-home arrangement for children whose parents are not able to care for them and for children awaiting adoption. OCFS provides technical support and supervision to the State's 58 local social services districts and the St. Regis Mohawk Tribe (districts) that provide foster care services. Districts may provide foster care services directly or contract with voluntary agencies to provide them. District caseworkers coordinate the delivery of foster care program services required by the Social Services Law (Law) and regulations. Caseworkers are responsible for developing service plans; for maintaining a written case record to document case progress; for contacting the children, parents and foster parents; and for developing plans for the child's permanent placement (i.e., reunification with his or her family or freed for adoption). In New York City (NYC), the largest district in the State, the Administration for Children Services is responsible for the administration of the foster care program. The New York State Office of Children and Family Services (OCFS) is responsible for monitoring the implementation of the Program.

The objectives of our prior audit (Report 2004-N-05), which was issued on June 6, 2006, were to determine whether ACS could physically locate the foster children in its custody, including children newly entered into care; whether the voluntary agencies under contract with

ACS provided foster children with the required number of caseworker contacts; whether ACS made diligent efforts to find children reported as AWOL; and the extent to which the New York City foster care program complies with Title 18 and relevant ACS guidelines. As a result we focused on the actions taken by ACS.

The objective of our follow-up, which was conducted in accordance with generally accepted government auditing standards, was to assess the extent of implementation, as of February 15, 2008, of the four recommendations included in our initial report.

### **Summary Conclusions and Status of Audit Recommendations**

We determined that OCFS and ACS implemented three recommendations and partially implemented one recommendation contained in our prior report.

### **Follow-up Observations**

#### **Recommendation 1**

*Require ACS to strengthen its monitoring of voluntary agencies' compliance with Title 18 with regard to the response and follow up to AWOL occurrences. Specifically, ACS should:*

- *make sure both voluntary agencies and foster parents understand and comply with their notification responsibilities; and*
- *verify that agencies make and document their diligent efforts to locate the AWOL child.*

Status - Implemented

Agency Action - In order to strengthen its monitoring of voluntary agencies' compliance with Title 18 regarding the response and follow up to AWOL occurrences, ACS developed new policies and procedures that revised requirements and provided instructions for situations when a child goes AWOL. ACS also held training sessions attended by supervisors of voluntary agencies, foster parents, baby-sitters, children and case workers that specifically addressed accounting for AWOL children. Further, ACS appointed four case workers and a manager to work closely with the identified deficient voluntary agencies. These case workers are responsible for following-up with the identified deficient voluntary agencies to make sure there is compliance with notification responsibilities for AWOL children. ACS now verifies that voluntary agencies, case workers and foster parents document their efforts to locate AWOL children on CONNECTIONS. CONNECTIONS is the State electronic case record system designed to access current cases information in a coordinated and collaborative way through the implementation of one shared family record.

### **Recommendation 2**

*Require ACS to monitor agencies' compliance with Title 18 and ACS guidelines. Monitoring should include procedures designed to verify that all required contacts are documented in progress notes, and that all progress notes (including electronically maintained documents) are signed by both the caseworker and the supervisor.*

Status - Partially Implemented

Agency Action - ACS and OCFS officials agree that monitoring should include procedures designed to verify that all required contacts are documented in progress notes, and have assigned managers from its Case Management Unit to review and approve progress notes in CONNECTIONS. Further, ACS will use its Provider Agency Management System to monitor the frequency of caseworker contacts. We selected and reviewed five caseworker contacts, and found that the contacts were entered and approved by managers in CONNECTIONS. However, ACS and OCFS officials do not believe that all progress notes (including electronically maintained documents) should be signed by both the caseworker and the supervisor.

### **Recommendation 3**

*Require ACS to investigate practices at the agencies we identified in this report, and confirm that these agencies made necessary corrections to comply with the requirements of Title 18 and ACS guidelines.*

Status - Implemented

Agency Action - To investigate practices at the agencies noted in our report and to confirm that they have taken necessary corrective actions, ACS has implemented a new initiative to review operations at the identified deficient agencies. Under this initiative, four caseworkers and a manager are to work closely with the identified deficient agencies and to offer guidance. In addition, every six months ACS staff confirms compliance.

### **Recommendation 4**

*Direct ACS to develop and implement risk-based monitoring procedures designed to identify and perform assessments at those agencies with prior documentation deficiencies.*

Status - Implemented

Agency Action - In order to identify and to perform assessments at the agencies with prior documentation deficiencies, ACS officials have developed the Scorecard initiative. Procedures included in the Scorecard were developed to identify various foster care deficiencies and monitor the performance of all the agencies. The Scorecard also integrates the Office of Research and Evaluation (ORE) and the Agency Program Assistance (APA). Additionally, ACS hired new staff and trained them in

corrective action methodologies. We traced all APA training dates to the corresponding sign-in sheets and found that APA officials performed the training in taking corrective action. ACS also utilizes its Provider Agency Measurement System to identify agency exceptions and the corrective actions ACS officials recommended.

Major contributors to this report were Santo Rendon, Orin Ninvalle, and John Ames.

We would appreciate your response to this report within 30 days, indicating any actions planned to address the unresolved issues discussed in this report. We also thank the management and staff of the OCFS and ACS for their courtesies and cooperation extended to our auditor during this process.

Very truly yours,

Michael Solomon  
Audit Manager

cc: Mr. Tom Lukacs, Division of the Budget